

# The spread of slavery in the Age of Globalization

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## Abstract

According to the definition expressed by the world Organization for Economic Cooperation and Development (O.C.S.E.), globalization is the process through which production and markets of the different countries of the world become increasingly Independent of each other in the context of the exchange of goods and services for capital movements, facilitated by modern communication technologies, such as the Internet in the first place. Although Global wealth has been increasing, with regard to profits, this process exacerbates the inequalities between the North and South of the world, between strong and weak Countries, as the latter know enormous capital gains from the former, due to the Low cost of the workforce, given the practical absence of any legal and Union protection. Those that are called new slavery Find in these postmodern economic processes their ground of culture, because the location of the capitals in the poor countries, produces a workforce of slaves, of workers on which one exerts an absolute control and Coercive. Slavery unfortunately is not a reminder of a past memory, even today millions of people live in these conditions even if officially slavery is condemned and prohibited by all States. We do not know the exact number of modern slaves, we speak of some tens of millions, and many are children. Modern forms of slavery take on different names, slavery for debts, serfdom, forced labour, sexual exploitation, premature marriage slavery for ritual or religious reasons, but they all have a common denominator: it's about compulsion to the work of human beings who have become the property of another person. Slaves are always part of the poorest and most vulnerable sectors of society. It is a kind of group with a lower social status, indigenous populations or nomadic groups, very often women and children. But They do not become slaves because of their belonging, but this is what predisposes them to poverty and exploitation and therefore to slavery.

**Keywords:** *globalization; slavery; international rights; conventions; European Union; UN; International Organizations.*

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## About the slavery: forms, evolution and legal regulation

Slavery knows, even in the different forms it has assumed and in the variety of the titles that have legitimated it, a lowest common denominator, represented by the complete subjection of one person to another, with consequent loss of any possibility of Autonomous determination. It knows the exploitation of this report of complete subjection of one person to another has always prevailed, in the name of the primacy of the economy, on the convictions that ethics and the law have always addressed: The post-modern age that we are experiencing confirms This singular aspect of its history and prove once again that this form of production is not only compatible, but it draws food from the same market economy, easily living with the "free" wage-labour and

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also with technological progress. The legal forms and the singular roles that slavery and trafficking in human beings assume in our contemporary age, in the presence of the undeniable historical continuity that slavery knows in our history, we must start from the Roman experience, recalling that, in it, the period of the crisis of the Republic and the emergence of the Principality, it knows the most solemn condemnations and, at the same time, the greatest diffusion and the most coherent legitimations of slavery in its own sense, configured as the Royal right of Ownership (Dominium) of Dominus on another person, who of that right was considered pure object and as such was protected by the legal system; It is the definition, which, as we shall see, is still adopted to interpret the first subparagraph of the standard under consideration. At the same time, even in Roman stoicism, slavery knows its most significant ethical condemnation. After The Conquest of the Orient by Rome and, later, at the end of the Republic and at the beginning of the Principality, the slaves were numerous in Rome and throughout Italy, so much so that, as both Seneca and Tacitus report, when a senator proposed that Slaves were given a dress or any distinctive sign that recognized them, the Senate rejected the proposal, to avoid that they could count and become dangerously aware of their number<sup>1</sup>. But these enormous masses of people remained always the subject of rights. Roman law knows a significant process of progressive affirmation of the humanity of the slave, but that humanitarian downsizing never questioned the legitimacy of slavery<sup>2</sup>. It was not formally less even with the advent of Christianity. In the name of the solemn affirmation of the equality of all human beings before God, it is necessary for the masters to treat slaves with a spirit of charity, but at the same time orders the slaves to obey their masters and condemn their every rebellion<sup>3</sup>.

There is no doubt, however, that the principle of total equality of all human beings before God had reflections on the legal order exceeding the condemnation of slavery in the name of Stoicism, made by Seneca, because it brought, on a practical level and Widespread level, beyond the limited and aristocratic elite, which was the stoic, to the affirmation of various duties of conscience, borne by the Dominus, such as those to refrain from any poking at against the slaves or to proceed to the liberation Slave. The point of arrival of this process can be considered the equally famous step of the Institutions of Justinian: "Servitus autem est constitutio iuris gentium quo quis domain Alien contra naturam subiicitur" (Finley 1990: pp: 27-29).

But, this legitimization did not lead to his radical denial. Not Even the Church ever proposed the formal abolition of it through an act of imperium of political power. Christianity contributed, especially on the ethical level, to the emptying of the same slavery from within and to the reduction of its practical relevance. But slavery is to say the reduction of the human being to the object of rights, has never disappeared from the horizon of human history; With the consequence that the refined technical apparatus of

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<sup>1</sup> As a famous step of Gaius's Institutions says, there are three types of tools: those that do not move and do not speak, that is, material tools; Those who move and do not speak, that is, animals; And those who move and speak, that is, slaves.

<sup>2</sup> It had the means to manifest himself with Claudio, and then with Adriano, Antonino Pio and Marcus Aurelius, with significant reflections in the same work of Gaius.

<sup>3</sup> "Those who are under the yoke of slavery," warns St. Paul in the First Letter to Timothy-hyphen with all respect for their masters, so that the name of God and doctrine are not blasphemed. Those who have believing Masters, do not miss them because they are brothers, but serve them even better, precisely because they are believers and loved ones who receive their services.

classical Roman law was transmitted to Western civilization with aberrant effects, when, as will be seen later, in the midst of modern times, in the homeland of constitutionalism, that is in the North American States Of the Age of Enlightenment, within the same Constitution, clearly inspired by the natural law of that epoch, the reduction of the human person to object will be combined with the capitalistic exploitation and with more the racism (Zinn 1980: pp. 130-142). In The post-classical world and then in the Middle Ages the ancient slaves are integrated and transformed into agricultural servants, are bound to the Earth, rather than the master, within the rigid organization in the ranks of society. By virtue of this particular status that binds them to the Earth, the new "servants" are obliged to execute, by way of tribute, their own benefits in favour of the Fund and therefore of which it is the master (Brucculeri 1975: p. 592). The serfs are Born, which are, for the restrictions imposed on them, of the quasi slaves, while they resize the slaves in technical sense, which are themselves bought or sold goods or given under warranty from one master to another. The trafficking of human beings and the trade of the same have never failed; These practices have experienced substantial continuity from the ancient world to the Middle ages to the modern Age and, finally, to the postmodern Age. Already since the Muslim conquest of North Africa, with the offer on the European markets of slaves coming from the Countries south of the Sahara, and then, above all with the Turkish conquest, the Mediterranean has always known a flourishing slave trade, Fueled by the ravages of the new conquerors, carried out with their raids on the European coasts and, firstly, Italian, both by the incursions of Europeans on the African coasts, especially after the Turkish conquest.

According to the above-mentioned law of 1807, the long series of international agreements started. Among these, the first, significant in order of time, it is constituted by the "Declaration on the abolition of the Negro Trafficking", contained in Annex 15 of the final Act of the Congress of Vienna of February 8, 1815, where the trafficking of human beings is Deemed contrary to the right of the people and the universal ethics. This is followed by the London Treaty of 1841, the general Act of the Berlin Conference of 1885 and the Brussels Conference of 1890. In the early Twentieth century it was then held the Conventions aimed at combating trafficking in women and children for the purposes of sexual exploitation, such as the Paris Convention for the elimination of the trafficking of white women of 18 May 1904, the Convention for The elimination of the Trafficking of women and Children of 30 September 1921 and the Convention for the elimination of the trafficking of adult women of October Eleven of 1933. Compared to these Conventions, which sanction trafficking in human beings, a quantum leap is represented by the Convention concerning slavery, signed in Geneva on 25 September 1926, because it sanctions not only trafficking in human beings, but Slavery in all its forms and wherever it is practiced. In the wake of this choice arises, as you will see below, the art. 4 of the Declaration of human rights, approved in Paris on 10 December 1948 by the General Assembly of the United Nations, and the same rule in question. We Must remember other specific UN Conventions, such as the supplementary Convention on the abolition of Slavery, the slave trade and the Institutions and Practices Similar to Slavery, adopted in Geneva on 7 September 1956, the Convention For the suppression of trafficking in human beings and the exploitation of prostitution, adopted on 2 December 1949 and opened for signature in New York on 21 March 1950, and, lastly, The Additional Protocol to the United Nations Convention against crime Transnational organized to Prevent, Suppress and Punish Trafficking in

Persons, in particular women and children (the so-called Palermo Protocol) of 2000 and the Council of Europe Convention on the fight against trafficking in human beings, signed in Warsaw on 16 May 2005. The three Conventions of the International Labour Organization (ILO) Should be added, respectively, on forced or compulsory labour, no 29 of 1930, on the abolition of Forced Labour No 105 of 1957, on the prohibition of the worst forms of Child labour, No. 182 of 1999. All the aforementioned continuous and repeated conventional norms can be considered, together with other elements of international practice, such as the absence of significant reserves by States, such as the unequivocal evidence of a consensus on Training and operation of a customary international standard prohibiting slavery; With the consequence that States, at the level of international law, are liable, irrespective of their adherence to individual Conventions, even when they have tolerated or otherwise have not taken all appropriate measures to suppress the committees of Offences in their territory and in respect of persons subject to their jurisdiction. All the States of the international Community are to be considered holders of an interest in the protection of these rights and guarantors *erga omnes* of the resulting duties.

The norm of the Human rights Convention is part of international law, first of all international customary law, whose principles it encodes within that particular order which is that of the Convention Human Rights, also influencing European law on the subject, firstly the Charter of fundamental Rights, whose art. 5 it carries its own rubric, enriching itself, in its turn, in the comparison with the latter.

From a first consideration of the letter of the text, the art. 4 (Law Issues Prohibition of Slavery and Forced Labour Art. 4 of the Convention Human Rights), it does not only repress "slavery" in the classical and traditional sense, but, in the first subparagraph, it imposes on the contracting States, as well as the absolute prohibition of slavery in the proper sense, also that of servitude, which, as you will see, is different from slavery, and then To pass, in the second subparagraph, to the prohibition of compulsion to undertake a forced or obligatory work, even in this case, suitably, without ever giving a precise notion of forced or obligatory work (Larisera 2013: p. 59). This is because, in the last subparagraph, it merely enumerating, in a limiting manner, the cases of forced or compulsory work, which do not fall within the scope of paragraph 2 of the provision. The rule in question, precisely because it does not only refer to slavery in its own sense, which in the text is considered first, is suitable, as already mentioned, to pursue even the modern forms of slavery, more ambiguous than traditional slavery, because they are constituted as forms of "contractual slavery", formally antithetical to traditional slavery, placed within the property and other real rights. The relationship between ownership and contract does not appear anomalous in the centuries-old evolution of slavery<sup>4</sup>.

The relief appears undoubtedly accurate; And this is because, in the history of slavery, including the modern and post-modern experience we are experiencing, ownership and contract, they have intertwined in different ways and have continued to coexist even after the modern labour market has arisen in the sense Precisely, as has also occurred in our country certainly until the middle of the last century, when, above

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<sup>4</sup> "The Roman slave-was revealed in the full Nineteenth century, when he became aware of the alienated character of subordinate work-was tied to its owner by chains; the wage-labourer is to her by invisible threads. The appearance of its autonomy is maintained by the continuous change of the individual masters and the "Fictio iuris" of the contract.

all in the southern countryside, were frequent forms of slavery contractualized and as, moreover, still occurs today, particularly in Comparisons of "community" immigrants and not, even those not unrelated to the work of now globalized crime brokerage. In The post-modern legal experience that we are experiencing, thanks to the intertwining between sources of domestic law and supra national sources, the inviolable and/or fundamental rights proliferate, but at the same time consolidate in the social reality, forms of True and Slavery or in any case of contractualized slavery.

The heterogeneous plurality of sources, makes the post-modern juridical experience extremely fluid, so it is up to the doctrine, which in itself works as an autonomous "social" source of law together with the others (law, forensic jurisprudence), to coordinate and Reduce the whole legal experience to unity. For These reasons, slavery is a progressive process of enlargement towards forms of modern and contemporary slavery already at the level of international and supra-national sources.

The most immediate comparison period with the standard under consideration is art. 5 of the Charter of Fundamental Rights of the European Union, approved on 12 December 2007, which has "legal", amending it only in part, the Charter of Nice, proclaimed 7 December 2000. This provision of the fundamental Charter, which proposes in its heading that of the Convention here commented ("Prohibition of slavery and forced labour") (Art. 5 of the Charter of Fundamental Rights of the European Union), is much more concise, but, at the same time, broader, than in art. 5 of the Convention, as it foresees: a) the absolute prohibition to hold any person in conditions of slavery or servitude; B. The absolute prohibition on forcing anyone to do a forced or compulsory job; c) The absolute prohibition of trafficking in human beings. The recall arrangement of the Card is coordinated with art. 4 of the Convention in question in accordance with the criterion set out in art. 52, paragraph 3rd, of the same Charter of Fundamental Rights, which represents the principle of general coordination between Charter and Convention. Such a problem could arise, with reference to the norm here in comment, as the art. 4 of the Convention does not expressly provide for the prohibition to practice trafficking in human beings, provided for by art. 5, paragraph 3rd, of the Charter of fundamental rights. But the case-law of the Strasbourg Court, particularly in the cases of Rantsev C. Cyprus and Russia, of January 2010, is oriented in the sense of believing trafficking in human beings as falling within the framework of the general prohibition of all forms of slavery or servitude, Expected, as you will see, in art. 4, paragraph 1st.

The first subparagraph of art. 4, provides for a prohibition on the reduction and maintenance of slavery or servitude. This prohibition contains no explicit definitions of the two terms within the provision, since it was not intended to circumscribe the content of the standard through rigid definitions. This choice was consciously made in order to be able to bring back in them also new forms of slavery and servitude not imaginable at the time, in which the norm was drafted, even within the limits of a functional interpretation of the same, directed always to realize the Purpose which it pursues; That is to avoid forms that, even in the variety of the different supporting titles, realize cases of exploitation and enslavement of a human being by other human being, comparable to the two. According to the Strasbourg Court, it is legitimate to be able to use some notions contained in other international Conventions, importing them within the order of the Strasbourg Convention. Recalling in this way the art. 1, par. 1 of the Convention concerning slavery, signed in Geneva on 25 September 1926, where, as

it has been said, its sanctions are not only the trafficking of human beings, but slavery in all its forms and wherever it is practiced, one can rightly consider slavery in its classical and traditional form, i.e., as the state or condition of an individual, on which are exercised the powers of the right of property or some of them, and for servitude, with reference to art. 1, introductory part B), of the Supplementary Convention on the Abolition of Slavery, the slave trade and the Institutions and Practices Similar to Slavery, adopted in Geneva on 7 September 1956, the condition of anyone held by law, use or a Agreement, to live, to work or to make certain services, remunerated or not, on the property of others, in the impossibility of changing its own state. Therefore, between slavery and servitude there would be a difference in outcome. Those provided for in the first subparagraph of art. 4 They are to be considered absolute prohibitions of slavery or servitude, having primary and fundamental character in the entire economy of the Convention. These obligations are regarded as erga omnes by the Internationalist doctrine, in the sense that all States adhering to the Convention are held and interested in their respect, irrespective of the nationality of the victims<sup>5</sup>. The qualification of slavery in the terms mentioned above is then reiterated by the Statute of the International criminal Court of Justice, adopted in Rome on July 17, 1998, like which, through a merger of the Institute of slavery in the proper sense with trafficking in human beings, the former is defined as exercising on a person of one or all of the powers inherent in the right to property, even in the course of trafficking of people, in particular of women and children, for sexual purposes. In the sense of what has hitherto been pointed out, from the point of view of the subjects protected by the norm, it can be said that the rights not to be subjected to slavery or servitude are indispensable and the individual cannot lend any consent to their limitation or deprivation (Klarman 2004: pp. 71, 73-79).

As for the trafficking of human beings in its own sense, which represents the most widespread form of slavery of the post-modern age, only in 2010 the Court proceeded to a specific sanction thereof with the case *Rantsev Cyprus and Russia*<sup>6</sup>.

The Court of Strasbourg once again legitimizes the evolutionary interpretation, justifiable it with the enormous increase of this global criminal phenomenon in terms and dimensions specified by important international documents, such as the so-called "Protocol of Palermo "of 2000 and the Convention of the Council of Europe on the fight against the trafficking of human beings of 2005. The Court therefore considered that trafficking in human beings, in the definition that they provide both art. 3 of the Palermo Protocol is art. 4 of the Council of Europe Convention, both in contrast to the ratio of art. 4 of the Convention here in comment, without having to qualify the conduct in a typical sense in terms of slavery, servitude, or forced or compulsory

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<sup>5</sup> It Must be borne in mind that the reduction in slavery is regarded as international crime of the State already in the Statute of the International Military Tribunal of Nuremberg of 1954 (art. 6, AL. C).

<sup>6</sup> It originates from an appeal from the father of a young Russian citizen, who entered Cyprus with a simple tourist visa, had died a few days later, precipitating, apparently, from a building, without however it was clear that the exact dynamics of the accident. The applicant, in addition to several articles of the Convention, challenged, both to the Russian authorities and to the Cypriots, the infringement of art. 4 of the Convention for not having adequately protected the young daughter from the trafficking of human beings and for not having adequately reconstructed them nor the circumstances of her arrival in Cyprus, or, much less, the work to which she would have been used, once Arrived in the island.

labour, as the letter of the same provision requires. The Strasbourg Court considers that art. 4 of the Convention imposes not only strict criminal penalties for punishing the perpetrators of this aberrant offence, but requires States to adopt all the necessary strategies to prevent such aberrant conduct and to protect victims. States have an obligation to take measures to prevent, contrast and protect victims of trafficking, starting with the countries of origin, adequately forming magistrates and police forces involved in these delicate tasks, carrying out appropriate investigations to Irrespective of the specific complaints and initiatives of the victims and, finally, given the supra-national nature of the organization making possible such conduct, simultaneously organizing the countries of origin, transit and destination of the victims<sup>7</sup>.

With reference to entrepreneurs, who operate in the same market, in which the slave company acts, the defenders of the most rigorous, correct, orthodoxy economic liberalism have always argued that, in the race for profit, every company has the right To run harder to get past his rivals, or land his competitor. Ultimately, justice is always the pillar needed to support the entire building of social coexistence.

Alongside studies of the history of law and market theory, the most careful research on unfair competition rightly points out that, due to the globalization of the economy and the consequent imbalance in the fight against competition, no longer localized in homogeneous territorial areas, the behavior of the entrepreneur, which reduces the costs of his business activity, must be considered improper, displacing it in territories where the productive activity, or segments thereof, can be organized without observing those rules which, in the most developed countries, guarantee conditions of a suitable quality of life, such as environmental protection, or the protection of the most elementary workers ' rights, such as safety in the workplace or Prohibition of child labour<sup>8</sup>.

It should be borne in mind that the determined strategy of combating slave labour, in the protection of the fundamental ethnicity of the market, has not so far found significant practical applications; Probably, because that is considered to be specific terrain of appropriate collective initiatives to protect market interests, which transcend the possibilities of intervention of the individual entrepreneur, even if there are no authoritative voices of operators Economic, which denounced the negativity of the phenomenon.

The Daily Chronicle does not fail to provide examples of exploitation of forced labour to produce goods or services.

Not by chance, in southern China, one of the largest footwear manufacturers in the world is planned to provide the leading international brands: from Nike to Adidas, from Timberland to Asics<sup>9</sup>.

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<sup>7</sup> Both Russia and Cyprus were convicted in the Rantsev case, because they were far from complying with those requirements which the standard under consideration imposes. But It is clear that the case constitutes a veritable Magna Charta of the duties that the States are obliged to respect in the face of the worrying phenomenon of trafficking in human beings.

<sup>8</sup> Even more specifically, it is noted that the violation of advertising standards constitutes professionally incorrect behavior and therefore unfair competition ex art. 2598, No. 3), Cod. Civ., where the infringement of the standard in itself produces the disputed competitive advantage, influencing the market relations between entrepreneurs or between entrepreneurs and consumers.

<sup>9</sup> However, When an employee was injured in a hand, the unfortunate person discovered, together with his companions, that the company, with the connivance of the local Authorities,

### **The most common forms of slavery in the era of globalization<sup>10</sup>**

**Debt bondage:** It is perhaps the most widespread form of slavery. It is linked to a model of usury loan, developed mainly in rural areas, according to which when poorer households receive loans from a landowner they must give in exchange the free work of one or two of its members. Because the interest applied is generally very high, the people involved are forced to work for the landowner for life. They are kept under surveillance, even armed, and can undergo physical and sexual violence. Sometimes the family fails to pay the debt and the condition of slavery is handed down from father to son. Today, there are 20 million worldwide debt slaves, distributed among plantations in Africa, the Caribbean and Southeast Asia. Although this form of slavery is prohibited by law, it is difficult to defeat because rooted in poverty and local traditions.

**Serfdom:** There are still today some forms of slavery that bind the laborers to their landowners. In this case it is not a question of debts, but of customs rooted in the local traditions whereby individuals, families or entire social groups are forced to work without wages. The farmworkers, in fact, do not have the actual ownership of the land and can cultivate it, only if they agree to work on a permanent basis for the landowners. In larger estates There may also be 100-200 agricultural workers. The compensation for the work done is not in cash, but in good buy, which can be spent only in the stores that belong to the same owners.

**Forced Labour (Buccellato 2014: p.177):** According to this practice people are illegally recruited by governments, political or private movements and forced to work under the threat of violence or other punishments. This form of slavery Also mainly affects the weakest or most disadvantaged individuals-refugees, ethnic minorities, women and children. In Myanmar, for example, it is common practice that in the militarized regions that have been the scene of combat with opposition groups, the army is to force ethnic minorities to work free of charge for "development projects" such as Reconstruction of roads, the construction or repair of camps or in agricultural work for the military. The village chiefs are obliged to provide weekly to the army a number of workers and are excluded only those who are able to pay their exemption. The working period can go from a few days a week to a fortnight a month, thus making it impossible for the workers to earn their livelihood. Transporting military supplies is another type of forced work in countries affected by internal conflicts. Carriers are often The subject of mistreat and cruelty. The graveness of the loads to carry and the insufficient feeding, can end them to death, especially if boys. There have been cases in which people forced to work for the army were forced to enter minefields, used as "human mine detectors", or were killed, when the task was terminated.

Following is an example (Buccellato 2014: p.177):

In Northern Uganda, an armed movement is active, the Lord's Resistance Army (LRA) which kidnaps children and youths of both sexes to force them to fight. Younger kids are often employed as carriers. They are forced to work hard and exhausting shifts; In return they receive food sometimes insufficient to feed them as

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the Labour Office and other social security offices, had never paid any contribution, Acting always in violation of the most elementary contractual and social security rules to protect the workers.

<sup>10</sup> Amnesty International-Italian Section.

testified, by children who had fled, to send to Amnesty International. "Once a month the Arabs brought sorghum and maize, but only enough for the commanders. We were eating potato leaves. (O. J, December 1996) "I was collecting water. The area was Sandy and I had to walk about six miles. I took three hours To get water. I once saw a dead boy. It was under a tree. I thought he was resting, but he was dead. I used to cook the sorghum of the Arabs... We were left With the leaves. " (J., 1996) "A O. There were a lot of people so the food was cheap. There were nine girls who had to share very poor food... People were dying of thirst because there was little water. You had to dig the ground to find it. Girls in addition to forced labour are forced to marry and sexual slavery. "

Slave Trade: The United Nations estimates that every year approximately 4 million of individuals are transported and sold, by force or by deception, to be employed as slaves in various forms of forced labour, housework, begging or Prostitution. In West Africa there is a high demand for children especially girls from Togo, Bénin and Cameroon, are routed to Gabon or Nigeria to work in the markets or for housework in wealthy areas around Lagos (Nigeria) and Libreville (Gabon). Children are subjected to the brutality of domestic slavery is also found in industrialized countries: France, Great Britain, United States, etc. From South Asia to the Pacific Gulf the route serves to provide children for camel races. In Southeast Asia, girls are sold and bought for prostitution.

The following is a testimony to donate a pragmatic cognitive connotation: "Salome, a domestic girl in Togo, testimony collected by WAO-Afrique, partner of Antislavery in Togo (Buccellato 2014: p.177)". We Left Cotonou in February... We were in 6 of Benin. At Sémé We took two buses along with other people who had arrived at the border by taxi for the same reason... Throughout March we waited for the boat. [...] All the time we had to find food and work in the village. At The beginning of April we boarded and were transported to Gabon. During The journey we lost water. We had to drink seawater and we were all very weak [...] But Sèvérin did not drink. He became more and more weak. When We arrived at Libreville we were stopped by the Coast Guard. The boatmen threw themselves into the water and disappeared [...] arrived ashore there was water to drink. He [Sèvérin] was very weak... He was sick. When the police realized he talked about calling an ambulance, but the ambulance never came and he died. <sup>11</sup>"

Sexual Trade of minors: The most important component of trafficking in human beings is that linked to prostitution and pornography. The sex trade of minors has always existed, although in different degrees in almost all societies, however in recent decades has witnessed the emergence and consolidation of a thriving sex industry in some countries of Asia, Africa and Latin America. The UNICEF figures speak of at least one million girls and girls in Asia alone. The age of the victims of trafficking tends more and more to fall into the misconception that children are less likely to transmit sexual illnesses, such as HIV/AIDS. Yet They are the youngest girls to be more at risk of contagion. Once they are sick they are abandoned to themselves. Treated as Appestate very unlikely will be welcomed in their villages of origin.

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<sup>11</sup> Traffic routes pass through unmanageable and dangerous paths. Not infrequently, children can die on the journey.

## **Conclusions**

It has been seen until now that a wide margin of application may have, in hypothesis, the prohibition of the use of different forms of slavery. For one of the many paradoxes of history, at the level of effectively, as has been highlighted at the beginning of this comment, the diffusion of different forms of slavery reaches absolutely unpredictable peaks as a perverse consequence of Globalization of markets.

According to a report by the International Labour Organisation, dedicated to the commodification of human beings and based on data collected up to the whole of 2012, the phenomenon concerns more than twenty million people worldwide and generates profits greater than One hundred and fifty billion annually; In particular, the trafficking of women and their exploitation at the sexual level generates profits assessed on the twenty-two thousand dollars annually per victim.

For 90% of cases, exploitation takes place on the part of individuals or companies; Within this dimension, 22% of the victims are forced to sell their bodies, while 68% work in agriculture and construction. Women and girls represent 11.4 million, about 55% of the total; Adults are a more consistent group than under eighteen years (74% in the face of 26%). There is also a significant relationship between migration and pro slavery exploitation; In 44% of cases (i.e., over nine million) people are forced to move to be exploited as slaves, while, in the remaining 56% of cases, slavery occurs in their country of origin or residence (Occhetta 2013: p. 225). To counter this disturbing phenomenon, the International Labour Organization (I.L.O.), on 11 June 2014, on the occasion of the 103<sup>o</sup> International Labour Conference, adopted a new Protocol Against modern forms of forced labour, believing that such a legally binding instrument could advance prevention, protection and compensation measures for victims of forced labour and could intensify efforts to eliminate Modern forms of slavery. The current Pontiff, at the recent Conference of the World Labour Organization, highlighted the peculiarity of the phenomenon. Trafficking in human beings is considered, at the most different levels, by the most advanced legal systems and ethics, as a crime against humanity, but at the same time it has become "current currency" in the world market. If this ethical regression were to become common sense, there would inevitably be a radical change in existing law as well.

"The work-stated K. Marx behind the fateful 1848, in a work edited by Fr. Engels in 1891-has not always been wage-labour, that is, free work. The slave does not sell his work to the master of slaves, as the ox does not sell to the peasant his own work. The slave, together with his work, is sold once and for all to his employer.... He himself is a commodity, but the strength – work is not his merchandise. The Serf sells only part of his work. It is not him who receives a salary from the owner of the land; He is rather, the owner of the land who receives from him a tribute" (Marx, 1847-49: cap. XXII, I, VII, 3).

Post-modern slavery, like the historical one, is not a remnant of the past, since no automation of production processes can ever overcome it. In addition to being, like the ancient trafficking of African slaves, a source of real accumulation of capital, it was born and developed as a trade in human goods, the subject of specific activities by fierce criminal organizations. Developing on practically inexhaustible questions and offerings and not just on the simple demand for servile work, it is not difficult to predict for the same a certain future. It is then to establish, in the way of antithesis, what future will have that pivotal principle of our entire civilization, which is the principle of equality, transformed, in the most recent experience of the constitutional

Courts of the individual States and the Courts supra National, from the Principle of equality "in front" to the law, in the Principle of equality of the law, in the sense of limit to the arbitrariness of the same Legislator, obliged to observe the principle of reasonableness when it introduces unequal treatments Among all People and not only among the Citizens.

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