



HUMAN TRAFFICKING: ASSUMPTIONS, EVIDENCE, RESPONSES

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This paper provides an overview of the widely held assumptions about the nature and the magnitude of human trafficking versus its realities brought to light by empirical research, and discusses the evolution of the various responses to the problem, particularly in terms of the services and protection offered to trafficked victims. The focus is on adult victims of human trafficking.

Keywords: Human trafficking, Victims, Services.

Introduction

Human trafficking is one of the most popular and contentious topics discussed tirelessly throughout the late 20th–early 21st century by academics, journalists, activists and the general public. The typical image of a trafficked victim, as portrayed in the plethora of sensational stories, has been that of a fresh, naïve young woman from a struggling country, who decides to travel abroad in search for a better life and falls prey to ruthless Mafia thugs, who force her into prostitution and subject her to severe abuse. However, as empirical evidence started to mount, the widespread perceptions of human trafficking were repeatedly challenged – and so were the early counter-human trafficking initiatives.

Drawing on the extensive review of literature and the author's own 15 years of research and advocacy efforts around human trafficking issues, this paper will discuss the common assumptions and misconceptions regarding the nature and the magnitude of human trafficking, its complex realities brought to light by researchers, and the gradual evolution of the political, legal and service responses to the problem. The focus will be on adult human trafficking victims.

Assumptions vs. Evidence

The Nature of Human Trafficking

Much has been said and written about the difficulty of adequately defining human trafficking (e.g. Doezema, 2010; Laczko and Gozdzia, 2005; Timoshkina and McDonald, 2007; Weitzer, 2007). Although most countries rely on the definition of trafficking in persons (TIP) provided by the United Nations ([UN], 2000)ⁱ, the conceptualizations of human trafficking vary considerably.

Throughout the 1990s–early 2000s, TIP was essentially equated with trafficking in women and girls across national borders for the purpose of commercial sexual exploitation. It was believed that these females were either abducted or recruited by strangers (agents/brokers) under completely false pretenses – with promise of legitimate, well-paying jobs, usually in the hospitality, fashion or entertainment industry.

The recruiters would then turn out to be members of the organized crime and the good job would turn out to be forced prostitution. The women's initial refusal to perform sexual services would result in the victims being 'broken in' by means of threats to them and their families, repeated beatings and rape. The 'stubborn' ones would be killed in front of the others as a lesson. This was the brutal, disgusting mug of human trafficking presented in numerous writings by journalists, academics and activists (e.g. Canadian Press, 2004; Carroll, 2003; D'Amour, 2003; Global Survival Network, 1997; Hughes, 2000; Konrad, 2002; Malarek, 2003; Perrin, 2010; Specter, 1998; Waugh, 2006).

With the steady growth of the body of empirical research on TIP, the picture became much more complex and multilayered.

Firstly, it was recognized that people could be trafficked domestically – i.e. within national borders – as well as internationally (e.g., Brennan, 2008; Fedina et al., 2008; Irazola et al., 2008; Perrin, 2010; Sethi, 2007; Smith et al. 2009; Stewart, 2007; US Department of State, 2014).

Secondly, it became apparent that sex trafficking of women and girls was only one of the many forms of TIP: boys and men were found to be trafficked as well; cases of marriage trafficking, trafficking for the purposes of organ removal, begging and petty crime became increasingly common; and labor trafficking emerged as possibly the most prevalent form of 'contemporary slavery' (Adepoju, 2005; Andrees and van der Linden, 2005; Bales, 2004; Bales and Soodalter, 2010; Blanchet, 2002; Gilbert, 2012; Hampton et al., 2009; Hunt, 2011; International Labor Office [ILO], 2005b, 2012; International Organization for Migration [IOM], 2012a, 2012b; Kovačević-Lepojević and Dimitrijević, 2009; Quayson and Arhin, 2012; Sellers and Asbed, 2009; US Department of State, 2014).

Furthermore, it was found that TIP victims were often recruited and trafficked not by strangers or the Mafia, but by friends, acquaintances and family members – and that many recruiters and traffickers were actually female (Aronowitz et al., 2010; Caldwell et al., 1997; Davies, 2009; Gilbert, 2012; Goodey, 2008; IOM, 1995, 2001; McDonald and Timoshkina, 2007; Minnesota Advocates for Human Rights, 2000; Surtees, 2008; Timoshkina and McDonald, 2009; United Nations Office on Drugs and Crime [UNODC], 2009; Vocks and Nijboer, 2000).

The early known scenarios also implied that foreign TIP victims were in the countries of destination illegally, with no or fake documents provided by the traffickers. In reality, many victims had legal status in the host nations – as visitors, temporary workers, fiancées, spouses, dependents, international students, or refugee claimants (Belleau, 2003; Davies, 2009; Gilbert, 2012; Latin American Coalition to End Violence Against Women and Children [LACEV], 2002; McDonald and Timoshkina, 2007; Oxman-Martinez et al., 2004; Philippine Women Centre of BC [PWC], 1997, 2000; Plant, 2012; Wijers and Lap-Chew, 1997).

Yet another assumption was the belief that victims of international human trafficking just wanted to return home. In actuality, most had no interest in going back to their native countries, as they saw no future there for themselves or their children, and/or they feared for their safety and potential retaliation from the traffickers (e.g. Davies, 2004, 2009; Doezema, 2010; Haynes, 2004; Kapur, 2005; LACEV, 2002; McDonald and Timoshkina, 2007).

But the most eye-opening discovery had to do with the issue of force vs. consent in the process of trafficking in persons. Studies found that many, if not the majority, of persons considered to be trafficked, actually knew what they would be doing in the countries of destination (e.g. that they would be working in the sex industry, or as domestics or laborers), had control over their movement and often were making good money, although various elements of exploitation, forced labor and debt bondage were present (Andrees and van der Linden, 2005; Bloch, 2003; Carens, 2008; Davies, 2009; Doezema, 2010; Gilbert, 2012; Global Alliance Against Traffic in Women [GAATW] Canada, 2003; McDonald and Timoshkina, 2004, 2007; Trepanier, 2003; Vocks and Nijboer 2000; Wijers and Lap-Chew, 1997). This led to the arguments that human trafficking has been erroneously conflated with sex *work*, migrant labor and informal economy (Aronowitz, 2004; Doezema, 2010; Kelly, 2004; Kempadoo, 2005; Milivojevic and Segrave, 2012; Murray, 1998; Timoshkina & McDonald, 2009; van der Pijl et al., 2011; Weitzer, 2007; Zhang, 2009). Such arguments exacerbated the existing methodological challenges associated with the TIP data collection (Tyldum and Brunovskis, 2005).

The Magnitude of the Problem

The global estimates of the number of trafficked or enslaved persons have varied greatly – from 600,000 (US Department of State, 2004) to 200 million (Bales, 2004: 8), with very little or no description of the methodology used to produce those figures (for more on this see Timoshkina, 2012). When examined closely by researchers, most estimates were deemed, at best, approximations and guesstimates or, worse, fictitious (see Aronowitz, 2010; Aronowitz et al., 2010; Doezema, 2010; Goodey, 2008, 2012; Government Accountability Office [GAO], 2006; Laczko and Gozdzia, 2005; McDonald, 2004; Savona and Stefanizzi, 2007; Timoshkina, 2012; Weitzer, 2007). As one telling example, a frequently cited IOM estimate of 500,000 women being trafficked annually from post-socialist countries of Central and Eastern Europe and the former Soviet Union into prostitution in Western Europe alone turned out to be completely unsubstantiated. Doezema (2010: 6), who attempted to trace the origins of this estimate, reports:

I checked all possible sources to track down the basis for the figure of ‘500,000’, reviewing IOM publications and writing and phoning the IOM in Geneva and in Brussels. I was unable to find any material indicating how the IOM arrived at this number. One official in Geneva suggested that the number had been cited in a presentation by an IOM official at a meeting of the European Parliament, and had been picked up by journalists there. I was unable to confirm this.

The estimates suggesting that millions of people are trafficked annually around the globe stand in sharp contrast to the official law enforcement data. The highest reported number of TIP victims identified worldwide was 49,105 in 2009; the highest number of prosecutions was 9,460 in 2013; and 5,776 in 2013 was the highest number of convictions in human trafficking cases (US Department of State, 2014: 44). These tremendous discrepancies between the TIP estimates and official figures are usually explained by the difficulties associated with identifying and reaching trafficked victims and securing their cooperation, as well as by the conflation of the TIP estimates with the data on prostitution, human smuggling and irregular/illegal migration (Timoshkina, 2012).

Different stakeholders and camps appear to overestimate or underestimate the magnitude of human trafficking to advance a particular political or ideological agenda at a certain point in time (Androff, 2011; Davies, 2009; Goodey, 2008; Laczko and Gozdzia, 2005; McDonald, 2004). Governments may either underestimate TIP figures to absolve themselves from the responsibility of doing something about the problem (Guinn, 2008) or overinflate them to help justify specific political actions – e.g. restricting immigration policies in the name of national security and fight against human trafficking and transnational crime (Davies, 2009; Kempadoo, 2005; Marshall and Thatun, 2005). Some NGOs and human rights advocates may use higher estimates in order to bring attention to their causes and to secure funding (Musto, 2009; Quirk, 2008; Weitzer, 2007), while pro-sex work activists may be particularly dismissive of high estimates, deeming them merely a consequence of the neo-abolitionist (anti-prostitution) crusade and the conflation of human trafficking and sex work (Doezema, 2010; Murray, 1998; Weitzer, 2007). The media may be overly eager to report unverified estimates, especially when it comes to sex trafficking because ‘sex sells’: sensational stories about ‘sex slaves’ are guaranteed to sell papers, draw viewers, increase ratings and attract advertisers, resulting in healthy revenues. The UNESCO Trafficking Statistics Project has pointed out that unsubstantiated TIP statistics ‘take on a life of their own, gaining acceptance through repetition, often with little inquiry into their derivations. Journalists, bowing to the pressure of editors, demand numbers, any numbers, organisations feel compelled to supply them, lending false precisions and spurious authority to many reports’ (UNESCO, 2012: I).

The imprecisions, conflations, contradictions and consternations in the contemporary discourses of human trafficking (Musto, 2009) are reflected in the political, legal and service responses to the problem, shaping how the trafficked victims are viewed and the types of assistance they are offered – or denied.

Responses to Human Trafficking

Trafficking in persons has been, and still is, conceptualized primarily as a criminal justice issue and a national security problem, rather than a complex phenomenon encompassing human rights, labor rights, the right to free movement and migration, and the right to family reunification, among others (Andrees and van der Linden, 2005; Arhin and Quayson, 2012; Clark, 2003; Fitzpatrick, 2003; Macklin, 2007; Milivojevic and Segrave, 2012; Okech et al., 2012; Winterdyk et al., 2012). Within the framework of international and national anti-human trafficking legislations, it is not the humans, but *the state* that emerges as the main victim of human trafficking, since the state's sovereign borders are being violated by the 'human contraband' (Macklin, 2007; Wijers and Lap-Chew, 1997).

Not surprisingly, the first responses to human trafficking have come mainly from the law enforcement and immigration authorities who were likely to come across and interact with the victims, most of whom were identified as a result of police raids on the sex trade establishments, sweatshops and the like (Chapkis, 2005; Limanowska, 2002; McDonald and Timoshkina, 2004; Musto, 2009; Plant, 2012). Trafficked victims have been viewed and treated either as illegal aliens and immoral whores or as poor, helpless victims in need of protection. In both scenarios, the response has been the same – deportation (usually preceded by arrest and detention), in the latter scenario framed as 'repatriation' or 'safe return home' (Davies, 2004, 2009; Kempadoo, 2005; Timoshkina and McDonald, 2007; United Nations Inter-Agency Project on Human Trafficking [UNIAP], 2010; US Department of Health and Human Services [US HHS], 2000). Under the guise of fight against human trafficking, many nations have been implementing increasingly restrictive and punitive immigration policies aimed at discouraging and curbing 'undesirable' migration – i.e. female migration and migration from poorer countries (Adams, 2003; Andrees and van der Linden, 2005; Chapkis, 2003; Davies, 2009; De Leon, 2010; Doezema, 2010; Macklin, 2003; Marshall and Thatun, 2005; McDonald and Timoshkina, 2007; Musto, 2009; Rizer and Glaser, 2011; Sanderson, 2011). In fact, human trafficking has been called a 'Trojan Horse' for anti-immigration policies (Marshall and Thatun, 2005).

Throughout the late 1980s-1990s, special support services for trafficked victims, particularly in North America, were virtually non-existent: there were mostly sporadic, ad hoc efforts by a handful of grassroots groups, ethno-specific organizations and mainstream social service agencies, such as shelters and drop-in centers, that focused almost exclusively on women and children exploited in the sex trade, with a few services offered also to female victims of domestic labor and marriage trafficking (see GAATW Canada, 2003; McDonald and Timoshkina, 2004; Oxman-Martinez et al., 2004; PWC 1997, 2000; Sörensen, 2008; Timoshkina and McDonald, 2009). Governments did not consider the development of services for TIP survivors as a high priority and funding for such services was scarce (McDonald and Timoshkina, 2004).

Slowly but steadily, specialized services for internationally trafficked persons began to emerge around the world. Early services in the receiving countries included telephone hotlines, distribution of information materials, help with escaping traffickers, temporary shelters, assistance with legal issues and with returning home, as well as some psychological, medical and minimal financial assistance (Europol, 2001; IOM, 2003, 2012a; Limanowska, 2002; Polaris Project, 2003; Minnesota Advocates for Human Rights, 2000).

However, the services continued to be geared predominantly towards female victims of sex trafficking, who were 'forced into the sex industry under completely false pretenses and who wish[ed] to return to their home countries'; these services were granted typically in exchange for the victims' full collaboration with the authorities and testimonies against the traffickers (McDonald and Timoshkina, 2004: 172). TIP victims usually were referred to services by the police following raids on brothels, massage parlors and strip clubs, and the majority did not 'receive the necessary referrals due to the lack of guidelines and procedures for identifying trafficked persons' and because victims were reluctant to testify against their traffickers – out of fear or for a variety of other reasons (McDonald and Timoshkina, 2004: 172).

Services for TIP victims in the sending countries were largely absent; where present, they were inadequate (Brunovskis and Surtees, 2007; Davies, 2004, 2009; Limanowska, 2002; McDonald and Timoshkina, 2004; Minnesota Advocates for Human Rights, 2000). The most problematic were the attempts to ‘reintegrate’ TIP survivors into society. These attempts were led by foreign or internationally-funded NGOs with little or no understanding of the local contexts or the survivors’ needs and aspirations, especially when it came to women trafficked into the sex trade. The service providers failed to recognize that these women have been pushed out of their countries not only by poverty, war, political instability, ethnic or religious prosecution, but by desire to escape their oppressive, misogynistic environments and restrictive socio-cultural norms and to achieve personal freedom (Agathangelou, 2004; Biemann, 2005; Corrin, 2005; Davies, 2009; Farr, 2005; Soderlund, 2005). Hence the women did not ‘see a “decent job” in their home country as a satisfactory resolution of a trafficking episode’ (Davies, 2009: 36).

Failure to understand that resulted in the phenomenon of ‘reverse trafficking’ – situation in which ‘powerful institutions compel or cajole objectified [trafficked victims] to return to their country of origin and the circumstances that caused them so much previous distress’ (Davies, 2004: 164). As noted by the ILO (2003: 14-15), ‘Law Enforcement Agencies may simply move trafficked people from one system of control to another – from being controlled by traffickers to being controlled by law enforcement officials’. Service providers became part of a control system: they have been reported to exhibit patronizing, prejudicial, classist and racist attitudes towards trafficked persons (Davies, 2009; International Centre for Migration Policy Development [ICMPD], 2007; McDonald and Timoshkina, 2004; Soderlund, 2005; Waugh, 2006). Agencies generally were not in favor of helping victims find ways to stay in host nations (e.g. by claiming refugee status) and were against the harm reduction approach – e.g. helping women to work in the sex industry on their own terms upon escaping traffickers (Davies, 2009).

It is no wonder that the outcomes of early interventions with trafficked persons have been overwhelmingly negative. Victims were unwilling to come forward and collaborate with the law enforcement, making it impossible to secure victims’ testimonies and to prosecute traffickers. Many trafficked victims declined assistance, and ‘rehabilitation and rescue’ shelters and centers created for them stood empty for lengthy periods of time (Brunovskis & Surtees, 2007; Davies, 2009; Soderlund, 2005). Research interviews with female survivors of trafficking from Eastern Europe, for instance, found that

many women seek to escape a second round of organized abuse by absconding from refuges and “reinsertion” programs that objectify and victimize them even further. One woman who escaped trafficking and then escaped from her “rescue centre” in Italy declared: “...really nice people, but totally weird. They just didn’t understand what was happening. I had to get away from them. They wanted to train us as agricultural workers! If I wanted to be an agricultural worker, I would have stayed in Albania”. (Davies, 2004: 161-62)

TIP survivors deported to their home countries not only faced the same lack of opportunities that had driven them to migrate in the first place, but suffered stigmatization, ostracism, violence, shame, and sense of loss and failure, as they came home empty-handed and damaged; in the end, many were re-trafficked to other destinations (Davies, 2009; Derks, 1998; GAATW Canada, 2003; ICMPD, 2007; Lesko, 2005; Limanowska, 2002; Somach & Surtees, 2005; Surtees, 2000; Van Hook et al., 2006).

The accumulation of empirical evidence about the complex realities of human trafficking, compounded by the growing practice experience of service organizations involved in counter-TIP programming, produced new conceptual understandings of, and responses to, the problem.

There have been continuous efforts to create a better definition of trafficking in persons. The recently developed Bellagio-Harvard Guidelines on the Legal Parameters of Slavery, which attempted to de-conflate the concepts of human trafficking and slavery, is just one notable contribution to these efforts (Research Network on the Legal Parameters of Slavery, 2012).

Research on human trafficking is becoming more methodologically rigorous, particularly when it comes to the development of standardized direct and indirect TIP indicators and measurements, and, consequently, collection of more accurate data and production of more accurate estimates on the

incidence and scope of human trafficking (see, for example, Aronowitz, 2010; Clawson, 2007; Hampton et al., 2009; ILO, 2012; Kangaspunta, 2003; Laczko and Gozdzia, 2005; Pennington et al., 2009; Savona and Stefanizzi, 2007; Timoshkina, 2012).

Positive shifts have occurred in policies affecting TIP victims. Some of the main TIP destination countries have created special resident permits and visas for trafficked persons (e.g. T-visa in the United States). Government funding for counter-human trafficking initiatives and services for TIP survivors is more readily available, and services have become much more competent, comprehensive and victim/survivor-centered, addressing a wide range of the persons' needs.

Numerous anti-human trafficking NGOs and projects have emerged and human trafficking awareness campaigns have been run; outreach and information materials for (potential) victims and the general public have been created; training for service providers, immigration and police officers, judges and other professionals have been implemented; and voluminous compilations of service inventories, best and promising practices, practitioners' manuals, training guides, toolkits, program evaluations, etc. in the areas of TIP prevention and victim protection and assistance have been published (e.g. Animus Association Foundation and La Strada Bulgaria, 2007; Anti-Slavery International, 2005; Aron et al., 2006; Barrett, 2010; Busch et al., 2007; Fedina et al., 2008; Goodey, 2004; Gronow, 2000; ILO, 2007; IOM, 2007, 2008; Limanowska, 2002, 2005; Maney et al., 2011; Rosenberg, 2008; Shigekane, 2007; Surtees, 2010; Timoshkina, 2013a, 2013b; Zimmerman and Borland, 2009).

The list of existing services for trafficked or enslaved persons developed around the world is too long to be presented here. But it is clear that the effectiveness of responses boils down to several fundamental principles:

- Forced deportation of international TIP victims is counterproductive; victims should be given opportunities to stay in host nations.
- The provision of assistance to trafficked persons should not be predicated on their willingness to testify against their traffickers.
- Services should be non-judgmental, non-prejudicial, victim/survivor-centered.
- Services should be comprehensive, addressing both the immediate and the long-term needs of TIP victims/survivors.
- It should be remembered that trafficked persons are not a homogenous mass, and that different types of services may be required for different categories of survivors (e.g. survivors of international trafficking, survivors of domestic trafficking, sex trafficking survivors, labor trafficking survivors, adults, children, women, men, transgender/transsexual persons).
- The provision of effective assistance to victims/survivors of human trafficking requires ongoing collaboration of different sectors, such as health and social services, the law enforcement, immigration and other government agencies, and intergovernmental organizations.

Unfortunately, the aforementioned principles are routinely ignored.

Discussion and Conclusion

Although much progress has been achieved in the fight against human trafficking and the responses to the phenomenon have been increasingly informed by empirical research, many of the original problems remain.

The 'first responders' tasked with identifying and assisting the majority of TIP victims happen to be law enforcement officers who are also in charge of identifying, arresting and deporting smuggled persons and other 'illegals', which inevitably creates ethical dilemmas and conflict of interest (Chapkis, 2005; Musto, 2009; Plant, 2012).

The so-called 'raid and rescue' policies continue to be 'the preferred method of anti-trafficking interventions by a number of large NGOs ... as well as governments' (Doezema, 2010: 143), and often result in victims being arrested, detained and deported rather than rescued. Special residency permits and

visas for victims of cross-border human trafficking are still granted mainly in exchange for their full cooperation with the law enforcement and often only in the most 'severe' trafficking cases (Baskin and Ball, 2010; US Department of State, 2014).

The provision of government funding to agencies working with trafficked persons is laced with ideological undertones and the consequences of that are quite serious. For example, the widely criticized decision of the American government to deny funding to anti-human trafficking projects which were not explicitly anti-prostitution resulted in the closure of many important services – in the US and other countries (Davies, 2009; Doezema, 2010).

Many organizational efforts reflect the undying quest for the 'perfect victim', who is expected to be pure and innocent, be ready to accept help on the organizations' terms, and be grateful for whatever is provided. Victims of domestic human trafficking and trafficking for purposes other than commercial sexual exploitation continue to be underserved (Irazola et al., 2008; Sethi, 2007; US Department of State, 2014). Further, while the short-term needs of TIP victims (e.g. escape from traffickers, emergency shelter, basic necessities) may be met, their long-term needs (e.g. affordable housing, ongoing counseling, medical care, access to education, life skills and language courses, job training, family reunification) are seldom addressed (Maney et al., 2011; Okechet et al., 2012; US Department of State, 2014).

There is a persistent lack of coordinated cooperation and collaboration between governmental and NGO actors at both national and international levels (US Department of State, 2014; Van Hook et al., 2006).

Most importantly, the existing TIP prevention initiatives, both governmental and non-governmental, fail to adequately address the root causes of human trafficking – the age-old prejudices and oppressive socio-cultural norms, and the impacts of post-colonialism, globalized capitalism, financial regimes and structural adjustment programs that are responsible for the growing poverty in the developing world and countries with transitional economies.

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ⁱ‘‘Trafficking in persons’’ shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs ... The consent of a victim of trafficking in persons to the intended exploitation ... shall be irrelevant... (UN, 2000a, Article 3).