



NTS ALERT

Human Trafficking

Modern Day Slavery

This year may mark the 200th anniversary of the abolition of the trans-Atlantic slave trade, but most unfortunately, modern day slavery guised as human trafficking, continues today in a myriad of forms in 137 countries worldwide. Human traffickers often use creative and unethical ploys to deceive, coerce and win the trust of their potential victims. They promise their victims an opportunity for a better life through marriage, employment or educational opportunities to gain their initial (albeit uninformed) consent. Poverty, underdevelopment and lack of equal opportunity are root causes to the problem, as they frequently make victims vulnerable to the lies of their would-be traffickers.

A wide range of estimates exists on the scope and magnitude of this problem, highlighting the lack of reliable information on the issue. The International Labour Organization (ILO) (the United Nations agency which addresses labour standards, employment, and social protection issues) estimates that there are 12.3 million people in forced labour, bonded labour, forced child labour, and sexual servitude at any given time. However, other estimates range from 4 million to 27 million. According to U.S. Government-sponsored research completed in 2006, approximately 800,000 people are trafficked across national borders; excluding millions trafficked within their own countries.

Approximately 80 percent of transnational victims are females trafficked into commercial sexual exploitation, and of this proportion, up to 50 percent are minors.

The ambiguity in these statistics is confounded by several factors. Many countries still lack anti-trafficking persons legislation, and even where such laws exist, they may only encompass a certain aspect of the problem, such as sexual exploitation, and not other forms of trafficking. Furthermore, the statistics of human trafficking in some countries only account for women and children victims but not male victims. In many situations, victims of trafficking are treated as illegal migrants and repatriated to their home countries, these numbers once again are unaccounted for. Most critically, many countries do not have a centralized agency to manage the collection of trafficking data, and where data is collected, it often only documents transnational statistics, with intra-country human trafficking numbers excluded.

The “Random” Factor

Monitoring of human trafficking trends has become more complicated due to the fact that incidents of trafficking are increasingly more random and haphazard. According to the US State Department’s Trafficking in Persons Report in June 2007, increased globalization and open media have made human trafficking more random as even unlikely targets fall prey to traffickers. For instance, traffickers have utilized the media by advertising themselves as lucrative job offers and marriage opportunities abroad in local newspapers and on the internet.

In recent decades, the globalization of markets and labour forces with the concurrent relaxation of travel restrictions, have produced new trafficking scenarios

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and routes. A greater variety of nationalities have been documented recently among trafficking victims in destination countries. Traffickers increasingly seize any opportunity for exploitation and rely on vast distances and cultural and linguistic differences to increase the vulnerability of victims. As the economic and logistical obstacles involved in transporting new victims to distant lands diminish, the random factor of transnational trafficking will most certainly become more pronounced.

Defining Human Trafficking

An internationally agreed definition of 'trafficking in persons' was achieved in November 2000. This definition adopted by the United Nations was presented in Article 3 of the '**Palermo Protocol (Protocol to Prevent, Suppress, and Punish Trafficking in Persons)**'. 'Trafficking in persons' is defined 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."

Sources

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, *United Nations*, 2000

Trafficking in Persons, *United Nations Office on Drug and Crime website*

The Process of Human Trafficking

Trafficking in persons is better understood as a process rather than a single offence, sometimes with different parties involved at different stages of the process. The four phases of human trafficking are:

1. The abduction or **recruitment** of a person: Recruitment occurs through a variety of methods, such as through relatives, friends of family, or through media such as newspaper

advertisements, often using deception or coercion.

2. **Transportation** from the place of origin to the place of destination: In the case of transnational trafficking in persons, the process includes the entry of the individual into another country. This phase often involves the abuse of immigration and border-control laws, corruption of officials, document forgery, acts of coercion against the victim, unlawful confinement and the withholding of the victim's identity papers and other documents.
3. **Exploitation** phase during which the victim is forced into sexual or labour servitude, often involving violence against the victim.
4. Depending upon the size and sophistication of the human trafficking operation, the criminal (organization) may engage in **profit laundering**.

A United Nations Office on Drug and Crime (UNODC) project on human trafficking in the Philippines analyzed data held by Italian law enforcement authorities and pieced together one particular identified trafficking route. The Filipino criminal organization utilized Slovenian and Pakistani crime networks and divided the trafficking route into three phases, with each phase taken care of by different individuals and sub-units of a larger network. The route as described by a victim:

Manila, Philippines → Budapest, Hungary (via Bangkok, Thailand) → Slovenia → Italy

Different modes of transport were used during the journey. While the victims flew from Manila to Budapest, they were picked up by members of Slovenian organizations at Budapest and transported to Slovenia by van. They were then split up into smaller groups and traveled to Italy via van or foot. Their length of stay at each transit point (in safe houses) was determined by the weather and border control. Thailand was chosen as a transit point because it appeared to be easier to successfully apply for a visa to Hungary from there. The route's multiple transit points highlights the complexity and coordination of organized crime groups in the trafficking process.

Main Challenges in Combating Human Trafficking

Executive director of the UNODC, Antonio Maria Costa, sets forth the top three challenges in combating human trafficking: **reducing demand, targeting criminals and protecting trafficking**

UN Global Programme against Trafficking in Human Beings

The Global Programme against Trafficking in Human Beings (GPAT) launched in March 1999 was designed by the United Nations Office on Drugs and Crime (UNODC) in collaboration with the UN Interregional Crime and Justice Research Institute (UNICRI). GPAT's main objective is to highlight the involvement of organized criminal groups in human trafficking and to promote the development of effective strategies to combat the problem. The key components of GPAT include data collection, assessment and technical co-operation.

Countries involved in the GPAT selected from Asia, Europe, Africa and Latin America are assessed according to the smuggling routes and forms of exploitation of trafficked people, the cooperation among law enforcement, prosecution and judiciary, and the government's efforts to respond, including their implementation of recent legislative reforms. GPAT has since engaged seven countries in technical co-operation projects, of which the Philippines and Vietnam have been involved. These projects aim to improve the country's capacity to combat human trafficking through relevant data collection and extensive assessment of the scope and severity of the problem in the country.

Following the establishment of GPAT, significant progress was achieved with the enactment of the '**Palermo Protocol**' (Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime) in November 2000 at the 55th UN General Assembly. The UN Convention against Transnational Organized Crime is the main international instrument in the fight against transnational organized crime, including human trafficking. The Protocol came into effect on 25 December 2003 and currently has 117 signatories and 114 parties. It sought to:

- prevent and combat trafficking in persons, with particular attention to women and children
- protect and assist trafficking victims promote the cooperation among States Parties to meet the above objectives

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victims. There is a need to reduce demand for cheap goods manufactured in sweatshops, under-priced commodities produced by bonded people in farms and mines, and services provided by sex slaves. Another preventive measure is to educate vulnerable communities on the dangers of trafficking and the

tactics of traffickers. The low rates of prosecution and conviction of trafficking offenders worldwide demonstrate the need to punish the criminals who exploit the vulnerable, and who capitalize on weak law enforcement and poor international cooperation. Finally, a victim-centred approach must be adopted.

The *United States Trafficking in Persons* report highlights the best practices in victim protection measures. It implores governments to actively search for trafficking victims through screening at-risk communities and populations. Confirmed victims have to be afforded temporary housing and care, and be encouraged to co-operate with the authorities to become witnesses against their perpetrators (where possible). They should not be penalized for crimes that they committed as a direct result of having been a trafficking victim, such as not possessing legal immigration documents. Finally, the victim should be offered a safe route home to their country of origin.

More often than not, victims are re-trafficked as flawed laws return them to a position of vulnerability. In other cases, they are looked upon as criminals or illegal immigrants by law enforcers and society, and are repatriated to their home countries without redress or protection.

Sources

Trafficking in Persons Report, *Department of State, United States of America*, June 2007
Global Patterns, *United Nations Office of Drugs and Crime*, April 2006



Human Trafficking in Asia: An Overview

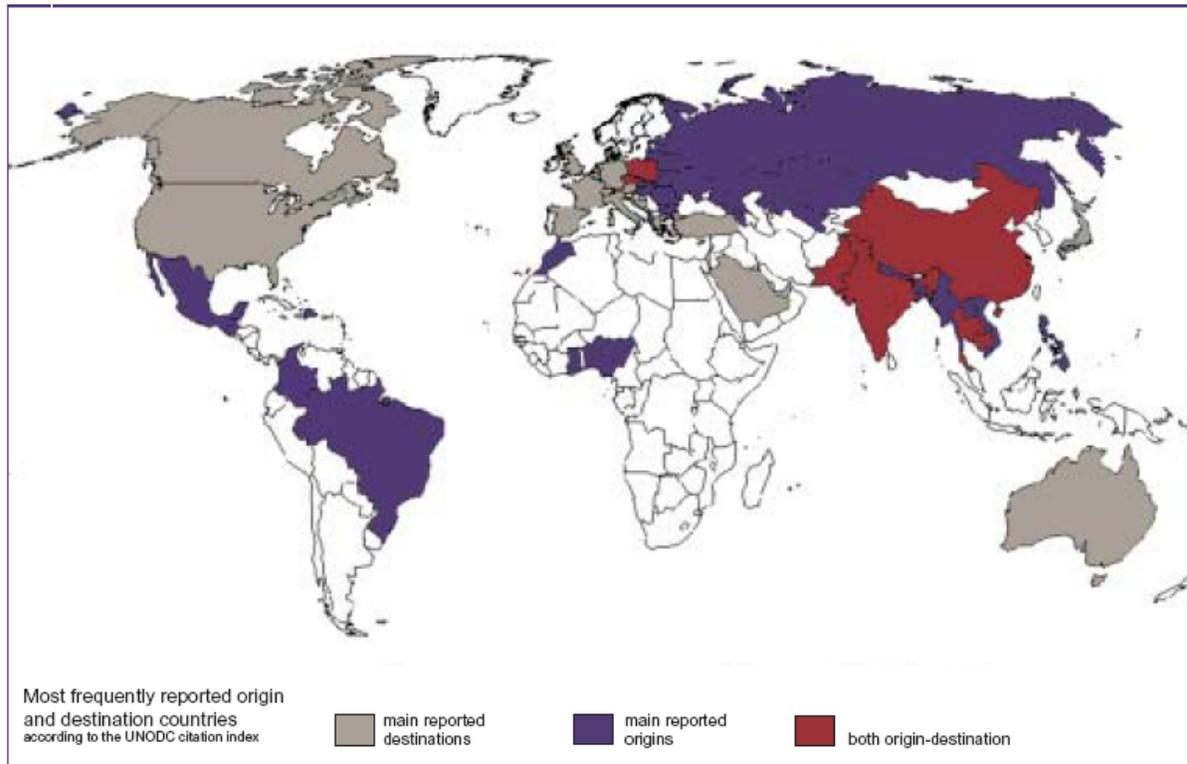
Asia is mainly an origin and destination region for trafficking in persons, where intra-regional trafficking is common. Asian victims are reported to be trafficked from Asia to other Asian countries. Reports of trafficking into countries in the region come mainly from the Commonwealth of Independent States, followed by South-East Asia.

According to Global Patterns, a report produced by the Anti-Human Trafficking Unit (AHTU) of the UNODC, **China** and **Thailand** are both ranked very high in the citation index as origin countries, followed by **Bangladesh, Cambodia, India, Lao PDR, Myanmar, Nepal, Pakistan, the Philippines,**

and **Vietnam** which are ranked high. As destination countries, **Thailand and Japan** rank very high in the citation index while **Cambodia, China, Hong Kong, Taiwan, India and Pakistan** are ranked high. South-East Asia is reported to be a crucial transit point of trafficking both out of and into the region. Thailand in particular ranks very high in the citation index as an origin, transit and destination country.

The following map highlights the main origin, transit and destination countries of victims of trafficking worldwide:

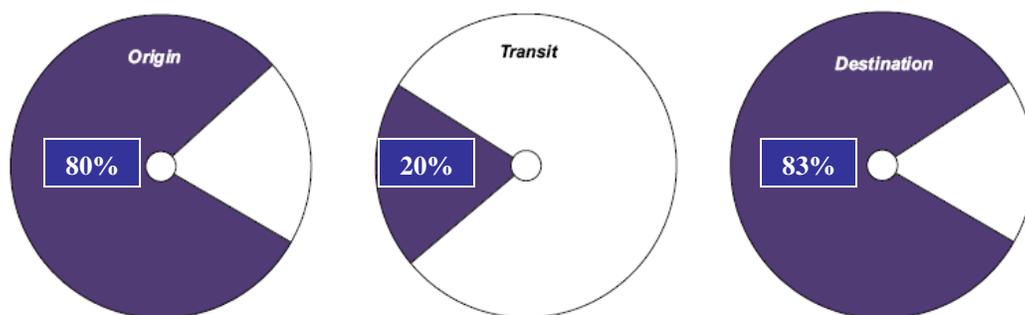
Reported Human Trafficking: Main Origin, Transit and Destination Countries



[Source: Global Patterns (p. 17), *United Nations Office of Drugs and Crime*, April 2006]

According to the AHTU report, a total of 80 source institutions reported Asia as a region of origin, transit or destination for trafficking victims

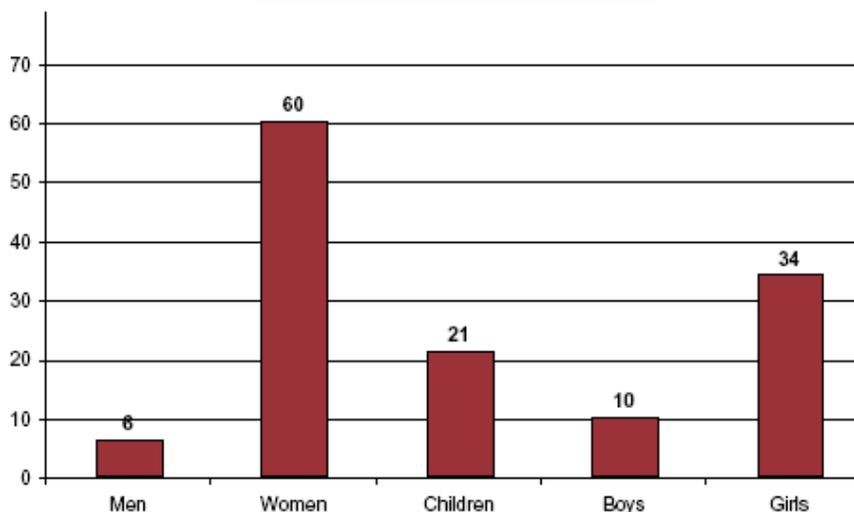
Percentage of sources reporting the Asian region as origin, transit or destination for trafficking victims



[Source: Global Patterns (p. 24), *United Nations Office of Drugs and Crime*, April 2006]

Of these 80 sources, 64 (80%) incidences of human trafficking were for sexual exploitation, while the remaining 16 (20%) incidences were of forced labour. The reported profile of victims from these sources is represented in the following figure:

Profile of Victims, Gender and Age



[Source: Global Patterns (p. 88), *United Nations Office of Drugs and Crime*, April 2006]

The 2007 report on human trafficking produced by the Department of State, United States of America provides the numbers of reported prosecutions, convictions and new or amended legislation with regard to human trafficking, in East Asia and the Pacific.

Year	Prosecutions	Convictions	New or Amended Legislation
2003	1727	583	1
2004	438	348	3
2005	2580	2347	5
2006	1321*	763*	3

* The decrement in 2006 numbers is a result of the lack of information provided by the People's Republic of China, as compared to 2005.

Sources

Trafficking in Persons Report, *Department of State, United States of America*, June 2007
 Global Patterns, *United Nations Office of Drugs and Crime*, April 2006





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Countries in the Asia-Pacific who have signed the protocol include India, Japan, the Republic of Korea and Thailand. Those who signed and further ratified the protocol include Australia, Cambodia, Laos PDR (accession), New Zealand, and the Philippines.

Annual Conferences to the Parties have been held to review the implementation of the protocol within States parties and signatories since 2004, with the third session concluded on 18th October 2006 in

Vienna. The Protocol has served as an important guideline internationally in numerous national and regional action plans against human trafficking.

Sources

Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its third session, held in Vienna from 9 to 16 October 2006, *United Nations*, 22 December 2006

Human Trafficking, *United Nations Office on Drugs and Crime* website

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, *United Nations*, 2000

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Look out for more in-depth coverage
on Human Smuggling in Asia in
our September 2007/1 edition.

