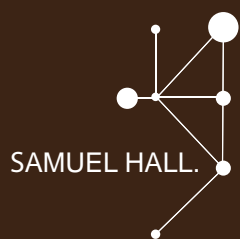


OLD PRACTICE, NEW CHAINS

Modern slavery in Afghanistan

A study of Human Trafficking from 2003-2013



IOM International Organization for Migration

Samuel Hall. (www.samuelhall.org) is a research and consulting company with headquarters in Kabul, Afghanistan. We specialise in socio-economic surveys, private and public sector studies, monitoring and evaluation and impact assessments for governmental, non-governmental and international organisations. Our teams of field practitioners, academic experts and local interviewers have years of experience leading research in Afghanistan. We use our expertise to balance needs of beneficiaries with the requirements of development actors. This has enabled us to acquire a firm grasp of the political and socio-cultural context in the country; design data collection methods and statistical analyses for monitoring, evaluating, and planning sustainable programmes and to apply cross-disciplinary knowledge in providing integrated solutions for efficient and effective interventions.

Acknowledgements. This report was researched and written by Samuel Hall Consulting for the International Organization for Migration (IOM) Afghanistan. We would like to thank Richard Danziger, Abdul Noorani, Nigina Mamadjonova, Natalia Macdonald and their colleagues and implementing partners in Badakhshan, Balkh, Faryab, Hirat, Kabul, Kandahar, Kunduz, Nangarhar, and Nimroz for their input and fruitful collaboration. We thank the Ministry of Interior Affairs (MOI); the Ministry of Justice (MoJ), the Ministry of Labour, Social Affairs, Martyrs and Disabled (MoLSAMD), the Ministry of Women’s Affairs (MoWA), and their departments in the visited provinces for their valuable support. Last but not least, we thank the men, women and children, victims of trafficking, their relatives and community members, who candidly shared their insights and personal experiences with our research team.

This report should be cited using the following reference:

Samuel Hall Consulting (2013), “Old Practice, New Chains: Modern Slavery in Afghanistan”, commissioned by the International Organization for Migration (IOM).

For permission to photocopy or reprint any part of this work, please send a request with complete information to development@samuelhall.org.

This publication was made possible through support provided by the U.S. Agency for International Development, under the terms of Award No. AID-306-IO-13-00003. The opinions expressed in this publication are those of the author(s) and do not necessarily reflect the views of the U.S. Agency for International Development.

Table of Contents

1. Introduction	6
2. Defining Trafficking: Theory and Practice	9
2.1. Defining concepts: A legal and conceptual background on trafficking	10
2.2. Understanding and awareness of TIP within the Afghan population	13
2.3. Causes and Determinants: Economic drivers of TIP in Afghanistan	18
2.4. Causes and determinants: Migration-trafficking nexus	24
3. Afghan TIP Patterns: 2001 to 2013	32
3.1. Overview of TIP knowledge and gaps in Afghanistan	34
3.2. TIP for labour exploitation in licit sectors	39
3.3. TIP for labour exploitation in illicit sectors	44
3.4. TIP for sexual exploitation	49
3.5. Forced marriage	55
3.6. Victim outlook	59
4. Counter-trafficking approaches	62
4.1. Protection and Assistance	63
4.2. Prevention	70
4.3. Prosecution	71
4.4. Coordination and cooperation	73
4.5. SWOT analysis for counter-trafficking in Afghanistan	76
5. Conclusions and recommendations	77
5.1. The state of TIP in Afghanistan: 2013 and beyond	77
5.2. Recommendations	79
6. Research Methodology	84
7. Bibliography	91
8. Annex	94
8.1. List of figures and tables	94
8.2. Key informant interviews	95
8.3. International definition of Trafficking in Persons (TIP)	97
8.4. Glossary	98
8.5. Case studies: TIP for sexual exploitation	102
8.6. Case studies: Trafficking for labour exploitation (licit sectors)	106
8.7. Case studies: Trafficking for labour exploitation (illicit sectors)	110
8.8. Case studies: Forced marriage	114
8.9. Case studies: Smuggling and abduction	119

Boxes

Box 2.1. Consent to Marriage in Islamic Law	15
Box 2.2. Case study excerpt: 16-year-old forced into marriage for financial gain	20
Box 2.2. Case study excerpt: Debt used to impose exploitative labour terms in Saudi Arabia	22
Box 3.1. Examples of debt bondage practices in licit labour sectors	41
Box 3.2. Case study excerpt: 24-year-old Afghan-Iranian woman abducted by drug smugglers	46
Box 3.3. Case study excerpt: 17-year-old boy coerced into forced labour and training by insurgents ...	46
Box 3.4. Case study excerpt: 14-year-old boy coerced into criminal activity in Nangarhar	47
Box 3.5. Case study excerpt: 15-year-old boy deceived into sexual slavery in Kandahar	50
Box 3.6. Case study excerpt: 13-year-old boy deceived into <i>bacha baazi</i> in Kandahar	51
Box 3.7. Sale of a 15-year-old girl for prostitution under the guise of a marriage	53
Box 3.8. Case study excerpt: 12-year-old girl forced into prostitution in Kabul	53
Box 3.9. Dowry or <i>mahr</i> : Clarification on legal vs. customary practices in Afghanistan	56
Box 3.10. Case study excerpt: Forced marriage for <i>baadal</i>	58
Box 3.11. Case study excerpts: Examples of victim resistance to forced marriages	58
Box 4.1. Protocol guidelines on assistance to and protection of VoT	64
Box 4.2. IOM Afghanistan's work on protection for victims	65
Box 4.3. Challenges in helping victims - the case of Narges	69
Box 4.4. Protocol guidelines on TIP prevention	70
Box 4.5. IOM Afghanistan's work on TIP Prevention	71
Box 4.7. Protocol guidelines on TIP prosecution	71
Box 4.8. IOM Afghanistan's work on TIP Prosecution	73
Box 4.9. High profile conviction of Sahar Gul's torturers overturned with signs of corruption	73
Box 4.10. Protocol guidelines on cooperation for protection and prevention	74

Case studies

Case study 1. Forced prostitution in Kabul	102
Case study 2. Sexual slavery in Kandahar	103
Case study 3. Bacha baazi in Kandahar	104
Case study 4. Bonded labour in brick kilns in Kabul	106
Case study 5. Forced labour for canal digging in Balkh	106
Case study 6. Forced labour in Saudi Arabia	107
Case study 7. Bonded labour in brick kilns in Balkh	109
Case study 8. Forced labour for criminal activity in Nangarhar	110
Case study 9. Forced labour / combat and sexual exploitation in Pakistan	111
Case study 10. Forced drug production/smuggling in Iran	113
Case study 11. Forced marriage for financial gain in Kabul	114
Case study 12. Attempted forced marriage for financial gain in Hirat	115
Case study 13. Forced marriage for financial gain in Kabul	116
Case study 14. Forced marriage for <i>baadal</i> in Balkh	118
Case study 15. Smuggling in Hirat	119
Case study 16. Abduction in Hirat province	120

For a list of tables and figures, see Section 8.1 in the Annex.

Acronyms & Abbreviations

AIHRC	Afghanistan Independent Human Rights Commission
GIRoA	Government of the Islamic Republic of Afghanistan
EUPOL	European Union Police Mission in Afghanistan
EVAW	Elimination/End of Violence Against Women
ILO	International Labour Organization
IOM	International Organization for Migration
IP	Implementing Partner
MOI	Ministry of Interior Affairs
MoJ	Ministry of Justice
MoLSAMD	Ministry of Labour, Social Affairs, Martyrs and the Disabled
MoWA	Ministry of Women's Affairs
NDS	National Directorate of Security
NGO	Non-governmental organisation
SH	Samuel Hall
TIP	Trafficking in Persons
Trafficking in Persons Protocol	Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing the United Nations Convention Against Transnational Organized Crime
UNAMA	United Nations Assistance Mission in Afghanistan
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
VoT	Victim of Trafficking

Glossary of Dari terms

<i>Baadal</i>	The exchange of daughters for marriage between two families to reduce dowry costs
<i>Baad</i>	The giving of a daughter to another family for resolve a dispute
<i>Bacha baazi</i>	Literally "boy play" – boys kept by patrons who give performances as "dancing boys" and are generally sexually abused ¹
<i>Qachag insan</i>	Human trafficking/smuggling
<i>Saranwali</i>	Prosecutor
<i>Shura</i>	Traditional gathering of community elders for various purposes, including resolving community disputes
<i>Tejarate insan</i>	Human trade
<i>Taskira</i>	Afghan national identity card
<i>Zina</i>	Sexual relations outside of marriage

¹ Frederick, John (2009), "Sexual Abuse and Exploitation of Boys in South Asia - A Review of Research Findings, Legislation, Policy and Programme Responses," *Innocenti Working Paper* No. 2010-02. Florence, UNICEF Innocenti Research Centre.

1. Introduction

The many faces of modern slavery in Afghanistan: The stakes in 2013

For a topic that conjures vivid images in the public imagination, trafficking in persons remains largely misunderstood as the forcible movement of people. Yet, other disquieting images—the child bride given to resolve a conflict, the “dancing boy” kept as a sex slave, and the household toiling in bonded labour—are also forms of human trafficking. While these examples are drawn from the Afghan context, trafficking in persons (TIP) remains a global scourge with national and regional variations in terms of trends, prevalence, and acceptance. This report is intended to provide greater understanding of internal and cross-border TIP trends in Afghanistan by: *i*) clarifying concepts, *ii*) exploring causes and determinants of trafficking; *iii*) analysing trafficking patterns and trends; and *iv*) identifying lessons learned from applied counter-trafficking approaches.

Human trafficking is essentially the recruitment, transport or harbouring of individuals through coercive means for the purpose of exploitation.² The International Organization on Migration (IOM), drawing on its extensive international experience in counter-trafficking research and programming, has been studying and confronting these forms of modern slavery in Afghanistan for more than a decade.³ IOM has been assisting an increasing number of victims of trafficking (VoT)—from 13 victims in 2005 to 341 in 2012— with voluntary return and reintegration, while also supporting counter-trafficking initiatives at both government and field levels.⁴ Significant efforts are underway to build the necessary law enforcement and judicial capacity and expertise to grapple with the challenges of TIP; however, these efforts have yet to impact the many challenges faced by victims.

TIP remains extremely pervasive in Afghanistan. Certain TIP practices target a specific age or gender, but men, women, and children of all ages fall prey to these exploitative practices. Efforts to quantify a practice that is largely unseen and often misidentified when visible are futile. However, a growing understanding of the causes and determinants of trafficking indicate that Afghanistan provides an environment in which TIP can not only persist, but flourish. Structural factors, such as increasing economic vulnerability and a high incidence of migration and displacement, render households and individuals more vulnerable to exploitative practices, while proximate factors, such as poor law enforcement and the criminalisation of victims create an environment in which perpetrators can operate with impunity.⁵

When seeking assistance, victims face the risk of re-victimisation or criminalisation. The misidentification of victims as criminals is particularly common for female victims. Nearly half of all incarcerated women and girls in Afghanistan are imprisoned for “moral crimes” including

² For the comprehensive TIP definition drawn from the UN Trafficking in Persons Protocol, see Section 8.3 in the Annex.

³ See IOM (2008), “Trafficking in Persons in Afghanistan: Field Survey Report”

www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom_report_trafficking_afghanistan.pdf and IOM (2004), “Trafficking in Persons: An Analysis of Afghanistan,”

www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/Afghan_trafficking.pdf.

⁴ From 2005 to April 2013, IOM provided assistance to 944 VoT. Source: IOM Statistical Update, April 2013.

⁵ For an explanation of structural and proximate factors, see Chapter 4.

running away⁶ or adultery, and the rate of prosecution for such crimes has increased dramatically since 2011.⁷ Neither the motivation for running away (e.g. fleeing an abusive or exploitative situation), nor the consent of the female victim to engage in sexual activity perceived as adultery is taken into consideration.

Building on past IOM research, this report will go a step further to explore the complex causes and determinants of human trafficking mentioned above. To do so, extensive primary research was conducted with victims and family members, compiling a collection of victim experiences not before captured in previous reports on TIP in the Afghan context.⁸

Samuel Hall's in-depth research on human trafficking feeds into a series of economic and social reports on the effects of poverty in Afghanistan, and of broader population movements, migration and displacement trends. The social and economic expertise of Samuel Hall are used to provide a comprehensive view of the trends, and challenges, of TIP and counter-trafficking efforts for stakeholders in Afghanistan.

Research objectives

The overarching purpose of this research is to fill knowledge gaps on human trafficking patterns in Afghanistan. More specifically, this study will seek to:

- **Clarify concepts:** This study will address the confusion that persists around concepts relating to trafficking, smuggling, and kidnapping, and generate a baseline understanding of current gaps in knowledge relating to trafficking in persons in Afghanistan.
- **Explore causes and determinants of TIP in Afghanistan:** Vulnerability to trafficking in Afghanistan is tied to the economic and migration status of the individual or household. Poverty and debt—key factors of vulnerability that will be explored in this research—are even more relevant given the economic transition in 2014 that is expected to accompany the withdrawal of international forces and scaled back development assistance.⁹ The connections between internal displacement, cross-border migration and trafficking in persons are widely recognised, yet little is known about the interaction of these migration regimes in the Afghan context. This study will explore the similarities, distinctions and overlaps of these migration patterns, paying special attention to the factors that may render cross-border migrants and the displaced more vulnerable to trafficking practices.
- **Analyse trafficking patterns:** The research will provide an up-to-date understanding of current human trafficking trends in Afghanistan. The most prevalent types of exploitation

⁶ Although running away is not an actual crime according to Afghan law, it is perceived as being a crime. In 2010 and 2011, the Supreme Court stated that running away from family was against Sharia law and could lead to crimes such as adultery and prostitution. As a result, the Supreme Court instructed judges and prosecutors to treat it as a crime whenever a woman flees to a stranger rather than a relative or 'legal intimate' (Human Rights Watch 2012, P.34).

⁷ Human Rights Watch, (2012) "I Had to Run Away: The Imprisonment of Women and Girls for 'moral crimes' in Afghanistan," Human Rights Watch, p. 30, www.hrw.org/sites/default/files/reports/afghanistan0312webwcover_0.pdf.

⁸ For information on the methodology used for this research, see Chapter 1.

⁹ World Bank, The (2013), "Afghanistan Economic Update," The World Bank, www.wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2013/05/02/000333037_20130502161223/Rendered/PDF/770830REVISED0box377289B00PUBLIC00.pdf.

will be analysed in detail in order to provide greater understanding about the exploitative purpose, means of recruitment, targeted profiles and victim outlook for each main category of human trafficking. These include: TIP for labour exploitation in both licit and illicit sectors, sex trafficking and forced marriage for the purpose of conflict resolution, debt repayment, dowry reduction and financial gain.

- **Identify lessons in counter-trafficking and propose recommendations:** Counter-trafficking “requires a comprehensive international approach in the countries of origin, transit and destination.”¹⁰ Therefore, in addition to identifying domestic lessons learned, this study will identify lessons from counter-trafficking approaches used in the primary countries associated with the trafficking flows that originate from, transit through or reach their destination in Afghanistan. Recommendations will be based on lessons learned and will address protection, prevention, prosecution and partnerships—the 4 P’s of counter-trafficking.¹¹

Structure of the report

- Chapter 1 – Introduction
- Chapter 2 – Defining concepts: Theory and practice
- Chapter 3 – Afghan TIP Patterns: 2001 to 2013
- Chapter 4 – Counter-trafficking approaches
- Chapter 5 – Conclusions and recommendations
- Chapter 6 – Research methodology
- Bibliography
- Annex



¹⁰ Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing the United Nations Convention Against Transnational Organized Crime—referred throughout the study as the UN Trafficking in Persons Protocol or TIP Protocol.

¹¹ Mattar, Mohamed (2006), “Comprehensive Legal Approaches to Combating Trafficking in Persons: an International and Comparative Perspective,” The Protection Project, www.protectionproject.org/wp-content/uploads/2010/09/PP_Chartbook_English.pdf.

2. Defining Trafficking: Theory and Practice

What is Trafficking in Persons (TIP)?

TIP is the recruitment, transport, or harbouring of individuals through coercive means for the purpose of exploitation

Awareness and understanding:

Although there is a growing level of awareness of trafficking amongst government officials, at both high and local levels, this awareness remains sparse at best. At a high-level, government officials do not have a clear understanding of TIP, conflating it instead with smuggling and irregular migration. At the implementation level, material misconceptions about trafficking practices and victims of trafficking (VoT) persist, even among those involved in counter-trafficking efforts or victim assistance. Ingrained social attitudes about the acceptability of certain TIP practices and the attribution of blame to victims create further challenges for counter-trafficking efforts.

Supply-side causes and determinants of TIP in Afghanistan:

- **Poverty:** The average daily income within surveyed victims' families is USD 0.50 per person, well below the national poverty line of USD 0.85 per person per day
- **Debt:** Overall, 72% of the 80 surveyed victims reported that their households were in debt. It was most common in cases of TIP for labour exploitation in licit sectors.
- **Displacement:** Conflict-induced displacement disrupts livelihoods strategies and social networks in a way that leaves households vulnerable to TIP and other forms of exploitation. Half of analysed victim cases (51%) exhibited a history of internal and/or cross-border displacement.

Internal and cross-border trafficking flows:

TIP in Afghanistan is largely internal: More than half of interviewed VoT did not even leave their province when trafficked.

Rural origins, but recruitment both urban and rural: A majority of interviewed VoT have rural origins (68%); yet, recruitment or coercion into TIP was even between urban and rural setting, suggesting a number of victims were either displaced or migrated voluntarily to urban areas prior to being trafficked.

Cross-border flows: Pakistan is a major destination for both labour and sexual exploitation. Trafficking to Iran, on the other hand, is perceived by informed community members to be focused more heavily on labour than sexual exploitation.

2.1. Defining concepts: A legal and conceptual background on trafficking

What does Trafficking in Persons (TIP) mean?

Trafficking in persons is essentially the recruitment, transport or harbouring of individuals through coercive means for the purpose of exploitation. This simplified definition is inspired by the language used in Article 3 of the **UN Trafficking in Persons Protocol** (See Section 8.3). While specific regarding the act and means of trafficking, this oft-cited definition of trafficking in persons does not delineate the boundaries of what is meant by “exploitation.” It describes what exploitation includes at a minimum—giving examples such as the prostitution of others, forced labour (including situations of debt bondage), and slavery-like practices—but does not define the outer limitations of what could be considered exploitation.¹² National legislation, in contrast, must be more precise in order to be enforceable.

The 2008 Afghan Law on Countering Abduction and Human Trafficking/Smuggling gives a definition of trafficking in line with the international standard definition; however, the ambiguity of the *dari* term used for human trafficking undermines the law’s effectiveness by perpetuating confusion around trafficking concepts. The word commonly used for trafficking in *dari*—*ghachag*—is used to refer to all types of illegal transport, be it of drugs, arms or persons. Instead, IOM is promoting – and this research is supporting – the use of the word *tejarate insan*, which means human trade, in order to overcome the conceptual ambiguities associated with human trafficking.

Bringing clarity to Trafficking – A priority for policy makers in Afghanistan

This lack of precision contributes to the confusion around trafficking and smuggling (Table 2.1) amongst government officials, despite the fact that the legal definition explicitly describes trafficking in persons as:

“the transfer, transit, employing, keeping and or giving a person in one’s control for exploitation or by taking advantage of weak financial status or helplessness by spending or taking money or interest or other means of deceptions for winning the consent of the victim or of the person who is the guardian,” where exploitation comprises using the victim for “employment, buying, selling, sexual, criminal exploitation, making pornographic pictures and movies, armed fighting, forced labour, cutting or removal of body organs, medical or health experiments or forcing them to perform other illegal acts.” (2008 Afghan Law on Countering Abduction and Human Trafficking/Smuggling)

Case studies 15 and 16 the Annex, describing a smuggling and an abduction case, illustrate some of common elements and distinctions between cases of smuggling, abduction and trafficking. Whereas the profile of the smuggled male youth is similar to those of victims trafficked for labour exploitation (poor, uneducated, with a history of displacement), the kidnapped victim is wealthy, educated and an outspoken member of the community. Smuggled individuals are vulnerable to other forms of trafficking, while abducted individuals are targeted because of their wealth or position in society. The smuggling case also demonstrates the vulnerability associated with many forms of migration and the potential for exploitation.

¹² IOM (2008), “Trafficking in Persons in Afghanistan: Field Survey Report” www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom_report_trafficking_afghanistan.pdf.

TIP Basics: A bilingual guide to human trafficking

Trafficking in persons is the recruitment, transport, or harbouring of individuals through coercive means for the purpose of exploitation

تجارت انسان عبارت از بکارگیری، انتقال، یا پناه دادن افراد بوسیله زور و اکراه بمنظور بهره برداری/استثمار میباشد.

TIP can be broken down into its three parts: the act (what is done), the means (how it is done), and the purpose (why it is done).¹³ A component of each of the three elements must be present for trafficking to be determined for an adult victim. For children, trafficking can be determined solely based on the act and purpose, even if none of the listed means are present.

تجارت انسان را میتوان به سه عنصر تقسیم کرد: عمل (چی کاری انجام میابد)، وسیله (چطور انجام میابد)، و هدف (چرا انجام میابد). بخاطر تعیین اینکه یک شخص بالغ قربانی تجارت انسان شده است هر سه جزء فوق باید شامل باشد. برای اطفال، تجارت انسان میتواند صرف بر اساس عمل و هدف تعیین گردد، حتی اگر هیچ یکی از وسیله های فهرست شده موجود هم نباشد.

Figure 2.1. The 3 components of Trafficking in Persons

شکل 2.1. سه عنصر تجارت انسان

ACT	MEANS	Purpose
<ul style="list-style-type: none"> Recruitment Transport Transfer Harboring Receipt of persons 	<ul style="list-style-type: none"> Threat or use of force Coercion Abduction Fraud Deception Abuse of power/ vulnerability Giving payments/benefits 	Exploitation including: <ul style="list-style-type: none"> Prostitution of others Sexual exploitation Forced labor Slavery or similar practices Removal of organs Other types of exploitation
عمل <ul style="list-style-type: none"> بکار گیری ترانسپورت/حمل و نقل انتقال دادن پناه دادن حصول افراد 	وسیله: تحمیل/اجبار <ul style="list-style-type: none"> تهدیدات یا زور و اکراه اجبار آدم ربایی حیله فریب سوء استفاده از قدرت / آسپبذیری پرداخت پول یا منفعت "مزایا" 	هدف <ul style="list-style-type: none"> بهره برداری شامل: فحشا برای دیگران بهره برداری جنسی کار اجباری غلامی یا کارهای مشابه کشیدن اعضای بدن سایر انواع بهره برداری

RELATED TERMS

اصطلاحات مربوطه

Abduction: Leading someone away by force or deception

آدم ربایی: انتقال دادن شخصی به محلی بواسطه زور یا فریب.

Bonded labour: The giving of a loan or advance with high interest or excessive fees to workers who must work at low wages to pay it back. Often a worker's whole family is obligated to work to pay off the debt.

کار اجباری برای پرداخت قرض: پرداخت قرضه یا پیش پرداخت با سود بلند برای کارگران که بعداً آنها مکلف هستند با دستمزد کم کار کنند تا قرض مذکور را ادا کنند. اکثر اوقات تمام فامیل یک کارگر مجبور میشوند تا کار کرده قرض را تسویه کنند.

Coercion: Threats, deception or force used to make someone do something they would not do voluntarily

اجبار: تهدیدات، فریب یا زور میباشد که جهت وادار ساختن کسی برای اجرای کاری که داوطلبانه آنرا اجرا نمیکند، بکار گرفته شود.

Exploitation: Treating someone unfairly in order to benefit from their work

بهره برداری: برخورد نادرست با یک شخص جهت بهره برداری از کار شان

Forced work: All work done by a person under the threat of any penalty and not offered voluntarily.

کار اجباری: تمام کار اجراء شده توسط یک شخص تحت تهدید مجازات و بطور غیر داوطلبانه

¹³ UNODC (n.d.), "Human Trafficking," website accessed on 3 June 2013, www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html.

Table 2.1. Distinctions between the smuggling and trafficking in practice¹⁴

	Smuggling	Trafficking
Consent	Consent of the smuggled individual is typically present	For children, consent is irrelevant in determining trafficked status. For adults, consent may be absent, based on fraudulent terms, or given under coercion.
Recruitment	Smugglers are generally less active in the recruitment process. Rather, they are typically approached to provide smuggling services.	Trafficking “recruiters” often target a particular profile, based on the purpose for which they trafficking persons.
Role of violence	As smuggled individuals consent to travel, the use of threats or violence is not typically needed (although it may occur).	Threats, force, and violence are commonly used to ensure the compliance of trafficked victims.
Cross-border travel	Smuggling always involves an illegal border crossing. Fraudulent documents are commonly used to gain access. Smuggled individuals are usually left to continue their journey alone after cross-border travel.	If it involves travel, trafficking can be transnational or domestic. If it involves cross-border travel, the entry itself may be through legal or illegal channels. Trafficking victims are typically supervised until arrival at the destination.

جدول 2.1 تفاوت ها میان قاچاق و تجارت انسان

تفاوت ها	قاچاق انسان	تجارت انسان
رضایت	افراد قاچاق شده رضایت دارند	برای اطفال، جهت تعیین قضیه تجارت انسان رضایت غیر مرتبط میباشد. برای افراد بزرگسال، رضایت شان میتواند تحت شرایط فریب، یا تحت اجبار، موجود نباشد.
بکارگیری	قاچاقبران بصورت عموم در پروسه بکارگیری کمتر فعال هستند. در عوض، معمولاً مردم نزد آنها مراجعه کرده تقاضای خدمات قاچاق بری را میکنند.	تاجرین انسان "بکار گیرندگان" معمولاً یک گروپ خاص را، بر اساس هدف شان از تجارت انسان، مورد هدف قرار میدهند.
نقش خشونت	چون افرادی که قاچاق میشوند به سفر راضی هستند، کاربرد تهدیدات یا خشونت معمولاً ضرورت نمیباشد (اگرچه ممکن بکار گرفته شود).	تهدیدات، زور و خشونت معمولاً بخاطری بکار گرفته میشود که شخص "متضرر" تجارت انسان تابع باشد.
سفر فرامرزی (عبور از مرز)	قاچاق انسان همیشه شامل عبور غیر قانونی از مرز میباشد. معمولاً از اسناد جعلی جهت دسترسی به مرزها استفاده میگردد. افراد قاچاق شده معمولاً پس از عبور از مرز گذاشته میشوند که تنها سفر کنند.	اگر تجارت انسان شامل سفر باشد، این سفر داخل کشوری یا وطنی میباشد. اگر شامل سفر فرامرزی باشد، این سفر از طریق راه های قانونی یا غیر قانونی بوده میتواند. متضررین تجارت انسان معمولاً تا زمانیکه به محل مورد نظر برسند تحت نظارت میباشند.

The definitions used in this section are designed to provide a simple, easy-to-use reference for readers. Because the definitions have been simplified, some of the nuance and complexity of these terms may be lost. For the full definitions, based on international standards, see the glossary in Section 8.4 of the Annex.

تعاریف استفاده شده در این بخش به این منظور میباشد که برای خوانندگان یک مرجع ساده و سهل استفاده را فراهم نماید. چون تعاریف ساده شده اند، بعضی از نکات دقیق و پیچیدگی های این اصطلاحات ممکن از بین رفته باشد. جهت دسترسی به تعاریف جامع، بر اساس استاندارد های بین المللی، به فهرست لغات در بخش 8.4 ضمیمه مراجعه کنید.

¹⁴ Based on distinctions outlined in: Australian Institute of Criminology (2008), "People smuggling versus trafficking in persons: what is the difference?" Transnational Crime Brief No. 02, Australian Government, www.aic.gov.au/documents/F/2/2/%7bF226C525-F4D9-4AEC-B6D8-424A7E44C27B%7dtcb002.pdf.

2.2. Understanding and awareness of TIP within the Afghan population

The awareness of trafficking amongst government officials and NGO representatives remains high level. At the implementation level, material misconceptions about trafficking practices and victims of trafficking (VoT) persist, even among those involved in counter-trafficking efforts or victim assistance. The average police officer or NGO worker is less likely to have heard of trafficking in persons, let alone to understand what it specifically encompasses.

Victims, coming from vulnerable segments of society, may have a practical understanding of trafficking, but they do not necessarily understand it conceptually. Some victims perceive their situations to be normal or acceptable. Failing to recognise that they are even being exploited, such victims are even less likely to articulate that they are victims of trafficking or seek protection.

As a result, the challenge for counter-trafficking efforts is both bottom-up (victim reporting) and top-down (identification and response). This section explores this double facet by voicing Afghan perceptions of TIP, notably those of victims and key community stakeholders interviewed for this study. It goes beyond general awareness to examine their understanding of TIP, highlighting misperceptions and pre-conceived ideas that create hurdles for counter-trafficking efforts.

TIP awareness among informed community stakeholders

To collect information about local trafficking patterns, perceptions, knowledge gaps, and counter-trafficking approaches, a survey was administered to 160 key stakeholders across 9 provinces. Respondents included government officials, social workers, NGO representatives (including shelter workers), specialised police (dealing with counter trafficking or gender issues), religious leaders, community leaders, *shura* members, and teachers.

A majority of the community members interviewed (144 out of 160 respondents) claimed to have heard about human trafficking, although far fewer understand it. Most people said they learned about trafficking from word of mouth and rumours, work and the media (Figure 2.2). The most frequently sources of knowledge were rumours and word of mouth, work and the media. Survey respondents working directly with victims (police, social workers and NGO representatives) and government representatives were much more likely to cite work as a source of their awareness. Teachers were most likely to cite media as the source of their knowledge, while *shura* members relied heavily on rumours.

The source of respondents' knowledge of human trafficking does not seem to have had a clear impact on their understanding of it. Of those community members who have heard of trafficking in persons, the vast majority (76%) state that there is a difference between cross-border smuggling and trafficking for the purposes of exploitation. However, their understanding of the distinction is more confused.

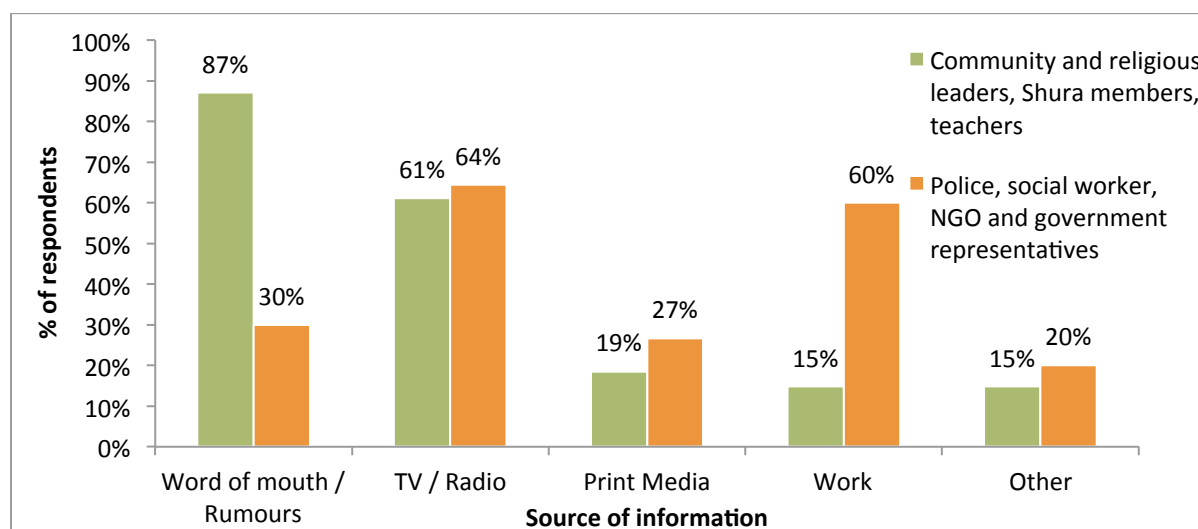
This confusion exists at high levels. At a recent coordination meeting of international and national stakeholders, a monthly occurrence for over two years, several participants continued to confuse smuggling with trafficking in persons. The representative of IOM in attendance brought this to the attention of the participants and explained the difference between the two

terms. This misunderstanding has a real impact on victims, who continue to be treated as criminals and re-victimised both by officials and the community at large.¹⁵

Interviews with international and national stakeholders¹⁶ have also revealed varying understandings of trafficking in persons, many of which focus on trafficking as an exclusively cross-border practice, echoing the smuggling/trafficking conceptual difficulties discussed earlier. Others stated that forced marriage was not trafficking, or that trafficking had only been occurring for the past ten years. This confusion suggests that even in cases where respondents state that they have heard of trafficking in persons, one can assume a lack of conceptual clarity.

Figure 2.2 Sources of information about human trafficking

Total respondents = 144, multiple responses possible¹⁷



Understanding of TIP amongst victims

Victims may have more concrete knowledge around trafficking in persons than the average Afghan (and even than people informed via their work) due to their personal experiences. However, they and their family members frequently lack the terminology to articulate it. As a result, when asked about trafficking in persons as an abstract concept, they do not express that this is what they have gone through. Only 10 victims out of 81 interviewed think that they were a victim of trafficking. However, more than 90% of victims of labour exploitation stated that they felt forced to do this activity against their will, as did 89% of victims of sexual exploitation. There is thus a disconnect between what victims are experiencing and what they consider to be trafficking: although the majority recognise that they have been forced into a situation, they do not realise that this coercion is wrong or that they have the right to be treated differently.

Coercion and consent are in and of themselves concepts that may be difficult to identify and define. In a number of cases examined in this research, the victim may have given consent, e.g.

¹⁵ U.S. Department of State (2013), *Trafficking in Persons Report 2013*, www.state.gov/j/tip/rls/tiprpt/2013/.

¹⁶ More specifically, government representatives working at the ministerial level and representatives of international organisations and NGOs.

¹⁷ "Other" includes personal observation, workshops, trainings

in the case of an arranged marriage, but if given under extreme duress, it fits with neither international legal standards nor Islamic standards of true consent (Box 2.1). Most victims do not recognise that this coercion is in contradiction with their rights. As one victim explained, “If I had not gotten married, my family would have killed me. Besides that, it would have been a dishonour to my family. I had no other options; the marriage took place. I had to save my family’s reputation. I did not try to run away, because of my family’s reputation.”¹⁸ In addition to coercion, the concept of consent can also be misinterpreted. In one case, a 12-year-old Afghan girl was considered by her own defence lawyer to have given consent to the neighbour who raped her because she had accepted a ride from him in his car.¹⁹ While not a case of trafficking, this example demonstrates the need for greater clarity around issues of consent and coercion in Afghanistan.²⁰

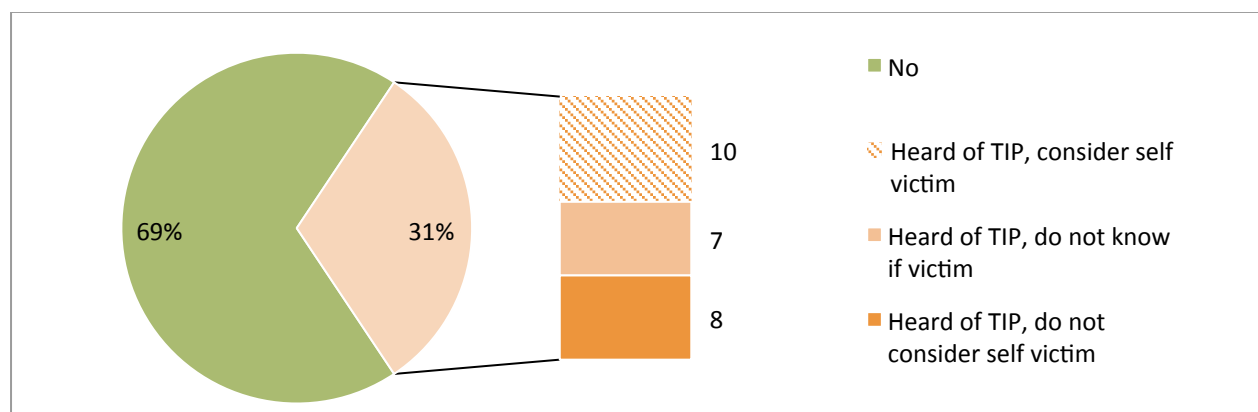
Box 2.1. Consent to Marriage in Islamic Law

Interpretations vary within Islam regarding how women consent to marriage (e.g. directly or via a guardian), however, “A marriage executed without consent, or a forced marriage, would [...] be prohibited by all schools of Islamic jurisprudence, in accordance with international law.”²¹ Even in cases where a guardian may be allowed to arrange a marriage for his/her ward, “consent remains the basis of the marriage [...] guardianship with the right of compulsion is specifically prohibited.”²²

Within Islamic law, consent achieved through coercion is invalid. Pakistan’s 1979 reform to align *zina* laws with Islamic law makes this clear: in the discussion of *zina*, the law equates “without the consent of the victim” and “with the consent of the victim, when the consent has been obtained by putting the victim in fear of death or of hurt.”²³

Figure 2.3 Victim awareness of TIP and perception of own situation

“Have you heard about trafficking in persons / human trade for exploitation?” and “Do you think you are a victim of trafficking in persons for exploitation?”; Total respondents = 80



¹⁸ See Case Study 9 in the Annex.

¹⁹ Based on key informant interview with Anastasiya Hozyainova, an independent analyst currently based in Kyrgyzstan, in July 2013.

²⁰ The need for greater clarity on consent and coercion is explored further in Chapter 4.

²¹ Mattar, Mohammed (2010), *Combating trafficking in persons in accordance with the principles of Islamic law*, UNODC.

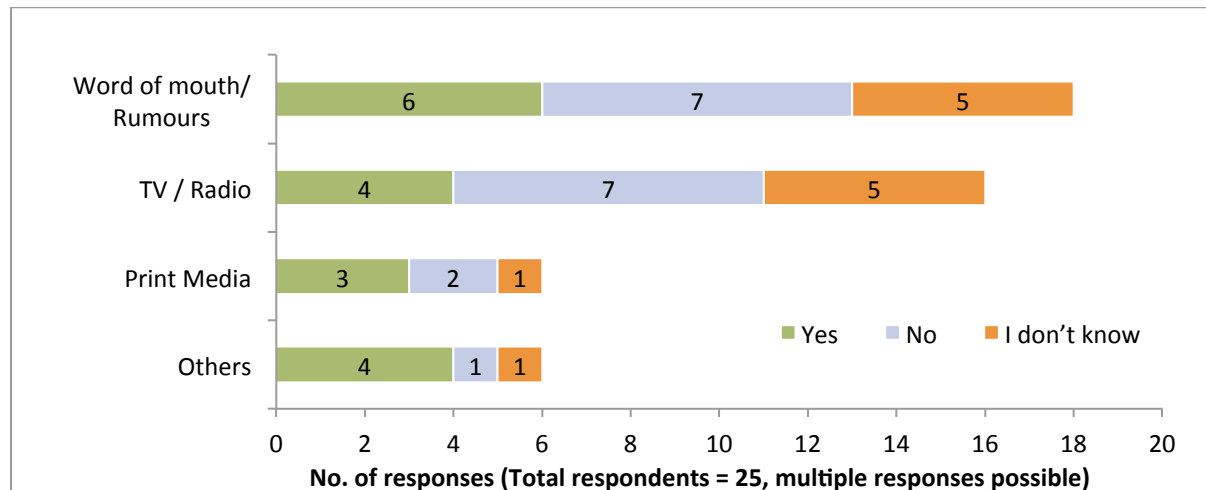
²² *Ibid.*

²³ Pakistan (1979), the Offense of Zina (Enforcement of Hudood) Ordinance – Ordinance No. VII of 1979, Article 6

The knowledge that interviewed victims have around trafficking is predominantly drawn from rumours, TV and print media. The source of their knowledge did not seem to impact whether or not they considered themselves victims of trafficking in persons. Victims are, however, more likely to cite rumours/word of mouth as the source of their knowledge than the community members asked the same question; they have more limited opportunities to learn about TIP.

Figure 2.4 Source of knowledge of human trafficking

“Where did you learn about trafficking in persons / human trade for exploitation?”²⁴



Cultural acceptance of TIP and misperceptions about victims

Ingrained social attitudes about the acceptability of certain practices or the attribution of blame pose tremendous problems for victims. **Certain human trafficking practices are considered to be normal, acceptable or even positive in Afghanistan.** Labour exploitation, for example, is in some cases considered to have a positive impact on household livelihoods. Overall, 25% of surveyed community members (40 out of 160) said that TIP for labour exploitation could help households in poor economic situations. This belief was most commonly reported in the South and West of Afghanistan in Kandahar, Nimroz and Hirat. In some cases, victims' situations may in fact improve in the short term; 30% of victims of labour exploitation in licit sectors, for example, stated that their quality of life was “about the same” or “somewhat better.” However, the long-term impact of these exploitative practices is rarely positive.

Meanwhile, **certain exploitative activities are widely condemned, but fail to distinguish between the perpetrator and the victim.** Nearly all (98%) surveyed community members stated that the government should punish traffickers who exploit people for sexual purposes. Paradoxically, 93% of respondents also believe that prostitutes should be punished by the government, regardless of whether or not the people involved were forced into prostitution. The influence of cultural and religious mores can thus not be discounted. Women are considered to be the bearers' of family honour. Their sexual behaviour, whether consensual or otherwise, is viewed as reflecting upon the family, as illustrates the story of one victim forced into marriage when she describes her situation saying, “I was raped so my family, to keep their reputation, married me to the person who had raped me in exchange of 500,000 Afghanis.”

²⁴ Only respondents who said they were aware of TIP were asked the source of their knowledge. Answers of “other” include personal experience, meetings, and shelter/ DoWA workers.

Attitudes towards forced marriage vary far more than those towards sexual exploitation. While arranged marriage is common within the Islamic faith, forced marriage is not allowed.²⁵ For an arranged marriage to be considered legitimate, both individuals must consent. Traditional practices do, however, frequently use daughters as property, a bargaining chip to resolve conflict (*baad*), reduce dowry costs (*baadal*) or repay a debt. This disconnect between tradition and religion may help explain the fact that religious leaders are the most likely amongst community members to disagree with the statement that “forced marriage for conflict resolution (*baad*) is important for maintaining peace in the community” (88%, versus 61% overall).

Figure 2.5 Community attitudes towards trafficking for labour exploitation

To what extent do you agree / disagree, “trafficking for labour exploitation can help households in poor economic situations,” total respondents n=160

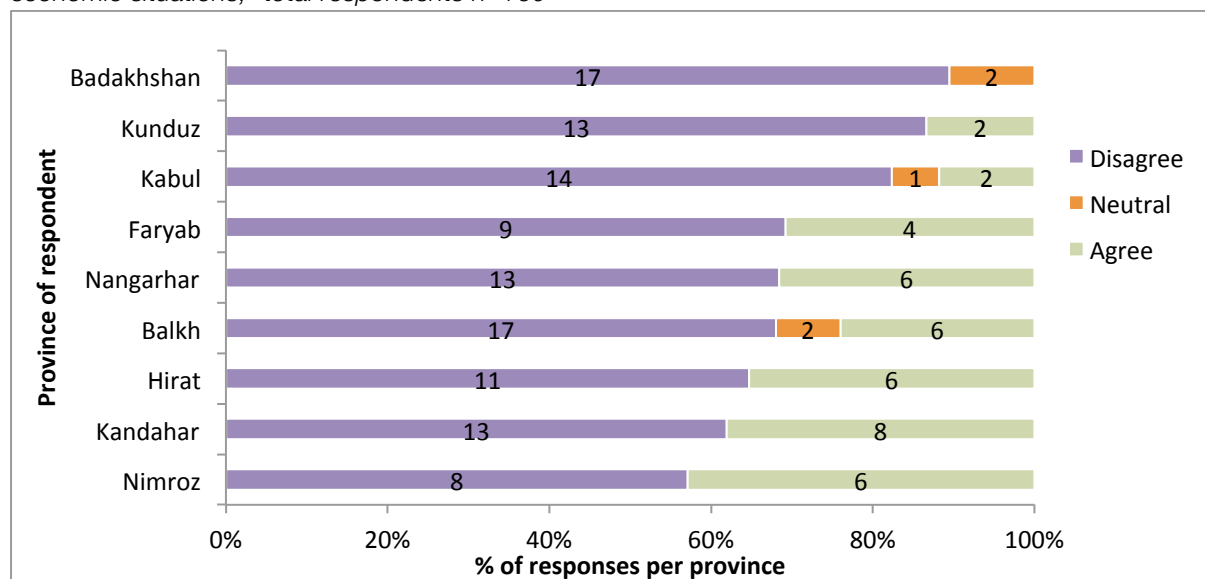
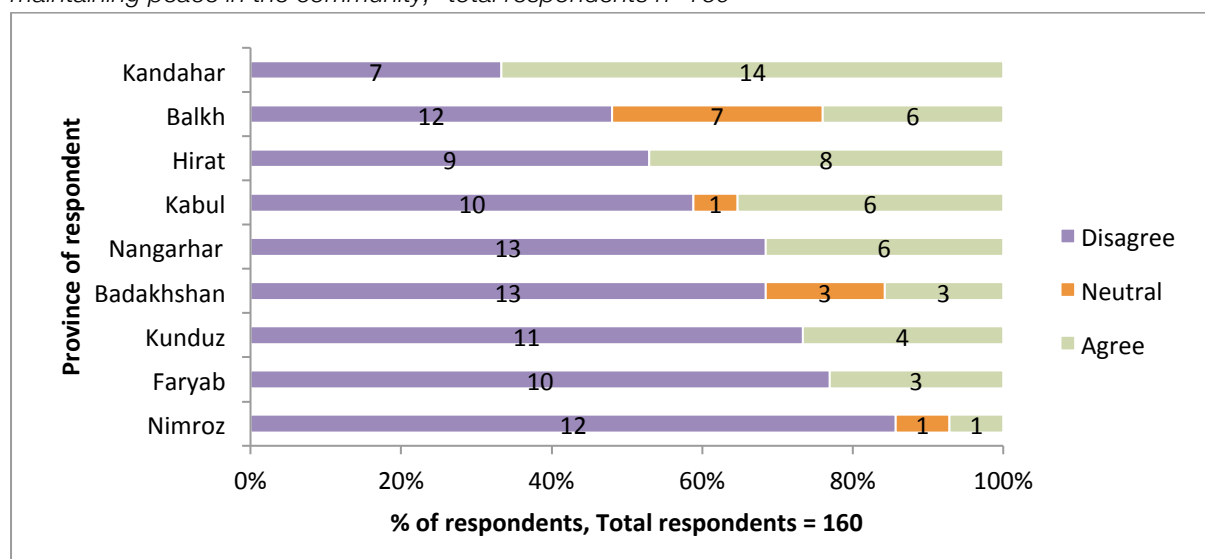


Figure 2.6 Respondent attitudes towards forced marriage for conflict resolution (baad)

To what extent do you agree / disagree, “forced marriage for conflict resolution (baad) is important for maintaining peace in the community,” total respondents n=160



²⁵ Based on interview with Mohammad Farid Hamidi, Commissioner of the Afghan Independent Human Rights Commission (AIHRC) in July 2013.

2.3. Causes and Determinants: Economic drivers of TIP in Afghanistan

This section examines the economic causes and determinants that make Afghan individuals and households more vulnerable to TIP in Afghanistan.²⁶ It presents analysis on chronic poverty and debt as key factors that render individuals and households vulnerable to TIP. Human trafficking is also examined from the perspective of supply and demand, with a focus on actor agency and decision-making from both perspectives. The analysis is based on 94 documented victim cases; interviews were conducted with 78 victims and 16 close family members²⁷ who were able to describe in detail the experiences of relatives who were VoT. It has been corroborated by key informant interviews, responses from the community survey, previous Samuel Hall research on bonded labour,²⁸ IOM data, and additional data sources from secondary literature and national statistics.

Chronic Poverty

Low income levels and large family size. Poverty is prevalent in nearly all of the victim cases analysed. The average daily income within surveyed victims' families is USD 0.50 per person, well below the national poverty line of USD 0.85 per person per day.²⁹ Large household sizes contribute to the economic vulnerability of these families and increases pressures to use children to generate income through various forms of TIP. The average family size amongst interviewed victims was 9 members, which is one person higher than the national average of 8 members. The comparison is more pronounced with the size for non-poor families in Afghanistan at 6.9 members per family.³⁰ The average number of children under 16 per household was 3.6.³¹

A key informant explained that families more easily justify decisions that may negatively impact one child, if it means survival for the rest. This necessity-driven approach to forced child labour is consistent with the luxury axiom, which states that, "households send their children to work only when driven to do so by poverty. In other words, child non-work (schooling and leisure) is a luxury good."³²

In some cases, households believe they are making a decision that benefits their child. They may entrust their child with more economically advantaged individuals with the hope that their child will escape a situation of child poverty. Asymmetries of information, discussed in Chapter 3, are common in the recruitment of VoT. When households are involved in decision-making

²⁶ The focus here is on the supply-side factors contributing to TIP vulnerability and practices rather than the demand-side causes and determinants.

²⁷ 80 individuals were interviewed using the victim survey tool comprised of quantitative and qualitative questions: 64 victims and 16 close family members of victims. 14 of the 16 case studies conducted were also with VoT. For more on the methodology used for this research, see Chapter 1.

²⁸ Samuel Hall Consulting (2011), "Buried in Bricks: A Rapid Assessment of Bonded Labour in Brick Kilns in Afghanistan," for the International Labour Organisation (ILO), www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_172671.pdf.

²⁹ Income was reported in 50 victim surveys out of 80 in both AFA and PKR. Both were converted to USD before averages were calculated. For this reason, amounts are only reported in USD. Some victims were not aware of their household income, as they no longer had contact with their family.

³⁰ Average household sizes drawn from the National Risk and Vulnerability Assessment 2007/8: A profile of Afghanistan.

³¹ Based on household information from 80 victims surveys.

³² Basu, Kaushik and Zafiris Tzannatos (2003), "The Global Child Labor Problem: What Do We Know and What Can We Do?," *The World Bank Economic Review*, Vol. 17, No. 2, p. 147-173.

that leads to TIP, they rarely have complete information about the situation they are agreeing to.

Food insecurity. The prevalence of food insecurity amongst victims' households further illustrates the economic vulnerability of these families. Roughly a quarter of interviewed victims (23 out of 80) reported that their households had difficulty satisfying the food needs of the family multiple times per month.³³

Food security for some victims actually improves while trafficked, especially for those in situations of bonded or forced labour, as the employer is incentivised to ensure labourers have enough food to perform the arduous, physical tasks. As one victim explained, "We were treated well, and had access to food, water and medical care, but we were not paid." Even in cases of improved food access, the prevalence of malnutrition is still high due to a lack of dietary diversity and nutrients. This has a lasting impact, notably for child victims, as they "miss out on essential nutrients (e.g. Vitamin A, zinc, iron) that can lead to eyesight problems including blindness, developmental stunting (both physical and mental), anemia, and a weakened immune system."³⁴

In other situations of trafficking, the food security of the victim suffered greatly. One victim reported: "Our captors were very bad people. They used to threaten and beat us. The food we ate was not healthy. They used to eat healthy food and would give us what remained."³⁵ Other victims reported being drugged or being forced to consume alcohol. One 12-year-old girl reported: "I was always feeling sick because they made me drink alcohol. For food, they would eat a big meal and then give us the leftovers."³⁶

Drug addiction. Drug addiction appeared in 3 victim cases as a factor that placed further strain on household finances. In one case, a victim was forced into marriage when her drug-addicted father was deceived into an arrangement with a 75-year-old man. His drug addiction may have clouded his judgement, but the financial impact of his addiction made it impossible to stop the marriage once the deception was revealed, as he had already spent the dowry money (Box 2.2).

Drugs and alcohol are also used as a means to coerce youth into situations of trafficking or to maintain control over the victims. This is especially common in cases of sexual exploitation, as a means of making victims less resistant or dependant on their captors. Key informant interviews with representatives of Hagar International, an organisation that has recently conducted research on boy VoT, confirmed that encouraged drug addiction is a common means of coercion, albeit an under-reported one.³⁷

³³ 17 respondents of the victim survey reported that their households experienced food insecurity often (a few times every month) in the past year; 6 respondents reported not being able to satisfy food needs very often (more than several times each month). Out of 80 respondents, only 25 reported that food insecurity was never a problem for their household.

³⁴ Samuel Hall Consulting (2011), "Buried in Bricks: A Rapid Assessment of Bonded Labour in Brick Kilns in Afghanistan," for the International Labour Organisation (ILO), www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_172671.pdf.

³⁵ See Case Study 9 in the Annex.

³⁶ See Case Study 1 in the Annex.

³⁷ Based on an interview with Jane E. Thorson and Eng. Mohammad Sarwary of Hagar International in Kabul in June 2013. Their forthcoming report "Forgotten No More: Male child Trafficking in Afghanistan" explores this issue at greater length, available at <http://hagarinternational.org/international/our-work/research/>.

Box 2.2. Case study excerpt: 16-year-old forced into marriage for financial gain

“I got married when I was 16 to a relative of my uncle’s half sister. My father arranged the marriage, but he was tricked. When the family suggested this marriage, they introduced someone else to him. So when he saw the guy, he agreed to the union. Only during the wedding did I find out that my husband-to-be was 75 years old! The man he had been introduced was another cousin who was 24 years old. During the ceremony and when I signed the *nikka*, it was him (the younger cousin). But then this other man came, and I realised that he was 75 years old.”

“My father was very poor and needed the money of my dowry. He was addicted to drugs. When we found out that the man was in fact 75 years old, it was too late. We could not stop the *nikka* because my father had already spent all the money. He had spent it all on drugs and he was so poor that he could not pay the money back.”

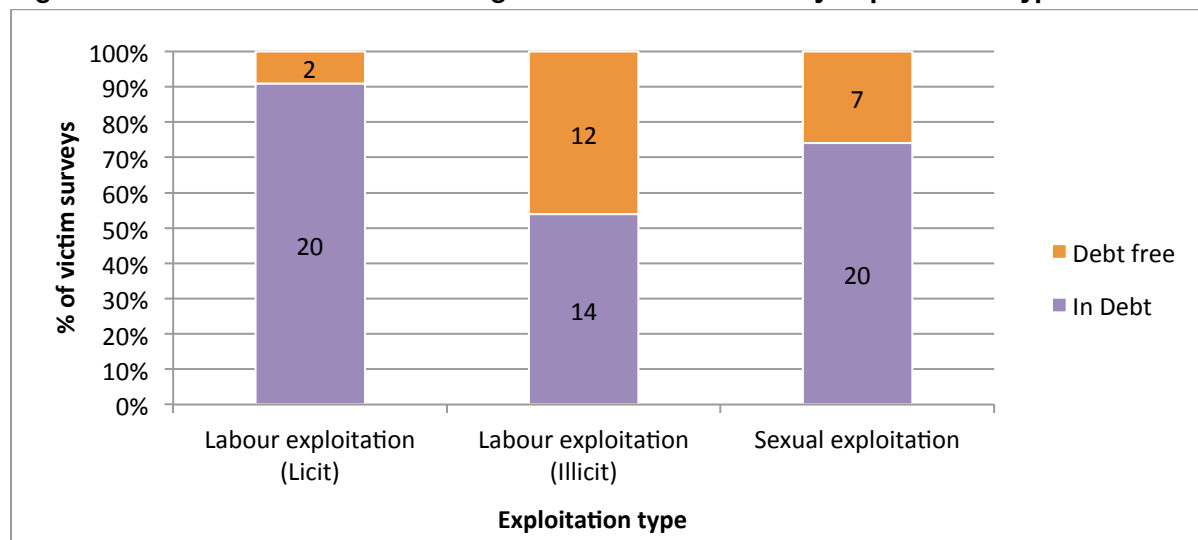
“I ended up here (prison) because one day I went to my friend’s house and on his way, my husband saw a boy coming out of our house. He went to the police and filed a complaint against me for *zina* (sexual relations outside of marriage). He told the police that I had a relationship with that boy, but that was not true. The police arrested that boy. They also arrested me and took us to the police station. They said that we committed this crime. I was taken to the *saranwali* (AGO), and there they gave me a sentence of 6 years in prison. The boy was given 3 years.”

Debt

Debt is a common factor amongst many of the victims’ households. Overall, 72% of the 80 surveyed victims reported that their households were in debt. The prevalence of debt varied based on the type of trafficking (Figure 2.7). It was most common in cases of TIP for labour exploitation in licit sectors (20 out of 22 cases) and TIP for sexual exploitation (20 out of 27 cases).

Social capital and indebtedness. Households were frequently indebted to employers, shopkeepers and relatives. A number of households were in debt to multiple sources. Community members and friends were a less frequently cited as sources of loans, and only three households had borrowed money from a moneylender. None of the families had taken loans from microfinance institutions or banks. The reliance on employers for debt shows the limited social capital available to these vulnerable households, that have less bargaining power than families who can rely on stronger community support as a safety net. The limited social capital and social safety net makes them more vulnerable to trafficking practices.

Figure 2.7 Prevalence of Debt Amongst Victim Households by Exploitation Type³⁸



Debt bondage. Debt often plays a direct role when employers impose exploitative labour terms in licit sectors that qualify as TIP, as in the case of debt bondage. Employers do not charge interest or fees on the debt in Afghanistan, as it is in some countries, as profiting from a loan is considered to be *haram* (against Islam). Rather, the advance is used purely as a means to control the victim and impose exploitative labour terms. This often begins a cycle of debt that is then transferred between generations.

Debt bondage is a standard characteristic of the brick-making industry in Afghanistan. In this sector, entire families are commonly bonded in brick kilns, especially along migratory routes from Pakistan through Surkhroad district in Nangarhar province to Deh Sabz district in Kabul Province.³⁹ While less systematic, debt bondage was also documented in a variety of other sectors through this research including: shop keeping, manufacturing, construction, agriculture and other forms of physical labour (e.g. canal digging). In these sectors, individuals were targeted, rather than entire households. Most cases involved male adults or youth, as they were allowed to travel from the home for work. Box 2.3 provides an example of how debt bondage was used in a cross-border labour trafficking case from Afghanistan to Saudi Arabia.

A representative of AIHRC monitoring deportations at border crossings, reported that debt bondage was common amongst youth being deported from Iran through Hirat and Nimroz. S.A. Qader Rahimi said children (especially boys) are often recruited in groups to work in construction in Iran. Their families must pay recruitment fees, supposedly for transportation and for having the job arranged. The workers cannot return until their debts are repaid. As they are illegally working in a foreign country, they have little protection from exploitative labour practices. Rahimi suspects that, in some cases, employers are facilitating the deportation of their employees to avoid paying their wages after several months of savings have been

³⁸ Forced marriage not included in the breakdown, as there was considerable crossover between forced marriage and other forms of exploitation.

³⁹ For more on the use of debt as a coercive tool in brick kilns in the districts of Deh Sabz and Surkhroad, see: Samuel Hall Consulting (2011), "Buried in Bricks: A Rapid Assessment of Bonded Labour in Brick Kilns in Afghanistan," for the International Labour Organisation (ILO), www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_172671.pdf.

accumulated.⁴⁰ He has seen the same large groups of deported Afghan labourers report the same situation multiple times, often citing the names of the same construction companies.⁴¹

While still a significant factor, debt played a smaller role in cases of TIP in illicit sectors (14 out of 26). As described in Chapter 4, youth are more likely to be recruited directly or abducted without household involvement in decision-making. Thus, the impact of debt is lessened, while other factors, such as a troubled family life, are more influential.

Box 2.3. Case study excerpt: Debt used to impose exploitative labour terms in Saudi Arabia⁴²

Man recruited from Balkh for a furniture factory with other trafficked Afghans in Saudi Arabia:

“We travelled by plane to Saudi Arabia. I had the passport and visa that the smuggler had prepared for me, for which he later counted his expenses double for my debt. He spent around 1,500 riyals (400 USD) for my forged passport and visa. [...] [I]n Saudi Arabia there were other Afghans, too.”

“He (my employer) did not pay us on time and deducted 80% of our salary for our loans. We were paid only 20% of our monthly salaries each month, which we spent, and we could not transfer money to our families. It was a very difficult activity because I used to work 16 hours a day and was underpaid. [...] I could not leave the workplace because I did not have permission and our employer kept our passports and visas.”

“My family was involved in decision-making because they thought I would be paid 2,000 riyals, but they did not know it was just a lie to deceive us. I worked for five years at my job in Saudi Arabia to settle my loan. They said I owed 7,000 dollars and I was paid 700 riyals per month. I had not taken out a loan of 7,000 dollars at once; they used to double count a single dollar that I received from them as two owed. I left the job once I settled that loan.”

Debt and sexual exploitation: an indirect link. Debt plays a more indirect role in situations of TIP for sexual exploitation. It often weighs on the decision-making of a household, but does not necessarily come into play as one of the tools used for coercion or exploitation. In cases where spouses or in-laws are trafficking the victim (usually a young woman or girl), the financial pressure of the dowry can be a motivating factor. Often the groom or his family has to borrow money to pay the dowry to the woman’s family. Lal Gul, the Chairman of the Afghan Human Rights Organisation (AHRO), explained that, “As the loan increases from day to day, this increases the resentment against the girl when they are forced to sell things to pay for the loan.” The husband or in-laws may blame the girl for being the source of their financial troubles. Several key informants stated that forced labour or sexual exploitation may serve as an outlet for these frustrations and as a means for the family to recuperate the cost of the dowry.⁴³

TIP for sexual exploitation can also be an escalation from labour exploitation, if the economic situation of a household worsens. As one female VoT explained: “he made me do things like

⁴⁰ Irregular migrants often collect their wages after several months, as they do not have a safe means of saving their money before carrying it home to their families.

⁴¹ Based on interview with S.A. Qader Rahimi, AIHRC Regional Program Manager, in Hirat in July 2013.

⁴² See Case Study #6 in the Annex.

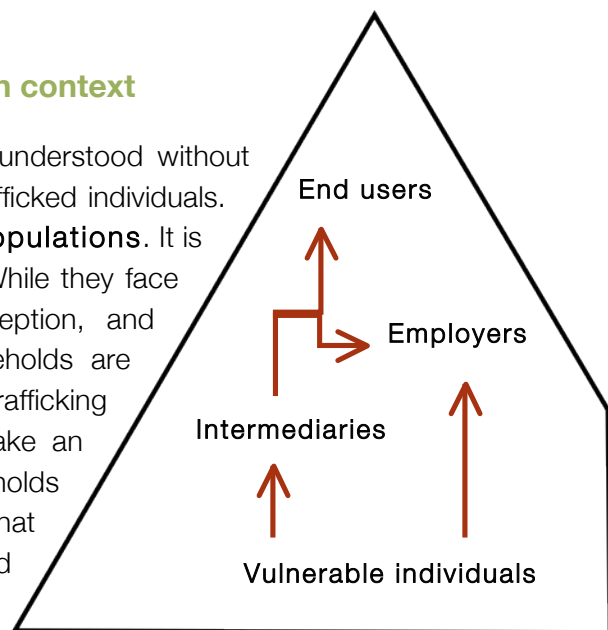
⁴³ For more on household decision-making that leads to TIP for sexual exploitation, see Section 3.4.

begging, brick making and working in peoples' houses. I was 13 years old when his economic situation became worse. Then he made me do dancing and sexual acts with other people to earn money for him.”

Forced marriage for debt repayment. While no cases were collected as part of this research, forced marriage for debt repayment is a widely documented phenomena in Afghanistan. Surveyed community members confirmed the continued prevalence of this practice; 83 out of 143 community members cited debt repayment as a major motivation for forced marriage in their respective provinces (Figure 3.9).⁴⁴ This practice is most documented in the sector of poppy production; drug traffickers force farmers to repay advances when crops fail or eradicated by giving a daughter to the traffickers through marriage. This practice is described further in Section 3.5.

TIP supply and demand: Victim agency in context

Human trafficking is a business. It cannot be understood without considering both the supply and demand of trafficked individuals. At the bottom of the pyramid are **vulnerable populations**. It is important to recognise the agency of victims. While they face asymmetries of information, widespread deception, and limited alternatives, victims and/or their households are involved in decision-making that leads to their trafficking in most cases. Economic desperation can make an exploitative situation appear appealing; households make decisions based on short-term survival that negatively impact the long-term choices and outlook of all members of the family, especially children.



Individuals and households consider riskier propositions when alternative solutions are less available. This is especially visible in decisions related to migration; demand for irregular migration options increases when legal options are restricted. “The growing, but unsatisfied demand for legal migration options has created a breeding ground for smuggling networks and other criminal organisations, which have learned to make a profit from people’s desire to work abroad.”⁴⁵

A number of national key informants emphasised that the lack of legal opportunities for Afghans to legally migrate abroad for work drove many households to consider riskier options. Colonel Malang, Head of Counter-trafficking Department explained that, “Afghans can get visas from

⁴⁴ Out of 160 community members, 143 reported that forced marriage was a common problem in their province. Only the 143 respondents that reported it as a problem were asked follow-up questions about the trends and characteristics of forced marriage.

⁴⁵ Mahmoud, Toman Omar and Christoph Trebesch (2009), “The Economic Drivers of Human Trafficking: Micro-Evidence from Five Eastern European Countries,” Kiel Working Paper No. 1480, www.ifw-members.ifw-kiel.de/publications/the-economic-drivers-of-human-trafficking-micro-evidence-from-five-eastern-european-countries/kap1480.pdf.

Pakistan, India, Dubai, Iran and Tajikistan – but it is very difficult. Forget about countries like Australia. So, they turn to smugglers and traffickers out of desperation.”⁴⁶

The demand for migrant labour has been recognised by economists and policy makers alike. Whether it is met through legal or illegal means depends on the available migration channels. Providing safe and legal opportunities for individuals to move in search of employment opportunities can “increase people’s human rights because they will have moved safely, with fewer debts owed to brokers.”⁴⁷

Those individuals labelled as “traffickers” are identified as those who “act as intermediaries to provide employers, who use trafficked labour, with workers who have the desired characteristics.”⁴⁸ They use coercive means to gain a profit from the transfer of individuals to an employer. The employers seek to maximise profits by securing labour through exploitative terms.

In Afghanistan, the use of an intermediary depends on the type of activity and the sector of work. In sectors that require large numbers of workers (brickmaking, construction), intermediaries used to connect vulnerable individuals with exploitative employment opportunities. In these industries, it is economically viable for an employer to cede a portion of profits to the intermediary. Intermediaries are also used in sectors where end users are wealthy. Young boys are often recruited through an intermediary for *bacha baazi*; the end users are wealthy, powerful men.

In other TIP practices, the individual is coerced into an exploitative situation directly by an employer or end user. This is common in sectors where TIP is less systematised or exists on a smaller scale. In many cases of forced prostitution, forced marriage was the vehicle used to gain control of a girl, who was then prostituted by her husband or in-laws. In these situations, the husband or family act as the “employer” or “procurer.” Intermediaries are also less common in the recruitment or coercion of individuals into illicit sectors (e.g. drug trade, criminal activity). In these situations, end users typically use force or deception to directly obtain individuals for exploitative purposes. The use of an intermediary is either unnecessary or potentially risky for the individual or network acting as the employer or end user.

2.4. Causes and determinants: Migration-trafficking nexus

Trafficking cannot be addressed without considering the broader context of migration. Dr. Radhika Coomaraswamy, the UN special rapporteur on violence against women, once described traffickers as “fishing in the stream of migration,”⁴⁹ to illustrate the relationship between the two concepts.

⁴⁶ Based on key informant interview with Colonel Malang, head of the Counter-trafficking Department, MOI in June 2013.

⁴⁷ GAATW (2010), “Beyond Borders: Exploring Links Between Trafficking and Migration,” GAATW Working Papers Series 2010, Global Alliance Against Traffic of Women (GAATW), www.gaatw.org/publications/WP_on_Migration.pdf.

⁴⁸ Wheaton, Elizabeth, Edward Schauer and Thomas Galli (2010), “Economics of Human Trafficking,” *International Migration*, Vol. 48, IOM, www.amherst.edu/media/view/247221/original/Economics%2Bof%2BHuman%2BTrafficking.pdf.

⁴⁹ Cameron, Sally and Edward Newman (2008), “Trafficking in humans: Structural factors,” in *Trafficking in Humans*, eds. Sally Cameron and Edward Newman, United Nations University Press, Tokyo, pp. 21-57.

History of displacement

Like many Afghans, victims of trafficking (VoT) often have a history of displacement. Amongst the general population, “76% have had some experience of displacement in their lifetime.”⁵⁰ Out of 80 surveyed victim cases, 41 (51%) had experienced some form of displacement: 17 VoT were displaced to another country, 15 were displaced internally, and 9 experienced both cross-border and internal displacement. Of the 24 internally displaced persons (IDPs), conflict was the main driving factor, although internal displacement due to natural disasters is also common within Afghanistan.

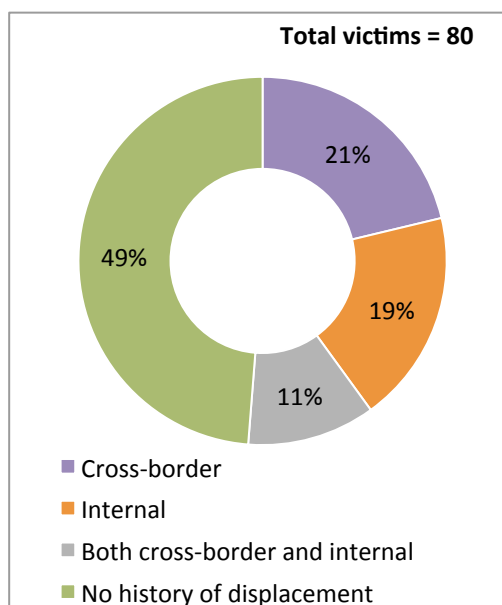
Internal displacement. Conflict-induced displacement disrupts livelihoods strategies and social networks in a way that leaves households vulnerable to TIP and other forms of exploitation. Whether internal or cross-border, displacement severs contact with tribal and family networks, making it more difficult for households to seek assistance from friends and relatives when they fall on hard times.⁵¹ In flight, households lose property, shelter, and forms of moveable collateral (e.g. tools)

that could help them earn a living in their new home. Moreover, their skills may not be in demand in their new place of residence. Situations of conflict and insecurity also prompt individuals to consider riskier forms of migration in order to reach a safer environment.⁵²

Unaccompanied minors. Surveyed community leaders confirmed the increased vulnerability of migrants. Unaccompanied minors were identified as the most vulnerable group for both labour and sexual exploitation (

Figure 2.9). The prevalence of unaccompanied minors in Afghanistan is quite significant. In the first half of 2013, IOM registered 2120 unaccompanied minors being deported from Iran through Islam Qala (Hirat province) alone.⁵³ IDPs and irregular migrants were also singled out by community members as representing vulnerable groups for TIP for labour and sexual exploitation. Vulnerability associated with youth for each TIP category is explored further in Chapter 3.

Figure 2.8. History of displacement amongst surveyed victims



⁵⁰ Kuschminder, Katie, Nassim Majidi, Ceri Oeppen and Melissa Siegel (2013) “Complexities and Challenges in Afghan Migration: Policy and Research Event,” Maastricht Graduate School of Governance, IS Academy Policy Brief, No. 14, <http://samuelhall.org/REPORTS/Complexities%20and%20Challenges%20in%20Afghan%20Migration.pdf>

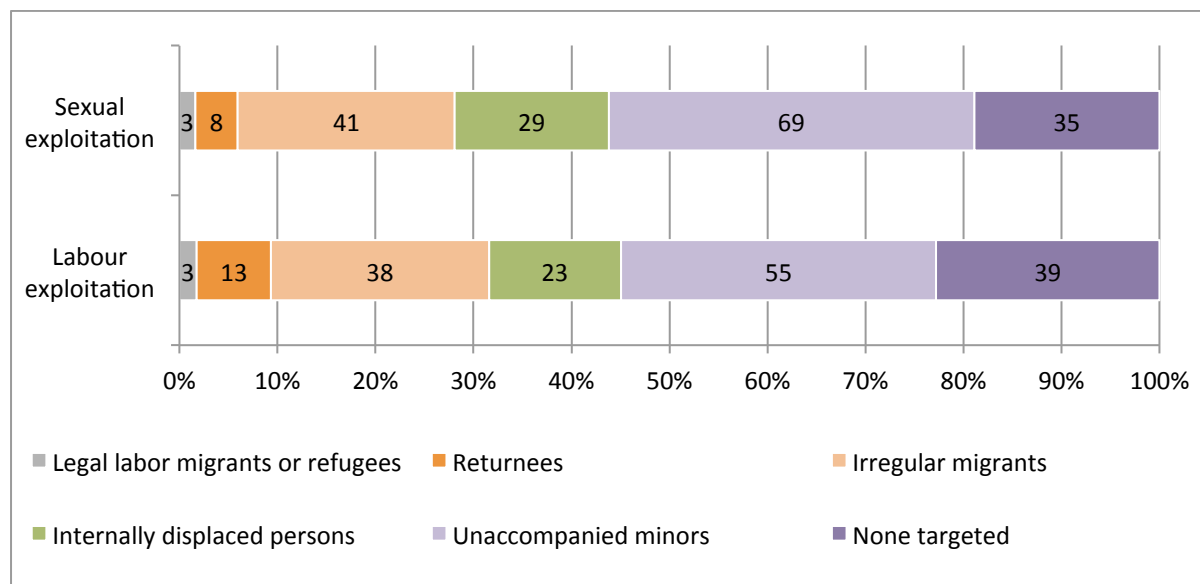
⁵¹ Rubin, Alissa (2013), “Painful Payment for Afghan Debt: A Daughter, 6,” *New York Times*, www.nytimes.com/2013/04/01/world/asia/afghan-debts-painful-payment-a-daughter-6.html?pagewanted=1&_r=1&nl=todaysheadlines&emc=edit_th_20130401.

⁵² Cameron, Sally and Edward Newman (2008), “Trafficking in humans: Structural factors,” in *Trafficking in Humans*, eds. Sally Cameron and Edward Newman, United Nations University Press, Tokyo, pp. 21-57.

⁵³ Based on IOM statistics for 01 January 2013 through 30 June 2013.

Figure 2.9. Community perceptions of TIP vulnerability by migration status

Are certain types of migrants or displaced people specifically targeted by traffickers for labour exploitation? If so, which groups are targeted? (% of responses given by 115 respondents for labour exploitation and 125 respondents for sexual exploitation, multiple answers possible)



A. Cross-border displacement and irregular migration

Nearly one-third of surveyed victims (26 out of 80) were forced to flee to another country at some point prior to their trafficking experience; 11 fled to Pakistan and 15 to Iran. Victims from Western provinces tended to flee westward toward Iran, while victims in eastern provinces went to Pakistan.⁵⁴ Victims with a history of displacement came from a wide variety of provinces; there were 15 different provinces represented amongst the 26 victims with a history of cross-border displacement. Due to the wide distribution, no patterns were revealed relating in particular provinces. Although they did not come from the same provinces, VoT with histories of cross-border displacement originated by and large from rural areas; 21 of the 26 surveyed cases came from rural areas.

Irregular migrants. Of these cases, most victims were irregular migrants while in exile (20 out of 31) and did not have a legal status as a refugee or asylum seeker. Their irregular status is likely to have made them more vulnerable to exploitative practices. A history of cross-border irregular migration was most prevalent amongst males coerced into TIP in illicit sectors. More than half of the male VoT (12 out of 20) coerced into illicit sectors had been irregular migrants prior to their exploitation; an additional two had left as legal refugees. Cross-border displacement was a recurrent, if not common, factor amongst other surveyed VoT, regardless of gender or exploitation type.

⁵⁴ One exception was Badakshan. The three interviewed VoT with a history of cross-border displacement had all travelled to Iran.

B. IDPs

Internally displaced persons (IDPs) are individuals that have been forced to leave their homes to avoid the effects of armed conflict, violence, violations of human rights or natural or human-made disasters, and who have not left their country. Out of 80 surveyed victim cases, 24 VoT had a history of internal displacement prior to their trafficking.

Despite the small sample, the former IDP victims originated from a total of 12 provinces, indicating the widespread nature of insecurity and internal displacement in Afghanistan. Of the 24 victims, 14 originated from rural areas, 3 from semi-rural areas and 7 from urban areas. While some victims moved with their households to another province, many of the victims simply moved to a safer community in the same province.

Although internal displacement was a recurrent factor in nearly one-third of the surveyed cases, it did not emerge as having links to a particular trafficking trend. Internal displacement was common for both male and female victims across TIP categories, and not one in particular.

Internal and cross-border trafficking flows

Widespread internal trafficking flows. Afghanistan is known to have more internal trafficking than cross-border TIP.⁵⁵ Most of the interviewed victims were indeed trafficked internally within Afghanistan, many within their own province (53 out of 80). The geographic distribution of cases—both in terms of TIP origins and destinations—are concentrated in and around the 9 surveyed provinces (Figure 2.10). While concentration was expected to be found around regional hubs for trade and transportation, some of this clustering may be attributed to selection bias.

Community perceptions of TIP prevalence amongst informed stakeholders suggest an even broader geographic distribution of TIP origins and destinations. A visual representation of the locations designated by community stakeholders as TIP origins and destinations (Figure 2.11 and Figure 2.12) reveals a number of provinces that appear to be more known for trafficking; however, there is not a single regional concentration for TIP activity in Afghanistan for either labour or sexual exploitation. Provinces in the northeast (Badakhshan, Takhar, Kunduz, Balkh), southwest (Nimroz, Kandahar), western (Hirat), central (Kabul) and eastern (Nangarhar) regions are all reported as key areas of activity. Internal and cross-border TIP appears to affect victims in all provinces of Afghanistan.

Cross-border TIP flows concentrated to and from Pakistan and Iran. Interviews with informed community leaders indicate that a majority of cross-border trafficking originating from Afghanistan reaches its destination in Iran and Pakistan (Figure 2.11 and Figure 2.12). Pakistan is viewed as a major destination for both labour and sexual exploitation. Trafficking to Iran, on the other hand, is perceived to be focused more heavily on labour than sex.

Afghanistan is also a destination country for cross-border trafficking. A majority of foreign cases assisted by IOM in Afghanistan originated from China, Nepal, India, Pakistan and Iran (Table 2.2). Cross-border cases do not always involve victims of a foreign nationality; analysis by nationality masks the volume of TIP flows from Pakistan and Iran, identified by community

⁵⁵ United States Department of State (2012), "Trafficking in Persons Report 2013," www.state.gov/j/tip/rls/tiprpt/2013/.

informants as the main foreign countries of origin for cross-border flows with Afghanistan. The VoT being brought from Pakistan and Iran to Afghanistan are often of Afghan origin. Demand within the Afghan brickmaking industry, in particular, is met through recruitment of Afghans living in Pakistan as refugees or irregular migrants.⁵⁶

Cases of cross-border trafficking collected through this research primarily involved movement between Afghanistan and its neighbours to the East and West: Pakistan and Iran (Table 2.3). Motor vehicles were the main means of transport. One case involved recruitment into forced labour in Saudi Arabia, which involved plane travel.⁵⁷ Most cross-border victims travelled illegally without documents. A number of victims said their recruiter paid a bribe to border police, either in Afghanistan or the neighbouring country. Only one individual crossed with legitimate documents.

Table 2.2. IOM Voluntary Assisted Return and Reintegration for VoT in Afghanistan, 2005-2013

Application by nationality Totals as of April 2013	
Afghanistan	692
China	91
Nepal	60
India	35
Pakistan	28
Iran	21
Sri Lanka	6
Saudi Arabia	3
Belarus	3
Tajikistan	2
Uganda	2
Azerbaijan	1
Totals	944

Table 2.3. Interviewed cases of cross-border trafficking

Includes case studies and survey cases

Origins	Destination	No. of victims
Afghanistan (Badakhshan, Faryab, Kabul, Kunduz, Takhar)	Iran ⁵⁸	7
Afghanistan (Balkh)	Saudi Arabia	1
Afghanistan (Logar, Badakhshan, Kandahar, Kunduz)	Pakistan	4
Pakistan	Afghanistan (Kabul, Kandahar)	3

Rural vs. urban origins and recruitment. A majority of interviewed VoT have rural origins (68%); yet, recruitment or coercion into TIP was fairly even between urban and rural setting, suggesting a number of victims were either displaced or migrated voluntarily to urban areas prior to being trafficked. Across the categories of TIP, there is an even split between rural and urban recruitment (35 and 32 cases respectively), with a smaller portion coming from semi-rural areas (12 cases). TIP for labour exploitation in licit sectors was the only category that varied slightly from this overall trend; recruitment mainly took place in rural and semi-rural areas, with only 4 out of 22 cases of recruitment occurring in urban settings.

⁵⁶ Samuel Hall Consulting (2011), "Buried in Bricks: A Rapid Assessment of Bonded Labour in Brick Kilns in Afghanistan," for the International Labour Organisation (ILO), www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_172671.pdf.

⁵⁷ See Case Study 6 in the Annex.

⁵⁸ An additional case involved an Afghan woman trafficked within Iran and then deported back to Afghanistan. See Case Study 10 in the Annex.

Figure 2.10. Provincial origins and destinations for trafficking amongst surveyed cases of TIP

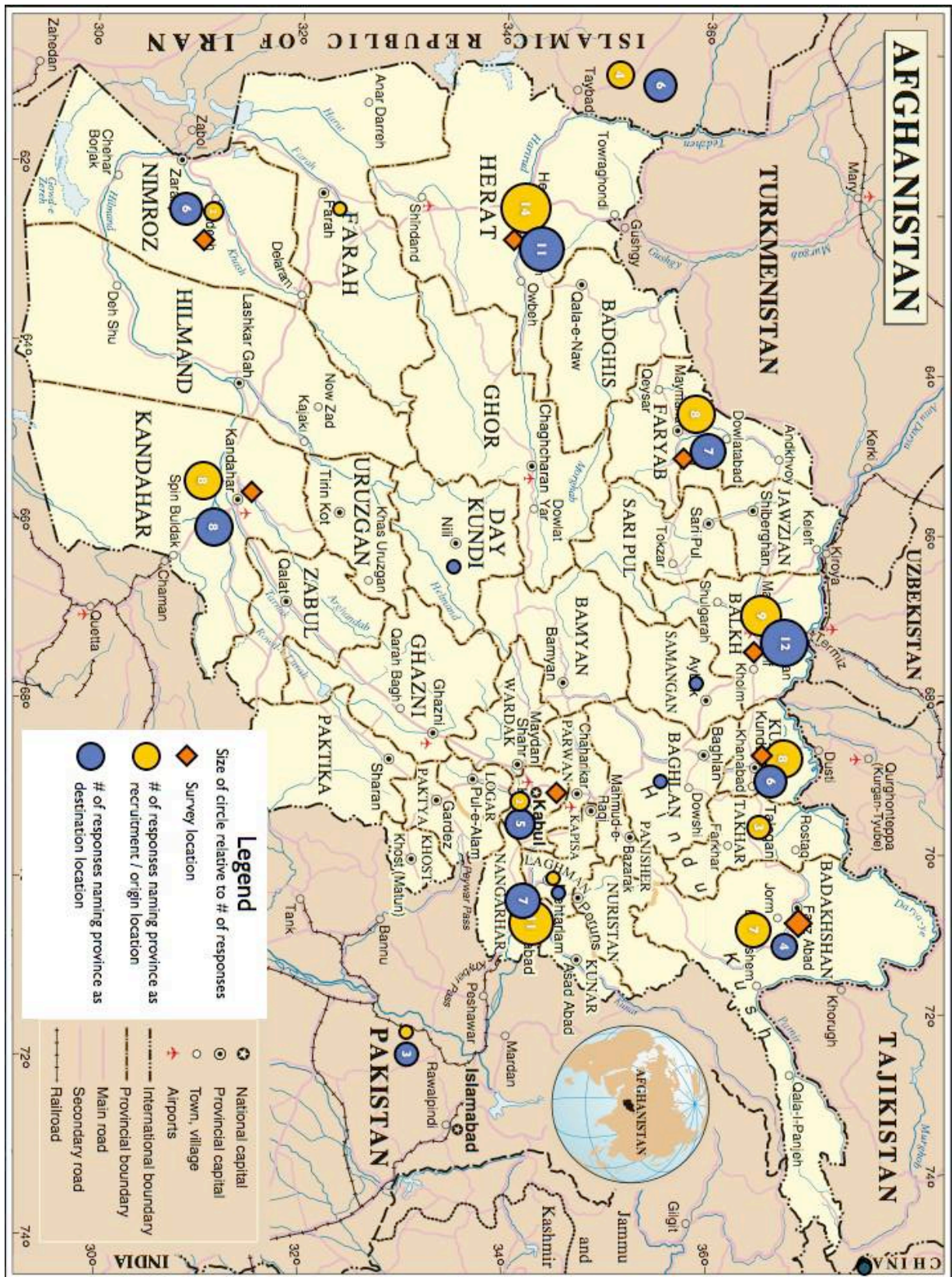


Figure 2.11. Perceived origins and destinations of victims of trafficking for labour exploitation
(Total respondents = 115, multiple responses possible)

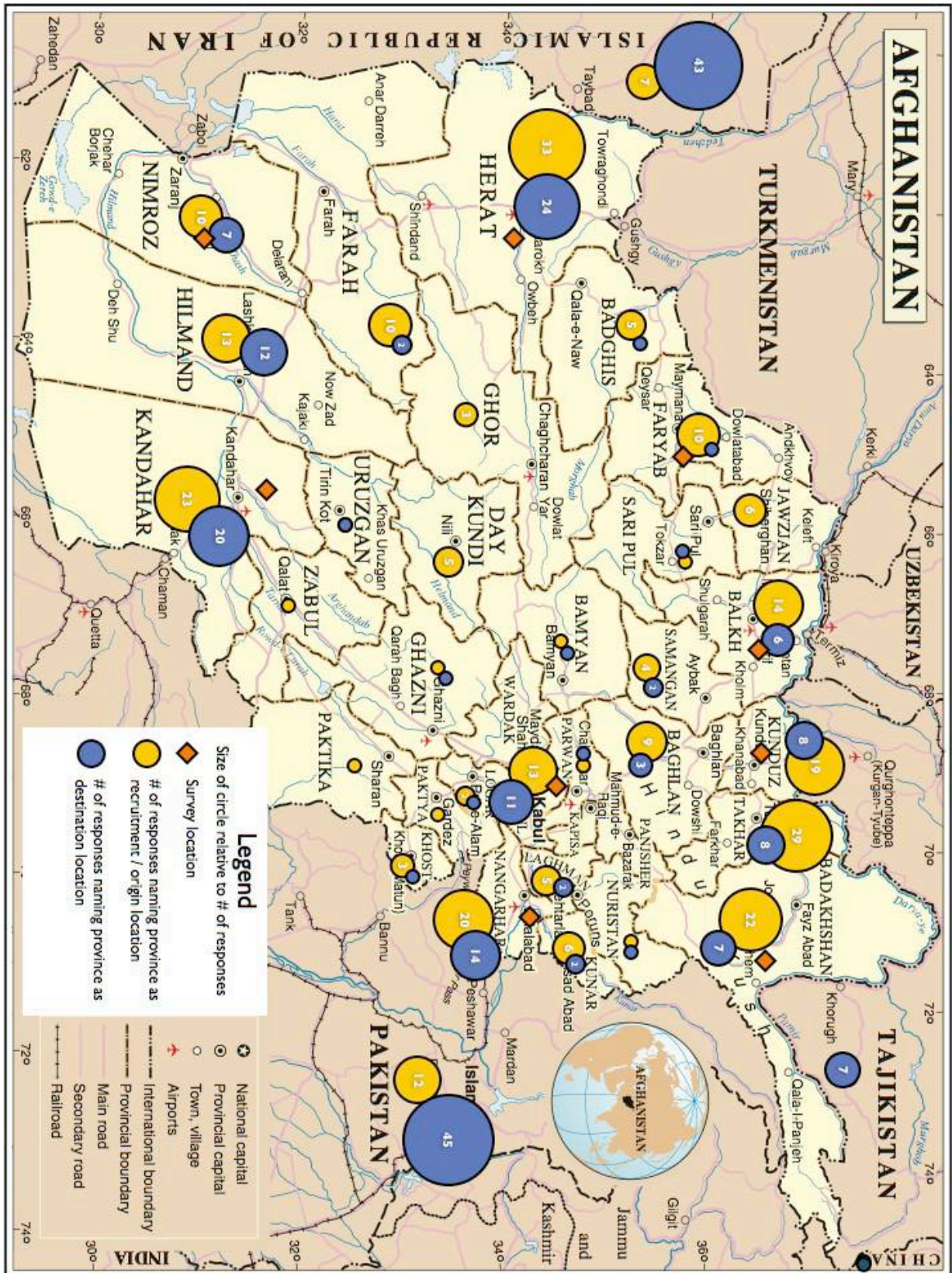
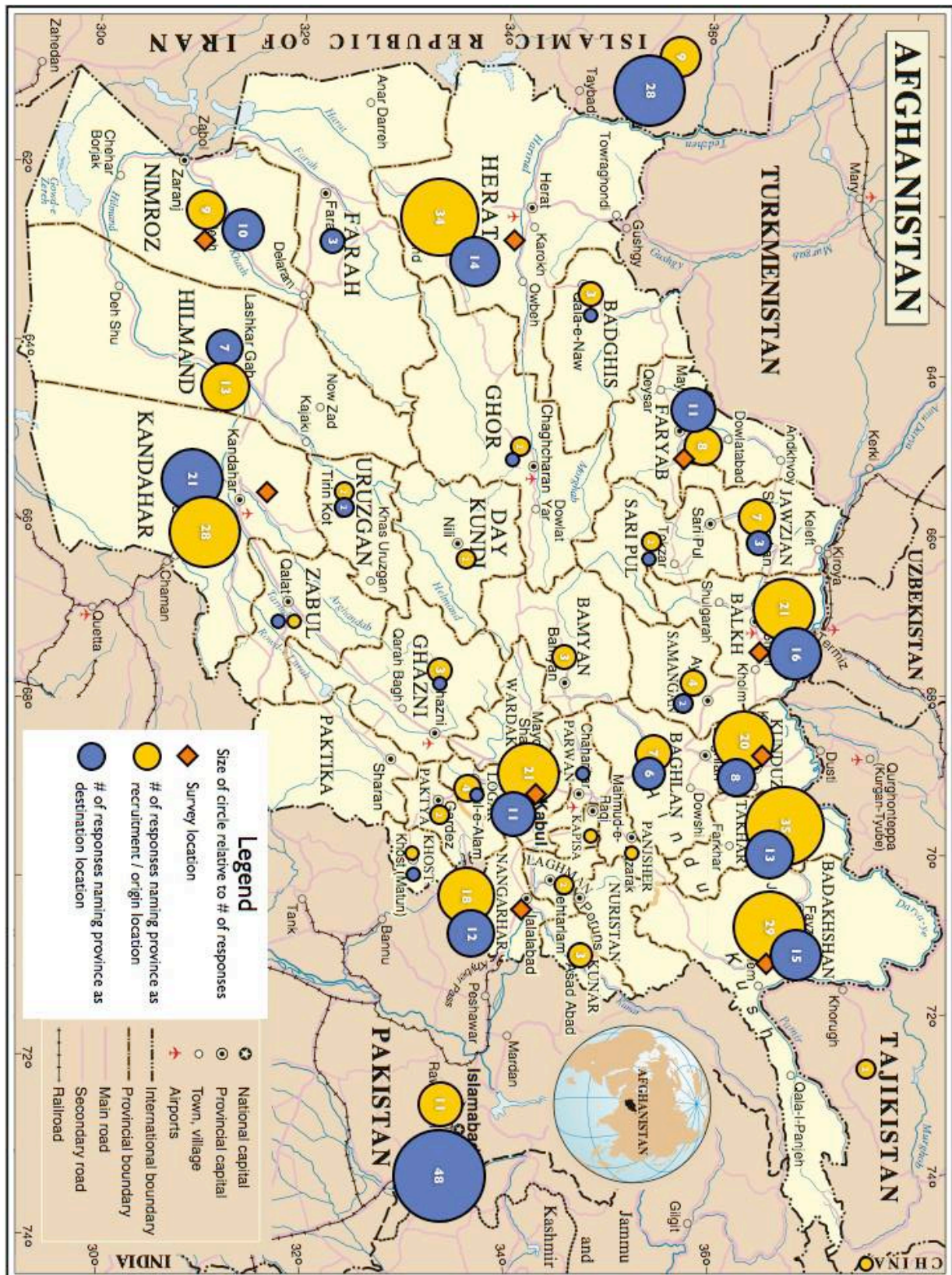


Figure 2.12. Perceived origins and destinations of victims of trafficking for sexual exploitation
 (Total respondents = 125, multiple responses possible)



3. Afghan TIP Patterns: 2001 to 2013

What are the most prevalent forms of TIP in Afghanistan in 2013?

	TIP for labour exploitation		TIP for sexual exploitation	Forced marriage
	in licit sectors ⁵⁹	in illicit sectors		
Sectors / purpose	Agriculture, brickmaking, mining, construction, carpet weaving, domestic work, services industries	Drug smuggling and production, forced combat/violence, criminal activity, begging	Forced prostitution, bacha baazi, sexual slavery	Baad (conflict resolution), baadal (dowry reduction), debt repayment
Means of recruitment / coercion:	Deception, information asymmetry, debt bondage, threats and physical violence.	Deception, threat, physical violence, abduction	Deception, abduction, forced marriage (girls), sale by family member	Threats, physical violence
Vulnerable profiles	Households; males of all ages; pre-pubescent girls and boys; unaccompanied minors	Children and youth (boys - all sectors; girls – primarily begging)	Children and youth (boys and girls)	Female children and youth

Who is most vulnerable to TIP in Afghanistan?

While demand for particular activities is gendered, both male and female individuals are targeted for different forms of labour and sexual exploitation in Afghanistan. Children and youth in large, impoverished families are particularly at risk, especially when the family is in debt. Migration and displacement further exacerbate vulnerabilities.

The lasting impact of human trafficking is different for each victim. However, the likelihood of community reintegration, family acceptance, and future prospects depend largely on the type of activity the individual was coerced into. The extreme social stigma associated with sexual exploitation marginalises victims within the community and can even result in severed family ties. The physical demands of intense, and sometimes dangerous, labour can take a heavy toll on the health and development of victims of labour exploitation.

How have TIP patterns evolved?

TIP patterns have evolved along a trajectory that was set in motion after the fall of the Taliban in 2001. This shift is marked by:

- Multiplication, decentralisation of perpetrator profiles;
- A decrease in scale of conflict-oriented TIP;
- An increase in demand for economically-focused TIP
- A resurgence in the sexual exploitation of boys.

⁵⁹ The terms licit and illicit refer only to the legality of the broader sectors in which victims are forced, and not the legality of the act of coercion.

Interviews with victims revealed that forced marriage was frequently used as a thinly veiled means of gaining access to girls and women for the purpose of sexual exploitation, notably prostitution. It is unclear whether this is a new trend in the means of coercion or an older practice that is only now coming to light. However, both forced marriage and forced prostitution are long-established practices in Afghanistan.

How visible is TIP at the community level?

Regardless of their conceptual understanding of TIP, awareness of specific TIP patterns is high amongst community leaders. A majority of the 160 interviewed respondents were aware of TIP occurring in their provinces. Awareness of forced marriage was highest (89%), followed by TIP for sexual exploitation (79%), and TIP for labour exploitation (72%).

TIP for labour exploitation in licit sectors is in fact the most visible practice, but awareness appears lower than the other TIP forms as many of these labour practices are not considered exploitative by the community. Bonded labour, in particular, is often perceived as acceptable or even beneficial to exploited households by communities.



3.1. Overview of TIP knowledge and gaps in Afghanistan

Filling knowledge gaps: How does this report build on past research?

For the past decade, TIP in Afghanistan has been understood as a predominantly internal phenomenon, with cross-border trafficking representing a secondary flow.⁶⁰ However, little has been documented about the sectoral concentration, means of coercion, and targeted profiles of this problem. Moreover, a limited number of victim experiences have actually been documented, due to the difficulty of researching this topic in Afghanistan.

TIP is a sensitive topic of research in any country, but the security and cultural context of Afghanistan make it particularly challenging to research. Beyond the legal implications that keep many of these practices hidden from view, cultural taboos prevent victims and communities from reporting and addressing human trafficking:

“Afghans have deep rooted disinclinations to report trafficking crimes. [...] Trafficking and crimes of sexual violence are seen to dishonour the victim and her or his family rather than the perpetrator, making reporting of these crimes seem to some as a second violation.”⁶¹

These cultural taboos about TIP, documented first in 2004 by IOM, persist today, as do the trafficking patterns that have been documented over the past decade. What has changed over the past 10 years is our understanding of these practices, as each piece of new research sheds greater light on these hidden practices.

This piece of research contributes an unprecedented documentation of victim experiences with human trafficking in Afghanistan; 94 VoT cases were documented through in-depth interviews.⁶² Additional cases and anecdotal evidence were gathered through key informant interviews, responses from the community survey, previous Samuel Hall research on bonded labour,⁶³ IOM data, and additional data sources from secondary literature and national statistics.

This chapter presents in-depth analysis of the most prominent categories of TIP in Afghanistan, detailing the exploitative practices (including sectoral concentration where applicable), means of coercion, and targeted profiles. The addressed TIP categories are organised and follows:

- Section 3.2 — TIP for labour exploitation in licit sectors
- Section 3.3 — TIP for labour exploitation illicit sectors
- Section 3.4 — TIP for sexual exploitation
- Section 3.5 — Categories of forced marriage that may often qualify as TIP
- Section 3.6 — Victim outlook across TIP categories

⁶⁰ IOM (2008), “Trafficking in Persons in Afghanistan: Field Survey Report” www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom_report_trafficking_afghanistan.pdf. IOM (2004), “Trafficking in Persons: An Analysis of Afghanistan,” www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/Afghan_trafficking.pdf. United States Department of State (2013), *Trafficking in Persons Report 2013*, www.state.gov/j/tip/rls/tiprpt/2013/.

⁶¹ IOM (2004), “Trafficking in Persons: An Analysis of Afghanistan,” www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/Afghan_trafficking.pdf.

⁶² 80 individuals were interviewed using the victim survey tool comprised of quantitative and qualitative questions: 64 victims and 16 close family members of victims. 14 of the 16 case studies conducted were also with VoT. For more on the methodology used for this research, see Chapter 1.

⁶³ Samuel Hall Consulting (2011), “Buried in Bricks: A Rapid Assessment of Bonded Labour in Brick Kilns in Afghanistan,” for the International Labour Organisation (ILO), www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_172671.pdf.

The terms licit and illicit refer only to the legality of the broader sectors in which victims are forced, and not the legality of the act of coercion. For example, construction is categorised as a licit activity, whereas criminal activity is illicit. TIP is itself an illicit activity.

The categories addressed are not a comprehensive breakdown of the types of TIP that exist in Afghanistan. One notable exception is the coerced removal of organs.⁶⁴ The prevalence of TIP in drug-related fields—cultivation, harvest, processing, smuggling—is also underrepresented in this report, due to lack of access to victims.

There is considerable overlap between categories of exploitation. Most victim cases were categorised into one group based on their primary activity. For example, some interviewed *bacha baazi* also worked in hotels, but as this work was a cover for the true nature of their exploitation (*i.e.* sexual exploitation), these cases are analysed only within the sexual exploitation category.

Forced marriage was the exception. The research revealed that forced marriage was often the means to further exploitation, such as forced prostitution. Cases that overlapped with forced marriage were therefore analysed both the category of forced marriage and other exploitation categories.

How has TIP changed in Afghanistan?

Actual patterns and trends have not changed dramatically since IOM released its first report on TIP in Afghanistan in 2004. Rather, TIP patterns have evolved along a trajectory that was set in motion after the fall of the Taliban in 2001. Even with this dramatic shift in power structures, the primary changes in trafficking patterns relate to: *i)* the profile of the perpetrators, *ii)* the prevalence of conflict vs. economically-oriented TIP, and *iii)* the acceptance of the sexual exploitation of boys. Many of the human trafficking practices that exist in Afghanistan are still rooted in customary practices that date back centuries, such as the practice of *baad* (the giving of girls for conflict resolution) and *bacha baazi* (literally “boy play,” but also referred to as dancing boys).

The element that has most changed over the past decade is understanding of this practice, both in terms of research and public awareness. Amongst key stakeholders, knowledge gaps and misconceptions about TIP are common, but broader awareness of TIP practices—whether or not they are framed as cases of human trafficking—has grown significantly.

Awareness of specific TIP patterns was found to be high amongst informed leaders in the surveyed provinces. A majority of the 160 interviewed respondents were aware of trafficking occurring in their provinces. Awareness of forced marriage was highest (89%), followed by TIP for sexual exploitation (79%), and TIP for labour exploitation (72%).

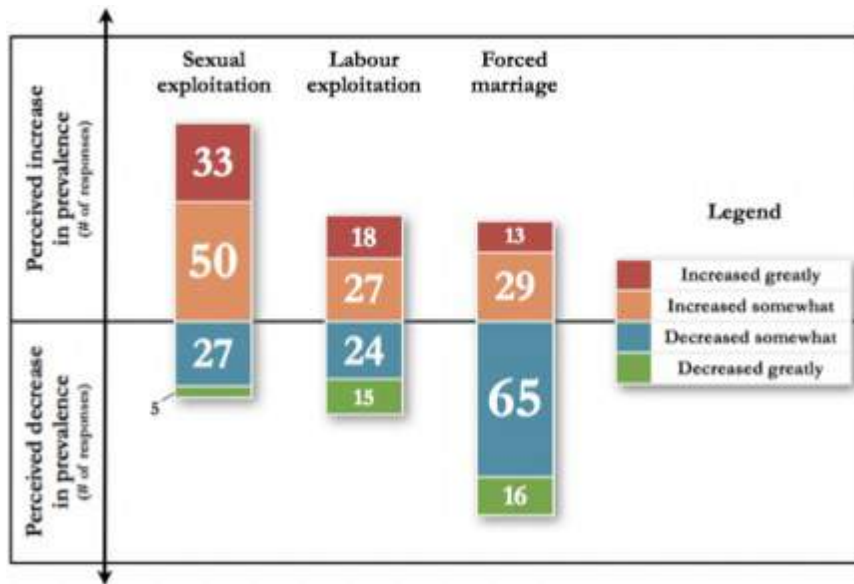
According to community perceptions, TIP for sexual and labour exploitation has risen over the past 5 years, while forced marriage is slowly declining (Figure 3.1). Community members attribute the rise in exploitative practices to a worsened economic situation and/or increased

⁶⁴ This practice has been documented in Afghanistan, but no cases of this practice were encountered as part of this research through victim interviews or anecdotal accounts from other sources. This does not imply that the practice does not happen. However, with limited information found on this practice, the research team elected to focus on the more prevalent forms of trafficking.

insecurity in their province. Responses across provinces varied, but did not reveal significant trends due to the small sample size.

Figure 3.1. Perceived changes in TIP prevalence, 2008-13

Based on survey of 160 community members.⁶⁵



As an unintended consequence, greater visibility of TIP has also given a false impression to many Afghans that human trafficking is a new practice. A number of interviewed national stakeholders, including several who work on issues relating to trafficking, told the research team that human trafficking was a recent phenomena resulting from foreign influences (citing neighbouring countries as well as Western countries). They asserted that TIP rarely or never happened under the Taliban and presented an idealised version of the situation under the Taliban that is grossly inconsistent with reality. One interviewed stakeholder believed that TIP was a result of “modern” behaviour, citing the movement of young people to cities to continue their education as a practice that leads to trafficking. The practice of renting houses, this woman believed, was what led to trafficking.

The misperception that TIP is a recent phenomenon is dangerous as it can be used to justify draconian counter-trafficking responses that limit the rights and mobility of potential victims, especially women. It is essential that key stakeholders in Afghanistan, notably those working on counter-trafficking approaches, recognise that while the patterns of trafficking have changed since the fall of the Taliban, the practices themselves were already well established.

Although information about TIP was suppressed, examples of human trafficking under the Taliban, notably forced conscription, labour, marriage, prostitution and sexual slavery, have been documented by numerous sources:

- **Forced marriage, prostitution and sexual servitude:** Families were reportedly forced to either marry their daughters to the Taliban or pay a large sum of money. Others were

⁶⁵ For each type of coercion, only respondents who recognised it as a problem were asked to comment: 125 for sexual exploitation, 115 for labour exploitation and 143 for forced marriage. Not pictured are responses of “stayed the same” and “I don’t know.” For full breakdown per exploitation type, see Figure 3.2, Figure 3.6, and Figure 3.8.

simply taken and forced into prostitution or sexual servitude.⁶⁶ Neither victims, nor their households, reported such incidents due to “fear of reprisals and social stigma issues”⁶⁷

- **Forced conscription and labour:** In preparation for the American invasion in 2001, the Taliban “forcibly conscripted tens of thousands of men” at gunpoint over a two-week period. Forced conscription was especially common amongst male children and youth. In 1999, witnesses reported that land-owning families in southern provinces were forced to “provide one young man and \$500 in expenses.” Detainees were also commonly used by the Taliban for forced labour.⁷⁰

While the presence of human trafficking did not change, certain TIP characteristics did in fact evolve between the Taliban-era and 2013.

Multiplication of perpetrator profiles: Trafficking perpetrators were often state-actors under the Taliban. While some government actors are implicated in current trafficking patterns, the general trend since the fall of the Taliban has been a decentralisation of trafficking activities and a multiplication of actors (Table 3.1).

Decrease in scale of conflict-oriented TIP: Forced conscription is still perpetrated by Taliban and other anti-government elements, albeit on a smaller scale. The practice has evolved to match the insurgency fighting techniques over the past decade, and coercion into suicide attacks is increasingly common. Coerced children often do not understand the implications of their actions or are led to believe that they will be spared in the attack.⁷¹

Increase in demand for economically-focused TIP: Forced labour (including debt bondage practices) is likely to have increased over the past decade, driven by the economic growth associated with development and reconstruction spending. This cannot be confirmed as there is little documentation on coercive labour practices in Afghanistan under the Taliban, beyond the practice of using detainees as forced labourers. However, many of the sectors into which individuals are currently trafficked—brickmaking, construction, mining—have grown significantly over the past decade, lending credence to the assumption that demand for trafficked individuals in these sectors may have increased as a result.

The acceptance of the sexual exploitation of boys: While the exploitation of boys certainly did not stop in the 1990s, the Taliban discouraged the practice of *bacha baazi*, declaring it

⁶⁶ IOM (2004), “Trafficking in Persons: An Analysis of Afghanistan,”

www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/Afghan_trafficking.pdf.

⁶⁷ UNECOSOC(2001), “Integration of the Human Rights of Women and the Gender Perspective: Violence Against Women,” Report of the Special Rapporteur on violence against women, its causes and consequences, E/CN.4/2001/73, Commission on Human Rights, Fifty-seventh session.

⁶⁸ Harding, Luke (2001), “Taliban forcing thousands into army,” *The Guardian*, www.theguardian.com/world/2001/oct/04/afghanistan.lukeharding.

⁶⁹ Boyden, Jo *et al.* (2002), “Children Affected by Armed Conflict in South Asia: A Review of Trends and Issues Identified through Secondary Research,” A discussion paper prepared for UNICEF Regional Office South Asia, www.rsc.ox.ac.uk/pdfs/workshop-conference-research-reports/CAAC%20South%20Asia%20Regional%20report.pdf.

⁷⁰ U.N. Special Rapporteur of the Commission of Human Rights (2000), “Question of the Violation of Human Rights and Fundamental Freedoms in Any Part of the World: Report on the situation of human rights in Afghanistan, submitted by Mr. Kamal Hossain, Special Rapporteur, in accordance with Commission resolution 1999/9,” E/CN.4/2000/33, pp. 12-13.

⁷¹ Farmer, Ben (2012), “Afghan boy suicide bombers tell how they are brainwashed into believing they will survive,” *The Telegraph*, www.telegraph.co.uk/news/worldnews/asia/afghanistan/9014282/Afghan-boy-suicide-bombers-tell-how-they-are-brainwashed-into-believing-they-will-survive.html. O’Hagan, Andrew (2013), “From classrooms to suicide bombs: children’s lives in Afghanistan,” *The Guardian*, <http://www.theguardian.com/world/2013/aug/03/afghanistan-child-suicide-bombers>.

sinful. The fact that the Taliban had a stance against *bacha baazi*, which was already well established before their rise to power, reinforces the argument that this is not a new practice. Anecdotal evidence points to a resurgence of *bacha baazi* since the fall of the Taliban.⁷² Certainly, there is a substantial increase in report cases although more research will be needed to be assess both the amplitude of the phenomenon and of the trend.

Table 3.1. Multiple actors implicated in current TIP patterns

Implicated actors	Associated purpose / practice
Criminal networks	Labour exploitation (illicit sectors): Theft, Organised begging rings
Anti-government elements	Labour exploitation (illicit sectors): Military combat, suicide bombers
Drug traffickers	Labour exploitation (illicit sectors): Poppy cultivation, drug processing, and drug smuggling
Wealthy, community leaders	Sexual exploitation: <i>Bacha baazi</i>
Prostitution rings / rogue actors acting as pimps (including families, especially spouses or in-laws)	Sexual exploitation: Forced prostitution
Employers/recruiters, especially in brickmaking, mining, construction and agriculture	Labour exploitation (licit sectors) Forced labour / debt bondage
Household members	Much of the decision-making for all types of exploitation still involves household members, especially when victims are children. They are the primary actors in most situations of forced marriage.

In addition to these changes in TIP patterns, there may be an evolution in the TIP patterns that lead to sexual exploitation, especially forced prostitution. Interviews with victims revealed a strong overlap between forced marriage and sexual exploitation, especially in the form of forced prostitution. In the past, widows have often been identified as a particularly vulnerable group to prostitution—whether coerced by others or driven to prostitution by circumstances.

In 12 of the victim cases documented for this research, it was actually forced marriage that was used as a thinly veiled means of gaining access to girls and women for the purpose of sexual exploitation, notably prostitution (Section 3.4). It is unclear whether this is in fact a new trend or an older practice that is only now coming to light.

The subsequent sections of Chapter 3 provide a closer examination of the specific forms of trafficking by type. Each sub-section will examine the purpose, targeted profiles, and means of recruitment of prevalent forms of TIP found in Afghanistan.

⁷² Londoño, Ernesto (2012), "Afghanistan sees rise in 'dancing boys' exploitation," *The Washington Post*, http://articles.washingtonpost.com/2012-04-04/world/35451705_1_bacha-bazi-afghans-pashtun

3.2. TIP for labour exploitation in licit sectors

Sectors: agriculture, brickmaking, mining, construction, carpet weaving, domestic work, services industries

Means of recruitment/coercion: Deception, information asymmetry, debt bondage, threats and physical violence.

Vulnerable profiles: Households; males of all ages; pre-pubescent girls

Exploitative practice in licit sectors

Trafficking for labour exploitation is common in agriculture, brickmaking, mining and construction sectors in Afghanistan.⁷³ These sectors require rigorous physical labour at low wages. To maintain a steady labour supply, many employers rely on practices such as deceptive recruitment and debt bondage to coerce an individual or household to work under exploitative terms.

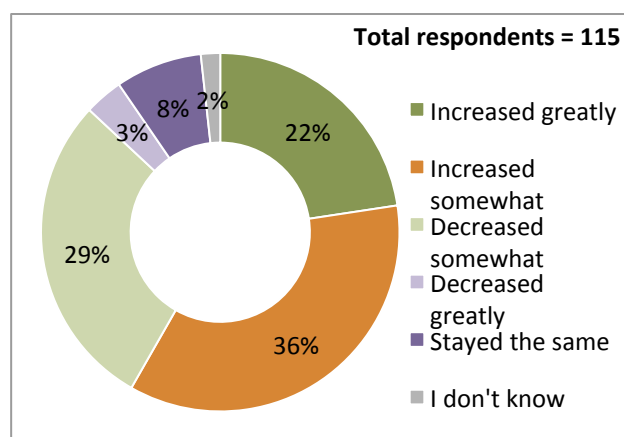
Trafficking for labour exploitation in these licit sectors is often quite visible at the community level. Seventy-two per cent of community survey respondents were aware of coercive labour practices happening in their province.⁷⁴ A majority of those who were aware of the problem (58%) reported that the problem had increased in the past 5 years, attributing the growing problem to a worsened economic situation and/or increased insecurity in their province.⁷⁵ Awareness was particularly high amongst NGO and government representatives.

Trafficking also occurs in less visible licit sectors, such as carpet weaving, domestic work, and service industries (e.g. food services, hotels). While these sectors may not rely on forced labour as systematically as the brickmaking or construction sectors, the use of forced labour, especially child forced labour, is a problem within a wide variety of licit sectors in Afghanistan.

Twenty-four former and current victims of trafficking for labour exploitation in licit sectors were interviewed. The breakdown of their work experience by sector is provided in Figure 3.3. While this sample does represent the diversity of sectors into which individuals are trafficked, it is not

Figure 3.2. Community perceptions of changes in labour trafficking prevalence: 2008-13

Has the number of trafficking victims for labour exploitation changed in this province in the past 5 years?



⁷³ No VoT were interviewed through this research due to the remoteness of the unlicensed mines where this practice takes place, but the practice has been documented with children as young as 10 working in coal mines in Bamyān. *Source:* Nissenbaum, Dion (2012), "Teenager Films Afghan Child Labor," *The Wall Street Journal*, <http://online.wsj.com/article/SB10001424052702303640804577491511393159548.html>.

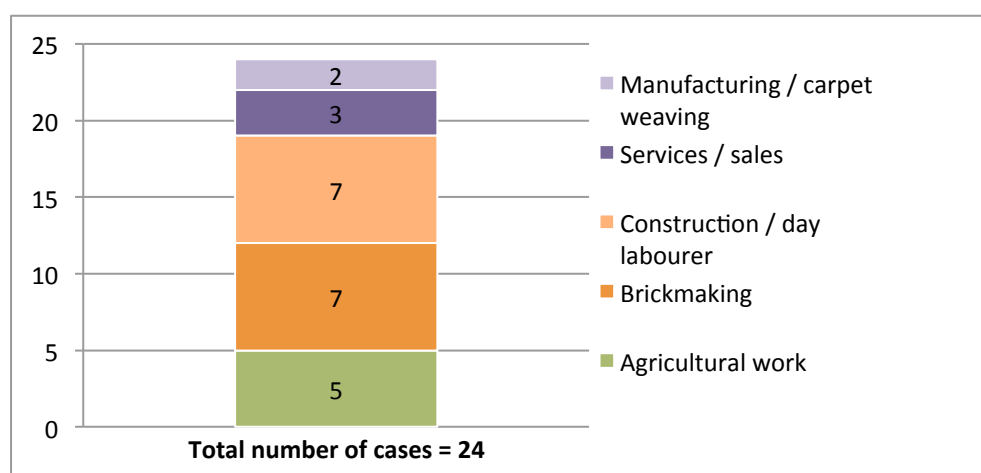
⁷⁴ 115 out of 160 informed community members interviewed.

⁷⁵ A majority of respondents – 67 (58.3%) (who acknowledged the presence of this problem) think the problem has increased either somewhat (41) or greatly (26) in the past 5 years.

representative of the scale of trafficking within these industries. Victims of more visible sectors were easier to identify and access than those working in less visible industries.

Given the underground nature of trafficking, reliable estimates are nearly impossible to calculate. Community survey respondents were asked to provide an estimate not for the purposes of actually calculating trafficking cases, but rather to gauge the visibility of the problem at the provincial level. Trafficking for labour exploitation appears to be relatively visible in the surveyed provinces amongst informed stakeholders. Interviewed community members estimated the number of cases within their province to be between 50-100 (28% of respondents) or 100-500 (22%).⁷⁶ The visibility and accessibility of trafficking for labour exploitation in licit sectors was confirmed by the experience of the research team.

Figure 3.3. Primary activity of interviewed VoT for labour exploitation (licit sector)⁷⁷



Means of recruitment/coercion

Trafficking in persons for labour exploitation in licit sectors in Afghanistan involves a recruitment process. The head of household and the employer or recruiter negotiate the terms for one or multiple members of a family to fulfil the agreed duties. Only 4 out of 20 surveyed victims working in licit sectors reported that they had played a role in decision-making; however, all 20 stated that they were forced to work against their will. The economics of recruitment are discussed further in Section 2.3.

Deception. In many cases, the employer/recruiter uses deception in the negotiation process, promising terms he does not intend to deliver. In these situations, employers offer a loan or advance to the individual/household; the money is spent before the true terms of the contract are revealed. The victims then feel trapped by the agreement, even if it was agreed under false pretences. In cases where deception is not used, employers/recruiters may exploit the desperation of an individual or household in order to negotiate exploitative terms.

Information asymmetry. Levels of awareness of the true terms of the labour agreement varied considerably amongst interviewed victims and their families. Out of 20 surveyed victims—all recruited as minors—only 11 received any information about the type of work, wages, hours

⁷⁶ No significant trends were identified when comparing provincial data.

⁷⁷ Includes sector breakdown for 20 surveyed cases and 4 case studies.

and other terms prior to beginning work. Information was rarely accurate, especially regarding wages and hours worked. For these victims, the negotiations were primarily handled by the heads of their household. Half of the interviewed victims reported that their families had been aware of the conditions before agreeing to the terms.

Debt bondage. A lack of resources and debt were cited as the main motivations for households agreeing to what were often undesirable and exploitative terms.⁷⁸ Amongst interviewed victims, 10 out of 24 cases involved the payment of advances.⁷⁹ The payment of an advance or loan is not enough to indicate a situation of debt bondage. Such a situation arises when the worker is held as collateral against the loan and/or the value of the debt or payment for services are not reasonably assessed. Amongst interviewed victims, advances were typically paid to the father and amounted to 20,000-30,000 AFA (363-545 USD).⁸⁰ Another common form of advance was the payment of transportation fees or “smuggler’s fees” by the recruiter, which the victims were then expected to pay back at a 2:1 ratio. For examples of these practices drawn from interviews with victims, see Box 3.1).

Threats and physical violence. Other forms of coercion, such as threats, physical violence and verbal abuse are more commonly inflicted on victims by family members negotiating the labour terms rather than the recruiters/employers, who rely on deceptive recruitment practices for licit labour sectors. Seventeen of the 20 surveyed victims reported being threatened with physical violence before commencing work. The same number of victims reported instances of physical violence or verbally abuse after beginning the activity, either by family members and/or employers. Three victims were subjected to physical violence.

Box 3.1. Examples of debt bondage practices in licit labour sectors

- A 16-year-old boy was recruited to work for a construction company in Iran. The recruiter paid for his travel expenses (5,000 AFA/91 USD), counting this expenditure as an advance on the boy’s future salary.⁸¹ However, he then doubled the travel expenses when calculating the amount the boy owed. This practice of doubling the value of advances to calculate workers’ debt was reported from a number of sources in the field that had experienced or heard of this practice in Iran.
- A 14-year-old boy was recruited to dig canals in Balkh province. His employer gave his household an advance and then used it as an excuse not to pay him the same wages as the other workers.⁸²
- A man in Balkh was given an advance to work at a brick kiln when he was in his 60s. He was only paid 150 AFA (2.72 USD) per day instead of the 300 AFA (5.45 USD) the recruiter had initially promised. He was not allowed to visit his family or leave the workplace until his debt was repaid.⁸³

⁷⁸ Fourteen out of 20 surveyed victims cited a lack of resources as a motivating factor, and half of victims (10 out of 20) cited debt. A lack of housing was also mentioned by two victims, and one child explained that his father’s drug addiction was the main reason for agreeing to the exploitative terms.

⁷⁹ 20 surveyed victims and 4 victims interviewed for case studies.

⁸⁰ July 1, 2013 Exchange rate: 1 USD = 55.0499 AFA

⁸¹ July 1, 2013 Exchange rate: 1 USD = 55.0499 AFA

⁸² See Case Study 5 in the Annex.

⁸³ See Case Study 7 in the Annex.

- A 28-year-old man took an advance of 21,000 AFA (381 USD) from a brick kiln owner in Deh Sabz, a district of Kabul province. He and his children work at the kiln, receiving 365 AFA (6.63 USD) for each 1,000 bricks made. They cannot leave the kiln until they have repaid their debt.⁸⁴

Vulnerable profiles

Demand for labour is often gendered based on cultural perceptions.⁸⁵ In Afghanistan, it is also shaped by restrictions on female mobility and visibility. Men and boys appear to be more targeted than women and girls in Afghanistan for licit labour activities, however male VoT are also more likely to be visible to the community.

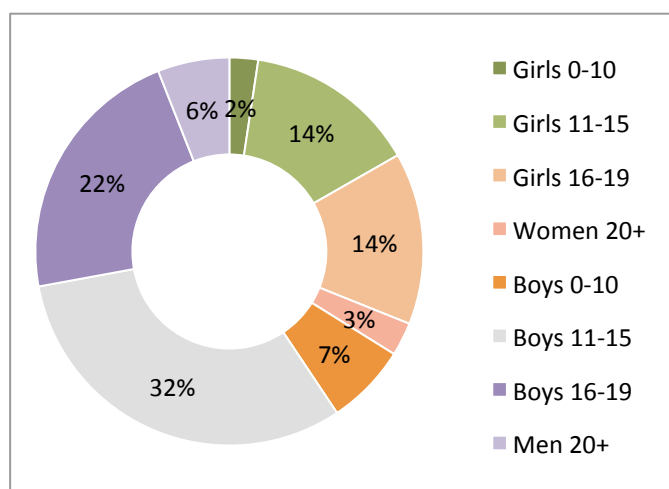
Informed community stakeholders identified boys between 11 and 15 as the most vulnerable group to trafficking for labour exploitation in licit sectors (Figure 3.3). While not representative, most of the boy VoT for labour

exploitation interviewed actually began work earlier between the ages of 8-10. Male children and adolescents are perceived to be physically strong, yet easier to manipulate than adult males. Families are also less resistant to allowing their male children to leave the home for work, and in many cases it is seen as a formative experience for male children to perform hard labour at a young age. However, men can be recruited at any age in Afghanistan; one interviewed man was coerced into bonded labour in his early 60s.⁸⁶

Due to cultural traditions, women are often restricted from working outside of the home after reaching puberty. Women are still trafficked for labour exploitation; however, their work is more likely to be hidden from public view, working inside, in remote locations or at night. A number of interviewed women VoT worked in male-dominated sectors, such as brickmaking and road construction, at night to avoid being seen. A majority of interviewed female VoT for labour exploitation were recruited between the ages of 10-13. Two of the girls began helping their families make bricks when they were 7. This is common within the brickmaking sector, as children often work alongside their fathers and siblings. One interviewed woman was coerced into agricultural work at 18, but recruitment of women at this age is much less common.

Figure 3.4. Vulnerability to TIP for labour exploitation by victim age and gender

Who do you think are most vulnerable to trafficking for labour exploitation in terms of age and gender? (% of responses given by 115 respondents, n=251, multiple



⁸⁴ See Case Study 4 in the Annex.

⁸⁵ Cameron, Sally and Edward Newman (2008), "Trafficking in humans: Structural factors," in *Trafficking in Humans*, eds. Sally Cameron and Edward Newman, United Nations University Press, Tokyo, pp. 21-57.

⁸⁶ See Case Study 7 in the Annex.

Specific ethnic or tribal groups are not typically targeted for trafficking for labour exploitation. Out of 115 informed community stakeholders aware of TIP for labour exploitation in their province, 104 (90%) claimed that no ethnic or tribal group was particularly vulnerable. This is consistent with the ethnic composition of victims encountered during the research phase. No single ethnic or tribal affiliation appeared to be over represented or targeted.

Vulnerability to trafficking is tied more to the economic and migration status of the individual or household as seen in Chapter 2. Amongst interviewed VoT, a history of displacement or voluntary migration was a common thread amongst a vast majority of the cases. Often this experience contributed to a poor economic situation, which was a key factor that led to their exploitation. When asked about the vulnerability of populations based on their migration status, informed community stakeholders most often identified unaccompanied minors as a particularly vulnerable group to trafficking for labour exploitation, followed by irregular migrants and IDPs.



3.3. TIP for labour exploitation in illicit sectors

Sectors: drug smuggling and production, forced combat/violence, criminal activity, begging

Means of recruitment/coercion: deception, threat, physical violence, abduction

Vulnerable profiles: children and youth (boys - all sectors; girls – primarily begging)

Exploitative purpose

Trafficking for labour exploitation in illicit sectors is much less visible than the TIP that occurs in licit sectors, due to the illegal nature of the activities in question. One exception is begging which, while against the law, is tacitly accepted and prevalent in urban centres. Other common sectors into which victims are trafficked include narcotics-related agricultural work, drug smuggling, forced combat/violence and criminal activity (primarily theft).

As part of this research, 29 former and current victims of trafficking for labour exploitation in illicit sectors were interviewed. The breakdown of their experiences by sector is provided in Figure 3.5.

This sample represents the diversity of illicit sectors into which individuals are trafficked; however, it is not representative of the scale or prevalence of trafficking within these sectors.

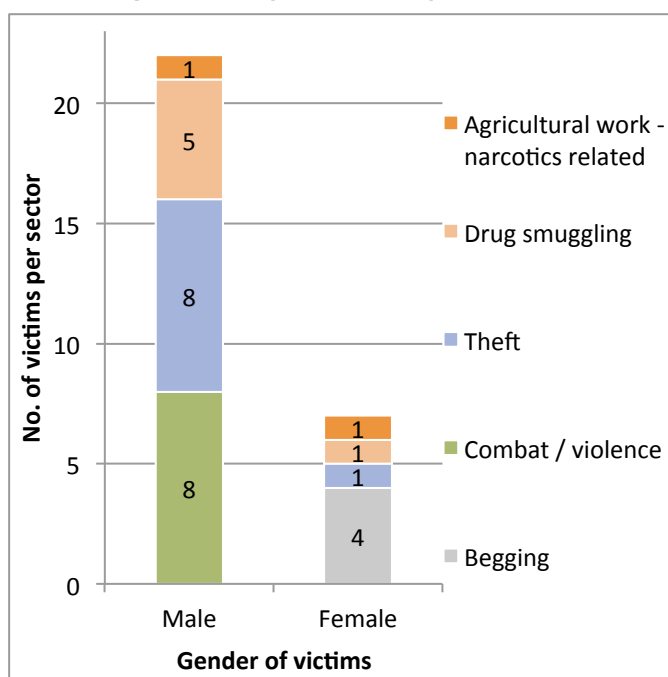
Eight of the victims were coerced into multiple activities—both licit and illicit—either consecutively or concurrently. Two of the girls who worked as beggars had previously been coerced into brickmaking and domestic work. Four of the boys that were coerced into combat or violence also committed theft. One young man was first coerced into smuggling drugs to Iran, and was then sold to work as a shepherd tending his employer’s sheep.

Means of recruitment/coercion

Cases of human trafficking for labour exploitation in illicit sectors in Afghanistan involve greater levels of force and deception than TIP cases in licit sectors. Such tactics are necessary to entrap victims, as these activities are more stigmatised both within households and the community at large.

The actors involved in decision-making are dramatically different for licit vs. illicit sectors. Whereas most heads of households were involved in initial decision-making during recruitment into licit sectors, they were nearly absent from decision-making in the 29 cases examined

Figure 3.5. Primary activity of interviewed VoT for labour exploitation (illicit sector)



involving illicit activities.⁸⁷ Moreover, most victims reported that their families were not aware of the conditions of their work before they began. Amongst interviewed youth recruited into this sector, a number of cases revealed absent or strained-relationships with their families, especially their fathers, which made them more vulnerable to coercive and exploitative recruitment tactics. As one boy explained, “I was deceived because I wanted to leave home to be far from my father’s cruelty. My family did not know about my decision.”⁸⁸ Other cases revealed situations where the father had died or was addicted to drugs.

Drug traffickers, members of criminal networks, and insurgents were often listed as being decision-makers in these situations. There were also several cases in which a neighbour (4 cases) or community leader (1 case) played a role. Begging was the only exception. The immediate families or in-laws made the decision for all of the four girls to beg. None of the girls coerced into this activity played a role in decision-making.

Physical violence played a much bigger role in recruitment of analysed cases: 14 of the 29 victims were subjected to physical violence prior to as well as during the activity; 7 victims were abducted, and 2 were sexually assaulted.⁸⁹ In one case, a woman was kidnapped and forced to work in drug production by drug traffickers in Iran (Box 3.2). When she managed to return home, her husband beat her and divorced her, as he assumed she had been sexually exploited during her time in captivity. In another cross-border trafficking case, a boy was recruited for a *madrassa* in Pakistan (Box 3.3). Within days of his arrival, he and two other boys were abducted from the *madrassa* by insurgents. The facts of the case would indicate that the abduction was potentially planned prior to his initial recruitment for the *madrassa* while still in Afghanistan.

⁸⁷ In the few cases where family was involved, victims reported an uncle, a brother or a cousin taking part in decision-making that led to their coercion into an illicit activity.

⁸⁸ See Case Study 9 in the Annex.

⁸⁹ Although sexual assault occurred, sexual exploitation—which will be discussed in Section 0—was not the primary purpose of the trafficking cases analysed here, which is why they are categorised with other cases of labour exploitation.

Box 3.2. Case study excerpt: 24-year-old Afghan-Iranian woman abducted by drug smugglers⁹⁰

“When I was 23 years old, I was kidnapped by Iranian drug smugglers who wanted me to smuggle drugs for them. They were rich and armed. They took me to Semnan city in a car. I lived with the person who kidnapped me. They threatened me and forced me into drug production activities.”

“We were treated well, and had access to food, water and medical care, but we were not paid. There were many others from Afghanistan, but I did not know them. I could not contact my family because my employer would not allow me to do so. I could not leave at any time or report my situation to the authorities. I became addicted to drugs, and there was no one to stop me from that.”

“I ran away, but remain addicted to drugs. This is a very bad activity, which has ruined my life and separated me from my husband who was an Iranian man whom I loved a lot. When I returned, my husband did not want to live with me anymore because I was a drug addict, and he thought I might have also been sexually exploited. He beat me and then got a divorce.”

The victim now lives in a shelter in Nimroz province.

Box 3.3. Case study excerpt: 17-year-old boy coerced into forced labour and training by insurgents⁹¹

This victim voluntarily went to a madrassa in Pakistan for religious study, but was soon after abducted by insurgents. He and another boy ran away when they learned of the insurgents’ plans to prepare them to fight in Afghanistan.

“After three nights at the madrassa, five men armed with AK 47s blindfolded two others and me. They all had beards and spoke Pashto. They took us to an area near the forest by car, and then we walked and climbed the mountain. There were three rooms where they lived. When they took us to that mountain, they forced me to do heavy tasks like cooking, hauling water and cleaning their rooms.”

“Our captors were very bad people. They used to threaten and beat us. The food we ate was not healthy. They used to eat healthy food and would give us what remained. We had only Allah to help us there and no one else. In addition to making us do heavy tasks, they sexually abused all three of us. We were not allowed to leave the area because they were all armed and I was not able to escape or contact my family. I could not do anything because they threatened and beat me. I just heard, on our last days there, that they asked for three more people to be brought to them from the madrassa. When we found out that their aim was to send us on to war in Afghanistan, we decided to run away.”

The boy was later arrested at a police checkpoint and accused of attempting a suicide bombing. Whether or not the boy was indeed attempting a suicide bombing could not be verified. He now lives in a juvenile retention centre in Jalalabad.

⁹⁰ See Case Study 10 in the Annex.

⁹¹ See Case Study 9 in the Annex.

Box 3.4. Case study excerpt: 14-year-old boy coerced into criminal activity in Nangarhar⁹²

“I was sitting in a hotel when a person came to me and said that I could not earn enough money with what I was doing. I was employed washing cars in the hotel in the Samar Khail area of Nangarhar province when Sulaiman, the recruiter, came and asked me to go with him in order to earn more money. He said, let’s do something else, but he did not say anything about the nature of the work. I went with him and stole goats, and was captured (by police).” The victim now lives in a juvenile retention centre in Nangarhar province.

In addition to force, deception was commonly used to recruit individuals—typically male youth—under false pretences. Victims trafficked into illicit sectors were less aware of the type and conditions of work prior to commencing the coerced activity than victims trafficked into licit sectors. Of 26 victims, more than half (16) did not receive any information about the type of work they were being coerced into. Of the ten victims that did receive information about the type of work, 7 victims reported that the information was very inaccurate, while 3 said it was somewhat inaccurate. One interviewed victim—a 14-year-old boy—claimed he had no knowledge of what he would be doing when he was recruited by a member of a criminal network. He simply went along with the recruiter and two other boys also recruited from his area (Box 3.4). Greater levels of inaccuracy or absence of information were reported regarding wages, hours worked and the terms of contract amongst VoT in illicit sectors, compared with those in licit sectors.

Whereas victims in licit sectors often received wages, albeit often under exploitative terms, a majority of the victims in illicit sectors (22 out of 27) were not paid for their work. Those who were paid included individuals coerced into smuggling and producing narcotics (3 individuals), stealing (2 individuals), beggars (2 individuals) and combat/violence (1 individual).

Movement was more restricted for victims coerced into illicit sectors. A majority of victims (20 of the 29) were explicitly forbidden to come and go as they wished from the location where they lived and/or worked, and five victims had their identification documents taken to restrict their movement. An additional five victims said they did not leave the premise because they were afraid of being caught by the police.

Other forms of coercion, such as the giving of advances or payments to gain control over someone, were not as common in illicit sectors. Amongst interviewed victims, only 3 out of 29 cases involved the payment of an advance to either the victim or the household.⁹³

⁹² See Case Study 8 in the Annex.

⁹³ 26 surveyed victims and 3 victims interviewed for case studies.

Vulnerable profiles

Male youth are the major group targeted for coercion into illicit sectors. Of the 22 interviewed males, most were recruited between the ages of 12 and 16.⁹⁴ All but 3 were under 18 at the time of recruitment.⁹⁵ They worked in illicit sectors for varying timeframes: from less than a month to several years. A number of the victims were interviewed in juvenile retention centres; if they had not been stopped by police, they would likely have continued working in these sectors.

Women and can be targeted for forced combat, drug smuggling and production, and theft, but they are more often coerced into begging. The interviewed girls coerced into begging began this work at a young age (between 6 and 13) and worked well into their teen years. Despite their young age, all but one of the girls were married including the 6-year-old; in the analysed cases, it was the in-laws who coerced the girls into begging. The women coerced respectively into drug smuggling and drug production were both in their early 20s when they were recruited. No particular ethnic or tribal group was targeted for these activities.

Economic vulnerability, a history of migration or displacement and ruptured or dysfunctional family unit were recurring factors amongst many of the cases. The impact of these factors on the vulnerability of potential VoT is explored further in Sections 2.3 and 2.4.

⁹⁴ The youngest boy was 8 when he was first recruited.

⁹⁵ The three adult males were 18, 26 and 32 at the time of recruitment, indicating that adult males, while perhaps not the main target group, can also be coerced into these activities.

3.4. TIP for sexual exploitation

Sectors: forced prostitution, *bacha baazi*, sexual slavery

Means of recruitment/coercion: Deception, abduction, forced marriage (girls), sale by family member

Vulnerable profiles: Children and youth (boys and girls)

Exploitative purpose

Sexual exploitation is widespread in Afghanistan and well known within communities; 79% of interviewed community members (125 out of 160) across 9 provinces were aware of the problem occurring in their provinces. This is even greater than the proportion of community members that recognised the problem of TIP for labour exploitation (72%). More than half of those who were aware of the problem (66%) reported that the problem had increased in the past 5 years.⁹⁶ Survey respondents attributed the rise to a worsened economic situation, increased insecurity and a lack of government intervention in their respective provinces.

Given the extreme cultural taboos associated with sexual relations in Afghanistan, this open acknowledgement across all surveyed provinces comes as a surprise; it was expected that community members would have wanted to deny the presence of such a stigmatised problem in their own provinces. However, while interviewed stakeholders at both the national and community level recognised the

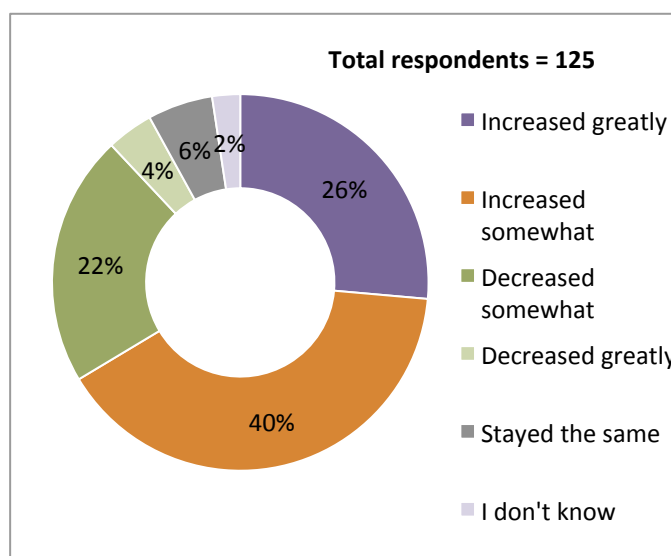
problem, they often felt uncomfortable discussing sexual exploitation. A number of interviewed individuals claimed that sexual exploitation was a recent phenomenon and blamed it on the influence of foreign cultures, notably neighbouring and Western countries.

The most prominent forms of TIP for sexual exploitation in Afghanistan can be broken down into three main categories: 1) **forced prostitution** – individuals (mainly women and girls) forced to perform sexual acts with a client who pays a fee; 2) **Bacha baazi (dancing boys)** - boys trained to dance and entertain men, who are also forced to perform sexual acts; 3) **other forms of sexual slavery** – a loose category that includes cases where both male and female children and youth are held by an individual or group of individuals and forced to perform sexual acts.

⁹⁶ A majority of respondents – 83 (66%) (who acknowledged the presence of this problem) think the problem has increased either somewhat (41) or greatly (26) increased in the past 5 years.

Figure 3.6. Community perceptions of changes in sex trafficking prevalence, 2008-13

Has the number of trafficking victims for sexual exploitation changed in this province in the past 5 years?



As part of this research, 30 former and current victims of trafficking for sexual exploitation. Of the 18 female victims interviewed, twelve had been forced into prostitution. The remaining 6 were forced to perform sexual acts, but there was not a fiscal transaction as is the case with prostitution. One of the victims was also forced to participate in the production of pornographic material.

Of the 12 male victims interviewed, only one said he was forced into prostitution. The other boys said they were forced to perform sexual acts or simply acknowledged that they were *bacha baazi* (dancing boys), a practice that is synonymous with the sexual exploitation of boys.

Means of recruitment/coercion

The ways in which male and female victims are coerced into sex trafficking are distinctly different in Afghanistan. Male youth can be more easily approached either for recruitment through deception or for abduction than female victims, as they have more mobility outside of the home and may already be searching for employment opportunities. Amongst recruited male victims interviewed, all but one victim reported that they thought they were being recruited for a different activity than the one they were coerced into. For example, a 15-year-old boy was recruited in Quetta, Pakistan by an employer to work in a hotel; only upon arriving in Kandahar, with no means to return, did he learn the employer intended to use him as a sexual slave. The employer reinforced his control over the boy by paying for the boy's drug habit (opium), although he did not pay the boy money for fear he would save enough money to run away (Box 3.5).

Box 3.5. Case study excerpt: 15-year-old boy deceived into sexual slavery in Kandahar⁹⁷

This 15-year-old victim of Afghan origins was an irregular migrant with his family in Pakistan. He was recruited in Quetta, Pakistan directly by his employer to work at a hotel in Kandahar.⁹⁸

“For the past six months, I have been living in a hotel in Kandahar province with the hotel owner and other workers. The hotel owner brought me here and said he would give me 10,000 AFA a month (181 USD)⁹⁹ to collect money from customers and nothing else. I did this work for the first two or three days, but after that he assigned me to clean his personal room, and I had to sleep with him. I sleep with the hotel owner every night. I do some tasks in this hotel because I am young. If I do not work, people will suspect that I am being sexually used in this hotel.”

“There are other people working in this hotel, but their jobs are different than mine. Their jobs are clear and they get paid on a monthly basis. I have not been paid a salary since I arrived. The hotel owner just pays for my expenses.”

“Currently I take opium, which the hotel owner pays for. I started taking opium in Pakistan when I was sitting with some opium users, and they threatened me, so I took it. Some of the same people pressured me to become *bacha baazi* in Quetta, so I came to Kandahar to get away from them.”

“The hotel owner does not allow me to go to my family. I cannot contact my family because I

⁹⁷ See Case Studies 2 and 3 in the Annex.

⁹⁸ This case is from a different hotel than the one described in Case Study 3.

⁹⁹ July 1, 2013 Exchange rate: 1 USD = 55.0499 AFA

am scared that if they find out that I am consuming opium and doing other bad acts they will kill me. My family does not know about this situation because I came without informing them. The person who brought me deceived me and told me not to inform my family that I was going to Kandahar.”

The sexual exploitation of boys in hotels is not exclusive to Kandahar province. A representative of an IOM implementing partner in Hirat, explained that some children come from the districts to work in hotels in the city centre. They work in the hotels during the day, but are often raped by the hotel staff at night.¹⁰⁰ Several key informants also reported cases of male truck driver assistants being exploited as “sexual companions” and boys being kept at police checkpoints for the purpose of sexual exploitation by the police working there.¹⁰¹

When family members are involved, they tend to receive a payment to transfer control of a male minor to another individual outside of the family for the purpose of sexual exploitation. Half of the interviewed male victims reported that a member of their family had received a payment or benefit, such as loan forgiveness, which resulted in the transfer of control over the victim. The payments were not always made to a member of the immediate household. One 13-year-old boy interviewed was sold by his cousin to the hotel owner to be used for *bacha baazi* (Box 3.6). No cases of families prostituting male victims were found during this research; however, they did sell male victims with knowledge that they would be sexually exploited. In contrast, female victims were often prostituted directly by a family member, most often a husband and/or in-laws, and forced to work in a brothel.

Box 3.6. Case study excerpt: 13-year-old boy deceived into *bacha baazi* in Kandahar¹⁰²

Convinced by his cousin that he could get work in a hotel, this 13-year-old victim travelled with his cousin from Kunduz to Kandahar, where he was subsequently sold to the hotel owner.

“He (my cousin) brought me to this hotel [...]. Five days later he left without informing me. I still do not know where he went. [...]. When I wanted to leave to go to my own province, the hotel owner said that I could not go because I had been sold to him. Hearing that, I was shocked and did not know what to do.”

“On the very first days they would make me do heavy tasks like washing the dishes and so on. I would get very tired during the day and when I slept in the night the owner would sexually assault me. When I woke up, he threatened me so I would be quiet. I was very scared, so I stayed quiet.”

“After sexually exploiting me, the owner told me that I did not have to do heavy tasks and that I should live like a boss in this hotel. He had some clothes made for me, and now I live with him in his room. Sometimes when his friends are here he asks me to dance. At first I did not know

¹⁰⁰ Based on interview with Ghulam Mustafa, Let’s Build Afghanistan Organization (LBAO), in Hirat in July 2013

¹⁰¹ Based on an interview with Jane E. Thorson and Eng. Mohammad Sarwary of Hagar International in June 2013, and confirmed in interviews with additional key informants. Hagar International is conducting research specifically on boy VoT, and their forthcoming report “Forgotten No More: Male child Trafficking in Afghanistan” explores the issue of exploited truck driver assistants at greater length, available at <http://hagarinternational.org/international/our-work/research/>.

¹⁰² See Case Studies 2 and 3 in the Annex.

how to dance, but he taught me.”

“I cannot leave because I am not familiar with the area and the hotel workers and owner always have an eye on me. They pay me for my daily expenses, but not more than that because they think I will escape if I have more money. I do not have contact with my family because I do not have their phone number. The hotel owner says he will provide me with anything I want here. I have asked the hotel owner to take me to Takhar province to my mother, and he keeps promising, saying that one day I will finally go.”

Family members of female victims are frequently complicit in the trafficking of their female relatives for sexual exploitation. None of the 18 female victims interviewed were approached for recruitment or participated in the decision-making that led to their trafficking. The father, spouse and/or spouse's family were generally the people that either prostituted the girls/women against their will or sold them to another individual to be used as a sexual slave. One interviewed victim was taken by force by her brother's wife at 16 and given to a male cousin for the purpose of sexual exploitation. The girl was kept by her cousin until she was 21, at which point she was able to get assistance and move to a shelter.

A majority of the interviewed female victims of forced prostitution (8 out of the 13) and four of the victims of other forms of sexual exploitation had also been forced into a marriage, demonstrating a strong overlap between these two forms of coercion. One 13-year-old victim was forced to marry a 60-year-old man. He paid her household a dowry of 400,000 AFA (7,266), and then forced the girl into prostitution.¹⁰³ The victim, now 17, now lives in a shelter. When asked about her dowry, a different victim of forced prostitution said that her marriage did not involve a dowry, but rather a sale (Box 3.7). In other cases, the victims were prostituted only months after their marriage, suggesting that the spouse and/or his family had arranged for the marriage with the intent of using the new wife as a prostitute. Wazhma Frogh, co-founder of the Research Institute for Women Peace & Security (RIWPS) in Afghanistan confirmed that marriage can often be a cover for the sale of women for the purpose of prostitution, and that often these girls end up in a brothel. Frogh claimed the practice more frequently occurred when marriages were arranged between families of different provinces, as the girl's family has less information about the future husband and his family.¹⁰⁴ This claim could not be confirmed or denied based on the cases gathered for this research.

In cases not involving family members, abduction is often the means used to gain control of a girl or woman. Two interviewed victims had been abducted. A 12-year old Pakistani girl was abducted by a trusted neighbour. Her parents had given him permission to take the young girl along to a wedding; instead he raped her and then forced her to work in a brothel in Kabul (Box 3.8). The second victim was taken by a stranger in car as she was walking home.

Most victims were subjected to threats or physical violence while being coerced into a situation of sexual exploitation. Physical and verbal abuse often continued for victims, in addition to the sexual abuse they suffered.

¹⁰³ 1 July 2013 Exchange rate: 1 USD = 55.0499 AFA

¹⁰⁴ Based on interview with Wazhma Frogh, co-founder and Executive Director of the Women Peace and Security Research Institute (RIWPS), in Kabul in July 2013.

Box 3.7. Sale of a 15-year-old girl for prostitution under the guise of a marriage

“I was forced to go to Pakistan and marry my cousin when I was 15. I tried to stop the marriage because I was not ready for sexual activities. There was no dowry in question because I was sold. It was an illegal marriage for sexual exploitation. My husband forced me to dance and perform sexual acts with others. I was not willing to do these activities.”

“Once, I was arrested by the police, and they kept me in police station for two nights. I contacted my husband, and instead of releasing me, he had me serve those police sexually and later they released me. My husband was contacted from Kabul and was told that I was needed (for prostitution) in Kabul. So, we moved to Kabul and later we went to Mazar. There I escaped and went to the house of a woman who worked for human rights. This wife's son also raped me; that made me very disappointed. My husband found out about it and took me back. I informed my brother about the situation, and together we killed my husband by a rope. I was very hurt because of my husband and am jailed because of him. The foreigners came and had me visit the doctor and provided me with some medicine.”

“In the future, I want to marry my cousin who has been helping me a lot. I want the [NGO helping me]¹⁰⁵ to provide me with a legal attorney so I can marry my cousin legally and continue my life happily.”

Now 26, the victim lives in a shelter in Faryab.

Box 3.8. Case study excerpt: 12-year-old girl forced into prostitution in Kabul¹⁰⁶

“I was living in Peshawar (Pakistan) with my family when I was abducted by our neighbour. He had been our neighbour for many years and my parents trusted him. One day he asked my mother whether he could take me to a wedding, and my mother said yes. Instead of going to the wedding, he took me to his house where he raped me. After a couple of days he took me in a car to Afghanistan. When I was in the car, they gave me some juice and I think they put something inside and drugged me. [...] When I woke up, I was already in the house where they locked me up.”

“They locked me in a room, and the doors were always closed. There were other women: two girls from Baghlan who had also been abducted and other women who came there voluntarily. We were not allowed to go outside. My neighbour kept me there for 5 months and forced me to do bad things with men. They were always forcing me to drink alcohol in the morning to get drunk. Then he would bring the men to me, like 4 or 5 of them, and they forced me to have sex with them. The men paid 5,000 PKR (50 USD),¹⁰⁷ but I did not get any money.”

The victim is currently living in a shelter in Kabul. If her parents are unable to prove that she did not consent to be a prostitute, she may be prosecuted for *zina*.

¹⁰⁵ The name of the organisation has been removed to protect the identity and location of the victim.

¹⁰⁶ See Case Studies 1 in the Annex.

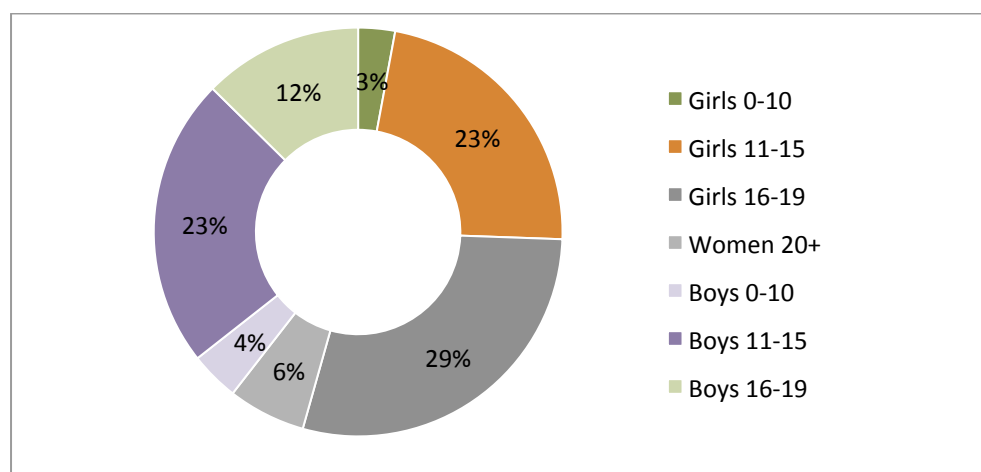
¹⁰⁷ 1 July 2013 Exchange rate: 1 USD = 99.5797 PKR

Vulnerable profiles

Both male and female victims are targeted for sexual exploitation in Afghanistan. Informed community stakeholders identified girls between 11 and 19 years old and boys between 11 and 15 as the most vulnerable groups to trafficking for sexual exploitation (Figure 3.7). Young children of both genders are considered vulnerable, albeit to a lesser degree, as are older adolescent males and adult women. The small sample of cases analysed for this research supports the finding that women can be targeted into adulthood, whereas recruitment of boys tends to taper off as they reach the end of adolescence. Most of the interviewed male victims had been recruited between the ages of 12 and 15.¹⁰⁸ Interviewed female victims were recruited across a broader range of ages from 6 to 21; there was no clustering of recruitment within a specific age range.

Figure 3.7. Vulnerability to TIP for sexual exploitation by victim age and gender

Who do you think are most vulnerable to trafficking for sexual exploitation in terms of age and gender? (% of responses given by 125 respondents, Total responses =312, multiple answers possible)



Specific ethnic or tribal groups are not targeted for trafficking for sexual exploitation. Out of 125 informed community stakeholders aware of TIP for sexual exploitation in their province, 111 (89%) claimed that no ethnic or tribal group was particularly vulnerable.¹⁰⁹ This is consistent with the ethnic composition of victims encountered during the research phase. No single ethnic or tribal affiliation appeared to be over represented or targeted.

As was the case with trafficking for labour exploitation, vulnerability to sex trafficking is tied more to the economic and migration status of the individual or household. The impact of these factors on the vulnerability of potential VoT is explored further in Sections 2.3 and 2.4.

¹⁰⁸ The oldest age of recruitment amongst interviewed male victims was 17, and the youngest was 10.

¹⁰⁹ A very small number of community members reported that Chori Frosh (2 responses) and Kuchis (2 responses) are more vulnerable; however, no other information was gathered to indicate that these marginalised groups may be targeted more than others.

3.5. Forced marriage

Purpose: *baad* (conflict resolution), *baadal* (dowry reduction), debt repayment

Means of recruitment/coercion: Threats, physical violence

Vulnerable profiles: Female children and youth

Exploitative purpose

Forced and underage marriages are prevalent practices in Afghanistan. Estimates for forced marriages range from 59-80% of all marriages.¹¹⁰ Despite a legal age requirement of 16 for girls and 18 for boys, UN statistics from 2008 revealed that more than half of marriages involved at least one minor under the age of 16.¹¹¹ However, not all situations of forced marriage can be classified as situations of trafficking in persons. Determining whether a forced marriage is in fact TIP requires case-by-case analysis to determine that all three components of trafficking are present: the act (the recruitment, transport or harbouring of individuals); the means (coercion); and the purpose (exploitation).

While a large majority of interviewed community members (89%) reported that forced marriage is still a common occurrence in their provinces, 57% feel its prevalence has decreased over the last five years (Figure 3.8).¹¹² This response is distinct from other community assessments of trafficking trends, which were perceived by a majority of respondents to be increasing in prevalence. The decrease in forced marriages was largely

Figure 3.8. Community perceptions of changes in forced marriage prevalence: 2008-13

Has the number of forced marriage changed in this province in the past 5 years?

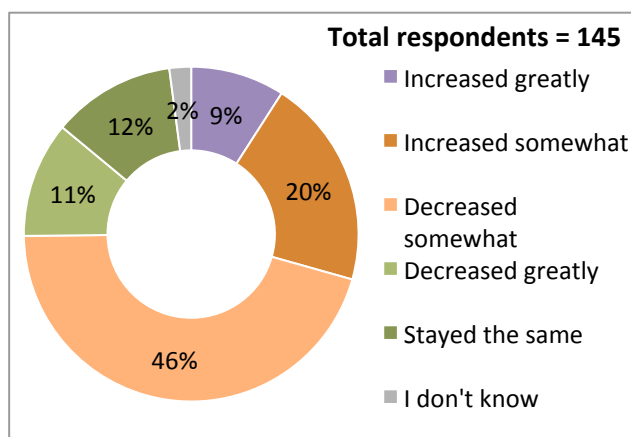
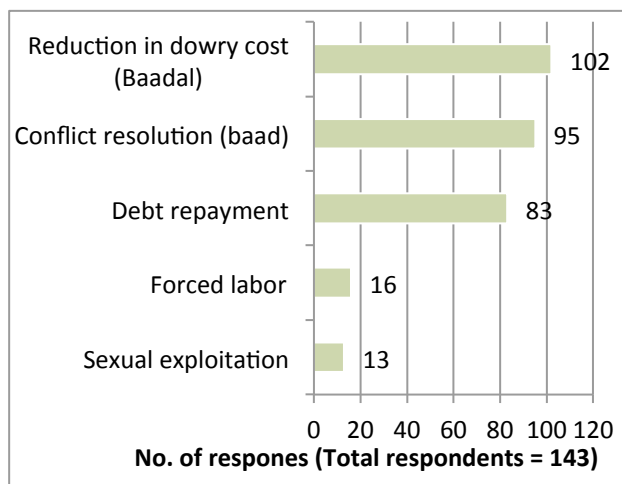


Figure 3.9. Perceived motivations for forced marriage



¹¹⁰ Human Rights Watch, (2012) "I Had to Run Away: The Imprisonment of Women and Girls for 'moral crimes' in Afghanistan," Human Rights Watch, p. 30, www.hrw.org/sites/default/files/reports/afghanistan0312webwcover_0.pdf.

¹¹¹ UNIFEM, "UNIFEM Afghanistan Fact Sheet," 2008, www.wunrn.com/news/2009/08_09/08_17_09/081709_afghanistan.htm.

¹¹² 143 out of 160 surveyed community members (89%) in 9 provinces reported that forced marriage for one or more purposes was common in their province. Out of the 143 who recognised forced marriage as an issue in their area, 67% thought it had declined somewhat (65 respondents) or greatly (16 respondents) in the past 5 years.

attributed to increased awareness about the rights of women. While not a common response, one community member explained pragmatically that families were beginning to see that the forced marriages did not result in a positive outcome.

Forced marriages for reducing dowry costs, resolving conflicts and repaying debts were perceived by community members to be the most common motivations driving forced marriages in their provinces (Figure 3.9).¹¹³

As part of this research, 37 female victims of forced marriage were interviewed, many of whom were also victims of other forms of exploitation (sexual and/or labour exploitation). Amongst these cases, 5 did not take place: 3 victims ran away before the marriage could take place, the wedding was called off by one of the families in different case, and the victim of the 5th case is attempting to use the judicial system to prevent her marriage from taking place. A majority of cases collected for this research exhibited clear signs of trafficking; however, some borderline cases were also included, providing insight into the difficulty of distinguishing trafficking from other forms of coercion and exploitation.

In 12 cases, marriage was used as a thinly veiled means of gaining access to girls and women for the purpose of sexual exploitation, notably prostitution. As the cases of sexual exploitation were addressed in Section 3.4, this section will focus primarily on forced marriage for conflict resolution (*baad*), dowry reduction (*baadal*), debt repayment, and other forms of financial gain.

Means of coercion

Forced marriages are arranged between two families. In some cases, a victim is coerced by a family member. In others, entire household may feel coerced into arranging their daughter's marriage to an individual they would not have selected under normal circumstances. The willingness of both families to arrange the marriage depends on the situation.

In the case of **baad**, a girl is given in marriage to a member of another family in the community as a form of conflict resolution. In theory, the practice is intended to bring the families closer together, bringing peace to the community and preventing further retaliation. In reality, the girl is arriving in the new family under very hostile circumstances, and the prevalence of abuse is high. The girl is often "perceived as atoning for the wrong

Box 3.9. Dowry or *mahr*: Clarification on legal vs. customary practices in Afghanistan

A dowry is not, in fact, an Islamic practice. Under Shari'a law, a *mahr* or bride price must be paid to the bride for her exclusive use. Afghan law upholds the *mahr* as a prerequisite for a marriage to be considered legitimate.

However, the *mahr* is not always recognised in Afghanistan. It is often superseded by the customary practice of dowry payments from the groom or groom's family to the family of the bride.¹¹⁴ As the cases collected in this research involved payments to households, rather than the brides, the term dowry is used, rather than *mahr*.

¹¹³ Dowry here refers to the payment traditionally given in Afghanistan from the groom's family to the bride's family upon the couple's marriage. See Box 3.9 for further details.

¹¹⁴ Samuel Hall Consulting (2013), *Strengthening Displaced Women's Housing, Land and Property Rights, an Afghan case study*, for the Norwegian Refugee Council (NRC), forthcoming publication.

committed by their family member (who is almost always a male).¹¹⁵ *Baad* is traditional within Afghan customary justice; it is not based on religion. As mentioned in Section 2.2, a large majority of interviewed religious leaders disapproved of the practice. In fact, disapproval was higher amongst religious leaders than other community members.

In situations of **baadal**, families that cannot afford a dowry agree to swap daughters to marry their respective sons. In these situations, no money is transferred between the families, as the exchange of daughters is considered to cancel the need for a dowry. Motivated by expediency, the focus in this arrangement is finding a suitable bride for the son without having to pay a dowry. There is often less pressure to ensure that the future husband of the daughter given in exchange will be a good match than in an arranged marriage. Extreme cases of underage marriage may also be more prevalent within this type of arrangement. One interviewed victim had been married when she was 3 years old so that her brother could be married (Box 3.10).

In cases of **debt repayment**, a family gives their daughter when they are unable to pay a debt. This practice is most documented in the sector of poppy production. Poppy farmers often receive an advance from drug traffickers at the beginning of the season, which they are expected to repay at harvest time. If their crops fail or are eradicated, they are unable to pay the advance and give their daughter, referred to as “opium brides.”¹¹⁶ This practice is not exclusive to poppy. A father working in a brick kiln in Jalalabad planned to give his daughter, who was only a few years old, to his employer to repay his debt when he was no longer able to work at a brick kiln. The Norwegian Refugee Council intervened and helped mediate a deal in which a wealthy community member repaid the debt on behalf of the man to prevent the sale of the daughter.¹¹⁷

Debt can also be a motivating factor, even if the marriage is not arranged with the person to whom the household is indebted. Analysed cases and key informant interviews revealed that extreme poverty as well as greed could motivate family members to arrange marriages without the consent of their daughters; however, debt appeared more often as the factor that elevated a household’s situation from dire to desperate, pushing them to make decisions they would not have made under normal circumstances. Sixteen of the female victims interviewed (out of 37) said debt was a motivating factor for the members of their household to arrange the marriage. A dowry can provide a large influx of funds for a family. The dowries paid in the analysed cases ranged from 70,000 PKR (703 USD)¹¹⁸ to 400,000 AFA (7,266 USD).¹¹⁹

A common factor across all of the analysed cases was that none of the victims interviewed were involved in the decision-making of the arranged marriage. Decisions were typically made by the father or stepfather of the victim. Other close relatives, including mothers, brothers, cousins and uncles were also involved in decision-making, especially in situations where the father was absent or deceased. Interviewed victims frequently reported being threatened and

¹¹⁵ Human Rights Watch, (2012) “I Had to Run Away: The Imprisonment of Women and Girls for ‘moral crimes’ in Afghanistan,” p. 32, Human Rights Watch, www.hrw.org/sites/default/files/reports/afghanistan0312webwcover_0.pdf.

¹¹⁶ Quraishi, Najibullah (2012), “Opium Brides,” *Frontline*, PBS, aired 3 January 2012, www.pbs.org/wgbh/pages/frontline/opium-brides/.

¹¹⁷ Based on interview with Ezatullah Waqar, a human rights lawyer and project coordinator for NRC, in Jalalabad in July 2013.

¹¹⁸ 1 July 2013 Exchange rate: 1 USD = 99.5797 PKR

¹¹⁹ 1 July 2013 Exchange rate: 1 USD = 55.0499 AFA

physically abused when they resisted the marriage. Several explained that their fathers had threatened to kill them if they did not agree to the marriage.

Box 3.10. Case study excerpt: Forced marriage for *baadal*¹²⁰

“I was three years old when my marriage was arranged with one of my relatives. My parents arranged my marriage because of our poor economic situation: it was in exchange for my brother’s marriage, so that his marriage expenses would be lowered. I did not agree to the marriage, nor did I try to stop it, because I was young and no one would listen to me.”¹²¹

“If I had not gotten married, my family would have killed me. Besides that, it would have been a dishonour to my family. I had no other options; the marriage took place. I had to save my family’s reputation. I did not try to run away, because of my family’s reputation.”

Box 3.11. Case study excerpts: Examples of victim resistance to forced marriages

Female victim from Jowzjan, married at 14:¹²²

“I did not agree to this marriage because my husband was 55 years old and already had a wife, and I did not want to become his second wife. I cried many times, but my father had already taken the money. I tried many times to stop the marriage, talking to my parents and crying a lot. But they beat me and said I had to accept this because my father had already received the money. So, I was forced to marry him.”

Female victim from Hirat, currently contesting her engagement:¹²³

“My mother was involved in the decision making for my engagement and marriage because she loves money and had asked for 400,000 AFA (7,266 USD) from my cousin for my marriage.¹²⁴ When my parents wanted to have me engaged, I asked them to give me some more time to live with them and complete my education, but they did not listen to me.”

“I have been delaying my marriage for almost two and half years. I want to break the engagement. At the time of engagement I had asked my brother-in-law for assistance and I tried to stop the engagement. I did not try to run away: according to Afghan tradition it is shameful to do so.”

“I have gone to the Department of Women’s Affairs several times to break off the engagement with my fiancé, but they have not yet taken any action and keep telling me to wait. [...] I simply went to the court and told them my entire story, asking them to help me because my life is getting worse. They asked me to wait for some time, but this did not have results either.”

¹²⁰ See Case Study 14 in the Annex

¹²¹ The interviewed woman could not say precisely at what age she was married. However, given her eldest child’s age (7) and the woman’s reported age (23), the victim would have been under 16 at the time of the marriage.

¹²² See Case Study 11 in the Annex

¹²³ See Case study 12 in the Annex

¹²⁴ Based on conversion rate (1 USD = 55.0499 AFA) of 1 July 2013

Vulnerable profiles

Forced marriage involves both male and female parties; however, the negative impact of an arranged marriage falls disproportionately on the female party, who is often treated as property in such situations. Girls and women of all ages can be forced into marriage, however, female children and youth are more vulnerable to the practice. All but two interviewed victims were under the age of 18 (Table 3.2). When adult women are forced into marriage, it is often a second marriage. One victim, age 25, had been happy with her first arranged marriage (at age 19), but after he died, her husband's brother began sexually assaulting her. The man then forced her to marry him. The woman managed to escape and return to her parents' home. She is now seeking a divorce from her second husband, with the help of the Department of Women's Affairs (DoWA) and a judge.

Table 3.2. Ages of interviewed victims at time of marriage¹²⁵

Age	No. of victims
3	1
6-8	5
10-12	7
13-15	11
16-19	6
20+	1
	31

Specific ethnic or tribal groups are not targeted for forced marriage. As with the other forms of trafficking analysed, vulnerability to sex trafficking is tied to the economic and migration status of the individual or household. The impact of these factors on the vulnerability of potential VoT is explored further in Sections 2.3 and 2.4.

3.6. Victim outlook

The lasting impact of human trafficking is different for each victim. However, the likelihood of community reintegration, family acceptance, and future prospects depend largely on the type of activity the individual was coerced into.

Quality of life. Despite what are often egregious working conditions and exploitative labour practices, some victims coerced into **licit sectors** feel their situations are comparable or even better off after being coerced into a situation of forced labour. Far from indicating good working and living conditions, this fact is indicative of the difficult situations that led to their recruitment in the first place. Out of the 20 interviewed victims that were coerced into licit labour sectors, two said their situation improved and four said it was about the same (Figure 3.10). A majority still reported that their situation had worsened either somewhat (8) or to a great extent (6). While some individuals are deceived into a situation that is decidedly worse, others may indeed be better off as they move from extreme poverty and instability to one that, while exploitative and impoverished, allows them to meet their basic needs of food, water and shelter on a more regular basis.

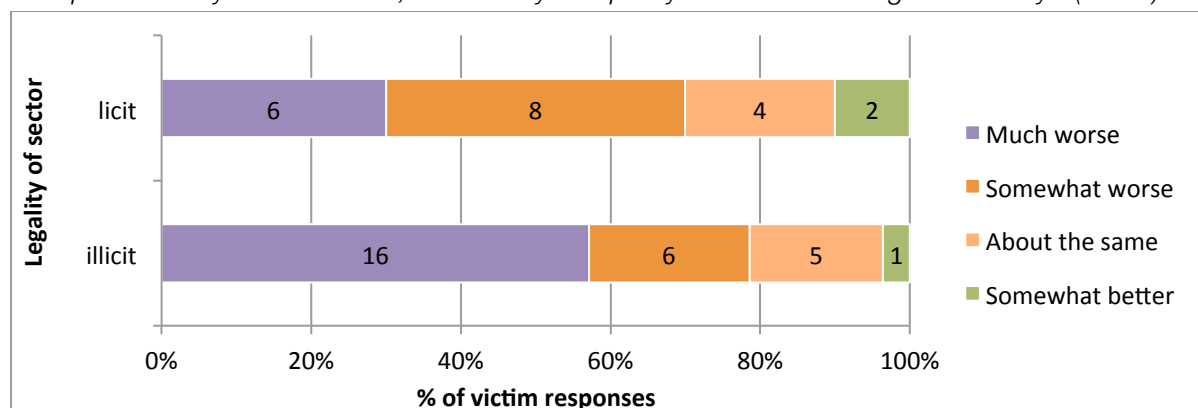
VoT for labour exploitation in **illicit sectors** more commonly reported that their quality of life diminished while coerced in their respective activities. Out of 26 surveyed victims, 16 reported that their lives were much worse while involved in the activity, compared with their lives before,

¹²⁵ Excluding cases where marriage was arranged but did not take place. One additional case not included in table because victim's family member did not know her age at the time of marriage.

6 said it was somewhat worse, five said it was the same and one said that his life was somewhat better.

Figure 3.10. Situational assessment of victims before and after coercion

Compared with your life before, how was your quality of life while doing this activity? (N=53).



Stigma and Future Opportunities. As licit labour activities, even if coerced, are not stigmatised in Afghanistan, victims typically do not have problems reintegrating into society or maintaining contact with family. Most interviewed victims were able to stay in touch with their family, and many even lived with their family while forced to work. VoT in illicit sectors had less contact with family, often because they lived in prisons or juvenile retention centres.¹²⁶ While a majority of victims maintained contact with family, either via phone or family visits, a small number of victims had lost contact with their family. One 15-year-old boy explained that his family had cut off contact with him because they were angry with him for fighting with insurgents.

While considered shameful by many, VoT coerced into illicit sectors still do not carry the extreme levels of stigma associated with sexual exploitation. Victims of sexual exploitation find it extremely difficult to resume a “normal” life. Girls find it very difficult to marry as their worth is perceived to have diminished, and the outlook is only marginally more positive for boys. Those forced into becoming *bacha baazi* either continue the cycle by becoming procurers of *bacha baazi* when they become too old for the profession, or move abroad to escape their past. The latter option leaves them vulnerable to trafficking for labour exploitation.¹²⁷

While in some cases victims of sexual exploitation are able to stay in touch with their families (nearly 80% of those interviewed did so), the majority do so on the phone. Even when not on bad terms with their families, returning home is not necessarily an option – one victim explained that her mother told her that if she returned home “they” (presumably her in-laws) will kill her.

Victims of forced marriage face similar challenges in recovery and resuming a normal lifestyle. Many have run away from home and may even be in prison; although a fair number of them report wishing to marry a “good man” or “someone [they] love” in the future, they do also recognise the difficulties in doing this. One respondent states “I want to get married to a person of my interest. However I don’t think anyone would marry me soon because I stood against my

¹²⁶ Twelve of the male victims were interviewed in juvenile retention centres in Faryab, Kunduz, Nangarhar and Nimroz. Two of the female victims were interviewed in the women’s prisons in Kabul.

¹²⁷ Based on interview with Zarmina Behroz, Child Protection Manager with Children in Crisis, in Kabul in August of 2013.

husband to defend my rights.” These victims, who already come from especially vulnerable segments of the population, overwhelmingly report their quality of life as somewhat or much worse during their exploitation. 17 of 29 respondents state that their quality of life is “much worse.” An additional 6 qualify it as “somewhat worse.”

Child Protection and Human Capital. When asked about their future plans, many VoT for labour exploitation said they wished to get an education and pursue professional goals or get married and have a family. However, as victims are often recruited at a young age to perform physically arduous and/or risky tasks, the educational and professional opportunities they can hope to achieve will be limited compared with their peers who were able to continue their studies. The physical demands of intense, and sometimes dangerous, labour can also take a toll on the health and development of victims, creating a lasting impact on their future prospects.

4. Counter-trafficking approaches

What are the priority gaps in current counter-trafficking approaches?

Protection and assistance:

Poor victim identification: Victim experiences are too often considered to be normal (e.g. forced marriage, debt bondage), or, even worse, to be criminal (forced prostitution, sexual exploitation). The burden of proof of victim identification is unfairly placed on the victim in Afghanistan, rather than on law enforcement authorities.

Safety and assistance: While shelters provide a vital service in Afghanistan, they are inaccessible to many victims of trafficking in Afghanistan due to: *i)* limited availability of shelter services, especially for male youth; *ii)* fear of prosecution or retribution amongst victims; and *iii)* a weak referral system.

Prevention:

Targeted awareness raising activities are still needed for government officials, law enforcement, NGOs, victims and opinion leaders at the community level. Awareness that focuses on practical, applicable concepts and processes—such as how to refer victims to the available services—is an essential first step before broader prevention efforts (e.g. legislative measures to decrease TIP demand) can be pursued and co-ordinated.

Prosecution:

Despite the improvements in infrastructure and capacity, prosecution and conviction of traffickers remain very rare. The Afghan Statistics Department reported 34 cases of human trafficking/smuggling investigated in Afghanistan in 1391 (March 2012–March 2013).

The number of actual convictions using the 2008 law is much lower. The “2013 Trafficking in Persons Report” noted 4 convictions in 2012 of Afghan and Pakistani men for forcing women into prostitution.¹²⁸

Coordination:

Coordination and cooperation between actors is a cross-cutting cutting issue that affects each of the aforementioned counter-trafficking components (protection, prevention and prosecution).

Given the current lack of government capacity to provide protection services on its own, all services currently available to victims in Afghanistan are a direct result of coordination between the GIRoA and stakeholders, notably NGOs, international organisations, and development agencies of governments providing assistance in Afghanistan.

¹²⁸ United States Department of State (2013), *Trafficking in Persons Report 2013*, www.state.gov/j/tip/rls/tiprpt/2013/.

In their work *Trafficking in Humans: Social, Cultural and Political Dimensions*, Sally Cameron and Edward Newman introduce the argument that to understand vulnerability to trafficking – and how to combat this problem – one must understand the relationship between structural factors, the broader “social, economic and political context” of human trafficking, and proximate factors, or “policy and governmental issues”.¹²⁹¹³⁰ Trafficking can thus be impacted in a positive way not just by “countering” it but also by assessing the legal and political environment in which it exists, to see how it enables or inhibits trafficking.

The 2000 UN Trafficking in Persons (TIP) Protocol expanded the focus of counter-trafficking from criminalisation/prosecution of trafficking to also include victim protection and prevention components.¹³¹ This framework of prosecution, protection and prevention—3 of the 4 P’s of counter-trafficking—provides a lens through which to analyse the proximate factors of counter-trafficking in Afghanistan, including those that impact broader structural factors, that are explored in this chapter. As a cross-cutting issue, partnerships — the fourth P — are highlighted throughout this framework. We will conclude this section with a review of coordination efforts on counter-trafficking in Afghanistan in mid-2013.

4.1. Protection and Assistance

Victim identification

The UN TIP Protocol recognises that victims of trafficking (VoT) are entitled to certain rights and protection (Box 4.1). Protection efforts begin with the correct identification of victims as such, which law enforcement, government officials and other community stakeholders frequently fail to do in Afghanistan. Rather, victim experiences are too often considered to be normal, or, even worse, to be criminal.

While forced labour is illegal in Afghanistan, it is tacitly accepted in licit sectors as necessary for survival in cases of extreme poverty.¹³² Exploitative labour practices such as bonded labour can improve a household’s situation in the short-term (e.g. by providing access to shelter, food and water); however, they should not be considered normal or acceptable. TIP in licit sectors trigger cycles of debt, vulnerability, dependence, and poverty that transcend generations.¹³³ These practices render victims even more vulnerable to other forms of trafficking and exploitation.

Failure to acknowledge the harm of TIP in licit sectors is detrimental for victims. As explained in the “2013 Trafficking in Persons Report”, victim identification “must begin with a process that

¹²⁹ Cameron, Sally and Edward Newman (2008), “Trafficking in humans: Structural factors,” in *Trafficking in Humans*, eds. Sally Cameron and Edward Newman, United Nations University Press, Tokyo, pp. 21-57.

¹³⁰ Cameron and Newman provide a number of examples of proximate factors, including: “lax national and international legal regimes, poor law enforcement, corruption, organised criminal entrepreneurship, (and) weak education campaigns.”

¹³¹ Mattar, Mohamed (2008), “Legal Approaches to Trafficking as a Form of Violence against Women: Implications for a More Comprehensive Strategy in Legislation on the Elimination of Violence against Women,” Expert paper, UNODC, www.un.org/womenwatch/daw/egm/vaw_legislation_2008/expertpapers/EGMGPLVAW%20Paper%20_Mohamed%20Mat%20tar_.pdf.

¹³² Compulsory work—defined as activities performed against the will of the worker or under threat—is prohibited under Article 4 of the Afghan Labour Law. An English translation of the law can be accessed here: www.ilo.org/dyn/natlex/docs/MONOGRAPH/78309/83636/F774573068/AFG78309.pdf.

¹³³ Samuel Hall Consulting (2011), “Buried in Bricks: A Rapid Assessment of Bonded Labour in Brick Kilns in Afghanistan,” for the International Labour Organisation (ILO), www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_172671.pdf.

respects their rights, provides them protection, and enables them to access services to recover from the trauma inflicted by traffickers.”¹³⁴

Failure to identify victims is likely to result in their criminalisation in situations of labour exploitation in illicit sectors, sexual exploitation, and forced marriage. Victims are often imprisoned (in prisons or juvenile retention centres) for the activities into which they were coerced or for actions they took in an effort to escape their situation. The act of running away is interpreted as attempted *zina* (unlawful sexual intercourse). International lawyer Kim Motley recounted the story of an Afghan woman taken by her husband to Dubai for the purpose of forced prostitution. The woman escaped and returned to Afghanistan, where she reported the incident to the police. The police failed to identify the woman as a victim, and she was prosecuted and imprisoned for adultery, as she ran away from her husband.¹³⁵

The burden of proof of victim identification is unfairly placed on the victim in Afghanistan, rather than law enforcement authorities. One 12-year-old Pakistani girl forced into prostitution in Kabul is currently waiting in the shelter for her mother to assemble proof that she did not prostitute herself voluntarily. If she fails to deliver adequate proof, the girl may be prosecuted for adultery.¹³⁶ Consent should not even be disputed in this case, as she is a minor. According to the definition used in the UN TIP Protocol, cases involving minors do not need to demonstrate coercion to qualify as a situation of trafficking.¹³⁷ In cases involving adults, misidentification is often rooted in misconceptions about consent.

A crucial distinction must here be drawn between agency and choice. “The simplistic view,” according to Cameron (2008), “is that to be victimised one must be ‘blameless’ in all regards.” Trafficking victims who have displayed some agency (i.e. most) are treated as “co-conspirators”.¹³⁸ For example, the interviewed boys who willingly travelled to Kandahar, drawn by the possibility of employment, did not choose to become *bacha baazi*, even if some of their decisions led to their eventual coercion and exploitation. For one of the boys, his decision not to try to return home is reinforced by the fact that he believes his family will kill him for bringing

Box 4.1. Protocol guidelines on assistance to and protection of VoT

Article 6 of the UN Trafficking in Persons Protocol outlines recommendations to states for providing VoT with assistance and protection, which include provision of the following to victims:

- Protection of privacy and identity (obligation to the extent legally possible);
- Information on relevant court proceedings (obligation);
- Opportunities to provide views/ concerns into criminal proceedings (obligation);
- Legal counsel (recommendation);
- Appropriate housing (recommendation);
- Medical, psychological and material assistance (recommendation); and
- Employment, educational and training opportunities (recommendation).

¹³⁴ United States Department of State (2012), “Trafficking in Persons Report 2013,” www.state.gov/j/tip/rls/tiprpt/2013/.

¹³⁵ Based on interview with Kim Motley, founder and CEO of Motley Legal, in August 2013.

¹³⁶ See Case Study 1 in the Annex.

¹³⁷ In Article 3, the Protocol states that: “The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a),” which details forms of coercion.

¹³⁸ Cameron, Sally (2008), “Trafficking of Women for Prostitution,” in *Trafficking in Humans*, eds. Sally Cameron and Edward Newman, United Nations University Press, Tokyo, pp. 85.

dishonour on them.¹³⁹ In two separate cases previously described, the decision of young girls to get into the vehicles of trusted neighbours was perceived as a sign of consent for their sexual exploitation.¹⁴⁰

Box 4.2. IOM Afghanistan's work on protection for victims

IOM provides shelters for VoT in Jalalabad, Kunduz, Kabul and Hirat. The shelters are operated through implementing partners in partnership with the GIRoA, notably MoLSA. When victims are referred to their services, they conduct an interview with the victim and provide support (psychological, legal and shelter) accordingly. For victims that wish to return home, IOM helps co-ordinate family reunification. Reunification is not always desirable, as it may be dangerous for the victim.

Whereas many shelters in Afghanistan provide long-term protection services for female victims only, IOM's shelter services are open to both male and female victims. They are often used as a temporary solution while longer-term arrangements are being made (*i.e.* family reunification, voluntary return to country of origin).

Safety and assistance: What are the options?

Once victims have been correctly identified, the next step should be to ensure their safety and offer any necessary assistance. Unfortunately, victims who seek assistance in Afghanistan are sometimes re-victimised by the very people that should be helping them, notably police and other government officials. "The prosecutors are all corrupt," explained one imprisoned victim of forced marriage. "They just want two things: sex or money. If you have sex with them then they will help you." Another victim of forced prostitution described how after arrest, her husband forced her to perform sexual acts with the policemen in order to be released (Box 3.7).

A number of key informants confirmed that the re-victimisation of VoT, often through rape, is not uncommon.¹⁴¹ Zarghona Ahmadzai, a psychologist at Medica Afghanistan, explained that this is especially common when victims arrive at a police station alone. However, Ahmadzai also noted that this is slowly changing for the better, as police receive training on how to deal with victims. She explained that some of police she has encountered will refer victims to NGOs, like the one she works for, so that a representative of the NGO can accompany the victim to further visits to the police station and provide legal assistance, in order to prevent exploitation or trauma.¹⁴²

Family reunification: A safe option? Victims may also require protection from the people exploiting them (e.g. employers, criminal networks), their families or even community members. Runaways and victims of sexual exploitation are at risk of honour killings by family or

¹³⁹ See Case Studies 2 and 3 in the Annex.

¹⁴⁰ See Section 3.2 and Case Study 1 in the Annex.

¹⁴¹ Several key informants also reported women being at risk of rape in police stations (Medica Afghanistan)

¹⁴² Based on interview with Zarghona Ahmadzai, a psychologist in Medica Afghanistan, in Kabul in July 2013.

community members. Interviewed victims frequently recognise that they cannot return to their families, either because their family members were involved in their exploitation or because they are considered to have brought shame on the family. Several victims of sexual exploitation and forced marriage even said they would be killed by a husband or family member should they return home. Both governmental (e.g. the counter-trafficking department at MoI) and non-governmental actors (e.g. shelters) work to reunite victims of trafficking with their families. Verification that reunification is a safe and desirable option for the victim is critical.

Shelters. When family reunification is not an option, shelters are often the best available option for providing a safe environment for victims. Given their controversial status in Afghanistan, shelters have to take extensive precautions to keep a low profile in communities and ensure the safety of its residents. Their locations are often kept secret, except to designated individuals and organisations. This can limit the mobility of its inhabitants, as shelter workers are legitimately concerned that victims will be recognised in the community and either attacked or followed back to the shelter, putting the other inhabitants at risk.¹⁴³ While mobility of shelter residents is often considered as a factor in evaluating the quality of services they provide, shelters in Afghanistan have no other choice but to limit the ability of residents to come and go on their own. This is especially true in regions where there are already extreme social pressures limiting the movement of women without a chaperone in public.

Shelters are inaccessible to many victims in Afghanistan for a number of reasons:

- **Limited availability:** There are a limited number of shelters available (e.g. the city of Kandahar does not have any shelters), and those that exist may have specific criteria for who is eligible for their services (e.g. protection services for male youth are underdeveloped).¹⁴⁴ Currently, there are only 18 shelters in Afghanistan serving women, and it is even more rare to find shelters for men. Fewer than half of Afghan provinces have a single shelter.¹⁴⁵ Exacerbating the problem, several shelters have been forced to shut temporarily recently due to lack of budget or qualified implementing partners.¹⁴⁶
- **Fear:** Victims fear retribution from family or community members. Community attitudes about shelters are often quite negative; rumours of shelters being fronts for brothels or corruptive services that corrode family units and Afghan values are rampant.¹⁴⁷ Victims are also afraid to seek help, as they also expose themselves to the risk of being prosecuted for *zina*, due to misidentification of victims as criminals.
- **Lack of information:** Victims lack accurate information about shelters, the services they provide, and the ways in which victims can access them.

Referral processes. The referral process for shelters occurs on a piecemeal basis; some victims thus presumably fall through the cracks. Victims are frequently referred to shelters by local authorities (both governmental, e.g. DoWA, DoLSAMD) and other organisations geared

¹⁴³ Based on interview with Kim Motley, founder and CEO of Motley Legal, in August 2013.

¹⁴⁴ To provide a clearer idea of the scale of shelters available, the Women for Afghan Women shelter in the capital city of Kabul was hosting 61 women and 24 children in July of 2013.

¹⁴⁵ Human Rights Watch (2013), "Women Jailed for 'Moral Crimes'". www.hrw.org/news/2013/05/21/afghanistan-surge-women-jailed-moral-crimes.

¹⁴⁶ IOM for example was forced to temporarily close its shelters in Kabul and Hirat due to lack of an implementing partner. It now has four open shelters in Afghanistan

¹⁴⁷ Samuel Hall researchers in Badakhshan found a widespread misperception that the presence of shelters encouraged women to leave husbands who were in bad economic situations, thereby breaking up families. The implication was that the women in the shelters were greedy and not in need of assistance.

towards aiding victims of trafficking and violence (international as well as national actors). The shelters themselves cannot accommodate all victims of TIP. Most shelters are geared towards women, in particular those victims of domestic violence. Boys are only accepted up until a certain age. Women for Afghan Women, for example, refers them to other organisations, such as Aschiana, from age 9 onwards.¹⁴⁸ Some victims cannot access the shelters because of the criminalisation described above – but in some cases, imprisonment is still a safer option than going home. Some victims, upon serving their sentence, stay on in prison because they have nowhere to go.

In addition to providing safe housing, shelters are conduits for many forms of victim assistance, such as food, education, health services, psychological assistance, and legal support. Of the victims interviewed in shelters (23 victims), 87% reported had good access to health care and 70% had good access to education. Prisons and juvenile retention centres also offer many of these forms of assistance. Victims nonetheless seem to crave more education: when asked about their future, 30 out of 80 surveyed victims mentioned the desire to continue their education).

Legal Aid: Challenges for lawyers. Legal aid is a key area in which victims need additional support. Several interviewed victims mentioned DoWA-assigned lawyers not showing up in court or having too many cases.¹⁴⁹ Moreover, a number of key informants reported that helping VoT carries considerable reputational risk for lawyers. “Lawyers, and female lawyers in particular, are judged harshly within the judicial system if they represent victims who are considered to be ‘bad women.’”¹⁵⁰ Legal proceedings as a whole are problematic, as victims are not always heard in their persecutors’ cases, when these are even prosecuted. The right to compensation for exploitation promulgated by the UN TIP Protocol is even further from being achieved.¹⁵¹

The case of Narges, a young girl whose parents tried to sell her (

¹⁴⁸ Aschiana is an Afghan NGO that works with street children.

¹⁴⁹ See Case Studies 6 and 8 in the Annex

¹⁵⁰ Based on interview with Ezatullah Waqar, of NRC, in Jalalabad NRC KII

¹⁵¹ Mattar, Mohamed (2008), “Legal Approaches to Trafficking as a Form of Violence against Women: Implications for a More Comprehensive Strategy in Legislation on the Elimination of Violence against Women,” Expert paper, UNODC, www.un.org/womenwatch/daw/egm/vaw_legislation_2008/expertpapers/EGMGPLVAW%20Paper%20_Mohamed%20Mattar_.pdf.

Box 4.3. Challenges in helping victims - the case of Narges

The story of Narges and her adoptive family demonstrate some of the challenges that protection services face in Afghanistan. In 2010 a police officer came across a couple attempting to sell their 6-year old daughter, Narges. He gave them 20,000 AFA and gained physical custody of the child. He claimed the transaction was not a purchase, but rather compensation for the parents' travel expenses; he asserted that he took the girl in order to protect her from being sold for exploitation.

The Child Protection Action Network (CPAN), which was notified within a few days of the transaction, met with the child (who seemed happy) and suggested an "appreciation letter" for the policeman because of his "great sense of humanity." Nine months later, in May of 2011, a meeting was held on the topic again with local authorities and members of international organisations, where the policemen reaffirmed his desire to take good care of the child.

A complicating factor arose: UNAMA cited concerns that the policeman had bought the girl with the intention to marry her to a relative when she was older. In June of 2011, a new meeting was held and it was agreed that the child would be brought to an orphanage until further decisions could be made about her care. This did not occur, and Narges continued to reside with her adoptive family.

A social worker evaluated Narges' situation in July of 2011 and concluded that she seemed well off. However, the assessment was conducted under less than optimal circumstances as for security reasons the social worker could not go to Narges' home – rather, Narges and her adoptive family met with him in a hotel. For all but ten minutes of the three-hour interview, Narges' adoptive father was present – potentially impacting her willingness to speak honestly about her experience.

After this meeting, the final recommendation was to continue these evaluations regularly, and to leave Narges with her adoptive family for now, judging them honest in their concern for her well being. While this stands out as the best option available, the difficulties in checking up on her situation effectively will certainly not decrease over the next few years.

Source: Based on interviews with Zarmina Behroz (Child Protection Manager at Children in Crisis) and Laila Nazarali (human rights officer at UNAMA), and the "Child and Family Assessment Report" on the case by the Children in Crisis social worker who visited Narges and her family.

), illustrates how even when the system works as designed, and a victim is identified correctly and referred to the appropriate agencies, there are often no easy answers. Decisions need to be adapted to the local context and the best interest of the victim.

Box 4.3. Challenges in helping victims - the case of Narges¹⁵²

The story of Narges and her adoptive family demonstrate some of the challenges that protection services face in Afghanistan. In 2010 a police officer came across a couple attempting to sell their 6-year old daughter, Narges. He gave them 20,000 AFA and gained physical custody of the child. He claimed the transaction was not a purchase, but rather compensation for the parents' travel expenses; he asserted that he took the girl in order to protect her from being sold for exploitation.

The Child Protection Action Network (CPAN), which was notified within a few days of the transaction, met with the child (who seemed happy) and suggested an "appreciation letter" for the policeman because of his "great sense of humanity." Nine months later, in May of 2011, a meeting was held on the topic again with local authorities and members of international organisations, where the policemen reaffirmed his desire to take good care of the child.

A complicating factor arose: UNAMA cited concerns that the policeman had bought the girl with the intention to marry her to a relative when she was older. In June of 2011, a new meeting was held and it was agreed that the child would be brought to an orphanage until further decisions could be made about her care. This did not occur, and Narges continued to reside with her adoptive family.

A social worker evaluated Narges' situation in July of 2011 and concluded that she seemed well off. However, the assessment was conducted under less than optimal circumstances as for security reasons the social worker could not go to Narges' home – rather, Narges and her adoptive family met with him in a hotel. For all but ten minutes of the three-hour interview, Narges' adoptive father was present – potentially impacting her willingness to speak honestly about her experience.

After this meeting, the final recommendation was to continue these evaluations regularly, and to leave Narges with her adoptive family for now, judging them honest in their concern for her well being. While this stands out as the best option available, the difficulties in checking up on her situation effectively will certainly not decrease over the next few years.

Source: Based on interviews with Zarmina Behroz (Child Protection Manager at Children in Crisis) and Laila Nazarali (human rights officer at UNAMA), and the "Child and Family Assessment Report" on the case by the Children in Crisis social worker who visited Narges and her family.

¹⁵² Name has been changed to protect anonymity of victim

4.2. Prevention

TIP Awareness

Instead of addressing trafficking after it had occurred, the UN TIP Protocol called on signatories to strike at the root of the problem through prevention efforts (Box 4.4). In an environment where the lack of victim protection services is well known, perpetrators have an added advantage—they can more easily threaten and manipulate victims. Prevention is, therefore, not just about helping at-risk populations, but should also address the proximate and structural factors that enable trafficking to flourish. Civil society can help in creating an environment that allows people to seek assistance or information without fear of reprimand.

There is a general lack of awareness around TIP concepts in Afghanistan (amongst government officials, law enforcement, NGOs, victims and community leaders – see Chapter 2). Awareness that focuses on practical, applicable concepts and processes—such as how to refer victims to the available services—is an essential first step before broader prevention efforts (e.g. legislative measures to decrease TIP demand) can be pursued and co-ordinated.

Amongst government actors, it is not sufficient for high-level government officials to be knowledgeable on the topic. Victims who arrive at a police station often have to speak with multiple people before being referred to a department with appropriate knowledge—not a comfortable situation for many of these victims. Police need to be able to identify victims more quickly to refer them to specific departments, especially counter-trafficking departments, which now exist in every province. The confusion between trafficking and smuggling is one that persists at both high and low levels of government and makes it more challenging to identify victims.

Efforts to improve awareness amongst government officials and law enforcement are underway. Hagar International's TIPCAP programme brings together governmental, national and international stakeholders to provide structure to helping victims of TIP. A TIP coordination meeting, led by Hagar International and hosted by MoI, was established. These meetings bring together representatives from major actors involved in counter-trafficking and helping victims of TIP: among others, government ministries (such as MOI and MoLSAMD), law enforcement (notably border police), international organisations and local and international NGOs. EUPOL and Hagar have supported GIRoA to provide trainings around the UN TIP protocol, in particular the smuggling/trafficking distinction. EUPOL's justice department has also worked with the

Box 4.4. Protocol guidelines on TIP prevention

Article 9 of the UN TIP Protocol outlines recommendations to states to prevent TIP, which include measures to alleviate factors making victims more vulnerable, via the following:

- Establishment of policies and programmes to prevent and combat TIP and prevent re-victimisation (obligation);
- Public awareness campaigns as well as social and economic initiatives to prevent/combat TIP (recommendation);
- Measures to alleviate structural factors like poverty (obligation);
- Strengthen legislative measures to decrease demand that leads to trafficking (obligation); and
- Cooperation with NGOs and civil society for the programmes and measures above (obligation).

criminal law division to support them in creating a national plan for the High Commission on Countering the Crimes of Abduction and Human Trafficking.¹⁵³

Religious awareness may provide an entry-point for changing attitudes about TIP. As discussed in previous chapters, a number of customary practices that result in trafficking run counter to the Islamic faith. All marriages without the concerned woman's consent, for example, are illegal under Shari'a.¹⁵⁴

Awareness and education activities should also avoid scare tactics, as they could negatively impact the populations they are intended to help. For instance, overstated messages about TIP risks could further limit the movement of women outside of the home. Fear of female abduction is already very prevalent in Afghan communities. Even though forced marriage more commonly leads to trafficking than abduction, general messages about human trafficking are likely to be misunderstood as a threat posed by abduction.

Box 4.5. IOM Afghanistan's work on TIP Prevention

IOM works closely with the GIRoA to prevent TIP through policy and high-level decision-making. IOM representatives work closely with representatives of key government actors within MoLSA, MoWA, Human Rights Commission, MoJ, the Attorney General's Office and the Supreme Court. Prevention efforts are currently focused on improving the awareness and understanding of TIP.

4.3. Prosecution

The UN TIP Protocol clarified states' duties in creating legislation criminalizing TIP (Box 4.6). Since the signing of the **2008 Afghan Law on Countering Abduction and Human Trafficking/Smuggling, Afghanistan**, important progress has been achieved in building up the necessary law enforcement and judicial infrastructure, and capacity building efforts are slowly making progress. However, progress is being derailed by corruption, and the work of some TIP practitioners is undermined by the lack of will of others to implement changes. As a result, Afghanistan remains ineffective at prosecuting cases of human trafficking.

Box 4.6. Protocol guidelines on TIP prosecution

Article 5 of the UN TIP Protocol outlines state obligations with regards to criminalisation, stating that the state must:

- Adopt legislation to make sure that the behaviours defined in article 3 of the protocol as trafficking are considered criminal offences; and
- Make criminal offenses attempting, helping or managing the offences described above.

When the Afghan counter-trafficking law was established in 2008, there was no devoted counter-trafficking unit within law enforcement structures. The MOI TIP department, within CID,

¹⁵³ Based on interviews with EUPOL and with Eng. Mohammad Hamed Sarwary, Programme Manager of the TIPCAP programme for Hagar, and Jane E. Thorson, Education and Technical advisor for Hagar in July of 2013

¹⁵⁴ UN Office on Drugs and Crime (2009), "Combating Trafficking in Persons in Accordance with the Principles of Islamic Law," available at: <http://www.refworld.org/docid/4a69b6ba2.html>.

has since grown rapidly, from 7 people in 2011 to a total of 82 in 2013 (2 per province, and 18 in Kabul). EUPOL has been mentoring the trafficking unit, which in addition to counter-trafficking also deals with the abduction component of the 2008 law.

Although the counter-trafficking unit has undergone a drastic increase in staffing levels, the number of officers attributed to the unit remains insufficient for the size of their task. The provincial staff is specifically responsible for finding traffickers, supporting victims, and raising awareness about TIP. Ideally they would also be able to investigate trafficking flows over borders, which would mean having a presence at key cross-border transit points. At the moment, their presence is limited to provincial capitals.

Hagar and EUPOL are working to train officers in the counter-trafficking units, as well as other police (e.g. border police), on how to better identify human trafficking. To improve awareness of trafficking concepts, EUPOL and MOI collaborated to print and distribute 10,000 laminated reference cards to police with information about trafficking in Dari and Pashto. Distribution has been focused amongst commanders and the head of the CID unit in each province. Due to high rates of illiteracy within the police force, the potential for further distribution of the card may be limited. Particular focus has also been placed on helping the police use develop indicators to detect trafficking when faced with other cases.¹⁵⁵

Despite the improvements in infrastructure and capacity, prosecution and conviction of traffickers remain very rare. The Afghan Statistics Department reported 34 cases of human trafficking/smuggling investigated in Afghanistan in 1391 (March 2012–March 2013). A number of key informants, however, questioned whether all of these cases are indeed cases of TIP, and not abduction or kidnapping cases. The number of actual convictions using the 2008 law is much lower. The “2013 Trafficking in Persons Report” noted 4 convictions in 2012 of Afghan and Pakistani men for forcing women into prostitution.¹⁵⁶

Some trafficking cases are prosecuted under other laws, for example, attempted murder in the case of Sahar Gul (Box 4.8), a 12-year old girl sold through forced marriage. When she resisted being forced into prostitution, she was tortured for months on end. Three of her in-laws were convicted of attempted murder, but an appellate court overturned the decision in a secret, unlawful session.

High profile cases like Sahar Gul’s are not isolated incidents. Several interviewed victims mentioned requests for sex or cash bribes from police, lawyers and prosecutors to make proceedings go more smoothly. In addition to the corruption problem, the law can be undermined by an inconsistent application of the law. Judges sometimes rely on customary jurisprudence to make decisions rather than the Afghan Constitution and penal code.¹⁵⁷ These incidents send a clear message to victims that they should not seek assistance from law enforcement and the judicial sector, undermining the credibility of the system as a whole.

¹⁵⁵ Based on interview with EUPOL officers in Kabul in July 2013.

¹⁵⁶ United States Department of State (2013), *Trafficking in Persons Report 2013*, www.state.gov/j/tip/rls/tiprpt/2013/.

¹⁵⁷ Based on interview with Ezatullah Waqar, of NRC, in Jalalabad.

Box 4.7. IOM Afghanistan's work on TIP Prosecution

IOM worked closely with key representatives of the GIRoA, Mol in particular, to improve implementation of the 2008 Afghan Law on Countering Abduction and Human Trafficking/Smuggling. One focus of IOM's is on demonstrating how the trafficking law is coherent with Islam.

Box 4.8. High profile conviction of Sahar Gul's torturers overturned with signs of corruption

Sahar Gul was sold into marriage at the age of 12. Her in-laws immediately attempted to force her into prostitution and began brutalizing her when she resisted. While not often referred to as a trafficking case, the sale and attempted sexual exploitation of Sahar Gul are two clear indicators of TIP.

After months of torture, she was finally rescued, and her tormentors taken into police custody. Her mother-in-law, father-in-law and sister-in-law were sentenced to ten years in jail for attempted murder. An appellate court overturned the decision due to "lack of incriminating evidence" in a secret, unlawful session on 16 June 2013. Only the judge and defence lawyers of the accused were present. By law, the victim and prosecutor should have been informed of the session, according to international lawyer Kim Motley, who now represents Sahar Gul.

The defendants were released only two days after their court appearance. This is a suspiciously short waiting period, according to Ms. Motley, in a country where a release after 10 days is considered exceptionally rapid. The rapidity of this release combined with the secrecy around the trial, strongly suggests that corruption played a role in this case.

Sources: A Samuel Hall consultant interviewed Kim Motley on 10 July 2013, shortly after she accepted Sahar Gul's case. This box is based on information provided by Ms. Motley, including the formal petition on behalf of Sahar Gul from 21 July 2013.

4.4. Coordination and cooperation

Coordination and cooperation between actors is a cross-cutting issue that affects each of the counter-trafficking components (protection, prevention and prosecution). The UN Trafficking in Persons Protocol emphasises the importance of cooperation with non-state actors for the provision of protection services to victims and TIP prevention (Box 4.9).

Given the current lack of government capacity to provide protection services on its own, all services currently available to victims in Afghanistan are a direct result of coordination between the GIRoA, humanitarian and development actors, notably NGOs, international organisations, and development agencies of governments providing assistance in Afghanistan.

While a number of GIRoA actors are committed to providing protection services, others are undermining them. For example, several members of Parliament called for the

abolishment of shelters in a recent Parliamentary discussion around the Elimination of Violence Against Women Law in May 2013.¹⁵⁸

This lack of commitment has even been criticised from within the GIRoA. At a meeting of the High Commission on Countering the Crimes of Abduction and Human Trafficking for the 1st quarter of 1392, held in July 2013, Minister of Justice Habibullah Ghalib opened the meeting by criticising the commission's own poor performance, stating that the decisions made in meetings are not being implemented.

One coordination mechanism is the monthly coordination meeting led by Hagar International and hosted at the MOI. Unlike the Commission, which is oriented toward high-level policy decisions, these meetings facilitate information sharing, improved understanding of TIP and coordination amongst actors on implementation measure. They bring together government representatives, NGOs and international actors working on TIP. A number of key informants cited these meetings as a helpful forum for improving stakeholder understanding of TIP concepts and activities. As an example of a concrete output of these meetings, EUPOL and MOI's Criminal Investigation Department (CID) were able to collaborate through them on the creation and distribution of information cards to help police officers identify instances of trafficking.

While cooperation is often considered to be most relevant to prevention and protection efforts, civil society organizations can play a crucial role in prosecution as well. The *IOM Handbook on Direct Assistance* highlights the potential benefits of cooperation between service delivery and law enforcement organizations from both perspectives. It emphasizes the role that service delivery organizations can play in victim identification and trafficker apprehension and investigation. In addition, these organizations can help support victims further by helping them to report their cases.¹⁶⁰ In Afghanistan, there is a great need for victim support as they go through the judicial process, to refer victims to the appropriate authorities, prevent further

Box 4.9. Protocol guidelines on cooperation for protection and prevention

Article 6 of the UN TIP Protocol¹⁵⁹ outlines recommendations to states with regards to assistance and protection of VoT:

“Each State Party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate cases, in cooperation with non-governmental organisations, other relevant organisations and other elements of civil society.”

Article 9, which addresses the prevention of trafficking in persons, states that:

“Policies, programmes and other measures established in accordance with this article shall, as appropriate, include cooperation with non-governmental organisations, other relevant organisations and other elements of civil society.”

¹⁵⁸ Roehrs, Christine (2013), “Damage Avoided, for Now? The very short debate about the EVAW law,” Afghanistan Analysts Network, www.afghanistan-analysts.org/damage-avoided-for-now-the-very-short-debate-about-the-evaw-law.

¹⁵⁹ G.A. Res. 25, annex II, U.N. GAOR, 55th Sess., Supp. No. 49, at 60, U.N. Doc. A/45/49 (Vol. I) (2001), entered into force 25 December 2003.

¹⁶⁰ IOM (2007), “The IOM Handbook on Direct Assistance for Victims of Trafficking”, Geneva, Switzerland, available at: www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/CT%20handbook.pdf, pp. 274-275.

abuse, and help victims with reintegration—either through family reunification or referrals to other protection services (e.g. shelters).

Before referring victims, it is crucial that CSOs have an up-to-date knowledge of the quality of such services. For example, in provincial centres with an established counter-trafficking unit within the DoIA, NGOs may be able to refer victims directly to government services. However, if the local police have not yet been trained on how to handle trafficking, referring victims to them could put them at risk of misidentification, prosecution or even re-victimisation. Information sharing and awareness efforts should be adapted to the reality of the local context.

Greater coordination is also needed between government actors for prosecution. Afghan police are not able to follow up on cases once they are referred to the AGO. This removes natural incentives for police to be diligent in investigations and learn how to better collect and report evidence.¹⁶¹ Moreover, information and data about TIP cases is not freely shared between government actors.

¹⁶¹ Samuel Hall (2011), "Women's Perceptions of the Afghan National Police," for Heinrich Böll Stiftung, p. 33, available at: <http://samuelhall.org/category/governance-security/>.

4.5. SWOT analysis for counter-trafficking in Afghanistan

The key findings on protection, prevention and prosecution of TIP in Afghanistan are summarised in Figure 4.1, which provides an analytical breakdown of the strengths, weaknesses, opportunities and threats (SWOT) of counter-trafficking efforts.

Figure 4.1 SWOT analysis for counter-trafficking efforts in Afghanistan

	Positive	Negative
Internal	<p>Strengths</p> <ul style="list-style-type: none"> • Institutional capacity for counter-trafficking vastly improved, especially within MOI; counter-trafficking units established in every province • Initiatives underway to improve TIP awareness amongst key government actors • Improved awareness, information sharing and collaboration achieved through monthly coordination meetings at the MOI • Terminological distinction made in dari with the term <i>tejarate insan</i> introduced by IOM (to distinguish human trafficking from smuggling) 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Persistent, widespread confusion between trafficking and smuggling • Poor victim identification, resulting in their criminalisation • Weak referral systems • Rare convictions and lack of a strict prosecution environment • Commitment to counter-trafficking largely driven by external pressures; lack of national ownership and t lack of capacity/will amongst GIROA actors to implement the 2008 Afghan counter-trafficking law
External	<p>Opportunities</p> <ul style="list-style-type: none"> • Strengthening Safety <ul style="list-style-type: none"> ○ Mapping shelters nationwide to fill in geographical gaps (by province, by urban/rural etc.) ○ Increasing shelter staff and budgets ○ Increasing legal aid services ○ Increasing awareness on referrals • Strengthening Prevention <ul style="list-style-type: none"> ○ Awareness campaigns at the community level emphasizing religious awareness ○ Educational activities for children to inform them of the risks of TIP • Strengthening Prosecution <ul style="list-style-type: none"> ○ Training police and judiciary on their tasks and responsibilities towards VoT 	<p>Threats</p> <ul style="list-style-type: none"> • 2014 political transition and decrease in international spending is likely to lead to an economic downturn that will leave households more vulnerable, and protection services (shelters, legal aid) with diminished resources • Political and economic instability over the next few years may provoke increased displacement, also increasing the vulnerability of at-risk individuals • Negative perceptions and fear of <ul style="list-style-type: none"> ○ Shelters for VoT ○ Legal aid assistance to VoT ○ Prosecution among victims

5. Conclusions and recommendations

5.1. The state of TIP in Afghanistan: 2013 and beyond

Trafficking in persons (TIP) is a widespread problem that affects men, women and children of all ages in Afghanistan. Victims almost always come from economically impoverished backgrounds; a history of displacement and a ruptured/dysfunctional family unit both increase vulnerability to TIP. While both genders are targeted, vulnerability to particular types of TIP varies with age and gender (Table 5.1).

Table 5.1. Vulnerable profiles based on exploitation type, age and gender

Gender	Age	Vulnerability			
		Forced labour (licit sectors)	Forced labour (illicit sectors)	Sexual exploitation	Forced marriage
Male	Children (≤ 14)	High	Medium	High	Low
	Youth (15-24)	High	High	Medium	Low
	Adults (≥ 25)	Medium	Low	Low	Low
Female	Children (≤ 14)	High	Low	High	High
	Youth (15-24)	Medium	Low	High	High
	Adults (≥ 25)	Low	Low	Medium	Medium

A majority of TIP is internal; victims may not even leave their province of origin. A majority of cross-border TIP flows between Afghanistan and its neighbours Pakistan and Iran. Even when Afghanistan is the country of destination, victims are often of Afghan origin (e.g. refugees and irregular migrants) living abroad, further highlighting the importance of the trafficking-migration nexus.

The prevalence of activities that are by their very nature hidden cannot be fully measured. With this caveat in mind, the most common forms of TIP in Afghanistan—based on available sources of information—appear to be for the purpose of:

- Labour exploitation in licit sector primarily through debt bondage;
- Sexual exploitation through forced prostitution, *bacha baazi* and other forms of sexual slavery/servitude; and
- Forced marriage for conflict resolution, debt repayment, and dowry reduction.

While the availability of information about TIP has increased over the past decade, this should not necessarily be interpreted as an increase in prevalence. It is more indicative of awareness raising efforts and freedom of the press than of an actual increase in volume. While trafficking patterns have indeed changed, especially since the change in power structures following the fall of the Taliban, TIP remains a pervasive problem throughout Afghanistan, regardless of regime changes.

Looking ahead, the instability and uncertainty of the political transition are likely to increase individual and household vulnerability to TIP. An economic recession is likely to accompany the decrease in spending by external actors, an inevitable reality given the staggering influx of funds over the past decade. Should the political transition or 2014 Presidential elections result in violence, resulting displacement would further exacerbate vulnerabilities. Households already in

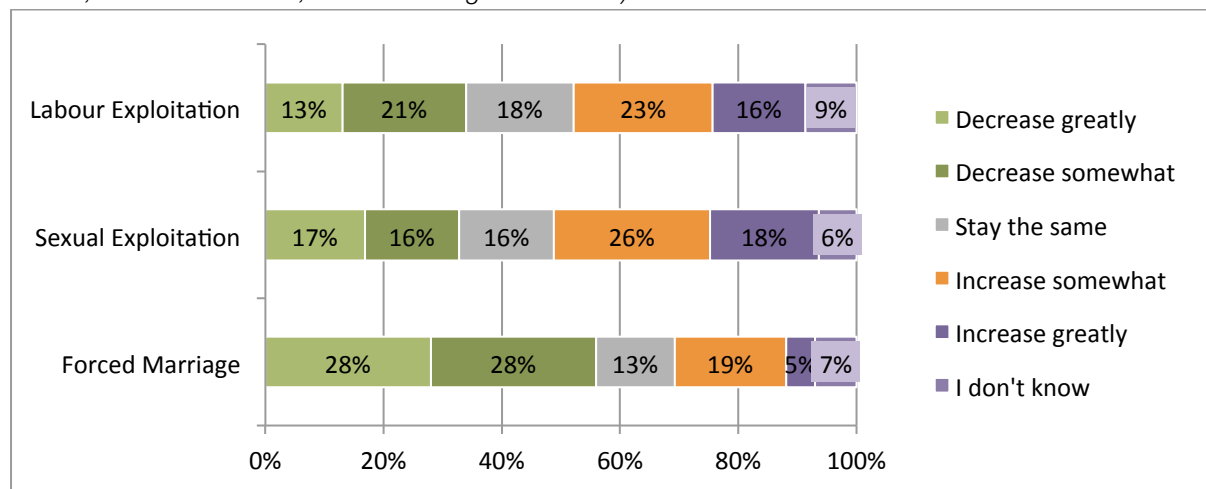
trafficking situations, e.g. bonded labourers, will be vulnerable to even more exploitative and abusive forms of trafficking should their economic situation worsen.

When asked about the future of TIP prevalence for labour and sexual exploitation, interviewed community respondents had very mixed views about the trajectory (Figure 5.1), yet, they agreed about the underlying factors.¹⁶² Whether they thought TIP would increase or decrease over the next five years, the most common justifications dealt with the economic situation, security situation and level/quality of government intervention. Those that reported an anticipated decrease in TIP thought were optimistic about the broader outlook for the security and economic situation, whereas those who thought TIP would increase were pessimistic about these same factors.

The only TIP flow anticipated by a majority of community respondents to decrease in the next five years was forced marriage; more than half of respondents thought forced marriage would decrease greatly (28%) or somewhat (28%) (Figure 5.1). This is consistent with the view amongst community respondents that forced marriage has already been on the decline over the past five years (Figure 3.8). In both cases, community respondents attributed the decline in forced marriage to an increase in awareness of women’s rights.

Figure 5.1 Predictions of TIP trajectories by type of exploitation

“Do you think the number of TIP victims for each type of exploitation will change in this province in the next 5 years?” for community respondents who have heard of each type of exploitation (labour TIP n=115, sexual TIP n=125, forced marriage TIP n=143)



¹⁶² This question was asked as an open-ended question. Pre-determined options were not read to the respondents.

5.2. Recommendations

Based on the analysis presented in this report, the following recommendations are proposed for the Afghan government and other humanitarian and development actors, including NGOs, international organisations (IOs) and donors.

Protection

Recommendations	For the GIRoA	For humanitarian and development actors (NGOs, IOs, etc.) and Donors
Short-term actions		
<p>Improve victim identification</p>	<p>Train police, including border police, on victim identification and referral to prevent criminalisation of victims. Police also need training on broader concepts such as consent and coercion</p> <p>Train lawyers, prosecutors in National Directorate of Security (NDS) courts, and judges to recognise cases of trafficking, whether or not they are being processed under the 2008 counter-trafficking law. Emphasis should be placed on preventing the criminalisation of victims.</p> <p>Promote a change in attitudes toward women amongst police, lawyers and judges, notably women who: <i>i)</i> were forced into prostitution, <i>ii)</i> suffered from other forms of sexual exploitation, <i>iii)</i> ran away exploitative or abusive situations.</p>	<p>Strengthen referral mechanisms to connect victims with existing services. Suggested activities include:</p> <ul style="list-style-type: none"> • Mapping available services for victims (protection, legal assistance, etc.), • Increasing awareness of existing protection and legal aid services amongst a broader network of actors • Developing a hotline for victims seeking referral services
<p>Impose strict punishments on government officials who exploit victims</p>	<p>Investigate and prosecute government officials who:</p> <ul style="list-style-type: none"> • Are complicit in TIP under the 2008 counter-trafficking Law (<i>e.g.</i> government officials that participate in <i>bacha baazi</i>, police keeping boys for sexual servitude at checkpoints) ▪ Exploit victims through bribery, harassment, and abuse, including sexual abuse. 	<p>Promote awareness of laws intended to protect individuals from exploitation within the government.</p>

Medium-term actions		
Increase protection services and improve victim referral	Provide protection and assistance programmes in underserved communities. Less than half of Afghan provinces have a single shelter. Protection services need to be expanded to underserved provinces and populations (e.g. male youth). For remote rural areas, better links need to be developed to connect victims with services (e.g. facilitated transportation). Coordinate with NGOs and IOs to provide additional services and improve the existing referral network system.	Increase support for assistance programmes that serve VoT and at-risk individuals. Increase support for shelters and establish shelter services for underserved provinces and populations (e.g. male youth). Improve access to existing services through an expanded network for referrals. Increase support for victim reintegration and reunification activities.
Long-term actions		
Enforce national standards on labour and migration rights	Finalise and implement the national policies on labour, labour migration, as well as the employment strategy currently being drafted. These initiatives, the product of cooperation between the GIRoA and international actors, need to be translated from policy into practice.	Continue supporting the creation and implementation of national standards on labour rights as a means of providing broad protection to VoT and at-risk individuals.

Prevention

Recommendations	For the GIRoA	For humanitarian and development actors (NGOs, IOs, etc.) and Donors
Medium-term actions		
Improve awareness of key TIP concepts	Improve awareness of TIP amongst key government stakeholders as a first step to improved prevention of TIP. Beyond clarifying distinctions between trafficking and smuggling, greater awareness of broader concepts such as consent and coercion are needed.	Address the cultural stigma associated with victims and seeking assistance (e.g. assignment of blame on the victim instead of the perpetrator, misperceptions about shelter services) through public awareness campaigns, notably community-based campaigns that utilise local opinion leaders Raise awareness amongst at-risk populations (e.g. migrants and the internally displaced) on the different forms of exploitation, including trafficking, they may fall victim to.

Long-term actions		
Address the underlying structural factors of TIP	Create policies and programmes that decrease individual and household vulnerability to TIP, notably poverty, debt, displacement and migration	Provide assistance that helps at-risk individuals and households through livelihoods programmes and support for displaced and migrant populations
Address causes and determinants of trafficking through national policies and strategies	Include counter-trafficking efforts as part of the development of the National Labour Migration Policy – as irregularity makes Afghans more vulnerable to being trafficked, labour migration options are required to combat trafficking.	Create synergies by broadening the scope of vulnerable populations to include those victims of trafficking – in reintegration, livelihood and legal assistance, for victims of trafficking.

Prosecution

Recommendations	For the GIRoA	For humanitarian and development actors (NGOs, IOs, etc.) and Donors
Short-term actions		
Improve victim identification / Cease the criminalisation of VoT	<p>Cease the prosecution of “moral crimes,” and take action to stop the wrongful prosecution of victims: for example, creating or reinforcing legal codes punishing judges and prosecutors who allow victims to be prosecuted and more generally publicizing these cases.</p> <p>Clearly separate the cases of victims of trafficking from other types of cases, such as violence against women and children.</p>	<p>Increase awareness of existing protection and legal aid services across a broad network of actors to improve victim referral. Victims should be put in touch with lawyers with specific experience around cases of trafficking.</p> <p>Hold the GIRoA accountable for the criminalisation and re-victimisation of victims. Shift counter-trafficking funding from government actors to non-governmental protection services if the government fails to take action on these two issues by the end of 2014.</p> <p>Increase legal assistance for victims within the justice system to prevent criminalisation and re-victimisation of victims and provide necessary legal support.</p>
Medium-term actions		
Increase implementation of the 2008 counter-trafficking law.	<p>Provide practical guidelines to police, including border police, for identifying, investigating and filing trafficking cases. The guidelines should:</p> <ul style="list-style-type: none"> ▪ Clarify the distinction between trafficking and smuggling 	Support the GIRoA through the development of practical guidelines and training. All efforts should be coordinated through the monthly TIP coordination meetings to pool efforts and avoid duplication.

	<ul style="list-style-type: none"> Present examples of common forms of trafficking with clearly outlined steps for how they should be handled. <p>Provide practical guidelines to lawyers, especially prosecutors in NDS courts, and judges on how to handle TIP cases with step-by-step guidance and example cases.</p>	<p>Support efforts to mitigate the reputational risk for lawyers that defend VoT through training and targeted awareness raising activities</p>
Long-term actions		
<p>Strengthen coordination between law enforcement and the justice sector for improved rule of law</p>	<p>Enable communication between police and prosecutors, so that police learn the outcomes of the cases they investigate</p> <p>Improve information and data sharing within the government, especially between police and prosecutors, to strengthen evidence collection for TIP cases.</p>	<p>Continue programmes that support and strengthen rule of law in Afghanistan.</p>

Partnerships

Recommendations	For the GIRoA	For humanitarian and development actors (NGOs, IOs, etc.) and Donors
Short-term actions		
<p>Building the knowledge base on Trafficking</p> <p>Building capacity on counter- trafficking</p>	<p>Ensure attendance of involved government officials at High Commission meetings and disseminate recommendations and outputs of meetings more broadly – at both national and sub-national levels.</p>	<p>TIP monthly newsletter to be circulated to stakeholders with information, meeting notes and summaries, actions taken or to be taken, case studies from the local level.</p> <p>Capacity Building of Local Organizations should e a priority targeting NGOs, legal aid services and shelters to reinforce already existing structures with additional resources and capacity at a time of decreasing funds.</p> <p>Partnerships for Awareness Raising through local media campaigns and strengthened partnerships through media companies at the local and national levels.</p>

Medium-term actions		
<p>Reinforce coordination between key stakeholders</p>	<p>Enhance monthly coordination meetings between national stakeholders: relevant line ministries, law enforcement agencies – police, NDS courts, and prosecutors.</p> <p>Enhance cooperation between law enforcement agencies and NGOs to identify and assist trafficking victims more efficiently.</p>	<p>Enhance coordination between the government, NGOs and IOs to avoid duplication of efforts, improve referral systems, and identify gaps in services.</p>
Long-term actions		
<p>Strengthen cross-border cooperation on TIP</p>	<p>Reach out to neighbouring countries to address trafficking problems on an international scale and increase effectiveness of existing partnerships on this front by enabling cooperation between police of both countries and sharing information between legal systems.</p>	<p>Promote coordination with international organisations in neighbouring countries when they address trafficking problems – for example organisations helping Afghan migrants abroad.</p> <p>Strengthen donor funding on regional initiatives to counter TIP (including Central Asia, Iran and Pakistan).</p>

6. Research Methodology

Geographic scope

For the fieldwork of this research, a Samuel Hall team of international and national consultants conducted 300 interviews in July and August 2013 across 9 provinces covering all regions of Afghanistan: Kabul, Balkh, Hirat, Nangarhar, Kandahar, Kunduz, Badakhshan, Faryab and Nimroz. These provinces were selected based on several criteria for sampling:

1. **Cross-border trafficking:** Shared borders with neighbouring countries, to capture cross-border trafficking;
2. **Transit and destination points:** Denser populations and locations of urban centres of Afghanistan, hence transit and destination points for trade and internal trafficking;
3. **Coordination and Response:** Concentration of UN agencies, NGOs and IOs, protection working group meetings and other fora in regional hubs where protection issues related to trafficking cases are discussed.

Figure 6.1. Geographic scope of the fieldwork



Source: Modified United Nations Map No. 3958, Rev. 7, June 2011

Sampling

A. Finding respondents

Given the targeted nature of this research, specific profiles were sought— using a purposive rather than a randomised representative sample—for the respondents of the victim survey, victim case studies, and community survey. Although victims were primarily interviewed in cities, they often originated from rural areas of neighbouring districts or provinces.

Interviewed victims were identified with the help of IOM, implementing partners (IPs), government representatives, and NGOs. To ensure the relevance of interviews, each survey began with a filter questionnaire to determine whether or not the interviewee was a victim of trafficking. Victims of labour exploitation in licit sectors were interviewed at their place of work or home. While several had managed to repay their debts and escape from debt bondage, most interviewed bonded labourers were still in their situation of trafficking.

Due to a heightened risk for both the interviewers and interviewees, most victims of other forms of trafficking were identified in shelters, juvenile retention centres and prisons. These victims had already been removed from their situation of trafficking at the time of their interview; however, not all victims have been rescued *per se*, notably those who have been incarcerated for the activity into which they were coerced.

Several victims of *bacha baazi* were interviewed in the hotels in which they worked. Unfortunately, these boys have not yet been rescued. Controlled by powerful men in the community, the boys are afraid to seek assistance. Even if they could, the boys are fearful of family retribution should they return home. One boy was sold by his cousin, and would therefore run a risk of being returned or re-sold if he were to go home. Given the dearth of long-term shelter services for teenage boys and the complicity of many government officials in *bacha baazi* activities, there are limited options available for these boys to escape their current circumstances.

For the community survey, a targeted approach was also required. While this research assesses knowledge gaps amongst key stakeholders, it is not intended to assess broad community perceptions of trafficking in persons. For all categories of community stakeholders, the research team first targeted individuals with specific knowledge or experience with trafficking in persons. As a secondary target, the team sought stakeholders with a rich knowledge of community/provincial dynamics who could offer insight into the prevalence or visibility of specific trafficking patterns.

B. Research team composition

The Samuel Hall research team for this study is comprised of three international and six national consultants—4 men and 5 women – with expertise conducting qualitative and quantitative research on migration; labour issues, including bonded labour; gender and protection issues. Moreover, team members have extensive experience in Afghanistan, in all of the targeted provinces and neighbouring provinces. The team received valuable support from representatives of IOM and their IPs in the visited provinces.

C. Limitations and constraints

The final number of interviews was dependent on the availability of: *i)* cases from the IOM caseload, *ii)* victims willing to share their views and experiences of trafficking; and *iii)* knowledgeable stakeholders willing to share information on trafficking in persons.

The Samuel Hall research team was able reach its national targets for surveys; however, the distribution of surveys by province was adjusted based on the accessibility of respondents in each province. The number of completed case studies fell short in Kandahar and Nangarhar where the research team was only able to conduct two of the four case studies for each province. In Kandahar, the absence of shelters and stricter cultural taboos about discussing sexual exploitation made victims less accessible. In Nangarhar, the team was able to access a women’s shelter and an IOM shelter for unaccompanied minors. However, the former had a limited number of residents and the latter was empty during the team’s visit to Nangarhar, as all victims identified had already been transported to their homes.

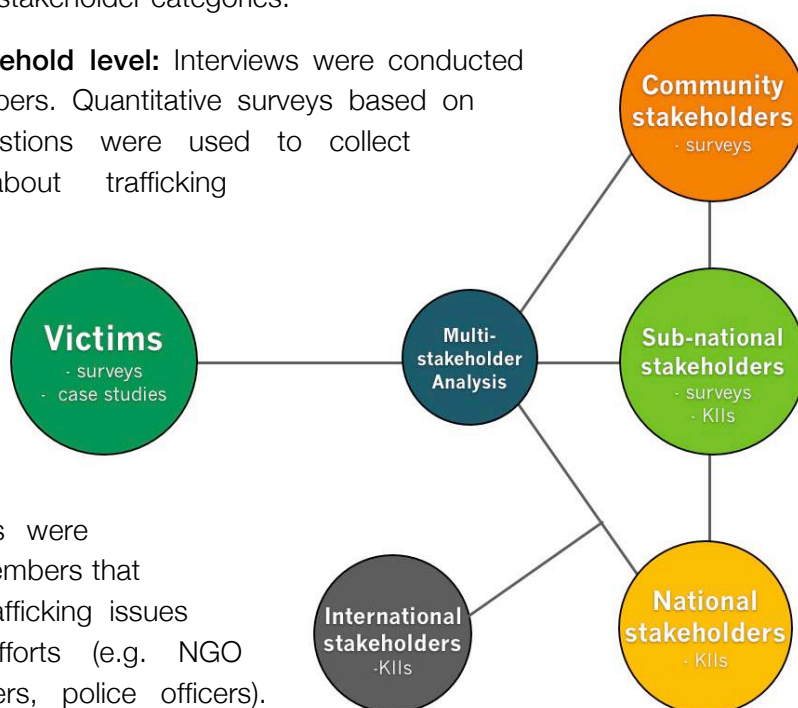
Research tools

A. Mixed-methods approach

The research team used a mixed-methods approach, combining both quantitative and qualitative methods to interview a targeted selection of stakeholders. Using a combination of methods enabled more robust analysis, as responses were triangulated and cross-checked from multiple sources and tools. Moreover, this mixed-methods approach was used to identify potential biases amongst respondents. The multi-stakeholder analysis incorporated the experiences and insight of five stakeholder categories:

Individual victims and household level: Interviews were conducted with victims and family members. Quantitative surveys based on closed or semi-closed questions were used to collect comparable information about trafficking patterns. Case studies and qualitative, open-ended questions from each victim survey were used to provide a richer picture of the complexity of TIP in Afghanistan.

Community level: Interviews were conducted with community members that are well informed of local trafficking issues and/or counter-trafficking efforts (e.g. NGO representatives, social workers, police officers). Closed, semi-closed and open-ended questions were used to gather quantitative and qualitative information about community perceptions and knowledge of local TIP patterns and trends.



National/Sub-national level: Key stakeholders with provincial, regional or national perspective on the trafficking patterns in Afghanistan were interviewed using the community survey, which combined quantitative and qualitative questions. Open-ended key informant interviews were also conducted with select stakeholders to gather qualitative information.

For the sake of clarity, respondents of the community survey are referred to as community respondents throughout the survey, regardless of their experience at the community, sub-national or national level.

International level: International experts were interviewed in 6 countries with open-ended qualitative interviews to gather information about the broader regional and international trafficking patterns. These stakeholders also provided lessons learned from counter-trafficking approaches that would be applicable to the Afghan context.

B. Quantitative Surveys

Two surveys were conducted to collect victim experiences and broader perceptions and knowledge of trafficking patterns at the community and provincial level. Table 6.1 provides the breakdown of interviews by tool (victim survey, community survey or case study) and province.

Table 6.1. Total surveys and case studies by province

Province	Victim surveys	Community surveys	Case studies
1. Badakhshan	7	19	
2. Balkh	12	25	4
3. Faryab	8	13	
4. Hirat	13	17	3
5. Kabul	6	17 ¹⁶³	4
6. Kandahar	8	21	2
7. Kunduz	8	15	
8. Nangarhar	10	19	2
9. Nimroz	8	14	1
Totals	80	160	16

1. Victim Survey: 80 respondents

The victim survey was conducted with 80 individuals: 64 victims and 16 close family members of victims. Interviewed family members were typically the parents of victims. Some interviewed parents were also subjected to the same exploitative situation as their children; for example, several interviewed mothers of children working in debt bondage were also “bonded” along with the entire household to the employer.

¹⁶³ The research team elected to conduct key informant interviews with a number of the Kabul stakeholders, rather than surveys in a number of instances, as many of the Kabul interviewees had either specialised knowledge (e.g. psychologist for victims) or knowledge of national programs. For a list of KIs, see Section 8.2 in the Annex.

Figure 6.2. TIP victim surveys by age and gender of victim

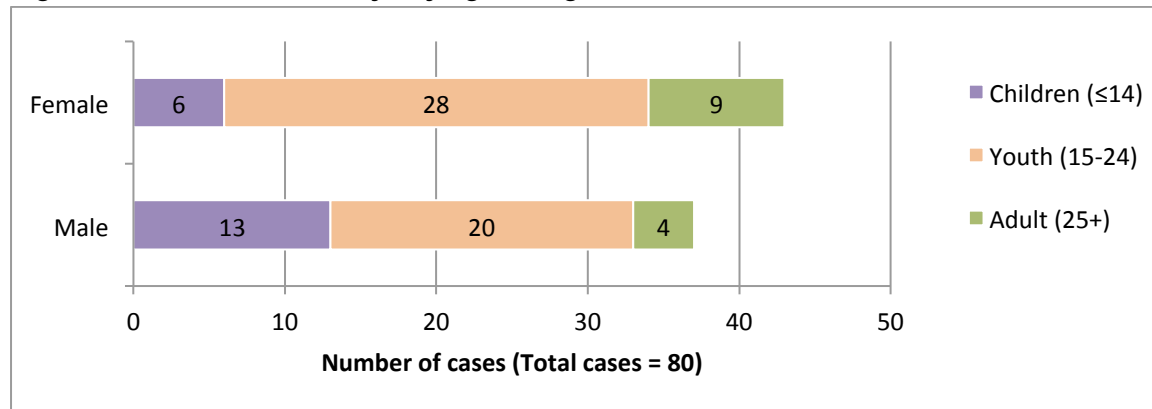
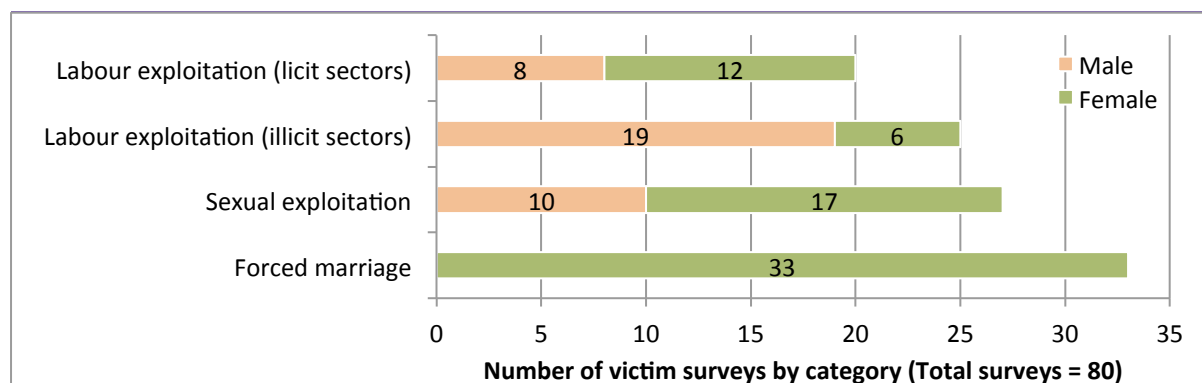


Figure 6.3. Victims surveys by gender and category of coercion

Some victims are listed under more than one type of exploitation. A majority of the victims of forced marriage were also victims of at least one other form of exploitation. These totals do not include victim case studies.

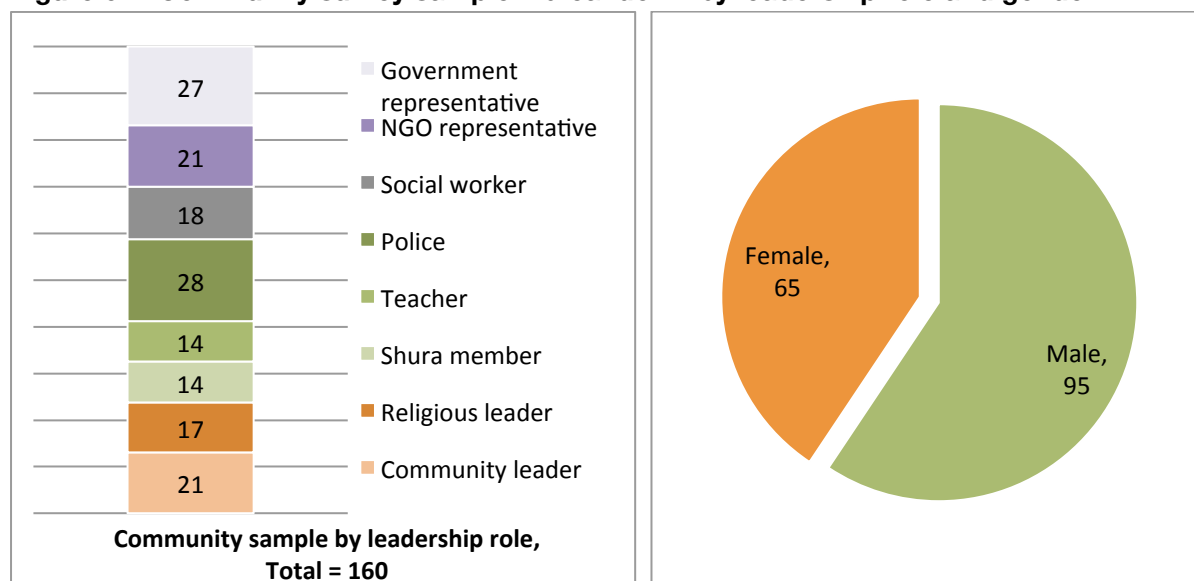


2. Community Survey: 160 respondents

The community survey was administered to 160 targeted community stakeholders with specific knowledge or experience with trafficking in persons and/or a rich knowledge of community/provincial dynamics. Half of those interviewed had at least some post-secondary education, indicating a higher than average level of education.¹⁶⁴ The Samuel Hall research team interviewed community respondents in Ministries; provincial government departments including Departments of Interior Affairs (DoIA), Departments of Women's Affairs (DoWA), Departments of Labour, Social Affairs, Martyrs and Disabled (DoLSAMD); police headquarters, mosques, NGO offices, shelters, mosques, homes and public spaces (e.g. parks and restaurants). Surveys were primarily conducted in provincial capitals, but a number of surveys were conducted at the village level, notably with community leaders and teachers, in order to provide more insight into community perspectives outside of urban centres.

¹⁶⁴ Out of 160 respondents, 70 had a university or master's degree and 10 had attended a 2-year college.

Figure 6.4. Community survey sample – breakdown by leadership role and gender



C. Qualitative interviews

1. Case studies of trafficking victims and smuggled individuals

In-depth conversations with victims and family members have been used to compile 16 qualitative case studies of victim experiences. The case studies have been selected to reflect different types of human trafficking in Afghanistan, as well as activities that are often confused with trafficking (kidnapping and smuggling). The latter case studies demonstrate both the similarities and distinctions between trafficking and smuggling. All 16 case studies are included in the annex.

Table 6.2. Case studies by category

TIP cases	Labour exploitation	<i>Licit</i>	4
		<i>Illicit</i>	3
	Sexual exploitation		3
	Forced marriage		4
Non-TIP cases	Abduction for ransom		1
	Smuggling		1
	Total		16

2. Key informant interviews

Key informant interviews (KIIs) were conducted with national, international and civil society stakeholders with knowledge or experience with counter-trafficking efforts in Afghanistan. The research team met with, among others, officials from relevant government ministries in Kabul and corresponding departments at the provincial level, NGOs running shelters, and UN agencies. International experts and actors in five countries outside of Afghanistan with expertise in trafficking in persons were also interviewed. These interviews consisted of a set of open-ended questions. See Table 8.1 in the Annex for the full list of KIIs conducted.

Secondary Research Methodology

The primary research conducted through fieldwork was supported with extensive secondary research. The secondary research enabled the research team to: *i)* validate and substantiate primary research findings; *ii)* compare findings with past trafficking flows and patterns to identify evolutions and trends; and *iii)* identify lessons learned from counter-trafficking approaches in the main countries implicated in trafficking flows that originate from, transit through or reach their destination in Afghanistan. It included review of the following documents:

- Past Samuel Hall reports, policy briefs and context analysis
- Past reports from IOM on TIP in Afghanistan as well as other organisations' reports,
- Legal texts and documents relevant to trafficking and counter-trafficking, including national legislation and international and regional conventions and protocols
- Academic papers, both empirical and theoretical
- Secondary data analysis of IOM's database of trafficking victims.
- Policy articles, analysis and commentary from national and international forums
- Case studies from other country contexts, for a comparative review of trafficking trends

These sources are cited throughout the report and presented in the bibliography.

7. Bibliography

- Australian Institute of Criminology (2008), "People smuggling versus trafficking in persons: what is the difference?," Transnational Crime Brief No. 02, Australian Government, www.aic.gov.au/documents/F/2/2/%7bF226C525-F4D9-4AEC-B6D8-424A7E44C27B%7dtcb002.pdf.
- Basu, Kaushik and Zafiris Tzannatos (2003), "The Global Child Labor Problem: What Do We Know and What Can We Do?," *The World Bank Economic Review*, Vol. 17, No. 2.
- Boyden, Jo et al. (2002), "Children Affected by Armed Conflict in South Asia: A Review of Trends and Issues Identified through Secondary Research," Discussion paper prepared for UNICEF Regional Office South Asia, www.rsc.ox.ac.uk/pdfs/workshop-conference-research-reports/CAAC%20South%20Asia%20Regional%20report.pdf.
- Cameron, Sally and Edward Newman (2008), *Trafficking in Humans*, United Nations University Press, Tokyo.
- Farmer, Ben (2012), "Afghan boy suicide bombers tell how they are brainwashed into believing they will survive," *The Telegraph*, www.telegraph.co.uk/news/worldnews/asia/afghanistan/9014282/Afghan-boy-suicide-bombers-tell-how-they-are-brainwashed-into-believing-they-will-survive.html.
- Frederick, John (2009), "Sexual Abuse and Exploitation of Boys in South Asia - A Review of Research Findings, Legislation, Policy and Programme Responses," for UNICEF Innocenti Research Centre (Florence), Innocenti Working Paper No. 2010-02
- GAATW (2010), "Beyond Borders: Exploring Links Between Trafficking and Migration," GAATW Working Papers Series 2010, Global Alliance Against Traffic of Women (GAATW), www.gaatw.org/publications/WP_on_Migration.pdf.
- Harding, Luke (2001), "Taliban forcing thousands into army," *The Guardian*, www.theguardian.com/world/2001/oct/04/afghanistan.lukeharding.
- Human Rights Watch, (2012) "I Had to Run Away: The Imprisonment of Women and Girls for 'moral crimes' in Afghanistan," www.hrw.org/sites/default/files/reports/afghanistan0312webwcover_0.pdf.
- Human Rights Watch, (2013), "Afghanistan: Surge in Women Jailed for 'Moral Crimes'," <http://www.hrw.org/news/2013/05/21/afghanistan-surge-women-jailed-moral-crimes>
- IOM (2004), "Trafficking in Persons: An Analysis of Afghanistan," www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/Afghanistan_trafficking.pdf.
- IOM (2005), "Fertile Fields – Trafficking in Persons in Central Asia," available at www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/fertile_fields.pdf; U.S. Department of State (2013), Trafficking in Persons Report 2013, www.state.gov/j/tip/rls/tiprpt/2013/.
- IOM (2007), "The IOM Handbook on Direct Assistance for Victims of Trafficking," available at http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/CT%20handbook.pdf

- IOM (2008), "Trafficking in Persons in Afghanistan: Field Survey Report"
www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom_report_trafficking_afghanistan.pdf
- Kuschminder, Katie, Majidi, Nassim, Oeppen, Ceri and Siegel, Melissa (2013), "Complexities and Challenges in Afghan Migration: Policy and Research Event," Maastricht Graduate School of Governance, IS Academy Policy Brief, No. 14,
<http://samuelhall.org/REPORTS/Complexities%20and%20Challenges%20in%20Afghan%20Migration.pdf>
- Londoño, Ernesto (2012), "Afghanistan sees rise in 'dancing boys' exploitation," *The Washington Post*, http://articles.washingtonpost.com/2012-04-04/world/35451705_1_bacha-bazi-afghans-pashtun.
- Mahmoud, Toman Omar and Christoph Trebesch (2009), "The Economic Drivers of Human Trafficking: Micro-Evidence from Five Eastern European Countries," Kiel Working Paper No. 1480, www.ifw-members.ifw-kiel.de/publications/the-economic-drivers-of-human-trafficking-micro-evidence-from-five-eastern-european-countries/kap1480.pdf.
- Mattar, Mohamed (2006), "Comprehensive Legal Approaches to Combating Trafficking in Persons: an International and Comparative Perspective," The Protection Project,
www.protectionproject.org/wp-content/uploads/2010/09/PP_Chartbook_English.pdf.
- Mattar, Mohamed (2008), "Legal Approaches to Trafficking as a Form of Violence against Women: Implications for a More Comprehensive Strategy in Legislation on the Elimination of Violence against Women," Expert paper prepared for UNODC,
www.un.org/womenwatch/daw/egm/vaw_legislation_2008/expertpapers/EGMGPLVAW%20Paper%20Mohamed%20Mattar_.pdf.
- Nissenbaum, Dion (2012), "Teenager Films Afghan Child Labor," *The Wall Street Journal*,
<http://online.wsj.com/article/SB10001424052702303640804577491511393159548.html>.
- O'Hagan, Andrew (2013), "From classrooms to suicide bombs: children's lives in Afghanistan," *The Guardian*, <http://www.theguardian.com/world/2013/aug/03/afghanistan-child-suicide-bombers>.
- Quraishi, Najibullah (2012), "Opium Brides," *Frontline*, PBS, aired 3 January 2012,
www.pbs.org/wgbh/pages/frontline/opium-brides/.
- Roehrs, Christine (2013), "Damage Avoided, for Now? The very short debate about the ERAW law," Afghanistan Analysts Network, www.afghanistan-analysts.org/damage-avoided-for-now-the-very-short-debate-about-the-eraw-law.
- Rubin, Alissa (2013), "Painful Payment for Afghan Debt: A Daughter, 6," *The New York Times*,
www.nytimes.com/2013/04/01/world/asia/afghan-debts-painful-payment-a-daughter-6.html?pagewanted=1&r=1&nl=todaysheadlines&emc=edit_th_20130401.
- Samuel Hall Consulting (2011), "Buried in Bricks: A Rapid Assessment of Bonded Labour in Brick Kilns in Afghanistan," for the International Labour Organisation (ILO),
www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_172671.pdf.
- Samuel Hall Consulting (2011), "Women's Perceptions of the Afghan National Police," for Heinrich Böll Stiftung, <http://samuelhall.org/category/governance-security/>.

Samuel Hall Consulting (2013), "Strengthening Displaced Women's Housing, Land and Property Rights, an Afghan case study", for the Norwegian Refugee Council (NRC), forthcoming publication.

Thorson, Jane E. (forthcoming) "Forgotten No More: Male child Trafficking in Afghanistan," Hagar International, <http://hagarinternational.org/international/our-work/research>

UNECOSOC(2001), "Integration of the Human Rights of Women and the Gender Perspective: Violence Against Women," Report of the Special Rapporteur on violence against women, its causes and consequences, E/CN.4/2001/73, Commission on Human Rights, Fifty-seventh session.

UNIFEM (2008), "UNIFEM Afghanistan Fact Sheet," United Nations Development Fund for Women (UNIFEM), www.wunm.com/news/2009/08_09/08_17_09/081709_afghanistan.html.

UNODC (2009), "Combating Trafficking in Persons in Accordance with the Principles of Islamic Law," <http://www.refworld.org/docid/4a69b6ba2.html>.

UNODC (2012), "Global Report on Trafficking in Persons," <http://www.unodc.org/unodc/fr/human-trafficking/global-report-on-trafficking-in-persons.html>

UNODC (n.d.), "Human Trafficking," website accessed on 3 June 2013, www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html.

UN Special Rapporteur of the Commission of Human Rights (2000), "Question of the Violation of Human Rights and Fundamental Freedoms in Any Part of the World: Report on the situation of human rights in Afghanistan, submitted by Mr. Kamal Hossain, Special Rapporteur, in accordance with Commission resolution 1999/9," E/CN.4/2000/33

United States Department of State (2013), "Trafficking in Persons Report 2013", www.state.gov/j/tip/rls/tiprpt/2013/.

Wheaton, Elizabeth, Edward Schauer and Thomas Galli (2010), "Economics of Human Trafficking," *International Migration*, Vol. 48, IOM, www.amherst.edu/media/view/247221/original/Economics%2Bof%2BHuman%2BTrafficking.pdf.

World Bank, The (2013), "Afghanistan Economic Update," The World Bank, www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2013/05/02/000333037_20130502161223/Rendered/PDF/770830REVISED0box377289B00PUBLIC00.pdf.

Laws and Protocols

2008 Afghan Law on Countering Abduction and Human Trafficking/Smuggling

Afghan Labour Law. An English translation of the law can be accessed here: www.ilo.org/dyn/natlex/docs/MONOGRAPH/78309/83636/F774573068/AFG78309.pdf

ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chic.htm

UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing the United Nations Convention Against Transnational Organized Crime, www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf.

8. Annex

8.1. List of figures and tables

Figures

Figure 2.1. The 3 components of Trafficking in Persons	11
Figure 2.2 Sources of information about human trafficking	14
Figure 2.3 Victim awareness of TIP and perception of own situation	15
Figure 2.4 Source of knowledge of human trafficking	16
Figure 2.5 Community attitudes towards trafficking for labour exploitation.....	17
Figure 2.6 Respondent attitudes towards forced marriage for conflict resolution (<i>baad</i>).....	17
Figure 2.7 Prevalence of Debt Amongst Victim Households by Exploitation Type	21
Figure 2.8. History of displacement amongst surveyed victims.....	25
Figure 2.9. Community perceptions of TIP vulnerability by migration status	26
Figure 2.10. Provincial origins and destinations for trafficking amongst surveyed cases of TIP.....	29
Figure 2.11. Perceived origins and destinations of victims of trafficking for labour exploitation.....	30
Figure 2.12. Perceived origins and destinations of victims of trafficking for sexual exploitation.....	31
Figure 3.1. Perceived changes in TIP prevalence, 2008-13	36
Figure 3.2. Community perceptions of changes in labour trafficking prevalence: 2008-13	39
Figure 3.3. Primary activity of interviewed VoT for labour exploitation (licit sector)	40
Figure 3.4. Vulnerability to TIP for labour exploitation by victim age and gender.....	42
Figure 3.5. Primary activity of interviewed VoT for labour exploitation (illicit sector).....	44
Figure 3.6. Community perceptions of changes in sex trafficking prevalence, 2008-13	49
Figure 3.7. Vulnerability to TIP for sexual exploitation by victim age and gender	54
Figure 3.8. Perceived motivations for forced marriage	55
Figure 3.9. Community perceptions of changes in forced marriage prevalence: 2008-13	55
Figure 3.10. Situational assessment of victims before and after coercion	60
Figure 4.1 SWOT analysis for counter-trafficking efforts in Afghanistan.....	76
Figure 5.1 Predictions of TIP trajectories by type of exploitation	78
Figure 7.1. Geographic scope of the fieldwork	84
Figure 7.2. TIP victim surveys by age and gender of victim.....	88
Figure 7.3. Victims surveys by gender and category of coercion	88
Figure 7.4. Community survey sample – breakdown by leadership role and gender	89

Tables

Table 2.1. Distinctions between the smuggling and trafficking in practice.....	12
Table 2.3. Interviewed cases of cross-border trafficking	28
Table 2.2. IOM Voluntary Assisted Return and Reintegration for VoT in Afghanistan, 2005-2013.....	28
Table 3.1. Multiple actors implicated in current TIP patterns.....	38
Table 3.2. Ages of interviewed victims at time of marriage.....	59
Table 5.1. Vulnerable profiles based on exploitation type, age and gender	77
Table 7.1. Total surveys and case studies by province	87
Table 7.2. Case studies by category	87
Table 8.1. Overview of Key Informant Interviews	95

8.2. Key informant interviews

Table 8.1. Overview of Key Informant Interviews

These KIIs were conducted in July-August 2013.

Location	Name	Organisation	Position
<i>KIIs in Afghanistan</i>			
Hirat	S.A. Qader Rahimi	AIHRC	Regional Program Manager
	Nematullah Mirikhi	IOM Sub-office Hirat	Officer in Charge
	Fariha Wakilzada	IRC	Hygiene Promoter
	Ghulam Mostafa	LBAO (IOM IP)	
	Ita Schutte	UNHCR Sub-office Hirat	Head of Sub-Office
	Abdul Basir Mohmand	UNHCR Sub-office Hirat	Associate Protection Officer
	Fariba Noorzaye	UNHCR Sub-office	Protection Officer
Jalalabad	Abdul Hakim Shirzad	DoLSA	Director of DoLSA
	Sadrudin Hasam Safi	IOM Sub-office Jalalabad	Officer in Charge
	Ezatullah Waqar	NRC	Project Coordinator, ICLA
	Mirwais Momand	NSRDO (IOM IP)	Legal advisor
Kabul	Dauod Khuram	Aga Khan Foundation	National Manager, Health Program
	Mohammad Farid Hamidi	AIHRC	Commissioner
	Mariam Zurmati	AIHRC	Deputy in Charge of Women's Support Section
	Zarmina Behroz	Children in Crisis	Child Protection Manager
	Reinis Janevics	EUPOL	A/Chief Crime Investigations Department
	Jari Lehvonen	EUPOL	Anti-Crime Mentor to the Mol THB Unit
	Terhi Makynen	EUPOL	Chief of RoL Human Rights and Gender Department
	Hugo Rascao	EUPOL	Mentor to the ministry of justice
	Wahida Omari	EUPOL	National Legal Assistant
	Cristian Franculescu	EUPOL	RoL training advisor
	Eng. Mohammad Hamed Sarwary	Hagar International	Program Manager
	Jane Thorson	Hagar International	Education and technical advisor
	Fardin Pardis	Max Planck	
	Shaima Qasim	Medica Afghanistan	Head-Advocacy Department
	Zarghona Ahmadzai	Medica Afghanistan	Psychologist
	Colonel Malang	Mol	Head of CID Counter-trafficking department
	Fazila Sahil	Mol	Dept. for Violence against Women
	Mohammad Abbas	Mol	CID - head of trafficking unit
	Mr. Azimi	MoJ	Secretary of Commission of Anti-Trafficking
	Kimberley Motley	Motley Legal Services	International Attorney and CEO at

			Motley Consulting International
	Wazhma Frogh	RIWPS	Co-Founder and executive director
	Laila Nazarali	UNAMA	Human Rights Officer
	Mohammad Yassir Ghamai	UNHCR	Protection Unit
	Micaela Pasini	UNICEF	Head of Child Protection
	Gary Collins	UNODC	Senior Advisor and Programme Manager Criminal Justice
	Nina Brantley	UNODC	Associate Research Officer
	James McLeod-Hatch	UNODC	Research Officer
	Elizabeth Stickney	U.S. State Department	Foreign Service Officer, Political Section, Human Rights Team
	Manizha Naderi	Women for Afghan Women	Executive director
	Shukria Khaliqi	Women for Afghan Women	Kabul Province Manager
Mazar-e-Sharif	Zohra Anwari	Cooperation Center for Afghanistan (CCA)	Finance manager
	Masouma Hussaini	Cooperation Center for Afghanistan (CCA)	Senior Trainer / Peace Building
	Safera	Cooperation Center for Afghanistan (CCA)	Shelter manager
	Hewat Noori	IOM	Officer in Charge
	Zabihullah Muradi	IOM	Field Officer
	Mohammed Noor	NRC	ICLA programme coordinator
	Charles Lynch-Staunton	UNHCR	Head of Mazar sub-office
<i>Kills abroad</i>			
Kyrgyzstan	Anastasiya Hozyainova	Independent	Analyst
Pakistan	Jeanette Zuefle	UNHCR	Assistant Representative (protection)
Switzerland	Tristan Burnett	IOM	Policy and Research Officer
Thailand	Max Tunon	ILO	Senior Programme Officer/Project Coordinator
USA	Sheela Ahluwalia	Office to Monitor and Combat Trafficking in Persons at U.S. Department of State	Political Affairs Officer
	Julie Hunter	Yale International Human Rights Clinic	Researcher

8.3. International definition of Trafficking in Persons (TIP)

According to Article 3 of the Trafficking in Persons Protocol:

- 1- “Trafficking in persons’ shall mean 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- 2- The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- 3- The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a) of this article;
- 4- ‘Child’ shall mean any person under eighteen years of age.”

Source: G.A. Res. 25, annex II, U.N. GAOR, 55th Sess., Supp. No. 49, at 60, U.N. Doc. A/45/49 (Vol. I) (2001), entered into force 25 December 2003.

8.4. Glossary

Concept	Definition	Source
Abduction	“The act of leading someone away by force or fraudulent persuasion. See also kidnapping, trafficking”	2004 IOM Glossary on Migration
Asylum seekers	“Persons seeking to be admitted into a country as refugees and awaiting decision on their application for refugee status under relevant international and national instruments. In case of a negative decision, they must leave the country and may be expelled, as may any alien in an irregular situation, unless permission to stay is provided on humanitarian or other related grounds.”	2004 IOM Glossary on Migration
Child	“‘Child’ shall mean any person under eighteen years of age.” ¹⁶⁵	Trafficking in Persons Protocol (adopted 2000, entered into force 2003)
Coercion	“(a) Threats of serious harm to or physical restraint against any person; (b) Any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or (c) The abuse or threatened abuse of the legal process.”	United States Trafficking Victims Protection Act of 2000 (TVPA) (as amended in 2003 and 2005)
Debt bondage (bonded labour)	“The status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined.”	United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (adopted 1956, entered into force 1957)
Forced or compulsory labour	“All work or service which is exacted from any person under the menace of any penalty and for which the said person had not offered himself voluntarily.”	ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (adopted 1930, entered into force 1932)
Internally displaced persons	“Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not	UN Guiding Principles on Internal Displacement (as cited in “Challenges of IDP Protection”

¹⁶⁵ ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour also uses age 18 as the distinction between children and adults. This convention, which identifies trafficking as one of the worst forms of child labour, does not contain a “flexibility clause” that would allow for a distinction to be made between developing countries and developed countries based on national legislation regarding the age of minors.

	crossed an internationally recognised State border.”	
Kidnapping	“Unlawful forcible abduction or detention of an individual or group of individuals, usually accomplished for the purpose of extorting economic or political benefit from the victim of the kidnapping or from a third party. Kidnapping is normally subject to the national criminal legislation of individual States; there are, however, certain kidnappings that fall under international law (e.g. piracy).”	2004 IOM Glossary on Migration
Mixed migration	“Where refugees and other migrants move alongside each other, making use of the same routes and means of transport and engaging the services of the same smugglers.”	2009 HDR “Managing Mobility for Human Development: the Growing Salience of Mixed Migration”
Practices similar to slavery	“The act of conveying or attempting to convey slaves from one country to another by whatever means of transport, or of being accessory thereto; the act of mutilating, branding or otherwise marking a slave or a person of servile status in order to indicate his status, or as a punishment, or for any other reason, or of being accessory thereto.”	United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (adopted 1956, entered into force 1957)
Protection	“All activities aimed at obtaining respect for individual rights in accordance with the letter and spirit of the relevant bodies of law (namely, Human Rights Law, International Humanitarian Law, Migration Law and Refugee Law).”	2004 IOM Glossary on Migration
Refugees	“A refugee, according to the Convention, is someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.”	Introductory note to 1951 Convention Relating to the Status of Refugees, Geneva 2010
Servitude	“The status or condition of dependency of a person who is unlawfully compelled or coerced by another to render any service to the same person or to others and who has no reasonable alternative but to perform the service. Servitude shall include domestic service and debt bondage.”	Early draft of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000)
Slavery	“The status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.”	Slavery, Servitude, Forced Labour and Similar Institutions and Practices Convention (1926)
Smuggling of migrants	“The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.”	Protocol Against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention Against Transnational Crime (adopted

		in 2001, entered into force 2004)
Trafficking in Persons	<p>“(a) “Trafficking in persons” shall mean 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;</p> <p>(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;</p> <p>(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;</p> <p>(d) ‘Child’ shall mean any person under eighteen years of age.”</p>	Trafficking in Persons Protocol (adopted 2000, entered into force 2003)
Irregular migration	<p>“Movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is illegal entry, stay or work in a country, meaning that the migrant does not have the necessary authorisation or documents required under immigration regulations to enter, reside or work in a given country. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfil the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term “illegal migration” to cases of smuggling of migrants and trafficking in persons.”</p>	2004 IOM Glossary on Migration
Worst forms of child labour	<p>“(a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;</p> <p>(b) The use, procuring or offering of a child for</p>	ILO Convention No. 182 Worst Forms of Child Labour Convention’, No. 182 (adopted 1999, entered into force in 2000)

prostitution, for the production of pornography or for pornographic performances;

(c) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.”

8.5. Case studies: TIP for sexual exploitation

Case study 1. Forced prostitution in Kabul

- Victim: 12 year old Pashtun girl from Pakistan
- Actors involved: neighbour / abductor
- Cross-border dynamics: trafficked from Peshawar, Pakistan to Kabul, Afghanistan
- Primary type of exploitation: sexual exploitation
- Factors increasing vulnerability: youth

I was living in Peshawar (Pakistan) with my family when I was abducted by our neighbour. He had been our neighbour for many years and my parents trusted him. One day he asked my mother whether he could take me to a wedding, and my mother said yes. Instead of going to the wedding, he took me to his house where he raped me. After a couple of days he took me in a car to Afghanistan. When I was in the car, they gave me some juice and I think they put something inside and drugged me. I do not know how they took me to Afghanistan or if we encountered anyone; when I woke up, I was already in the house where they locked me up.

I do not know where I was. I had never been in Afghanistan before. They locked me in a room, and the doors were always closed. There were other women: two girls from Baghlan who had also been abducted and other women who came there voluntarily. We were not allowed to go outside. My neighbour kept me there for 5 months and forced me to do bad things with men. They were always forcing me to drink alcohol in the morning to get drunk. Then he would bring the men to me, like 4 or 5 of them, and they forced me to have sex with them. The men paid 5,000 Kaldar (50 USD),¹⁶⁶ but I did not get any money.

The men at the house were always beating and threatening us. I was always feeling sick because they made me drink alcohol. For food, they would eat a big meal and then give us the leftovers.

My family tried to find me, but our neighbour and his friends had all left and come to Kabul. One day, my uncle met one of the drivers who helped my neighbour. The driver was talking about a house where men did things and had brought a very young and beautiful girl. My uncle tried to find more information about it, and acted as if he wanted to meet those girls too. The driver eventually took him there, and then later on my uncle found out that I was in that house. He waited and also told the police, who then came and caught the men and the women too.

I did not come directly to the shelter. The police took me to this shelter after taking me to the police station for the investigation. I did not stay that long at the police station. I ended up at the shelter because I was captured here in Kabul. I will stay here until the police finish their investigation.

My family knows what happened to me. My mother was looking for me for five months. I am waiting for my mother to come. She is in Pakistan to get my *taskira* to prove that I am her daughter. The police said that she needs to prove that I am her daughter and that I did not do this voluntarily. If she can prove that I am her daughter, then they will let me go out of here. If not, then I will get convicted for *zina* by the court and prosecutor's office.

¹⁶⁶ Based on conversion rate (1 USD = 99.5797 PKR) of 1 July 2013.

I have been here in the shelter for five days and I am very grateful because I feel much better here. I finally feel safe and I thank god for this. But I miss my parents and I want to go home. I miss my brothers and sisters. There are eight people in my family, my father, my mother, my three brothers, two sisters and me. I do not know anyone here, and I do not understand the language.

Case study 2. Sexual slavery in Kandahar

- Victim: 15 year old Tajik boy
- Actors involved: employer / hotel owner
- Cross-border dynamics: trafficked from Quetta, Pakistan to Kandahar, Afghanistan; history of cross-border displacement
- Primary type of exploitation: sexual exploitation
- Factors increasing vulnerability: opium addiction, history of displacement to Pakistan

For the past six months, I have been living in a hotel in Kandahar province with the hotel owner and other workers. The hotel owner brought me here and said he would give me 10,000 AFA a month (181 USD)¹⁶⁷ to collect money from customers and nothing else. I did this work for the first two or three days, but after that he assigned me to clean his personal room and I had to sleep with him. I sleep with the hotel owner every night. I do some tasks in this hotel because I am young. If I do not work, people will suspect that I am being sexually used in this hotel.

There are other people working in this hotel, but their jobs are different than mine. Their jobs are clear and they get paid on a monthly basis. I have not been paid a salary since I arrived. The hotel owner just pays for my expenses.

Currently I take opium, which the hotel owner pays for. I started taking opium in Pakistan when I was sitting with some opium users, and they threatened me, so I took it. Some of the same people pressured me to become *bacha bazi* in Quetta, so I came to Kandahar to get away from them. I have been addicted for almost three years. It is because of the opium that I have done unlawful acts.

The hotel owner brought me from Kotye, Pakistan by car. When we crossed the border we did not have any documentation. He paid the Pakistan and Afghan police that let us cross the border, so they did not ask me where I was going.

I have not ever left this hotel. I do not go anywhere else because I am scared of getting lost. I am able to leave at any time, but I do not have the money to leave. I will be asked for money at the Pakistani border, which I do not have.

The hotel owner does not allow me to go to my family. I cannot contact my family because I am scared that if they find out that I am consuming opium and doing other bad acts they will kill me. My family does not know about this situation because I came without informing them. The person who brought me deceived me and told me not to inform my family that I was going to Kandahar. I did not know the hotel owner before I was recruited, and neither did my family.

I feel totally safe here because they care a lot for me, and if I get sick I have full access to medical care. The hotel owner provides me with food and water. He cares for me because I am his *bacha baazi*

¹⁶⁷ July 1, 2013 Exchange rate: 1 USD = 55.0499 AFA

(dancing boy), which I did not know I would be before. I have not reported this to anyone, and I will not report it in the future because now I am used to it and I am happy.

I do not have any plans for the future. I think it is life and it should go on like this. Children like me should never get deceived by anyone because their future will be ruined like mine. They will have a good life for some days, but will carry its shame forever.

Family background:

There are 8 people in my family: my father (45), my mother (40), my three brothers (22, 12 and 10), my two sisters (24 and 8) and me. The main income earner of my family is my father who has a cosmetics shop. He earns around 18,000 Pakistani rupees (179 USD) per month.

My family currently lives in Koyta, Pakistan. According to my father, we are from a rural area in Sar-e-Pul district.¹⁶⁸ He says that when the revolution began in Afghanistan during the Russian invasion, we moved to Pakistan,¹⁶⁹ where I was born. We had a happy life there. We did not move anywhere else because in Pakistan we had our own house.

Case study 3. Bacha baazi in Kandahar

- Victim: 13 year old Tajik boy
- Actors involved: boy's cousin (recruiter), hotel owner (employer)
- Cross-border dynamics: internally recruited from Kunduz to Kandahar province
- Primary type of exploitation: sexual exploitation
- Factors increasing vulnerability: deceased father, poverty, youth

I work in a hotel in Kandahar. My cousin told me that there was a hotel for people from Kunduz in Kandahar and that I should work there. I came here to the hotel like he said and faced problems. I am exploited here. On the very first days they would make me do heavy tasks like washing the dishes and so on. I would get very tired during the day and when I slept in the night the owner would sexually assault me. When I woke up, he threatened me so I would be quiet. I was very scared, so I stayed quiet.

After sexually exploiting me, the owner told me that I did not have to do heavy tasks and that I should live like a boss in this hotel. He had some clothes made for me, and now I live with him in his room. Sometimes when his friends are here he asks me to dance. At first I did not know how to dance, but he taught me.

I was in Takhar province when my cousin, who is also Tajik and from Takhar, told me to go to Kandahar. We took a car from Takhar to Kabul and then a bus from Kabul to Kandahar. We did not encounter any police or checkpoints, but they stopped our car along the way and asked what our relationship was to each other, to which we answered that we are relatives. He brought me to this hotel and spent some days here with me. Five days later he left without informing me. I still do not know where he went. One day when I woke up in the morning and asked where he was, they told me he had left and would be back in some days. I have not yet seen him.

¹⁶⁸ Sar-e Pul district is located in Sar-e Pul province in northern Afghanistan.

¹⁶⁹ The victim's family members are irregular migrants in Pakistan.

When I wanted to leave to go to my own province, the hotel owner said that I could not go because I had been sold to him. Hearing that, I was shocked and did not know what to do. I cannot leave because I am not familiar with the area and the hotel workers and owner always have an eye on me. They pay me for my daily expenses, but not more than that because they think I will escape if I have more money. I do not have contact with my family because I do not have their phone number. The hotel owner says he will provide me with anything I want here. I have asked the hotel owner to take me to Takhar province to my mother, and he keeps promising, saying that one day I will finally go.

I am still involved in this dancing and sexual activity because the hotel owner threatens me. He says he will find me wherever I go and will bring me back here. I cannot go anywhere because of the shame this activity brings. He says he has bought me from my cousin and I am not allowed to leave him till I settle the payment he has made to him. Now I understand that I cannot go to anyone else because it is a dishonor to the hotel owner since I am his property.

The people who I have encountered in the hotel never threaten me. Instead they even cherish me. Sometimes when I would not do a task, the hotel owner would threaten me, but I was not threatened much because the hotel owner used me. Other workers also behave well with me because they are afraid of the hotel owner. I have access to food, water and medical care, but I do not have access to school. I asked the hotel owner to let me join an educational course, but he said he would hire a private teacher for me which he has not yet done.

I have not told anyone about this before because I am scared. I just asked someone once to take me away from here, and he said he could not do that because he would become enemies with the hotel owner if he did so.

I feel completely safe in this hotel and face no danger. The person with whom I live does not let even small problems happen to me, and when he is not here he assigns his secretary to look after me. I do not have any plans for my future because I do not have my own will. If I had my own will, I would go to live with my mother and would make my plans out there with my mother's advice. Now I cannot do anything for my future.

Family background:

I am from the district of Chaal in Takhar province, which is a rural area. In the past my father worked on our farms until he was killed by some unknown person. I was 5 when my father was killed.

There are three people in our family: my mother who is around 40 years old, my brother who is 10 years old, and myself. For as long as I can remember, we were not forced to leave our house in our own area because that was our original district and we owned a house there. I have to work and support my widowed mother and my little brother. My job in Takhar province was street vending.

My family does not know about what happened to me. My family was not involved in decision-making about my situation because I did not know to ask for permission from my family, and the person I came with told me not to inform my mother about it.

8.6. Case studies: Trafficking for labour exploitation (licit sectors)

Case study 4. Bonded labour in brick kilns in Kabul

- Victims: 28 year old Tajik man and his family
- Actors involved: employer / kiln owner
- Cross-border dynamics: internally recruited from Nangarhar to Kabul province, history of cross-border displacement
- Primary type of exploitation: bonded labour in brick kiln
- Factors increasing vulnerability: history of displacement to Pakistan, household debt

I am a brick maker. I receive 365 AFA (6.63 USD) for each 1,000 bricks made.¹⁷⁰ In addition, I received an advance of around 21,000 AFA (381 USD), which I have to settle. I cannot leave the workplace anytime I want because I am in debt. I have to work and settle the loans first. I used the advance to pay for an operation on my leg. I am the main income earner of my family, but some of my family also works in the kiln. There are other people here, my friends, who are also in the same situation. They are also in debt.

My employer, who came to recruit us for the brick kiln, is one of my friends. He is a middle-class Pashtun, around forty years old, from Behsood district in Nangarhar. He came to Nangarhar to recruit us: I was in my village when I was recruited. He told us that we would be making bricks in brick kilns. He told us that wages would depend on the market and the wages of other brick makers.

Originally, I am from a rural area in Surkhrod district, Nangarhar province. We had been forced to move to Pakistan because of the internal wars and insecurity in Afghanistan. Currently my family and I live in Deh Sabz, Kabul in a room that has been given to me by the brick kiln owner. We have been living here for almost 3 months. There are six people in my family with me here: my wife (26 years old), my two sons (3 and 12 years old), and my daughters (5 and 8 years old).

I like it here because the security situation is better, the weather is better and there are more jobs. I have access to food and water but not medical care. My children do not have access to education. Besides the fact that I like it here, we have to live here because we are in debt, and we have to pay back our loans before we can leave. Sometimes the recruiter threatens me and tells me to work more. I cannot really express my feeling about this activity in words, but still I have to work here to settle my loans.

Case study 5. Forced labour for canal digging in Balkh

- Victim: 14 year old Tajik boy
- Actors involved: recruiter/employer
- Cross-border dynamics: internally recruited within Balkh province
- Primary type of exploitation: forced labour for canal digging
- Factors increasing vulnerability: history of internal displacement, youth, debt

¹⁷⁰ July 1, 2013 Exchange rate: 1 USD = 55.0499 AFA

My father and I both work but the main income earner of our family is my father. We are day labourers and we do not have any other income sources in our family. There are 9 people in my family: my father (44 years old), my mother (42 years old), my grandmother (71 years old), my brothers (4 and 10 years old), my sisters (7 and 9 years old), my cousin (5 years old) and myself. Due to insecurity and lack of employment opportunities, we were forced to leave our house in Chemtal district of Balkh province and move here to Mazar.

Now, I dig canals. I was recruited from the area where day labourers stand so that someone hires them for work. They told me that I was going to be digging canals. They paid me some advance money. Then, they paid me a daily wage that was less than others because I owed them the money from the advance. Because of the advance money, I was forced to work for them. My family was involved in this decision-making.

I did not know the recruiter, who is my employer. He is Tajik, from Balkh province, and is wealthy. He took me to Naher Shahi district by means of a vehicle. They force and threaten me to work. The others are not in same situation as me.

I am given food that can only keep me alive and is not very healthy. I do not have access to medical care or education. My economic situation is not good, and I am in debt. That is why I cannot go to school. I cannot leave any time I want. But I can contact my family anytime – I come home every night. Currently we live in Hamdard Township, Naher Shahi district of Mazar province. I live with my family in a semi-rural area that belongs to Naher Shahi district. We have been living here for almost a year. I like it here because it is close to the city and the house is our own.

I have not tried to report my work situation, nor have I sought assistance from anyone. No institution can help me because I am in debt to my employer. I do not know from whom to seek assistance and whether or not they will help me. I have not received any assistance.

I am still involved in this activity. It is very hard, but I have no other options. If I leave this activity, they will ask me for money that I do not have.

Case study 6. Forced labour in Saudi Arabia

- Victim: 36 year old Uzbek man
- Actors involved: recruiter / employer
- Cross-border dynamics: recruited from Balkh province, Afghanistan to Saudi Arabia
- Primary type of exploitation: smuggling turned to trafficking
- Factors increasing vulnerability: history of internal displacement, debt

I was in the Kashenda district of Balkh province when a smuggler came and said that he would give me lots of money if I went to Saudi Arabia with him. He was from Kashenda district and was one of my (distant) relatives. He has a company in Saudi Arabia, a mattress and furniture factory, and is a very wealthy person. He said we would pay me 2,000 riyals (533.08 USD) monthly to work there so I went

with him.¹⁷¹ There, I found that although the job was what he had told me, he only paid me 700 riyals (186.57 USD) monthly, which was far less than what he had promised me.

We travelled by plane to Saudi Arabia. I had the passport and visa that the smuggler had prepared for me, for which he later counted his expenses double for my debt. He spent around 1,500 riyals (400 USD) for my forged passport and visa. Although I was alone when I travelled with him from Afghanistan, in Saudi Arabia there were other Afghans, too. The other people were my friends. We lived at the same location where we worked.

While working, I was threatened to work more by the employer, but not by anyone else. He did not pay us on time and deducted 80% of our salary for our loans. We were paid only 20% of our monthly salaries each month, which we spent, and we could not transfer money to our families. It was a very difficult activity because I used to work 16 hours a day and was underpaid. We did have access to food, water and medical care and I could contact my family once a month, but I could not leave the workplace because I did not have permission and our employer kept our passports and visas. I did not report it to anyone because I could not leave the factory without permission, and my passport and visa were with the employer.

I am the main income earner of my family, and I earn money from day labouring in the construction sector. I do not have any other sources of income. My family was involved in decision-making because they thought I would be paid 2,000 riyals, but they did not know it was just a lie to deceive us. I worked for five years at my job in Saudi Arabia to settle my loan. They said I owed 7,000 dollars and I was paid 700 riyals per month. I had not taken out a loan of 7,000 dollars at once: they used to double count a single dollar that I received from them as two owed. I left the job once I settled that loan.

I did not seek assistance because I did not know from whom to seek assistance and whether or not they would help me. I did not have enough money for legal representation and did not have permission to leave the workplace to find it.

Currently I live in Mazar city along with my family. I have been living here for almost two years now. I like it here because the security situation is better and my children go to school and the school is near our house. I do not have any particular plans for the future. I just want to continue my work. I am illiterate so I want my children to go to school and get educated.

Family background:

There are nine people in my family: my wife (34 years old), my sons (7, 12, 14 and 16 years old), my daughter (1 year old), my mother (70 years old), my mother-in-law (71 years old) and myself.

Originally, I am from Kashendi district of Mazar province, which is a rural area. I was forced to leave my district of origin because of economic and security problems. I came to Mazar-e-Sharif, with my family and then I went to Saudi Arabia.

¹⁷¹ Based on conversion rate (1 USD = 3.715 Saudi Riyals) of 1 July 2013

Case study 7. Bonded labour in brick kilns in Balkh

- Victim: 65 year old Pashtun man
- Actors involved: recruiter and brick kiln owner
- Cross-border dynamics: none related to labour exploitation, history of cross-border displacement
- Primary type of exploitation: bonded labour
- Factors increasing vulnerability: history of displacement to Pakistan, large family, debt

I was taken from a corner in Balkh province where all day labourers stand waiting for clients. I was standing at that corner waiting to get a job when a person I did not know came to me and said he would give us easy tasks and 300 AFA (5.45 USD) daily.¹⁷² However, when we went with them, they made us perform very heavy tasks like brick making and so on. They promised us 300 AFA (5.45 USD) daily but then only paid us 150 AFA (2.72 USD). They lied to us. We were indebted to the recruiter because he had paid us an advance, and so we had to work for him.

There were other people also taken by the recruiter, but we were not friends. The recruiter was a Tajik man of around 45 years of age from this province. At first he did not have weapons, but when he took us he had weapons at his home. He used a vehicle to transport us, and we did not stop along the way. We did not pass any national borders and did not encounter police.

Our destination was Balkh district in the province of Balkh, which is a rural area. The recruiter gave us to someone else, the head of the brick kiln. He was a Pashtun from the province of Balkh aged around 35 to 40 years, and had lots of weapons. We worked making bricks, and lived in the same location where we worked. I could not visit my family or leave the workplace.

They treated us very harshly. They threatened us and used to give us unhealthy food. We had access to water, but not medical care. The employer was scared that we might tell someone or inform the police. Sometimes the police would come to our workplace, but we were not allowed to talk to them. I tried to report the situation, but I could not because they had taken our phones and I could not contact anyone. They would not let us go home because we were in debt and we had to settle our loans first.

I am not involved in this activity anymore because I settled the loan and now I live in a township in Naher Shahi district and work in this area. This activity is much easier than what I used to do. I purchased my house by myself and I am living here with my family. I have been living in this township for almost three years. I like it here because the security situation is better.

Family background

There are 10 people in my family: my wife (55 years old), my sons (10, 12, 15, and 20 years old), my daughter (18 years old), my grandchildren (1, 2, and 3 years old) and myself. My son and I are the main income earners of my family. We do heavy day labouring.

I am from Shulgara district in Balkh province, which is a rural area. I left there because of security and economic problems. In 1355 (1976) I fled to Pakistan as an irregular migrant; I did not have documents. I fled to Pakistan because of the internal wars in Afghanistan. There, I lived in a refugee camp. I lived there for about 20 years and was returned to Afghanistan in 2005 by the Pakistani police.

¹⁷² Based on conversion rate (1 USD = 55.0499 AFA) of 1 July 2013

8.7. Case studies: Trafficking for labour exploitation (illicit sectors)

Case study 8. Forced labour for criminal activity in Nangarhar

- Victim: 14 year old Pashtun boy now in a juvenile retention centre
- Actors involved: recruiter / criminal
- Cross-border dynamics: recruited within Nangarhar province, history of cross-border displacement
- Primary type of exploitation: forced labour for criminal activity
- Factors increasing vulnerability: head of household unable to work, history of cross-border displacement to Pakistan

I live in a juvenile retention centre in Nangarhar province along with other children. I have been here for almost six months. I was sitting in a hotel when a person came to me and said that I could not earn enough money with what I was doing. I was employed washing cars in the hotel in the Samar Khail area of Nangarhar province when Sulaiman, the recruiter, came and asked me to go with him in order to earn more money. He said, let's do something else, but he did not say anything about the nature of the work. I went with him and stole goats, and was captured.

I left my job and, along with three other people of the same age, went with him. Our destination was not clear to me. I just went with him from the hotel and stayed in a house. We went by walking and no transportation was used. We spent three days in the house and then at night he told us to steal some goats that were grazing in an enclosed area. We stole the goats, but we were captured in the morning while selling them. Sulaiman was standing far away, and we did not see where he went after we were captured. The governmental officials arrested us and took me to Momandra district centre.

I was not exploited in any other ways. During the three days that we spent with Sulaiman we had access to food and water. He gave us the same type of food that he ate. We were not able to leave during those three days. I did not have a mobile phone to contact my family. Since we were waiting to see what type of work he was planning for us to do, we did not try to contact our families.

During the three days that I spent with that robber, I did not seek assistance from anyone because I did not need it. During the last six months of my stay in this retention centre, I have sought assistance from a prosecutor to help me get released from here, but I have yet to receive assistance. I feel completely safe in this retention centre because it is a well-secured area. I do not feel any danger because the police protect us, so that we do not escape. I do not have access to healthy food and water, and we do not receive medical care when we get sick. They just give us some tablets (medicine). I suffer a lot being here, and my family is also worried about me.

My family did not know about what I was going to do. They did not know I was going to commit a robbery. I have never stolen anything before; this was my first time committing this sin. I was deceived. I did not expect to be jailed. Now my family hates me; they always tell me on their visits that I have damaged their reputation.

In the future, I want to work somewhere and earn money because my family needs me. My father is old and cannot work. There are ten people in my family, and all ten members need to be financially supported. I was deceived because I was concerned about earning money to support my family.

I want to say that no one should ever try to do unlawful things because they will face problems like me. No matter if someone earns less, what matters is the reputation of a person. Earning less is better than earning more with no reputation left.

Family background

There are 10 people in my family: my father (80 years old), my mother (50 years old), my brothers (11, 21, and 24 years old), my sisters (15 and 18 years old), my brother-in-law (15 years old), my nephew (1 year old) and myself. The main income earner of our family is my brother who sells sandals on streets. He carries sandals on a cart in streets and sells them.

I am originally from Qarghaye district in Laghman province, which is a rural area. Currently I live in Nangarhar province. My family was forced to move several times. I was not yet born when my family went to Pakistan from Laghman province, but my father says that they fled the country due to war. We returned to Nangarhar from Pakistan and then spent summers in Kabul and winters in Nangarhar.

Case study 9. Forced labour / combat and sexual exploitation in Pakistan

- Victim: 17 year old Pashtun youth now in a juvenile retention centre
- Actors involved: recruiter and Taliban
- Cross-border dynamics: trafficked from Logar province to Pakistan
- Primary type of exploitation: forced labour/combat, sexual exploitation
- Factors increasing vulnerability: familial conflict, youth

Seven months ago, I fought a boy in our village. After the fight, my father beat me, so I spent the night at my friend's house. The next day a person named Khalid asked me to go to Pakistan with him and join a madrassa. He told me that this would be very useful for me. He was a person from our own village. His job was also farming, and people used to say he was with the Taliban. I went to Peshawar with him because I did not know his true purpose, and he had told me that we would study in a madrassa there.

When we crossed the border, he paid the Pakistani police and had me cross the border without any documentation. Lots of boys were busy studying there. We did not talk with each other because everyone was busy studying Islamic subjects. I was not exploited in the three nights I spent in the madrassa. They had not given me any books to study.

After three nights at the madrassa, five men armed with AK 47s blindfolded two others and me. They all had beards and spoke Pashto. They took us to an area near the forest by car, and then we walked and climbed the mountain. There were three rooms where they lived. When they took us to that mountain, they forced me to do heavy tasks like cooking, hauling water and cleaning their rooms. We were three people taken together from the madrassa, but we were not friends.

Our captors were very bad people. They used to threaten and beat us. The food we ate was not healthy. They used to eat healthy food and would give us what remained. We had only Allah to help us there and no one else. In addition to making us do heavy tasks, they sexually abused all three of us. We were not allowed to leave the area because they were all armed and I was not able to escape or contact my family. I could not do anything because they threatened and beat me. I just heard, on our last days there, that they asked for three more people to be brought to them from the madrassa. When we found out

that their aim was to send us on to war in Afghanistan, we decided to run away. We have not had any contact with them since running away.

Two of us ran away that sixth night. The third one was asleep so we did not wake him up, and we do not know what happened to him. It was dark when we arrived in an area where there was a shepherd. We asked him the way to Afghanistan. He told us to keep going on the right direction. On our way, we asked the driver of a truck transporting wood to take us to Afghanistan. We were in that truck when we arrived at an Afghan police checkpoint. We had to get out of the truck. They took money from the driver and let him go. We were happy and thought they would let us go, too. We spent the night at the police checkpoint and in the morning they accused us of trying to do a suicide bombing. That is how I arrived at the retention centre where I am now. My situation of my case is not clear. I have visited the judge twice, but yet it is unclear what they will do.

I have been in the retention centre for almost seven months. I live here along with around 70 other prisoners. I feel safe at the retention centre because the police are patrolling the area. To keep us from escaping, they have installed metal bars around our rooms. I do not feel any danger from outside. I do not have access to medical care and no one cares for me. We get the same tablet (medicine) for all sorts of body pains. I do not like it here. We have nothing to be happy for. I am far from my family, and I suffer a lot being here. I did not know I would face this problem, otherwise I would never have been deceived by anyone. I was deceived because I wanted to leave home to be far from my father's cruelty. My family did not know about my decision.

I had left the house without informing anyone when I went to Pakistan. My family did not know about what happened to me for three months. After three months I called my brother who studies in Nangarhar University, and he came to visit me once. He has not come to visit me again and I do not know why. I have asked for assistance from a prosecutor in the retention centre who had come to visit the prisoners. I told him that my file was lost. He noted my name, but has not yet done anything that I know of. Some of the prisoners who had come after me were set free, but I am still here.

I want to continue my education after I get released from here. I know that by going to school one can have a better future. I was in 10th grade when I was deceived. I would like to say that no one should do anything without informing their family, and anyone who does things without consulting the family, will end up in the same place as me.

Family Background

I am originally from a rural area in Logar province. There are 8 people in our family: my father (55 years old), my mother (50 years old), my brothers (6,8, and 23 years old), my sisters (10 and 12) and myself. The main income earner of our family is my father who works on our farms. Farming is the only activity in Logar province. My family has never been forced to leave our home because the situation in our area was good. We were busy farming and we did not even flee during the civil wars.

Case study 10. Forced drug production/smuggling in Iran

- Victim: 24 year old Hazara woman
- Actors involved: drug smugglers
- Cross-border dynamics: smuggled within Iran, deported to Afghanistan
- Primary type of exploitation: forced drug production / smuggling
- Factors increasing vulnerability: history of cross-border displacement to Iran, drug addiction

Around 30 years ago my father was forced to leave his home in a rural area of Daikundi province because of the war and insecurity. He moved to Iran and married an Iranian woman. I was born and grew up in Iran.

When I was 23 years old, I was kidnapped by Iranian drug smugglers who wanted me to smuggle drugs for them. They were rich and armed. They took me to Semnan city in a car. I lived with the person who kidnapped me. They threatened me and forced me into drug production activities.

We were treated well, and had access to food, water and medical care, but we were not paid. There were many others from Afghanistan, but I did not know them. I could not contact my family because my employer would not allow me to do so. I could not leave at any time or report my situation to the authorities. I became addicted to drugs, and there was no one to stop me from that.

I ran away, but remain addicted to drugs. This is a very bad activity, which has ruined my life and separated me from my husband who was an Iranian man whom I loved a lot. When I returned, my husband did not want to live with me anymore because I was a drug addict, and he thought I might have also been sexually exploited. He beat me and then got a divorce.

When my husband left me, I went to live with my father (55 years old) and my son (3 years old). My father works as a day labourer. One day, I was using drugs on the street and was arrested by the police. I spent three months in an Iranian jail, and then I was deported from Iran to Hirat through the Islam Qala border. I lived there with my grandmother for a month before I decided to move back to Iran. My cousin brought me to Nimroz province, and there the police arrested us because we were in the hotel together.

Now I am in a shelter in Nimroz. I feel safe now because the shelter supports us, and I do not have health problems other than being a drug addict. I was assigned legal representation by the shelter. The shelter pays her. But I am not happy here, and I want to go to Iran. There, I will bring my child up in a good way and educate him. I want to marry a handsome boy there.

8.8. Case studies: Forced marriage

Case study 11. Forced marriage for financial gain in Kabul

- Victim: 25 year old Uzbek woman now in prison
- Actors involved: father, husband
- Cross-border dynamics: none – marriage arranged within province
- Primary type of exploitation: forced marriage for financial gain
- Factors increasing vulnerability: poverty

I was 14 years old when my marriage was arranged by my father with a stranger. My father was tempted by the large amount of money he offered. He was a relative of someone my father knew and he was looking for a second wife. We did not have any debts, but he offered a lot of money, so my father accepted his proposal.

I did not agree to this marriage because my husband was 55 years old and already had a wife, and I did not want to become his second wife. I cried many times, but my father had already taken the money. I tried many times to stop the marriage, talking to my parents and crying a lot. But they beat me and said I had to accept this because my father had already received the money. So, I was forced to marry him.

From the start, my husband was always beating me. He was always saying bad things to me, and treating me like a dog. I was not happy at all, but I stayed for my children. I was physically abused. I was also physically abused by my husband's brother. I was not, however, forced to work or to perform sexual acts against my will.

I did not try to report this to anyone. I just told my parents many times that he was beating me and that I was not happy. Only my brother listened to me and helped me. My father did not do anything because he had taken the money and spent everything already.

I did not try to get assistance before the marriage, but later on my brother helped me and brought me to Kabul to his house. It was not with a stranger, so I did not run away. I had access to food, water and medical care. It was good.

I am not married anymore. I got divorced. I went to my brother's house in Kabul and then I went to the DoWA in Sheberghan (Jowzjan province), and I told them that I wanted to divorce my husband. My husband, however, did not agree, and he bribed the prosecutors. My parents knew how I was treated, so they tried to get me divorced. They saved money and paid my husband the dowry money back so I could divorce him. I first went to the *hawza* (police station) there, but they told me that I have to go to the DoWA.

My husband filed an arrest warrant against my brother and me saying that I 'ran away from home' and that my brother helped me. My husband says that my brother took me from our house and brought me there, but I left myself because he was beating me.

I did not have any lawyers. I did not know about lawyers, and I did not have any money. The DoWA assigned one for me, but I never saw that person in court. The quality of the legal representation I got is of course bad because I did not see them at all. They are all corrupt. The *saranwali* (attorney general) said that if I gave them money they would help me, but because I did not give any money I am now in prison.

They gave us both (my brother and me) 7 years in prison. I have been here for 2 years now and for what? The prosecutors are all corrupt. They just want two things: sex or money. If you have sex with them then they will help you. They first got me a governmental lawyer- but that person never showed up during my trials. I went to all courts- the first, second and third. The lawyer in the first court wanted me to give her money. She said that if I gave her 20,000 AFA (363 USD) she would help me and get me out of prison.¹⁷³ This is how everything works here.

I live in the female prison (badam bagh) with my children. One of them was born here. I have been here for two years. It is ok here: I am busy with my children and do not have any problems. The other women are good with me, no one has any problem with each other. I feel safe. I do not have any problems here.

Karzai and the government are always talking about women's rights. But I do not have anything here. My brother got imprisoned too for seven years. They destroyed two families.

I am just waiting, sitting here. I do not agree with the verdict. But what can I do? I passed all the courts. I have been here for 2 years already. I have 5 more years to go.

Family background

I am from Sheberghan (Jowzan province). There are four people in my family: my husband, my 2 year old son, my 5 year old daughter and myself. My husband is the main income earner in my family. He works in the construction sector.

Case study 12. Attempted forced marriage for financial gain in Hirat

While not a clear case of trafficking, this case study recounts how a woman is attempting to use the justice system to prevent her marriage. It also provides insight into how this woman views a forced marriage that she believes to be motivated by financial gain.

- Victim: 18 year old Uzbek woman
- Actors involved: parents and fiancé / cousin
- Cross-border dynamics: none – marriage has not yet taken place
- Type of exploitation: forced marriage for financial gain
- Factors increasing vulnerability: history of internal displacement

I was 15 when my marriage with my cousin was arranged. I did not agree to the marriage because he an irresponsible person. My mother was involved in the decision making for my engagement and marriage because she loves money and had asked for 400,000 AFA (7,266 USD) from my cousin for my marriage.¹⁷⁴¹ When my parents wanted to have me engaged, I asked them to give me some more time to live with them and complete my education, but they did not listen to me. Now I am faced with some problems that really bother me.

I was not happy with the engagement or marriage as it was imposed on me. I have been delaying my marriage for almost two and half years. I want to break the engagement. At the time of engagement I had asked my brother-in-law for assistance and I tried to stop the engagement. I did not try to run away: according to Afghan tradition it is shameful to do so. I am very sad because of this situation. My fiancé is

¹⁷³ July 1, 2013 Exchange rate: 1 USD = 55.0499 AFA

¹⁷⁴ Based on conversion rate (1 USD = 55.0499 AFA) of 1 July 2013

not letting me break the engagement and insists on getting married to me. My efforts to end the relationship have not yet had any results.

My fiancé and his family went to Faryab province after the engagement and I have not seen his family since then. They say that they will take me to Faryab province after the marriage. Sometimes when my fiancé comes he threatens and beats me because he wants me to agree to marriage. I do not feel safe at my home because my fiancé has threatened that he will kill me if I do not marry him.

I have gone to the Department of Women's Affairs several times to break off the engagement with my fiancé, but they have not yet taken any action and keep telling me to wait. I have not yet paid for any legal representation because I have not yet had a personal attorney. I simply went to the court and told them my entire story, asking them to help me because my life is getting worse. They asked me to wait for some time, but this did not have results either. According to Afghan tradition the acceptance of the marriage happens at the time of engagement; in my case that has already happened. I want to revoke this and get engagement cancelled. I also went to the head of the court and pled for his help, but he said they cannot help me because they cannot do anything from one province to another and my husband lives in Faryab.

If I get married to my fiancé my life will be ruined, and I will not have a good future. I want to continue my education, and then I will marry someone whom I agree to marry. I will not get married until I complete my education because the situation in Afghanistan is very bad. If I am educated and get married, I will be able to support my family using my education.

No family should have their son or daughter engaged or married against their will because their future will be ruined. Children should be married when they come to the legal age for marriage. The marriage of a girl should take place after consulting with her. If families do not consult the girl before her marriage, she will face problems and threats in the future, as I am facing right now.

Family Background

I am from Hirat province. I live in an urban area. My family was forced to leave our home and move to Kohestan district in the Islam Qala border because the security situation in Hirat was not good. We moved there because we wanted to be able to move to Iran if the security situation worsened. Since the security situation got better we moved back to Hirat. I have access to food, water and medical care in Hirat province. Currently I am attending school and private courses.

I live with my family. I like it here and like living with my parents, because they treat me well. There are six people in our family: my mother (35 years old), my father (45 years old), my brothers (12 and 25 years old), my sister (13 years old) and myself. The main income earner of our family is my mother who works as cleaner for some organisations.

Case study 13. Forced marriage for financial gain in Kabul

- Victim: 22 year old woman now in prison
- Actors involved: husband, father
- Cross-border dynamics: none related to marriage, history of cross-border displacement
- Primary type of exploitation: forced marriage for financial gain and through deception
- Factors increasing vulnerability: history of displacement to Iran, parental drug use, poverty

I am from Hirat province. My sister also lives there. Our family spent 12 years in Iran during the war. I have been living in this prison for 4 years already with two of my children. One of my sons was born here. Life here is ok. I got a 6-year sentence, and I served 4 years already. They told me that they would reduce my sentence by two years. I am waiting for the decision of the court. I should be out soon.

I got married when I was 16 to a relative of my uncle's half sister. My father arranged the marriage, but he was tricked. When the family suggested this marriage, they introduced someone else to him. So when he saw the guy, he agreed to the union. Only during the wedding did I find out that my husband-to-be was 75 years old! The man he had been introduced was another cousin who was 24 years old. During the ceremony and when I signed the *nikka*, it was him. But then this other man came and I realised that he was 75 years old.

My father was very poor and needed the money of my dowry. He was addicted to drugs. When we found out that the man was in fact 75 years old, it was too late. We could not stop the *nikka* because my father had already spent all the money. He had spent it all on drugs and he was so poor that he could not pay the money back.

Of course I had not agreed to such a marriage. And I did not want to get married at that stage, let alone to a 75 years old man. He treated me very badly. He was always interfering with my choices, even with the clothes I was wearing. I was young, I wanted to wear fancy clothes. My husband was always fighting about it with me. And he was always beating me and insulting me. My sister-in-law was also very bad. She was beating me and threatening me. I was beaten almost every day. They did not force me to work or anything, but I was not happy at all.

I did not report the abuses because I was afraid to lose my children. If we divorce, he will take my children away. This is why we are still married. My lawyer said that it would be better for me not to divorce him now, while I am still in jail because if I divorce him now, then it is certain that he will get custody of my children. I do not want that to happen.

I ended up here (prison) because one day I went to my friend's house and on his way, my husband saw a boy coming out of our house. He went to the police and filed a complaint against me for *zina*. He told the police that I had a relationship with that boy, but that was not true. The police arrested that boy. They also arrested me and took us to the police station. They said that we committed this crime. I was taken to the *saranwali* (AGO), and there they gave me a sentence of 6 years in prison. The boy was given 3 years.

The DoWA assigned a lawyer to me. I went to the primary court and then to the appeal court. I had a lawyer representing me during the first trial, but during the second trial my lawyer told me that I had to find another lawyer because she had too many cases to take care of. But I did not know anyone and there were no other lawyers I could turn to. This is why I got sentenced for 6 years! So, the legal representation I got was not good. My lawyer simply told me that she did not have the time to take care of my case. I have already spent 4 years here. I am waiting for them to shorten my sentence. Then I just want to get a divorce and live somewhere with my children. I do not have a lawyer anymore. Life is ok here. No one treats me badly, and I have access to medical care.

My parents do not know that I am in prison. They are in Iran. They only know that I got married. They think that I am with my sister. I did not tell them the story. Once I get out of prison, I will get a divorce and go and live with my sister in Hirat. I will let them know once I am out of here.

Even my husband does not know that I am in prison. Only my sister does. My husband left to Pakistan after the first trial. He addicted (to opium), he is disabled so I do not want him to know that I am in prison.

He could come back and be violent and aggressive. And there is a risk that he would take away from my children.

Case study 14. Forced marriage for *baadal* in Balkh

- Victim: 23 year old Tajik woman
- Actors involved: parents, husband
- Cross-border dynamics: none – marriage arranged within province
- Primary type of exploitation: forced marriage for *baadal*
- Factors increasing vulnerability: poverty, history of internal displacement

I was three years old when my marriage was arranged with one of my relatives. My parents arranged my marriage because of our poor economic situation: it was in exchange for my brother's marriage, so that his marriage expenses would be lowered. I did not agree to the marriage, nor did I try to stop it, because I was young and no one would listen to me.

If I had not gotten married, my family would have killed me. Besides that, it would have been a dishonor to my family. I had no other options; the marriage took place. I had to save my family's reputation. I did not try to run away, because of my family's reputation.

My husband treated me well, but I do not love him. My feelings about him did not change, but I have to stay with him. Sometime he threatened me because I was young and could not serve my husband and his family well. My husband would do any sexual act he wanted.

My husband's family does not treat me well. I do not like them, but I have to live with them because I have no other options. They have threatened me a lot. I complained to my parents but they did not do anything. They told me that I have to live this life no matter how it is.

I feel safe because now I am separated from my husband's family. My husband has gone to Iran. He was the main income earner of my family. He is a day labourer, and we did not have any other sources of income. My husband has been in Iran for almost three years. He has not contacted us during this period, or sent us money to support the family expenses. Currently I work in people's houses to support my family by myself. I do cleaning and washing clothes in people's houses.

I am still married I cannot leave my husband because of my family's reputation and my children whom I love a lot. My family knows about my situation, but they cannot help me because their economic situation is not good. They feel sad about me.

Currently I live in Naher Shahi district. I like it here because the security situation is better and I go to people's houses for working. I have access to food and water. For ordinary pains I do not have access to medical care because no one would take me there and because of my poor economic situation. I do not have access to education as no one has let me go to school since my marriage. In any case, there was no school in our area.

I do not have any plans for the future. I will live with my present husband because I cannot leave him.

Family background

There are six members in my family: my husband (45 years old), my daughters (3, 4, and 7 years old), my son (5 years old) and myself. I am from the Shulgara district of Balkh province. My family moved within Shulgara district because of security and economic problems; there are too many opponent groups in Shulgara district.

8.9. Case studies: Smuggling and abduction

Case study 15. Smuggling in Hirat

While not actually a case of trafficking, this case study demonstrates some of the similarities and differences between smuggling and trafficking cases.

- Victim: 14 year old Pashtun boy
- Actors involved: smuggler
- Cross-border dynamics: smuggled within Iran to Turkish border, deported to Afghanistan
- Factors increasing vulnerability: separation from family at a young age, drug-addicted parent

When I turned 14, I decided to go to Turkey. I spoke to a smuggler, and he asked me for advance money. I paid him 1.5 million Tomans (1,221 USD).¹⁷⁵ I had been working in a supermarket in Iran, and I paid all of my income to that smuggler to take me to Turkey and then to Greece, which he promised to do. We spent six days on our way and the smuggler had told us that we would find good jobs in Greece. He would not tell us what sort of work. Some Hazara families were also with us, and they were also deceived by the smuggler who took our money. They knew him – he was an Afghan Hazara.

The smuggler transported us using a vehicle, and we stopped several times along the way. When we arrived at the Turkish border we saw there was a big wall. Ladders were placed on both sides of it and people would climb the ladders to pass the border. We did not have any documentation, and half an hour after crossing the border into Turkey when we encountered the Iranian police who arrested and detained us for some days, after which time they deported us back to Afghanistan. The smuggler disappeared when we were captured and he took all our money with him.

Now, I live in a shelter that belonged to LBAO (an IOM IP) previously and now belongs to the Department of Labour and Social Affairs (DoLSAMD). I live with other children. I have been here for almost six months and I am not very happy because I do not receive much assistance. But still, I am happier than two months ago when this place belonged to LBAO because they did not provide us with much assistance. DoLSAMD provides us with some assistance. I do not have any health problems and I have access to medical care, too. If I get sick I go to Ansar Camp and receive medical care. I feel safe here because it is a very good and secured place.

The shelter has given me the opportunity to study and now I am attending a course. My only wish is to continue my education to have a good future and continue my life by myself because I do not know where in Iran my family is. For this I need to be provided with assistance, particularly in financial terms.

Family Background

My family is from the province of Hirat in Afghanistan, but lives in Iran now. My mother is Iranian and my father is Afghan. When I was seven years old, my mother separated from my father because he was

¹⁷⁵ Based on conversion rate (1 USD = 12,281.9447 IRR, 1 Toman = 10 IRR) of 1 July 2013

addicted to drugs, and I started living with my neighbor. People used to abuse my mother because her husband was an Afghan and a drug addict.

I do not know about my family's origins because I have been separated from them for almost seven years. When I was living with them I had two sisters (1 and 11 and years old). My parents were both 29 years old. My family moved to different places in Iran because we lived in rental houses. I remember that I got separated from my family when I was seven years old, and I do not know where they are now. I do not have any contact with my family now. They were not involved in my decision to get smuggled to Turkey.

Case study 16. Abduction in Hirat province

While not actually a case of trafficking, this case study demonstrates a gap in provincial government officials' understanding of trafficking as they identified it as one. In addition, it provides a good case against which to compare abduction for trafficking vs. abduction for other purposes as well as demonstrates obstruction of justice within the government.

- Victim: 63 year old Pashtun man
- Actors involved: political figure, kidnappers / Taliban

I was kidnapped from my doorstep at 10:30pm in 1382 (2003) by four men covering their faces with scarves. They had been assigned by [a provincial government official].¹⁷⁶ They threatened me using weapons and made me get into a car. When we were around five kilometers outside of the city and had passed Mir Dadu gate, the kidnappers handed me over to four armed Taliban members who were collabourating with the [provincial government official], who I had accused of criminal activity. They were waiting for us in a Toyota Corolla. They took me to the Gulestan Mountains in Farah province. We did not stop at any places along the way, nor did we cross a national border. It was dark when we climbed over the mountain, and we did not encounter police.

I was threatened by the Taliban members. They beat me for eight days, and I did not know what they wanted from me. They beat me to an extent that I still feel paralyzed. I had access to some water and food, but I did not have access to medical care at all. They kept telling me to stop my fight against administrative corruption. They did not want money from me.

They wanted to kill me but they did not succeed because I escaped after eight days at midnight. I sought assistance from the Dilaram police headquarters in Nimroz province. They took me to the Nimroz governor's office, and then the Nimroz province counterterrorism department handed me over to Hirat province counterterrorism department in the Hirat airport. I identified one of the Taliban, but the police have not yet taken any action. My physical status is still not good because I was beaten a lot. The Taliban had beaten me to an extent that my face was not recognisable.

The kidnappers took my documents and mobile from me. My family knew about what happened to me because my son had answered the door the night when the men knocked. He came to tell me that there were four people asking for me, and when I went to the door, I saw the four people pointing guns at me and asking me to get into the car.

¹⁷⁶ Details have been removed to protect the kidnapping victim.

My family and I do not feel safe because we cannot move safely in the city: I have reported all of this information to governmental institutions, but they cannot do anything about it because the person I accused is an influential person and has contacts with powerful people in the province.

I am a doctor and I serve the people. I am a person who will fight corruption till my last breath. I have a great feeling about my own work because I stand up against administrative corruption and kidnapping. I want to continue my fight in the future. I was kidnapped because of this fight; I am not rich enough to have been kidnapped for money. I want to help my people in the future so that no one else faces the same issue.

Family background

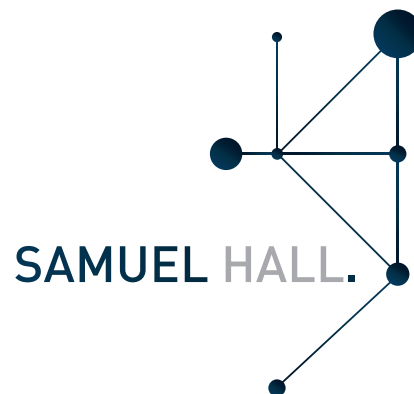
I am from Hirat province and I live in an urban area. Currently I live in my own house inside the city with my family. We have been living here for almost 12 years. I like Hirat province because it is my province of origin and everyone likes the place they come from. I fled to Iran during the Taliban regime and lived there for ten years.

Samuel Hall. Contacts

For more information

info@samuelhall.org

www.samuelhall.org



For a topic that conjures vivid images in the public imagination, trafficking in persons remains largely misunderstood as the forcible movement of people. Yet, other disquieting images—the child bride given to resolve a conflict, the “dancing boy” kept as a sex slave, and the household toiling in bonded labour—are also forms of human trafficking. While these examples are drawn from the Afghan context, trafficking in persons (TIP) remains a global scourge with national and regional variations in terms of trends, prevalence, and acceptance. ‘Old Practice, New Chains: Modern Slavery in Afghanistan’ is a study of human trafficking in the country from 2003-2013 is intended to provide greater understanding of internal and cross-border TIP trends in Afghanistan by clarifying concepts, exploring causes and determinants of trafficking; analysing trafficking patterns and trends; and finally, identifying lessons learned from applied counter-trafficking approaches.



IOM International Organization for Migration



SAMUEL HALL.

