



European Crime Prevention Network

Theoretical Paper

Trafficking in Human Beings

Trafficking in Human Beings: a global and European overview

In the framework of the project 'The development of the observatory function of the European Centre of Expertise on Crime Prevention within the EUCPN' - EUCPN Secretariat, February 2015, Brussels



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Theoretical paper THB

Trafficking in Human Beings: a global and European overview

Abstract

This theoretical paper is published by the EUCPN Secretariat in connection with the theme of the Italian Presidency which was Trafficking in Human Beings. Trafficking in Human Beings is a phenomenon which covers a very wide scope of criminal activities. This theoretical paper is thus written as an overview to increase the understanding of Trafficking in Human Beings. This paper has attention for the victims and traffickers and gives an overview of the different forms of Trafficking in Human Beings. Moreover attention also goes to the economics of the phenomenon.

This theoretical paper will serve as base for a manual about THB in which we will look at the difficulties and attempts to prevent THB, at the main international weapons and what the international agencies already do against the phenomenon. Through these actions we hope to raise awareness concerning THB, to exchange good practices and hopefully to propose general guidelines for THB policy.

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Content

1. Definition.....	4
1.1. What is Trafficking in Human Beings? A vague concept	4
1.2. Difference between THB and migrant smuggling	4
1.3. Introduction.....	5
2. Global and European overview of THB.....	6
2.1. The traffickers.....	7
2.2. The victims.....	8
2.3. The various forms of THB	10
2.3.1. Trafficking for sexual exploitation	12
2.3.2. Labour exploitation	12
2.3.3. Other common forms of THB	14
3. The economics of THB.....	16
3.1. The human trafficking market.....	16
3.2. The socio-economic factors of vulnerability	18
4. Conclusion	20
5. Bibliography.....	21



Trafficking in Human Beings Paper

1. Definition

1.1. What is Trafficking in Human Beings? A vague concept

Trafficking in Human Beings (hereafter THB) is a huge challenge which increases with globalization, facilitating organized crime and illegal migration, and a serious blow to the human rights. This phenomenon, considered as the modern-day slavery, embraces a large scope; it therefore involves not only the trafficking for sexual exploitation as is usually believed¹. The wideness of the phenomenon is visible in the fact that children, women and men can be victims of trafficking, and victims exist in all economic sectors (agriculture, industry and services). Moreover victims can be trafficked within their own country or abroad, by organized crime groups or individuals. Furthermore, it happens virtually everywhere. Between 2010 and 2012, victims with 152 different citizenships were identified in 124 countries across the globe.² THB regroups so many and different types of crime that it is therefore difficult to assess the extent of the problem.

The UNODC (United Nations Office on Drugs and Crime) defined THB as follows: *“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*.”³ This is the first internationally recognised definition of THB. In which *“means of coercion” include but are not limited to the confiscation of identity documents, mostly for trafficked migrants, violence or threat of violence (physical as well as psychological), financial dependency and debt bondage, fear and isolation*”⁴.

1.2. Difference between THB and migrant smuggling

Trafficking in human beings should not be mistaken with migrant smuggling, even if they share common features⁵. Indeed, it is often hard to distinguish these two crimes, mainly when people are found illegally crossing a border or are discovered undocumented in a foreign country. Migrant smuggling refers to helping people to enter a country illegally however smugglers can choose to become traffickers or to sell the migrants during the journey. While the aim of smuggling of migrants is the enrichment, through material or financial benefits, of the smuggler via the illegal entry of a person into a state of which the person is not a national or a permanent resident. The purpose of trafficking in human beings

¹ OSCE (2010), 2010 Annual Report *Combatting Trafficking as Modern-Day Slavery: A Matter of Rights, Freedoms and Security*. Retrieved from <http://www.osce.org/secretariat/74730?download=true>

² UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.7

³ Article 3 of the UNO Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000) retrieved from: <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

⁴ OSCE (2010), report of the Tenth Alliance against Trafficking in Persons Conferenc: *Unprotected Work, Invisible Exploitation : Trafficking for the Purpose of Domestic Servitude*, Retrieved from <http://www.osce.org/secretariat/75804?download=true>

⁵ UNODC, *Human Trafficking First Aid Kit for Law Enforcement Agencies*: http://www.unodc.org/documents/human-trafficking/First-Aid-Kit/First_Aid_Kit_-_Booklet_eng.pdf



on the other hand is exploitation⁶. Furthermore, traffickers almost always pretend to be smuggling when they are apprehended as it is considered a less serious crime, thus less severely punished.

The line between migrant smuggling and THB is particularly thin during the transportation process and migrants can even believe they are smuggled when they actually are trafficked. The biggest difference is that migrants are victims in one case but criminals in the other one. Since, in case of smuggling, migrants are aware of the whole situation and have consented to it. They break intentionally the migration laws of the country of arrival and thus can be seen as criminals. On the other hand, victims of trafficking have not consented or, if they originally consented, this consent has been rendered meaningless by the means of coercion, deception or abuse used by the traffickers. They cannot be blamed for the illegal actions they committed as a direct consequence of their trafficking and thus can be seen as victims⁷.

While THB is a crime against persons, with direct victims, migrant smuggling is more a crime against a State and its sovereignty, and the relation between the migrant and the smuggler ends after the crossing, in contrast to THB where the trafficker continues to exploit the victims afterwards.⁸ In addition, in THB the traveling can be legal or trafficking can happen within the borders of a country, involving no borders crossing at all, whereas illegal borders crossing is a defining element of migrant smuggling.

1.3. Introduction

THB is an affront to human dignity, which often involves psychological terror and physical violence. Trafficking encompasses issues of human rights and rule of law enforcement and crime control, of inequality and discrimination, of corruption, economic deprivation and migration. THB is therefore a phenomenon which covers a very wide scope of criminal activities. This also translates itself in the availability, or lack, of detailed statistical data because of the fact that THB often stays hidden for the authorities. The official figures represent only the visible part of the trafficking phenomenon and presumably the dark number is far higher.⁹ Moreover, THB can also be easily confused with migrant smuggling. Sadly traffickers are aware of this ambiguity and use it in their advantage.

This literature review has been created to get a clearer view on the phenomenon. We will therefore mainly look at the various forms of THB since, as stated in the definition of UNODC, it goes further than 'just' sexual exploitation. In addition we will also focus on the economical aspect of THB in which we will look at the human trafficking market and the socio-economic factors that increase the vulnerability of people. Furthermore, it will serve as base for a manual in regards to THB in which we will look at the difficulties and attempts to prevent THB, at the main international weapons against THB and what the international agencies already do against the phenomenon. Through these actions we hope to raise awareness concerning THB, to exchange good practices and hopefully to propose general guidelines for THB policy.

⁶ PARDO R. (2009), *Handbook for parliamentarians; The Council of Europe Convention on Action against Trafficking in Human Beings*, December 2009, Strasbourg

⁷ UNODC (2006), *Report on Trafficking in Persons: Global Patterns*, retrieved from http://www.unodc.org/pdf/traffickinginpersons_report_2006-04.pdf

⁸ ICMPD, *Guidelines for the Development and Implementation of a Comprehensive National Anti-Trafficking Response*: http://www.childtrafficking.com/Docs/icmpd2_061106.pdf

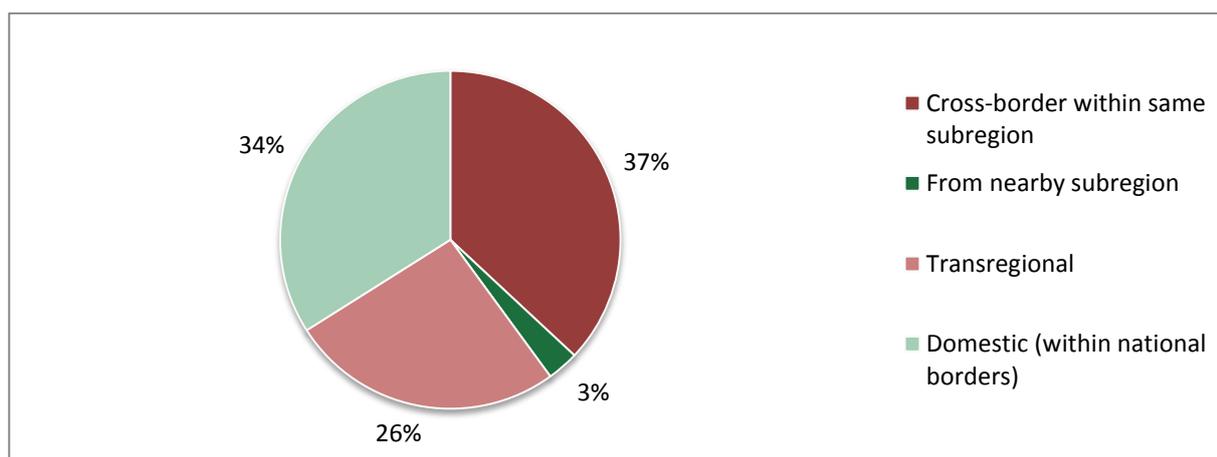
⁹ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.7

2. Global and European overview of THB

As stated above, THB is a very widespread phenomenon and stays largely hidden for the authorities. It is therefore not easy to give absolute figures concerning the scope of THB. Nevertheless there are some estimates about these figures and the analysis of reported victims and traffickers allows us to extract overall global and European trends in regards to THB.

As already mentioned above, THB is a global phenomenon. According to the UNODC, between 2010 and 2012, victims with 152 different citizenships were identified in 124 countries. Most victims – more than 6 out of 10 - have been trafficked across at least one national border. Nevertheless many trafficking cases involve limited geographic movement since trafficking within a subregion happens regularly. Also, domestic trafficking is widely detected; in 34% of the cases the exploitation takes place in the victim's country of citizenship.¹⁰ The following graphic shows the breakdown of the trafficking flows by geographical reach clearly.

Graphic 1: Breakdown of trafficking flows by geographical reach, 2010-2012 (or more recent)



Source: UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.38

Within these trafficking flows it is important to understand that there are more typical origin and typical destination countries. The difference lies in whether a country 'sends' or 'receives' more trafficking victims. Nevertheless most countries belong to both categories.¹¹ In general it can be said that poorer countries are more likely to be origin countries and richer countries are more likely to be destination countries. This can be within a subregion, region or interregional. The Western and Central European region for example is both an origin and a destination for trafficking in persons. The majority (65%) of the registered victims come from EU Member States¹². Countries in Central Europe and the Balkans are mainly origin areas for cross-border trafficking into the rest of Europe. According to Eurostat Bulgarian, Romanian and Latvian citizens were the most likely to come into contact with the authorities as victims of trafficking in the period 2010-2012. Furthermore also Hungarian, Slovakian and Lithuanian citizens had a relatively high risk to becoming victims within Europe. In relation to this, the richer countries in Western and Southern Europe are

¹⁰ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.37-38

¹¹ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.25

¹² EUROSTAT (2014), *Trafficking in Human Beings; 2014 edition*, Luxembourg, p. 11



generally destinations for THB victims. With France, Germany, the United Kingdom and Spain having the highest absolute numbers of victims registered. In the EU there are also victims from other regions, of which Nigeria, Brazil, China, Vietnam and Russia were the top five countries.¹³

2.1. The traffickers

Before looking further into the victims of THB, this paper will first examine the traffickers. According to the research of the UNODC there were, globally, 34.256 persons prosecuted for and 13.310 persons convicted of trafficking in persons during the period 2010-2012 (or more recent).¹⁴ In Europe, on the other hand, there were 8.551 people prosecuted for and 3.786 people convicted of trafficking in persons over the three years 2010-2012.¹⁵ If we compare these data¹⁶, we can state that the convictions of traffickers within the European Union¹⁷ account for about 28% of the global amount. This could indicate¹⁸ that within the European Union there is already an awareness of the problem in comparison to other regions¹⁹. Nevertheless the gap between prosecuted and convicted people is still high. Especially if we think of the fact that many trafficking cases stay undetected.

According to the UNODC most convicted traffickers are citizens of the country where they were convicted (64%). About 35% of the convicted traffickers are then foreigners in those countries. With some 22% of those from countries within the region where they were prosecuted and 14% are citizens of countries in other regions.²⁰ This distribution follows for a part the breakdown of global trafficking flows (graphic 1). Within the EU, around two thirds of the suspected traffickers were EU citizens (69%) and 31% had non-EU citizenship. However when we look at the distinction between origin and destination countries for cross-border trafficking, the graphics shows a considerable change. The countries who are more typically origin countries convict mainly local citizens. The more typical destination countries convict, on the other hand, fewer of their own citizens and more foreigners of trafficking in persons.

¹³ EUROSTAT (2014), *Trafficking in Human Beings; 2014 edition*, Luxembourg, p. 11-12

¹⁴ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.7

¹⁵ EUROSTAT (2014), *Trafficking in Human Beings; 2014 edition*, Luxembourg, p. 12

¹⁶ This comparison is not completely trustworthy since both reports use slightly different definitions of THB.

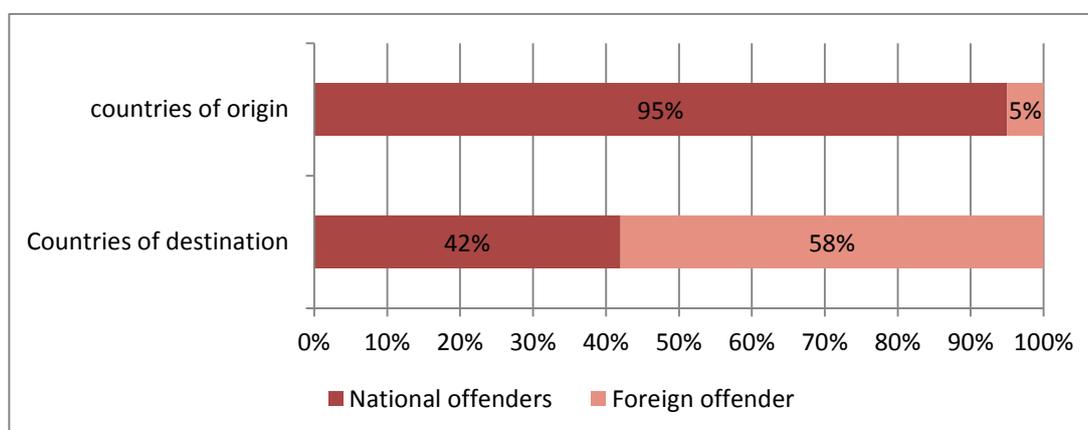
¹⁷ The UNODC report uses data from all EU member states except for data from Belgium and Luxembourg.

¹⁸ We cannot be certain of this since the difference can also be explained through the assumption that the EU member states collect more systematically their data than other regions.

¹⁹ We can state this because according to the UN data, in 2010 the EU accounted for 7,3% of the global population. <http://esa.un.org/unpd/wpp/Excel-Data/population.htm>

²⁰ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.23-24

Graphic 2: Distribution of national and foreign offenders among countries of origin and destination of cross-border trafficking, 2010-2012



Source: UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.26

When the globally prosecuted persons for trafficking in human beings are divided by gender we see that there is a predominance of male offenders (68%) in contrast to female offenders (32%). On the European level these numbers stay approximately the same (almost 72% of the suspected traffickers were male in the period of 2010-2012)²¹. Even though the females are not the predominant offenders, they still have a remarkably high involvement. For most other crimes, the share of female offenders is in the range of 10-15 %. According to the UNODC countries with high rates of female offenders were generally countries where many underage female (girl) victims were detected. They state that this could indicate that female traffickers are more frequently involved in the trafficking of girls.²² Therefore the relatively high female involvement in the crime of THB appears to be a characteristic of the crime.

2.2. The victims

After this general overview on the traffickers, it is also important to contemplate about the victims of this crime. In the same way as for the traffickers, there is data of reported victims. The UNODC declares that there were 40.177 victims detected during the time period 2010-2012²³. Surprisingly the EU member states alone already reported 30.146 victims over the three years 2010-2012.²⁴ This could again indicate that there is already an awareness of the problem of THB. However it can also be ascribed to different definitions, better databases, more attractiveness of Europe as a destination region and so forth.

Nevertheless it is generally recognized that it is very difficult to give an estimate about the total number of victims. The ILO is one of the only important international organizations that has come up with a largely, although not completely, consented methodology to calculate the vastly scope of THB²⁵. They estimate that 20.9 million people are, or have been, victims of forced labour globally during the period of 2002-2011. Because they state that human trafficking can be regarded as forced labour, because the victims are trapped in jobs into which they were coerced or deceived and which they cannot leave, and so for them this estimate captures the full realm of human trafficking for labour and sexual exploitation, or

²¹ EUROSTAT (2014), *Trafficking in Human Beings; 2014 edition*, Luxembourg, p. 53

²² UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.27

²³ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.17

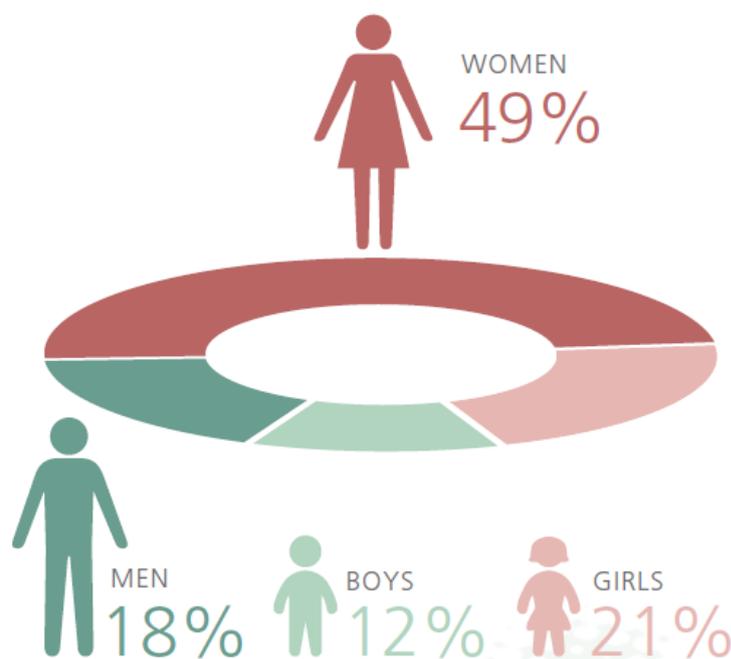
²⁴ EUROSTAT (2014), *Trafficking in Human Beings; 2014 edition*, Luxembourg, p. 22

²⁵ More information on this methodology can be found in ILO (2012), *'ILO Global Estimate of Forced Labour – Results and Methodology'*, Geneva

what some call “modern-day slavery”. However this figure does not include trafficking for the removal of organs or for forced marriage/adoption unless the latter practices lead to a situation of forced labour or service.²⁶ Despised these ‘shortcomings’, this paper will use the estimate of ILO that approximately 21 million people were victims of forced labour worldwide during the period of 2002-2011. In relation to this, the UNODC estimates that around 2.5 million people are being trafficked around the world at any given time.²⁷ Also the ILO states that almost half of the reported cases indicated that victims spent six months or less in forced labour. Furthermore, in one third of the reported cases, forced labour lasted one to two years.²⁸

The vast majority of the victims detected globally are females; 70% in total with a breakdown of 49% adults and 21% girls (see graphic 3). In relation to the estimation of the ILO, this would mean that 10,3 million woman, 4,4 million girls, 2,5 million boys and 3,8 million men are victim of trafficking. In the European Union, these numbers differ slightly. In the EU, women account for more than two thirds (67%), men 17%, girls 13% and boys 3% of the total number of registered victims of trafficking in human beings where gender/age data is available.²⁹ However according to the UNODC the global profile of the trafficking victims may be slowly changing, as relatively fewer women, but more girls, men and boys are detected globally (see graphics 4 and 5). However, the increasing share of children in the detected victims was not witnessed across all regions, in Europe for example this is not the case³⁰.

Graphic 3: Detected victims of trafficking in persons, by age and gender, 2011



Source: UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.29

²⁶ ILO (2012), *ILO Global Estimate of Forced Labour – Results and Methodology*, Geneva, p. 13

²⁷ WHEATON E. et al (2010), *Economics of Human trafficking. International migration*. Vol. 48 (4), p.118

²⁸ ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.9

²⁹ EUROSTAT (2014), *Trafficking in Human Beings; 2014 edition*, Luxembourg, p. 28

³⁰ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.33

Graphic 4: Trends in the shares of females (woman and girls) among the total number of detected victims, 2004-2011



Source: UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.31

Graphic 5: Trends in the shares of males (men and boys) among the total number of detected victims, 2004-2011



Source: UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.31

2.3. The various forms of THB

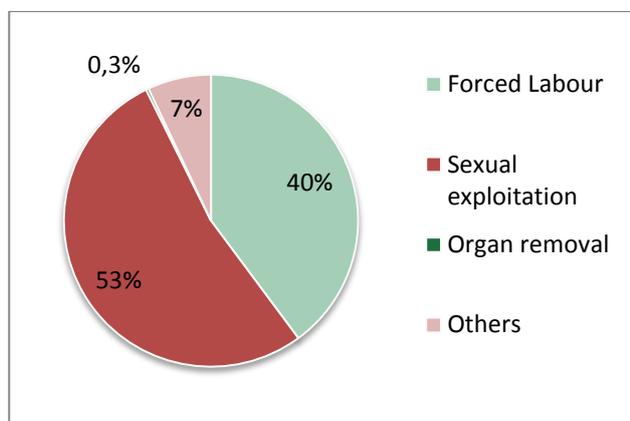
So far this paper has focused on the general numbers of THB. In the following part of this paper we will go into the different forms of THB; namely sexual exploitation, forced labour and others. We have chosen this division since the most frequently detected types are sexual exploitation and forced labour.

In recent years there has been an increase of trafficking in persons for purposes other than sexual exploitation. According to UNODC a majority, 53%, of the trafficking victims are subject to sexual exploitation in 2011. However other forms are increasing; trafficking for forced labour has increased steadily and concerns now some 40% of the victims.³¹ Within Europe, these numbers are rather different, with a much higher percentage of people, 69%, being trafficked for the purpose of sexual exploitation. Trafficking for forced labour is the second largest purpose with 19% and trafficking in other forms such as trafficking for the removal of organs, for criminal activities or others started in 12% of the cases³².

³¹ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.33

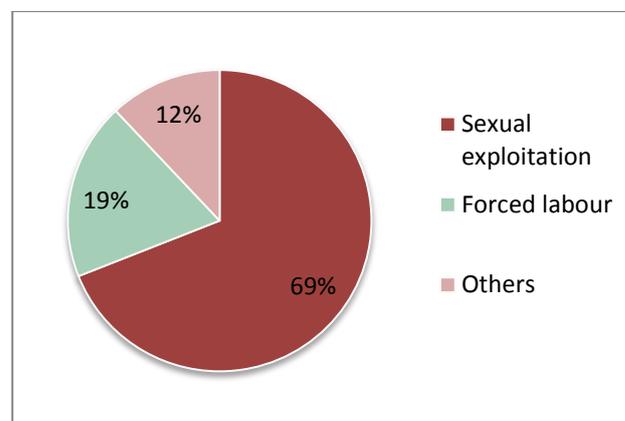
³² EUROSTAT (2014), *Trafficking in Human Beings; 2014 edition*, Luxembourg, p. 29

Graphic 6: Forms of exploitation among detected trafficking victims worldwide, 2011



Source: UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.33

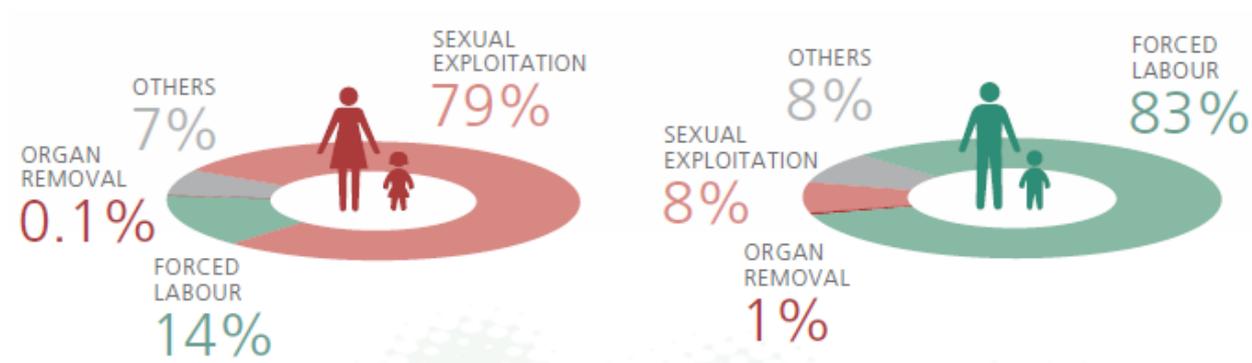
Graphic 7: Forms of exploitation among detected European trafficking victims, 2010-2012



Source: EUROSTAT (2014), *Trafficking in Human Beings; 2014 edition*, Luxembourg, p.29

If we look at the gender division between the different forms of exploitation, than there is a clear contradistinction between female and male victims. As graphic 8 shows, globally, the vast majority of detected female victims are trafficked for the purpose of sexual exploitation, whereas most of the detected male victims are trafficked for forced labour.³³ This paper will go deeper into this during the next pages.

Graphic 8: Forms of exploitation among detected female and male trafficking victims, 2010-2012 (or more recent)



Source: UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.36

³³ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.35

2.3.1. Trafficking for sexual exploitation

Not every prostitute is trafficked, just as not every case of trafficking is necessarily for sexual exploitation. However, people often associate and confuse these two situations. When one talks about THB, the first thing people have in mind is forced prostitution³⁴. However it is true that sexual exploitation is the principal form of exploitation, globally and European. Also, sexual exploitation goes further than just prostitutes. There is of course the street prostitution and the window prostitution and brothels however strip clubs, pornography industry, massage parlours, escort services and modelling agencies are also industries in which victims of sexual exploitation are employed.

The ILO evaluates that 98% of victims of trafficking for sexual exploitation in the world are women and girls³⁵. Following the estimate of the ILO for the total amount of victims, this would mean that 10,9 million females and 230.000 men have been victimized for the purpose of sexual exploitation globally during the period of 2002-2011. This type of trafficking is thus strongly gender-based but it does not mean that men and boys cannot be victims as well. Transsexual victims exist as well³⁶. When we look at the age of the victims for the purpose of sexual exploitation, we see that the majority (45%) is between 18 and 24 years old. Furthermore 14% of the victims are younger than 18 years old.³⁷ The victims of forced sexual exploitation experience coercion, threats and violence.

In addition another common feature is that the victims are not paid by the client, who instead must pay the agent (or pimp) or brothel owner directly. This means that the victims are often unaware of the amount the client has paid. Through this the agent or brothel owner has even more power over the victims, especially when the victims have a debt to pay to the trafficker and/or employer.³⁸

2.3.2. Labour exploitation

Article 2 of the 1930 ILO Forced Labour Convention (No. 29) defines forced labour as "*all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily*"³⁹. Forced labour is therefore not defined by the nature of the work being performed (which can be either legal or illegal under national law) but rather by the nature of the relationship between the persons performing the work and the person(s) extracting the work. Forced labour includes practices such as slavery, practices similar to slavery, debt bondage and serfdom. However, for practical reasons, sexual exploitation, domestic servitude or begging can be distinguished from forced labour, as we can see in several international studies and actions.

While sometimes the means of coercion used by the exploiter(s) can be easily observable (e.g. armed guards who prevent workers from leaving, or workers who are confined to locked premises), more often the coercion applied is more subtle and not immediately observable (e.g. confiscation of identity papers, or threats of denunciation to the

³⁴ OSCE (2010), 2010 Annual Report *Combatting Trafficking as Modern-Day Slavery: A Matter of Rights, Freedoms and Security*. Retrieved from <http://www.osce.org/secretariat/74730?download=true>

³⁵ ILO (2012), *Global Estimate of forced labour 2012: Results and methodology*

³⁶ OSCE (2010), 2010 Annual Report *Combatting Trafficking as Modern-Day Slavery: A Matter of Rights, Freedoms and Security*. Retrieved from <http://www.osce.org/secretariat/74730?download=true>

³⁷ EUROSTAT (2014), *Trafficking in Human Beings; 2014 edition*, Luxembourg, p. 30

³⁸ ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.26

³⁹ ILO, *Forced Labour Convention* (1930), retrieved from: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029



authorities). This kind of coercion often goes hand in hand with psychological coercion (usage of voodoo, threatening the family of the victims...) Forced labour therefore presents major challenges in terms of detection, for the purposes of both data collection and law enforcement.⁴⁰

Illegal migrants who came to so called arrival countries for working reasons are the most vulnerable because traffickers threaten to denounce them to the authorities if they complain. They often prefer to work in poor and hazardous conditions than to go back where they came from⁴¹. However legal migrants or nationals can also be trafficked for forced labour exploitation through fraudulent recruitment and employment agencies promising them great job opportunities, which in fact do not exist. The International Labour Organization (ILO) estimates the illicit profits of forced labour to be \$US150 billion a year.⁴²

As already discussed above, according to the UNODC 40% of the victims are being trafficked for the purpose of forced labour (this means 8,4 million people according to the ILO estimate). In some regions this percentage is far higher, however in Europe only 19% of the victims are trafficked for forced labour. Nevertheless the UNODC has detected an increase of trafficking in persons for the purpose of labour exploitation (see graphic 9). There are multiple explanations for this. One of them is that until recently, there was not much awareness of trafficking for forced labour and not much legislation handled this topic, therefore it was not dealt with by the studies on trafficking⁴³. Furthermore, when the gender of the victims is researched there can be stated that men are the predominant victims within this type of human trafficking (65%). Nevertheless, females account for 35% of the victims therefore their share cannot be neglected.⁴⁴ According to European numbers the ratio is 71% are male, 27% females and of 4% of the victims they have no information concerning gender.⁴⁵ This ratio can change when different forms of forced labour are researched.

⁴⁰ EUROSTAT (2014), *Trafficking in Human Beings; 2014 edition*, Luxembourg, p. 30

⁴¹ Europol (2011), *Knowledge Product : Trafficking in Human Beings in the European Union*
https://www.europol.europa.eu/sites/default/files/publications/trafficking_in_human_beings_in_the_european_union_2011.pdf

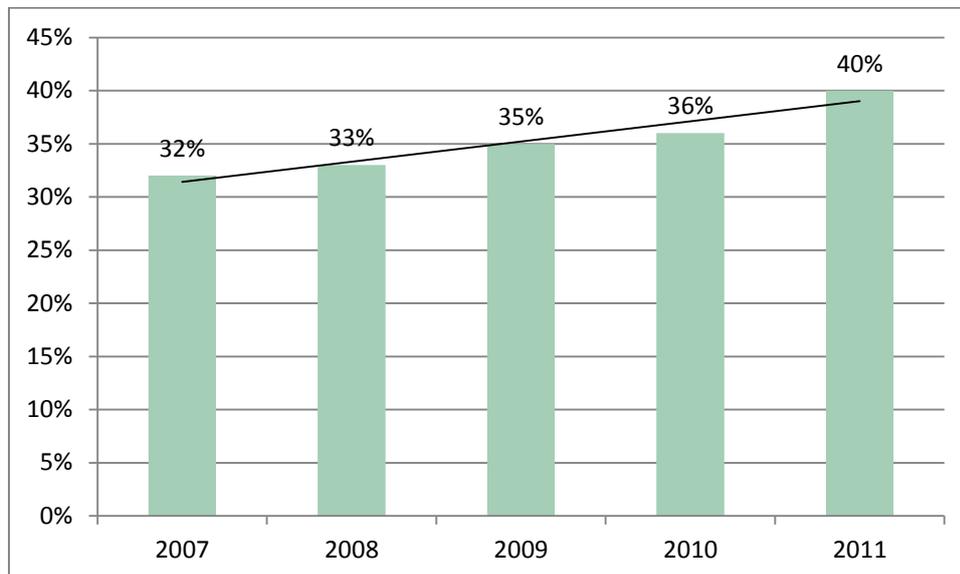
⁴² ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.13

⁴³ VAN DER LAAN P. et. al. (2011), *Cross-border Trafficking in Human Beings: Prevention and Intervention Strategies for Reducing Sexual Exploitation*, retrieved from
http://lastradainternational.org/Isidocs/cross%20border%20Trafficking_Systematic_Review.pdf

⁴⁴ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.35

⁴⁵ EUROSTAT (2014), *Trafficking in Human Beings; 2014 edition*, Luxembourg, p. 32

Graphic 9: Share of the total number of detected victims who were trafficked for forced labour, 2007-2011



Source: UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.34

Domestic servitude is a particular form of forced labour exploitation. As for sexual exploitation, women and girls are the predominant targets. It is an extremely hidden form of trafficking because the work place is a private house, so the work conditions cannot be controlled by labour inspectors and the worker is isolated⁴⁶. Trafficked persons working in domestic servitude are in a slavery-like situation and are subjects to the following characteristics: subjugation and dependency to the private employer, physical and/or psychological violence, low or no salary, no days off and few rest hours, poor living conditions, limited or no freedom of movement and no private life.

Furthermore, domestic work is often not considered as real employment and workers are not necessarily well protected by national laws, which make them vulnerable, especially when workers are migrants and do not speak the language or know the legislation of the country where they work. There are even greater difficulties to protect domestic workers exploited by members of the diplomatic corps enjoying immunity⁴⁷.

2.3.3. Other common forms of THB

This paper has now discussed the two main forms of human trafficking. However there are many other, less known forms of THB. Multiple of these will be discussed underneath.⁴⁸ The broad 'other forms' category includes very different types of trafficking in persons that often involve victims with different profiles. Nevertheless one of the general features of the other forms of THB is that the victims are predominate females (73%)⁴⁹. However this predominance changes according to the form of THB.

⁴⁶ OSCE (2010), report of the Tenth Alliance against Trafficking in Persons Conferenc: *Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude*, Retrieved from <http://www.osce.org/secretariat/75804?download=true>

⁴⁷ *Ibid.*

⁴⁸ This is not a complete list

⁴⁹ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.37

One of the most known forms of THB that fits in this list of 'other' forms is trafficking for the purpose of organ removal. It has long been an unknown type of trafficking, with no proof to confirm its existence however research has highlighted some cases with victims' testimony. The usual situation is a poor person which is being convinced to give up an organ for a little amount of money when the trafficker receives a lot more from the recipient⁵⁰. According to the UNODC about 0,2% of the total amount of victims is victims for the purpose of organ removal. This amounts to 42.000 people (following the estimate of ILO). Furthermore most of the detected victims of this form of trafficking are males.⁵¹ This form of trafficking occurs in all the regions of the world and has been growing in numbers in the last 10 to 15 years. Hence this phenomenon is becoming less marginal.⁵²

Another form of THB is forced and child marriage, and illegal adoption. Forced marriage means a marriage in which free and informed consent is lacking with an element of physical force or psychological pressure. This is not to be confused with an arranged marriage, in which families take a leading role in arranging the marriage with the intending spouses free to choose or to refuse. However forced marriages can only be recognized as results of trafficking when the victim is forced into servitude or cannot refuse the arrangement concluded in exchange of money or any benefice for a third person, not necessarily the victim's family.⁵³ Being trafficked for forced marriage includes a range of human rights abuses against children and adults including rape and sexual assault, emotional and psychological abuse, enforced pregnancy and abortion, domestic violence and domestic servitude, denial of education, isolation and restrictions on freedom of movement.⁵⁴ Men and boys can also be victims of forced marriage, to a smaller extent, moreover illegal adoption hits boys as well as girls. A child adopted without the consent of its biological family or for an exploitative purpose is considered a victim of trafficking⁵⁵. In most cases, illegal adoption and trafficking are interrelated but different issues.

Also, begging and illicit activities can be a result of human trafficking. Trafficking for begging and/or committing petty crime mainly involves children, both girls and boys.⁵⁶ Most of the time, children forced to beg are also forced to participate in illicit activities, for example drugs exploitation, bag snatching, pick-pocketing or ATM (automated teller machine) theft⁵⁷. However children involved in these activities are not always trafficked in the general meaning of the word, they are sometimes forced by their family but of course this means that they are also victims of domestic trafficking⁵⁸.

⁵⁰ OSCE (2013), *Trafficking in human beings for the purpose of organ removal in the OSCE region: Analysis and findings*, retrieved from <http://www.osce.org/cthb/103393?download=true>

⁵¹ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.35

⁵² OSCE (2013), *Trafficking in human beings for the purpose of organ removal in the OSCE region: Analysis and findings*, retrieved from <http://www.osce.org/cthb/103393?download=true>, p.18

⁵³ ECPAT UK (2008), *Discussion Paper; Child Trafficking for Forced Marriage*, retrieved from http://www.ecpat.org.uk/sites/default/files/forced_marriage_ecpat_uk_wise.pdf

⁵⁴ ECPAT UK (2008), *Discussion Paper; Child Trafficking for Forced Marriage*, retrieved from http://www.ecpat.org.uk/sites/default/files/forced_marriage_ecpat_uk_wise.pdf

⁵⁵ KIM G. (20 June 2012), *International Adoption's Trafficking Problem*. *Harvard Political Review*, Retrieved from <http://harvardpolitics.com/world/international-adoptions-trafficking-problem/>

⁵⁶ UNODC (2014), *Global report on trafficking in persons 2014*, Austria, p.37

⁵⁷ ECPAT UK (2010), *Child trafficking – begging and organised crime*, Retrieved from http://www.ecpat.org.uk/sites/default/files/begging_organised_crime_briefing.pdf

⁵⁸ UNICEF (2007), *Innocenti Insight : Child Trafficking in Europe – A broad vision to put children first*, Retrieved from http://www.unicef-irc.org/publications/pdf/ct_in_europe_full.pdf

Lastly child soldiering is considered child trafficking when the recruitment is forced and done without the informed consent of the legal guardians of the child and when such persons were not fully informed of the duties involved in the military service. The child faces hazardous conditions that infringe his/her fundamental rights to education, health and development. Child soldiers, boys and girls, can be victims of sexual slavery at the same time and are exposed to extreme violence⁵⁹.

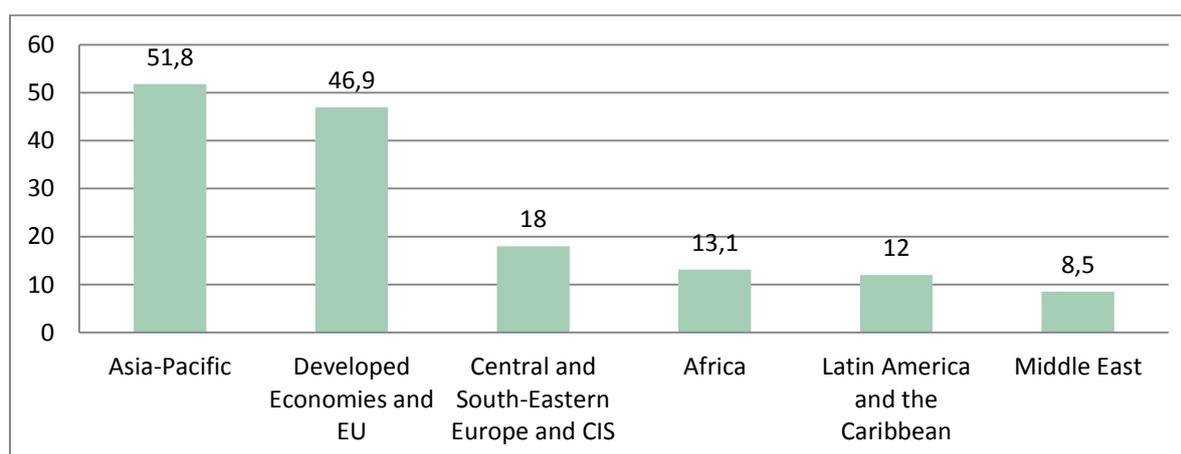
3. The economics of THB

So far this paper has given an overview of the traffickers, the victims and the various forms of THB. In the next chapter we will go into the economics of THB. First of all we will examine the profits from forced labour⁶⁰. Furthermore we will look into the socio-economic factors that make people vulnerable to forced labour.

3.1. The human trafficking market

Trafficking in human beings is a highly lucrative business where a lot of money can be made. Within the next 10 years, crime experts expect human trafficking to surpass drug and arms trafficking in its incidence, cost to human wellbeing, and profitability to criminals.⁶¹ It is estimated that the total illegal profits obtained from the use of forced labour worldwide amount to US \$ 150.2 billion per year. Graphic 10, shows the annual profits of forced labour per region. These numbers show that the developed economies and the EU are on the second place worldwide for the amount of annual profits of forced labour. Moreover the annual profit per victim is also the highest in the Developed Economies (US \$ 34.800 per victim), followed by countries in the Middle East (US \$ 15.000 per victim), and lowest in the Asia-Pacific region (US \$ 5.000 per victim) and in Africa (US \$ 3.900 per victim).⁶²

Graphic 10: Annual profits of forced labour per region (US \$ billion)



Source: ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.14

⁵⁹ TIEFENBRUN S. (2007), *Child Soldiers, Slavery and the Trafficking of Children*, Retrieved from <http://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=2091&context=ilj>

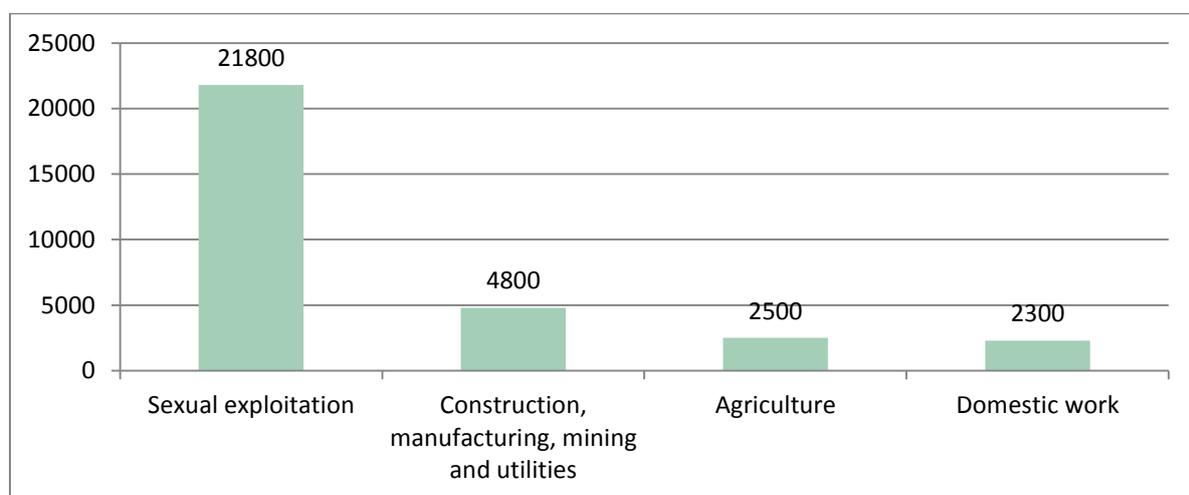
⁶⁰ In this chapter we use the definition of ILO for forced labour. This means that sexual exploitation is also part of forced labour but most 'other' forms of THB are not.

⁶¹ WHEATON E. et al (2010), *Economics of Human trafficking. International migration*. Vol. 48 (4), p.114

⁶² ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.14

According to the ILO, the division of the profits between the various forms of THB is as follows: US \$ 99 billion per year for forced sexual exploitation, US \$ 9 billion for forced labour in agriculture (including forestry and fishing), US \$ 34 billion per year for other economic activities such as manufacturing and mining and US \$ 8 billion annually for the forced employment of domestic workers.⁶³ Graphic 11, shows the annual profits per victim per form of exploitation. Profits per victim are clearly the highest in forced sexual exploitation (US \$ 21.800 per year per victim). This sector is six times more profitable than all other forms of forced labour. This can be explained by the high demand for such services and the prices that clients are willing to pay, and by the low capital investments and low operating costs associated with this activity.⁶⁴

Graphic 11: Annual profits per victim per sector of exploitation (US \$)



Source: ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.15-16

It is important to realize that the people who profit from THB are divided between the traffickers (the people who deliver the victims) and the employers (the people who use the victims). Of course it is possible that these are one and the same person. Nevertheless when we look at human trafficking as a competitive industry, then the traffickers act as intermediaries between vulnerable individuals and employers by supplying differentiated products to the employers. In the human trafficking market, the consumers are employers of trafficked labour and the products are human beings.⁶⁵ Human traffickers thus connect the supply of labour in source areas with the demand for labour in destination areas. In this regard Chuang (2006: 140) refers to human trafficking as “an opportunistic response’ to the tension between the economic necessity to migrate, on the one hand, and the politically motivated restrictions on migration, on the other”. Government policy can thus have implications on the human trafficking market.

The market of human trafficking consists out of three main characteristics. First of all, there are many ‘sellers’ in the market, these can be organized groups of criminals or small, loose networks. There are so many of them because the benefits outweigh the costs so greatly. Also, many buyers demand human trafficking victims for employment for a

⁶³ ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.15

⁶⁴ ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.15-16

⁶⁵ WHEATON E. et al (2010), Economics of Human trafficking. *International migration*. Vol. 48 (4), p.114

variety of reasons. The victims do not have the right to decide what they do for work, how many hours etc. And lastly, the human trafficking market is characterized by product differentiation.⁶⁶ The supply and demand curve of the human trafficking market is the same as in other markets. When there are a lot of products (victims) on the market, the prices for the buyers (employers) will be lower. Furthermore these basic economic characteristics also apply for the traffickers. If the price for their product (victims) is too low, they will not be able to cover their costs made (transport, false ID...).

The huge profits from illegal extraction of labour are thus being reaped by unscrupulous employers and criminals. The losers in this human trafficking market are of course the victims but also the law-abiding businesses and employers and the governments and societies. First of all the victims, they are often caught in a vicious cycle that condemns them to endless poverty. The victims receive little or no income during their forced labour. Moreover, they may suffer personal trauma that will require years to overcome as they try to rebuild their lives. Furthermore, law-abiding businesses and employers are disadvantaged by forced labour since it creates an environment of unfair competition and it can destroy the reputation of an entire industry or sector. Lastly, the governments and societies are also harmed because the profits generated by forced labour bypass national tax collection systems, and the costs involved in dealing with forced labour cases are significant.⁶⁷ The human trafficking market is thus a profitable business for a small amount of people but for the greater part it negatively afflicts people, businesses, sectors, entire governments and even whole societies.

3.2. The socio-economic factors of vulnerability

Not everybody is as vulnerable to become a trafficking victim. There are certain factors that increase this vulnerability. One of the main hypotheses concerning the vulnerability to forced labour is about the relation of labour opportunities and labour coercion. When there is a scarcity of labour, this can lead to a decrease in labour coercion because of the outside option effect. This means that the workers can more easily leave because there are many other jobs to be found. Nevertheless this relation also goes the other way. When there is an abundance of labour, the possibility of experiencing coercion increases since the victims have not many other options. This hypothesis is also applicable for trafficking between regions. When there is an abundance of labour, people will be more vulnerable to be trafficked to another region because they are in search for a job.⁶⁸ Human traffickers take advantage of the disparity between low wages and lack of employment opportunities in some areas and the seemingly abundant jobs and high wages in other areas.⁶⁹

The correlation between labour opportunities and labour coercion is an external factor of vulnerability. However there are also characteristics of the people themselves that make them more vulnerable. One of the main characteristics that increase vulnerability is poverty. Individuals living in poverty are more likely to borrow money, leading to an increase in vulnerability to forced labour or a family member being held in debt bondage. Debt bondage is one of the oldest forms of slavery and is also the most prevalent form of modern human trafficking. It uses a worker's labour to pay off a debt owed by that

⁶⁶ WHEATON E. et al (2010), Economics of Human trafficking. *International migration*. Vol. 48 (4), p.118-119

⁶⁷ ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.45

⁶⁸ ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.29-30

⁶⁹ WHEATON E. et al (2010), Economics of Human trafficking. *International migration*. Vol. 48 (4), p.123

individual or the individual's family, often at a highly inflated rate of interest.⁷⁰ In relation to poverty, income shocks can also push households further into poverty, even below the food poverty line. These households are then more likely to need emergency funds, which can make them dependent on third parties and which increases the likelihood of exposure to forced labour. Since heavy dependency on other individuals can lead to manipulation, coercion, exploitation and deception, especially if a creditor is a recruiter or trafficker.⁷¹

Another factor of vulnerability towards forced labour is migration. In both the international and the national markets, the decision of a person to relocate (across or within national borders) is based on the perception that wages and opportunities in other areas are higher than those within the area of origin. Migration workers often need to borrow money for the transportation which can land them in debt bondage. Also, the vulnerability of a migration worker increase when he goes to a country of which he does not speak the language and does not know the employment regulations. These factors make him highly dependable on the traffickers which, in their turn, will take advantage of this. There are hypothesis which state that as legal immigration is made more difficult, the profit for traffickers rises proportionately.⁷²

Furthermore, an important factor that can increase the vulnerability of people towards forced labour is education and literacy. Educated individuals are less likely to be in basic forms of manual labour, and are more likely to know their rights. Literate individuals can read contracts and recognize situations that could lead to exploitation and coercion. In addition, according to the ILO, households headed by educated persons are more likely to be better off and thus less likely to need to borrow, especially in the event of unforeseen income problems. Working in basic forms of manual labour such as agriculture, fishing, domestic work, manufacturing and other work increases the vulnerability of the persons to end up in forced labour.⁷³ According to Wheaton et. all the human trafficking literature points out that the majority of illegal migrants have low education and skill levels. This is likely due to the fact that government immigration restrictions are aimed at the low-skilled migrants. This is n contrast to the high-skilled migrants, which they like to attack to improve the society⁷⁴.

As seen in the previous heading, 70% of the trafficked victims is female. Especially in forced sexual exploitation and in domestic work, the vast majority of victims are women and girls. We can therefore state that gender is another important factor that determines the likelihood of becoming a victim, especially in relation to specific economic activities. Since, next to females being the majority of victims in sexual exploitation and domestic work, males are the majority of victims in forced labour. Furthermore when households are taken into account, ILO states that households which are headed by a female are more at risk of forced labour than male headed households. Nevertheless when the head of a household borrows from moneylenders and thus pledges his or her labour as collateral, it often implies that the entire family is considered to be bonded.⁷⁵

⁷⁰ WHEATON E. et al (2010), Economics of Human trafficking. *International migration*. Vol. 48 (4), p.123

⁷¹ ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.46

⁷² WHEATON E. et al (2010), Economics of Human trafficking. *International migration*. Vol. 48 (4), p.121-122

⁷³ ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.46

⁷⁴ WHEATON E. et al (2010), Economics of Human trafficking. *International migration*. Vol. 48 (4), p.121

⁷⁵ ILO (2014), *Profits and poverty: the economics of forced labour*, Geneva, p.46

All the above mentioned factors increase the vulnerability of an individual (or household) to become a victim of human trafficking⁷⁶. However it is of course often a combination of factors that push victims into the arms of traffickers.

4. Conclusion

This theoretical paper has given a broad overview of the extent, the meaning and the seriousness of trafficking in human beings globally and European. The sheer volume of the crime is incredibly high. Knowledge of the flows, traffickers and victims is still limited. Nevertheless there are largely consented assumptions. It is very much a global problem since all regions are afflicted by it. It is a phenomenon which crosses borders but also which stays inside a country. And it is exactly this large variation in characteristics makes it difficult to study the phenomenon.

We can state that most traffickers (64% of the convicted traffickers) operate in the country of which they are citizens and the large majority of them are men. Nevertheless the part of female traffickers is higher than in other crimes. Furthermore, globally 49% of the detected victims are women and 33% of the detected victims are children. Within the European Union woman constitute even bigger part of the total amount of victims (67%). However the gender division changes according to which form of human trafficking is being discussed. The main forms of human trafficking are sexual exploitation (53%) and forced labour (40%), with forced labour gaining in importance during the last years.

Furthermore we can state that the human trafficking market is a highly lucrative market for a small number of people. It is estimated that the total illegal profits obtained from the use of forced labour worldwide amount to US \$ 150.2 billion per year. These huge profits make sure that the benefits for the traffickers and the employers outweigh the costs. However for the greater part the human trafficking market negatively afflicts people, businesses, sectors, entire governments and even whole societies.

Also, we can state that there are certain socio-economic factors which make people more vulnerable towards forced labour. Migration for the reason of higher wages and better job opportunities in other regions is one of the main factors of vulnerability. Human traffickers take advantage of the disparity between low wages and lack of employment opportunities in some areas and the seemingly abundant jobs and high wages in other areas. Furthermore, low educated and skilled workers have a higher chance of becoming a victim of THB than educated and high-skilled workers. In addition poverty and gender are also factors that increase the vulnerability of a person.

These numbers and general assumptions give an indication about what THB really is. However they also suggest that there is still a need to take action to try to prevent this phenomenon. The manual on THB that will be published by the EUCPN secretariat will go into the difficulties and attempts to prevent THB. With special attention to what already exists on the international and national level.

⁷⁶ This list is not complete; there are many more factors that can contribute to the vulnerability of a person.



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