

# Bioethics and the care of patients that are victims of human trafficking

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## ABSTRACT

The importance of Bioethics focuses, precisely, on the fact that it seeks to prevent life from being affected or that some types of life are considered inferior to others. Based on that, it is important to deal with human trafficking, since it is one of the illegal activities that most violates human rights. Therefore, this article aims to assess the relationship between ethics in medical care for patients that are victims of human trafficking. Trafficking in persons is a widespread problem that exceeds the capacity to contain social and organizational resources, which makes it difficult for health services to approach both the identification and management of patients surviving trafficking. Furthermore, considering that health professionals are the first to have contact with victims, the need for adequate training in patient care must be emphasized. Therefore, the importance of bioethics is evident in assisting victims of human trafficking, so that a good doctor-patient relationship is established and the rights of victims are guaranteed.

**Keywords:** Bioethics; Medical Care; Human Trafficking.

## RESUMO

### Bioética no atendimento a pacientes vítimas do tráfico humano

A importância da Bioética centra-se, justamente, no fato de que ela procura evitar que a vida seja afetada ou que alguns tipos de vida sejam considerados inferiores a outros. A partir disso, é importante tratar sobre o tráfico de pessoas, posto que é uma das atividades ilegais que mais viola os direitos humanos. Logo este artigo tem como objetivo avaliar a relação entre a ética no atendimento médico aos pacientes vítimas do tráfico humano. O tráfico de pessoas é um problema generalizado que excede a capacidade de contenção dos recursos sociais e organizacionais, o que dificulta a abordagem por serviços de saúde tanto na identificação como no manejo de pacientes sobreviventes ao tráfico. Ademais, considerando que os profissionais da saúde são os primeiros a ter contato com as vítimas, é imperativo ressaltar a necessidade de capacitação adequada no atendimento aos pacientes. Portanto fica evidente a importância da bioética no atendimento às vítimas do tráfico humano, para que seja estabelecida uma boa relação médico-paciente e os direitos das vítimas sejam garantidos.

**Palavras-chave:** Bioética; Atendimento Médico; Tráfico Humano.

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## Introduction

Bioethics is a neologism constructed from the Greek words *bios* (life) + *ethos* (related to ethics), whose meaning is related to the conduct of human beings in relation to other human beings and other forms of life. The study of this area became more pertinent after the tragedy of the holocaust of World War II, when the Western world was appalled by the abusive practices of Nazi doctors in the name of science.

Based on this historical fact, which was a precursor of bioethical studies, it is convenient to discuss human trafficking as it is one of the illegal activities that has expanded the most in the 21st century. The United Nations (UN) defines trafficking in persons as “recruiting, transporting, transferring, sheltering or receiving persons, through threat or use of force or other forms of coercion, kidnapping, fraud, deceit, abuse of power or a position of vulnerability or of giving or receiving payments or benefits to obtain consent for one person to have control over another person, for the purpose of exploitation.”<sup>1</sup>

Therefore, as this is a crime that violates human rights and directly impacts the lives of individuals, it is extremely important to have a qualified team to carry out the service. This article aims to evaluate the relationship between ethics in medical care for patients who are victims of human trafficking.

## Methodology

Descriptive study, based on a systematic literature review, in which the following steps were used: theme identification; selection of electronic data, establishing inclusion and exclusion criteria to select the sample; evaluation of studies included in the systematic review; interpretation and presentation of the evidenced results.

The study eligibility criteria were that the articles were freely available with full text and that the studies were published in Portuguese or English. Articles available only in summary, studies published in sources not accessible electronically, duplicated, inconclusive or unrelated studies were excluded.

The inclusion criteria defined for the selection of articles were: quality of articles in English and Portuguese; articles that brought clinical, epidemiological and scientific data in different populations; and articles indexed in that database. A search was performed for articles in the PubMed database, published from 2017 to April 2021. The keywords used were: “bioethics AND trafficking in people AND sexual abuse”. Nine articles were found, but only six were used, as the others did not fit the criteria.

## Results and discussion

Through a search in PubMed, nine articles were found, among which six were selected by applying the filters, in order to answer the proposed objectives, presented in the synoptic table (Table 1).

TABLE 1 – RESULTS

HUMAN TRAFFICKING IN AREAS OF CONFLICT: HEALTH CARE PROFESSIONALS' DUTY TO ACT <sup>2</sup>	
<b>Author:</b>	Christina Bloem, Rikki E Morris, Makini Chisolm-Straker
<b>Year:</b>	2017
<b>Goals:</b>	To analyze physicians' ability to identify and provide treatment for trafficked persons and to demonstrate how their ethical imperative for intervention can help enforce legal protections and provide adequate services to trafficked persons.
<b>Main findings:</b>	Physicians are in the unique position of serving as the first and sometimes the only point of contact for trafficked persons and as such have an ethical duty to act on their behalf. Providing services and documenting those who are trafficked into conflict zones is challenging, but with proper training and intentional efforts, health professionals can have an important and positive impact on the lives of trafficked persons.

<b>CARING FOR THE TRAFFICKED PATIENT: ETHICAL CHALLENGES AND RECOMMENDATIONS FOR HEALTHCARE PROFESSIONALS<sup>3</sup></b>	
<b>Author:</b>	Wendy L. Macias-Konstantopoulos
<b>Year:</b>	2017
<b>Goals:</b>	To analyze the application of bioethical principles of respect for autonomy, non-maleficence, beneficence and justice, which considers the ethics of the care model as a trauma-based framework to provide health care to victims and survivors of trafficking in persons.
<b>Main findings:</b>	Health professionals have an obligation, first, not to cause harm (non-maleficence), whether through acts of omission or commission, and to act in the best interest of their patients (beneficence). Physicians who interact with trafficked persons will be more effective health professionals if they respect their patients' wishes, are sensitive to the complexity of their needs and aware of the factors that may have made them vulnerable to trafficking, in order to care for them with more empathy, proactively preventing their retraumatization.
<b>ETHICAL CONSIDERATIONS IN MANDATORY DISCLOSURE OF DATA ACQUIRED WHILE CARING FOR HUMAN TRAFFICKING SURVIVORS<sup>4</sup></b>	
<b>Author:</b>	Patrick L Kerr, Rachel Dash
<b>Year:</b>	2017
<b>Goals:</b>	Review some critical ethical considerations for the development and implementation of a mandatory reporting policy and recommendations for the ethical implementation of such policy.
<b>Main findings:</b>	The lack of accurate data is problematic because it impedes a clear understanding of the prevalence of trafficking in persons and its impact, making effective interventions impossible. If mandatory trafficking reporting laws are in place with uniform data reporting requirements and a single unified data collection system is established, health environments can serve as a useful forum to document the actual volume of trafficking and its impact on survivors. Legislation for mandatory reporting of trafficking should include funding for the appropriate training of health professionals in the identification and reporting of trafficking and funding streams for publicly funded health services for survivors.
<b>TRAFFICKED<sup>5</sup></b>	
<b>Author:</b>	Stephen P Wood
<b>Year:</b>	2018
<b>Goals:</b>	Describe some of the barriers to taking good care of patients at the intersection of human trafficking and substance use disorder.
<b>Main findings:</b>	Health professionals need to think about the ethical implications of how to manage trafficked patients and how to protect them ethically. These efforts should start with clinicians learning how to identify potential victims, how to provide informed trauma care, and how to access resources to provide the best possible care for these patients. In addition, public discussions need to be encouraged so that policymakers are aware of and consider special and ethically balanced protections for trafficked persons.

<b>GROUPTHINK: HOW SHOULD CLINICIANS RESPOND TO HUMAN TRAFFICKING? <sup>6</sup></b>	
<b>Author:</b>	William Polk Cheshire Jr
<b>Year:</b>	2017
<b>Goals:</b>	To analyze the influence of group thinking in the context of the medical response to the care of victims of human trafficking.
<b>Main findings:</b>	The groupthink framework helps explain how even well-meaning medical professionals can, by following consensus, become participants in unnecessarily ineffective responses to serious health needs. Studies of victims of human trafficking in health settings identified the need for greater education and awareness among health professionals about the phenomenon of human trafficking and how to identify and treat its victims. Health professionals must also reflect on the ethical aspects of responding to trafficking in persons. The analysis of the contours of ethical complicity must consider acts of commission and omission, as well as time, proximity, certainty, knowledge and intention. When moral issues are unclear, a valid guiding principle is to focus care and compassion on all patients.
<b>CARING FOR TRAFFICKED AND UNIDENTIFIED PATIENTS IN THE EHR SHADOWS: SHINING A LIGHT BY SHARING THE DATA<sup>7</sup></b>	
<b>Author:</b>	Sara H Katsanis, Elaine Huang, Amanda Young, Victoria Grant, Elizabeth Warner, Sharon Larson, Jennifer K Wagner
<b>Year:</b>	2019
<b>Goals:</b>	To discuss the need for medical records and biometrics to improve the continuity and quality of care for victims of human trafficking.
<b>Main findings:</b>	The results support the perception that trafficked persons get care but remain unnoticed or undocumented in the electronic health record. They further reveal that health care providers remain largely unaware of the problems of human trafficking and are inadequately prepared to provide patient-centered care for trafficked and unidentified patients. Significant efforts to design and implement precision medicine initiatives with inclusive biometric data that optimize impacts are unlikely to succeed without simultaneous efforts to increase general awareness and preparedness to care for trafficked persons.

Source: Elaborated by the authors.

Trafficking in persons is a widespread problem that exceeds the capacity to contain social and organizational resources, which makes it difficult for health services to be approached in both the identification and management of patients who survive trafficking. There is a lack of guidelines that help health professionals to respond to the special needs of victims when they present themselves as patients and a deficient system in the use of unified screening tools that enable statistical studies for the production of public policies.

Considering that the health service is the first and sometimes the only point of contact with these people, knowing how to identify them, establishing trusting relationships and conducting a dialogue that does not retraumatize them are obstacles that need to be clarified. Without proper training for dealing with patients who are victims of trafficking, doctors and other health professionals have difficulties in establishing appropriate management.

Since survivors of human trafficking are victims of serious violations of basic rights, interpersonal blocks are established in the doctor-patient relationship. Health care providers, by remaining unaware of this issue, inadvertently violate survivors' rights, "revealing" them or traumatizing them again through interviews not directed at this issue.

While it is important to recognize when and how victims of trafficking need help, inappropriate approaches can promote a stereotyped view of patients as helpless victims or globally helpless. Professionals must be oriented about the processes of loss of sense of identity that these patients have gone through, which leads them to an inability to relate to the world, to identify the source of

pain and to look for solutions to get out. Thus, managements that respect the victim's limits and that are sensitive to the complexity of their needs must be discussed.

In addition, one of the main challenges for anti-trafficking initiatives and for the development of guidelines aimed at approaching these patients is to obtain accurate data on the prevalence of trafficking in persons and its impacts. Studies show that trafficked people get care at health services but remain unnoticed or undocumented in electronic records. Deficiencies in the use of evidence-based screening tools and clinical knowledge on the subject allow these victims to go unattended, favoring underreporting and not structuring policies on the subject.

Worldwide, factors such as the illicit nature of trafficking, lack of comparability of data across countries due to different collection systems, bias due to divergent understandings of reporting requirements, and differences in definitions of trafficking in persons data collectors are issues that make clearer debates about human trafficking difficult. By deploying uniform data reporting in a unified data collection system, healthcare settings can help document the actual volume of trafficking and its impacts on survivors.

## Final considerations

Considering the discussions on human trafficking, it is concluded that this is a worldwide problem and a great violence against human beings. Considering that the health system is the main – if not the only – means of contact with victims, there is a great challenge in identifying who these people are. Therefore, it is important that the health professional is trained to identify the signs of the problem, when and how to help these victims. Finally, the importance of bioethics in caring for patients who are victims of human trafficking is evident in order to establish a good doctor-patient relationship.

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