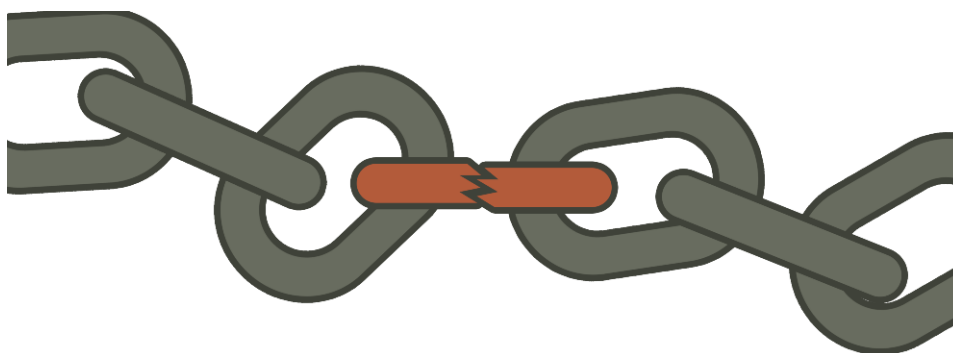


THE PONTIFICAL ACADEMY OF SOCIAL SCIENCES

PLENARY SESSION

# **Human Trafficking:** **Issues Beyond Criminalization**



17-21 April 2015 • Casina Pio IV



VATICAN CITY 2015



Marcelo:

Creo que sería bueno tratar sobre trato de personas  
y esclavitud moderna.

La trato de órganos puede tratarse en conexión con  
la trato de personas.

Muchas gracias

Francisco

**Translation:**

Marcelo,

I think it would be good to examine human trafficking and modern slavery.

Organ trafficking could be examined in connection with human trafficking.

Many thanks, Francis

# *Human Trafficking: Issues Beyond Criminalization*

## **PREFACE**

There are two statements that Pope Francis has constantly repeated from the beginning of his Pontificate: that 'Human Trafficking is Modern Slavery' and that this practice is a 'Crime against Humanity'. PASS endorses both without reservation having, in fact, been the first to coin the latter phrase. However, each statement merits closer inspection because they denote rather different issues. Both have been crucial in shaping the leadership that the Catholic Church has assumed and the agenda she has adopted in spearheading a social movement opposing this morally horrendous treatment of human persons.

As many social scientists have noted, today's digital media make initial protests and demonstrations by new social movements easier to organize than ever before. Conversely, to hold a movement together whilst pushing its agenda forward remains as difficult as ever. The latter is where our Academy (in fact, the two Academies) can make a contribution. We are not 'beyond moral outrage'; that remains our constant bedrock. However, it also requires a clearer definition of what new social provisions are needed not merely to eliminate Human Trafficking quickly but to restore respect – and self-esteem – to those whose human dignity has been assaulted and battered through the process of being trafficked. It is to this that the first statement points unequivocally.

### *'Human Trafficking is Modern Slavery'*

Compared with the many and various historic forms of slavery, the current victims of trafficking share three common denominators with those enslaved in the past: subjection to one of the most extreme forms of violent social domination; alienation from any legitimate social order; degradation and dishonour because freedom is necessary to attain any form of status in society except the lowest. Where the trafficked differ, is that historically slaves could look towards some formal process of manumission, albeit in a distant future. The trafficked cannot; they are moveable, removable and disposable people.

Even though most forms of 'forced labour' and 'sex working' take their toll whilst the trafficked are relatively young, meaning that their cash value as commodified objects diminishes quite early, what can they do with their lives if they do break free? Without documents, without rights, without any legitimate social network, and probably

without the language needed, they are defenceless against assimilation into the local 'black' economy, its sweatshops, drug rings, and organized street prostitution. In other words, they join the reserve army of 'illegal migrants' and face the prospect of extradition. Alternatively, given certain circumstances and conditions, they may give legal evidence against their traffickers. Yet, usually, after a brief respite in a witness protection programme, they then face the prospect of repatriation.

These contemporary versions of 'manumission' require the closest inspection of the data available. In examining it, what becomes clear is that the human story of those trafficked does not end with either their 'vanishing' through the holes of the social fabric in the developed world nor with their 'departure' after a prosecution case. Criminal conviction of the (proximate) trafficker is necessary and desirable but, in itself, does nothing positive to restore the proper self-esteem, the subjective recognition of their own human dignity, of those trafficked.

This very brief reflection leads us to at least reconsider the quasi-automatic outcome of 'repatriation' after a court hearing, although both the legal cases brought and successful convictions made are a small percentage of the estimated volume of trafficking. Moreover, in terms of carrying the agenda forward, it forewarns us of three issues that need to be confronted:

Firstly, should we not question the conditions that too often have gone hand in hand with national ratification of the ILO 2002 'Palermo Protocol', namely 'repatriation'?

Secondly, should we not be alert to the fact that 'criminalization' by successful prosecution – necessary as it is – works almost exclusively on the suppliers of trafficked persons and does insufficient – if anything – for their victims? Should not this asymmetry be addressed?

Thirdly, if the trafficked are indeed recognised to be 'victims of modern slavery', it must be acknowledged that their victimization can largely be attributed to national and multi-national demands for exploited labour or sexual exploitation. It follows that we need to consider the justice of recompensing the victims of such demand not solely by 'compensation in cash' through confiscation of the traffickers' profits, as endorsed in some national plans. Equally, that reaction should be compared with the more generous responses of voluntary as-

sociations, seeking to offer much more humane prospects and projects for Resettlement in the host country for those who wish to remain.

All three questions raise major issues of legal re-thinking that would doubtless meet with resistance, but confronting them is an ineluctable part of being an effective social movement.

#### *Human Trafficking as a 'Crime against Humanity'*

To enslave any person – for their labour value, abuse of their bodies, harvesting of their organs and as babies for sale – nullifies their human dignity by reducing subjects to objects. It thus traduces the foundational principle upon which all Catholic Social Teaching rests: the dignity of every human being, without exception, derived from their divine filiation. Since Catholic Social Doctrine, from Vatican II, is always addressed to 'All people of goodwill', collaboration in causes such as the abolition of Human Trafficking is welcomed from those of other faiths and of none. It follows that the social movement now unfurling is both ecumenical and broadly humanistic in its supporters.

Together we can take the next giant step. The criminalization of this trade is the start not the end of 'Abolitionism'. Human rights are upheld by police prosecution and the legal sentencing of traffickers but they are not restored to, much less enjoyed by, their victims. International police action (rightly) condemns those profiting from this illegal trade and is making strenuous efforts to become more effective, but the traffickers are not the sole parties responsible for violating the human dignity of those trafficked. We could say that the Criminalization of trafficking concentrates on reducing and ideally eliminating the 'Supply' side of the equation, but what about the 'Demand', which is the motor sustaining this trade?

It is the demand for cheap labour, for prostitution, for organs, where rich people's wants nullify poor people's right to work in physical safety, to protect their own bodies against abuse and to value their own vital body parts as necessary to life itself. This demand is growing, not decreasing and it fuels 'internal trafficking' within countries: the 'grooming' of young girls, the sequestration of the desperate as 'domestic slaves', the detention of 'captive workers'.

Certainly, a few countries (Norway and Sweden) are pioneering legislation to penalise the client rather than their prey. Welcome as this is, it works pragmatically on the presumption that 'demand' exists, as is incontrovertible today. However, the criminalization of demand is only one tool to be used and, despite its value, it can convey the assumption that such demand will always be with us in late modernity.

As social scientists, our brief should be bolder. We need to work on the *normative attitudes* that

normalize 'demand', drawing upon evidence of interventions generating radical changes in normativity that have been successful in many other fields: drink-driving, smoking, exercising, adopting environmentally friendly practices and, more slowly, the reduction of discrimination against women, ethnic groups and the handicapped. In many of these examples legal penalties and sometimes economic incentives have backed-up changes in social norms and should be assessed as a composite formula for change. Nevertheless, in those cases where an established practice has been successfully uprooted – such as smoking – changes in normativity have outstripped penal and fiscal measures in reducing demand. This challenges us to conceptualise a parallel process in which the clients of brothels and the companies using forced labour also become socially stigmatized.

Once again, this will meet with the institutionalized opposition of those with vested interests in sustaining demand – as was the case with the tobacco industry – but the task of a social movement is to harness its cultural resources to promote public censure that overrides such interests.

#### *The ongoing commitment of the Catholic Church*

As the world's oldest social movement, our Church has been prominent in initiating, mobilizing and sustaining opposition to Human Trafficking; witness the series of high level meetings promoted during Pope Francis's short Pontificate. On January 1<sup>st</sup> 2015, the World Day of Peace will take as its theme 'Slaves no more, but brothers and sisters'.

Many agencies of the Holy See have already been harnessed to this end: the Council for Justice and Peace, Delegates to the United Nations and to the EU; a variety of ad hoc meetings, both ecumenical and for young people were held in 2014; and the Academies made a signal contribution through their widely diffused Statement of November 2013 and the foundation of the Global Freedom Network, whose website has fostered others, such as the international 'Liberanos'.

This small sample of activities shows a social movement *in statu nascendi*. We should not forget that our Academy was there at the beginning, in that brief handwritten note of guidance from Pope Francis to our Chancellor on 13 May 2013. The Plenary meeting of PASS in April 2015 therefore has the (statutory) responsibility not simply of adding our voices in unison but of carrying the movement forward by giving 'moral outrage' new elements of a concrete Agenda for eliminating this Crime against Humanity – in both its causes and its consequences.

MARGARET ARCHER

*President: Pontifical Academy of Social Sciences*

# *Human Trafficking: Issues Beyond Criminalization*

## PROGRAMME

**Friday 17 April 2015**

### OPENING SESSION

Chair: Pierre Morel

#### Opening Session

- 9:00 Welcome  
**President Margaret Archer**
- 9:05 Film UNODC
- 9:15 *Origins of the Magisterium on Human Dignity*  
**H.E. Msgr. Roland Minnerath**
- 9:45 Discussion
- 10:15 *Argentina: Successes, Difficulties and Problems Still Confronted in Reducing Prostitution and Forced Labour*  
**Gustavo Vera**
- 10:45 Discussion
- 11:15 Coffee Break
- 11:45 *The Limitations of Necessary Criminalization*  
**Kevin Hyland**, UK Independent Anti-Slavery Commissioner
- 12:15 Discussion
- 12:45 *No Longer Slaves, but Brothers and Sisters*  
**Flaminia Giovanelli**
- 13:15 Discussion
- 13:30 Lunch at the Casina Pio IV

### THE ETIOLOGY OF HUMAN TRAFFICKING: CAUSES AND CONSEQUENCES OF REGIONAL VARIATIONS

Chair: Juan José Llach

- 15:30 *The Social Etiology of Human Trafficking, Their Global Distribution and Differences. Setting the Scene*  
**Kristiina Kangaspunta**, UNODC
- 15:50 Discussion
- 16:10 *The Social Etiology of Human Trafficking: How Poverty and Cultural Practices Facilitate Trafficking*  
**Alexis A. Aronowitz**, PhD, Senior Lecturer Criminology, University College Utrecht
- 16:40 Discussion
- 17:10 Coffee Break
- 17:40 *The Social Etiology of Human Trafficking, Its Global Distribution and Differences: What We Can Learn from the Data*  
**Michaëlle de Cock**
- 18:10 Discussion
- 18:40 *The Programme of Pope Francis According to the Gospel: the Church as Intrinsically a Social Movement to Make the Last First*  
**H.E. Msgr. Marcelo Sánchez Sorondo**
- 19:10 Discussion
- 19:40 Dinner at the Casina Pio IV

**Saturday 18 April 2015**

**THE ROLE OF THE INTERNATIONAL ORGANIZATIONS**

**Chair: Rocco Buttiglione**

- 9:00 *The ILO; Successes, Difficulties and Problems in Reducing Forced Labour in Different Parts of the World*  
**Beate Andrees**
- 9:30 Discussion
- 10:00 *Legal and Policy Framework of the EU Relating to Criminalisation, Prevention and Demand Reduction*  
**Myria Vassiliadou**
- 10:30 *The Role of the UN and its Sustainable Development Goals in Seeking to Reduce/Eliminate Human Trafficking by 2020*  
**Jeffrey Sachs**
- 11:00 Discussion
- 12:00 Meeting with Pope Francis
- 13:00 Lunch at the Casina Pio IV

**THE ROLE OF NATIONAL LEGISLATION**

**Chair: José Raga**

- 15:00 *The New Anti-Trafficking Bill for Great Britain; with Regard to Repatriation*  
**John McEldowney**
- 16:30 Discussion
- 16:00 *An Evaluation of the Place of Repatriation in French Law Dealing with Trafficked Persons*  
**Yves Charpenel**
- 16:30 Discussion
- 17:00 Coffee Break
- 17:30 *Repatriation and Trafficked Workers in the Philippines and Filipinos Trafficked to Work in Other Countries*  
**Maruja Asis**
- 18:00 Discussion

**Chair: Margaret Archer**

- 18:30 Formulation of our Recommendations About Criminalization and Repatriation (Part I)
- 19:15 Dinner at the Casina Pio IV

**Sunday 19 April 2015**

**Pilgrimage to Florence**





**Monday 20 April 2015**

**ISSUES OF RESETTLEMENT**

**INITIATIVES FROM VOLUNTARY ASSOCIATIONS**

**Chair: Janne H. Matlary**

- 9:00 *Lessons from two Decades of Casework: How to Restore Survivors and Communities to Safety and Strength*  
**Gary Haugen**
- 9:30 Discussion
- 10:00 *Difficulties and Successful Practices in Facilitating a New Life for Persons Trafficked to Great Britain*  
**Kate Garbers**
- 10:30 Discussion
- 11:00 Coffee Break
- 11:30 *Difficulties and Successful Practices in Facilitating a New Life for Persons Trafficked to Italy*  
**Giovanni Ramonda**
- 12:00 Discussion
- 12:30 *The Challenge of Resettling those who Have Been Trafficked, with Special Reference to Nigeria*  
**Eugenia Bonetti**
- 13:00 Discussion
- 13:30 Lunch at the Casina Pio IV

**Chair: Allen Hertzke**

- 15:00 *Difficulties and Successful Practices in Facilitating a New Life for Persons Trafficked within Australasia*  
**Sallie Yea**
- 15:30 Discussion

**PANEL DISCUSSION**

*The Internet and Social Movements: developing a Website and its role in advancing anti-trafficking*

- 16:00 **PASS team**  
**Pierre Morel** (Liberanos)  
**Gary Haugen** (International Justice Mission)  
**Kate Garbers** (Unseen)  
**Nancy Scheper-Hughes** (Organs Alert – the history)

- 17:30 Coffee Break

**TRAFFICKING IN HUMAN ORGANS**

- 18:00 *Scars – Ruined Lives and Deaths of Kidney Trafficking Victims*  
**Nancy Scheper-Hughes**
- 18:30 Discussion
- 19:00 *Trafficking for Human Organs in India*  
**Mathew Abraham**
- 19:30 Discussion
- 20:00 Dinner at the Casina Pio IV

**Tuesday 21 April 2015**

**THE NORMATIVE REDUCTION OF 'DEMAND' FOR TRAFFICKED PERSONS**

**WHAT INCREASES AND REDUCES 'DEMAND'?**

**Chair: Hsin-Chi Kuan**

- 9:00    *How the Global Economy Fosters Human Trafficking*  
**Stefano Zamagni**
- 9:30    Discussion
- 10:00    *Normative Findings from the Evaluation Report of the Norwegian Sex Buying Act*  
**Steiner Strøm**
- 10:30    Discussion
- 11:00    Coffee Break
- 11:30    *A Liberal Profession? The Norwegian Debate About Prostitution and Trafficking*  
**Janne Matlary**
- 12:00    Discussion
- 12:30    Lunch at the Casina Pio IV
- Chair: Paulus Zulu**
- 14:30    *How Does Social Normativity Change and Can It Be Brought to Foster the Common Good?*  
**Pierpaolo Donati**
- 15:00    Discussion
- 15:30    *How to Bring About Normative Change in the Demand for Trafficked Persons*  
**Douglas Porpora**
- 16:00    Discussion
- 16:30    Coffee Break
- Chair: Margaret Archer**
- 17:00    Formulation of our Recommendations for Rehabilitation and Resettlement (Part II)
- 17:30    Closed Session for Academicians
- 19:00    Dinner at the Casina Pio IV





# *Human Trafficking: Issues Beyond Criminalization*

## LIST OF PARTICIPANTS

### Speakers

	<b>ANDREES, Beate</b> Head, Special Action Programme to Combat Forced Labour International Labour Office Geneva (Switzerland)		<b>HYLAND, Kevin</b> Independent Anti-Slavery Commissioner London (UK)
	<b>ARCHER, Margaret S.</b> Director, Centre for Social Ontology Dept. of Sociology, University of Warwick (UK) President, Pontifical Academy of Social Sciences (Vatican City)		<b>KANGASPUNTA, Kristiina</b> Chief of the UNODC's Global Report on Trafficking in Persons Unit Wien (Austria)
	<b>ARONOWITZ, Alexis A.</b> Senior Lecturer, Utrecht University Utrecht (The Netherlands)		<b>LLACH, Juan José</b> Director, GESE (Centro de Estudios de Gobierno, Empresa, Sociedad y Economía) IAE-universidad Austral Buenos Aires (Argentina)
	<b>ASIS, Maruja M.B.</b> Director, Scalabrini Migration Center Quezon City (Philippines)		<b>MATLARY, Janne H.</b> University of Oslo Department of Political Science Oslo (Norway)
	<b>BONETTI, Sr. Eugenia</b> President, "Slaves No More" Association USMI Counter Trafficking Office Rome (Italy)		<b>McELDOWNEY, John</b> Professor of Law and Director of Warwick's School's new LLM in EU Law in the World Economy, Warwick University Warwick (UK)
	<b>CHARPENEL, Yves</b> Chair, Fondation Scelles Paris (France)		<b>MINNERATH, H.E. Msgr. Roland</b> Archbishop of Dijon (France)
	<b>DE COCK, Michaëlle</b> Senior Researcher, International Labour Office Geneva (Switzerland)		<b>MOREL, Pierre</b> Director, Pharos Observatory of Cultural and Religious Pluralism Paris (France) Ambassador of France to the Holy See
	<b>DONATI, Pierpaolo</b> Università di Bologna Dipartimento di Sociologia Bologna (Italy)		<b>PORPORA, Douglas V.</b> Professor of Sociology in the Department of Culture and Communication Drexel University Philadelphia (USA)
	<b>GARBERS, Kate</b> Co-Founder and Managing Director, Unseen Bristol (UK)		<b>PUTHENCHIRAYIL, Fr. Mathew A.</b> Bangalore (India)
	<b>GIOVANELLI, Flaminia</b> Undersecretary, Pontifical Council for Justice and Peace Rome (Italy)		<b>RAMONDA, Giovanni P.</b> Director, Comunità Papa Giovanni XXIII Rimini (Italy)
	<b>HAUGEN, Gary</b> Founder and President, International Justice Mission Washington DC (USA)		<b>SACHS, Jeffrey</b> Director, The Earth Institute at Columbia University New York (USA)



**SÁNCHEZ SORONDO, H.E. Msgr. Marcelo**  
Chancellor, Pontifical Academy of Sciences  
and Pontifical Academy of Social Sciences  
(Vatican City)



**SCHEPER-HUGHES, Nancy**  
Professor of Medical Anthropology and  
Sociocultural Anthropology at Berkeley University  
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**STRØM, Steinar**  
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**VASSILIADOU, Myria**  
European Anti-Trafficking Coordinator  
Brussels (Belgium)



**VERA, Gustavo**  
Diputado de la legislatura de la Ciudad de Buenos  
Aires (Argentina)  
Presidente, Fundación La Alameda, Buenos Aires



**YEA, Sallie W.**  
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**ZAMAGNI, Stefano**  
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### Academicians

BUTTIGLIONE Rocco

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HÖSLE Vittorio

KUAN Hsin-Chi

POSSENTI Vittorio

RAGA José T.

RAMIREZ Mina

SCHAMBECK Herbert

ZULU Paulus

### Observers

BOTTANI Sr. Gabriella

BRIZUELA Agustina

BRIZUELA Horacio

CHIRAMEL Davis

LARRAQUY Marcelo

LIECHTENSTEIN Heinrich

LUCCITELLI Luca

MAILLARD Sebastien

MALLET Jean Sebastien

MORENO RODRÍGUEZ Maria Yaneth

PITOFISKY Jim

STUDZINSKI John

TAYLOR-CAMARA Cecilia

VANNUCCI Adolfo

WALKER Darren

WEEDON Tim

WILLIS Brian



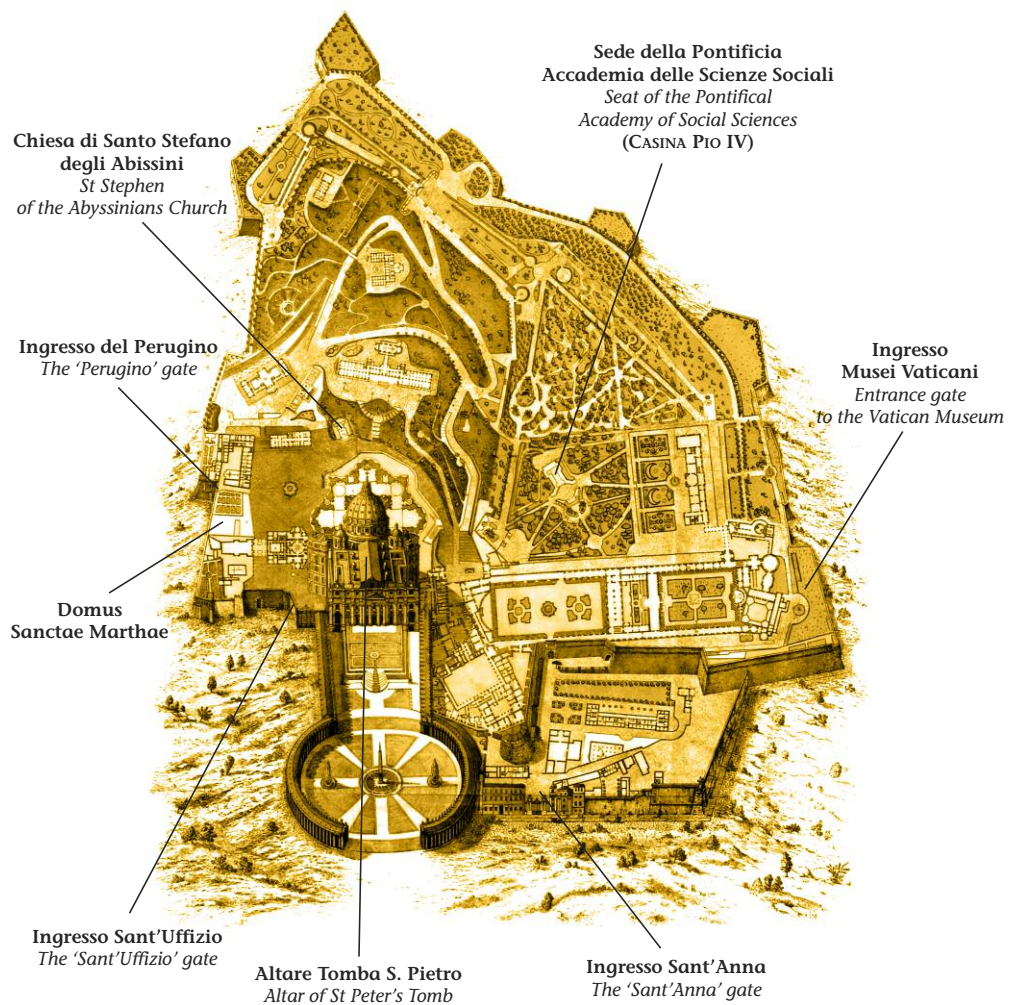
## MEMORANDUM

1. Every day a bus will leave the Domus Sanctae Marthae at 8:45 for the Academy. A bus will depart from the Academy after dinner at the end of the afternoon sessions to take participants back to the hotels (Domus Sanctae Marthae and Hotel Columbus). Lunch and dinner for the participants will be served at the Academy every day.
2. Every day a concelebrated Holy Mass will be held at 8:00 a.m. Participants wishing to attend should meet at 7:45 outside the Domus Sanctae Marthae. For those who stay at the Hotel Columbus, a bus will depart at 7.30 a.m. to go to the Domus Sanctae Marthae. Another bus will be available at 8.30 outside the Hotel Columbus to take participants (not attending the Holy Mass) to the Casina Pio IV.
3. If you are a vegetarian, please let us know as soon as possible.
4. WIFI is available in the conference hall at the Casina Pio IV. Please log in to the network called WLAN\_PADS using “guest” as the username and “password” as the password. You can check our website [www.pass.va](http://www.pass.va) for further information on the Academy, the Academicians, and current and past events.
5. Cable internet access is available at the Domus Sanctae Marthae at 7.50€ per day.

## HOLY MASSES

Friday 17 April	Saturday 18 April	Sunday 19 April	Monday 21 April	Tuesday 22 April
8:00	8:00	10:00	8:00	8:00
Altar Tomb of St Peter	Altar Tomb of St Peter	Baptistery of St. John, Florence	Altar Tomb of St Peter	Altar Tomb of St Peter
<b>H.Em. Card. Giovanni Battista Re</b>	<b>H.Em. Card. Beniamino Stella</b>	<b>H.E. Msgr. Marcelo Sánchez S.</b>	<b>H.Em. Card. George Pell</b>	<b>H.Em. Card. Angelo Sodano</b>





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