The Globalization of Sex Trafficking

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Introduction

Often referred to as modern-day slavery, human trafficking is an egregious example of how globalization can facilitate and grow international crime rings for the purpose of economic gains. It occurs both transnationally and domestically, and within both developing and developed nations. Trafficking humans for sexual exploitation is a particularly cruel form of this crime as it involves the buying and selling of human beings—often children—as well as forced prostitution and enslavement. The very nature of sex trafficking seems archaic given the progression of international human rights law since the abolishment of slavery. Further, numerous international treaties and protocols combatting both sex trafficking and human trafficking as a whole have been ratified by states, and an increasing number of those participating have adopted their own laws against human trafficking as well. Despite such efforts by the international community, statistics show that human trafficking is still on the rise.

The International Labour Organization (ILO) estimates the global annual profits of human trafficking at \$32 billion. As of 2012, an estimated 58 percent of human trafficking globally was for the purpose of sexual exploitation, according to the United Nations Office of Drugs and Crime (UNODC). This means that sex trafficking alone is a multi-billion dollar industry annually. As stated by human trafficking researcher Siddharth Kara, "sex trafficking is one of the ugliest contemporary actualizations of global capitalism." Globalization made the huge scale and profitability of this industry possible through means such as relaxed border

¹ International Labour Organization, "ILO Global Estimate of Forced Labour," accessed March 27, 2014, http://www.ilo.org/washington/areas/elimination-of-forced-labor/WCMS 182004/lang--en/index.htm.

² United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons," accessed April 08, 2014, http://www.unodc.org/documents/data-and-analysis/glotip/Trafficking in Persons 2012 web.pdf.

³Siddharth Kara, *Sex Trafficking: Inside the Business of Modern Slavery*, (New York: Columbia University Press, 2009), 4.

control, increased migration and international trade, and technological advancements such as cell phones and the internet.

Despite globalization's ability to grow human trafficking, it has also managed to increase international awareness of the problem. Human trafficking is in the mainstream media now more than ever before, putting pressure on states to act. The international community must react to public outcry by using globalization to its advantage, and working collectively on a solution to both sex trafficking and human trafficking.

In the case of sex trafficking, international and individual state law must place an increased emphasis on amnesty and protection for trafficking victims who report their being victims. Sex trafficking victims are too often stigmatized and treated as the perpetrator of a crime rather than the victim of one. As a result, trafficking crimes are widely considered to be underreported, making accurate statistics on the global scale of the problem almost impossible to acquire. Two periodic reports that are mostly frequently cited by scholars, governments, and organizations alike due to the depth of their global statistics and statistical analysis on human trafficking are the UNODC's Global Report on Trafficking in Persons and the U.S. State Department's Trafficking in Persons Report. In the case of sex trafficking, accurate reporting must begin with victim identification. As the treatment of victims by authorities improves, so too will the disproportionate reporting. This reconceptualization of the framework from which the international community currently works is the first step to finding a global solution to both sex trafficking and human trafficking as a whole.

One of the most widely used definitions of human trafficking is the one provided by the United Nations Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons,

Especially Women and Children. Adopted in 2000 by the General Assembly, the Palermo Protocol definition states:

'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.⁴

Though the definition is not specific to sex trafficking, it is significant because it acknowledges that victims of human trafficking do not have be taken by force but may be coerced or deceived into exploitative practices. The shift in recent years has been away from the notion that trafficking implies abduction, and towards an understanding that victims may consent to go with their trafficker without knowing the true nature of the situation or its outcome.

Human trafficking is often considered to be the world's modern-day slavery because of its harsh treatment of victims, captivity of victims against their will, movement of victims across and within national borders, and the fact that its profits are based on the exploitation of humans. Cullen-Dupont points out what makes modern-day human trafficking different from traditional slavery in the following description:

First, since slavery is no longer a legally recognized institution, enslaved people are often hidden from sight or closely monitored to prevent disclosure of their situation. Second, slaveholders can no longer rely on property law to keep an enslaved person in their possession...Third, people enslaved today are generally expected to repay the costs of their own trafficking and ongoing living expenses, in a system known as debt bondage. That is, enslaved people may be paid for their labor or services, only to have a payment toward their travel costs—and even the

⁴ United Nations Treaty Collection, "Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children," accessed April 12, 2014, https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg_no=xviii-12-a&chapter=18&lang=en.

slaveholder's cost of purchasing them from a trafficker—deducted from their earnings.⁵

The system of debt bondage is truly what sets the industry of "modern-day slavery" apart from that of traditional slavery. While traditional slavery put the cost of enslavement on the slave-holder, human trafficking shifts the cost of enslavement to the trafficked person.⁶

In its 2012 Global Estimate of Forced Labour report, the ILO estimated that 20.9 million people are victims of forced labor globally at any given time.⁷ Of these, it estimates that 4.5 million (22 percent total) are victims of forced sexual exploitation.⁸ In comparison, the UNODC estimated that 58 percent of global human trafficking was for the purpose of sexual exploitation.⁹

Both the ILO and the UNODC provide estimates for the percentages of men, women, and children of the total victims of human trafficking and forced labor. While the ILO includes non-trafficking victims in its estimates, the UNODC does not. The ILO estimates that women and girls (females under the age of 18) make up 55 percent of the total victims of forced labor, compared to men and boys (males under the age of 18) who make up 45 percent of the total. ¹⁰ It also estimates that 74 percent of forced labor victims are adults and 26 percent are children. ¹¹

The UNODC estimates that 59 percent of human trafficking victims are women, 17 percent are girls under the age of 18, 14 percent are men, and 10 percent are boys under the age of 18. To compare these estimates to those of the ILO, this means that women and girls make up 76 percent of all trafficking victims, while men and boys make up just 24 percent; and, that

⁵ Kathryn Cullen-Dupont, Global Issues: Human Trafficking (New York: Infobase Publishing, 2009), 7.

⁶ Ibid, 8.

⁷ International Labour Organization. "ILO Global Estimate of Forced Labour."

⁸ Ibid

⁹ United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

¹⁰ International Labour Organization, "ILO Global Estimate of Forced Labour."

¹¹ Ibid.

¹² United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

adults make up 73 percent of victims and children make up 27 percent.¹³ Neither organization breaks down these percentages for sex trafficking; however, it is apparent that when non-trafficked forced laborers are factored in, the percentages of males go up.

Given the size and scope of the human trafficking industry, it is easy to see how complex it is for states, NGOs, IGOs, advocacy groups and other entities to collect and analyze data, detect trafficking rings and enforce existing trafficking laws. Further, coming up with comprehensive and collective solutions to the problem is extremely difficult, as a single case of trafficking could potentially span multiple countries and involve multiple traffickers or trafficked persons. Complexities such as these benefit traffickers because they allow the industry to remain elusive. The risks of being caught are worth the huge profit potential, and despite the advances in human rights in the 20th and 21st centuries, the human trafficking industry continues to grow.

The History of Human Trafficking

Human trafficking and enslavement is certainly not a new phenomenon. The enslavement of humans by other humans dates back to the beginning of civilization. Slavery can be found in religious texts such as the Bible and the Quran. It was present throughout Eurasia, from Chinese dynasties, Mesopotamia, and Babylonia to Sparta, Athens, and Rome. It was also present throughout the Americas in ancient societies such as the Aztecs, Mayans, and Incans. With the exception of Antarctica, slavery has touched every continent in the world, and has been a constant presence throughout human history.

The largest recorded slave trade was that of colonial Europe and America. As the Old World began pursuing an increasing number of New World business incentives, the need for cheap labor grew. Between the early 16th century and the early 18th century, an estimated 13

¹³ Ibid.

million people were transported as slaves from Africa to the Americas and Europe.¹⁴ It was not until 1807 when Britain outlawed the slave trade throughout the British Empire that the slow abolition of slavery throughout the world began. The last country to abolish slavery was Mauritania, in 1981.

It was also during colonialism that prostitution and sex trafficking became commonplace. Sociologist Stephanie Limoncelli writes, "state-mediated political and economic projects contributed to the demand for women's sexual labor in the 1800s. The building of nation-states and empires required large groups of men to serve as military troops, laborers, and administrators." Further, she states that "trafficking emerged as women were moved to meet the demand of large groups of laborers in colonial and frontier areas." By the early 1800s, prostitution was all over Europe, leaving governments scrambling with how to address the growing trade. As a result, a wave of prostitution legislation was introduced by European governments as an attempt to regulate brothels and prostitutes. Napoleon was the first to introduce state-sponsored prostitution legislation, in 1802, to try and control an outbreak of syphilis among French troops. Other states followed France's lead, and by the early 20th century regulated prostitution was the norm throughout Europe.

As domestic prostitution grew, so, too, did the demand for cross-border and overseas prostitution to service military troops and colonial laborers. Limoncelli writes, "European states, their colonies, some American countries, China, and Japan were all involved in the movement of women across borders for the purposes of prostitution." During the Victorian Age, advocacy

¹⁴ Cullen-Dupont, 6.

¹⁵ Stephanie A. Limoncelli, *The Politics of Trafficking* (Stanford: Stanford University Press, 2010), 22.

¹⁶ Ibid. 22.

¹⁷ Jessica R. Pliley, "Claims to Protection: The Rise and Fall of Feminist Abolitionism in the League of Nations' Committee on the Traffic in Women and Children, 1919-1936," Journal of Women's History 22 (2010), 97.

¹⁸ Limoncelli, 29.

groups and religious organizations began to spring up, calling for the abolition of prostitution and what was referred to at the time as "white slavery." It was argued at the time—and is still debated today—that the regulation and legalization of prostitution caused the trafficking of women to increase.

In 1904, in Paris, the first international anti-trafficking treaty called the International Agreement for the Suppression of the "White Slave Traffic" was introduced. ¹⁹ It was initially ratified by twelve states, mostly European, and stated that "each of the Governments undertakes to have a watch kept, especially in railway stations, ports of embarkation, and en route, for persons in charge of women and girls destined for an immoral life." Though the treaty's use of "women and girls destined for an immoral life" is extremely subjective, allowing states to interpret immorality as they choose, it was one of the first international treaties to combat sex trafficking.

In 1910, the United States introduced its first law banning the trafficking of women. Its formal name was the White Slave Traffic Act but it is widely known as the Mann Act, after its founder Illinois representative James R. Mann. The Mann Act targets anyone "who shall knowingly transport or cause to be transported, or aid or assist in obtaining transportation for, or in transporting, in interstate or foreign commerce, or in any Territory or in the District of Columbia, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl

¹⁹ United Nations Treaty Collection, "International Agreement for the Suppression of the 'White Slave Traffic," accessed April 12, 2014, https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=VII-8&chapter=7&lang=en.

²⁰ University of Minnesota Human Rights Library, "International Agreement for the Suppression of the 'White Slave Traffic' 18 May 1904, 35 Stat. 1979, 1 L.N.T.S. 83, *entered into force* 18 July 1905," accessed April 17, 2014, http://www1.umn.edu/humanrts/instree/whiteslavetraffic1904.html.

to become a prostitute or to give herself to debauchery, or to engage in any other immoral practice."²¹

This trafficking law is substantially more specific than the International Agreement for the Suppression of the "White Slave Traffic". Not only does it include the term prostitution, but it also defines the geographic borders which make the act of transport trafficking. The shortcomings of the law, however, are similar to those of the Paris treaty. The Mann Act, too, uses broad, subjective terminology with its use of "immoral purpose." Further, it also includes the "intent and purpose to induce, entice, or compel" women into prostitution or immoral behavior in its definition of trafficking. While the inclusion of "intent and purpose" allowed the law to target traffickers without catching them in the act of trafficking specifically, it is still too subjective to effectively combat the crime on a large scale.

In 1949, the UN General Assembly passed the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. The convention was a significant step for international trafficking law because of its use of the term "persons" in its definition of victims. ²² Previous treaties had focused on women and girls but did not acknowledge that men and boys could be trafficked too. The convention also shifted the focus away from individual states fighting trafficking within their own borders to a collective fight against trafficking across international borders, stating that "intentional participation in the acts…shall also be punishable." Finally, the 1949 convention includes the phrase "even with

²¹ Publishing Broadcasting Service, "Unforgiveable Blackness," accessed April 17, 2014, http://www.pbs.org/unforgivableblackness/knockout/mannact_text.html.

²² United Nations Office of the High Commissioner for Human Rights, "Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others," accessed March 24, 2014, http://www.ohchr.org/EN/ProfessionalInterest/Pages/TrafficInPersons.aspx.

²³ Ibid.

the consent of that person" in its descriptions of trafficking, opening the door to future emphasis on the criminality of trafficking, regardless of whether or not force was used.²⁴

In 2000, the UN General Assembly adopted the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, or the Palermo Protocol. The protocol was entered into force in 2003; 159 countries have ratified it to date. ²⁵ It was the first international treaty to define the crime of trafficking and, as noted previously, its definition of human trafficking is one of the most—and likely the most—widely used among the international community today. ²⁶ Through its definition, the protocol expanded focus of trafficking prevention to include all forms of human trafficking, not just sex trafficking or prostitution specifically. It is also known for the introduction of what the U.S. State Department calls the "3P" paradigm—prevention, protection, and prosecution—to guide states in their efforts to combat trafficking. ²⁷ The "3P" approach to trafficking is still the preferred method used by states today.

The protocol also further shifted the focus on trafficking to one that is more victim-centered. It contains several articles pertaining to the protection of victims including: assistance to and protection of victims of trafficking in persons; status of victims of trafficking in persons in receiving states; and repatriation of victims of trafficking in persons. Within the articles, states are called to "provide for the physical, psychological and social recovery of victims" through provisions such as housing, counseling, medical care, educational and employment opportunities, and physical safety, as well as safe repatriation and the possibility of temporary or permanent

²⁴ Ibid

²⁵ United Nations Treaty Collection, "Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children."

²⁶ United States Department of State, "Trafficking in Persons Report 2013," accessed March 24, 2014, http://www.state.gov/j/tip/rls/tiprpt/2013/.

²⁷ U.S. Department of State, "Trafficking in Persons Report 2013."

²⁸ United Nations Treaty Collection, "Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children."

residence in the country or territory where the victim was found.²⁹ The Palermo Protocol's victim-centered approach—as opposed to treaties of the past which were more crime-centered—shows that the dialogue on human trafficking is changing and efforts are being made to encourage self-reporting by victims.

The Impact of Globalization

As history reflects, the demand for sex and prostitution has always been present throughout civilization. In the past few decades, however, the demand for sex has increasingly been fulfilled through the trafficking of humans for sexual exploitation. Globalization created the ideal conditions for sex trafficking to flourish because it made victims "easy to procure, easy to transport, and easy to exploit." Kara explains that though economic globalization "led to several benefits, such as expanding international trade, foreign investment, and acceleration of the transfer of knowledge among countries, globalization's corresponding ills resulted in a rapid increase in global slavery by deepening rural poverty, widening the chasm between rich and poor, promoting social instability, and eroding real human freedoms."

The inequalities caused by globalization created a number of factors that pushed people from their home countries and pulled people into other countries. These push and pull factors are what enable the success of human trafficking today. In transnational sex trafficking, there are three types of countries involved: countries of origin (or source countries), transit countries, and destination countries.³² Countries of origin are those from which victims originate or are originally trafficked from, transit countries are those which serve as intermediaries and pass

²⁹ Ibid.

³⁰ Kara, 24.

³¹ Ibid, 24.

³² United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

victims through their borders and on to the next country, and destination countries are those that become the final destination and workplace for victims.

Countries of origin are those with large numbers of push factors because the supply of victims in these countries is much greater. Push factors in sex trafficking include: inadequate employment opportunities, poor living conditions, lack of social services, such as education and healthcare, political and economic insecurity, political corruption, wars, conflict, environmental disasters, gender inequality, and discrimination. Human ecology professor Andrea Parrot and PhD candidate Nina Cummings report that "when social services 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."33 A big reason why women are disproportionately affected by these push factors is that male cultural dominance tends to be higher in countries of origin. Politically and economically unstable countries also have higher rates of domestic and sexual violence against females, leaving many women and girls to feel that migration is their only option for a better future, making them extremely susceptible to false promises by traffickers. 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."³⁴ Some experts on sex trafficking believe that the only way to reduce it is by addressing push factors themselves in countries of origin.

Destination countries in sex trafficking are those with large numbers of pull factors because the demand for victims in these countries is greatest. Pull factors in destination countries include: higher salaries, increased job opportunities, educational opportunities, active demand for

³³Andrea Parrot and Nina Cummings, *Sexual Enslavement of Girls and Women Worldwide*, (Westport: Praeger Publishers, 2009), 21.

³⁴ United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

migrant workers or a history of migrant workers in that country, larger/more cities, relaxed border controls, political stability, and the demand for commercial sex. Traffickers will use pull factors to entice destitute women and girls with prospects such as high wages, good jobs, education, and marriage. Some women will knowingly enter the sex industry because they feel they have no alternative, while others are lured by traffickers with promises of work in factories, restaurants, hotels, etc. Traffickers generally choose destination countries that have large sex tourism industries because the demand is so great for cheap sex. Though prostitution is usually rampant in these countries as well, there is still a market for trafficked sex workers because, as Kara writes, "sex slavery is the profit-maximizing version of prostitution."

While globalization created push and pull factors that caused an increase in sex trafficking, it is likely that technological advancement was globalization's biggest contributor to the industry's growth. Cell phones and the internet made global communication easier than ever before, allowing traffickers to mobilize international crime rings more easily, more quickly, and with less cost. Organized crime consultants Robert Kelly, Jess Maghan, and Joseph Serio write that "cell phones have fundamentally shifted telecommunication to the individual person and away from the landline-determined place, thereby facilitating immediate universal communication, even in the most remote locations. Simultaneously, cell phones are, by default, furthering a massive increase in illicit criminal activity." Sex traffickers use cell phones in a number of different ways: They use prepaid, one-time use cell phones to avoid being tracked by authorities during trafficking operations; they often provide cell phones to sex workers and use GPS to monitor their movement while they are working, ensuring they do not run away; and they use cell phones to communicate with potential customers.

³⁵ Kara. 4.

³⁶ Robert J. Kelly, Jess Maghan, and Joseph D. Serio, *Illicit Trafficking*, (Santa Barbara: ABC-CLIO, Inc., 2005), 101-102.

While cell phones made the industry mobile, the Internet is what truly made the industry global. The Internet has been used for the purposes of commercial sex since its inception. Not only does commercialized sex on the internet drive the demand for the sex industry overall, it also allows traffickers to use the legal aspects of commercial sex on the Internet as a guise for illegal activity. Some of the main uses of the Internet by traffickers include: advertising sex, soliciting victims on social media, exchanging money through online money transfer services, and organizing many of the logistical operations involved in transporting victims. Because both cell phones and the Internet are still so new, relative to human trafficking's long history, it is unclear what type of effect they will have in the long term. Certainly, technology has allowed the industry to grow; however, it has also aided governments and law enforcement in combatting international crime networks.

Trafficking Networks

To effectively fight human trafficking throughout the world, it is important to understand the traffickers who commit this crime and the vast networks from which many of them operate. According to the UNODC's 2012 Global Report on Trafficking in Persons, traffickers tend to be male and tend to be nationals of the country in which they work.³⁷ The report found that "based on information provided by 51 countries regarding the gender of people prosecuted for trafficking in persons, as well as data from 56 countries regarding the gender of those convicted between 2007 and 2010, males comprise some two thirds of those involved in the trafficking process." Further, of reported traffickers, only a quarter were foreign nationals, though the

³⁷ United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

³⁸ Ibid.

proportion varied widely by region.³⁹ The report's low numbers of foreign nationals support the dominant narrative on sex trafficking: victims are recruited within their own countries by people of similar backgrounds and tricked into a life of sexual exploitation or forced labor.

Experts would agree that men make up the majority of traffickers; however, regional factors play a role in their proportion of the total. Some reports find that men account for percentages of up to 90 percent, while others find that the percentages of women can actually surpass those of men. Often women who have been trafficked themselves, or have been in the sex industry in some capacity, end up becoming traffickers at some point. The UNODC's 2012 report found a positive correlation between the share of girls detected as victims and the share of women convicted for trafficking in persons. Older women are no longer desirable as sex workers so they must find other ways to make a living. Because commercial sex may be the only industry they know, many women stay in it—even if they were previously enslaved—and become traffickers.

Age trends among male sex traffickers tend to follow those of most organized trafficking operations. Men tend to range in age from their upper teens through their lower-forties, with averages in the mid-twenties. There are no good statistics on the age trends of female traffickers; however, most sources indicate that women are generally older than men. One explanation for this could be that women were likely to be sex workers prior to becoming traffickers, whereas men may enter the trafficking industry at a younger age. One study of Nigerian women trafficking Nigerians to the Netherlands found that the women's average age

³⁹ Ibid.

⁴⁰ Alexis A. Aronowitz, *Human Trafficking, Human Misery: The Global Trade in Human Beings*, (Westport: Praeger Publishers, 2009), 51-52.

United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

⁴¹ Ibid.

⁴² Ibid.

⁴³ Aronowitz, 51-52.

was 45.⁴⁴ This was attributed to the women having to move up in rank over the years as they worked as prostitutes.

As noted previously, globalization turned human trafficking into a well-organized, highly sophisticated industry which yields huge profits. Technology allowed the industry to grow into an organized crime that is now considered the third largest form of illicit trafficking worldwide, after the drugs and arms trades. Trafficking consultant Alexis Aronowitz writes that "trafficking can range from something as simple as a single individual recruiting and exploiting a single victim in the same city or country of origin, to highly sophisticated operations moving large numbers of victims across numerous borders." Kelly, Maghan and Serio categorize traffickers into three types: "occasional traffickers;" "small, well-organized trafficking rings;" and "organized, international trafficking networks."

Occasional traffickers reside in border regions and "are usually owners of taxis, small boats, or trucks that can carry individuals or small groups from a drop-off point on the coast, across a narrow strait, or over a poorly secured border," and they are "not organized in any sophisticated or ongoing way." Small, well-organized trafficking rings "often specialize in trafficking nationals out of one specific country, consistently using similar routing." Organized, international trafficking networks "are the most sophisticated and, consequently, the most dangerous and difficult to combat. They have access to fraudulent and/or authentic, usually stolen, documents or the capability to produce falsified documents themselves. They can change routing and means of transportation when a traditional route is blocked. Members are present

⁴⁴ Ibid, 54.

⁴⁵ United Nations Regional Information Center for Western Europe, "Human Trafficking," accessed April 20, 2014, http://www.unric.org/en/human-trafficking.

⁴⁶ Aronowitz, 65.

⁴⁷ Kelly, Maghan, and Serio, 145.

⁴⁸ Ibid, 145.

⁴⁹ Ibid, 145.

worldwide. Lodging and logistical support are at their disposal in countries of transit and destination."⁵⁰ The mechanics of these larger, sophisticated crime rings are what make them so successful. Even if one element of the operation is shut down by law enforcement, there are alternate arrangements in place so that the operations as a whole can continue.

Mechanics of Sex Trafficking

The term trafficking does not just refer to one specific crime, but encompasses all of the crimes that are committed during the trafficking process, from start to finish. Some crimes that are committed during trafficking operations include: corruption of government officials, forced prostitution, money laundering, tax evasion, document forgery, violation of immigration laws, and numerous crimes related to maintaining control over victims, such as rape, aggravated and sexual assault, extortion, pimping, false imprisonment, theft, and murder. The process of trafficking humans involves several independent stages which take trafficking victims from their place of origin to their place of destination. The UNODC cites three stages of human trafficking: recruitment, transportation, and exploitation. Some organizations include marketing as a fourth stage that occurs between transportation and exploitation.

The recruitment of sex trafficking victims involves the abduction, sale by family, coercion, or deception of a person for the purpose of exploitation. Contrary to the widespread belief that still exists today, human trafficking does not have to begin with the use of physical force against the victim. Media sensationalism leads people to the misperception that trafficking entails the abduction of women and girls for sexual exploitation. In actuality, abduction as a

⁵⁰ Ibid, 145.

⁵¹ Aronowitz, 65.

⁵² United Nations Office on Drugs and Crime, "First Aid Kit for Use by Law Enforcement First Responders in Addressing Human Trafficking," accessed April 18, 2014, https://www.unodc.org/documents/human-trafficking/First_Aid_Kit_-_Booklet_eng.pdf.

means of acquiring sex trafficking victims is rare, especially for adults.⁵³ As Kara summarizes, "abduction renders transportation much more challenging. Not only is the abducted victim inherently unwilling to travel, but also she will try to escape at any opportunity."⁵⁴

Coercion and deception are much more common practices, as countries of origin often have large numbers of migrants seeking employment. Recruiters tend to be nationals of the countries of origin in which they work, making it easy to gain the trust of potential victims. Victims can be deceived with promises of marriage, educational opportunities or employment, and recruitment can take place in person or through job offers in classified ads. Additionally, some families knowingly sell their child to a recruiter due to conditions of extreme poverty.

Once victims are recruited, they are transported to their final destinations, many through means of transit countries. The UNODC states that "at the transportation stage, victims may be moved by land, sea and/or air, openly or covertly, in groups or alone, using public or private means of transportation. People can be trafficked by legal or illegal border crossings, or, in cases when persons are trafficked inside the borders of a country, no border crossing at all."⁵⁵ The UNODC's Global Report on Trafficking in Persons found that between 2007 and 2010, almost half of the victims detected worldwide were trafficked transnationally; but within their region of origin, 27 percent were trafficked domestically and 24 percent were trafficked transnationally and inter-regionally.⁵⁶ The treatment of victims during the transportation stage varies greatly by region. Some victims are beaten, drugged, or raped during transit to "groom" them for a life of

Aronowitz, 2.Kara, 8.

⁵⁵ United Nations Office on Drugs and Crime, "First Aid Kit for Use by Law Enforcement First Responders in Addressing Human Trafficking."

⁵⁶ United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

sexual servitude, while others are put up in luxury hotels and still led to believe recruiter claims that a better life awaits them.⁵⁷

Some organizations include marketing as one of the steps in sex trafficking. Marketing is sometimes included because many trafficking networks will market their victims prior to their arrival at the final destination. Victims can be marketed on online personal columns, matchmaking websites, and to other trafficking networks or brothels. The marketing of victims is the first step of their exploitation.

The final stage of a sex trafficking operation is victim exploitation. Victims are exploited in cruel ways in an attempt to break them down psychologically. Some victims will be sold once they have reached their final destinations in a dehumanizing process that involves price negotiations between buyers and sellers. Kara explains that "sales take place at established buyers' markets, where victims are forced to strip naked to be inspected by potential buyers for deformities, venereal diseases, and overall attractiveness." Some victims are sold for under \$100.59

Passports, visas, and other important documents are taken from victims and used as leverage. Victims are told that if they try to escape, they will be turned over to authorities by their traffickers and arrested as illegal migrants. Traffickers make threats against victims' families back home in an attempt to scare them into submission. Some victims are beaten or tortured. Many are drugged or raped. Former victims have also reported that women who do not comply with trafficker demands can be beaten or even murdered in front of other victims, to serve as a warning to them.⁶⁰

⁵⁷ Aronowitz, 10.

⁵⁸ Kara, 12.

⁵⁹ Aronowitz, 84.

⁶⁰ Kara, 12.

Aronowitz writes that "the creation of debt is one of the main mechanisms used by traffickers to maintain control over victims." Debt bondage is an effective way for traffickers to exploit victims for years. In instances where trafficking victims are deceived with the promise of a job, they may have already paid the trafficker a specific amount of money for transportation or agreed upon a debt to be paid off once they are working. As the U.S. State Department summarized in its 2007 Trafficking in Persons Report, "often the debt can never be repaid because the costs for food, rent, medicines, and condoms are added every day." Over time, many victims make a "Stockholm Syndrome-like transformation" and continue working as prostitutes for their trafficker even after their debts are paid. It is this psychological hold over victims for which traffickers strive because it allows them continued manipulation of their victims for personal gain.

Trafficking by Region

Analysis of human trafficking by region is important because regional trends can provide insight into the flows of trafficked people occurring throughout the world. Experts can use regional data to help determine the largest sources of trafficking flows, the paths they take, and the most popular destinations of these flows. Between 2007 and 2010, the UNODC observed approximately 460 different trafficking flows worldwide. Breaking down trafficking flows by region is essential to combatting human trafficking as a whole because it allows authorities to better track international crime networks. As previously noted, nearly half of all trafficking occurs across national borders but stays within the region of origin. Further, more than 75

⁶¹ Aronowitz, 57.

⁶² United States Department of State, "Trafficking in Persons Report 2007," accessed April 22, 2014, http://www.state.gov/j/tip/rls/tiprpt/2007/.

⁶³ Kara, 12.

⁶⁴ United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

percent of trafficking flows are either short or medium in range, highlighting the importance of observing regional trends over larger international ones.⁶⁵

For the purposes of this paper, countries will be divided into four regions: Europe and Central Asia; The Americas and the Caribbean; South Asia, East Asia, and the Pacific; and Africa and the Middle East. Regional and state trends will be reflected, as well as individual cases of trafficking that are representative of the area. Some regional observations that could be made include: demand for commercial sex; recruitment methods; proportion of total trafficking comprised by sex trafficking; economic and political instability; makeup of source countries, transit countries, and destination countries; and laws surrounding trafficking.

Sources for these regional observations and trends will mainly be from the U.S.

Department of State's 2013 Trafficking in Persons Report and the UNODC's 2012 Global

Report on Trafficking in Persons. These reports were chosen as the two most comprehensive
reports on human trafficking in terms of the number of countries included in their data, and
because the reports are the most frequently cited in scholarly analyses of trafficking statistics.

The State Department's Trafficking in Persons Report includes 188 countries in its findings.⁶⁶

The report places countries into tiers based on their compliance with the Trafficking Victims

Protection Act, a U.S. law passed in 2000 which serves to protect victims of human trafficking,
criminalize the act of trafficking, and prevent future trafficking. The UNODC Global Report on

Trafficking in Persons includes 132 countries in its findings.⁶⁷ The report focuses on patterns and
flows of human trafficking and global responses to trafficking.

Europe and Central Asia is the region with the highest proportion of trafficking for the purpose of sexual exploitation. Sex trafficking makes up 62 percent of the total human

⁶⁵ Ibid

⁶⁶ United States Department of State, "Trafficking in Persons Report 2013."

⁶⁷ United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

trafficking in this region. ⁶⁸ One reason this percentage is so high is likely due to Europe's strict labor laws, which restrict trafficking for forced labor. Compared with other regions, Europe and Central Asia have very little forced labor. Eastern and Central Asia had a slightly higher prevalence of forced labor at 35 percent of its total trafficking, whereas Western and Central Europe recorded that 29 percent of trafficking was for the purpose of forced labor. ⁶⁹ Regions with a high prevalence of forced labor tend to be those with large agricultural or manufacturing industries, as trafficked labor is needed to work on farms or in factories and sweatshops.

The rates of sex trafficking may also be higher in the region because prostitution is legal in places like Germany and the Netherlands. There is a growing argument among experts that legalized prostitution increases the influx of sex trafficking. Traffickers see countries with legalized prostitution as being more lax because sex workers are targeted less often by authorities, decreasing the chances that underground trafficking rings will be discovered. A 2012 study published in *World Development* supports this claim; it analyzed the data from 116 countries and found that those with legalized prostitution are associated with higher human trafficking inflows than countries where prostitution is prohibited.⁷⁰

In Europe and Central Asia, trafficking flows tend to move in an east-to-west and south-to-north direction.⁷¹ These flows mostly follow the normal pattern for human trafficking: from poorer countries or sub-regions to richer ones. The trafficking flows from east to west are generally attributed to the fall of the Berlin Wall and the breakdown of the Soviet Union. Former Soviet Union countries such as Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan,

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Seo-Young Cho, *Philipps-University of Marburg*, "3P Anti-trafficking Policy Index for 2012 (188 countries) released," accessed April 15, 2014, http://www.economics-human-trafficking.net/mediapool/99/998280/data/3P_Index_2012_en_press.pdf.

⁷¹ Aronowitz, 88.

Moldova, Tajikistan, Turkmenistan, Ukraine and Uzbekistan are all considered large source countries for human trafficking.⁷² Trafficking flows out of these countries are often to Western Europe. In recent years, however, many of these former Soviet Union countries have been found to be sourcing the sex trade in Russia.⁷³

Aronowitz cites one such case which followed this trafficking flow:

Maryam, a 17-year-old from Kazaksthan, left home to seek employment as a shop assistant in a store in a Russian city. Her parents were paid \$300, she was given a false passport, and she was taken by a man to Samara in central Russia. Instead of a shop, Maryam was placed in a guarded and locked cell with barred windows and a metal door. Refusing to work as a prostitute, she was starved, raped, and beaten into submission. It took five days to break her down and force her to comply.⁷⁴

As reflected in this example, victims of trafficking operating in Europe and Central Asia tend to be from within the region. In Western and Central Europe, 31.9 percent of victims were from outside the region, and in Eastern Europe and Central Asia, only 0.2 percent of victims were from outside the region.⁷⁵ Of the victims in Western and Central Europe that originated from other regions, there were 70 different countries of origin represented.⁷⁶ African countries made up the largest number of source countries from other regions, comprising 18 percent of the victims in Western and Central Europe from other regions.⁷⁷

The Americas and the Caribbean is the region with the second largest proportion of sex trafficking, with 51 percent of the human trafficking in the region for the purpose of sexual exploitation.⁷⁸ Unlike Europe and Central Asia, the Americas have a large number of forced

⁷² United States Department of State, "Trafficking in Persons Report 2013."

⁷³ Aronowitz, 86.

⁷⁴ Ibid, 87.

⁷⁵ United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Ibid.

labor victims as well, making up 44 percent of the total trafficking.⁷⁹ North America reports an especially high proportion of trafficked victims for forced labor, with the United States reporting 70 percent of all victims being trafficked for forced labor and Mexico reporting 65 percent.⁸⁰ Forced labor jobs in agriculture, domestic service, factory work, and street peddling are all more common than jobs in commercial sexual exploitation. Despite how lucrative the sex trafficking industry is worldwide, the U.S. as a destination country is inconvenient for many sex traffickers. It is expensive, farther from countries of origin, has tight border controls, and its government and police force are less corrupt relative to other destination countries.⁸¹ Though the per capita numbers on sex trafficking in the U.S. are low compared to other countries, there are several large cities which serve as the exceptions and have booming underground sex trades, such as Las Vegas, Los Angeles, New York, and San Francisco.

The region is made up of source, transit, and destination countries, as economic disparities between the countries of North and South America are quite large. ⁸² Latin America and the Caribbean countries serve mainly as sources for trafficking to the United States, Western Europe, and Japan. ⁸³ Brazil is an exception to this and serves as both a destination country and a country of origin. Brazil sources 15 percent of women trafficked in South America. ⁸⁴ It receives women trafficked from the Andes or countries in the Caribbean. ⁸⁵ Additionally, the country has a large problem with child prostitution.

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⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Kara, 183.

⁸² United States Department of State, "Trafficking in Persons Report 2013."

⁸³ Aronowitz, 51-52.

⁸⁴ Ibid, 95.

⁸⁵ Ibid, 95.

According to the State Department, "child sex tourism remains a problem, particularly in resort and coastal areas in Brazil's northeast."86 This is especially disconcerting to international human rights advocates, insofar as Brazil will host the 2014 World Cup and 2016 Olympic Games, and they believe that child sex tourism will increase dramatically. The debate over whether large national or international sporting events increases sex trafficking to those areas is ongoing, as there is no conclusive, statistical evidence to support one side or the other. 87

The trafficking flows within the Americas and the Caribbean follow the general pattern for trafficking worldwide, with victims being trafficked from poorer regions and countries to comparatively richer ones. For example, a large proportion of regional victims in the U.S. are from Mexico, Central America, or Caribbean countries.⁸⁸ There are also trafficking flows from Guatemala to Mexico, and from El Salvador and Nicaragua to Guatemala.⁸⁹

One such example following this pattern is the story of a woman trafficked from Mexico to Florida who testified before the Senate Intelligence Committee on her debt bondage and sexual slavery in the U.S.:

The Bosses carried weapons. They scared me. Their brothels were often in isolated areas. I never knew where I was. It was all strange to me. We were not allowed to go outside of the brothels. I knew if I tried to escape I would not get far because everything was so unfamiliar. The Bosses told me that if I escaped, INS (United States Immigration and Naturalization Service) would catch me, beat me and tie me up. This frightened me...I know of a girl that escaped and was hunted down. The Bosses found her and beat her severely. The Bosses would show the girl that they meant business by beating and raping her brutally. All I could do is stand there and watch. I was too afraid to try to escape. I also did not want my family put in danger. I was enslaved for several months, other women

⁸⁶ United States Department of State, "Trafficking in Persons Report 2013."

⁸⁷ Jo Griffin, *The Guardian*, "Child sex tourism warning for fans attending World Cup in Brazil," accessed April 08, 2014, http://www.theguardian.com/world/2014/feb/09/brazil-sex-tourism-world-cup. Kate Mogulescu, New York Times, "The Super Bowl and Sex Trafficking," accessed April 08, 2014, http://www.nytimes.com/2014/02/01/opinion/the-super-bowl-of-sex-trafficking.html.

⁸⁸ United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

⁸⁹ Ibid.

were enslaved for up to a year. Our enslavement finally ended when the INS, FBI, and local law enforcement raided the brothels and rescued us. We weren't sure what was happening on the day of the raids. Our captors had told us over and over never to tell the police of our conditions. They told us that if we told we would find ourselves in prison for the rest of our lives. They told us that the INS would rape and kill us. But we learned to trust the INS and FBI and assisted them in the prosecution of our enslavers. Unfortunately, this was difficult. After the INS and FBI freed us from the brothels we were put in a detention center for many months. Our captors were correct. We thought we would be imprisoned for the rest of our lives. Later, our attorneys were able to get us released to a women's domestic violence center where we received comprehensive medical attention, including gynecological exams, and mental health counseling. Thanks to the United States government some of our captors were brought to justice and sent to prison. Unfortunately, not all. Some of them are living in Mexico in our hometown of Veracruz. They have threatened some of our families. They have even threatened to bring our younger sisters to the United States and force them to work in brothels as well. 90

Trafficking victims to the Americas are generally from within the region. In North America, 31.6 percent of trafficking victims were from regions outside the Americas and the Caribbean. 91 In South America, just 10.6 percent of victims were from outside regions. 92 These statistics are not surprising, given the size of the countries in the Americas. Travel is expensive because distances are great and the continents are not in close proximity to non-regional source countries.⁹³

South Asia, East Asia, and the Pacific is a region widely known for its sex tourism. U.S. military presence in Vietnam, Thailand, and the Philippines "paved the way for sex tourism in that part of the world."94 Sex tourism remains commonplace in the region due to military bases and large numbers of Western and Asian tourists, despite prostitution being illegal in the majority of countries. Of the total victims of human trafficking in the region, 44 percent were

⁹⁰ Parrot and Cummings, 22-23.

⁹¹ United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons,"

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Ibid.

trafficked for the purpose of sexual exploitation. 95 This number is decidedly low, given the size of the sex tourism industries in the region. The UNODC offers one explanation, reporting that "the data coverage in this region is relatively weak, especially in light of the region's large population; ... there is a high degree of uncertainty regarding how representative it is of the actual trafficking situation." Because there was not a good sample size from the region, and because Australia and Japan—two wealthy, industrialized countries—are among the countries which reported data, there is a good probability that sex trafficking rates in the region are actually higher.

There is a high rate of child trafficking in the sub-region of Southeast Asia, with most countries reporting rates between 15-20 percent of the total, and countries of the Mekong River Basin reporting over 50 percent of the total. ⁹⁷ In East Asia and the Pacific, child trafficking rates are lower, at less than 10 percent of the total. 98 In addition to having high numbers of child trafficking, South Asia, East Asia, and the Pacific also have a problem with children being sold by their parents, family members, or acquaintances. As is often the case in human trafficking, incidences of children being sold to traffickers by their families goes up in regions with high rates of poverty. Most countries in the region are made up of more rural areas than large cities, and they are struggling with increasing urbanization. Children are sold to pay off debts or allow for the subsistence of the rest of the family.⁹⁹

One such case is the story a girl who was sold to a sex trafficker in Cambodia:

In Cambodia, five-year-old Srey was sold by her parents to a brothel. She was probably sold for somewhere between \$10 and \$100. The child was drugged to gain her compliance and passed from one customer to the next. The small child

96 Ibid.

⁹⁵ Ibid.

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Aronowitz, 84.

suffered months of abuse from pimps and sex tourists. At the age of six, Srey was rescued from the life of a sex slave by a former prostitute who runs victim shelters from Cambodia's rescued children. Somaly Mam, who runs the shelter, describes Srey as "timid, quiet, and damaged." The child was diagnosed as HIV positive and suffering from pneumonia and tuberculosis. Other children at the shelter with Srey may be even more traumatized. One child who had been imprisoned for two years in a cage where she was repeatedly raped is suffering from profound psychological trauma. ¹⁰⁰

Trafficking victims from countries of origin outside the region are extremely rare. In South Asia, none of the reported victims were from countries outside the region. ¹⁰¹ In East Asia and the Pacific, only 0.5 percent of victims were from countries outside the region. ¹⁰² The reason why victims are not often trafficked into South Asia, East Asia, and the Pacific is because it is not cost effective for traffickers. The populations of countries in the region are extremely high in comparison to other regions. The majority of the countries in the region are poor as well, so the supply of victims is large. Traffickers can acquire victims from within the region very cheaply, making intraregional trafficking flows easy to maintain.

While inflows of human trafficking to the region are rare, there are large numbers of trafficking flows to other regions. ¹⁰³ The trafficking flows out of East Asia are the most prominent in the world, with victims from the region comprising 7 percent of trafficking victims in Western and Central Europe, 22 percent of victims in the Americas, and 35 percent of victims in the Middle East. ¹⁰⁴ Though there is no clear evidence of one country being the main source of victims from the region, some of the most reported countries of origin are China, the Philippines, Vietnam, and Thailand. ¹⁰⁵

¹⁰⁰ Ibid 65

¹⁰¹ United Nations Office of Drugs and Crime, "Global Report on Trafficking in Persons."

¹⁰² Ibid.

¹⁰³Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

In Africa and the Middle East, sex trafficking makes up 36 percent of the total human trafficking in the region. 106 As was the case in South Asia, East Asia, and the Pacific, the UNODC reports that data from Africa and the Middle East is weak due to low incidences of reporting. 107 The region reports 68 percent of its victims as being children; however, the largest form of exploitation of child victims is not sex trafficking, but forced labor. 108 Two forms of exploitation of children that are common in the region are child soldiers and mine workers. 109

The Middle East as a sub-region has higher rates of sex trafficking than it does other forms of exploitation. 110 The United Arab Emirates, Oman, Egypt and Israel all reported sex trafficking as the number one form of exploitation in the country. 111 North Africa and the Middle East combined have the greatest proportion of victims in the world that were trafficked from other regions, comprising 69.8 percent of the total. ¹¹² In Sub-Saharan Africa, in comparison, only 2 percent of its total victims are trafficked from other regions. 113 The likely reason why the vast majority of victims from North Africa and the Middle East are from other regions is because of strict gender policies due to the predominance of Islam. 114 Muslim women in the region are expected to adhere to strict religious laws, and sex outside of marriage for women is extremely taboo.

There are no observable trends on the makeup of traffickers in Africa and the Middle East. This is likely due to the absence of good reporting in the region. One well-known trafficker profile from the region, however, is that of the Nigerian Maman or Madam.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ Ibid.

Aronowitz summarizes her role as follows:

The role of women in the trafficking of Nigerian girls and women for forced prostitution has been well documented. Young women between the ages of 15 and 25 are recruited for commercial sexual exploitation by an older woman, a Maman or Madam, who acts as facilitator for the women and girls and the organization preparing their migration. When the young women arrive in the destination country, another Maman supervises, controls, organizes the groups (comprising 10 to 15 girls or women), coordinates their activities, and collects their profits. Most Mamans were themselves prostitutes. Once they have repaid their debt to the Maman, they, in turn, use the same method to make money. 115

There are a number of trafficking flows from Africa and the Middle East to other regions. Africa, in particular, has a large number of the source countries with trafficking flows to Western and Central Europe. West Africa is the sub-region with the most prominent trafficking flows to Western and Central Europe. These trafficking flows are primarily for the purpose of forced prostitution. The countries with the highest number of sex trafficking victims in Europe are Cameroon, Ghana, Guinea, Sierra Leone, and Nigeria.

Solutions to Sex Trafficking

In the effort to combat sex trafficking and human trafficking, a number of solutions have been introduced by the international community and by individual state governments. Some of the current solutions include: international legislation, domestic legislation, advocacy and awareness campaigns, media attention, border control, and law enforcement. The success of these solutions can be as difficult to measure as the problem of trafficking itself. Without good estimates on the scope or the scale of trafficking worldwide, it is hard to determine which

¹¹⁵ Aronowitz, 53-54.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

solutions are having the biggest impact. Cooperation and communication between policy makers, industry experts, and anti-trafficking organizations are hugely important because it is often smaller state and regional anti-trafficking operations where success is more measurable. In time, these smaller successful operations can be used as models from which to create a global solution to the problem.

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children is the most widely adopted piece of legislation on human trafficking today. To date, 159 countries have ratified it, and 117 countries are signatories. ¹²⁰ The Palermo Protocol has been instrumental in establishing a legal framework for human trafficking from which states can base domestic trafficking laws. It was the protocol's introduction of prevention, prosecution, and protection methods that made them the central focus of international discourse on the trafficking of humans. The legislation is also known for shifting the emphasis of anti-trafficking efforts away from criminalization and towards the increased protection of victims. This victim-centered approach is important because it aims at fighting trafficking at the source—by decreasing the supply of victims—rather than crime itself.

Though the vast majority of states have ratified or signed the Palermo Protocol, the level of commitment of each of the participating state varies. Many states that have adopted the protocol do not enforce it, or do not enforce some aspects of it, through individual state law. Economics professor Seo-Young Cho attempts to quantify states' level of participation in the protocol through an index he created which measures their "anti-trafficking performance" on the 3-Ps. Though he observed modest improvements in government policy between 2011 and 2012

¹²⁰ United Nations Treaty Collection, "Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children."

overall, protection policy scored the lowest of the three trafficking policies.¹²¹ He found that the majority of countries (107 out of 188 measured) do not grant amnesty for victims who are in violation of state law as a result of their being trafficked.¹²² The Palermo Protocol does require states to provide amnesty for trafficking victims; however, there is a widespread problem with victim identification.

Identifying victims of human trafficking is not always obvious. Authorities often struggle to differentiate between victims of human trafficking and voluntary illegal migrants. One reason identification can be difficult is that victims frequently deny that they are being held against their will for fear of reprisal by their traffickers or law enforcement. Another reason is that there is a long held belief that non-victims may make false claims of victimhood. States worry that illegal migrants may make claims of being trafficked to avoid penalty (if they were caught by authorities) or to benefit from victim-assistance programs that many governments offer. The State Department disputes the accuracy of this logic, stating that "countries such as the United States, Belgium, and Italy, which offer comprehensive victim support packages,...have not found false claims to be a problem. Rather, these countries have found that investigations prompted by identification of victims typically result in charges under trafficking statutes."

Challenges such as these highlight the importance of having an internationally-accepted standardized methodology when it comes to human trafficking data collection. One of the biggest roadblocks in the fight against human trafficking is that states, international government agencies, NGOs, and even local law enforcement measure statistics and define various elements of trafficking differently. Kara suggests that one way to achieve international standardization and

¹²¹ Seo-Young Cho, "Does Legalized Prostitution Increase Human Trafficking?" World Development 41, (2013): 67-82.

¹²² Ibid.

¹²³ United States Department of State, "Trafficking in Persons Report 2013."

cooperation is to create "an extra-governmental Coalition of Freedom" comprised of "key anti-trafficking NGOs, economists, business leaders, lawyers, lobbyists, academicians, and law enforcement," which aims to create universal tactical strategies to combat trafficking. 124

Given the enormity of the human trafficking problem, individual state law is an important element in the fight to end it. Individual state sex trafficking law can have an impact on trafficking for that state's neighbors because they are spatially dependent on one another. Spatial dependence in the case of sex trafficking can be both positive and negative, depending on how neighbor states react to another state's policy implementation. Amahazion writes that states can be influenced by pressure from one state on another (e.g., destination states pressuring origin states), and they can also "experience externalities created by other states (e.g., strict policies in one state can lead to traffic to another)."

One state that has been particularly effective in drastically reducing inflows of sex trafficking is Sweden. In 1999, the government of Sweden passed legislation that criminalizes the purchase of sex and decriminalizes its sale. Though the law is not specifically aimed at forced prostitution or sex trafficking, it favors protectionist policies and views all sex workers as victims. As one *New York Times* article summarized, "the Swedish model recognizes that prostitution is an institution of inequality. Most people in prostitution enter as children after being sexually abused. Lacking education and resources to survive, often destitute and homeless, they are easy prey to pimps and johns." As a result of the law, the Swedish government estimates that between 2002 and 2007, "only 200 to 400 girls" were trafficked into Sweden

¹²⁴ Kara, 201-212.

¹²⁵ Fikre-Jesus Amahazion, "Global Anti-Sex Trafficking: State Variance in Implementation of Protectionist Policies," *Human Rights Quarterly* 58, no. 1, (2014): 183-184.

¹²⁶ Ibid, 183-184.

¹²⁷ Max Waltman, "Criminalize Only the Buying of Sex," *New York Times*, accessed April 22, 2014, http://www.nytimes.com/roomfordebate/2012/04/19/is-legalized-prostitution-safer/criminalize-buying-not-selling-sex.

annually, compared to 15,000 to 17,000 females a year in neighboring Finland. This shift in trafficking flows due to Swedish law supports the theory of special dependence, highlighting the need for regional cooperation in the fight against trafficking.

Another individual state effort in human trafficking is The Barrier Model (TBM) created by the Netherlands. According to the Dutch government, TBM "looks at trafficking as a business model, with different barriers that need to be overcome for a trafficker to start making a profit. These barriers include: entry, identity, housing, work and financial situation." For example, one barrier to entry is the specialized training of consulate employees to be able to look for and identify signs of human trafficking upon visa requests. Though there is no conclusive data on its success, the Dutch model has been widely used throughout Europe as an example of preventive human trafficking policy.

The international media has played a large role in the fight against human trafficking today. There have been documentaries, advocacy campaigns, newspaper and magazine articles, and TV and radio stories on the growing problem of sex trafficking throughout the world. While it is difficult to quantify the effectiveness of media reporting to decrease sex trafficking, it is important not to downplay the potential for media to create real change. In the age of globalization and technology, media has been instrumental in the rapid spread of information transnationally.

In the case of sex trafficking, there is one outspoken advocate and member of the media who has arguably brought more attention to the subject than any other independent actors. Nick Kristof of the *New York Times* has been reporting on sex crimes for over a decade. Kristof often

¹²⁸ Parrot and Cummings, 86.

¹²⁹ European Forum for Urban Security, "Putting Rantslev into Practice," accessed April 22, 2014,

[&]quot;http://efus.eu/files/2013/03/Invitation-to-Putting-Rantslev-into-Practice-16-18-April-2013-Amsterdam-the-Netherlands.pdf.

incorporates biographical stories of women and girls who have been victims of sex trafficking, as well as providing statistical data on the prevalence of the problem, in his weekly columns. He has been hugely successful in raising public awareness of human trafficking and has won several awards in journalism for his reporting on the plights of disenfranchised people around the world.

In 2009, Kristof and his wife, Sheryl WuDunn, published their book *Half the Sky:*Turning Oppression into Opportunity for Women Worldwide, which highlighted crimes committed against women and girls, including many cases of sex trafficking. The success of the book allowed them to launch an international campaign of the same name and produce a documentary in which American female celebrities accompanied Kristof in visiting women in countries with large gender inequality. Though the campaign is not specific to sex trafficking, sexual violence and trafficking for the purpose of sexual exploitation are two of the most represented cases throughout the campaign. It is one of the most successful awareness-raising campaigns for women's social justice to date, with hundreds of thousands of followers on social media worldwide.

Kristof is a perfect example of how media can turn an international human rights issue into a cause célèbre. In the case of sex trafficking, drumming up public attention to the industry is hugely important. Sex trafficking is a crime that is mostly hidden from public view, so the majority of people in the world would never know it exists without media reporting on the subject. In general, when public awareness of an issue goes up, so, too, does government intervention. Media plays an important role in combating sex trafficking by continuing to bring stories of the crime to the public's attention, putting pressure on states to act.

NGOs have also been central to public awareness and advocacy in human trafficking.

Organizations such as Human Rights Watch and Amnesty International have served as

whistleblowers, alerting the public to both individual cases and larger trends in sex trafficking. These organizations also act as watchdogs to ensure that governments are enforcing anti-trafficking laws effectively. NGOs fill a niche that other actors in the fight against sex trafficking cannot because they often deal directly with the victims of trafficking themselves. This puts them in a unique position to advise policy makers on the best methods to combat the problem.

Suzanne Hoff of La Strada International, an anti-trafficking NGO operating out of Europe, writes that "due to their direct social support services and direct contact with trafficked persons, NGOs can win the confidence of their clients, which often leads to the willingness to testify and better witnesses in court." For this reason, NGOs have been essential in providing governments and other international actors with the tools needed to combat trafficking through legislation.

Technology is an essential tool in the fight against sex trafficking. International trafficking networks have thrived due to technological advancements in the age of globalization. Trafficking networks have used cell phones and the Internet to create highly-sophisticated, often international operations to transport humans for sexual exploitation. Governments, organizations, and law enforcement must use technology as a means to detect, track, and shut down these operations. Though traffickers have become experts in using technology to keep the sex trafficking industry a step ahead of anti-trafficking efforts, the increased public awareness of the crime in recent years has been instrumental in the mobilization of technology to fight trafficking. IT experts from around the world are now partnering with government authorities and NGOs to come up with innovative ways to combat trafficking networks.

¹³⁰ Suzanne Hoff, *Council of Europe*, "The role of NGOs in combating human trafficking and supporting (presumed) trafficked persons," accessed April 23, 2014, http://www.coe.int/t/dghl/cooperation/economiccrime/trafficking/Projects/THB percent20Azerbaijan/REPORT_HOFF.pdf.

One way in which technology is being used is to assist victims of trafficking through the establishment of help hotlines. Organizations from around the world such as the Polaris Project, La Strada International, and Liberty Asia have hotlines that trafficking victims can call for assistance. Not only do these hotlines provide victims with a support system that can assist them in getting out of danger, they also provide useful data on trafficking operations themselves. Information technology companies have partnered with many of these organizations by creating data-mining algorithms which allow the organizations and law enforcement to make use of the hotline calls. As stated by Jason Payne, an engineer for one such IT company, the use of these algorithms allows organizations to "cull data from reported trafficking events, search for nearby service providers, and quickly identify the best way to help based on the caller's local region all while the caller is still on the line. These organizations can also map patterns from the aggregated data to reveal trends." Furthermore, algorithms are also being used to detect trafficking networks and the victims of trafficking by scanning online classified ads. These algorithms can be written to specifically detect ads that are more likely to be for underage victims, allowing law enforcement to target the huge problem of prostitution of minors. 132

Conclusion

Overall, the complexities of the global sex trafficking industry make it impossible to solve without a multidimensional, transnational approach. In 2009, Hillary Rodham Clinton proposed that a fourth "P," for partnership, be added to the "3P" framework. 133 Clinton's

¹³¹ Ari Gesher, *Palantir*, "HuffPost Live: fighting human trafficking through better data analysis," accessed April 25, 2014, http://www.palantir.com/2013/09/huffpost-live-fighting-human-trafficking-through-better-data-analysis/. ¹³² U.S. Department of State: Diplomacy in Action, "Technology as a Tool in the Fight Against Human Trafficking," accessed April 25, 2014, http://www.state.gov/r/pa/pl/cwa/212411.htm.

¹³³ U.S. Department of State: Diplomacy in Action, "Four "Ps": Prevention, Protection, Prosecution, Partnerships," accessed April 12, 2014, http://www.state.gov/j/tip/4p/.

proposal was a response to the emerging trends of victim protection in trafficking policy.

Increased cooperation or "partnership" is necessary to ensure that victims will have equal protection in their countries of origin—often the countries to which they are repatriated —and the countries where their crimes were reported. The international community and individual state governments must work together using a combination of policies of protection, prevention, prosecution, and partnership to create a global solution to sex trafficking.

In the past few years, there has been an increased focus on protectionist policies to combat sex trafficking. More states are moving towards a victim-centered approach and including protectionist policies in trafficking legislation. One of the fundamental elements of protectionist policy is amnesty for victims. Amnesty is important because it increases the likelihood that trafficking victims will self-report because they will not fear repercussions from law enforcement.

Victim identification is vital to the fight against sex trafficking. For state governments and international organizations, accurate statistics on the global scale of the human trafficking problem are needed to formulate policy on the industry. As victim identification increases, so, too, will the identification and prosecution of traffickers. In due course, a more accurate picture of human trafficking in all of its complexity will emerge.

Prevention is an important element in anti-trafficking policy because it is targeted at the origin of the problem, rather than a retroactive solution for it. Prevention policies focus on decreasing the supply of victims and curbing the demand for commercial sex. The continued fight against poverty and unequal distribution of wealth is vital to decreasing the supply of sex trafficking victims. Governments must expand social programs to improve healthcare and education in source countries so that their labor force remains within the country, rather than

seeking employment elsewhere. Barrier model methods such as those employed in Europe are also effective preventive approaches to combatting trafficking because each barrier can interrupt an element of a trafficking operation, potentially rendering it unsuccessful. Continued barriers will, in time, force traffickers to seek other methods and routes to carry out their operations.

Prosecution is vitally important to ending sex trafficking worldwide because it serves as a deterrent to the traffickers themselves. Policies that incorporate prosecution should establish tougher crime sentences, including huge fines and long jail sentences. Establishing a hard line on trafficking in legislation is important to signal to traffickers that the crime will not be tolerated in that municipality, country, or region. Though the majority of states have anti-trafficking legislation in place—based on the United Nations Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children—many do not enforce these laws effectively. Governments and international organizations must incentivize employees in positions that may encounter trafficking, such as border-patrol agents, consulate workers, and police and other law enforcement agencies, by establishing a system of quotas and rewards. If an employee reaches his or her quota in trafficking intervention, then a reward—either monetary or in the form of a promotion—is provided by the employer. Agencies such as the U.N., non-profits, and public awareness campaigns should provide funding for individual state governments that cannot afford to fund programs themselves to employ systems of quotas and rewards.

Technology is also essential to the prosecution of sex traffickers. It can be used to detect and track international trafficking networks to gain more insight into the sophistication of the operations, as well as the recurrent large-scale trafficking flows. Collaboration between technology companies and government agencies will, in time, allow for the detection and

prosecution of large trafficking networks, serving as a deterrent for the expansion of smaller networks.

Lastly, partnership or cooperation between a number of international actors is paramount to the success of solutions to end sex trafficking. Governments, IGOs, NGOs, the media, law enforcement, and the private sector must all operate from standardized definitions on human trafficking, as well as data-collection methods. A large international body such as the U.N. should establish these standards, and individual state governments should write them into domestic legislation. The standardization of anti-trafficking terminology and data collection will both increase the data collected and improve data interpretation. If policy makers and law enforcement have a better picture of the global sex trafficking industry, they can better create solutions to end it.

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