

Transnational Human Trafficking

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Abstract

The problem with Transnational Human Trafficking, particularly in the context of strategic intelligence and international security, lies in its connections with drug trafficking and other organized crime. For the international community, human trafficking is an issue of basic human rights being stripped away from the individual and allowing one human being to feel as though they have power over another person's life. Most of the people affected are women and children, and while many of them only come from areas such as Russia, the Ukraine and other small areas of Europe and Asia, the problem is still considered transnational based on the international laws that are broken when human trafficking occurs. The intervention of the United Nations and other international organizations must be wary of their effect in areas where transnational human trafficking is high. This is because they need to be careful not to increase cases of sex or labor trafficking, while also making an effort to decrease them.

Keywords: Human Trafficking, Sex Trafficking, United Nations Office on Drugs and Crime (UNODC), Terrorism, Transnational Crime and Corruption Center (TraCCC), Organization for Security and Co-operation in Europe (OSCE), Office for Democratic Institutions and Human Rights (ODIHR), Swedish National Council for Crime Prevention (SNCCP), National Human Tracking Resource Center (NHTRC)

Introduction

Human trafficking can be considered, in essence, modern-day slavery. The definition of human trafficking involves three elements: the act, the means and the purpose (UNODC, 2015). In other words, this can be seen as what is done, how it is done, and why it is done. "What is done," includes recruitment, transfer, transport, harboring and receipt of persons; it is usually done by the use of force/ coercion, abduction, fraud/ deception, abuse of power or vulnerability, or giving payments/ benefits to a person in control of the victim (UNODC, 2015). The reason always involves exploitation, be it through forced labor, prostitution/ sex trafficking, slavery or the removal of organs. Whereas slavery used to be the all-encompassing term, now it is just a facet of human trafficking due to slavery's restrictive nature.

History of Human Trafficking

Thinking of human trafficking as slavery, its origins trace back to the earliest civilizations with the Greeks and Romans. Then, and in the centuries after the fall of the

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Roman empire, many societies made use of indentured servitude, another form of forced labor. One of the most salient points in history surrounding slavery is around the year 1400, which is when the Portuguese began the slave trade from Africa to Portugal (Agatucci, 2011). This is not the first example of a society enslaving members from a different society; previous to 1400, wars between two states would lead the winning state to enslave the members of the rival state. This checkpoint in history is of significance, though, because it was the first time a society purposefully enslaved members of another without the preemptive actions of war.

After the initial trade into Portugal, slave trade picked up in other regions as well, eventually leading to slavery on the North American continent by the 1600's (Agatucci, 2011). Slavery was eventually outlawed in most of the developed states by the late 1800's, and while slave labor saw a decrease, there began to be an increase in the amount of humans sold for prostitution or other sex acts. This increase led to the creation of the International Agreement for the Suppression of "White Slave Traffic," in 1904, which protected women of every age from being sold into prostitution (Kangaspunta, 2011). In 1927, the term was changed from "White Slave Traffic," to "Traffic in Women and Children," in order to be inclusive for all races and ethnicities, especially since the agreement had been made on an international level ("When," 2011).

The creation of the League of Nations after the First World War led the spike in hope for world peace, which provided the motivation to increase the amount of insight the international community had on human trafficking (Kangaspunta, 2011). The League of Nations conducted two major studies, both of which measured the number of women engaged in prostitution, the demand/ market for prostitution, the surrounding environment of the women who were trafficked as well as information about the traffickers (Kangaspunta, 2011).

In recent history there has been a huge push for the prevention of human trafficking as well as the protection of and advocacy for the victims of human trafficking. This can be seen in examples such as the United Nations fourth World Conference in 1995, the start of the Polaris Project in 2002, and the Alliance to End Human Trafficking campaigning to increase awareness as well as initiate action. The United Nations' fourth World Conference led to many changes, including the redefinition of the concept of trafficking and actions to be taken were further developed. This meant addressing factors that encourage trafficking, setting up effective law enforcement and institutions that would work to eliminate trafficking altogether, and creating programs that help victims with any social, medical or psychological needs they may have.

Labor Trafficking

Labor trafficking is a subset of human trafficking where victims are transported for the purpose of doing labor of any kind. They are subjected to involuntary servitude, slavery or debt bondage; all three of these are facets of forced labor. While labor trafficking affects all humans, this subset tends to include men as the primary source since they can be coerced based on the assumption that they will receive a better job, therefore the need to use force against the victims is less necessary. An example of this is when several migrants were being illegally smuggled into Thailand in 2008 under the false pretenses of finding work there. During the trip across the border they were found, and while there were sixty-seven who survived the journey, fifty-seven of them died due to unbearable conditions (MacKinnon, 2008).

According to the Polaris Project, the International Labor Organization estimates that there are approximately 14.2 million people trapped in forced labor. Industries with the greatest numbers of workers undergoing forced labor include agriculture, construction,

domestic work and manufacturing. Since 2007, in the United States alone there have been approximately 13,000 victims (Sex Trafficking, 2015).

Sex Trafficking

Sex trafficking is the more salient issue between sex and labor trafficking, primarily due to the fact that it is more widespread and it occurs much more often than labor trafficking. Saliency, though, does not mean that it is easy to stop or prevent. Sex slaves and other forms of sex trafficking has been a global issue for centuries, but transnational sex trade has become an issue of serious prominence in the last few decades. One example of this is the Japanese government setting up “comfort stations” all over Asia in the 1930’s (Brooks, 2013).

Over 200,000 women from various countries were sold as prostitutes by the Imperial Japanese Army during World War II (Brooks, 2013). The women were exploited this way in order to provide comfort for Japanese soldiers during the war to ensure that they would not leak secret military information. As the largest case of human trafficking in the 20th century, it can be said that human trafficking not only affects the people that are being forced into labor or sexual slavery, but it also effects how a state runs, whether it be through its policy on human trafficking or how the state’s constituents approach the issue. The latter part of that sentence meaning whether the state has citizens who participate in the trafficking of other individuals, or if that state is particularly vulnerable to having its citizens be the victims of the trafficking.

Currently, sex trafficking runs rampant all over the European and Asian continents; there are approximately 600,000 to 800,000 people being trafficked worldwide each year. Some of the main countries that participate in the European sex trafficking ring include Estonia, Sweden, Norway, Russia, the Netherlands, Finland, Germany and Ireland (Swedish National Council for Crime Prevention report, 2008). The biggest source countries are Estonia and Russia, while the rest tend to be destination countries (SNCCP report, 2008).

After the Soviet Union fell, poverty and unemployment affected much of the population, meaning there was a new pool of young women for human traffickers to target and coerce (Sulaimanova, 2006). Traffickers would claim that the young women could find high paying jobs abroad and would lure them instead into a life of sexual slavery in a foreign country. This is a trend in many European countries where poverty and unemployment rates are high, leading the citizens to search for new ways to make money and therefore making them vulnerable to big ideas from individuals from a foreign country.

Problem Areas

As discussed in the previous section, one of the biggest problem areas is Eastern Europe with Russia and the Ukraine. The problem in this region is mostly involved with them being the primary source countries for other receiver countries; this means that a huge market within the human sex trafficking trade is filled with Russian and Ukrainian citizens (Pyschulina, 2003). Many of the jobs that women think they are signing on for include professional dancing or some other form of artistry in the entertainment field. This is partially because labor migration into many Western countries is prohibited unless they are in the entertainment sector; traffickers know this and exploit women who are in that field and want to travel as well as coercing women into “joining” that field in order to migrate to another country as necessary.

Ukraine was actually one of the first European countries to formally criminalize the act of trafficking, doing so in 1998 through a discrete trafficking statute in the Criminal Code

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of Ukraine (Pyschulina, 2003). The plummeting employment rates are not the only thing motivating women to leave the Ukraine – they are also leaving because of a widespread myth among the Ukrainian people about leading a life of ease and affluence by moving to the West. The Ukrainian response to this was to mend part of their criminal code in order to be more in accordance with the standards of the United Nations, as well as attempting to reform its national legislation.

Another response from the Ukraine was to issue an order where the Licensing Chamber of Ukraine, State Employment Center of Ukraine, and the Ministry of Labor and Social Policy would create a committee to inspect businesses that arranged work abroad in order to look for any violations of Ukrainian law; in the case that a law was broken, a suspension of the business' license could be issued by the committee. The only stipulation with this law is that many trafficking organizations easily switched from using job opportunities through the business sector to using tourist agencies as their means for trafficking humans.

The Relationship between Human Sex Trafficking, Organized Crime and Drug Trafficking

Organized crime is defined as the criminal actions taken by a group of three or more people with either direct or indirect financial or other material benefits (SNCCP report, 2008). Human trafficking is transnational organized crime due to its massive global scale and cross-border violation of laws in two or more countries (SNCCP report, 2008). Human trafficking is a huge issue for the international community based on its effects on nearly every continent.

Another reason the human trafficking ring is such an issue is its role in conjunction with drug trafficking. The relationship between human and drug trafficking is complex and it intersects in several different ways; one of these ways is with the recruitment, retention and exploitation of human trafficking victims (Shelley, 2012). Illicit drugs are not only used to make the victim susceptible to kidnapping and transfer, but they are also used in a variety of ways to maintain continued exploitation. One way is to use addictive drugs to keep the victim indebted to their trafficker, and therefore exploiting them to perform sexual acts to customers (Shelley, 2012). Another way is to use the transportation of a sex slave as a means of transporting illicit drugs at the same time, while leaving the victim as the one to blame in the event that the transport is intercepted.

National and International Involvement

Like the example with the Ukraine and the committee checking for international violations, sometimes international involvement can unintentionally do more harm than good if it isn't completed in an all-encompassing manner. These unintentional effects of the involvement of the United Nations can be seen in many examples, specifically Kosovo, Haiti and Sierra Leone. In each of these cases, the involvement of the United Nations in these crisis areas led to increased rates of human trafficking (Smith and Smith, 2010).

When the United Nations entered Kosovo, Haiti and Sierra Leone, each time they exponentially increased the demand for prostitutes simply due to the increased amount of males in the country; this happened primarily through the introduction of a large military presence, as well as non-government organizations (NGOs), private military contracts and other foreign nationals. The large influx of men into these small countries brought a large market for prostitutes, all of which are part of the human trafficking ring (Smith and Smith, 2010).

With the dramatic increase of military and civilian personnel in Kosovo in 1998, particularly in the capital of Kosovo – Pristina, there was a substantial development of the human trafficking problem in the late 1990's and early 2000's. Specifically, there were roughly 50,000 peacekeepers at the height of their presence, and 5,000 civilians; between 1996 and 1998, there were no reports of human trafficking, sexual exploitation or forced labor, but the number of cases increased to over 200 by 2003 (Smith and Smith, 2010). A similar case with Haiti, where a force of 9,000 military personnel were introduced between 2004 and 2007; prior to 2004 there had been some cases of trafficking children, but the numbers of women being abducted, and enduring widespread rape and violence increased after the introduction of a large military presence in 2004 (Smith and Smith, 2010). Lastly, with the case in Sierra Leone, there was a military presence of roughly 13,000 in the year 2000; by March 2001, there were references to as many as 71 cases of sexual slavery in some reports (Smith and Smith, 2010).

Each of these cases represents yet another problem to be wary of when entering another state with a large presence; this is due to the unintended effects introducing large amounts of people in a new area in a short period of time. This problem can also reference back to the earlier problem with the Ukraine and their legislation having little to no effect on human trafficking. Dealing with human trafficking, whether it be through the prevention of it or the discontinuation of it, is extremely tricky due to the traffickers natural creativity for breaking the law and also working around it.

Another example of this was in India with the Immoral Traffic (Prevention) Act in the 1950's. The problem with this act, though, is that it more so punished the victims of forced prostitution because of the way the law was set up. This is because any party involved in trafficking could be found guilty, meaning that the women forced into sexual slavery would lose everything if caught, and then be sent into even worse areas of the country. Also, many of the actual traffickers were never caught and sent to prison, so rates of human trafficking barely decreased.

Policy Recommendations

Based on these cases of national and international involvement, be it before the problem exists or an attempt at a solution for the problem, something in the policy needs to be changed for it to be truly effective. As mentioned before, the nature of being a human trafficker comes with some creativity in escaping the law, making the business of catching them one of prolonged and wary effort. For prevention purposes, sending in a smaller military presence or using some other form of international delegation would be preferable to sending in massive amounts of peacekeepers in a short period of time.

In countries where there needs to be a combined effort between stopping current human trafficking and preventing any new cases from forming, there needs to be cooperation between known source states and known receiver states. Working together to prevent the movement of these people across borders is one small step in preventing large-scale, transnational human trafficking. Within each source country there tends to be economic downfall prior to increased rates, meaning that if a government can also focus on stabilizing the economy and decreasing rates of poverty and unemployment, rates of human trafficking will also slowly decrease.

To speed this process up, legislation that protects victims while using harsh punishments for those caught running the human trafficking rings will slowly work to decrease rates of human trafficking. Also, working along borders to create stricter border control, particularly along borders where the problem is assumed to be particularly prominent, can work to prevent the problem at least from being transnational. Although, they

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would attempt to find new routes or other, new ways of transporting, closing prime routes would make it more difficult and searching for secondary routes would be the next step in furthering containing the problem. If legislation isn't changed, the situation is likely to continue to worsen for many years to come until the policy encompasses all of these components to create effective change.

Conclusion

With the increasing rates of human trafficking, and its effect on a global scale, policy and legislation changes need to change to create a safer environment not just for the people of these source countries, but for people all over the globe. Transportation between countries would become safer, there would be decreased rates of organized crime and drug trafficking, overall making the people of receiver countries safer as well. The global scale of this problem makes it an issue of international security, making it a problem that should be reviewed by all countries, not just the source and primary receiver countries.

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