The Social Etiology of Human Trafficking, Their Global Distribution and Differences. Setting the Scene

Kristiina Kangaspunta, United Nations Office on Drugs and Crime

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From white slavery to trafficking: some historical remarks

While slavery has a history of thousands of years, discussion on human trafficking focusing particularly on exploitation has a much shorter history. The modern debate on the international trade of women was started with the movement against white slavery and in 1904 an International Agreement for the Suppression of the “White Slave Traffic” was signed in Paris. The agreement aimed to protect women and girls from the “criminal traffic known as the White Slave Traffic”. In 1910, 13 countries signed the International Convention for the Suppression of White Slave Trade, focusing on the criminalization of trafficking (Kangaspunta 2008). The debate surrounding the negotiation and drafting of the White Slavery Convention was focused on white women in Europe, and therefore countries outside Europe as well as women other than white were not addressed. Due to obvious criticism, eventually the debate became more inclusive and the term used was changed to traffic in women (Leppanen 2007).

In 1921, the International Convention for the Suppression of the Traffic in Women and Children was signed, requesting countries to take necessary measures to prosecute persons engaged in the traffic of children of both sexes. This was the first time that male children were recognized as potential victims. Following the Convention, the League of Nations published two major studies on the traffic of women and children, one in 1927 focusing on the situation mainly in the west and the second one in 1932 dealing with the situation in the east. The international traffic described in the 1927 Report illustrates the situation in which women were trafficked from Europe to other countries using either land routes or water routes. In the report the main destinations included South and Central America, particularly Argentina, Brazil, Mexico, Panama and Uruguay; as well as Egypt, Algeria and Tunis. The main origin countries were Austria, France, Germany, Greece, Hungary, Italy, Poland, Romania, Spain and Turkey. The same kind of picture is presented in the Second Report of 1932, which seeks to clarify the situation of trafficking in Occident and Orient.[1] In this report it was shown that while there is a certain movement of occidental women to the Orient, hardly any oriental women were trafficked to Occident. Traffic to Asia comprised victims of the following nationalities: American, Australian, Austria, Canadian, French, German, Hungarian, Italian, Latvian, Lithuanian, Polish, Romanian, Russian and Swiss. The main destinations were Beirut, Calcutta, Saigon, Hong Kong, Bombay and Shanghai. In addition, the bulk of the traffic was reported to involve Asian women who were trafficked from one Asian country to another, Chinese women being the largest group of victims. The trafficking flows at that time were quite different than currently. However, the following quote shows that traffickers’ methods included many of the current elements of trafficking in persons (Kangaspunta 2008).

Disorderly houses were formerly run by a manageress (“regenta”) who was always the wife of the procurer. In such houses there were four or five or even more women, who were shamelessly exploited and never even received the proceeds of their miserable trade, for the manageress used to give them a slip, of purely nominal value, for each client, and at the end of the week it was the proprietor “dueño” who cashed these slips; moreover, such women were deprived of their liberty and practically imprisoned with the complicity of the manageress (League of Nations 1927, 23).

The issues discussed in 1927 are astonishingly similar as those discussed today. The report concludes that the motive of trafficking is money and that is why the authors announce that they choose to use economic terms to describe the phenomenon because they “seem aptly to describe the commercial aspect of the whole traffic”. They also note that traffic “is a business out of which large profits can be made and, like other businesses, it is governed by the law of supply and demand” (League of Nations 1927, 9). The main remedy to prevent trafficking in the 1927 report was seen to be increased knowledge, international cooperation, criminalization
of trafficking and the contribution of the civil society. In addition, public opinion was seen as a major factor behind the success in the fight against trafficking. These are the very same remedies as proposed currently to combat human trafficking.

Nearly 100 years after the first international agreement on trade of women, the United Nations Protocol against Trafficking in Persons came into force in 2003. What is the current trafficking in persons situation and did the Protocol manage to have an impact on any of the above-referenced issues related to trafficking in persons? In trying to respond to these questions, this article discusses some of the main trends of trafficking in persons, focusing particularly on vulnerabilities to trafficking.[2]

Factors increasing vulnerability to trafficking

There are several causes which make potential victims vulnerable to trafficking. The same causes might also have an impact on the criminal career of offenders. Root causes and their connection to vulnerability are a complex issue, and there is no single causal relationship between vulnerability and human trafficking. Several factors related to trafficking in persons have been identified during the recent years, including mainly social, cultural and economic factors. Current knowledge shows some trends in these factors; however, it should be kept in mind that there are well-known challenges in collecting data on trafficking, particularly because of the hidden nature of human trafficking, meaning that the crime is often not reported to authorities. It is estimated that only a small part of trafficking cases come to the attention of any officials and therefore only a minor portion is represented in crime or other statistics. Therefore, an estimate of the prevalence of trafficking in persons is exceedingly difficult to determine. As a result, the interpretation of data on known trafficking cases is also challenging. Official data, however, can still give very valuable information on how the society views and responds to human trafficking. (Kangaspunta 2007). Currently, assessments on the prevalence of human trafficking are based on several estimates. However, a broad agreement regarding which methodology to calculate such estimates has not been reached, and as a result, quoted figures often contradict each other (Smith & Kangaspunta 2012).

Trends and factors presented below are mainly based on the findings of the data collection carried out by the United Nations Office on Drugs and Crime (UNODC) and which are presented in the biennial Global Report on Trafficking in Persons (UNODC 2012 and 2014). The data is mainly collected from national authorities. This means that only the known part of trafficking in persons could be included in the analysis.

Age

Globally in 2011, more than 30% of the total number of detected trafficking victims were children under the age of 18. Out of every three child victims, two are girls and one is a boy. The share of children among the detected victims has been increasing during the last ten years of UNODC’s data gathering in the field of trafficking in persons, which can be seen in the share of both victimized girls and boys.

There are significant regional differences in the shares of detected child victims. Sub-Saharan Africa reports the highest share of child trafficking in the world. In Sub-Saharan Africa, children comprise 70% of all detected victims and girls and boys are more or less equally detected. On the other hand, in the sub-region of Middle East and North Africa, only 5% of all detected victims are children making the adult share of all detected victims in that region the largest of any region or subregion. Also in Europe and Central Asia, children are significantly outnumbered by adults.

Gender

Women’s involvement in trafficking in persons is significant, not only as victims but also as offenders. Around half of all detected trafficking victims are adult women in 2011. When the share of girls is included in the figure, female victims comprise 70% of all detected victims globally.

The share of adult women victims has been declining significantly in recent years; however, it has been partially offset by the increasing detection of girl victims under the age of 18.

The share of women is particularly high in the subregions of Asia and Europe as shown in Figure 5. Women comprise the vast majority of detected victims who were trafficked for sexual exploitation. In the case of forced labour, while men comprise a significant majority, women make up 35% of detected victims. It can be concluded that while men are mainly trafficked for forced labour, women are trafficked both for sexual exploitation and for forced labour. Also in the share of women trafficked for forced labour there are regional differences. In some regions, particularly in Asia, most of the victims of trafficking for forced labour were women.

Also regarding the share of women trafficked for forced labour there are regional differences. In some regions, particularly in Asia as well as in Africa and the Middle East, most of the victims of trafficking for forced labour between 2010 and 2012 were women.
Women are significantly involved in trafficking in persons not only as victims but also as offenders. An analysis shows that 38% of suspected offenders were women between 2010-2012. The portion of female suspects is exceptionally high when compared with other types of crime. These shares are similar, though somewhat smaller, at other stages of the criminal justice process as shown in Figure 7. For most other crimes, the share of females among the total number of convicted persons is in the range of 10-15%[3] (UNODC 2014, 27).

**Economic disparity**

Trafficking in persons is a crime of global scope that leaves virtually no country unaffected. Between 2010 and 2012, victims with 152 citizenships were detected in 124 countries across the world. At least 510 trafficking flows[4] were detected globally. 66% of the detected victims over the 2010-2012 period crossed at least one border between different countries. 34% were trafficked domestically within the borders of one country. Cross-border trafficking happens often within the same subregion and only 27% of the total number of victims experienced transregional trafficking.

Three main destination hubs for transregional trafficking can be identified: the Middle East, Western and Central Europe, and North and Central America. The Middle East registers the highest share of inbound trafficking from other regions, where more than half of the detected victims were trafficked from other regions. For Western and Central Europe and North and Central America, this was true for about 40% of the detected victims. The origins of victims involved in transregional trafficking flows are very diverse, the main origin regions being South America, Sub-Saharan Africa, East and South Asia as well as Eastern and Central Europe. While the main destination regions include some of the wealthiest countries in the world, the origin regions are typically those where countries face many development challenges including poverty, unemployment and instability combined with high migration movements.

It can be argued that the rich regions of the world attract more transregional trafficking due to higher demand for services and labour provided by trafficked victims and higher profits from exploitative business. As shown in Figure 8, a positive correlation between the gross domestic product (GDP) per capita and the share of transregional trafficking indicates that richer countries have larger shares of such trafficking.

A link between poverty and affluence can be seen also with domestic trafficking which often involves victims from relatively poorer areas of the given country trafficked for exploitation into richer areas; often the capital or another large city.

Data collected by the International Organization for Migration (IOM) illustrates the economic situations of potential trafficking victims which may make them vulnerable to trafficking. Information collected mainly in the former Soviet Union countries shows that while most trafficking victims were employed in the origin country before their trafficking experience, their salaries were extremely low. They also often came from poor families and the offer of the trafficker nearly always involved a possibility to work abroad[5] (IOM 2009). This indicates that the trafficking process actually very often starts as a migration plan to improve the economic situation of the victim. It should be kept in mind though that there are also other conditions that have an impact on the directions of trafficking flows in addition to economic factors. These include, for example, issues related to job markets, migration policy, prostitution policy, legal context and border control efficiency.

**The presence of organized crime**

Criminals involved in trafficking in persons can act alone, with a partner or in different types of groups and networks. Human trafficking can be easily conducted by single individuals with very little organization. This is particularly true if the crime involves only a few victims who are exploited locally. But trafficking operations can also be complex and involve many offenders, which is often the case for transregional trafficking flows. This kind of trafficking is motivated by profit maximization and often organized by trafficking networks which operate as businesses, trying to maximize benefits and minimize costs. These networks operate both in legal and illegal fields having an impact on the way profits are generated and used.

A strong correlation between the level of organized crime[6] measured at the origin country, and the share of citizens of these countries detected in the major destinations of transregional trafficking (Western Europe, North America and the Middle East) shows that the higher the prevalence of organized crime in the origin countries, the more victims of these origin countries are detected in major destinations. It is important to note that these results only refer to cross-border trafficking. This statistical link does not exist between domestic trafficking and organized crime. Domestic trafficking happens everywhere, and it seems to be unrelated to the level of organized crime.

Cross-border trafficking flows – subregional and transregional – are more often connected to organized crime since they require more organization and higher investments in order to maximize profits. Moving several victims across borders, particularly where travel documents are required, increases the risks of detection. To
mitigate this risk, criminals need to cover some costs to commit the crime and launder profits in a smooth way. Thus they need to invest in both financial as well as relational capital, which is formed by existing connections among traffickers, customers, investors, transporters, corrupt public officials, informers, forgers, guides, debt collectors, money launderers and commercial establishments (Paoli 2009). Relational capital allows traffickers to function more effectively than their potential competitors and it is the basis for the business-type networks which are common forms of organized crime involved in trafficking (Shelley 2003).

The transnational nature of the flows, the victimization of more persons at the same time, and the endurance of the criminal conduct are all indicators of the level of organization of the trafficking network behind the flow. On this basis, a typology including three different trafficking types is emerging. The types have some features in common as the categorizations are broad. Few trafficking cases belong squarely in one category. This typology – which can be tailored to local circumstances – can be helpful in understanding the organization of trafficking in persons and what are some of the common features of this crime.

Table 1. Typology of the organization of trafficking in persons (UNODC 2014, 51).

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
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<tbody>
<tr>
<td>Small local operations</td>
<td>Domestic or short-distance trafficking flows.</td>
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<tr>
<td>Medium subregional operations</td>
<td>One or few traffickers.</td>
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<td>Large transregional operations</td>
<td>More than one victim.</td>
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<td></td>
<td>Trafficking flows involving different regions.</td>
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<td></td>
<td>Traffickers are members of a criminal group.</td>
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<td></td>
<td>High investments and high profits.</td>
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<td></td>
<td>Sophisticated organization needed to move large number of victims long distance.</td>
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Conflicts

As other disasters, armed conflicts can have an impact on the level of trafficking in persons in affected communities. Conflicts increase the vulnerability of affected populations to trafficking in persons, for instance, displaced people and refugees. Conflicts often cause decay of national institutions, generate gender imbalances in conflict zones, and create a demand for combatants. Mobility by itself creates vulnerabilities when people lose their support networks and face situations where the language and the management of everyday life are different. These are all factors that amplify trafficking flows originating from or destined to conflict areas.

This is illustrated by the increased detection of Syrian victims. Currently, there are some 6.5 million Syrians who are internally displaced, and 2.5 million are refugees (UNHCR 2014). Based on information collected by
UNODC (2014) during the period 2011-2013, eight countries in the world report having detected Syrian victims. Before the beginning of the Syrian turmoil in 2011, victims from this country were very rarely detected. Most of these victims have been detected in the Middle East and in Western Europe. It can be assumed that this increase parallels the large numbers of displaced people and refugees escaping conflict areas.

Another example of the linkage between trafficking in persons and conflict is the use of child soldiers, which is a form of trafficking that has been widely documented (see e.g. Machel 1996, UNICEF 2009). Most of the cases are reported from countries in Africa, where the different armed groups operating in Central and West Africa have been forcibly recruiting children to use them as combatants for decades. The numbers of victims detected are of concern. In the Central African Republic, at least 6,000 children have been reported to have been recruited by armed groups (UNICEF 2014). In the Democratic Republic of the Congo, the United Nations Organization Stabilization Mission documented the recruitment of 996 children over a 20-month period in 2012-2013 (MONUSCO 2013). Victims are not only Congolese, but also children from neighbouring countries, as these armed groups are mobile and operate across the entire Central African region (United Nations 2001-2013, UN 2014, UN 2013). Similar practices have been documented during conflicts in Africa, different countries in the Middle East, as well as in South America (UNODC 2012, 2014).

Conflicts may also create demand for victims of trafficking in persons and the services they are forced to provide. This is the result of organized criminal groups increasing their activities due to social degradation and the absence of rule of law. This may open the door to various human rights violations, including trafficking in persons particularly for sexual exploitation. It has been documented that the presence of troops, peacekeepers and stabilization forces (including those operating under the United Nations flag) in conflict and post-conflict zones has fuelled the demand for girls and young women trafficked for sexual exploitation in some parts of the world (UN 2003-2008, UN 2013, Mendelson 2005).

Weak criminal justice response

When the criminal justice system is not able to efficiently respond to trafficking in persons, the benefits of committing a crime outweigh the risks. Even though most countries in the world have passed legislation criminalizing trafficking in persons, the implementation of legislation has been poor and large areas of impunity still exist.

The Trafficking in Persons Protocol entered into force in December 2003. Before that, many countries did not have specific legislation against trafficking in persons or had partial legislation that addressed only some forms – often sexual exploitation – or some victims – usually women and children – of human trafficking. Encouraged by the Protocol, the number of countries that introduced the crime of trafficking in persons into their penal code increased sharply after 2003.

In August 2014, only 9 countries did not have any specific legislation against trafficking in persons and 146 countries had criminalized all aspects of trafficking in persons as explicitly listed in the UN Trafficking in Persons Protocol. Looking in more detail at the legislative coverage, the Africa and Middle East region appears to be the part of the world that, more than others, needs to fill the legislative gap. When the population size of those countries that do not have special legislation or only have partial legislation against trafficking in persons is reviewed, we can see that about one-third of the world’s population, consisting of around 2 billion people, live in a situation where trafficking is not criminalized as required by the UN Trafficking in Persons Protocol.

The Trafficking in Persons Protocol clearly created a push for new, more comprehensive legislation addressing trafficking in persons. However, legislation remains a rather symbolic act against trafficking in persons, only signifying a moral standard against the crime, unless it is implemented. The real intolerance against human trafficking should be demonstrated by holding criminals liable to sanctions that take into account the gravity of human trafficking offences combined with proper compensation to victims of trafficking (Kangaspunta 2015).

Unlike the great push to enact legislation against trafficking in persons after the entry into force of the Protocol, conviction records have remained stubbornly low since 2003. In fact, in 60-70% of countries, there were no major changes in this number between 2003 and 2012. On the contrary, the share of countries that recorded increasing numbers of convictions went down from 21% to 13% in the same period. Currently, 41% of countries have not had any convictions or have recorded less than 10 convictions between 2010-2012, even though these countries have legislation criminalizing trafficking in persons. In the period from 2007-2010, 39% and in 2003-2007, 36% reported none or less than 10 convictions. On the other hand, 16% of countries reported more than 50 convictions from 2010-2012. This number was 18% in 2007-2010 (GLOTIP 2014, 13).

In order to study regional conviction capacities, it is useful to look at conviction numbers by population size, since in very populous countries the number of convicted offenders tends to be higher. In Europe and Central Asia, the ratio of trafficking in persons convictions per 100,000 population is around 0.3 which is higher than in other regions where this ratio remains around 0.1 (UNODC 2014, 54). Comparing conviction rates with other
crimes emphasizes the low rates in trafficking in persons cases. For example, the average number of persons convicted for completed intentional homicides per 100,000 population in Europe in 2011 was 1.2, for assault it was 74, for rape, it was 1.5. Among crimes which are connected to transnational organized crime, the number of persons convicted for money laundering per 100,000 population in Europe in 2011 was 0.7, for corruption it was 1.9 and for drug trafficking it was 21 (Aebi et al. 2014, 159-174). These European figures show that trafficking in persons convictions seem to be very low, even when compared with other serious crimes such as homicide or similarly hidden crimes such as rape (Kangaspunta 2015).

The capacity of the criminal justice system can also be evaluated by the percentage of suspected traffickers who are convicted.[7] At the global level, out of 100 persons suspected of trafficking in persons, 45 suspects are prosecuted and 24 are convicted in the first instance. Of all those who are prosecuted for human trafficking, 55% are convicted (UNODC 2014, 55).

There are, however, some regional differences in these attrition figures. In Western and Central Europe, around 30% of suspects and around 50% of those prosecuted were convicted. Other regions in Asia, Americas and Africa present lower ratios (UNODC 2014). In order to review the efficiency of the criminal justice system in convicting suspected offenders of trafficking in persons cases, the figures can be compared with other crimes. Based on the UNODC Crime Trend Survey, which collects data globally on crimes in general, on average, 60% of suspects are convicted (Harrendorf et al. 2010, 92). For homicide at the global level, for every 100 persons suspected, 44 are convicted (UNODC 2014a, 93). Compared to these figures, the efficiency of the criminal justice system to process trafficking in persons crimes and convict suspected offenders is relatively low, which might reflect the complex nature of human trafficking offences, the difficulty in collecting evidence needed for successful prosecution and/or lack of resources within the criminal justice systems. All this is naturally reflected in the low conviction numbers (Kangaspunta 2015).

**Corruption**

Corruption can be present at all levels of the trafficking process having an impact on potential or actual trafficking victims and the possibilities to prevent or respond to human trafficking. Corrupt actors can actively assist the commission of trafficking in persons or be passively involved by not reacting to the crime when they encounter it. Also the involvement of corrupt actors varies from sporadic or single instances of corruption to systemic involvement accepting bribes from a trafficker in exchange for permitting the operations to continue (UNODC 2011).

Corruption can be linked to trafficking in persons in several ways. At the recruitment and transportation phase, corruption can be used for permitting unauthorized recruitments, for example, using fake or unauthorized recruitment agencies, fake documents or fraudulent invitations. Corruption can facilitate illegal border crossings or stay in a country through fake travel documents and law enforcement and other officials can turn a blind eye to trafficking. Criminals can be warned of raids and investigations and prosecutions and conviction can be blocked. Victims may be intimidated, information about victims may be provided to traffickers by those providing services to them and victim assistance may only be offered to those who pay bribes (Tremblay 2011). There are also several other ways that corruption facilitates human trafficking.

At present, there is only scattered evidence of the strong linkage between corruption and trafficking in persons (Holmes 2009, 87-99). A study in Brazil on corruption and trafficking in persons showed that 71% of all examined cases of domestic and international trafficking in and from Brazil had a linkage with corruption (Cirineo, 2010). The role of organized and structural corruption in human trafficking is presented in a study on Southern and Eastern European trafficking networks (Leman et al. 2008). Even ten years ago, interviewed experts and practitioners in the Czech Republic estimated that up to 30% of trafficking cases involved a hidden element of corruption (Trávníčková, 2004,10). The role of corruption in trafficking for forced labour has been illustrated in a paper on the global supply chain (Verté 2013).

However, this linkage is not reflected in conviction rates since public officials and private actors are seldom prosecuted or charged for their complicity in cases of human trafficking. A study in Finland demonstrated that legal practitioners and other authorities can benefit from trafficking-related activities; however, it is very difficult to prosecute these cases (Viuhko et al. 2009, 85). The UNODC Human Trafficking Case Law Database, which contains more than 1000 cases from nearly 90 countries, includes only 9 cases in which corruption is present.[8]

**Conclusions**

The international community has been discussing trafficking in persons for 100 years. During this time, several efforts to motivate countries to prevent and control human trafficking were put in place and many countries have made commitments to address trafficking in persons. On the legislative side, the success cannot be denied, since 95% of countries have criminalized trafficking. While the adoption of legislation is a significant sign that society does not tolerate this crime, legislation alone cannot end trafficking in persons. As shown in this paper,
the implementation of legislation is not at the required level and many traffickers can continue their operations with minimal risks of being punished.

In the modern world, awareness of human trafficking has increased vastly in recent years. In the beginning of the 20th century, the debate around white slavery referred only to white women trafficked for prostitution. Still, even ten years ago, trafficking in persons was mainly seen as a problem of sexual exploitation of women, even though concern of child victims was also present. Recently, men being exploited for forced labour and other forms of exploitation has been acknowledged as trafficking victims in many countries.

While there are some positive developments, many vulnerabilities and challenges remain. Traffickers target younger and younger victims and new methods of exploitation emerge frequently, showing the endless imagination of criminals to exploit other human beings. People are forced to leave their homes because of disasters and conflicts or they try to improve their living condition by moving to more affluent countries but too often, they end up being exploited by traffickers. Organized criminal groups take advantage of situations in which lack of rule of law facilitates corruption and other illegal activities so that they can maximize the profits from exploitation. Due to problems of identification and detection, trafficking in persons continues to be largely a hidden crime for which prevalence and severity is difficult to measure.

Several issues around trafficking in persons have indeed become better defined and understood during these 100 years. However, people continue to be trafficked, their rights continue to be violated and traffickers continue to profit. There is clearly a need for more action.

References:


Tremblay Maryse (2011) *Human Trafficking and the Anti-Corruption Agenda*.


Verité (2013) *Corruption & Labor Trafficking in Global Supply Chains*.


[1] Occident being Europe and the Western hemisphere as opposed to Orient meaning Asia.

[2] “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 labor or services, slavery or practices similar to slavery, servitude, or the removal of organs (Article 3(a) Protocol) (United Nations 2000).

[4] Defining a ‘flow’ as one origin country and one destination country with at least five detected victims during the 2010-2012 reporting period. This also includes the case of domestic trafficking in which the country of origin and destination coincide.

[5] The data refers to the cases assisted by IOM between January 1999 and July 2009. The total number of victims included in the database is 13,523.


[7] This loss of cases or filtering out of cases during the criminal justice process is called attrition (see Aebi et al. 2014, 154).

[8] UNODC Case Law Database.