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Cynthia Rhiannon Knight

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HUMAN TRAFFICKING: A GLOBAL TRAGEDY IN FIVE ACTS

A Master's Thesis

Presented to

The Graduate College of

Missouri State University

In Partial Fulfillment

Of the Requirements for the Degree

Master of Science, Defense and Strategic Studies

By

Cynthia Rhiannon Knight

May 2017

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Defense and Strategic Studies

Missouri State University, May 2017

Master of Science

Cynthia Rhiannon Knight

ABSTRACT

Transnational security is an emerging sub-field within the broader scope of international relations. Human trafficking is a wide-spread but rarely emphasized threat to global security with powerful transnational dimensions. This type of crime threatens security at all levels of society. At the individual level, the victims of trafficking are abused, tortured, and experience incredible trauma. The traffickers themselves exploit weaknesses at the state level, either leveraging lack of political will or corrupt officials into their schemes to make more money, or by circumventing lax laws entirely. States have serious power to affect change at this level, particularly in the realm of prosecution. Internationally, the global community has a responsibility to ensure the rights of all human kind are not abused and taken away. As the academic community develops more rigorous approaches to the concept of transnational security, it will need to address the nature of human trafficking at the human, state, and international systemic levels.

KEYWORDS: human trafficking, slavery, transnational crime, international relations, global security issues, forced servitude.

This abstract is approved as to form and content

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INTRODUCTION

Human trafficking is *the* global crime of the 21st century. It spans borders and races, social class and education. Yet many today think that the issue of slavery was abolished long ago, and that no one actually keeps others humans enslaved. Slavery is an ancient practice that feeds on ancient vices – greed, power, lust, and glory. After the abolitionists of the 19th century successfully outlawed slavery in almost all the world, the practice moved underground, into the black market and the shadow economy. Trafficking in persons is as robust as ever, making record profits and continually recruiting vulnerable victims. Human trafficking is the apex of crimes against humanity; it strips its victims of dignity, diminishes their self-esteem, and robs them of their precious free will.

For all that this crime is so abhorrent, there is relatively little action being taken against it. Part of the problem is because it lacks a clear definition – countries consider trafficking differently from one another, they have different labor practices and standards, or they treat victims as criminals. This disparity in definition creates new problems as well, such as difficulty in measuring the problem, confusion about how to address trafficking, and lack of international cooperation. Some international organizations and governing bodies have worked to create a clearer definition, and their work is admirable; but more can be done.

Slavery is inherently an economic relationship. It is the relationship between at least two individuals where economic power is taken from one and profited by another. Every individual in the world is born with a capacity for labor capital they can use in economic markets. In modern slavery, the labor capacity of the victim is owned by the slaveholder. The slave is deprived the ability to earn revenue for labor, exit the market

when they please, or seek different work in a new environment. Unlike the rest of the free world, when a slave tries to leave their situation, the hammer comes down, and they are trapped.

Gauging the extent of human trafficking and slavery is difficult to ascertain with any precision. Estimates of the problem range from 18 million to 36 million in bondage.^{1,2} Estimated profits from trafficking range from \$37 billion to \$150 billion.^{3,4} Modern slavery is inherently secretive, with slave masters keeping their victims in remote locations (as with the agricultural or fishing industries), or closed off from society (as with forced labor and domestic service practices). Some victims of trafficking have a high amount of contact with the outside world, like those enslaved in the sex trade, and traffickers use other methods to keep them compliant, dependent and submissive. Either way, the methods of measuring the problem are continuously refined but still vary widely all over the world.

The numbers used to discuss trafficking are huge. Even with the lowest estimates, millions of men, women, and children are enslaved in the most dangerous, dirty, and demeaning jobs. A preeminent researcher in this field, Kevin Bales, estimates that 27 million people were living in enslavement in 2010, more than twice the amount that were transported out of Africa during the entire transatlantic slave trade. This perspective on trafficking is quite bleak; the numbers are overwhelming. However, the 27 million

¹ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

² Kevin Bales, *Understanding global slavery: A Reader* (Los Angeles, CA: University of California Press, 2005).

³ U.S. Department of State, *Trafficking in Persons Report 2014*, available at <https://www.state.gov/documents/organization/245365.pdf>.

⁴ Kevin Bales, *Understanding global slavery: A Reader* (Los Angeles, CA: University of California Press, 2005).

enslaved people in the world is the smallest fraction of people to ever be enslaved in history. The billions they make in profits is a drop in the bucket of the global economy. Modern slavery is already on its way out; global abolition is truly within reach. There are actions that can be taken at the individual, national, and international level in order to achieve this goal.

Chapter 1 of this thesis discusses the plight of the victim involved in trafficking. Their experiences in recruitment, transport, and exploitation in the slave trade are necessary to study. Understanding the scope of the problem will help form strategies to counter it and lead to its resolution. Although the case studies in this chapter are somber and tragic, they show the depth and breadth of this crime. Chapter 2 discusses trafficking from the perspective of the traffickers themselves. Few traffickers are involved in this practice to be mean or because they are evil; they are in it to make a profit. Their perspectives, motivations, and abilities are examined in this chapter.

Chapter 3 discusses issues at the state level. The state has potential powers of prosecution, the ability to prevent this crime, and protect the victims. Historically, abolition was achieved when states outlawed slavery *and* enforced the law. Similar results in modern abolition will occur when states take appropriate action in prosecution, prevention, and protection. Chapter 4 discusses problems at the international level, going one step further to show regional trends, international cooperation, and global causes and solutions to trafficking.

Chapter 5 discusses solutions and actions that can be taken at all three levels – individual, state, and international – in order to eradicate human trafficking and slavery. These solutions can be implemented all together or in a piecemeal fashion. They simply

need to be implemented quickly. Every day that passes, new stories of misery and exploitation occur, making the need to act promptly even more critical.

Throughout this thesis, the terms ‘slavery,’ ‘human trafficking,’ or ‘trafficking,’ are used synonymously. This is done because the end result of trafficking is (almost always) some kind of exploitative slave-like condition. Trafficking in terms of moving persons across borders or regions is discussed briefly in Chapter 1 (see: Transportation) and this is important in order to understand how traffickers move people to avoid detection or in the process of exploiting them. However, because trafficking is inherently a relationship where one person (the smuggler or trafficker) exerts force, control, or power over another (the victim) and compels them to work or live in slavery, the two terms are used interchangeably.

Ending human trafficking and global slavery is a moral, economic, and human rights imperative. Despite increasingly robust measures to reduce the number of victims, more cases are reported every year. Trafficking and slavery are crimes of opportunity, with a massive supply of victims and a potential for enormous profit. Current actions to reduce trafficking and slavery have made significant progress. Nevertheless, efforts could be strengthened. Solutions must be implemented at the individual, state, and international level in order for trafficking and slavery to end.

CHAPTER ONE: THE INDIVIDUAL – TRAPPED AND ABUSED

Studying human trafficking at an individual level requires an examination of the cases and experiences of those trafficked and those who traffic. Every experience is different, but a common cycle of recruitment, transportation, and exploitation is inherent in human trafficking and slavery. Different forms of slavery are examined in this chapter— sexual exploitation, forced labor, debt bondage, organ trafficking, and child soldiers – to show the many forms human trafficking takes. In addition, the methods of traffickers are discussed in detail. Their operations act much like a normal business, and range in size from a handful of individuals to large enterprises with dozens of employees. Their practices and motivations are necessary to understand before trying to solve slavery. Traffickers are as much a part of the problem as they are of the solution.

Recruitment

Historically, slaves were captured and abducted, usually along ethnic, racial, or religious boundaries. People from all groups participated in the slave trade, from government officials to businessmen, from warlords to doctors. Slave traders in the 18th and 19th centuries transported humans who had been captured as prisoners of war, abducted from villages, or were convicted criminals. African rulers participated in the trade, selling humans for various goods – like guns, ammunitions, and textiles - from Europe.⁵ These goods typically helped the ruler stay in power and created a system of economic dependence further entrenching the global slave trade.

⁵ Joseph Inikori, and Stanley L. Engeman, *The Atlantic Slave Trade: Effects on Economies, Societies, and Peoples in Africa, the Americas, and Europe* (Durham; Duke University Press, 1992).

Kevin Bales notes that, “In the past, slavery found justification in racial and ethnic differences, but today the common denominator is poverty, not color or religion.”⁶ All over the world, victims of human trafficking have a similar story in how they first became embroiled in this horrific crime. It starts simply enough. According to Dr. Bales, a recruiter drives into town, stands up in the back of the truck and says, “Who needs a job?” Poverty-stricken parents feel that they have no choice but to sign up. Perhaps their children were hungry or needed medicine. Perhaps they couldn’t afford clothes or shelter. Either way, the promise of a paying job became all too tantalizing in the face of their own poverty and the needs of the family. So, they sign up, not realizing until it was too late that they are enslaved.

Deception is common in recruiting new victims. Very few know precisely what they are signing up for, let alone the full extent of abuses or crimes they may suffer. Promises are made to victims in order to gain agreement and control, and are then broken once the victim arrives in the destination country. Deception is what happens when girls are recruited, told they would work as nannies or as hotel maids in a legitimate economy and legal system, only to be forced into sexual servitude. Deception occurs when a recruiter arrives at a village, tells parents they will take their children away to a good school where they will receive a good education, and the child ends up working in a quarry or factory. Deception is a fundamental tool in recruiting because the extent of exploitation, abuse, control, and fear used by the trafficker is never fully understood by the victim.

⁶ Kevin Bales, “How to Combat Modern Slavery” Filmed [February, 2010], TED Talk, 18:01, posted [February 2010], http://www.ted.com/talks/kevin_bales_how_to_combat_modern_slavery.

Besides deception, recruiters will use other tactics to bring more people into their business. One of these methods is coercion. Complete coercion does exist, and that is when victims are abducted outright. This kind is quite rare, however. Coercion is different from deception, in that it uses more psychological pressure rather than chains and locks. The threat of violence against a victim's family may be enough to keep that person enslaved. Anti-Slavery International defines coercion as, "any situation in which the person involved has no real and acceptable alternative but to submit to the abuse involved."⁷ Victims may even endure harsh and cruel conditions voluntarily, because they are able to make more money in a wealthy destination country and part of their earnings go home to their families. The obligation to help their kin keeps the victim enslaved. It even clouds the issue such that they cannot see they are enslaved, all the while enduring horrendous living conditions and a dangerous working environment.

One such example is reported by the International Labor Organization (ILO), a specialized agency of the U.N. which works to promote social justice and the internationally recognized labor rights of the individual. They report that, in at least one case, victims of trafficking subject themselves to long and dangerous working conditions for their family, as see in the vignette #1.

Yet another form of recruitment that combines deception and coercion is a tactic cloyingly referred to as the 'loverboy' scheme. A man will court a young woman or girl, send gifts or letters and make the girl believe herself in love with him. Once the man is

⁷ Weissbrodt, D., and Anti-Slavery International, "Abolishing Slavery and Its Contemporary Forms," HR/PUB/02/04. (Geneva; United Nations, 2002), available at <http://www.ohchr.org/Documents/Publications/slaveryen.pdf>.

sure of the girls' affection, he will announce that he is in dire financial straits, and needs her help.

Vignette #1: Chinese workers in France

“Chinese workers in France, [will] work long hours in heavily indebted circumstances for a number of years, in order to repay the advances they have received in their places of origin. Despite the appalling conditions, the exploited Chinese workers may see the light at the end of the tunnel. They may know that this is a finite period of suffering, a sacrifice that parents are willing to make for their children.”⁸

By convincing her to help him financially, he coerces the girl into having sex with other men. From this point, the loverboy uses a combination of intimidation, blackmail, violence and manipulation to control his victim. This scheme was first identified as a pattern in the Netherlands, but has since been identified by other countries as a recruiting scheme.⁹

Victims are influenced by a variety of reasons. Factors that influence their choice to leave their home (called ‘push factors’) vary widely across social, economic, and ethnic lines. They may be convinced to leave through illicit channels. Victims may also feel compelled to leave their home country. These reasons (called ‘pull factors’) usually revolve around the promise of a better or more financially stable future.

Common push factors include the following:

- 1) Poor employment opportunity in the home country
- 2) Poor living conditions, including a lack of adequate health care, housing, and education

⁸ ILO (International Labour Organization). *World of Work Magazine*, no. 39. 2001.

⁹ BNRM (Bureau National Rapporteur Mensenhandel, National Rapporteur on Trafficking in Human Beings), *Mensenhandel, Aanvullende kwantitatieve gegevens, Zesde Rapportage van de Nationaal Rapporteur*, (BNRM, den Haag; 2008), available at http://www.bnrm.nl/Images/6de%20rapportage%20Nationaal%20Rapporteur%20Mensenhandel_%202008_tcm63-111370.pdf.

- 3) Political instability and corruption; lack of physical security
- 4) Economic insecurity
- 5) Natural disaster
- 6) Discrimination based on race, religion, or gender
- 7) Family life becomes untenable

Common pull factors include the following:

- 1) Faster, cheaper ability to travel
- 2) Higher salary and quality of life in destination country
- 3) Better opportunity in terms of training, education, mobility in destination country
- 4) Established community in destination country, so migration is easier to manage and transition is easy
- 5) High demand for migrant workers
- 6) Stories of returning migrants who were successful in destination country
- 7) High expectation of better opportunity

For a person in a reasonable standard of living, it may be hard to comprehend how or why an individual would agree to conditions that are dangerous and demeaning. It may also be difficult to understand why victims continue in dire circumstances, even at the risk of their own life. In psychology and cognitive science this trait is called confirmation bias. It is the concept that a person finds ideas that agree with their own, and therefore anchor into their belief and ignore data to the contrary. In terms of human trafficking, this happens when victims get involved in situations they know sound too

good to be true, or may be wrong or illegal, but feel they have no other option or that other options are not as good for their future. The common denominator for trafficked persons is poverty, and such a factor drives desperate behavior.

Transportation

In transporting their victims, traffickers may use a combination of legal and illegal methods to cross borders and move people without detection. Trafficked victims may enter the destination country legally or illegally, although it is more likely to find a trafficked person in illegal status. This is due to the fact that it's easier to keep a victim under control when a trafficker can exert financial pressure and legal leverage as a threat to keep working. The journey is often fraught with danger for the victim, and many die.

Smuggling migrants across borders and trafficking human beings share many common features. Indeed, some of those victims who are trafficked don't even realize that their smuggler has trafficked them until they see they cannot escape and are enslaved. The situation is dangerous. Smuggling is defined by the United Nations as "the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident."¹⁰ A migrant may pay a smuggler to get them across the border, and end the association once they are in the country. In this case, the individual is successfully smuggled. Illegal migrants and trafficked persons share similarities in that they may be recruited by a smuggler who helps them cross borders. However, smuggled persons are able to pay the whole fee upfront, and trafficked persons may pay only a

¹⁰ U.N. (United Nations), *Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention Against Transnational Organized Crime*. (Geneva; 2000), available at http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_smug_eng.pdf.

portion or small percentage prior to leaving their home country. This debt creates an opportunity for the smuggler to traffic the victim, and keep them in servitude or bondage. The key difference between smuggling and trafficking is if the person is allowed to exercise control over their situation once in the destination country. A smuggled person or irregular migrant who is free to apply for asylum, or work in the shadow economy after transportation has not been victimized. Even if smuggled persons are living and working in horrendous conditions, they are free to leave and look for better opportunities. A trafficked individual does not have this freedom after arrival, and may find themselves in a situation of exploitation.

Smuggling is a dangerous activity for all involved. Reports from Europe crop up every day with stories of another boat of migrants departing northern Africa and sinking in the Mediterranean, and those onboard drown on their way to what they hoped was a better life. The Mauritanian Red Crescent gave estimates of roughly 1200 migrant deaths at sea between November 2006 and March 2007. The International Organization for Migration (IOM) figures show that up to 3,000 persons have died in the attempt to cross by boat into Europe in 2016.¹¹ From the UN Human Rights Agency, more than 150,000 migrants arrived in Italy in 2015. In the first eight months of 2016, that number is nearly at 130,000.¹² As push factors increase across the globe (political instability and lack of security being foremost among them), the migrant crises rises, leading to more

¹¹ “Migrant Numbers Rise in Italy, Prompting Soul-Searching, Straining EU Relations” VOA News, 8 September 2016, available at <http://www.voanews.com/a/migrant-numbers-rise-in-italy-prompting-soul-searching-straining-eu-relations/3498694.html>.

¹² UNHCR (United Nations High Commission for Refugees), *Refugees/Migrants Emergency Response – Mediterranean*, (Geneva; 2016), available at <http://data.unhcr.org/mediterranean/country.php?id=105>.

opportunities for traffickers to take advantage of those in desperate situations. An example of the risk of smuggling and its links to trafficking is illustrated by vignette #2.

Vignette #2: The Young Nigerian Woman

In 2000, a young Nigerian woman from an abusive, polygamous family was recruited by an offer to travel to Europe for work. Seeing an opportunity to escape her own awful situation, she signed up and was informed that she and others in her group would travel by air to Italy. This was untrue however, and the group was forced into a months-long journey through Zinde and Tamaraset, through the Sahara desert, and on to Algeria and Morocco. During those travels they experienced days without food and water, as well as exhaustion and exposure.

While on the journey, members of the group also experienced death and violence. While in Algeria, the young woman reported that a security guard over the group shot at them and a bullet grazed her. Another bullet hit a pregnant girl. In trying to avoid law enforcement authorities in Morocco, a boy was crushed to death as he leapt onto a moving train. At one point, when travelling by water, another young boy drowned. A female member of the group who was raped and had become pregnant attempted to abort the fetus and died. Additionally, a disagreement between the Yoruba and Ibo trafficking gangs resulted in the death of the Ibo leader.

According to the young victim, six women left Nigeria, and the group swelled to 106 by the time they arrived in Morocco. Out of the 106 who left Algeria, less than 100 made it to Spain. There, the victim spent two months before moving to Italy. In Italy, she expected to work at a decent job but was passed off to a madam, forced into sexual exploitation, and told by the woman that she had to earn the \$35,000 that was reportedly spent to get her to Italy.

Eight months after arriving in Italy, the victim was detained by a security official. At that point in time, she had only “reimbursed” the madam \$25,000 of the debt levied against her. She was arrested and deported back to Nigeria in September 2002.¹³

Trafficking and smuggling both incorporate legal and illegal practices in order to transport individuals across borders. Migrants may depart their country legally or illegally and enter the destination country as legal or illegal migrants. For instance, a

¹³ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

traveler may depart his or her country with a passport and the necessary visa or paperwork to visit the destination country. However, that individual may destroy those papers during the flight and claim asylum upon landing in the country, or may overstay their visa allowance, and thus their status in the country changes from legal to illegal. When the individual assumes an illegal status in the destination country, they are at risk of being victimized. Traffickers take advantage of a migrant's lack of knowledge of the new country, and use the illegal status as leverage to enforce servitude and exploit the individual.

Another important difference between trafficked and smuggled victims is their status in the country once they are under the protection of nongovernmental organizations (NGOs) or law enforcement agencies. "Trafficked persons are (or should be considered) victims and entitled in many countries to special protection."¹⁴ Conversely, illegal migrants are considered law-breakers and due to their violation of the law are subject to arrest and deportation. They are not victims. Trafficked persons are unable to escape their situation, and though it's possible they are in the country illegally, they themselves are victims since force or coercion is used to get them into the destination country in the first place.

Exploitation

When it comes to human trafficking, so much attention and awareness is directed towards the smuggling of women and children into sexual slavery that other forms go unnoticed and unchecked. Trafficking for labor, organs, domestic service, child soldiers and so on are overlooked by the international community, leading to their perpetuation.

¹⁴ Ibid.

Awareness campaigns should not be blamed for this lack of attention, however. This issue is still rising in the consciousness of the global community, and it is no surprise that attempts to educate the public will use images and stories that are most shocking in order to galvanize the public. However, all forms of trafficking demonstrate violations of the most basic human rights.

Nevertheless, other forms of slavery must also be addressed and brought into light, in order to understand the true scope of this problem. At this point, research is unclear on whether or not these forms of trafficking actually occur less frequently or if they simply go unreported and therefore receive less attention. Slaves in forced labor situations see little of the outside world, and are therefore less likely to get help. (For instance, agriculture is remote and isolated, with workers unable to leave the premises; domestic servants might only encounter the family they serve; child soldiers only interact with their battalion.) This chapter explains and addresses different forms of trafficking and slavery that still exist today.

Sexual Slavery: Sex trafficking includes three elements, as defined by the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children. These three elements are the act, the means, and the purpose.¹⁵ Article three of the protocol defines the act of sex trafficking is the recruitment, transportation, transfer, and harboring of persons with the intent of sexual exploitation. The means of sex trafficking is the threat of force, abduction, coercion, fraud, abuse, deception, or giving and receiving benefits to achieve consent for the purpose of

¹⁵ OHCHR (United Nations Office of the High Commissioner for Human Rights), *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime*, (Geneva; 2000).

exploitation. Finally, the act of sex trafficking is the exploitation and prostitution of a victim, including slavery and forced labor service.

The numbers of those in sexual slavery are staggering. Nearly 5 million adults and children are bought and sold worldwide for the commercial sex trade.¹⁶ Roughly 2 million children a year are exploited, and 6 out of every 10 trafficking survivors reported being trafficked for the global sex trade. In 2009, UNICEF reported a combined number of children trafficked for sexual and forced labor at 6 million.¹⁷ Then, in 2012, the UN's Office of Drug and Crime (UNODC) reported the breakdown of trafficked victims as follows: Men = 12%, children = 22%, and women = 66%.¹⁸ Reports consistently state that in the U.S. alone, the number of victims transported into the country hovers around 50,000, with statistics showing up to 700,000 women and children were brought in illegally between 2000 and 2010.^{19,20,21} The average age of children going into slavery is 12-14 years old.²² UNODC also reported that victims are most likely to be trafficked from Thailand, China, Moldova, Ukraine, Nigeria, Bulgaria, Albania, and Belarus as the

¹⁶ ILO (International Labour Organization), *ILO Global Estimates of Forced Labour: Results and Methodology*. (Geneva; 2012), available at http://www.ilo.org/global/topics/forced-labour/publications/WCMS_182004/lang--en/index.htm.

¹⁷ UNICEF (United Nations Children's Fund), *Children Out of Sight, Out of Mind, Out of Reach; Abused and Neglected, Millions of Children Have Become Virtually Invisible* (London; December 2005), available at <https://www.unicef.org/sowc06/press/release.php>.

¹⁸ UNODC (United Nations Office on Drugs and Crime), *Global Report on Trafficking in Persons*. (Geneva; 2014), available at https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf.

¹⁹ Kevin Bales, *Understanding global slavery: A Reader* (Los Angeles, CA: University of California Press, 2005).

²⁰ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

²¹ Freedom4Innocence Project, *Human Trafficking Statistics*, 2014. Available at <http://freedom4innocence.org/human-trafficking-statistics/>

²² Ibid.

biggest source countries for sex trafficking.²³ The report also listed the biggest destination countries are Thailand, Belgium, Netherlands, Germany, Japan, Israel, Italy, Turkey, and the U.S.²⁴

Sex trafficking violates basic human rights, including rights to bodily integrity, dignity, health, safety, and freedom from violence and torture. International human rights treaties, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), include sex trafficking as a form of human rights violation. While the numbers and scope of the problem are staggering, they are nowhere near as upsetting as the accounts from the victims.

Survivors report daily degradation and assault of mind and body. They are kept isolated and intimidated, sold from pimp to pimp in debt-bondage, and subject to any form of torture and abuse their owner inflicts on them. Many live under constant threat of physical violence, and suffer severe emotional trauma including post-traumatic stress disorder and dissociation. Victims are at a great risk of contracting sexually transmitted diseases, including HIV/AIDS. Women and girls old enough to menstruate may become pregnant and are then subject to unsafe abortions by their handler. An example can be seen in vignette #3.

Vignette #3 The Cambodian Girl

In Cambodia, a five year old girl was sold by her parents to a local brothel for somewhere between \$10 and \$100 dollars. Her handlers drugged her in order to gain compliance as she was passed from one customer to another for nearly a year. She suffered months of abuse from sex tourists. When she was eventually rescued by a former prostitute who managed victim shelters in Cambodia, the manager described the young

²³ UNODC (United Nations Office on Drugs and Crime). *Global Report on Trafficking in Persons* (Vienna; 2014), available at https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf

²⁴ Ibid.

girl as “timid, quiet, and damaged.” She was diagnosed as HIV positive, and suffered from tuberculosis and pneumonia.²⁵

Traffickers keep their victims compliant through a number of methods, the most common one being the threat of violence. Other methods include drug dependency, religious practices, psychological manipulation, and threats against immediate family members. Victims report staying with their traffickers because they had threatened to abduct a younger sibling back home. Seeing their slavery as a way to save family members from suffering keeps some victims compliant to the point where they will not turn to local authorities for help. Their handlers then give them a great amount of autonomy, knowing they have exerted sufficient control over the victim.

In Nigeria, it is commonly reported that traffickers deceive girls before departing with voodoo practices, thereby using religion to keep them in a state of perpetual slavery. Traditional practices include giving a sachet of hair, nail clippings, and blood to the trafficker, which in turn gives the trafficker extreme psychological power over the girl or woman.²⁶ Rescued victims often refuse to turn on their traffickers until their sachet is returned to them. Some of these women are able to buy their freedom after years of sexual exploitation, while some remain enslaved, brutalized, or killed.²⁷

In sexual servitude, human rights violations are rampant. Victims are transported to distant countries and abandoned once they are too disease-ridden for a profit, or successfully pay off their handler. The sex trade has many similarities to the old slave

²⁵ Dan Rivers, “Girl, 6, Embodies Cambodia’s Sex Industry” CNN, accessed 21 September 2016; available at <http://edition.cnn.com/2007/WORLD/asiapcf/01/23/sex.workers/index.html>.

²⁶ Kevin Bales, *Understanding global slavery: A Reader*. (Los Angeles, CA: University of California Press, 2005).

²⁷ Ibid.

trade, but combines elements of modernization which make it even more difficult to thwart by law enforcement officers. It is arguable that this form of slavery is the most damaging, as it wounds so much of the victim and the human character; for this reason, sexual exploitation receives so much attention from the public domain. However, the crimes committed are found in other forms of slavery that exist today.

Forced Labor: One form of human trafficking and slavery that hasn't changed that much from our view of ancient slavery is that of forced labor. Whereas the world no longer has a legal slave trade using ships and chains and crossing oceans, the illegal slave trade is still rampant, using smartphones, planes, trucks, and the internet. The end result is the same, even though initial recruitment has changed face. As the 2015 U.S State Dept. Trafficking in Persons Report states, "Practices that lead to human trafficking often occur in the recruitment process before employment begins, whether through misrepresentation of the contract terms, the imposition of recruitment fees, the confiscation of identity documents, or a combination of these."²⁸ Recruiters will often pose as legitimate businesses, offering a good job with benefits in decent working conditions, in order to persuade victims to take the position. Once at the location of the job, workers find themselves in a situation from which they cannot escape, are held against their will, and are enslaved.

The key deception in forced labor slavery is deception at the time of recruitment and changing the terms of the contract when the victim cannot reasonably back out of the deal. This happens when a recruiter transfers a laborer to another recruiter, who may not feel bound by the same contract (either morally or legally), or when an individual's

²⁸ U.S. Department of State, *Trafficking in Persons Report 2015*, available at <https://www.state.gov/documents/organization/245365.pdf>

vulnerability to forced labor increases. Contract fraud is rampant, with laborers sometimes signing contracts in a foreign language, or signing contracts when they are illiterate.²⁹ Even if a laborer is capable of reading the contract, and it is in their own language, they may still be forced into a labor situation that is different from what they signed up for, and be forced to stay and work regardless. Their new position may be for longer hours, under more hazardous conditions, with lower wages. It may even be in a different industry entirely.³⁰ The threat of leaving is useless against the employer, since the worker is stranded in a country whose language they cannot speak, and have no funds or necessary documents to get home.

Just as physical violence is a key component of keeping victims in the sex slave trade, confiscating legal documents and abusing the legal system are key practices in keeping laborers in forced labor. The close link between migration and human trafficking distorts this link, and victims of human trafficking are seen as law-breakers in their destination country, treated with little mercy when they themselves have been victims, and increased vulnerability to staying enslaved. Taking a laborer's legal documents upon arrival in the host country allows the trafficker to exert control over the victim, by threatening to turn them over to the local authorities for punishment. The fear of arrest and deportation is strong, and it keeps the victim from "leaving an abusive situation, reporting abuse, or seeking employment elsewhere."³¹ See vignette #4.

Slavery is inherently an economic situation. An oppressive system in which a human being's labor capital is controlled and extorted by a handler and the slave receives

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

little or no compensation for their own effort. A person's labor capital is their ability to do a job, receive a payment for that job, and participate in society with the funds they receive from their work. Forced labor takes away two of these elements, since slaves receive a pittance of what their work is worth, and are often kept isolated from society. Their world consists of their work, from which escape is distant and hopeless.

Vignette #4: Thai Immigrant in California

A Thai immigrant sought work in America, and found a position with a recruiting firm as welder in the San Francisco-Oakland Bay Bridge. He was told he would be paid wages that were six times higher than what he made in Thailand, and he willingly agreed to come. The immigrant was required to pay a \$12,500 "recruitment fee" from his \$200 monthly wage before coming to America. In desperation, he borrowed the money from a bank and a loan shark with exorbitant interest rates. The firm he had signed to work with was a subcontractor to a bigger company, and had agreed to a payment package of \$18.80 per hour for each worker. The subcontractor was supposed to pay their "workers" directly.

Instead of the promised high-paying job, the subcontractor/trafficker took the workers passports; made them stay in run-down apartments with no gas, electricity, or heat; and threatened to send the men back to Thailand if they complained. The employees were trapped in near-slavery, working 13-hour days, and sleeping in safe-houses where they slept on the floor and were given scraps of food. For three months of more than full-time work, the immigrant was paid a total of \$220.³²

Debt Bondage: Debt bondage has a long history and is the practice of advancing money or services to an individual in the return for paying the debt with their labor. In fact, many migrants to North and South America in the past came as indentured servants, promising seven years of work in exchange for travel to the new world. In ancient cultures like Greece and Rome, the debt-bondage was common, and those in servitude could place their children as collateral against the loan. Unlike ancient practices though, debt bondage is illegal and considered a form of slavery.³³ Most forms of modern slavery

³² David Ryan, "Forging A New Life: Former Slaves Find Salvation in Napa" *Napa Valley Register*, 27 December 2006.

³³ OHCHR (United Nations Office of the High Commissioner for Human Rights), *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*.

that do not include trafficking rely on debt in order to keep the victim tied down in bondage. According to one study, there are more than 18 million people in this form of slavery.³⁴

Debt bondage is widespread in Southeast Asia, where generations of families can be enslaved. According to Kevin Bales, an extensive researcher in the field of human trafficking, once a family has taken out a loan from a lender, they are in complete bondage. “Under the most common system of bondage in South Asia, work does not repay the debt.”³⁵ The loan/debt situation in this region is quite different from the western world. When a family takes out a loan, everything that family has is collateral against the loan. Everything – their land, their children (even those yet unborn), their spouse, everything they grow or make – belongs to the moneylender until the debt is paid. This system makes it impossible to escape the debt. “If the landlord owns all [of the family’s] productive output, is it possible to repay the debt? In a word, no.”³⁶ In this system, the control of the landlord is total and complete, and the debt passes from father to son, husband to wife, for generations.

Second generation slaves have difficulty imagining a life outside of their bondage, or even imagining a life in which they work for themselves. “Freedom, being unknown, is hard to imagine.”³⁷ It is like trying to think of a new color. Children and grandchildren born into slavery come to associate their whole existence in the context thereof, and have

(Geneva; 1957), available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SupplementaryConventionAbolitionOfSlavery.aspx>.

³⁴ Kara Siddharth, *Sex Trafficking – Inside the Business of Modern Slavery* (New York: Columbia University Press, 2009).

³⁵ Kevin Bales, *Understanding global slavery: A reader*. Los Angeles, CA: University of California Press, 2005.

³⁶ Ibid.

³⁷ Ibid.

difficulty defining their lives outside of the scope of enslavement. In some cases, this proves so difficult that a former slave will return to their master for work again, citing the easiness of the life, and how unprepared they were for freedom.³⁸ Slaves who have experienced freedom (first generation slaves) usually do not have this problem, and have no issue imagining their life as a free person. Their challenge, once freed, is to cope with the violence they endured, and the total control once exerted over their lives. Even though they are free, the psychological scars remain, and they must confront new challenges of living as a free person, in addition to coping with the past. This is exemplified in vignette #5.

Organ Trafficking: The Anti-Trafficking Protocol specifically calls out organ transfer as a part of the human trafficking problem. Here, a marked indication of control over the victim is that their organs may be taken for profit. Technically, in this situation only the organ may be trafficked, but the criminal element is still there. Criminals prey on the vulnerable and convince them to give up their organs, (most commonly kidneys) for a price through deceit. Organ trafficking is one of the least researched areas of human trafficking,³⁹ notwithstanding the number of cases that are reported regularly.

Because life expectancy has increased significantly in the last century, a larger population of older people requires more forms of medical care. Medical and technological advancements have enabled the transplantation of organs, and some of

³⁸ Kevin Bales, *Understanding global slavery: A reader*. Los Angeles, CA: University of California Press, 2005. Baldev's case is striking and sad, since Western thought is that once freedom has been secured, the former slave will gladly reintegrate into society. However, social stigma, the inability to deal with a new life, and worries over finances will often drive former slaves back to their masters. Bales makes a point of describing the 'botched emancipation' of the USA in the 1860s and 1870s, and how it kept African Americans as second class citizens for generations.

³⁹ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

these procedures are considered routine. The demand for organs exceeds the supply, and this gives rise the global organ trafficking problem. For instance, from 1990 to 2003, kidney donations in the U.S. rose by 33%, but people waiting for a transplant increased by 236%.⁴⁰ Wait time for an organ continues to rise, but varies widely around the world. In the U.S. and U.K., for example, it is two to three years. In Singapore, the wait is up to eight years.

Vignette #5: Meera and the Sanklap Organization

In an unmapped village in Uttar Pradesh, India, an entire village lives in debt bondage and works in stone quarries. The adults hammer and force rocks out of the earth, while children as young as five carry the rocks in baskets. The children also work in the pits to make sand by smashing stones with a hammer. The dangerous working conditions meant many villagers suffer from silicosis and damage in their eyes or backs. “The villagers were enslaved in order to make a substance so common, and that costs so little, that only by using slaves could *handmade* sand be profitable.”⁴¹

A worker from the Sanklap organization called together a few women, and proposed a new idea. If ten women could set aside one rupee every week and form a credit union, he could help them put their savings in a bank. After three months, enough money had been saved to free one woman in the group. Her name was Meera. Once freed, she was able to sell her own handmade sand to wholesalers directly, and began to pay larger sums to the credit union. After another two months, another woman from the group had been freed from bondage, and she too put her additional earnings back into the credit union. The next month, a third woman was able to buy her freedom.

Debt bondage is not legal in India, and those in debt are not legally obligated to pay. However, it is not strictly enforced, and in this area of the world without internet, or substantial contact with the rest of the world, this form of slavery still exists.

After the third woman had been freed, the rest of those still in bondage declared themselves free and renounced their debts. Once they saw a life of freedom, like Meera, who was able to provide for herself and her family, slavery lost its security and the threat of violence no longer mattered. The moneylenders, now facing a revolt and a collapse of a system they relied on for their own benefit, fought back. Gangs were sent to beat the women and force them away from the quarries so they could not make sand. The landlord tried to force the women back to work, threatening them that, “Even if you die, I will drag your body out of the ground and make you work.”⁴²

The landlord continued to threaten and thwart the free women. He tried cutting them off from the quarries, sending thugs to beat them, and appealing directly to the wholesalers. By working together, the women were able to fight back. They set up a

⁴⁰ Nancy Scheper-Hughes, “The Global Traffic in Human Organs” *Current Anthropology*, Vol 41, No. 2, 2000.

⁴¹ Ibid.

⁴² Ibid.

credit union for women in other neighboring villages. In less than a year their whole village had been freed, and the extra funds were spent in building a school for the children who had been freed from the quarries as well.⁴³

This particular form of trafficking is more complex than the others, since it involves three parties (the donor, the recipient, and the professional medical staff), as well as brokers, sellers, and recruiters, who are involved with bringing a donor and recipient together. Recruiters act as traditionally as any recruiter involved in trafficking, preying on the vulnerable, the poor, and the uneducated, and sometimes kidnapping where necessary. Some patients volunteer to sell their organs, only to receive less than they agreed upon, and no means to secure the rest of the payment (similar to contract fraud discussed earlier).

The United Nations reported that corruption is an integral part of organ trafficking, even more so than other forms of trafficking. It is often seen as a benign form of trafficking, one that allows wealthy patients to pay for procedures and give money to a poor person who is able to assist them. In one scandal in India, an unprecedented number of people were involved, with at least 500 patients, three private hospitals, 10 clinics, five diagnostic centers, 20 paramedics, five nurses, and four doctors. Guards were also paid off to watch and force workers held captive in safe houses. The police were suspected of alerting the main suspect before a raid, and even allowed a doctor to continue practicing in his clinic when he was a key suspect in an organ trafficking ring.⁴⁴

Child Soldiers: According to the United Nations Children’s Fund (UNICEF), the definition of a child soldier is, “[A]ny child – boy or girl – under 18 years of age who is

⁴³ Ibid.

⁴⁴ Amelia Gentlemen, “Kidney Thefts Shock India” (New York Times, 2008) accessed 6 September 2016; available at <http://www.nytimes.com/2008/01/30/world/asia/30kidney.html?ex=1359349200&>

part of any kind of regular or irregular armed force or armed group in any capacity....It includes girls and boys recruited for forced sexual purposes and/or forced marriage.”⁴⁵

Vignette # 6: Israeli Organ Trafficking

Two traffickers in the Middle East persuaded mentally ill and developmentally challenged Arabs from Galilee and central Israel to sell a kidney. They placed ads in the newspaper, offering money for organ donations, and were able to pair donors to recipients. Following the surgery, the brokers refused to pay the donors.

A young, single mother in Israel agreed to undergo the operation, being told that the operation was simple, and she would be fully healed in two days. When the woman changed her mind, the brokers threatened her, and said they would report her to the police for agreeing to illegal activity. She consented, and was flown to Ukraine for the surgery. Upon her return, the brokers refused to pay the promised \$7,000.

The two brokers were part of a criminal ring that included a surgeon. The surgeon sold the kidneys for between \$125,000 and \$135,000, paying the brokers roughly \$10,000. The brokers were captured and convicted in a Haifa court for organ trafficking.⁴⁶

The UN has outlined six grave violations against children that all occur in armed conflict. They are: killing and maiming children; recruitment or use of children as soldiers; sexual violence against children; attacks against schools or hospitals; denial of humanitarian access for children; abduction of children.⁴⁷ The number of children affected by armed conflict (either through illicit recruitment or capture) was estimated at 300,000 in 2009.⁴⁸ That number skyrocketed to 15 million in 2014⁴⁹, in the wake of the Arab Spring, the rise of ISIS, and the violence in Yemen, Somalia, Afghanistan, and Syria. Globally,

⁴⁵ UNICEF (United Nations Children’s Fund), “Factsheet: Child Soldiers” (New York; n.d.) available at <http://www.unicef.org/emerg/files/childsoldiers.pdf>.

⁴⁶ Fadi Eyadat, “Two Haifa Men Sentenced to Jail for Organ Trafficking” (Haaretz News, December 18, 2007) accessed 12 August 2016; available at <http://www.haaretz.com/hasen/spages/935092.html>.

⁴⁷ Office of the Special Representative of the Secretary General for Children and Armed Conflict, “The Six Grave Violations” accessed 13 August 2016; available at <https://childrenandarmedconflict.un.org/effects-of-conflict/six-grave-violations/>.

⁴⁸ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

⁴⁹ UNICEF (United Nations Children’s Fund), “UNICEF Declares 2014 a Devastating Year for Children” (New York; 2014), available at http://www.unicef.org/media/media_78058.html.

an estimated 230 million children⁵⁰ live in areas affected by armed conflict. These children are at a higher risk of being trafficked and enslaved, since their unsafe situation leads to vulnerability, increased push and pull factors, and opportunities for corrupt individuals to take advantage.

UNICEF declared the year 2014 to be one of the most horrific years in crimes committed against children, citing worsening conditions all over the world and violent groups taking advantage of the vulnerable – orphans, those in refugee camps, and forcible abductions. Extreme and violent groups, like Boko Haram, targeted children to use as sex slaves, child brides, and child soldiers.⁵¹ “Children have been killed while studying in the classroom and while sleeping in their beds; they have been orphaned, kidnapped, tortured, recruited, raped and...sold as slaves. Never in recent memory have so many children been subject to such unspeakable cruelty.”⁵²

UNICEF goes on to specifically outline the violence children have faced just in 2014 alone. The impact of conflict around the world affects many, but the children are most vulnerable. Coups, wars, environmental disasters, natural disasters, corruption and disease were major factors in increasing child vulnerability to recruitment in armed conflict in the year 2014. Each of these factors led to a record number of children forced into different forms of child slavery. Tragically, these issues are ongoing and create a continuous cycle of victims. For example:

⁵⁰ UNICEF (United Nations Children’s Fund), “More than 1 in 10 Children Living in Countries and Areas affected by Armed Conflict” (New York; 2015), available at <https://www.unicefusa.org/press/releases/unicef-more-1-10-children-living-countries-and-areas-affected-armed-conflict/21551>.

⁵¹ CTC (Combating Terrorism Center) “Boko Haram And the Kidnapping of the Chibok Schoolgirls” accessed 24 August 2016; available at <https://www.ctc.usma.edu/posts/boko-haram-and-the-kidnapping-of-the-chibok-schoolgirls>.

⁵² UNICEF (United Nations Children’s Fund). “UNICEF Declares 2014 a Devastating Year for Children” (New York; 2014), Available at http://www.unicef.org/media/media_78058.html.

- In the Central African Republic (CAR) 2.3 million children are affected by the coup and anarchic state,⁵³ with almost 10,000 estimated recruited into the conflict.⁵⁴
- 7.3 million children in Syria were affected in 2014 due to the civil war, with over 1.5 million child refugees, more than 35 attacks on schools that killed 105 children. The civil war also affected children in Iraq, with almost 700 maimed, killed, or executed in 2014.⁵⁵
- In South Sudan, more than 200,000 children suffer from malnutrition, 750,000 were displaced, and more than 320,000 live as refugees. According to the UN, more than 12,000 children were used by armed forces.⁵⁶

The U.S. State Department 2015 Trafficking in Persons Report address the significant role ISIS plays in the rise of child soldiers and crimes against children. ISIS perpetuates a system of intimidation and violence, particularly against women and children, including sexual and gender-based violence. The reports also states that ISIS uses children as young as 12 as soldiers in Iraq and Syria.⁵⁷ They are forced into training and join the militias on front lines, act as human shields, or patrol checkpoints. “In

⁵³ Tristan McConnell, “What’s Going on in the Central African Republic?” (Global Post, 10 January 2014), Available at <http://www.pri.org/stories/2014-01-10/whats-going-central-african-republic>.

⁵⁴ UNICEF (United Nations Children’s Fund). “UNICEF Declares 2014 a Devastating Year for Children” (New York; 2014), Available at http://www.unicef.org/media/media_78058.html.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ U.S. Department of State. *Trafficking in Persons Report*. 2005-2015. Available at <https://www.state.gov/documents/organization/245365.pdf>

training camps, children nicknamed ‘Cubs of the Caliphate’ are trained to use weapons, make bombs, and deploy as suicide bombers.”⁵⁸

While most children are abducted and kidnapped into armed conflict, some children join rebel forces voluntarily, usually as a way to survive in an area deeply affected by poverty and lack of education. They might believe that the group will provide them with some safety, security, or at least food. They may also join to avenge the death of a loved one killed by an opposing force.⁵⁹ Human Rights Watch researchers question whether the child’s decision to enter armed forces voluntarily is truly a free decision, given the lack of options. In an area that lacks opportunity and advancement, the armed forces seem like a safe haven, providing food, shelter, and even some form of camaraderie. In Chad, a brigadier general notes that children were obligated to join, even though they knew they were going to die. “They didn’t want to join, but they were obliged to....They have no choice.”⁶⁰ See vignette#7.

Kidnapping children for armed conflict and the disruption of life caused by armed conflict do more damage to the children than just physical and psychological. Conflict also disrupts school and family life, the anchors of reliability and security in a child’s life. As consistently noted throughout trafficking research, education is the main tool to prevent trafficking in persons. Conflict disrupts a child’s education, and makes them more susceptible and vulnerable to being recruited, kidnapped, or abducted. The most vulnerable are recruited away from their family to work in dangerous, dirty, violent, and

⁵⁸ Ibid.

⁵⁹ Coalition to Stop the Use of Child Soldiers, “Child Soldiers Global Report 2008.” (London: 2008), accessed 15 August 2016; available at http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf.

⁶⁰ Human Rights Watch, “Early to War, Child Soldiers in the Chad Conflict” (Human Rights Watch 19, 2007), available at <http://hrw.org/reports/2007/chad0707/chad0707webwcover.pdf>.

horrific conditions that leave deep and traumatic scars. When (or if) they return home, they are rejected by their communities, due to their violent actions in combat.⁶¹ Children are often viewed as criminals because of their participation in war, rather than as victims of trafficking.

Vignette #7 The Ugandan Girl

“One boy tried to escape, but he was caught. They made him eat a mouthful of red pepper, and five people were beating him. His hands were tied, and then they made us, the other new captives, kill him with a stick. I felt sick. I knew this boy from before. We were from the same village. I refused to kill him and they told me they would shoot me. They pointed a gun at me, so I had to do it. The boy was asking me, “Why are you doing this?” I said I had no choice. After we killed him, they made us smear his blood on our arms. I felt dizzy. There was another dead body nearby, and I could smell the body. I felt so sick. They said we had to do this so we would not fear death and so we would not try to escape.

“I feel so bad about the things that I did... It disturbs me so much—that I inflicted death on other people... When I go home I must do some traditional rites because I have killed. I must perform these rites and cleanse myself. I still dream about the boy from my village who I killed. I see him in my dreams, and he is talking to me and saying I killed him for nothing, and I am crying.”⁶²

The UN Trafficking Protocol views all children under the age of 18 participating in armed conflict as trafficked persons, regardless of why or how they joined or which side they fought on. This is because children cannot fully grasp the extent of consequences associated with their actions, and their rights to safety, health, and freedom are violated. Some children are taken at younger ages and kept in captivity or servitude for long periods of time, making their integration back into society a complex and tragic problem. They are scarred for life and face higher issues of risk, criminal activity, dependency and early death than other members of society. Campaigns for the

⁶¹ J. Briggs, *Innocents lost: When Child Soldiers Go To War* (New York: Basic Books, 2009).

⁶² Human Rights Watch, “The Scars of Death: Children Abducted by the Lord’s Resistance Army in Uganda.” (Human Rights Watch Report, 1997), available at <http://www.hrw.org/reports97/uganda/1ra.htm>.

demobilization, disarming, and reintegration of child soldiers are in place for some post-conflict countries.⁶³ Any child involved in armed conflict is a victim - of trafficking, slavery, exploitation or more.⁶⁴

Conclusion

This chapter has examined a few of the most persistent forms of human trafficking and slavery. Sexual slavery garners more attention and focus, but that form of trafficking is most shocking and it galvanizes legislative action. Other forms of trafficking beyond those used in sexual slavery exist and are used widely, as noted with forced labor, organ trafficking, and debt bondage. These other forms are less known because they are more hidden, easier to subdue or keep the victim from speaking out. Lastly, children abducted and kidnapped for armed conflict are victims of trafficking, and are usually subject to multiple forms of slavery while in combat.

Trafficking and slavery takes many forms and shapes. It is as rampant as it was before widespread abolition, but because of its illegal nature, much more sinister. Victims are pressured and frightened to speak out, even after they have been freed. Traffickers have a great supply of new victims with every conflict and disaster that displaces people and disrupts society. The case studies in this chapter are a small sample of the range of crimes committed against victims of trafficking, and every day that list of abuses grows longer.

⁶³ UNICEF (United Nations Children's Fund), "UN Launches Integrated Disarmament, Demobilization and Reintegration Standards" *News Note*, (New York; December 2006), available at http://www.unicef.org/media/media_37796.html.

⁶⁴ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

CHAPTER TWO: THE TRAFFICKERS – PROFITING FROM THE VICTIMS

Similar to how so much attention surrounding human trafficking and slavery revolves around sexual exploitation even though there are so many other forms or trafficking, much of the attention about slavery focuses on the victims. To a certain extent this is reasonable, as the victims need to be freed, repatriated, and assistance readjusting. Their experiences shed light on this issue and help the public and legislators take action against trafficking and slavery. But focusing only on the victims allows the traffickers to continue their work and exploit humans for profit.

This chapter discusses the traffickers; their methods of operation and their organizations; trafficking rings and how they work; how they subdue and force their victims; and how some traffickers work together, across racial, ethnic, and religious lines. It is important to understand how the traffickers work and how they view their own business, in order to get to the heart of abolishing global slavery. Court and police records provide a good, but incomplete, view on people arrested on human trafficking charges.

The Trafficker

Kevin Bales has this to say about slave trading in his work, “Understanding Global Slavery”:

The minds injured by slavery include those of the slaveholders. By dehumanizing others in order to enslave them, slaveholders dehumanize themselves. Those of us with little direct experience of slavery find it hard to feel any concern for the slaveholder, but many of those who have lived in slavery recognize the damage slavery does to the master as well. A community that allows slavery in its midst is sick to its core.⁶⁵

⁶⁵ Kevin Bales, *Understanding global slavery: A Reader* (Los Angeles, CA: University of California Press, 2005).

Yet, paradoxically, the slaveholder does not see himself as someone who is inhuman or cruel, simply because they have slaves. They often see themselves as businessmen or women, working hard and living well. They are typically integrated into society, socially mobile and well connected in politics. If there were some in the community who felt that the slaveholders' occupation was wrong, the slaveholder assumed that thought arose from a lack of understanding of local customs and traditions.

The limited attention traffickers do receive is usually focused on the relatively few prosecution cases that occur each year. In those cases, the trafficker is demonized and vilified for their actions against other humans. However, this response is something of an overreach and is altogether unhelpful in resolving human trafficking. By separating the actions of a trafficker from the realm of 'acceptable human behavior' and categorizing their actions as 'inhuman behavior' the spectator or researcher of trafficking removes the trafficker's humanity, and refuses to accept that sometimes humans do terrible things to other humans. In a confounding and disappointing twist, devaluing the humanity of a trafficker forces one to see the trafficker as 'less than human' – which is the same perspective slaveholders held over their slaves. In solving this issue, one must not go down to the traffickers' level, but must see that traffickers will be as much a part of the solution as victims will be, since they are part of the problem.

By also addressing the issues, customs, and attitudes of the traffickers, it is possible to uncover points of intervention and solution. This will also “draw the discussion of slavery away from outrage over its evil, because, while any...person defines the act of one person enslaving another as evil, no slaveholder enslaves people

just to do evil.”⁶⁶ By giving more weight and credence to the victims’ perspective of trafficking and slavery, researchers negate at least half of the problem. And, unfortunately, ignoring half of the problem will lead to botched solutions.

Organizations

Trafficking organizations range from the individual level to the complex, hierarchal structure. Their capacity for trafficking varies depending on size, organization, and goals. For instance, an individual or small group may be able to handle only a few victims for trafficking at a time, and may not want to deal with the hassle of crossing borders, legal documents, and the level of work it takes to keep a large number of victims subdued. A large organization has the capacity to handle large numbers of victims in recruitment, transport, and exploitation, and all the work that goes into keeping and maintaining the operation. On top of all this, trafficking organizations usually work together like businesses, with trade, information, and assistance passing freely between groups, even across ethnic, racial and religious divides. Criminals “seem able to find each other.”⁶⁷

Starting at the smallest level trafficking can go, an individual may traffic another individual for any purpose. Slavery is inherently an economic relationship between two people, where the labor capital of the victim is exploited by the master and the profits are pocketed. The ‘loverboy’ scheme, in which a man courts a young victim and brings her to a new country with promises of love and marriage, but then forces her into prostitution is an example of individual trafficking. In one case, a Ukrainian national met a Russian

⁶⁶ Ibid.

⁶⁷ Quoted in Aronowitz, *Human Trafficking Human Misery*, Chapter 5. Original reference: Kleemans, E. R., M. E. I. Brienen, and H. G. van de Bunt, “Tweede rapportage op basis van de WODC-monitor” (Den Haag; Georganiseerde criminaliteit in Nederland: 2002).

woman in Philadelphia and convinced the woman to move to Orlando with her. Shortly thereafter, the Ukrainian forced the Russian woman to work as a prostitute, relying on gifts from men to support both women. If the victim objected at all, the Ukrainian woman would beat and abuse her. When she was caught, the Ukrainian woman plead guilty to violating forced labor laws, for holding the Russian victim in servitude.⁶⁸ This is an example of individual trafficking.

Small groups of traffickers are able to do more than the individual, and their organizations can range from a few family members to a group of loosely affiliated individuals. Small groups may work mostly within the borders of a country, or small-scale international trafficking. Sometimes, small organizations will work together for a larger operation, in a loose-confederation of crime. In the United States, small groups of traffickers are typified by Asian gangs.⁶⁹ In the United Kingdom, small groups are profitable by monitoring and sometimes creating a market to sell their victims, and seizing opportunities as they become available.⁷⁰ Even more disheartening, these groups will sell or rotate their victims to other traffickers, further denigrating the self-worth and self-esteem of a victim, who may come to see themselves as a cheap commodity. Small groups of traffickers achieve a level of sophistication that the individual trafficker cannot, but they still fail to reach the level of specialization international trafficking operations.

⁶⁸ U.S. Department of Justice, “United States v. Telichenko” (Anti-Trafficking News Bulletin 3 (3), 2006) accessed 1 September 2016; available at http://www.usdoj.gov/crt/crim/trafficking_newsletter/antitraffnews_dec06.pdf.

⁶⁹ Richard O’Neill, “International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery and Organized Crime” (Center for the Study of Intelligence, 1999) available at <http://www.vawnet.org/Intersections/OtherViolenceTypes/Trafficking/ciatraffic.pdf>.

⁷⁰ Grahaem Maxwell, and Bill Skelly, “Pentameter Final Conference 21 June 2006, Speech.” (United Kingdom; Human Trafficking Centre, 2006), available at <http://www.ukhtc.org/includes/speech2.pdf>.

The last level of trafficking rings is a highly structured, criminal business organization that controls the full scope and reach of human trafficking. Large rings provide a level of sophistication to on par with any legitimate business, and their control is absolute. They provide all services and procedures necessary to trafficking – recruitment, transportation, corrupting officials, document forgery, and exploitation – from beginning to end. “These complex networks are characterized as flexible, horizontal, and decentralized.”⁷¹ Their flexibility allows them great ability to operate around or through local laws, and avoid capture or even detection. It also allows them the freedom to work with other groups without impunity, rapidly accelerates their ability to supply victims, and respond to changing laws.

Members of a large organization may not know the extent of the business, having only limited contact with other associates. For instance, those involved in transporting victims might only see the recruiter and the handler at a safe-house, but not see those who handle the money, who control the victims, or who bribes the government official. “Larger organizations are divided into smaller subunits that make use of criminal specialists, who provide particular services and expertise that otherwise might be outside the scope of the criminal organization itself.”⁷²

Large trafficking rings require a number of players in order to keep the operation afloat. Subcontractors of the operation that provide specific functions allow the organization to stay fluid; management units provide a vertical structure, by maintaining

⁷¹ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

⁷² Ibid.

a knowledge and control over other units. Specifically, the types of subunits a large organization requires are:

- **Investors:** the inherent economic relationship between slave and master means that someone must first fund and oversee the operation.
- **Recruiters:** find vulnerable and susceptible victims and ensure their financial commitment.
- **Transporters:** help victims leave their country of origin, and ensure that none of the victims run away once they are in transit.
- **Corrupt officials:** may assist the organization in acquiring legitimate travel documents, accept bribes from traffickers.
- **Informers:** collect information on border security and surveillance, immigration laws, changes in law enforcement activity, and reports to their managers.
- **Guides and crew members:** help migrants enter the destination country without detection, or moves migrants from one safe house to another.
- **Enforcers:** police migrants and maintain order
- **Debt collectors:** collect fees from migrants and victims of trafficking
- **Money launderers:** takes the proceeds from crime and funnels it through legitimate transactions in order to make trafficking a profitable business.

The European Police Agency, Europol, classifies highly organized operations in four ways: an organization that smuggles large numbers of persons over a great distance; is able to smuggle different nationalities on the same transport; moves “large amounts”⁷³ of

⁷³ “Large amounts” is not quantified by the text. It is reasonable to suspect that large organizations move millions in USD.

money; and has immediate legal assistance when things go wrong.⁷⁴ See vignette #8 for an example of a large organization.

Vignette #8: Sneep

Two Turkish-German brothers came to Amsterdam and forced two young women to work as prostitutes in the city's Red Light district. The brothers slowly brought in more women, mostly from Eastern Europe, and forced them to work. Over time, the brothers expanded the network to two more Dutch cities, with nearly 90 women from Bulgaria, Ireland, Germany, the Netherlands, Poland, and Romania working in forced sexual slavery.

The brothers established a network, with themselves as the directors. They hired pimps to manage a specific branch of the organization – one managed the bodyguards, another managed document forgery, a third coordinated prostitution services. Beneath the “middle management” was a branch of low-level employees, like chauffeurs and informants, who provided other necessary information. The Dutch police reported approximately 30 employees in the organization.⁷⁵

The victims reported incredible brutality, saying they were beaten with baseball bats and then submerged in cold water to reduce bruise visibility. They were forced to undergo abortions. The victims also reported that some were tattooed with the brothers' names or initials to send a message to other organizations that their girls were not for sale.

Women as Traffickers

An image that persists and is destructive to ending trafficking is the view that women do not participate in any phase of the trafficking and slavery process. Such an idea is damaging and untrue. In fact, their role in trafficking is “significant and increasing.”⁷⁶ Some of those involved were former slaves themselves.⁷⁷ The largest role they play in trafficking is in the recruitment phase. “They may be sent back to their

⁷⁴ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

⁷⁵ Quoted in *Human Trafficking Human Misery*, pg 69. Original Source: Van Dongen, Menno, “Pooierbroeders konden jaren hun gang gaan.” (De Volkskrant, February 13, 3, 2007).

⁷⁶ Europol (European Police Office), “Trafficking Human Beings in the European Union: A Europol Perspective” (The Hague; 2007) available at http://www.europol.europa.eu/publications/Serious_Crime_Overviews/THB_FactSheet2007.pdf

⁷⁷ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

countries of origins to recruit friends under the watchful eye and threat of the organization that trafficked them. They may knowingly recruit women as a way to buy their freedom or may have become part of the trafficking organization.”⁷⁸ In one case, a mother and her two daughters managed an entire operation out of San Antonio, Texas, trafficking children from Mexico for the purpose of sexual exploitation. They women recruited and smuggled girls as young as 15 to work as prostitutes.⁷⁹

Women participate in all levels of trafficking, from recruitment, to exploitation. Often, a woman will work for an organization and act as a liaison or facilitator between those enslaved and those running the operation. She may act as manager of those enslaved, supervising, controlling, coordinating, and collecting a victim’s profits. One of the methods to keep a victim enslaved is to enforce the repayment of a debt, either from transportation or some other fabricated charge. Since many of these women involved in trafficking were previously victims, they have repaid their debts, and in turn use the same methods with their current victims.

Statistics on the percentage of women involved in trafficking varies widely and is difficult to measure accurately. Because some traffickers were slaves themselves, and may be manipulated into the business, researchers are wary of how to categorize these women. Is their participation in trafficking an extenuation of their exploitation? Some women join operations freely, so it is easier to classify their role; however, some slaves return to the life they know, not because they enjoy the circumstance but because they do not know any other kind of existence. One thing is certain however: women participate in

⁷⁸ Rebecca Surtees, “Traffickers and Trafficking in Southern and Eastern Europe: Considering the Other Side of Human Trafficking” *European Journal of Criminology* 5, no. 1 (2008): 39–68.

⁷⁹ USICE (United States Immigration and Customs Enforcement) “Fiscal Year 2007 Annual Report” (Washington, D.C.; 2007) available at <http://www.ailadownloads.org/advo/ICEFY2007AnnualReport.pdf>.

trafficking at all levels. It is a disservice to the victims to assume that all traffickers and slaveholders are men.

Trafficking occurs at every level, and from the very simple to the very complex. Organizations and individuals that carry out trafficking and slavery have proven to be enterprising, flexible, and evasive, allowing this crime to flourish. Their methods and scope may vary from country to country and from one organization to another, but their end game is all the same. The individual, the small group, and the large organization all have the same goal: the exploitation of human beings for profit.

Trafficking as a Business

Trafficking and slavery is a profit driven business. It is simplest to view this crime as a business model, for criminals are opportunistic and operate in a competitive environment. They also compete in markets, much like legitimate businesses, and face some of the same challenges in growth, diversification, market research, and retention that a Fortune 500 company would also deal with. However, trafficking businesses – which are so closely linked with many other criminal activities – function in markets of extreme violence and competition. Their working conditions are subject to sudden and violent change, either from a rival organization or law enforcement officials.

While dealing with the constant threat from rivals and governments, trafficking rings as a business model hold up under five different categories. Each model is a reflection of history and culture, geography, and present market forces.⁸⁰ Trafficking rings can be characterized by a number of different traits, including the ethnicity of those

⁸⁰ Louise Shelley, “Trafficking in Women: The Business Model Approach” *The Brown Journal of World Affairs* 10, no. 1 (2003): 119–131.

they smuggle, the use of force or violence, or the reasons they engage in trafficking. The business models and how trafficking rings fit their definitions are outlined below.

Natural Resources Model: Some trafficking rings treat their slaves as resources, like coal or timber, easily harvested and easily sold. These businesses are transient, focused on short term profits, and are more like subcontractors to larger organizations. Still, their recruitment and handling of slaves before passing them on to a customer is part of the business cycle in trafficking operations. This kind of trafficking was common especially after the fall of the Soviet Union, and is rising again now in the wake of the refugee crisis.

Trade and Development Model: Unlike the Natural Resource Model, the Trade and Development is a long-term, maximum profit driven operation. Traffickers recruit, transport, groom, and keep their victims, often for very long periods of time, or until the victim repays whatever debt the traffickers feel is their due. These organizations offer start-to-finish operations, and so are more invested in keeping their victims subdued and compliant. This type of model is typified in Chinese-Thai traffickers.

Supermarket Model: This business model is concerned with a low-cost and high-volume market, aiming to maximize the profits of the trafficking ring. This model moves the largest number of people, flooding the market with satiating an existing demand. In order for this model to be profitable, the transport costs must be low and the consumption costs must be high. Violence is not characteristic of this group, however it is not uncommon. This kind of model is prevalent on the U.S. – Mexican border, with

smugglers charging very little to get illegal migrants across the border, sometimes resulting in their death.⁸¹

Violent Entrepreneur Model: This model is related to the Natural Resource model, in that it acts like a middle man, taking victims from one trafficking ring to another. This model uses force and violence to subdue the victims, and ensure compliance so that the organizations still has a profit. These organizations are steeped in human rights abuses, as well as corruption of government officials and law enforcement officers. This type of model is exemplified in trafficking rings in the Balkans,⁸² who take victims from rings in Eastern Europe or former Soviet states, and sell them into prostitution in Western Europe. It is a highly lucrative, and their funds are profits are typically invested back into licit or illicit activities.

Traditional Slavery and Modern Technology: Modern slave traders have found how to combine old practices with new technology, and this model exploits the benefits of doing so. These organizations will use contracts or religious rites to force their victims into slavery, and once they are enslaved such agreements keep the victims compliant. It is used in both the sex trade and forced labor industry.⁸³ Traffickers use modern technology to transport and to monitor their victims and communicate market needs with organization leadership. This type of trafficking is most common with Nigerian and West African trafficking organizations.

⁸¹ “Death of 14 Immigrants in Arizona Desert Spotlights Human Costs of the Militarization Of U.S.-Mexico Border” (*Democracy Now News*, May 2001) available at https://www.democracynow.org/2001/5/25/death_of_14_immigrants_in_arizona.

⁸² Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

⁸³ *Ibid.*

Trafficker Methods

Traffickers use a myriad of tools and tactics from the beginning of recruitment all the way through the term of slavery. At the onset, a trafficker may deceive and lie to a victim, promising a better life of comfort, or at least another life away from conflict. During transport, methods range from lavish spending to keep up the ruse (i.e. the ‘loverboy’ scheme in which the trafficker flies his victim on a first-class ticket to the destination country, before forcing the victim into prostitution), or the transporter may be cruel and abusive in order to maintain compliance.⁸⁴ Finally, the exploitation phase has a number of different methods, ranging from type of slavery, type of organization involved in the trafficking, and the goals of the organization doing the trafficking. A few of those methods are outlined below.

Abuse and Fear: Reports of trafficking are thick with accounts of violence and threats of violence against the victims. Traffickers exercise great control over the victims, making them completely dependent for food, legal protection (for those in the country illegally), and somewhere to live. Even then, living conditions and rations are sometimes described as deplorable, unsafe, and hazardous.⁸⁵ Traffickers seize legal documents like passports and visas from their victims, keeping them bound to the trafficker if they try to escape. The slaveholder knows that if caught, the victim will be deported, and that is usually a threat the victim does not want to challenge.⁸⁶ Violence is used to keep victims

⁸⁴ Jesse Sage, *Enslaved: True Stories of Modern Slavery* (New York: St Martin’s Griffin Press, 2008).

⁸⁵ Kevin Bales, *The Slave Next Door: Human Trafficking and Slavery in America Today* (Los Angeles, CA: University of California Press, 2010).

⁸⁶ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

enslaved and cooperative, and fear keeps them from acting out or reporting to authorities. In one case reported in the United Kingdom, a trafficker threatened to use a mother's young children in pornographic videos if she refused to continue working as a prostitute.⁸⁷

Fear of what the trafficker might do to family is a vicious tool used regularly to keep victims in docile and cooperative. Slaves report threats from their handlers who told them that if they ran away, the trafficker would go to their families and kidnap a sibling or parent and force them into prostitution, or other forms of slavery.⁸⁸ Violence is used as a punishment for victims who break the traffickers' rules, often publicly, as a display to keep other victims in line. In Serbia, a woman who refused to work as a prostitute was beheaded in public.⁸⁹

Manipulation and Dependence: Other methods used by traffickers are more psychological and sinister. The Turkish-German brothers mentioned in vignette#8 reportedly beat and tortured their women, but also manipulated them into compliance. Women were pitted against each other, made to feel like the favorite, belittled, and made jealous against each other. In the 'loverboy' scheme, a man creates an emotional bond with his victim before coercing them into prostitution, taking advantage of the victim's belief that they are in love.⁹⁰ This emotional dependence allows the trafficker to enjoy a

⁸⁷ Andy Russel, "Callous Human Trafficker Jailed" (*Manchester Evening News*, 11 June 2008), available at http://www.manchestereveningnews.co.uk/news/s/1053507_callous_human_traffickers_jailed_.

⁸⁸ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

⁸⁹ Michael Spector, "Traffickers' New Cargo: Naive Slavic Women" (*The New York Times*, 11 January 1998), available at <http://www.nytimes.com/1998/01/11/world/contraband-women-a-special-report-traffickers-new-cargo-naive-slavic-women.html?pagewanted=all>.

⁹⁰ Frank Bovenkerk, and G. J. Pronk, "Over de bestrijding van loverboy methoden." *Mensenhandel, Justitie* "le Verkeningen, no. 7, (2007).

long-term exploitation of his victims, and sometimes those victims do not realize or care that they are being exploited.⁹¹

Another form of dependence used by traffickers is called “trauma bonding,” and it is used when runaway girls are targeted by pimps and traffickers who then use a combination of gifts, affection, violence, and degradation to coerce her into exploitation. In exchange for compliance, the trafficker may give the victim more gifts and jewelry as presents.⁹² The Polaris Project describes this kind of emotional bond as better at keeping the victims in line, because the trafficker wields power and authority over the victim, but does not resort to violence because the victim is fairly compliant on their own.

Vignette #9 Plakici Case

In 2003, Luan Plakici was convicted for kidnapping and incitement to rape while running a prostitution ring in the United Kingdom. Plakici admitted to facilitating the entry of over 50 women into the country, and then forcing those women into sexual servitude.⁹³ He even married one teenage girl before telling her to spend her wedding night working as a prostitute.

At the time, it was the biggest case of human trafficking seen in the UK, with the operation earning over one million pounds in profit. It was further groundbreaking in that Plakici’s original conviction carried a sentence of 10 years of jail time. When it went to appeal, however, the court more than doubled his sentence, increasing it to a total of 23 years for his crimes in organizing human trafficking.⁹⁴

Rotating Victims: As seen with the business model discussion, traffickers treat victims like cheap commodities that can be used and easily replaced. In the Netherlands,

⁹¹ Menno Van Dongen. “140 meisjes uit Nigeria in prostitutie verdwenen.” (*De Volkskrant*, 3, 25 October 2007).

⁹² Nicholas Kristof, “The Pimps’ Slaves” (*The New York Times*, 16 March 2008), available at http://www.nytimes.com/2008/03/16/opinion/16kristof.html?_r=3&th&emc=th&oref=slogin&oref=slogin&oref=slogin.

⁹³ BBC (British Broadcasting Corporation), *Prison for Sex Slave Gang Leader*, (London: 2003), available at <http://news.bbc.co.uk/2/hi/uk/3340921.stm>.

⁹⁴ CPS (Crown Prosecution Services) “Groundbreaking Sentence Increase for Human Trafficker” (2004), accessed 11 August 2016. Available at https://www.cps.gov.uk/news/latest_news/118_04/.

police reports state that directors of trafficking rings cycle girls through different brothels, in an effort to keep the supply fresh, and thus ensure new clients. The brothels act like “prostitution carousels,” feeding the demand for sexual exploitation and reinforcing the idea that victims are cheap.

Larger organizations are able to rotate their victims through a number of businesses the organization owns, rather than partnering with another small operation or fellow brothel owner to swap victims. For instance, a large organization can move women and girls from brothels, to massage parlors between cities, and sometimes even countries. Reports suggest that organizations are subject to market forces (meaning clients want new girls), and they must rotate girls around in order to stay competitive in the field. Consider the following case study.

Vignette #10: The Rotating Victims

“At an IOM [International Office of Migration] shelter in Tirana, Albania, many of the young victims of sex trafficking spoke Italian, German, Dutch, and English. They learned these different languages while “working” in those countries. Some of the girls were in as many as four different countries during their time as sex slaves. That was disturbing, but more shocking was the realization that the majority of the girls were under the age of 21.

This same pattern was revealed in a police and prosecutorial investigation into the trafficking of women from Lithuania to the Netherlands for forced prostitution. Victims were being moved or sold to brothels in Austria, Denmark, the Netherlands, and Spain.⁹⁵”

Rotating victims has three benefits: it keeps male clients coming back; it ensures market competitiveness; and it keeps clients from forming a relationship with a particular victim. Anything that threatens the relationship shared between master and slave is a threat to the whole operation, and if a relationship between client and victim were to

⁹⁵ Thea van der Geest, “De zak Handel in Letlandse vrouwen” (*Opportuun*, March 2007).

form, the client may be inclined to report the operation to the authorities. The rotation mechanism both protects the organization from discovery, and keeps it competitive on the market.

Globalization and Human Trafficking

Globalization has been a great boon to modern society. The impact of increased trade, information sharing, and the rise of quality of life are all attributed to an interdependent global economy and more open borders. For the vast majority of people, who are law-abiding citizens and are not vulnerable to trafficking, globalization has been a great blessing. However, for those who are vulnerable to trafficking, whose lives have been damaged by opportunistic criminals and affected by war, globalization has been a detriment.

The criminal world understood and took advantage of globalization much faster and better than most anyone else. “Early on, they mounted large-scale operations to traffic and enslave people, utilizing the attributes of the newly globalized world economy.”⁹⁶ The evolving nature of globalization allows criminals to capitalize on changing and dynamic local, regional, and global labor practices.

This is important in understanding the economics of the slave trade, which will be discussed in chapter 4. With the rise of globalization came the decline in prominence of states running the economic scene. Independent entrepreneurs can use the internet to sell their goods, and decentralized trade can happen anywhere. For instance, in a legitimate transaction, a young woman can buy a watch on Etsy, made by a college student in

⁹⁶ Kevin Bales, *The Slave Next Door: Human Trafficking and Slavery in America Today* (Los Angeles, CA: University of California Press, 2010).

China, and have him ship it to her directly. In illegitimate practices, criminals use the dark web, porous borders, and corrupt officials to sell their victims and make a profit. In the shadow economy, trafficking grows as conditions permit, and globalization is a major factor in allowing those conditions to thrive.

Conclusion

Trafficking organizations and their operations are as diverse and fluid as an organization can be, ranging from the individual to the complex hierarchal structure. Their methods of recruitment, transit, and exploitation differ widely across geography, scale of operation, and opportunity. The persistent view that trafficking occurs in dark corners, with sinister and sleazy men exploiting women must be true but insufficient. The scope of trafficking is as broad and varied as the human imagination. The rise of globalization has allowed this crime to grow and flourish, bringing new victims and new criminals into the shadow economy. Organizations and individuals that abuse men, women, and children exist, and their aim and goal is all the same: the exploitation and subjugation of human beings for power and for profit.

CHAPTER THREE: THE STATE – POWER TO PREVENT, DETER CRIME

Trafficking is studied through multiple lenses, but the purview of this thesis is to break down the problem into three phases: problems at the individual level (as discussed in chapters 1 and 2), problems at the state level (discussed in this chapter), and problems at the systemic and international level (discussed in chapter 4). These three phases break the issue down into concrete pieces. Solutions at each level can be implemented and fit together like pieces in a puzzle, and implementing solutions at all these levels will abolish slavery today.

Because trafficking can be studied from so many different angles, solutions to the problem are as varied as the problem itself. That should not be taken as a discouraging statement, however. Solutions that are implemented slowly still have a positive effect, and those solutions implemented at an individual level do as much good in freeing those in bondage as those solutions implemented at an international level. We must stop the thought that implies that if a solution cannot stop all trafficking all at once, it is not worth implementing. The truth is it will be a piecewise solution, and all steps taken to end slavery are essential, no matter how small. In order to abolish slavery and end trafficking, legislators and the media must understand the scope and tragedy of the issue. This chapter discusses barriers at the state level that affect and perpetuate trafficking, and what states can do and have done to resolve it. This chapter is of particular importance, because historically, abolition did not truly gain momentum until state powers started to enact and enforce laws against trafficking.

Definition

The first problem researchers face in this field is difficulty in even defining the problem.⁹⁷ A clear definition of the problem is needed to create effective legislation in abolishing it. Most reports in academia accept the definition set forth in the United Nations Trafficking Protocol, but then go on to discuss why that definition is limited. The Protocol states that trafficking is:

[T]he 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 the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.⁹⁸

According to the protocol, in order for an act to be considered trafficking it must consist of at least three things: the action (recruiting, transporting, housing victims), the means of subjugation (threat of force, abuse, fraud, taking advantage of vulnerability, exercising control), and the goals (the exploitation of the victim, usually for profit). The protocol also gives special definitions for trafficked children, stating that anyone under 18 who is recruited, transported, harbored, and exploited is trafficked, whether or not their consent was given.

⁹⁷ Kevin Bales, *Understanding global slavery: A Reader*. (Los Angeles, CA: University of California Press, 2005); Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), available 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>; UNODC (United Nations Office on Drugs and Crimes). *Global Report on Trafficking in Persons*. (Geneva; 2014.) available at https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf.

⁹⁸ OHCHR (United Nations Office of the High Commissioner for Human Rights), *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime*. (Geneva; 2000) available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx>

The U.S. 2015 Trafficking in Persons Report accepts the U.N. protocol, but argues that trafficking can occur without transport, as individuals have reported exploitation in their hometown.⁹⁹ Alexis Aronowitz argues that at least one aspect of all three categories must be present for trafficking to occur¹⁰⁰ Dr. Kevin Bales lauds the inclusion of violent control explicitly stated as an element of trafficking, though he laments the lack of a definition of slavery, even though it is implied. He pairs trafficking and slavery together, saying that slavery is the end result of trafficking; indeed, it is the loss of free will of the individual, which begins at recruitment.¹⁰¹

Measuring Trafficking

The lack of consensus about the exact definition of trafficking blocks law makers from drafting legislation that might end it. The confusion that surrounds how to define the problem is rooted in a lack of complete and total understanding of the situation, which itself rises from the inability to accurately measure the problem. This is no fault of the researcher; the criminal world and its methods are inherently secretive, rapidly change, and highly aggressive. Researchers in the field burn out at a high rate, either because the topic is distressing and difficult, or because in-the-field research is dangerous. In addition, victims are often reluctant to come forward, are kept in isolation, killed, ostracized, or criminalized. Their stories go untold, and getting a complete picture of the problem of slavery gets more challenging.

⁹⁹ U.S. Department of State. *Trafficking in Persons Report 2005 - 2015*, available at <https://www.state.gov/documents/organization/245365.pdf>.

¹⁰⁰ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings*. London UK; Praeger, 2005, available 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

¹⁰¹ Kevin Bales, *Understanding global slavery: A Reader* (Los Angeles, CA: University of California Press, 2005).

Scientific American had this damning statement about the challenges of measuring modern slavery and trafficking: “We worry that the study of contemporary slavery is more of a proto-science than a science. Its data are uncorroborated, its methodology unsystematic. Few researchers work in the area, so the field lacks the give and take that would filter out subjectivity.”¹⁰² This perspective was published more than a decade ago, and while steps have been taken to understand slavery and trafficking since then, the problem of accurately measuring slavery still persists.

The first problem in measuring slavery is in the nature of criminal organizations themselves. As discussed in chapter 2, criminal organizations are flexible and secretive, aggressive and competitive. This aspect makes gathering data all the more difficult, for once a researcher has something to report, the market may have changed and so to the methods of operation. The traffickers are quick to adapt to a changing market and their capacity for obscuring activity make data collection all the more difficult. They take advantage of globalization, new technology, and open borders much faster than legitimate businesses and governments. In essence, these organizations are a moving target, difficult to pin down, prosecute, and eradicate.

The second major challenge to accurate measurement of trafficking and slavery is the lack of prosecutions and victims reporting crimes. Numbers of victims are notoriously low and inaccurate, and true estimates range up to ten times the reported minimum.¹⁰³ Most of the research and attention focuses on sexual exploitation, failing to account for domestic service, forced labor, begging, debt bondage, child soldiers, or organ

¹⁰² “The Peculiar Institution: SA Perspectives.” (*Scientific American*, April 2002, p. 4).

¹⁰³ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

trafficking, to name a few other forms of slavery. There is also a lack of reporting on internal trafficking, prosecution of a state's own citizens for human trafficking violations. Laws against trafficking are not enough, however; the whole system must move against trafficking in order for change to happen at a state level. Alexis Aronowitz states that, "Where good legislations is in place, the lack of political will, inexperience in conducting investigations and prosecutions, and corrupt practices contribute to minimal success in the identification of victims and the arrest and prosecution of traffickers."¹⁰⁴

This lack of accurate measurement is described by a phenomenon called the "rule of dark figures."¹⁰⁵ All crimes have some gap between what is reported and what is unreported, but that gap usually gets smaller depending on the severity of the crime. For instance, murder has a small dark figure because it is the most serious crime. On the other hand, bicycle theft has a large dark figure, because it is not considered a serious criminal activity. Human trafficking is much closer to murder than bicycle theft in terms of seriousness of the crime. The sobering reality however, is that it has a large dark figure, allowing it to continue. As the gravest crimes are committed against the most vulnerable and innocent, the number of victims is increasingly difficult to measure with any accuracy. Almost every publication in this field laments this fact and acknowledges that it is a significant barrier to ending global slavery.

The last significant factor in measuring trafficking is the reluctance of victims to report their exploitation. Victims suffer grave abuses, and fear of reprisal from

¹⁰⁴ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

¹⁰⁵ Anthony Walsh and Craig Hemmens, *Introduction to Criminology: A Text/Reader (3rd ed.)*. (Thousand Oaks, CA: SAGE Publications, Inc, 2014).

traffickers, lack of trust in law enforcement or the belief that they will not help is a key reason for lack of reporting. Perhaps the saddest example of this is when traffickers bring in clients dressed as police officers or other law enforcement officials, who then exploit the victim sexually, making the victim even more unwilling to talk to authorities after they have been rescued.¹⁰⁶ Furthermore, victims who are freed may be ostracized from their community if they speak out, may be rejected by their families, or criminalized by the destination country.¹⁰⁷ Lastly, some victims do not see themselves as exploited and will not speak out for that reason. These are victims who are in love with their trafficker and do not see the actions as exploitation, or workers who make more money in the host country than they would back home.

There are significant, multiple barriers to accurately measuring trafficking. Those listed in this chapter are limited to barriers at the state level. The nature of criminal organizations and their secretive, shadow economy exploit and evade the state's legitimate practices. The lack of accurate measurement practices and reporting make it difficult to gauge the scope of trafficking and slavery as a whole. Lastly, a victim's unwillingness to cooperate with law enforcement and report trafficking crimes makes prosecutions more difficult to carry out, thereby reducing the number of overall trafficking cases.

Accurately measuring human trafficking and slavery will remove some of the confusion that surrounds the problem. It will allow law makers to draft cohesive and comprehensive legislation. It will eradicate some of the lack of understanding displayed

¹⁰⁶ L. Kasten, & J. Sage, (Eds.), *Enslaved: True stories of modern day slavery*. New York, NY; Palgrave Macmillan: 2006).

¹⁰⁷ U.S. Department of State. *Trafficking in Persons Report 2015* available at <https://www.state.gov/documents/organization/245365.pdf>.

by authorities in dealing with the problem. Accurate measurement of the problem helps prosecutors fight against trafficking, and the more action a state takes against trafficking the better off the state. As Secretary of State, John Kerry stated when he addressed the President's Interagency Task Force to Monitor and Combat Trafficking in Persons: "We live in 2015, in modern times, with a form of slavery that is...hard to identify. But so much could be done to prosecute it."¹⁰⁸

Estimates of Trafficking: The trafficking trend is increasing across the globe, although researchers puzzle over whether this is due to an actual increase in trafficking and slavery or if awareness has risen and thus more prosecutions. Certainly, opportunities for trafficking have climbed, with the Arab Spring, instability in the Middle East, refugee camps, and increased globalization. But the last decade has also seen a large growth in the fight against trafficking, with better methods to measure criminal activity, and a push to end global slavery. The U.S. State Department estimates that nearly 20 million people are enslaved as of 2015.¹⁰⁹ The International Labor Office estimated 21 million in the year 2015.¹¹⁰ Estimates for those identified as trafficking victims hovers around one percent every year. Men, women, and children are all affected by the trade, with roughly three in every 1000 individuals enslaved globally.

¹⁰⁸ U.S. Department of State, Office to Monitor and Combat Trafficking in Persons, quoting Secretary of State John Kerry, Jan 5th, 2016. Available at <https://www.state.gov/j/tip/>.

¹⁰⁹ U.S. Department of State, Office to Monitor and Combat Trafficking in Persons. Available at <https://www.state.gov/j/tip/>.

¹¹⁰ ILO (International Labour Organization), *New ILO Global Estimates of Forced Labour: 20.9 Million Victims*. (Geneva; 2012), available at http://www.ilo.org/global/topics/forced-labour/news/WCMS_182109/lang--en/index.htm.

The International Labor Office reported the following statistics in 2012¹¹¹, as a comparison against their 2005 study.

- 18.7 million (90%) of those enslaved are in the private economy¹¹²
 - 4.5 million (22%) of these are exploited for the sex trade;¹¹³
 - 14.2 million (68%) are exploited in forced labor (such as agriculture, domestic work, construction, and manufacturing).
 - Women and girls are a greater share of those in forced labor, with 11.4 million (55%) enslaved, compared to 9.5 million (45%) of men and boys.
- There are nearly three times as many adults as children who are victims of trafficking. 15.4 million (74%) adults, as compared to 5.5 million (26%) children.¹¹⁴
- 2.2 million (10%) are enslaved by state systems, i.e. prisons whose conditions violate ILO standards.¹¹⁵
- The forced labor economy generates nearly \$150 billion in illegal profits every year.¹¹⁶

¹¹¹ ILO (International Labour Organization) *Forced Labour, Modern Slavery, and Human Trafficking* (Geneva; 2012) available at <http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>.

¹¹² ILO (International Labour Organization) *ILO Global Estimates of Forced Labour: Results and Methodology* (Geneva; 2012) available at http://www.ilo.org/global/topics/forced-labour/publications/WCMS_182004/lang--en/index.htm.

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

The UN Office of Drugs and Crime (UNODC) released a sobering report on the state of trafficking in its 2014 global report.¹¹⁷ These tables and charts show a rise in trafficking and slavery, notwithstanding improved methods and increased actions from the international community to combat trafficking. See Figures 3.1 and 3.2.

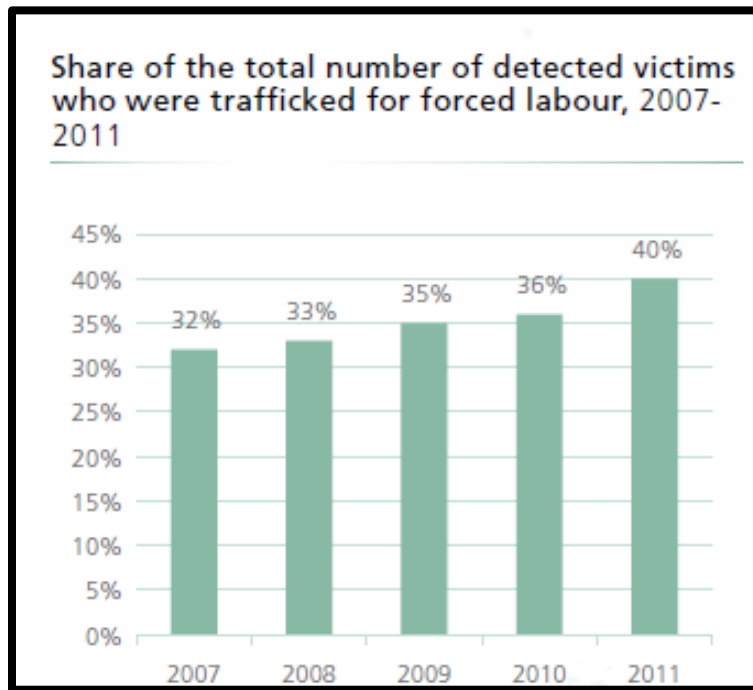


Figure 3.1. Detected victims trafficked for forced labor. Data from UNODC reports.

¹¹⁷ UNODC (United Nations Office on Drugs and Crimes) *Global Report on Trafficking in Persons*. (Geneva; 2014) available at https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf.

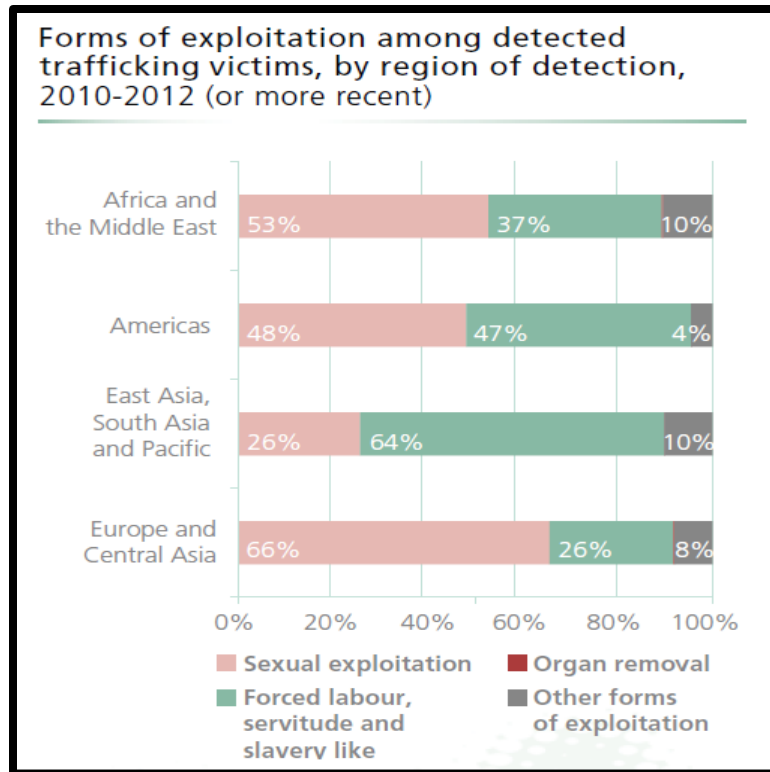


Figure 3.2. Forms of trafficking by region and type. Data from UNODC reports.

Note that trafficking varies widely across the globe. Sexual exploitation is the mainstay in Africa, the Middle East, Europe, and Central Asia; forced labor is the normal form of slavery in East Asia, South Asia, and the Pacific. In the Americas, sexual exploitation and forced labor are about equal. Other forms of trafficking are on the rise across the globe, such as recruiting children for armed combat, for petty crimes, and for begging or panhandling. Interestingly, while sexual exploitation receives the most attention, nearly 40% of the victims rescued between 2010 and 2012 were in the forced labor industry.¹¹⁸

¹¹⁸ Ibid.

The number of trafficked children has also risen sharply. Traffickers prey on the most vulnerable and least educated, which leaves those children in poverty the most susceptible.¹¹⁹ Nearly a third of those trafficked are children, and out of every three child victims, two are female and one is male. Regional differences in trafficking highlight how children are affected (See Figure 3.3). In Africa and the Middle East, children are the largest majority of those trafficked across borders.¹²⁰ In Europe and Central Asia, children are greatly outnumbered by adult victims of trafficking.

Corruption

No discussion about trafficking and slavery would be complete without addressing the significant issues surrounding government corruption, bribery of local officials, and the harm it causes. Criminal actions, trafficking among them, do not exist in a vacuum, and corrupting government officials is often central to large operations. The Council of Europe stated that corruption is one of the most significant cost factors for trafficking.¹²¹

¹¹⁹ ILO (International Labour Organization) *ILO Global Estimates of Forced Labour: Results and Methodology* (Geneva; 2012) available at http://www.ilo.org/global/topics/forced-labour/publications/WCMS_182004/lang--en/index.htm.

¹²⁰ UNODC (United Nations Office on Drugs and Crimes), *Global Report on Trafficking in Persons*, (Geneva, 2014), available at https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf.

¹²¹ Nancy Scheper-Hughes, “Keeping an Eye on the Global Traffic in Human Organs” (*The Lancet* 361, May 10, 2003): 1645–1648.

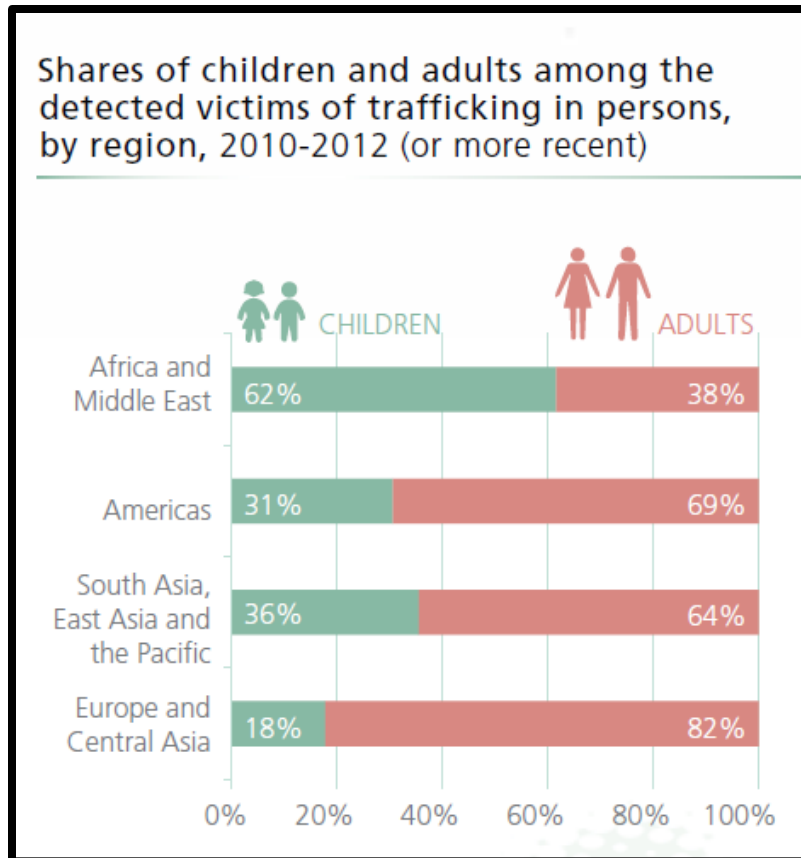


Figure 3.3. Percentage of children trafficked by region. Data taken from UNODC reports.

“Without corrupt law enforcement, border guards, police, consular officials, diplomats, lawyers, security, and transport sectors, this trade could not exist.”¹²² Corrupt officers and agents allow traffickers to continue their practice, and they become part of the network of personnel that perpetuates global slavery.

Corrupt practices differ across agencies and officials, but all are necessary to keep human trafficking moving forward. A border patrol agent may be paid off for allowing smugglers to bring victims across a border.¹²³ A police officer may allow a brothel to

¹²² Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

¹²³ Ibid.

continue operating after receiving special favors or treatment from the owner or victims.¹²⁴ Embassy officials may create or ignore false documents that facilitate transport from one country to another, as was the case with Bosnia in 2002.¹²⁵

Government corruption can be either passive or active. Passive corruption is when officials ignore warning signs, turn a blind eye to suspicious activity, and fail to enforce laws that criminalize trafficking and slavery. Active corruption occurs when officers actively endorse, condone, or even participate in trafficking practices. In 2006, the Albanian prime minister accused the government judicial system of corruption so widespread it exacerbated the human trafficking problem across the whole country.¹²⁶ See vignette #11.

Government corruption is so closely tied to human trafficking that there is a significant link to the amount of trafficking and slavery and the level of corruption in the country. Corruption disrupts the rule of law, and makes the vulnerable susceptible to violent control and abuse. Paradoxically, many developing countries have excellent anti-slavery laws. However, passing a law and enforcing a law are two entirely different matters.

Vignette #11: Corrupt Malaysian Officials

Corruption at multiple levels was found in Malaysian officials looking to traffic Filipinos into the country, according to a U.N. report. Police officers worked with large trafficking organizations and in turn were granted sexual favors, free drinks, and financial payments. Lower-ranking police officers attempted to extort and exploit victims of trafficking directly, using harassment and threat of arrest and detention. In three separate incidents, women were told by their owners to give sexual services to men who identified

¹²⁴ Ibid.

¹²⁵ Human Rights Watch, “Hopes Betrayed: Trafficking of Women and Girls to Post-Conflict Bosnia and Herzegovina for Forced Prostitution” (New York: 2002) available at <https://www.hrw.org/report/2002/11/26/hopes-betrayed/trafficking-women-and-girls-post-conflict-bosnia-and-herzegovina>.

¹²⁶ Radio Free Europe, “Albanian Corruption Fuels Human Trafficking” (Prague: June 2006) available at <http://www.rferl.org/a/1069476.html>.

themselves as police officers. In addition, victims described how immigration officers were involved, stating that traffickers notified the officers of when they were coming through immigration checkpoints, and the officer would guide the victims through customs with false or no legal documents.¹²⁷

As Dr. Kevin Bales states, “If the government had been doing everything its laws promised it would do, who knows how many thousands more would now be free?”¹²⁸ Dr. Bales’ study and research show that the most significant factor in predicting trafficking in persons in a country is the level of corruption within the country’s government.¹²⁹

This fact is sobering, considering most of the attention in fighting trafficking is directed at the traffickers and their sinister methods. However, as stated at the beginning of this chapter, crime does not exist in a vacuum. Corruption at the government level, and at all government levels, is part of human trafficking and the global slave trade. Whereas historically slavery was legal and moderated by government agencies which provided some oversight and control, today the practice has no such watchdog. Just because slavery was abolished by law does not mean it does not continue. And just as it did in the past, the government is involved in one way or another. Presently, the corruption at local, municipal, and judicial levels allows trafficking to continue. By failing to enforce laws, governments are part of the cycle of human trafficking and the global slave trade.

Exploitation of Laws

¹²⁷ Alexis Aronowitz, “Coalitions Against Trafficking in Human Beings in the Philippines.” (United Nations Office on Drugs and Crime and the United Nations Interregional Crime and Justice Research Institute, Vienna, Austria: 2003) available at http://www.unodc.org/pdf/crime/human_trafficking/coalitions_trafficking.pdf.

¹²⁸ Kevin Bales, *Understanding Global Slavery: A Reader* (Los Angeles, CA: University of California Press, 2005).

¹²⁹ Ibid.

As previously mentioned, traffickers are good at exploiting systems for gain, and they must do so in order to stay competitive. One way they do so is by using creative methods to work around laws against trafficking, and exploit those laws to maximize their profits and reduce their risks. For instance, Nigerian traffickers brought more than 140 minors to the Netherlands¹³⁰ over a two year period, and had those minors claim asylum upon entering the country. Dutch law requires that no person declaring asylum be deported until their case is investigated. Traffickers knew this, and used it to their advantage.¹³¹ Minors awaiting the outcome of their asylum case are housed in a center that allows them to come and go as they please (because asylum seekers are viewed as victims, not offenders), and traffickers would then contact their victim after a couple of weeks in the center. After contact, the victim would disappear from the housing center, and be made to work in the prostitution business in the Netherlands or other western and southern European countries.

Trafficking entails a number of crimes against the individual, the state, and the system. At all phases of the operation, from recruitment to exploitation, additional crimes are committed in order to keep the supply of victims flowing. Chart 2.1 outlines the offenses committed in pursuit of global slavery. The individual suffers the most number of abuses in the human trafficking cycle, but the state and system are also victims of trafficking. The shadow economy robs legitimate businesses and consumers of wealth; tax evasion causes resources to be allocated for investigations they would not need to go

¹³⁰ Menno Van Dongen, “140 meisjes uit Nigeria in prostitutie verdwenen.” (*De Volkskrant*, 3, 25 October 2007).

¹³¹ Openbaar Ministerie, “Internationale actie tegen handel in minderjarige Nigeriaanse asielzoekers” (News report, 2007).

to if trafficking and slavery were abolished; and government corruption leads to distrust and apathy about affecting real change, freeing the slaves, and prosecuting the traffickers.

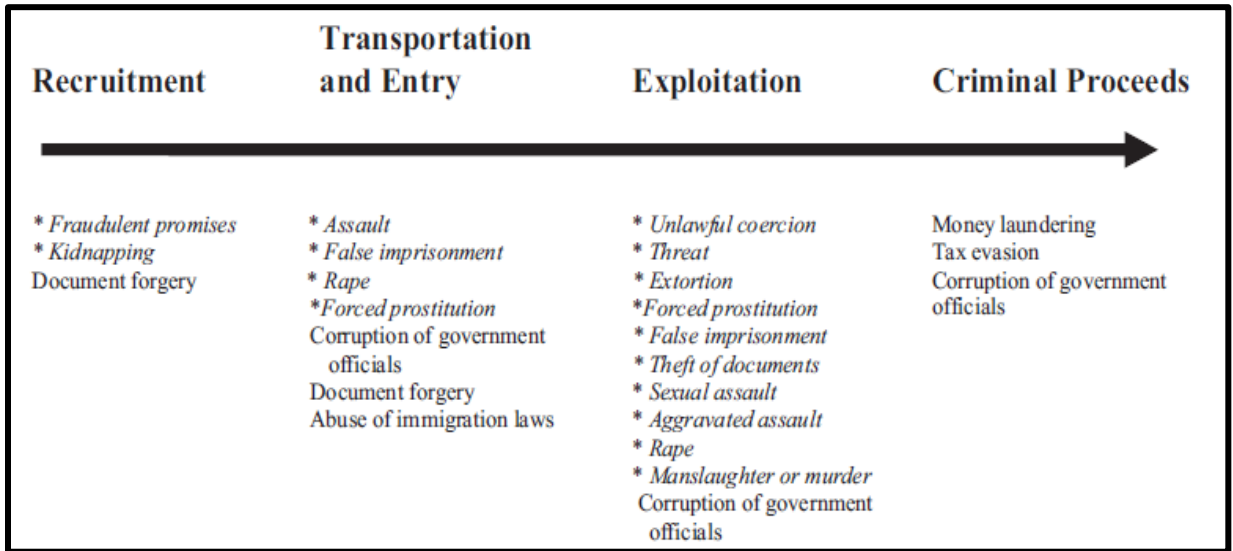


Figure 3.4 Associated Crimes of Human Trafficking. Data taken from Aronowitz 2003.¹³²

Note: * denotes crimes committed against the individual.

One method for the state to ensure that penalties applied to those prosecuted for trafficking effectively deter and denote the seriousness of the crime, is to invoke other relevant provisions of criminal law. Because trafficking and slavery go hand in hand with so many other crimes, it is right a trafficker be prosecuted to the fullest extent of his or her crimes. Such additional charges include but are not limited to the following: slavery, slavery-like practices, involuntary servitude, forced labor, debt bondage, forced marriage, forced abortion, forced pregnancy, torture, cruelty and inhumane treatment, rape, sexual assault, bodily injury, murder, kidnapping, unlawful confinement, labor exploitation,

¹³² Alexis Aronowitz, “Coalitions Against Trafficking in Human Beings in the Philippines.” (United Nations Office on Drugs and Crime and the United Nations Interregional Crime and Justice Research Institute, Vienna, Austria: 2003) available at http://www.unodc.org/pdf/crime/human_trafficking/coalitions_trafficking.pdf.

withholding legal documentation, and corruption. Prosecuting traffickers for the breadth of their crimes applies weight and depth to the significance of human trafficking and the experiences of the victim.

Conclusion

States have significant powers to help end global slavery and human trafficking. Acting unilaterally, they can reduce trafficking numbers within their own borders. The cross-border nature of trafficking may lead some to think that this issue requires significant international cooperation, but where that does not exist or is difficult to achieve, states can pass laws, enforce legislation, and promote awareness and lift the society out and away from slavery. Abolition in the 19th century occurred once the state governments decided to act; the same idea is true today. Human trafficking will end when governments pass and enforce laws against slavery and trafficking in persons.

One way to galvanize this process is to harmonize laws from state to state, in order to create a global standard for what constitutes slavery and trafficking. The definition of human trafficking should be agreed upon, if not at an international level than at least at a federal level. An accurate definition leads to a better understand of the problem, which will in turn provide more accurate measurement techniques. Accurate measurement techniques will help pin down precise estimates of the extent of trafficking as well. Corruption in government officials must also be closely monitored, since trafficking cannot exist without corrupt government agents. The fact that trafficking is directly proportional to the level of corruption in the government shows the significance of state's actions against human slavery. If state agents allow trafficking to continue

because of their corruption, then states enforcing laws against that behavior will help drive the practice out of the country.

Prevention, protection, and prosecution are the mainstay themes of state level actions against slavery and human trafficking. Prevention is necessary to keep vulnerable people safe, educated, and aware of the dangers they are uniquely susceptible to. Protection is required for victims of trafficking, in some cases for long periods of time. Victims often face a catch-22 in not receiving help from the state because of their irregular immigration or employment status. Rather than getting the help and protection they need they are viewed as criminals by law enforcement officers, and are therefore mistrustful of authorities and refuse to cooperate with them. This unwillingness to cooperate makes it difficult for prosecution cases against traffickers to go to trial, since the testimony of the victim is paramount to helping get a conviction.

States have a responsibility to ensure that those within their borders do not suffer human rights abuses and lives are protected. Human trafficking is an act that degrades the dignity of a human being and victims suffer some of the worst offenses imaginable. In trafficking operations, traffickers violate laws and thwart the rule of law, sometimes aided by government officials themselves. Although criminals violate a range of domestic and international laws, state governments violate victims' human rights by not enforcing those laws. Action on the part of the state is absolutely essential to ending human trafficking and slavery.

CHAPTER FOUR THE INTERNATIONAL SYSTEM: GLOBALIZATION VS. MONEY

Slavery and human trafficking has existed for ages, and is one of the first truly global enterprises. For the majority of recorded history, slavery was a morally acceptable, legally sanctioned business. It was an accepted order and practice, that some argued was justified by divine will. Attitudes about slavery were consistent throughout time and culture, from ancient Babylon in 1750BC to Alabama in 1864.

The big shift in attitudes occurred when slavery went from being viewed largely as an economic institution, to a moral injustice.¹³³ Slaveholders see themselves as businessmen and women; to them, their victims are a link in the economic chain, easily acquired and easily replaced. To an outsider this view seems crass and evil, but few slave masters see themselves as evil. As Baumeister puts it, “Evil is but rarely found in the perpetrators’ own self-image. It is far more commonly found in the judgements of others.”¹³⁴ For centuries, the attitudes surrounding slavery were similar to those held by modern traffickers – that it was just the way of life. One of the most striking things about abolition in the 1800’s was its great achievement in changing the mindset about slavery, galvanizing the public and the media, and influencing states’ laws. Such a movement is necessary again today, as the slavery resurges and weakens all levels of society.

This chapter deals with trends and factors that lead to modern slavery. Why is it, after more than a century of global abolition, do we find slavery more prevalent and sinister than ever before? What are the causes on a global scale that have fed slavery

¹³³ Kevin Bales, *The Slave Next Door: Human Trafficking and Slavery in America Today* (Los Angeles, CA: University of California Press, 2010).

¹³⁴ Roy Baumeister, *Evil, Inside Human Cruelty and Violence* (New York; WH Freeman and Company, 1997).

practices, and what is being done to stop it? This chapter discusses the issues that affect slavery and trafficking as transnational concerns, different methods to understanding and evaluating these issues, and the pivotal role the financial system plays in international human trafficking.

Globalization

The role of globalization in human trafficking cannot be undervalued. It is one of the biggest contributors to the ease with which humans are trafficked and slavery perpetuated. Globalization is double-edged sword, in that it has brought new levels of wealth, independence, and stability to the global community, but has also accelerated the depth and breadth of crime. Trafficking has flourished because globalization creates the ideal conditions for human exploitation. Victims are easy to recruit, easy to transport, and easy to exploit.¹³⁵ It is important to look at trafficking through a global lens, since international efforts are required to successfully end slavery.

Globalization is defined as “the development of an increasingly integrated global economy marked especially by free trade, free flow of capital, and the tapping of cheaper foreign labor markets that transcend nation-state boundaries.”¹³⁶ According to Kevin Bales, globalization disseminates practices, values, technology, and other human products throughout the globe.¹³⁷ As it fosters interdependence between states and allows commerce to expand, globalization builds a new global economy, with more porous

¹³⁵ Kara Siddharth, *Sex Trafficking: Inside the Business of Modern Slavery* (New York: Columbia University Press, 2009).

¹³⁶ Devin Brewer, “Globalization and Human Trafficking” Topical Research Digest: Human Rights and Human Trafficking, available at: <http://www.du.edu/korbel/hrhw/researchdigest/trafficking/Globalization.pdf>.

¹³⁷ Kevin Bales, *Understanding global slavery: A Reader* (Los Angeles, CA: University of California Press, 2005).

borders and ease of access. The high demand for cheap labor, stemming from a high demand for cheap goods, pressures companies into remaining relevant on the global stage. In order to do this, many companies turn to exploitative practices, and those people from poor backgrounds become victims.

Economic globalization has several benefits, and is not an inherently evil thing. It has expanded international trade, foreign investments, knowledge transfer, and technical capacity. On the other hand, its corresponding ills are a rapid increase in global slavery, creating a wider chasm between the rich and the poor, and deepening rural poverty. Those citizens from historically agrarian nations are at a high risk of being trafficked, since they lack the cultural norms of education and technical training needed in a globalized world. Technological advancement is a push and pull factor for victims, since their home country may not offer significant opportunity to enjoy the benefits of a modern society. Victims in these countries are vulnerable to recruitment, desiring the better life they see online or observe in the media. Traffickers take advantage of this desire, and recruit or set up shop in these states, exploiting the work force for cheap labor, and subjecting them to a lifetime of slavery-type conditions.

Alexis Aronowitz sums up the issues of trafficking and globalization in *Human Trafficking, Human Misery* by stating:

Globalization goes hand in hand with free trade and the ideology of free markets accompanied by a decline in state intervention and regulation. Those who advocate globalization argue that reducing international regulations and trade barriers will increase investment, trade, and development. The very conditions that promote a global environment, however, aid in the expansion of crime. Crime groups “have exploited the enormous decline in regulations, the lessened border controls, and the resultant greater freedom, to expand their activities across borders and to

new regions of the world. These contacts have become more frequent, and the speed at which they occur has accelerated.¹³⁸

In addition to the exploitative economic practices that globalization causes and supports, globalization also allows crime groups to expand. Because criminal organizations often function like a corporation, and human trafficking is a lucrative business, those agreements that benefit companies also help criminals. However, the pernicious side of criminal organizations lies in the fact that unlike legitimate businesses benefiting from globalization, traffickers are not subject to regulations or inspections or audits. Criminals experience all of the benefits of a global economy and free trade, and bear none of the responsibility.

The push and pull factors mentioned in chapter 1 of this thesis have roots in globalization. Push factors like poor housing, political upheaval, economic insecurity, lack of social services, corruption, discrimination, and war can all be linked to the rise of globalization. Parrot and Cummings state that “when social service fail to provide necessary programs and resources, and governments fall, leaving citizens without economic or social safety nets, women are disproportionately affected by the instability and poverty that ensues.”¹³⁹ In addition, the UNODC states that “the socioeconomic conditions of the victims and their hope of improving their lives abroad are among the factors of vulnerability that traffickers leverage to exploit them.”¹⁴⁰ Globalization causes

¹³⁸ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

¹³⁹ Andrea Parrot and Nina Cummings, *Sexual Enslavement of Girls and Women Worldwide*, (Westport: Praeger Publishers, 2009).

¹⁴⁰ UNODC (United Nations Office on Drugs and Crimes) *Global Report on Trafficking in Persons*, (Geneva; 2014) available at https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf

push factors by highlighting the stark differences between the wealthy and the poor. That difference is deepened as time goes by and the chasm between rich countries and poor countries widens. Pull factors, on the other hand (such as: higher salaries, increased opportunity, educational advancement, demand for migrant workers, relaxed border controls, and political and economic stability) are used to entice and recruit vulnerable people into a life of slavery. Traffickers often choose countries of destination that have a large sex tourism industry or a high demand for cheap labor, because the risk is so low and the reward (or profit) is so high. Some experts expect that trafficking will only decrease and end when methods to reduce push and pull factors are implemented.¹⁴¹

However, the benefits of free trade and globalization for the rest of the world cannot be ignored, and society cannot simply roll back the clock. Globalization has allowed slavery and trafficking to profligate, but it has also saved lives, spread humane values of freedom, and lifted millions from poverty. From this factor alone, it is clear that international issues are multi-faceted, and no *one* factor has dominance all of the time. The problem now becomes how to end slavery in a system that makes it so easy to exist. Solutions to this problem may lie in the system itself, with a dynamic and multilateral resolutions.

Technological advancement is another causative factor to the growth of trafficking and slavery. In fact, Kabance argues that technological improvements are globalizations' biggest contributions to the explosion of human trafficking and the sex industry in particular.¹⁴² One study in particular states that "cell phones have

¹⁴¹ Karie Kabance, *The Globalization of Sex Trafficking*, (St. Louis; Washington University Publications, 2014) available at: https://ucollege.wustl.edu/files/ucollege/imce/iap.kabance.drp_.pdf.

¹⁴² Ibid.

fundamentally shifted telecommunication to the individual person...facilitating immediate universal communication, even in the most remote locations. Simultaneously, cell phones are, by default, furthering a massive increase in illicit criminal activity.”¹⁴³ Cell phones and the internet made communication instantaneous, allowing traffickers to mobilize rapidly, with more ease and less cost. They allow traffickers to avoid detection through the use of prepaid, one-time use phones; they allow criminals to track their victims through the use of GPS monitoring and ensure they don’t run away; and they allow instant communication with potential customers. Cell phones made the industry mobile, giving flexibility and easy access. The internet made the industry global, commercializing sex and exploiting victims “since its inception.”¹⁴⁴ Through the use of the internet and cell phones, traffickers create highly sophisticated, complex organizations that are capable of the full breadth of trafficking activities. Technological advancements have allowed trafficking to flourish, it is true; however these same advancements have allowed governments to combat international trafficking syndicates and criminal organizations.

The double-edged sword of globalization that gives room for the victims to be recruited and exploited, also gives law enforcement agencies more tools to prosecute and stop traffickers. Governments use technology to detect, track, and end trafficking rings. IT experts partnering with NGOs and international agencies to end trafficking are coming up with new ways to combat global slavery and stop it before it begins. For instance, help hotlines have been established by La Strada International, Liberty Asia, and the Polaris

¹⁴³ Robert J. Kelly, Jess Maghan, and Joseph D. Serio, *Illicit Trafficking*, (Santa Barbara: ABC-CLIO, Inc., 2005).

¹⁴⁴ Karie Kabance, *The Globalization of Sex Trafficking*, (St. Louis: Washington University Publications, 2014) available at: https://ucollege.wustl.edu/files/ucollege/imce/iap.kabance.drp_.pdf.

Project to assist victims. IT companies have created data-mining algorithms to help law enforcement “cull data from reported trafficking events, search for nearby service providers, and quickly identify the best way to help based on a caller’s location.”¹⁴⁵

There are even anti-trafficking apps that those interested in preventing trafficking can download onto their personal devices.^{146,147} Global awareness campaigns against trafficking are easier to carry out on the internet, and agencies that take advantage of this use technology to their advantage.

Globalization has helped trafficking and slavery spread more than ever before. To date, there are more people enslaved than ever before, and these slaves make more profits than ever. Easy trade, open borders, instantaneous communication have all given criminal organizations an asymmetric advantage over states. Criminals take advantage of the systems in place, and if those systems do not protect the vulnerable, the criminals will exploit and make profits. As more and more countries enforce existing laws, pass new legislation to protect victims, and take proactive measures to combat slavery, this terrible crime loses its grip on the global economy, local community, and social acceptance.

Perspectives For Examining Human Trafficking

There are many approaches to studying, defining, and resolving human trafficking and slavery. The number of methods reflects the depth of the problem, showing that the experiences of victims are as varied as human imagination. Trafficking has been studied

¹⁴⁵ Ari Geshner, “HuffPost Live: Fighting human trafficking through better data analysis,” accessed April 25, 2014, available at <http://www.palantir.com/2013/09/huffpost-live-fighting-human-trafficking-through-better-data-analysis/>.

¹⁴⁶ Prevent Human Trafficking Organization, *Rapid Report and Response – The Mobile App*, (Prevent Human Trafficking, 2008), available at <http://prevenhumantrafficking.org/mobile-app/>.

¹⁴⁷ University of Southern California Center on Communication and Leadership Policy, “The Rise of Mobile Phones in Human Trafficking.” (*Technology and Human Trafficking*, 2015) available at <https://technologyandtrafficking.usc.edu/the-rise-of-mobile-phones-in-human-trafficking/>.

from law enforcement and criminal justice angles, human rights perspectives, complications with migration practices, globalization, and economics. It's important to understand these issues and how they feed into human trafficking in order to create and implement a holistic approach to abolition. This chapter discusses these different perspectives, in order to provide a more comprehensive understanding of this problem.

Criminal Justice Issue: From a criminal justice perspective, the way to end human trafficking is to go after criminal networks and organized criminal groups. It is focused on gathering intelligence on suspect persons, dismantling their operations, and arresting and prosecuting those criminals. States have the authority to approach trafficking in this way, since they are enforcing their laws against trafficking in persons. Individuals support stopping trafficking in this way because it is highly visible, attracts media attention and support, and shows their country's commitment to keeping law and order.

Networks that traffic humans are often linked to other forms of trafficking and crime. Human trafficking does not exist in a vacuum, and usually relies on established routes, vulnerabilities, and corrupt officials. Traffickers that start out passing drugs and arms across borders discover that moving humans is almost as easy and much more profitable, since humans are multiple-use profit item (that is to say, once a gram of cocaine is consumed it cannot be resold; a human can be used over and over again and continue bringing in a profit.) It has been reported that traffickers coerce victims into taking or selling drugs, stealing or begging, or help move other illegal goods, in addition

to the exploitation they already experience.¹⁴⁸ Human trafficking is almost never limited to just moving humans from one place to another and exploiting them.

The associated crimes of trafficking spill over from acts committed against the victim (kidnap, abuse, unlawful bondage, etc.), to acts the victim is forced to commit (stealing, possession, money laundering, etc.) Human trafficking is linked to more traditional criminal exploits like vehicle theft, selling illegal drugs, and trafficking weapons.¹⁴⁹ “Albanian groups have been linked to the smuggling of both drugs and aliens across the Adriatic, while Asian crime groups use the same routes to smuggle aliens across the U.S.-Canadian border that were formerly used to smuggle cigarettes.”¹⁵⁰ The trafficking endemic feeds other criminal activity. It is connected to crime at all levels of society; traffickers have been linked to crime in physical violence, corruption of government local and federal officials, money laundering, loan sharking, and extortion.

Human Rights Issue: The most popular approach to discussing trafficking and raising awareness about the issue is to address it as a human rights issue. The level of abuse and exploitation that victims suffer has been addressed by the highest governmental authorities – from the UN and ILO conventions, to federal testimonies before congress and parliament. Even the League of Nations addressed human trafficking, working to eliminate slavery in all its forms, and convince the world that

¹⁴⁸ Europol (European Police Office) “Crime Assessment Trafficking of Human Beings into the European Union” (The Hague; 2011), available at https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/situational_report_trafficking_in_human_beings-europol.pdf.

¹⁴⁹ R. Kendall, “Recent Trends in International Investigations of Trafficking in Human Beings” (Paper presented at the International Conference on New Frontiers of Crime: Trafficking in Human Beings and New Forms of Slavery, Verona, Italy, October 1999).

¹⁵⁰ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>

individual rights should be part of international law.¹⁵¹ Prior to this, international law had been limited to dealings between states. The discussion about human trafficking and slavery has long revolved around human rights abuses, which gives weight to the statement by Anne Gallagher's report on the UN's trafficking and smuggling protocol: "Human rights are not a separate consideration or an additional perspective. They are the common thread."¹⁵² Kevin Bales phrased it another way when he stated, "In a society that allows slavery, is anyone truly free?"¹⁵³ These quotes underline the powerful connection between all humanity, and the sacred rights to freedom and liberty.

The list of human rights violations victims deal with are longer than this thesis can describe. Every experience is different, and every story a tragedy. The basis for these crimes come in criminals taking advantage of the poor, the uneducated, the vulnerable, and those least able to protect against such exploitation. In modern times, this group is largely women and children. Traffickers exploit the unequal status of women and girls in countries where stereotypes persist about not educating women, treating girls as property and sexual objects. Gender discrimination is a large push factor. Other rights that are violated include the right liberty, life, health care, and freedom from oppression. Children are entitled to grow up safe and free from exploitation. Violations of these rights – either by the state or by traffickers – are both a cause and consequence of trafficking.¹⁵⁴

¹⁵¹ Slavery Convention of 1926, *League of Nations Treaty Series*, Vol 60 pg 235, Article 1, 1926.

¹⁵² Anne Gallagher "Human Rights and the New UN Protocols on Trafficking and Migrant Smuggling: A Preliminary Analysis" (*Human Rights Quarterly*, 23 no. 4, 2001).

¹⁵³ Bales, Kevin "How to Combat Modern Slavery" Filmed [February, 2010]. TED Talk, 18:01. Posted [February 2010]. Available at http://www.ted.com/talks/kevin_bales_how_to_combat_modern_slavery.

¹⁵⁴ N. Heyzer "Combating Trafficking in Women and Children: A Gender and Human Rights Framework" (Honolulu; 2012), available at http://www.hawaii.edu/global/projects_activities/Trafficking/Noeleen.pdf.

Migration Issue: Handling crimes and issues surrounding trafficking is a great balancing act for states and governments. A nation has a right and responsibility to protect citizens and enforce laws, and manage against illegal migration. One of the greatest issues facing nations today is the struggle to identify and protect victims against their traffickers while still enforcing immigration law. People have a right to leave their home country if they feel unsafe, oppressed, or seek better opportunity for themselves and their family. They should be protected as they endeavor to migrate and build a new a life, and not be labeled as a criminal should their rights be exploited and violated.

As a migration issue, trafficking exists both internally (moving from rural to metropolitan areas) and externally (crossing borders). All types of migrants are at risk of being trafficked, whether they are documented or undocumented. They risk exploitation in the destination country by being subject to laws they might be unfamiliar with, and recruiters who take advantage of their vulnerability.¹⁵⁵ Illegal migrants face more risk than legal migrants, since they rely on other illegal methods to live and work in the host country. Those illegal methods include exploitative labor practices and slave-like working conditions.¹⁵⁶

In the United States it is a documented fact that trafficking and slavery is most often a crime committed against undocumented migrants. “High U.S. labor demand, limited country quotas, and the prioritization of family reunification over employment-based immigration make many migrants from less developed countries ineligible for legal

¹⁵⁵ Anti-Slavery International “The Migration-Trafficking Nexus” (London; 2003), available at <http://www.antislavery.org/homepage/resources/the%20migration%20trafficking%20nexus%202003.pdf>.

¹⁵⁶ Ibid.

entry into the United States.”¹⁵⁷ Increasingly tight border controls and severe punishments for breaking the law has led to an increased demand for smugglers to transport migrants across borders. Immigrants trying to enter Europe from Africa meet a similar challenge. This reliance on smugglers gives them undue power and control, and they “are uniquely positioned to engage in both labor and sexual exploitation.”¹⁵⁸

The Money

Another principle factor affecting the global slave trade is the financial aspect and market forces that drive human trafficking. Indeed, it is arguable the most important factor for the continued existence of human trafficking. Slavery is inherently an economic relationship, where the labor capital of one individual is yielded to or taken by another, and then exploited for profit. Criminal rings that operate like businesses are able to take advantage of porous borders, new trade deals, and market factors to guarantee their product is making the maximum profit. This chapter discusses the vast implications the money has on this endeavor, how governments have tried to fight criminals and organized groups from succeeding, and how the cost of slavery has changed over time.

Supply and Demand: For almost all legitimate businesses in the world, the highest cost of functioning is in operation expenses. For that reason, employers seek to minimize labor costs and high overheads. In the extreme, this leads the employer to use slaves. Slaves cost practically nothing in labor, and little to procure. Once overhead costs

¹⁵⁷ Alexis Aronowitz, *Human Trafficking, Human Misery, The Global Trade in Human Beings* (London UK; Praeger, 2005), accessed 8 July 2016; available at <https://is.cuni.cz/studium/predmety/index.php?do=download&did=33454&kod=JPM346>.

¹⁵⁸ A. Webber and D. Shirk, “Hidden Victims: Evaluating Protections for Undocumented Victims of Human Trafficking” (*Immigration Policy in Focus* 4, 2005), available at http://safestate.org/documents/HT_Hidden_Victims.pdf.

are reduced, the slave master's overall costs are reduced and they are able to lower retail prices and stay competitive. In human trafficking, the supply and demand for cheap labor and unskilled workers plays a huge role in how the market fluctuates. To fully understand trafficking, a brief study of supply and demand must be presented and understood.

From the supply side, there is always a ready force of cheap, unskilled, and uneducated workers that can be exploited. Contemporary trafficking finds its victims in areas with longstanding factors like poverty, lack of rule of law, conflict and instability, natural disasters, and corruption. These push and pull factors all create a broad base of poor, disenfranchised, and vulnerable victims. These factors have also contributed to mass migration trends, which calculating traffickers can and do exploit. "The risks of human trafficking in supply chains are significant in a number of economic sectors ranging from agriculture, to textile and manufacturing as well as services; and these risks have not been adequately dealt with, either by States or by businesses themselves."¹⁵⁹ Issues surrounding supply require long-term solutions that look at driving forces behind the reasons for a readily available source of vulnerable victims. Fortunately, the supply-side is not the only part that needs solutions in trafficking; the demand-side is "highly favorable to disruption."¹⁶⁰

"The demand for cheap, unskilled labor" is a rallying cry for leading causes in trafficking and slavery. In highly developed nations where wages increase, but the demand for cheap products remains high, more and more employers resort to slave-like

¹⁵⁹ UNOHC (United Nations Office of the High Commissioner) *Demand Fosters Human Trafficking*. (Geneva; 2013), available at <http://www.ohchr.org/EN/NewsEvents/Pages/Demandfostershumantrafficking.aspx>.

¹⁶⁰ Kara Siddharth, "Supply and Demand – Human Trafficking in the Global Economy" (*Harvard International Review*, Summer 2011), available at http://isites.harvard.edu/fs/docs/icb.topic1498717.files/Supply_and_Demand.pdf.

conditions for their employees. Governments have done some work to facilitate actions by businesses to improve working conditions and bring an appreciation for basic human rights. Joy Ngozi Ezeilo, the UN Special Rapporteur on trafficking in persons has stated that corporations need to “set out clearly the expectation that all business enterprises shall respect human rights throughout their operations, both at home and abroad, and take appropriate action to prevent and stop trafficking in persons.”¹⁶¹ Women in particular are most vulnerable when it comes to demand. In destination countries with a robust sex tourism industry, the billion dollar commercial sex trade needs new women to satisfy the demands of customers.

Vignette #12: Supply Drives the Market

In one multi-country study of the demand aspect of human trafficking for the commercial sex slave trade and domestic services, researchers discovered that demand for those kinds of services was “a socially, culturally, and historically determined matter...intimately related to questions concerning supply and vulnerability...supply generates demand rather than the other way around.”¹⁶² The study argued that the existence of the market itself drove consumption rates, and the more readily available and cheaper the services were, the more the demand increased. This kind of rationale led Sweden to pass legislation outlawing the purchase of sexual services. The law was incredibly successful, reducing trafficking rescue cases by almost two-thirds, and increasing prosecution cases.¹⁶³

The Price of Slavery: How much does slavery cost? This question can be broken in down in several ways: first, how much does a human cost; second, how much would it

¹⁶¹ UNOHC (United Nations Office of the High Commissioner) *Demand Fosters Human Trafficking*. (Geneva; 2013), available at <http://www.ohchr.org/EN/NewsEvents/Pages/Demandfostershumantrafficking.aspx>.

¹⁶² B. Anderson and J. O’Connell Davidson “Trafficking—a Demand-Led Problem?” (*Save the Children*, Stockholm: 2002), available at <http://resourcecentre.savethechildren.se/sites/default/files/documents/2402.pdf>.

¹⁶³ Hazel Thompson “Prostitution: Why Swedes Believe They Got it Right” *The Guardian*. (Stockholm; 2013), available at: <https://www.theguardian.com/global-development/2013/dec/11/prostitution-sweden-model-reform-men-pay-sex>.

take to free a slave; third, how much money is in the industry; and fourth, how much does slavery damage the global economy? Because nations and states run on money, it is necessary to address the bottom line of slavery. This section endeavors to prove that freeing the slaves is both a global imperative, and an economic bargain.

The cost of a human today varies from region to region, and business to business. However, what is consistent throughout is the decrease in average cost per slave and increase in average rate of return. For instance, in 1850, the global average cost of a slave was between US \$9500 and US \$11,000, after adjustments for inflation. Slaves purchased at this time could generate an annual rate of return of nearly 15 or 20 percent.¹⁶⁴ Today, those averages have switched places. The globally average cost per slave is roughly US \$420, and they can generate nearly 300 to 500 percent or more annual rate of return on investment. In some areas, reports have shown slaves can be bought for as little as US \$10.

Kevin Bales succinctly argues that freeing slaves is actually a bargain for nations and states, since the drain they pose on the economy cannot be reclaimed while they are still enslaved. While they are slaves, they can never be consumers, pay taxes, or generate business. Because they do not add to the economy, and their labor capital is taken to support both licit and illicit activities, they are only a drain on society. The Sankalp organization in northern India works to free slaves in that region, educating them and guaranteeing seed money in credit unions and so forth, figures that it is only US \$35 to

¹⁶⁴ Kara Siddharth, "Supply and Demand – Human Trafficking in the Global Economy" (*Harvard International Review*, Summer 2011). Available at http://isites.harvard.edu/fs/docs/icb.topic1498717.files/Supply_and_Demand.pdf.

free a family.¹⁶⁵ None of the money goes towards the slaveholders' pockets, or into the hands of criminals that perpetuate the cycle. It all goes towards helping villagers organize and be educated about their legal rights. "Freedom may be precious but it doesn't have to be expensive."¹⁶⁶

If extrapolated globally, and this US\$35 applied to slaves all over the world (a conservative estimate of 20.9 million), then the cost of ending slavery is nearly \$732 million. It should be noted that this figure is \$35 *per person*, and not per family, as it was figured in India. This number seems large, but in the global economy it is a drop in the bucket. If everyone in the U.S., whose population is roughly 318 million, decided to fund the eradication of slavery, it would cost about \$2.30 per person. Of course, these costs vary all over the world; in the U.S., freeing a slave is nearly \$400.¹⁶⁷ But even if the cost of global abolition were to double or triple, it would still be a small portion of the economy.

The profits generated by human trafficking are astronomical. Based on a reported 1.1 million victims, mostly in the industrial sector, the ILO also found that a total profit from these workers was roughly U.S. \$3.8 billion. Profits vary in different regions, from an estimated US\$40 million in Sub-Saharan Africa to US\$776 million in Latin America.¹⁶⁸ The ILO estimates that each woman in forced sexual slavery generates a

¹⁶⁵ Sanklap Organization, "Sanklap India – Projects." (Columbus; 2012) available at <http://www.sanklapindia.org/projects>

¹⁶⁶ Kevin Bales, *Understanding global slavery: A Reader*. (Los Angeles, CA: University of California Press, 2005).

¹⁶⁷ Louise Shelly, "Human Trafficking: A Global Perspective" (Cambridge: Cambridge University Press, 2010).

¹⁶⁸ *Ibid.*

profit of almost US \$100,000 a year.¹⁶⁹ Restricting the assessment to just profits in the sex slave trade, the number is nearly US\$28 billion a year.

Half of all profits...are made with people trafficked into or within industrial countries. Second highest profits are in Asia ((US\$9.5 billion), followed by transition economies (US\$3.2 billion), Middle-East and North Africa (US\$1.0 billion), Latin America (US\$0.6 billion) and Sub-Saharan Africa (US\$0.1 billion).¹⁷⁰

Profits vary all over the world when it comes to human trafficking. Traffickers are able to exploit weak systems and make huge profits, with very little risk. “The slave exploiter's ability to generate immense profits at almost no real risk directly catalyzed the pervasiveness of all forms of contemporary slave labor exploitation.”¹⁷¹ Bales notes a certain irony, however in the life of both slaves and slave masters once freedom has taken place. Slave owners find that they tend to do better economically when their slaves are freed. They are usually wealthy business owners, and now their shops are places former slaves go to buy things.¹⁷²

Estimates on the toll of trafficking and slavery on the global economy are difficult to generate. It comes back to issues surrounding properly estimating the reach of the slave trade, and how many people are enslaved. Also, the lack of a proper definition underlines how difficult it is to determine the extent of slavery. Without this base knowledge, the impact of slavery on the global economy cannot be known with any

¹⁶⁹ Patrick Belser, *Forced Labour and Human Trafficking: Estimating the Profits*, (Geneva: 2005) available at http://www.ilo.org/wcmsp5/groups/public/—ed_norm/—declaration/documents/publication/wcms_081971.pdf.

¹⁷⁰ Ibid.

¹⁷¹ Kara Siddharth “Supply and Demand – Human Trafficking in the Global Economy” (*Harvard International Review*, Summer 2011) available at http://isites.harvard.edu/fs/docs/icb.topic1498717.files/Supply_and_Demand.pdf.

¹⁷² Sarah Hurd and Suzette Grillot, “Why Modern-Day Slavery is a Drag on the Economy and Environment” (*National Public Radio*: 2014) available at <http://kgou.org/post/why-modern-day-slavery-drag-economy-and-environment>.

certainty. We cannot know how much money is not spent or cycled through a legitimate business, or how much is withheld and uncounted in global markets. The ILO estimates that human trafficking and slavery generated nearly US \$150 billion in 2013, and that the number will continue to rise.

It cannot be stated that the \$150 billion lost in the slave trade is missing from the global economy. Crimes like trafficking are not a tit-for-tat loss/gain recipe. \$150 billion is a large sum, but not altogether a massive amount for the world's finances. There are other losses too, when slaves are used in the shadow economy; the loss of the consumer, the loss of paid taxes to the state, the loss of businesses these slaves might run, and the loss of labor capital for the nation's work force. These losses add up significantly, making a deeper mark on current and future financial forecasts than simply \$150 billion a year. Figure 4.1 shows the profits from forced labor, according to different regions of the world and the type of exploitation. But without a firm understanding and clear picture of the financial flow, it is difficult to determine the extent of economic damage to which human trafficking contributes.

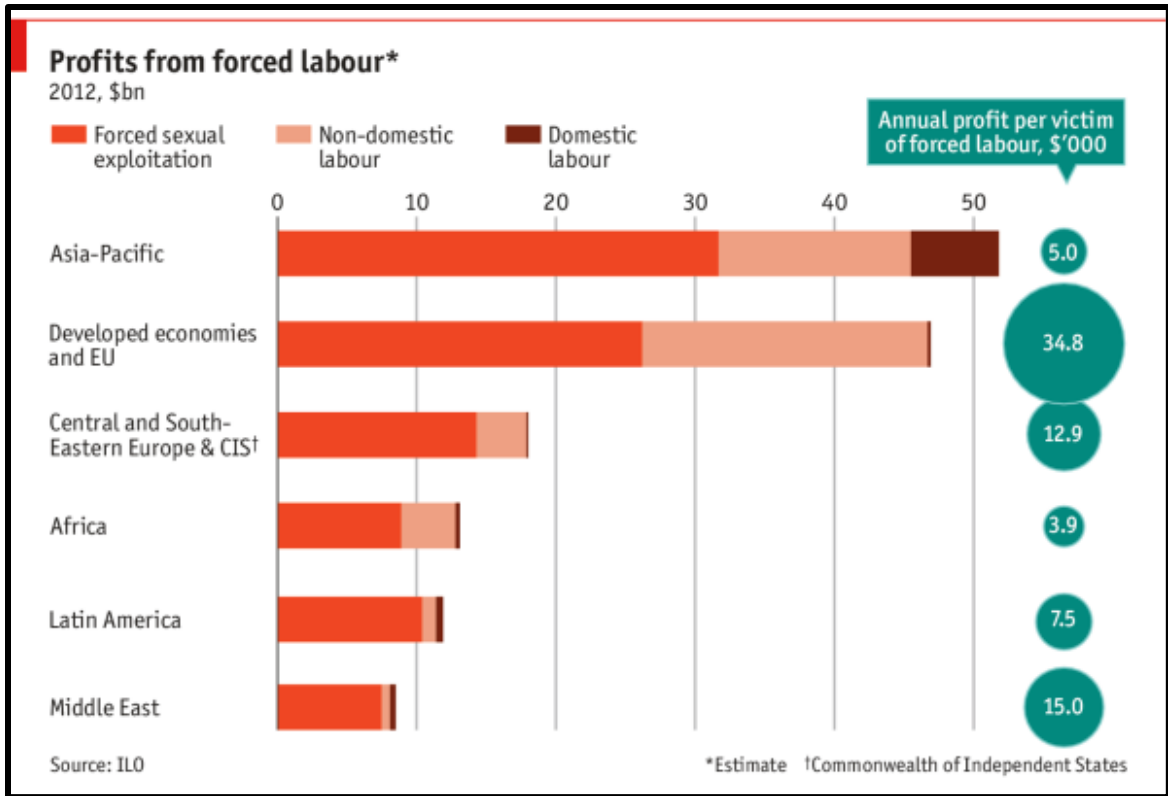


Figure 4.1 Shows the profits from different regions as a result of human trafficking.
Source: International Labour Organization

One of the most effective ways to cut off criminals from continuing their exploits is to attack their sources of money and ability to fund operations. Money has a unique way of binding the world, and financial trails that are difficult to hide. As the lifeblood of criminal organizations, money is the force that allows the business to flourish – it pays the salaries, buys allegiance, bribes leaders and officials, and allows for the group’s reach to go global. After 9/11, the U.S. Treasury Department went to war with terrorist organizations, in an effort to curb their expansion and eradicate their operations. In Juan Zarate’s book, *Treasury’s War*, he discusses the implications of being able to cut off a criminal’s money supply: “If you can cut off funding flows to rogue groups or states, you

can restrict their ability to operate and force them to make choices – not only budget choices, but also strategic choices.”¹⁷³

Financial strategy is a powerful tool for altering behavior. It is evident in power plays by states on other states, in the forms of sanctions or trade embargoes. In criminal operations, states have the power to alter outcomes by changing the bottom line. That is to say, that if a syndicate cannot afford to bribe, influence, or keep employees, it cannot spread its operation, may have difficulty in maintaining the current business, and weaken international allegiances. Because they function in a cutthroat business environment, the financial aspect of human trafficking is paramount. It is a medium-risk, high-reward enterprise. Money is perhaps the greatest vulnerability these organizations have.

Transnational crime, human trafficking foremost among it, is tied to the global financial scene for better or for worse. Despite reclusive agricultural farms, remote fishing operations, or hidden domestic servitude, the money eventually finds its way across borders, and perhaps into banks. According to Zarate, the banks are the “ligaments of the international system...the banks could drive the isolation of rogue entities *more effectively than governments.*” (emphasis added)¹⁷⁴ Furthermore, with the correct information about the sender or the recipient of funds, a broader view of the organization comes into light, identifying new ties. Such information can identify links to other criminals and corrupt officials. If law enforcement officers know that a transfer of funds will be made from an overseas donor, then a trail can be followed and the operative

¹⁷³ Juan Zarate, *Treasury's War: The Unleashing of a New Era of Financial Warfare* (New York: Public Affairs, 2013).

¹⁷⁴ Ibid.

conducting the operation can be physically detained. Such work requires international cooperation and intelligence sharing.

Conclusion

Human trafficking is a complex, multi-faceted, evolving issue. It changes and adapts as new restrictions are enacted, new laws are passed, or changes in the international scene occur. It is influenced by money, markets, power, domestic and foreign policy, technology, law enforcement at the local, national and international levels and human whims. The many perspectives of trafficking make it an interesting topic of study, since it can be approached from so many angles. However, the same thing that makes it interesting to study is what makes it incredibly difficult to resolve.

Slavery was the first truly international business, and that key aspect is seen in today's slave trade more than ever before. Markets are more global than they have ever been, with buyers and sellers able to carry out transactions in an instant, half way across the world, through the use of technology. Global markets made borders more porous, a change that traffickers routinely take advantage of. Differing perspectives on how to combat trafficking prove challenging for international cooperation. Where one country and its citizens might see some working conditions as slave-like and unbearable, the citizen of another country might view those same practices as high quality. From this disparity comes difficulty in reconciling disagreements about what constitutes trafficking and slavery.

Perhaps most importantly, however, is the issue of money involved in trafficking. Nations and business run on money, making it both a strength and a weakness. Focusing on methods to disrupt financial processes of criminals has a way of quickly shutting

down their operation, and in extreme cases stopping the organization entirely. This kind of action requires international effort, since money flows from place to place in illicit operations. International effort expended to stop trafficking should start here, since money is the common language of governments, businesses, and people.

CHAPTER FIVE: SUMMARY AND CONCLUSION

Human trafficking and slavery is one of the most pernicious crimes committed and perpetuated in the world today. Slavery, although common in history, is different in today's globalized world. In the past, there existed some government oversight, since for most countries it was a legally recognized practice. Today, countries with laws against slavery believe their work is done, and so do not raise awareness, prosecute criminals, or enforce many of their own laws against the practice. This oversight allows trafficking to continue, unseen and unfettered, putting the most vulnerable and uneducated citizens in the world at a higher risk of being enslaved.

Just as human trafficking and slavery have root causes at the individual, state, and international level, there are solutions at all these levels. Understanding the problem on all planes will lead to better solutions and practices to fight against slavery. Total eradication requires a multi-pronged approach, where each level can work independently (to move quickly) or together (to work holistically). This approach has benefits in other ways as well. For instance, if a nation lacks the political will to eradicate slavery or the resources to overcome corruption, there are individual solutions that citizens can use to combat trafficking on a personal level. If the general population is ambivalent about ending trafficking, leaders can work with other nations and across borders to end it. Human trafficking is a complex, deep, and complicated problem, but that also means there are multiple solutions to employ immediately and help end it.

First, solutions at the individual level are about education, awareness, and momentum. The first step for individuals will be to learn about the problem of global slavery and human trafficking. A continued education about the depth and breadth of the problem, ways other countries are fighting it, and how individuals can help end it will go

a long way in starting to end global slavery. Once a person is educated on a topic, they are more likely to speak with friends, family, and associates about what they know. That in turn leads to more people getting educated about the problem, and continues to raise awareness. Once awareness and education are firmly planted, an individual may join with international and national organizations who already work to end slavery. Global movements are always looking for volunteers, donations, and assistance in their work. These programs help end slavery by helping businesses and consumers stop buying slave-made merchandise, and by persuading governments and law enforcement agencies to enforce anti-trafficking and anti-slavery laws.

Ideally, once the individual is educated and involved, they will proceed to act. Individual action is necessary at all levels, from a simple \$5 donation to charities that combat slavery, to starting a local chapter of an anti-slavery organization and galvanizing their immediate area. Individuals can also act by asking hard questions to charities with an international development focus, requiring answers for what that charity is doing in particular to end slavery. More importantly, an individual can ask hard questions to their politicians and elected officials about what they are doing to end slavery. Politicians invariably ask for votes, and when they do, individuals can pressure the politician for action against slavery, against human trafficking, and for the enforcement of anti-slavery laws.

States, on the other hand, have different powers and more forcible options than the individual. They have the power to prosecute, to protect, and to prevent, as discussed in part 2 of this thesis. Nations can work with NGOs, and fund campaigns to research and educate about human trafficking and how to prevent or report it. They can also fund

training to law enforcement officers and other officials or social workers who may come in contact with victims. States can also work to address socio-economic factors and gender norms that lead to the violence and suppression of women and children. They can work to make women a bigger part of decision making in legislation, a larger force in the labor market, and a voice on the international movement against trafficking and slavery. Immigration policies should be reviewed and altered as necessary for safer migration practices and assistance to those looking to enter the country legally, so that they cannot be taken advantage of once migrants have crossed the border. Finally, prosecution cases can be carried out by the state as they adopt a clear definition, expand the conviction rate for traffickers and include the associated crimes of trafficking and slavery, criminalize all activities related to human trafficking, and establish special investigative units to purposefully go after these kinds of crimes.

States are also particularly placed to help victims of trafficking after they have been abused and as they try to transition to a normal life. Victims are often viewed as criminals because of their irregular migration status. A nation can foster a different attitude towards victims, and work with them not only to reintegrate back into society, but also to prosecute those who exploited and abused them in the first place. In order to do this, specialized residence permits can be used, asylum laws could apply to victims, and special assistance in language training, medical and legal attention, and safe housing can be funded (at least partially) by the state. States also have a special obligation to protect the privacy and physical security of those within their borders, and that includes trafficked persons.

At the international level, states work together to end trafficking and slavery. This is in an essential area in global abolition, since slavery and trafficking is the first truly international business (historically), and oldest transnational crime. Intra-state trafficking occurs, it is true, but there are more cases of persons being smuggled or transported across borders, working in the shadow economy of foreign states, and being at the mercy of criminals because they are unfamiliar with the new location. Firstly, states can help end trafficking by information sharing about known smuggling routes, identify frequent border crossing agents, and developing specialized extradition agreements for traffickers. Europol and Interpol are great examples of different states coming together to combat trafficking; they have identified trends in air travel and forged documents as victims arrive and methods to combat trafficking.¹⁷⁵ In another instance, Italian television stations began running commercials against human trafficking with telephone numbers for assistance and protection in Armenian, in order to help victims across the border from Armenia, which is a huge source country for Italy's slave trade.

The international system can also employ treaties, agreements, sanctions, and specialized initiatives that target trafficking activity. For instance, after the AQ Khan network was discovered to have proliferated nuclear technology and material, the Proliferation Security Initiative (PSI) was instituted to help stop the flow of nuclear material from getting into terrorist hands. A similar agreement can be adopted, with legally binding practices. The UN's Anti-Trafficking Protocol (one of the three Palermo Protocols implemented by the UN) from 2000 comes close to something like the PSI,

¹⁷⁵ Europol (European Police Office) "Trafficking Human Beings in the European Union: A Europol Perspective" (The Hague; 2007) available at http://www.europol.europa.eu/publications/Serious_Crime_Overviews/THB_FactSheet2007.pdf.

with 170 ratifying the agreement that legally obligates them to prevent, protect against, and prosecute human trafficking. However, unlike the PSI, the Palermo Protocol has no element for inspection, enforcement, or oversight. Countries are expected to implement recommendations from the United Nations Office of Drugs and Crime. They are also expected to implement national legislation against trafficking. A new agreement can be ratified that gives some legal options for states found non-compliant with their anti-trafficking agreements. The international system has the power to exert pressure both politically and economically, and these kinds of tools are necessary to pushing unwilling countries into making lasting change with their labor practices and human rights attitudes.

There is one other institution that works in human rights cases heretofore unmentioned in this thesis. That is the role of the NGO. These organizations straddle all three sectors of the solution to human trafficking. They employ the individual, engage in dialogue and information sharing with the state, and can work internationally. Prior to 1945, politics took place at the nation-state level, with powers competing for dominance in ideology, policy, and programs. After WWII, movements emerged that transcended borders, highlighting global issues that needed more flexible answers than nations were providing. These movements brought attention to universal human rights, global environment, and nuclear security.¹⁷⁶ This shift away from national politics to human issues that directly affect citizens reflected a consciousness shift in the public thinking about how to affect change across boundaries. “Note, for example, that the...Labour Party of Great Britain has around [290,000] members, while the...environmentalist Royal

¹⁷⁶ Kevin Bales, *Understanding global slavery: A Reader*. (Los Angeles, CA: University of California Press, 2005).

Society for the Protection of Birds has over a million.”¹⁷⁷ Recognizing that these groups can transcend weedy party politics and focus on singular issues, individuals have flocked to these kinds of organizations in the last 70 years.

NGOs frequently have power to go where governments cannot, research in areas where governments cannot, and change lives in a way governments cannot. Currently, there are many organizations in countries all over the world providing humanitarian, developmental, environmental, medical, and governmental aide.

Vignette #13: NGOs in Nepal

“In early 2000, Anti-Slavery International worked closely with national non-governmental organizations and grassroots organizations in Nepal to bring about new legislation banning the traditional form of debt bondage known as the *kamaiya* system. Mixed delegations of Nepali, Indian, and European representatives visited all major political actors and state organizations...If there was a significant error in this cooperative approach, it was to underestimate the influence it would bring to bear on the state: the law abolishing *kamaiya* was established by decree rather than legislation, and it occurred much more quickly than expected.

The experience in Nepal is repeated in other countries. While non-governmental organizations tend to view themselves as secondary in importance to states, their influence is often more important in achieving human rights goals...In the United States the passage of the Trafficking Victims Protection Act, in late 2000, also depended on information and guidance provided by [NGOs]. After the law’s passage, these organizations were called upon to help train law enforcement in its application and to research the best ways to address human trafficking. In spite of the fact that this new law addressed a serious crime, the majority of experts on this issue were located outside the state law enforcement agencies.”¹⁷⁸

In human trafficking, these organizations achieve a success rate far beyond what governments achieve.¹⁷⁹ In addition, “While governments have both the resources and the laws on the books to eradicate slavery, decades of urging them to do so had had little effect.”¹⁸⁰ Notwithstanding the increasing number of prosecutions and better

¹⁷⁷ Ibid.

¹⁷⁸ Ibid.

¹⁷⁹ Ibid.

¹⁸⁰ Ibid.

measurement methods discussed in part 2, human trafficking and slavery numbers continue to rise. NGOs move with more flexibility and dynamic force than governments, thereby changing the global landscape in a fundamental way.

Final Thoughts

Human trafficking and modern slavery is a significant and underrepresented problem in the world today. It is a booming billion dollar industry that flourishes in a globalized market. Victims cannot speak for themselves; the enslaved are politically silent and socially muted. They typically come from the most poor and disadvantaged, from uneducated backgrounds and vulnerable circumstances. Their stories and experiences are tragic; they represent a world that those who live in modern comfort don't want to see or learn about. The slave experience holds up a mirror to the shadowy foundations of consumerism, globalization, and the society that allows it to continue. The experiences of the traffickers are part of the problem, and addressing those problems is part of the necessary solution. So much of current thought and focus on ending trafficking focuses exclusively on the victim, when appropriate attention must be given to the trafficker as well.

States have unique powers to eradicate slavery and trafficking. In working to prevent trafficking, they can educate, raise awareness, and support research in this field. They can also amplify efforts to protect victims and help them readjust after being liberated. Most importantly, states have power of prosecution, which will increase the risk traffickers' face when they commit these crimes. As of now, trafficking is seen as a low-risk, high reward enterprise, making traffickers eager to participate. Prosecuting offenders (both those who traffic and those who exploit victims) and implementing the

maximum punishment available may help in deterring criminals in the future.

International prosecutions for traffickers who commit crimes across borders show the need for cooperation among states, in intelligence sharing, law enforcement capacity, and political will. In addition, enforcing the Anti-Trafficking Protocol and creating a new agreement that gives powers to enforce anti-trafficking practices across borders would stimulate actions to end modern slavery. States need to work together on this issue to find solutions. Nations have a great partner in NGOs, and their contributions this field have already helped governments and international organizations employ anti-trafficking practices.

Is a society that tolerates and permits slavery truly free? In a parallel where globalization acted as a rising tide that lifts all boats – *all boats*, including criminal ones – isn't a system where one human is abused, degraded, and exploited a reflection on everyone's freedom? Without real action, individuals, states, and the international bureaucracy leave consumers and average citizens tied to a system that depends on slavery, connected to products and markets based on slave labor. The general consensus, however, is that slavery should end. No one seems to be on the 'pro-slavery' platform, even those traffickers and slave masters themselves who see their work as a business practice. Yet, a fundamental violation of human dignity is slavery. This moral, economic, and human rights imperative requires solutions at the individual, state, and international level in order for global abolition to take place. These solutions are necessary in order to protect the rights and freedoms for all.

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