



PERCEPTIONS AND REALITIES: THE PHENOMENA OF DANCING GIRLS FROM PAKISTAN IN U.A.E.

A preliminary assessment



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1 Introduction

1.1 Definition

The United Nations Convention against Transnational Organized Crime (2000) and in particular its Supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (also known as Palermo Protocol) contains the following definition - Article 3(a):

"...the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of giving or receiving payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation"

Three core elements are identified:

- 1) *Action* such as the recruitment, transportation, harboring, transfer or receipt of a person.
- 2) *Means* such as threat or use of force or other forms coercion, abduction, fraud, deception, abuse of power or of position of vulnerability, or payments or benefits to achieve the consent of a person having control over another person.
- 3) *Exploitation* of position of vulnerability, or payments or benefits to achieve for the purpose of sexual abuse, forced labor, servitude, removal of organs or any similar abusive purpose.

Moreover, the Palermo Protocol states that, as far as children are concerned, the use of illicit means such as violence, coercion, or deception is irrelevant as it is presumed that a child who has been influenced cannot be a willing participant in his/her own trafficking.



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With reference to this particular point, whenever a child is involved, any action leading to an exploitative situation is considered here as trafficking.



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1.2 Background

During its intervention to provide education to children of female prostitutes in the Red Light Area of Lahore, Groupe Développement heard female prostitutes and their social workers testify on several occasions that these prostitutes earn a better living than would otherwise be possible by becoming dance performers abroad at a young age.

Through its intervention, the project primarily accesses one well-known location of female prostitution in Lahore. In this location, shared understanding proclaims that girls who come from this area are destined to be exploited. According to these sources, girls who practice the trade in the UAE would suffer comparatively less than those practicing in Lahore, as pay and living conditions in the UAE are supposedly better.

While informal discussions raised many questions as to the extent of the dancing girl/prostitution phenomenon, it was necessary for those studying the situation to separate reality from perception. Considering the lack of relevant literature on this particular topic, Groupe Développement and its partners Pehchaan, Sheed, and Sanjog have completed the following information collation to provide an insight into the ground realities concerning the state of affairs regarding dancing girl and prostitutes, including profiles of the victims, the push and pull factors responsible for its perpetuation, the mechanisms of trafficking, and how they operate.

This study consists of primary research gathered from key informants directly involved in the above-mentioned aspects of trafficking. It also includes findings that emerged from consultations with other relevant stakeholders, such as government authorities responsible for the overseeing the preparation of identity and travel documents, as well as managing other migration requirements. Thereafter, the study will assess the phenomenon from the opposite direction, whereby mechanisms which transport dancing girls across international borders will be examined on the basis of on-site research conducted within



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Dubai itself. Subsequent to contextualizing the above issues with reference to other research on this topic, the study proposes interventions which have the potential to curb the exploitation of under-aged girls being taken abroad and exposed to exploitative environments under the guise of providing entertainment.

In this context, Pakistan is considered as the source and transit point of girls thus taken abroad. Given the link between internal and external trafficking, inferences will be made regarding the prevalence of this phenomenon in other parts of the country.

1.3 Methodology

Methodology used during this exercise is the consequence of the many constraints faced:

- Interviewing female prostitutes, pimps and “*naiqas*” (Madams), was particularly difficult due to the sensitive nature of their particular situations, as well as the topic itself. The illegality of their activities and the risks faced by these people cause many of them to be suspicious of outsiders. It was therefore required to have the lead researcher introduced through the facilitation of a social worker known to them.
- Through cross-checking questions during interviews and discussions with social workers, the researcher and facilitators attempted to obtain accurate information. However, all research on this matter, including this study, faces limitations due to the trauma faced by the stakeholders, the risks they face of being pursued by law-enforcement, and the fact that much of their personal information has not been properly registered.
- A consortium was constituted among organizations working with populations vulnerable to commercial sexual exploitation of



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children, namely Sheed¹, Pahchaan², Groupe Développement³ and Sanjog⁴. Coordination among them was lead by a researcher who was a master of the national language as well as of local idiom.

- Before the start of all interviews, mention was made of the purpose of the queries. Most interviewees were under 18 years old at the time of interview (primarily in the 16- to 18-year-old age bracket), living away from their families, and financially independent.

Caution: No difference here is made between both women/girls in prostitution and dancers.

We do acknowledge the existence in Pakistan of a wide range of artists who strive to live from their art. With particular reference to those people interviewed for this study, it is almost impossible to make a distinction between those who only dance, and those who also engage in transactional sex, especially if they are part of the same dancing girl groups. Moreover, metaphors such as “spent the night” or “be married” are used by the persons met to speak about paid sexual encounters. The general taboo is also affecting the researchers and their teams and further probing was not possible.

2 At the origin: Pakistan red light areas

With an estimated increase in population of 42 million since the 1998 census, an increase of 30%, Pakistan faces major challenges in addressing the needs of its youth, particularly those in rural areas.

¹ Sheed Society strives to strengthen Health, Education, Environment in, the Red Light Area of Lahore, since 1995. (www.sheedsociety.org).

² Pehchaan is a Pakistani organization for child protection, funded in 2005.

³ Groupe Développement was created in 1979, in France, to support initiatives for development from partners’ organizations in the South.

⁴ Sanjog is a Pakistani organization for child protection, funded in 2006.



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Among the multiple factors which have led to the higher vulnerability of youngsters to being trafficked are: lack of opportunities; massive immigration during the 1970's; limitation of legal migration to developed countries in the 1980's; the tradition of early marriages; and the demand for cheap labor from growing urban countries.

Pakistan is on Tier 2 Watch List since the inception of the Trafficking in Persons report in 2001 and the development of a legal framework has not been enough to reduce significantly the phenomenon. According to US Report on Trafficking in Persons 2009, Pakistan is still a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation.

2.1 Internal trafficking: prostitution in Pakistan

Considering the requirement of facilitation to access female prostitutes or dancing girls on the illegal issue of trafficking, research focuses on the well-known 'red-light' areas where social workers have already been in contact with these women.

2.1.1 Heera Mandi in Lahore

"*Heera Mandi*" (literally Diamond Market), also known as "*Shahi Mohalla*", is a red-light district in Lahore, originally the center of the city's "*tawaif*" (courtesan) culture in the Mughal era⁵.

Sociologist Louise Brown examines the historical fate of the beautiful and tragic dancing girls. The Emperor Akbar had a harem of 5,000 women. Although the Mughals, including Akbar, exercised a form of slavery (and courtesans of Mughal times were in no way liberated women), the Mughal courtesans of latter day were among the few women of their times who learned to read and write, and were educated in the arts⁶.

Once the courtesans of kings, graceful and erudite, contemporary dancing girls find themselves in dire straits, clinging to an ancient

⁵ Brown L., 2005, "*The Dancing Girls of Lahore*", HarperCollins Publishers.

⁶ *ibid*



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romantic identity while facing a destitute future. Reversing traditional Pakistani norms, in “*Heera Mandi*”, female beauty and sexuality were openly celebrated, lauded and envied.⁷

But no more. Changes in the *Heera Mandi* culture have been gradually happening since 1858. The British criminalized prostitution, lumping courtesans with common prostitutes.⁸ There has been a slow socio-economic disintegration of *Heera Mandi*. *Heera Mandi* has switched gears over the last 30 years. Urban intellectuals, industrialists, and landlord class have settled in newer parts of the city that are less congested and do not come to *Heera Mandi* any more. Brothels and “*mujrah*” dancing have shifted to affluent neighborhoods. More changes have happened since, first during the Ayub administration, which placed severe time and place restrictions on the performance of *mujrahs*. Then, during Zia’s islamisation campaign, the Zina Ordinance, as part of Hudood Ordinances of 1979, has been a tool by which a rape victim is also considered guilty of non-marital intercourse. Moreover Islamic Courts were to decide upon the punishment for these cases⁹.

It is only with the Women’s Protection Bill in 2006 that rape was brought under the Pakistan Penal Code and lessens the penalties for the rape victims, even though non-marital consensual sex is still an offense.

Please incorporate the map of Heera Mandi.

2.1.2 New locations

The attempts to close down red light areas generated a mutation of the flesh trade to much more clandestine systems and diffused the phenomenon to even smaller urban centers.

⁷ ibid

⁸ Ashfaq A., December 20 2009, “No Romancing the Mohallah”, <http://www.chowk.com/articles/11455>

⁹ Imran R., 2005, *Legal Injustices: The Zina Hudood Ordinance of Pakistan and Its Implications for Women*.



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For this study, different locations were visited which are renowned for girls being available for prostitution.

In Lahore, many areas are identified as red light areas. Among those, the *Shah Noor* Studio area attracts many girls from surrounding areas who hope to make a living in the film-making industry of Lahore. These girls are highly vulnerable and often fall prey to sexual exploitation.

As sexual exploitation has spread over the city, one can observe the topography of sexual exploitation: in every part of the city, new smaller red light areas have opened to clients of their surroundings. Therefore, better incomes are achieved in better-off neighborhoods. This is the case in Allama Iqbal Town in the south-west of Lahore, an area populated primarily by the middle class, where some women from the historical red light area of *Heera Mandi* have shifted to begin their trade anew.

Lahore, as capital city of Punjab, the most populated Province of Pakistan, is a central knob to internal and external trafficking. However, other red light areas are also flourishing and becoming sources for internal trafficking to bigger centers. Sargodha, the 8th largest city in Pakistan, is situated 172 km north-west of Lahore and is directly connected to Islamabad and Lahore via a modern functional motorway linking these two major cities. Sargodha's location makes it easier for human traffickers in all three cities to contact and coordinate with each other.

The team has been able to access the renowned street of the city, in which approximately 50 female prostitutes operate under the protection of a influential woman called the '*Chawdrahan*' who is paid on a monthly basis by each of these women in her area.

2.2 Testimonies of under-age dancing girls



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6 girls and 2 agents were interviewed for this fact-finding mission in Sargodha, and 10 in Lahore.

The practice of prostitution in Pakistan can be divided in two broad categories: victims who are lured or forced into the trade, and those who enter the trade due to family traditions.

Both categories of girls have been seen entering the trade: girls who have run away from home, and girls who belong to families involved in prostitution. Their induction into trafficking is explained by themselves or by their families as a rational choice, considering the limited range of their opportunities. In both cases, the links between internal and external trafficking are overwhelming. Girls who are sent or want to go abroad are involved in prostitution in Pakistan either before or after their stay abroad.

Estimations of the phenomenon are unreliable. For example, C. , a 45 years old women formerly in prostitution and whose two daughters are in U.A.E. estimated that at least 100 girls of *Heera Mandi*, one of the red light areas of Lahore - go abroad in dancing groups at least once a year. In Sargodha, an agent identified dozens of girls as dancers who go regularly to the U.A.E. According to S.'s [explain] agent, of 15 to 20 men who are active agent in Heera Mandi, only 6 or so are well known. These men are known to have taken numerous groups of girls abroad.

2.2.1 A traditional trade

As is the rest of Pakistani society, prostitution is based primarily on familial linkages. Commonly, '*Kanjar*' is the term used to describe families which have been entrenched in prostitution for generations. This term is negatively connoted; members prefer to call themselves artists, as most of them attempt to master one performing art or another.

As the main earners in their families, women involved in prostitution have built a strong solidarity network which is based on the income generated by the prostitution of youngsters. The girls become



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prostitutes/dancers and their mothers become their “*naikas*” (Madams), dealing with promoter-agents and clients.

**C. 45 years old
Mother of B. 18 years old and D. 20 years old**

C. owns her own home in the “*Heera Mandi*” of Lahore She used to go to England as part of dancing troupes, but stopped 25 years ago. She is the mother of four children: her two sons are managing a gym club in the neighborhood, while her two daughters are currently in the U.A.E.

Trafficking history: B. and D. started to go abroad 2 years ago, at the ages of 16 and 18 respectively. They have traveled four times: to England, Sharja, Muscat and Dubai. The promoter-agent is the first cousin of C., whom C. trusts. C. said that her own daughters are highly in demand, that they do not go abroad for more than a month at a time, and that they are paid Rs. 200,000 each per trip.

Reasons given: B. and D. have selected to go abroad, as they want to avoid unhappy marriages. To them, no girl from this background (*‘Kanjar’*) can be happily married. Their mother claims that her daughters said that instead of men using them, they want to use men, and they also want to be able to provide themselves with a place in which they can spend their older years.

C. maintains that both of her daughters are only dance performers with mostly South-Asian clients, and that they are yet “unmarried” – implying they have not been taken on as temporary wives or mistresses. However, family friends and community members believe that the daughters are being paid a maintenance allowance by men in Dubai; this *‘kharcha’* (allowance) was estimated to be Rs. 40,000 each.

S. 15 years old and her mother K. 35 years old



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Lahore 'Heera Mandi'

S. is 15 years old. Her younger sister is 12 years old and studying in Class 5. S. also studied till Class 7 in a government school, but then she dropped out. Her father has a television and radio repair store. Her mother K. is 35 years old and had been sent abroad as dancer.

Trafficking history: S. first went to Dubai when she was 13 years old. It was her mother who wanted S. to go abroad for dancing. S. categorically mentioned that it was her mother who decided that she go abroad for dancing. After the first two trips, S. was not allowed to go abroad due to her father's objections. However, her mother managed to re-convince him, and her passport is currently with a promoter who intends to take her to Dubai again. During the time between her initial trips until now, S. has been going to other cities like Rawalpindi, Murree, and Lahore for dancing functions, weddings, and other occasions; she estimates that she has gone to over a dozen of these local events. She has been to Dubai and to Abu Dhabi once each, but the age on her passport was 21 years.

Reasons given: S.'s mother herself went to Abu Dhabi twice in the late 1990s. K. commented that going abroad was more lucrative earlier, since women dancers from Pakistan were a rare commodity. Her aunts were also in this profession; she and her two sisters came to Lahore from Sahiwal to join the profession. K.'s mother was also present, who mentioned that her own relatives had been in this profession since before Partition. K. knows the promoter who takes her daughters to Dubai, although he also has promoter-agents working for him. K. said that when her younger daughter matures (reaches puberty), she will also come into the profession.

Two sisters: A. 18 years old, S. 16 years old, Sargodha

Living with their 5 other siblings and their parents, the 2 eldest sisters had been working as dancers in Pakistan, but not abroad.



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Trafficking history: Three months before the meeting with the team, both went to Bahrain and were paid Rs. 200,000 each, with which their family is now building a house very near the red light area. Their passports listed their ages as over 20 years.

G. 18-19 years old - Sargodha

Her mother came from Patogee and has worked as a prostitute in Lahore. She has 2 younger sisters, aged 13 and 9. She has gone abroad 8 times.

Trafficking history: She went abroad 8 times, and now has regular clients who send money directly to her family. She is now the 'keep' of a man in Gujranwala who used to work in the U.A.E.; he is now back in Pakistan and sends Rs. 25,000 monthly to her family. With these resources, she has purchased a house where her parents and siblings are living.

2.2.2 Neglected and/or abused girls

Runaway or neglected girls from other backgrounds are also involved in the trafficking industry. Struggling for survival, these girls are introduced to prostitution by their employers, husbands or boyfriends. Once exploited in Pakistan, these girls are amenable to going abroad due to the promise of earning more income.

According to C. , a 45 years old woman whom two daughters are in UAE and had been herself in prostitution, girls who are in the same group as her daughters are also coming from Multan, Pattogi, Sahiwal and Okara -- all medium-sized cities in Punjab -- and from other places in Lahore, such as Shah Noor Studios.

H. 18 years old – Allama Iqbal Town, Lahore

Though 18 years old, H. has a passport claiming that she is 23. Her father remarried after the death of her mother. Neglected, H. had to



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take care of her younger siblings (a brother and a sister). Her sister was married and then divorced, and now lives with H.

Trafficking history: After she finished her household chores each day, H. took dancing lessons. It is through her “*Ustad*” (teacher) that she came across the opportunity to go abroad. Sent to Dubai for 2 months, H. got Rs 90,000. As it was her first stay there, no clients offered her additional income in form of gifts.

J. 18 years old – Heera Mandi, Lahore

J. and her cousin are from Sahiwal. J. has three sisters and four brothers. However, her siblings do not take care of her parents. Her parents agreed for J. to dance in other cities than Sahiwal, such as Sargodha, Sialkot, Faisalabad and Gujranwala, as well as to go abroad. It is through a friend, a neighbor in Sahiwal who was already involved in the profession, that J. started dancing. Her family receives her income, which has allowed her sisters to get married. Though J. denies her family’s implication in this trafficking, both of her cousins are involved: one female who is also a dancer and one male who had her passport, which meant he is aware of her travels abroad, fake age and purpose of travel.

S. 16 years old - Sargodha

S. has a younger brother; her mother re-married after a divorce. Her step-father found a local agent and promoter to induct her into a dance group. Her step-father has since then stopped working and increased his expenditures. S. believes her younger half-sisters will also be inducted into the trade sooner or later. During her next trip abroad she expects to get married to a policeman who has sent money home to her and who is in contact with her step-father.



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M. 16 years old – Sargodha

Fatherless, M. lives with her mother and has 3 sisters and 1 younger brother.

Trafficking history: Enticed by girls of the neighborhood, M. started to go abroad. One of her clients got in touch with her promoter and spent a night with her, for which he paid Rs. 400,000.

2.3 Tour organization

In Lahore C, 45 years old, who used to go abroad, mentioned that the professionalization of dancing groups has been happening for 25 years. Originally, these groups were smaller, comprised of 4 musicians and 4 dancing girls, whereas now a dozen dancing girls and an equal number of musicians may go abroad as one group.

C. mentioned that now girls are managed by a series of people including agents, agent-promoters and hotels. The typical mechanism in Lahore is to send one group while preparing another group.

At the origin point, primarily an agent and a promoter are involved in the recruitment of the girls and in the organization of their travel.

2.3.1 Recruitment: 'agent'

Agents are responsible for local recruitment, which includes the formation of a group of dancing girls, musicians, and a lead singer. The agent liaises directly with the families of the girls. As agents, their responsibility ends the moment the girl leaves for the airport.

In Sargodha, one particular agent, who is related to the local "Chawdrahan", gets commission amounting some thousands of rupees for putting girls in contact with promoters. A different agent organizes local gambling and owns a house rented to a family that is involved in prostitution. He is romantically involved with one of the dancing girls he sent abroad, who has just turned 18 years old.



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N., 22 years old, said he has been in this trade for 6 years now. He has his own musical group which performs at wedding and dancing functions. Since he started, he has sent nearly a dozen groups abroad; nearly half of the girls involved were less than 18 years old. Girls themselves contact him, but he has also a network of agents looking to fulfill his requirements. For N., *'If a girl has a good figure and is tall, it is better if they are under-aged, since getting the official identification papers altered is not a problem, but having younger girls means that promoters will agree to readily hire them for good money.'* His responsibilities are *'to negotiate with the girls' families and take the girls up to the airport'*. In some case, *'girls disappear with the token money given in advance; in such cases, their families have to refund it.'* He also gives the money sent by the promoter on a monthly basis to the families of the girls. *'If the girls have any problem in Dubai, some contact me, but it is not my responsibility to do anything.'*

Once girls are identified in Pakistan, their pictures are sent via emails to hotel management and promoters. After the hotel approves girls they are interested in, the promoters then fax or email copies of their passports so that the visa authorization can be issued by the hotels for these selected candidates. Even though agents might not directly process fake identity, they are contacted for this purpose.

2.3.2 Travel: 'promoter'

The promoter accompanies the girls to the U.A.E. to deal with all aspects of their stay in the U.A.E., including managing the hotels which provide their visas, arranging their accommodations and meeting clients. If a girl runs away, the promoter is blamed. Families and girls are sent to the promoter by the agent; the promoters then deal with the girls and their families directly. Since some promoters can become abusive with the girls, well-known promoters or family members are preferred by families who have been involved in the trade for a long time. Promoters pay for passports and tickets and provide token money, which is deducted from the payments to the dancing group within the first month.



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A promoter in Allama Iqbal Town, J. is himself the son of a musician who goes abroad. J.'s girlfriend is also part of the shows he promotes. S. from Heera Mandi is 26 years old and a musician himself. He knows 50 girls, among whom 7 or 8 are under 18 years old. J. mentioned that the current trend is to send girls for 2 months which is extendable for another month if the performer is doing well. According to J., *'Dancing girls can make between Rs. 70,000 and Rs. 130,000 per month on average, on a fixed basis. On a 'wakhra' – occasional - basis, girls are given a share of the income earned by them, subsequent to the deduction of passport, visa, and travel charges which have been borne by the promoter, and which are usually deducted within the first month.'* J. has been to Dubai 4 times: twice with groups, and twice for organizational purposes. The first time he earned Rs. 550,000 in 3 months, and the second time he earned Rs. 275,000 while the group performed for 2 months. *'When the hotel and dancing group agree to share costs, the hotel usually gets 40% of the profit; the dancing group -- including musicians, dancers and a singer -- get 40%, while the promoters get 20% of the profit.'*

S., another promoter from Heera Mandi, mentions *'there are different packages offered by hotels. If they take 70% of the commission, then they provide all the costs of laundry, food, and accommodation. If they charge 50%, then they provide only accommodation to the groups.'* S. gets 10% of the commission which he shares with another partner. On one trip, he earned Rs. 125,000, in addition to which he was paid Rs 175,000 which was the standard rate paid to all musicians as he was also performing in the group.

2.4 Travel documentation

All girls interviewed for this study who are to go to the U.A.E. although they are under 18 years old were in possession of documents claiming their ages to be above 20.

It is not possible for a person under the age of 18 to obtain a national identity card according to Pakistani legal framework. Considering the



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lack of systematized birth registration, the Pakistani authorities have created another procedure than the declaration at birth. This procedure consists of providing a proof of existence, such as a school certificate, or the testimony of two witnesses, as well as the identity cards of the parents. The UC Nazim's office is given these documents, which are provided to a Magistrate or its equivalent. The Magistrate gets the Deputy District Officer Health to determine the person's age. Once this is done, it is at the *tehsil* level that a final check will be made by a clerk, who will request 2 witnesses with their identity cards. Once confirmed, the information will be sent back to UC office for issuance of a birth certificate. Even though this procedure costs only 100 rupees, it can take several months to obtain the birth certificate. Agents often opt to pay Rs. 5000 to 8000 to have birth certificates made illegally, thereby avoiding the need to have any witnesses testify. It is relatively easy to get hospital staff to provide this kind of birth certificate

Once the birth certificate is issued, normal procedures can be followed to obtain a computerized ID card, which can be obtained in less than 15 days (FastTrack - immediate processing, Rs. 1100). Once the Computerised National Identity Card (CNIC) is issued, it forms the basis for the issuance of a passport which can be obtained on an urgent basis for Rs. 4000 versus the usual charge of Rs. 2100.

Agents procure 3-month dance performer visas, stating that they are part of delegations participating in cultural shows.

3 United Arab Emirates and trafficking issue

The United Arab Emirates (U.A.E.) are a federation of 7 emirates based on their 1971 Constitution. The U.A.E has the world's sixth largest oil reserves, and possesses one of the most developed



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economies in the Middle East¹⁰. It is currently one of the richest countries in the world per-capita, with a nominal per-capita GDP of \$54,607¹¹. In 2005, the U.A.E.'s population stood at about 4.1 million¹² (showing a growth of 74.8% in 10 years), of which approximately 21.9% are nationals and the rest foreigners.

In the U.S. Trafficking in Persons Report, countries which provide relevant tools to fight human trafficking are classified as Tier 1. The U.A.E. is classified as a Tier 2 country, that is a country where political will is present but no relevant action has been taken which is the cause of heated political debate in the country.

3.1 Testimonies in Pakistan

While conducting interviews with girls in Pakistan, a regular pattern of their lives in the U.A.E. arose.

All the girls interviewed travelled by air from Lahore with real passports identifying them as adults (more than 18 years old). Their stay is temporary, 2 to 3 months maximum in a country.

As a 16-year-old girl from Sargodha says, *'The group stayed at a villa and had to be in the hotel from 8pm to 3am. The manager of the hotel was abusive if the girls were not attracting enough clients and even customers could become abusive if their requests were not satisfied.'* According to a 17-year-old girl, they were *'kept in a three-room "hotel" which was also their performing venue.'* S., 15, mentioned that *"the hotel management does not allow them to take food from the guests into their rooms"*.

¹⁰ CIA The World Factbook - Country Comparison Oil - proved reserves 2009

¹¹ International Monetary Fund Data Mapper 2009

¹² Minister of Economy interview at press conference on 31/07/2006



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Clients can book hotel rooms to be with the girls once the show is over, but girls are not allowed to go out of the hotel where the performance is held. Subsequent to engaging in the dance routine (from 8pm to 2/3pm), the girls return to the accommodation which has been provided to them, where they stay locked in for the rest of the night. Even musicians are not allowed to meet them.

Girls said they have mobile phones and change SIM cards when they get to Dubai. They use these phones to talk with their families and to be in contact with the local clients who are interested in calling them.

These girls are involved in different types of activities. The first of these is the 'Bar program' where girls accompany a group of musicians and a lead singer, and dance during musical performances. This is the most lucrative activity. In the 'deck program,' girls perform to recorded music in bars also as well as in private homes.

According to S., 15 years old, she had 15 days for herself at the end of each of her stays in Dubai and Abu Dhabi. Clients took her outside the hotel for shopping. A total of 7 clients purchased clothes, jewelry and toys for her. H., a 18 years girl, mentioned that security guards accompany the girls when they go out with clients to prevent them from running away.

C., a 45 years old former performer and mother of 2 dancing girls in U.A.E., mentioned that audiences for the dance performances are mostly Pakistanis, Indians, and Bangladeshis. She claims that Arabs do not come to these dance performances. According to her, several different dancing groups perform in one single hotel at a time.



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S., agent of Lahore, mentioned that if a girl has earned a minimum of 3000 dirhams (Rs. 84,000), a client can take her away for one night for 2000 dirhams (Rs. 44,000).

From those testimonies in Pakistan, we obtained names of hotels in Barhain and Dubai where girls used to stay enclosed during weeks and months.

3.2 Fact finding in the U.A.E.

During the first contacts on the matter, the lack of literature and of willingness to support such an enquiry in U.A.E. was mentioned as being a potential threat to any researcher. However, during the discussions of this research team with different informants in the U.A.E., accessing dancing girls was not presented as a security threat. Therefore, the current research team decided to attempt to probe the matter by having the researcher pose as a potential client for 'Mujrahs' - private dancing performances - which are the official cover for prostitution of the girls. According to informants, the month of Ramadan constitutes a break for them which ends nearing Eid (end of Ramadan).

Dubai was selected as one of the most conveniently-accessed cities in the U.A.E. for Pakistani nationals, even for tourism. Its population of Pakistan workers and businessmen as well as the easiness to obtain a tourist visa (2 working days when the hotel booking and return ticket are presented), facilitate the informal contacts used by the chain of traffickers.

Proving the reality of the phenomenon's existence in the U.A.E. was deemed necessary if preventative and rehabilitation efforts were to be extended to its Pakistani victims.



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However, during discussions to prepare the mission, it became apparent that the topic could not be easily discussed considering the lack of responsiveness of governmental organizations and the lack of non-governmental organizations working officially on the issue in the U.A.E. One researcher based in the U.A.E. refused to share any contacts considering the sensitivity of the data and confidentiality requirements.

As the researcher was a Pakistani male, it was decided that he would play the role of a tourist looking for entertainment in Dubai. Although this procedure is non-systematic, it provided the researcher with a guise under which he would be afforded access to under-age dancing girls. This procedure, even though non-systematic, is a proxy of the facility with whom a potential client can access under-age dancing girls. The purpose was to identify how quickly an individual can access those events without belonging to U.A.E. while requiring for young girls as well as the extent contact can be made through requesting their personal contacts.

Informants were males who are daily in contact with all walks of life such as taxi drivers, restaurant workers, and hotel staff. According to those informants, younger victims are often from South Asia and are cheaper (300 to 500 dirhams – Rs. 8 400 to Rs. 14 000) to access than European women (800 to 1500 dirhams – Rs 22 400 to 42 000).

- A seasonal phenomenon:
Due to time constraints, the meeting had to be conducted after Eid celebrations, at the End of Ramadan. It was noticed during the mission preparation that this was 'not the right month' to access more girls as the peak season is said to be after the 10th of Moharram.
- Easy access:



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Once in Dubai, it took only one evening in one of the part of the city for the main researcher to access 3 venues with dancing girls,¹³ and one bar within an expensive hotel where international prostitutes were available at high rates (1500 dirhams or more – Rs 42 000). In 2 of these venues, the researcher was able to find out where a girl was by giving money to a waiter or the bar manager. The fact that these workers did not know the newcomer merely slowed the process of the researcher finding a girl; it was clear that meeting one of the girls was largely dependent on the willingness of the manager to act as a go-between.

- Clientele and exploitation are interlinked:
In upper class/familial venues, clients can obtain solo performances from dancers who obtain a commission on the payment made, if any. In the hotels visited of this range, clients' requests are not subject to any payment. The dancers are directly paid by hotel management which receives amounts from clients. In the middle class venues, the dancers were not under-aged.

It is in the third venue that under-age dancing girls were identified. This bar was one of the bars named by interviewees in Pakistan as exclusively promoting Pakistani entertainment to the working-class public. Among the dozen girls present, 3 were less than 18 years old; the others ranged from 18 to their early twenties. In this venue, the main researcher was able to obtain the phone number of one of the dancers who was obviously less than 18 years old for only 100 dirhams (Rs 2 800).

¹³ Bur Dubai around the Dubai Museum on Ali Fahidi Street



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M.- 16 years old

Origin:

M. is from Iqbal Town, Lahore. She speaks Urdu and can use some words of English which shows a certain level of formal education. While her parents do not work, her two younger brothers and two younger sisters are currently studying. In Lahore, she had already performed for two years in halls. Her two cousins are also dancing girls.

Trafficking:

- Arrival: Her passport claims that M. is 19 years old. She had just been to Abu Dhabi before reaching Dubai. She arrived just after the Eid holiday, 5 days before she met the disguised researcher. Her parents received Rs.50,000 from an agent who paid for her ticket.
- Living conditions: M. was in one room with 3 other dancing girls. They are not allowed to leave this place without the agent and work for the show from 8pm to 3 am.
- Sexual exploitation: the agent who controls the girls gave his approval for M. to spend a night with a client, for which she requested 3000 dirhams (Rs. 84 000) as well as gifts such as telephonic cards, a blanket, and jewelry.

NB: This information was obtained by 20 telephone conversations with M. over the course of 4 days. Our researchers attempted to contact her more than 80 times, but M. did not answer all of their calls, which shows that she has a certain degree of freedom



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4 Legal frameworks on human trafficking

4.1 International context

4.1.1 Main texts

4.1.2 U.S. Trafficking in Persons report and their impact

4.2 Pakistan legal framework

On the particular issue of trafficking, the Pakistani legal framework is composed of two major texts: the Prevention and Control of Human Trafficking Ordinance 2002 (see Annex), and the Prevention and Control of Human Trafficking Rules, 2004. Although these texts exist, they are usually not included in Pakistani law school curricula, which are based primarily on the Pakistan Penal Code.

- 1) The definition of trafficking ensures that consent of the victim cannot be used as a defense by a trafficker; such trafficking is defined to include the recruiting, receiving, and harboring activities as well as transport and movement. However, the Pakistani definition of trafficking does not include other elements to bring it to international standards, such as:
 - Other forms of coercion besides physical ones are not taken into account, whereas power imbalances and psychological coercion should be considered as well.
 - Trafficking activities within Pakistan are not criminalized



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- Children are vulnerable to adult coercion in that they cannot comply with the requirements of informed consent, and should be considered as such.
- The definition of 'exploitative entertainment' is unclear as it fails to clarify the difference between 'human' versus 'inhuman' activities.

2) Although maximum penalties those who plan or attempt to traffic other human beings are set in place, the legal framework fails to set minimum penalties; this loophole unfairly confers upon judges the wrongful discretion to treat trafficking activities, if they wish, as minor offenses. Moreover, domestic trafficking is not criminalized, leaving victims with no legal recourse as the organization of traffic is not criminalized, nor is the activity of acting as accomplice to non-adductive traffic.

3) Protection and prevention

This legal framework fails to explicitly address the demand side of trafficking, and other factors that make victims vulnerable to being trafficked, as well as the necessary and relevant training of law enforcement agencies.

Although the framework specifies that security of alleged victims is to be established by the government or non-governmental organizations, the victims' right to privacy is not mentioned.

4) Legal assistance is to be provided by the government, which must allocate funds for this purpose.

5) Repatriation

Non-Pakistani victims of trafficking are provided with the provision to be repatriated to their countries of origin and given support if they face a trial. However, Pakistani nationals who are victims, as well as



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foreign victims who are in a situation where a trial is not possible, are not supported under the current legislation.

6) Rehabilitation

The legal framework offers to victims physical support through the provision of compensation and fulfillment of physical needs by government facilities networking with non-governmental organizations.

While international trafficking is considered as an issue here, it is often through the existing internal trafficking schemes that victims of international traffic are identified.

4.3 U.A.E. legal framework

The U.A.E. anti-human trafficking law (Federal Law 51 of November 2006) is regarded as a consequence of intense lobbying of USA government. The U.A.E. National Committee to Combat Human Trafficking was created in April 2007 as a coordinating body for anti-human trafficking efforts at all levels in the 7 emirates of the federation, and is headed by the Minister of State for Foreign Affairs and Federal National Council Affairs, Dr. Anwar Gargash. However, it wasn't until October 2009 that a core group of practitioners was appointed to support the head of this committee.

While critically reviewing this essential addition to the legal framework, one cannot help but notice that the spirit of the Law is to ensure that prosecution will be efficient and coordinated. While this is an essential part of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (here-in after 'the Protocol'), prevention, protection, policy and cooperation are additional tools that need to be developed to eliminate trafficking.



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7) Penalties provided are beyond the minimum standards required and are based, in part, upon the means of trafficking employed (cf. article 2.3) and the gender of the victim (cf. article 2.2). Indeed, the law increases the punishment for trafficking to a life sentence if the victim is a female, child or handicapped person, or if the *'crime is committed through deceit, involves use of force or threat of murder or bodily harm, or involves physical or psychological torture.'*

8) Consent

- a. Coercion: The Law allows consent to be a defense to trafficking by omitting the article 3.b. of the Protocol: *"the consent of the victim of trafficking in persons to be intended exploitationshall be irrelevant if any coercion is used"*.
- b. Children: The Law fails to protect children from trafficking as it does not include the article 3.c. of the Protocol which mentions that any form of *'recruitment, transportation, transfer, harboring or receipt of a child is trafficking even if no form of coercion is employed.'* Children are the most vulnerable elements of society and often do not have the mental or psychological maturity to make informed decisions. This omission means that children are treated as if they have the same decision-making skills and freedom of movement as their adult counterparts.

9) Prevention

This legal framework fails to explicitly address demand for trafficking and those factors that make victims vulnerable to trafficking.

10) Law enforcement



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While creating an arsenal of punishment, the Law fails to explicitly mention the requirement to train law enforcement agencies. Considering the difficulties to conceptualized 'human trafficking' as opposed to 'human smuggling,' failing to mandate the training of those who are to implement the law is a significant omission.

11) Repatriation

The U.A.E. Law makes no mention of repatriation, and fails to address how the State will institute repatriation and whether there are situations in which victims of trafficking would be allowed to remain in the U.A.E. A victim's right to repatriation as well as the means by which repatriation is achieved are extraordinarily important and often extremely complex. Hence, repatriation and the means to achieve repatriation should be clearly established by law so that no confusion results and so that a right of repatriation is clearly established.

12) Rehabilitation and Protection: a recent nationalization

The Law completely ignores the rehabilitation of victims. It does not offer legal assistance or compensation for damages. It does not mention measures to provide physical, psychological assistance to victims, nor does it address their need for employment or education.

Despite this legal vacuum, intervention is, however, on-going, according to the National Committee to Combat Human Trafficking. While the Dubai Police had the mandate to provide investigation, legal assistance and preventive support, the department was assisting human trafficking victims (27 out of 36



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identified in 2007)¹⁴. Several individual initiatives led some U.A.E. residents to support trafficked victims through provision of shelter and support in detention. At the initiation of state answers to the issue, those individual initiatives were all closed down and have not yet re-opened, though individuals are yet with local authorities to support victims of trafficking.

- Foundation for the protection of women and children:
In 2007, one foundation was created by the Dubai Police government to act upon the needs of victims, though exclusively for women and children. In about 10 months of activity, the foundation has provided assistance to 115 women and children, victims of all types of abuses. Twenty-eight out of the 115 are suspected victims of trafficking, and 4 of them have been identified as minors (less than 18 years old)¹⁵. Because data on individuals is not available, it was not possible to obtain data on Pakistani citizens in specific.

- The Abu Dhabi Shelter for Victims of Human Trafficking was established in January 2008 and became operational in January 2009. It provides temporary shelter for up to 30 women and children victims of human trafficking and offers psychological, medical and legal assistance, as well as rehabilitation support.

5 Recommendations

1) Law enforcement and legal framework

¹⁴ National Committee to Combat Human Trafficking: *Combating Human Trafficking - United Arab Emirates, Annual Report, 2007*

¹⁵ *ibid*



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Enforcement of the existing legal framework is often thought as the ideal solution for dealing with these criminal acts.

- a. Anti-trafficking legal frameworks both in U.A.E. and Pakistan have to consider other responses to the phenomenon than repression and should be in line with the international standards.
- b. In those countries from which domestic trafficking originates, law enforcement agencies need to be educated to better understand the phenomenon. In addition, in these countries, trafficking needs to be classified as a criminal offense.
- c. Control over low-end hotels by Police Department in U.A.E. would reduce the number of these outlets facilitating the activities of the dancing girls.
- d. Tighter border controls at countries of origin and destination need to be established to prevent the transport of underage girls.
- e. Improved access to data collected by authorities needs to be allowed to provide for more efficient interventions.
- f. The capacity of law enforcement agencies at the borders as well as internally should be increased, to allow them to more readily identify trafficking victims and act accordingly.
- g. However, reducing – if not altogether eradicating – trafficking cannot occur without holistic prevention and protection schemes. The danger is that if law enforcement agencies use a heavy hand against more easily accessible prostitution networks, other networks will be driven underground, increasing the vulnerability and exploitation of the victims.

2) Prevention



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- a. Researchers must understand the demand side of trafficking in order to be able to act on it. Conducting an action research among clients, particularly those from South Asia, would provide better understanding in this regard.
- b. Girls and women who are participating in the prostitution trade, or are vulnerable to it, should be provided with alternate means of earning income, with the realization that these women will always be able to make more money from being sexually exploited.

3) Rehabilitation

- a. At the destination point, it is required to build linkages with official shelters to facilitate the rehabilitation of dancing girls at their origin, diminishing the probability for them to be trafficked again.
- b. The case management procedures among origin and destination countries, as well as the coordination among governmental and non-governmental organizations, will have to be systematized, taking into consideration the lessons learned from rehabilitating camel jockeys.
- c. The privacy of victims must be ensured. In addition, ethical committees should be involved in the management of shelters at destination and origin countries.
- d. Through developing income-generation systems as well as a solidarity network, the victims of trafficking could ensure long term rehabilitation. This scheme in itself cannot be designed without the integral understanding of the victims



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that their incomes will never be as high as they are in a trafficking situation.

Concluding remarks

Looking for facts beyond the second-hand information provided, it has been demonstrated through a short fact-finding exercise that girls trafficking to U.A.E. from the red light areas of Pakistan is a common phenomenon.

However, neither country has yet taken conclusive steps to put an end to this trade, as both face a dire lack of data and awareness as to its extent, and to the possible actions each could take to combat it.

Although some interventions have been initiated, deeper and more intense efforts are required.



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