



# Trafficking in Human\$

SOCIAL, CULTURAL AND POLITICAL DIMENSIONS

Edited by Sally Cameron and Edward Newman

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# Trafficking in humans: Social, cultural and political dimensions

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## 1

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# Introduction: Understanding human trafficking

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*Edward Newman and Sally Cameron*

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This volume aims to deepen understanding of the social, economic and political contexts of human trafficking: the recruitment and transportation of human beings through deception and coercion for the purposes of exploitation. Upon this basis, the book considers whether an understanding of the underlying explanatory (“structural”) factors can inform policy discussion and point to strategic interventions which strengthen the fight against trafficking.

There is significant – although still insufficient – knowledge about the activities of human traffickers, and a range of policy options exist at the national and international levels to address this problem. However, instead of focusing upon these operational issues, this volume takes a different approach. It begins with the assumption that it is important to understand human trafficking in its broad social, economic and political context (structural factors), and seeks to relate this to policy and governance issues (proximate factors). The overarching argument is that the interaction between structural factors or variables (such as economic deprivation and market downturns, social inequality, attitudes to gender, demand for prostitutes) and proximate factors (such as lax national and international legal regimes, poor law enforcement, corruption, organized criminal entrepreneurship, weak education campaigns) is key to understanding why some individuals are vulnerable to trafficking through the use of deception and coercion. It is this conjunction of factors which helps to explain where and why vulnerability occurs. An understanding of the structural context – and its relationship to proximate factors – is thus vital

for addressing the problem at both the site of origin and destination and the international level.

This volume seeks to assess the dynamics of the trafficking business, as well as existing and possible remedial efforts, in this comprehensive context. If structural factors prove to be fundamental conditions of human trafficking, then policies must be directed towards alleviating basic problems, of which trafficking is one manifestation. Rather than being confined to the normative academic sphere, a starting point is that the structural background to trafficking may well have real relevance for policy. This volume seeks to make such integral linkages.

In particular, the volume examines the proposition that in this era of globalization, liberal economic forces have resulted in an erosion of state capacity and a weakening of the provision of public goods. Thus trafficking may be seen as a symptom of deprivation, as poverty is an important factor leading to vulnerability. Disparities in economic and social conditions provide a clear explanation for the direction and flow of trafficking. Trafficking, generally, occurs from poorer to more prosperous countries and regions. At the same time, modern forms of transportation and communication have aided the movement of people and also enabled transnational organized crime groups and trafficking rings to exploit vulnerable women and children for profit.

Socio-economic issues are clearly key explanatory factors in trafficking. Profit drives every aspect of the trafficking industry from the standpoint of the perpetrators of this crime. Economic need is the central driving force that renders potential recruits more vulnerable to deception, coercion and exploitation. Deprived individuals are also often powerless – physically, legally and politically – to extricate themselves from coercive exploitative labour, partly as a result of their social position.

At a different level, the emphasis upon the free movement of capital and deregulation may have consequences for trafficking: financial remittances are an important source of revenue for many countries, especially those with large numbers of citizens living abroad as expatriate workers. A drastic clampdown on the free movement of people – as a response to combat trafficking – could jeopardize the free flow of these remittances. This is a move that many countries of origin are reluctant to take.

Social and economic issues are not the only structural factors at work. It is argued that trafficking in women, particularly for the purpose of sexual exploitation, is a manifestation of the discrimination and disadvantages encountered by women in most contemporary societies. In addition to sexism, an analysis of the forces underlying trafficking reveals that the racism prevalent in society is also a contributing factor.

Structural factors help in understanding the causes of vulnerability that can lead to trafficking; these may not, however, constitute the entire

causal paradigm of trafficking. All the structural factors reflected here apply to a significant proportion of women and children in various parts of the world, but most do not fall victim to trafficking. Moreover, it is not necessarily the case that those who are most afflicted by certain structural factors – such as poverty – are automatically most likely to become victims of trafficking. A certain alignment of factors may be the key to understanding trafficking. The principal focus of this volume is to understand the distinction and dialectical interaction between structural and proximate factors. How is the coalescence of risk factors reflected in patterns of trafficking? What specific combinations of structural and proximate factors promote trafficking? How do material and historical specificities interact with subjective realities to create a victim of trafficking who also exhibits agency? In other words, how complicated is the story of trafficking and how does one comprehend this complex reality with an adequately complicated analysis? And how may appropriate responses and interventions be developed?

Specific research questions focus on the relationship between structural and proximate factors that deepens understanding of trafficking (fig. 1.1); the socio-economic context of trafficking, including underdevelopment, poverty, sudden market fluctuations and economic downturns; trafficking



Figure 1.1 Examples of structural and proximate factors involved in trafficking

routes and dynamics in the context of structural factors; the relationship between trafficking and human and national security concerns, including transnational organized crime, migration management regimes, war and conflict, humanitarian imperatives and HIV/AIDS; and the explanatory value of cross-regional and geographically comparative perspectives on trafficking with regard to structural and proximate factors for identifying patterns of similarities and difference. The volume aims to raise awareness and promote recognition of trafficking as a fundamental affront to human rights and dignity. Towards this end, it brings together individuals from different institutional backgrounds to explore the political, inter-institutional and ethical dimensions of tackling these issues. The chapters also seek to offer suggestions reconciling the sometimes competing forces of globalization, free market economics and human rights.

### Trafficking: Definitions

This volume applies the definition of human trafficking used in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which supplements the UN Convention against Transnational Organized Crime adopted by the UN General Assembly in November 2000:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.<sup>1</sup>

The selling of vulnerable people – often but not exclusively young women and girls – into sexual bondage and other exploitative activities has become one of the fastest-growing criminal enterprises in the global economy. It represents a major challenge to human rights and public security authorities. A number of different patterns are well known (fig. 1.2). Young women and men attempting to find legitimate jobs are deceived by agents who specialize in trafficking humans. Upon arrival in a



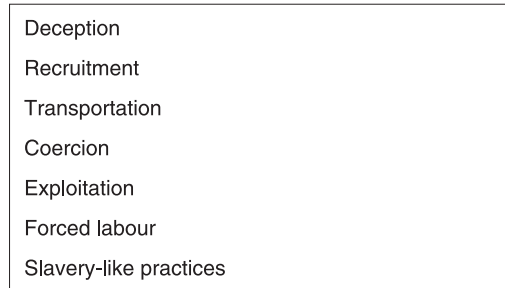


Figure 1.2 Trafficking elements

foreign land their papers are seized and their movement confined, and, even if they have the opportunity, they are too frightened to seek help. The authorities (and sometimes even their national consular representatives) in the country into which they are trafficked can be unsympathetic. Rather than being protected and assisted as victims, people in this situation can find themselves in trouble as illegal immigrants or prostitutes. In other circumstances young adults or children are trafficked across regional borders – or sometimes within borders – as a result of familial or social acquaintances. The US Department of State has estimated that 600,000–800,000 human beings are trafficked across international borders each year; of these, approximately 80 per cent are women and girls and up to 50 per cent are minors.<sup>2</sup>

The trafficking of women has perhaps attracted the greatest amount of attention. Women are recruited in source countries and then subsequently forced to work for other “employers” in the destination country. Some may have some idea about what they are going to be involved in. Others will have been completely deceived into thinking that they would be working as innocent entertainers, maids or factory workers. There is evidence that recruitment operations are often well organized, large and transnational in scope. Once having entered into deceptive contractual relationships with an “employer”, and upon arrival in the country, women are coerced into exploitative work, often in the sex industry.<sup>3</sup> Victims can be physically enslaved and imprisoned at all times, or a number of forms of leverage and coercion can be employed, including debt slavery, threats of physical violence and confiscation of travel documents. Victims are often given some of the money they generate in the sex industry. That is central to their vulnerability; they are required to pay back debts and generate something to send back to their home countries. At the same time, recourse to alternative forms of lifestyle/income and protection from abusive managers are often not available. Victims often

perceive that public authorities are unsympathetic, or they are afraid of approaching these authorities for fear of being prosecuted as a prostitute or illegal immigrant. Trafficked women tend to be illegal immigrants or engaged in illegal activities – such as prostitution – and therefore are reluctant to lodge complaints with the authorities over labour issues or coercion. This increases the leverage and control that managers wield over the victims.

There are often no specific national laws that prohibit trafficking in persons as a crime that encapsulates deception, transportation, coercion and exploitation as a broad process. Trafficking issues have been and often are approached as an issue of illegal immigration and prostitution rather than illegal detention or coercion. Thus indictments for “trafficking offences” (illegal trafficking of humans for purposes of illegal exploitation, illegal detention, coercion and complicity in criminal activities) have been low. In some countries there is evidence that law enforcement units have been reluctant to investigate reports of trafficking, and that governments have not been aggressive in arresting and prosecuting suspected traffickers. Victims are often treated as criminals (prostitutes or illegal aliens) by the legal system because governments do not consider people who willingly enter for illegal work to be trafficking victims.

The UN Protocol to Prevent Trafficking in Persons is an important tool to facilitate international cooperation. Governments that sign and ratify this protocol make a commitment to criminalize trafficking and to protect its many victims. The protocol came into force in 2003, and by the end of 2006 had 117 signatories and 100 parties. Two other international instruments that address sale of and trafficking in children have also recently been adopted: International Labour Organization (ILO) Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the Protocol to the Convention on the Rights of the Child on Sale of Children, Child Prostitution and Child Pornography.

This volume will indicate progress and obstacles towards reaching the goals of these international instruments by illuminating the wider social, economic and political picture.

### Outline of volume

The chapter by Sally Cameron and Edward Newman, “Human trafficking: Structural factors”, elaborates upon the themes of this introduction. The basic argument is that an understanding of human trafficking requires an analysis of the operation of, and interaction between, a range of factors that combine to make individuals vulnerable to trafficking.

The chapter considers if the intersection between these factors helps to understand why and where trafficking is more likely. These factors are divided into two categories: structural and proximate. An understanding of this broad context is vital for addressing the problem at both the site of origin and the destination, as well as at the international level. Any assessment of the dynamics of the trafficking business, as well as existing and possible remedial efforts, must be made in this comprehensive context. If structural factors prove to be fundamental conditions of human trafficking, then policy-makers must allow for them, for example by taking into account that policies which are restrictive to labour migration provide opportunities to organized crime.

Economic factors are central to an understanding of the structural context of human trafficking. Kinsey Alden Dinan's chapter, "Globalization and national sovereignty: From migration to trafficking", explores the interaction between globalization and national sovereignty as a root cause of trafficking in persons. Dinan argues that the selective resistance of states towards globalization and assertion of national sovereignty in certain sectors are important to understanding trafficking. Specifically, the insistence of governments on the right to determine who crosses national borders and the conditions under which they cross provides a market for the "services" of traffickers and facilitates their ability to engage in slavery-like abuses with virtual impunity.

In addition, despite the high level of government attention to the issue of trafficking, there has been little progress in responding to the human rights abuses endured by trafficked persons. Traffickers, when prosecuted, are typically charged with crimes related to immigration violations, not human rights abuses, and victims receive little in terms of assistance or justice. At the same time, most trafficked persons continue to be treated as "illegal aliens" when they come into contact with law enforcement officials, summarily deported without any investigation of the conditions of their migration or employment in the destination country. Dinan concludes that if governments are serious about combating trafficking in persons, a new approach is needed. Addressing the push factors of economic instability, poverty and inequality in countries of origin is important for reducing migration pressures over the long term. Increased efforts to investigate and punish traffickers are also needed, with penalties that reflect the gravity of the offence. And such efforts will not be successful until officials provide trafficking victims with the assistance and protection needed to gain their trust and cooperation as informants and witnesses. Most importantly, however, the incidence of trafficking in persons will not be reduced until governments shift their focus from reducing illegal migration to ending the slavery-like treatment and other abuse of migrants (and other workers). Therefore, she suggests, safe and

legal migration opportunities must be expanded. Until countries address the mismatch between global migratory pressures and national immigration policies that makes trafficking and smuggling operations attractive to migrants and highly profitable for crime groups, little progress will be made.

A controversial topic in the debates which surround human trafficking is prostitution. Does prostitution inevitably generate human trafficking? Should it therefore be criminalized as a part of a policy for addressing trafficking? Or should prostitution be permitted but regulated, so that the welfare and rights of sex workers can be protected and demand for trafficked prostitutes can be reduced or eradicated? Should prostitution be recognized as legitimate work and thus respected in the context of anti-trafficking measures? Sally Cameron's chapter, "Trafficking of women for prostitution", grapples with these questions. As she observes, there is a fierce split among feminist academics based on whether prostitution can be considered work or whether it is innately exploitative and abusive. In addition to this pervasive ideological disagreement there is a lack of reliable data regarding the relationship between prostitution and trafficking. However, some observations are possible, including that trafficking in women for prostitution is driven by demand. The sex industry *per se* and workers within it have long been blamed for the exploitation of trafficked women. However, Cameron argues that this idea denies the complexity of intersecting factors which impact on individuals to make them vulnerable to trafficking. It also ignores the demands of the millions of purchasers of sex services, and the ruthless industry of those coordinating trafficking efforts who force people to live and work under highly exploitative, slavery-like conditions. In conclusion, she argues that prostitution must be disentangled from "migrant sex work" and human trafficking.

Human trafficking cannot be understood in isolation from the broader topic of migration, because trafficking exploits restrictive migratory policies and the desire of humans to travel to seek a better livelihood. Ratna Kapur's chapter, "Migrant women and the legal politics of anti-trafficking interventions", puts human trafficking into the context of the broader movement of people – both legitimate and illegitimate – across national and international borders. These movements, she argues, are exposing the porosity of borders, the transnational reality of women's migration and the questionable foundations of the laws regulating cross-border movements. Kapur claims that anti-trafficking initiatives have invariably failed to distinguish between consensual migration, albeit clandestine, and coerced movement. The result is that international trafficking initiatives have had a particularly adverse impact on women and their families. Treating all movement of women as coerced reinforces assumptions

about (“third world”) women as victims, infantile and incapable of decision-making. At the same time, their families are implicated in the trafficking chain and cast as criminals. As a result, these women and their families are excluded from access to legal recognition, rights and benefits, and rendered even more vulnerable and insecure.

If structural or underlying factors – such as poverty, social inequality and globalization – provide an explanation as to why communities are vulnerable to trafficking, proximate factors help to explain how trafficking actually occurs. Phil Williams’s chapter, “Trafficking in women: The role of transnational organized crime”, provides an important account of this. He argues that it is necessary to understand the structure of the human trafficking market in terms of supply and demand, the dimensions of the market, profitability issues and market trends based on opportunities, cost-benefit calculations and risk considerations. His analysis looks at the market actors, with particular emphasis on the supply networks that traffic in women and children. The market for commercial sex depends upon criminal networks that link the supply and demand sides and bring women and children to places where they are sold into and subsequently enslaved in prostitution. While the nature of the criminals who are involved varies, the trend has been towards greater organization and professionalism. His chapter demonstrates how traffickers recruit and transport women from source countries to destination countries. On this basis, Williams focuses on the balance between market facilitators and market inhibitors. For criminal markets to function effectively and criminal networks to operate efficiently, the facilitators must outweigh the inhibitors. Consequently, it is necessary to identify both kinds of factors before considering the ways in which facilitators can be reduced or removed and inhibitors can be expanded. In effect, by identifying and then manipulating facilitators and inhibitors it should be possible to reduce profitability and increase the costs and risks of trafficking. Through this, it is possible to adopt a holistic approach to the development of an effective policy response.

The second half of the book examines a number of case studies which illustrate the social background to trafficking in different regions – emphasizing structural factors – and the record of attempts to address trafficking. These cases show that different regions may display similar factors – and interrelationships of factors – but that patterns of trafficking can be different as a result of a number of local conditions. These cases are written by local scholars and practitioners directly involved in trafficking issues.

Helga Konrad’s chapter focuses on “The fight against trafficking in human beings from the European perspective”. She uses a framework of national security and human security as a dichotomy which exposes the

shortcomings of attitudes and state policies towards trafficking. Despite consensus among policy circles that human trafficking is a serious crime and human rights violation, most countries organize their response to trafficking in persons in a narrow way, based almost exclusively upon prevailing notions of national security, national sovereignty and border control. Konrad argues that the protection of the fundamental rights of victims of trafficking takes second place to the promotion of state interests. The European Union and many destination countries in general put the emphasis on preventing irregular immigration and fighting asylum abuse. Governments very often see the battle against illegal immigration as their first priority, while pretending to fight human trafficking. Therefore victims of trafficking run the risk of being treated as illegal immigrants and immediately deported to their countries of origin. Even when victims are allowed to stay temporarily, support for them depends on whether they are useful to the prosecution of the traffickers and willing to cooperate with law enforcement authorities. As a result, victims are often instrumentalized in the interests of the prosecution. Again, state interests take precedence over the right of victims to protection of their physical and mental integrity. In conclusion, Konrad argues that there is equal need for short-term and long-term measures. Short-term measures, such as the immediate and urgent need to assist and protect the victims of trafficking, will only have the desired effect if they are based on serious research into the root causes of trafficking. On the one hand, the countermeasures have to be quick-acting. On the other hand, it is necessary to raise and address the issue of the structural roots of human trafficking – namely the global inequalities in the distribution of jobs, resources and wealth.

Maruja M. B. Asis's chapter is on "Human trafficking in East and South-East Asia: Searching for structural factors". Asis puts this into the context of increasing and diverse international migration in the region over the last three decades, and the push and pull factors generated by the forces of globalization. Of the world's 191 million international migrants, some 53.3 million are in Asia, making it the second-largest region hosting international migrants after Europe, which hosts 64.1 million. What is not reflected in these statistics is the huge numbers of unauthorized migrants as well as the suspected large numbers of men, women and children who are trafficked. Furthermore, under conditions of globalization, present migrations (including trafficking) are affected by factors that simultaneously push, facilitate and impede the movement of people across international borders. The displacing impact of globalization in developing countries results in increased economic dislocation. In the face of volatile or fragile national economies, families and households turn to overseas migration as a strategy to meet their needs. The facilitative processes come from improved communications and transportation that not

only promote the movement of people (as well as ideas, goods, technology and capital) across borders, but also enable migrants to maintain linkages to their countries of destination and origin. Upon this basis, Asis's chapter proposes a framework examining the origins and development of human trafficking. She examines the patterns of human trafficking in East and South-East Asia in terms of what they imply about its structural factors, and examines the approaches of regional initiatives aimed at curbing trafficking.

Asis argues that both regular and unauthorized migration are part of the same system. Since migration is a transnational phenomenon, conditions and processes in the countries of *both* origin and destination must be considered. She concludes by observing that the global attention directed at trafficking has definitely created some awareness about it, but more awareness and educational campaigns are needed to go beyond a simplistic picture of such a complex phenomenon. A segmented and separate approach to trafficking, unauthorized migration and legal migration is likely to be counterproductive. Moreover, it is essential to devote more attention to the demand side of factors and processes of trafficking.

Gabriela Rodríguez Pizarro writes from the position of UN special rapporteur for the human rights of migrants. Her chapter focuses on "Human trafficking in Latin America in the context of international migration". The office of special rapporteur monitors the human rights situation of migrants and recommends activities and measures for the elimination of violations of their rights. From this perspective, the chapter has a unique insight into the dynamics of trafficking in the region. In terms of structural sources of trafficking, Rodríguez Pizarro emphasizes the social and economic exclusion of minorities, national and local economic underdevelopment, gender inequality, intra-family violence, xenophobia and a culture of impunity. She argues that the structural factors of trafficking in Latin America are related to the historical processes of poverty, economic crises, dependence on developed countries and scarce opportunities for human development in the local and national spheres. In addition, in South America the internal conflict in Colombia is the cause of a massive exit of migrants to bordering countries and Central America, the Caribbean and the United States. The proximate variables of the phenomenon of trafficking in Latin America are linked to the lack of adequate legislation in the countries of origin, transit and destination, lack of information, lack of documentation, criminalization of victims, impunity of agents of trafficking and unfamiliarity with principal international obligations which countries in Latin America have ratified. Corruption, too, is a major contributory factor. Noting that few specialized programmes for the rehabilitation of victims have been observed in the region, Rodríguez Pizarro concludes with an approach to addressing human trafficking from the perspective of empowering victims.

Renu Rajbhandari's chapter, "Human trafficking in South Asia: A focus on Nepal", finds similarities in the social and economic contexts of trafficking in Nepal. Her chapter presents practical examples, experiences and case studies with a view to deepening the understanding of the social, economic, gendered and political contexts of human trafficking in that country. It is based on the grassroots experiences of staff of the Women's Rehabilitation Centre (WOREC) and other NGOs working on the ground in Nepal. In terms of explanatory factors, the chapter highlights poverty, illiteracy and lack of awareness, issues of poor governance, discrimination based on class, caste and gender, widespread corruption, non-compliance with international commitments by national and international actors, international trade and labour and migration policies. Other structural factors, she argues, have been neglected in the discussion because many people are uncomfortable with them: for example, the strong patriarchal and semi-feudal social and political system, double standards about women's and men's sexuality, existing means of production and landowner relationships.

Some of these factors are also evident in Gulnara Shahinian's chapter, "Trafficking in persons in the South Caucasus – Armenia, Azerbaijan and Georgia: New challenges for transitional democracies". However, there are a number of historically unique features with the Caucasus. In particular, the collapse of the Soviet Union and the sudden transition to free market economics plunged the regions of the former Soviet Union into a painful social transition. At the same time, a liberalization of political systems allowed increased freedom of movement and a rising awareness of better economic opportunities overseas. A significant result of this has been vulnerability of people to deception and exploitation. Shahinian's chapter specifically illustrates the importance of factors such as unemployment, poverty and economic decline; the unequal status of women; traditional labour migration patterns exploited by criminal groups; the absence of comprehensive migration policies and monitoring; and the corruption of state officials and weak rule of law. She also identifies pull factors, in particular neighbours such as the United Arab Emirates and Turkey, which offer the prospect of lucrative migration. In line with this, Shahinian illustrates how the migration policies in the countries of destination are important factors in understanding trafficking.

## Policy issues

The battle against human trafficking requires the development of coherent, multilayered strategies. The chapters in this volume raise a num-



ber of policy implications which have relevance for various actors, in particular governments and international organizations working on this issue.

*Recognize the complexity of the practice*

As Konrad points out, despite the problem being one of “breathtaking intricacy”, governments have repeatedly attempted to reduce this highly complex and multidimensional problem to simplistic, often one-dimensional, terms. Trafficking involves diverse experiences. In addition to women, men and children are also trafficked; and all are trafficked into a large number of areas outside the sex industry. In some regions, trafficking occurs within borders. It is vital that morally driven agendas and the desire for a quick fix and to be “seen to be doing something” are replaced by laws, policies and programmes based on facts and (as far as possible) detached analysis. Responses must include human rights and development goals as well as legal enforcement. Little can be achieved without dialogue and cooperation between regional and international bodies, governments and NGOs.

*Clarify definitions*

Responses to trafficking are limited by the lack of clarity in terms and definitions used by governments, international agencies, NGOs, academics and the media. In particular, far greater efforts must be made to clarify and distinguish between trafficking and migrating, trafficking and prostitution and voluntary and forced prostitution. Far from being an “academic” issue, this confusion of terminology has two serious consequences for the development of trafficking responses. Firstly, it results in the collection of data which misrepresent (inadvertently or intentionally) reality because definitions are used loosely and without agreement. In the worst case, many individuals interested in this subject – and even some government agencies – routinely confuse human trafficking and smuggling, or use the terms interchangeably. Secondly, debates become infused with this lack of clarity, with unfortunate policy and public responses. For example, some debates concerning female migration have led to a presumption that women who migrate are victims of trafficking. This has had the effect of making the cross-border movement of women illegitimate in some contexts. Similarly, some anti-trafficking policies have focused upon “rescuing” migrant sex workers, some of whom have stated they were working consensually, have resisted the label “trafficked” and have perceived their treatment as something akin to a detention or arrest.

*Rethink migration*

As Dinan pragmatically states, “trafficking in persons must be understood within the context of the larger phenomenon of persons’ movement across international borders”. Trafficking debates must be embedded in notions of migration. In the words of Kapur, globalization is facilitating enormous movement, “exposing the porosity of borders, the transnational reality of . . . migration and the contingent foundations of the laws regulating cross-border movements”. The attitudes and assumptions of anti-trafficking policies need to be reconsidered in light of this. In particular, the relationship between the demands and advantages of globalization (including cheap imported labour and remittances) and state sovereignty with fixed borders needs to be reconsidered and reconciled. In fact, some “anti-trafficking” strategies appear to be thinly disguised battles against illegal immigration, with the possibility of addressing the human cost of trafficking as a secondary outcome.

Framing trafficking within the context of migration allows for the reality that, as Shahinian observes, “more and more people see migration as their only option”. Victims often consider trafficking networks as people “helping” them to migrate, and this is at the heart of their vulnerability. Diasporas and migrant networks facilitate the process. Migration patterns develop networks and systems, spurring further migration. This calls for a review of migration policies, particularly a rethinking and possibly expansion of entry laws. Rather than stopping trafficking, limiting legal migration drives the activity further underground. Restrictive migration policies strengthen the use of irregular migration channels. As Dinan notes, “Europe saw flows of undocumented migrants increase tenfold to 500,000 per year in the 1990s, a period of dramatic increases in immigration controls.”

In current trafficking debates, trafficked migrants are usually considered vulnerable, infantile, backward, outlaw, in need of protection and/or a threat to national security. They are rarely considered whole, complex people. Asis argues that migrants can be “transnationals who can play a vital part in the creation of ‘transnational communities’ by maintaining links between their countries of origin and destination”. Framing trafficking within migration debates allows a clearer understanding of the image many trafficked victims have of themselves when embarking on their legal or illegal migration, and holds greater possibilities for anti-trafficking initiatives.

As many of the authors in this volume argue, the protection of the human rights of victims is essential, but so too is protecting the rights of people to seek a living safely and make decisions for themselves. It is important to be aware of the danger of simplifying especially women as

disempowered victims. The emphasis should be more on providing safe avenues for people to pursue their right to travel and work.

*Make labour exploitation central*

Trafficking debates would benefit from a clearer understanding of the fact that trafficking is essentially about labour exploitation. Trafficking is simply a means to provide that labour. People are moved to work, in exploitative or slavery-like conditions. Trafficking provides a supply, but it also increases people's vulnerability and makes them less likely to complain, escape or lobby for improved conditions by taking them out of the protected realm (where they have legal protection and a familiar cultural and linguistic environment) and either literally entrapping them or, more commonly, dangling the carrot of economic "freedom" in front of them. Asis suggests that "Demand is actually more critical in migration than supply-side factors." It is the unmet demand for migrant workers in the destination that drives the market for trafficking. Trafficked people are pushed into the dirty, dangerous and undesirable industries for which their destination country requires labour.

*Include the economics of the industry*

Many analysts and academics from a range of fields have engaged in the trafficking debate. Economists, however, have largely and noticeably been absent. Enormous figures have been floated relating to the number of people trafficked and the income their exploitation generates, but most of these are without accompanying data about how such figures have been reached. These figures appear to gain legitimacy as much through their use (being quoted again and again) as through any sincere belief in their sound methodological base. One wonders why exactly the trafficking market, which at a rough guess is worth at least billions of dollars each year, is not of greater interest to economists.

The swift spread of free markets, driven by liberal economic globalization, has resulted in enormous progress in living standards and lifted millions out of poverty. It has also produced increased levels of inequality within and between states, and, in many areas, economic instability. Liberal economic pressures have resulted in reforms which have exacerbated economic insecurity and left communities vulnerable to trafficking. Human trafficking reduces people to the status of commodities. Furthermore, economic theory can be more broadly applied to trafficking industries to enable consideration of market structure and dynamics: supply and demand, the dimensions of the market, profitability issues and even market trends based on opportunities, cost-benefit calculations and risk

considerations. Such framing would then facilitate development of means to disrupt the market.

From an economic perspective, human trafficking raises some interesting facts. Undocumented migrants (some of whom have been trafficked) are fundamental to the economies of many states. In the United States, for example, some 10 million undocumented migrants account for nearly 10 per cent of the low-wage labour force. International remittances from migrants produce enormous domestic revenues while alleviating unemployment rates by reducing domestic labour supply. Moreover, the citizens of host countries enjoy the purchase of cheap goods and services (including sex from trafficked women) without accountability.

### *Recognize that trafficking is gendered*

Gender analysis offers increased possibilities to understand the specifics of why certain women are trafficked into certain regions/industries and develop appropriate (often long-term) responses. As a starting point, women are being trafficked from states offering them limited opportunities outside the hard toil and drudgery of the home, the farm and unregulated markets. “Rescuing” women and sending them home does not affect that, and thus will not alter the principal push factors which make women vulnerable to trafficking. At the same time, there is a failure to understand and acknowledge fully the trafficking of men. While there is some writing about men working in exploitative, indentured or slave-like conditions, much of this has not been contextualized within a trafficking framework. Similarly, there must be greater recognition that children are trafficked. For too long the popular image of trafficking victims – young women coerced into prostitution – has influenced policy responses, but this is only a part of the reality.

### *Grapple with the issue of prostitution/sex work*

It is somewhat ironic that trafficking into the sex industry dominates research and media alike, but that corresponding policies and programmes are notoriously lacking. The blurring of debates about trafficking and sex work has resulted in flawed legal strategies that are both anti-migrant and anti-sex work. Some respond by assuming that all migrant women working in the sex industry have been trafficked, while others imply that trafficking is only punishable (or should be more punishable) if the sex industry is involved. Notions of trafficking and prostitution must be disaggregated. Perhaps one means is to frame the industry in terms of coercion and consent. Put simply, sex without consent is sexual assault, and women who experience such assault have been victimized.

*Policing and governance*

Given that tens, if not hundreds, of thousands of individuals are trafficked each year, it is surprisingly difficult to find accounts of trafficked persons' experiences. Not surprisingly, research that has been carried out has been synthesized and analysed before making it into print, sometimes with a few case studies attached. Perhaps in the push to drive home to governments and policy-makers the urgency of addressing trafficking practices, many of the voices heard by researchers have been lost to a broader audience. In fact, when the UNU conducted interviews – as a part of an earlier trafficking project – with women who had previously been trafficked, researchers encountered varied tales of coercion and desperation, but to some extent it was the stories of resistance and coping that stood out. These are stories which are not often heard and which paint a clearer picture of the way different individuals respond to the similar circumstances in which they find themselves – thus putting the “human” back into human trafficking.

**Notes**

1. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (supplementing the UN Convention against Transnational Organized Crime), adopted by resolution A/RES/55/25 of 15 November 2000 at the fifty-fifth session of the UN General Assembly, article 3, paragraph (a). The protocol entered into force on 25 December 2003.
2. US State Department, *Trafficking in Persons Report 2006*, Washington, D.C.: US State Department, 2006, p. 6.
3. The US State Department suggests that “the majority of transnational victims were trafficked into commercial sexual exploitation”, *ibid.*

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# Trafficking in Humans: Social, Cultural and Political Dimensions

Edited by Sally Cameron and Edward Newman

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This volume aims to deepen understanding of the social, economic and political contexts of human trafficking: the recruitment and transportation of human beings through deception and coercion for the purposes of exploitation. Upon this basis, the volume considers whether an understanding of these underlying factors—what may be called ‘structural’—can inform policy discussion as well as strategic interventions regarding the fight against trafficking. Trafficking, generally, occurs from poorer to more prosperous countries and regions. However, it is not necessarily the poorest regions or communities which are most vulnerable to trafficking, and so the volume seeks to identify the factors which explain where and why vulnerability increases. At the same time, modern forms of transportation and communication have aided the movement of people and also enabled transnational organized crime groups and trafficking rings to exploit vulnerable people for profit. The volume includes experts with great experience of trafficking issues and it also gives a voice to ‘critical’ views which argue that trafficking challenges are inseparable from broader debates about human rights and migration. Indeed, whilst the idea of protecting the human rights of victims is uppermost, protecting the human rights of people to seek a living and make decisions for themselves regarding migration is also important. The volume thus avoids simplifying women as disempowered victims.

“This volume will be of interest to scholars who are studying globalization, migration, human trafficking, international crime, development theory and feminist theory, and it should resonate not only with political scientists but also with sociologists and other social scientists.”

**Dr. Colleen Thouez**, human trafficking expert and Chief, New York Office, UN Institute for Training and Research

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