



What do we know?

Trafficking in persons is increasingly drawing attention as a forced labour issue involving special “supply-demand” factors in imperfect labour markets at origin and destination. It is taking on new forms as globalization redistributes labour and fuels growth in sectors with demand for cheap labour. It particularly impacts women and children, notably in the non-tradable service sectors, including the sex industry. Both males and females are trafficked, but the type and severity of abuse and exploitation is highly gender-specific, and shaped by social, cultural and market biases. Migration laws also play a role, for example increas

development efforts. It can pose a threat and cost to public health, also when victims of trafficking return home. None of these impacts have been measured; nor are there solid indicators to measure them.

The human and economic costs of unattended health problems of trafficked persons, particularly in the sex industry, and given the often unsanitary conditions under which trafficked persons work and live, are immeasurable (US Department of State, 2005). The abuse and subordination of vulnerable and marginal groups can also perpetuate social and gender inequalities within developing societies (e.g. between men and women) and between rich and poor countries.

What are the Risk Factors?

Household surveys show that gender, age and minority ethnicity are major factors in determining poverty, and the evidence from IOM's database³ and other studies shows that these also continue to be the biggest risk factors for trafficking. Most affected are still females, rural residents, children in large families and ethnic minority groups. Minorities and young people especially tend to experience acute labor market exclusion in post-conflict countries and to suffer isolation and powerlessness, especially in rural areas and small towns (Clert et al, 2005), and it has been shown that these aspects of youth vulnerability are gender-specific (Paci, 2002)).

Household poverty levels are a high risk factor. IOM data suggest that almost 60% (1,660) of victims from Southeastern Europe come from a "poor" family background, which is high compared with IOM's global statistics of just over 50%. Unfortunately, subjective measures of "poor" were used in the IOM survey, rather than World Bank indicators of \$2 income a day. This would require further rigorous measurement in future such surveys.

The majority of victims are still **females** - more than 98% of surveyed victims in SE Europe, as compared with 83% in the global dataset. Of these, more than 72% are 25 years of age or younger, the majority between 18 and 24 (56%); 54% are single, 17% divorced; separated or widowed, and some 9% married. In the Balkans, the increase in female trafficking has also been linked to increased levels of domestic violence and discriminatory hiring practices associated with the transition. Migration offers women alternative socio-economic prospects.⁴

A new development are the increasing numbers of male victims referred for assistance, most of them trafficked for non-sexual labour (construction), or begging and delinquency if they are minors. The Regional Clearing Point records that in 2000 100% of Albanian victims were female, but by 2004 this had reduced to 79.8%. This is no doubt largely due to changing awareness and practices among the referral agencies, particularly law enforcement agencies.

³ The cases, drawn from some 72 source countries and more than 90 countries of destination between 2001 and 2005, have mostly been referred to IOM by law enforcement agencies, NGOs, international organizations and embassies. This method has its own problems regarding the spec

month. An earlier IOM report on Kosovo showed that 70% of assisted victims from the region who had worked in their countries of origin had earned less than \$30 a month (IOM, 2002b). In many countries of origin, women have a higher rate of unemployment than men. For these, migration is an obvious economic survival strategy.

There is insufficient empirical and theoretical information about the causes and impacts of poverty on trafficking, and vice versa; a serious omission in any national and international efforts to prevent and prosecute the crime and link it to development efforts. Trafficking in persons is generally not addressed in national development strategies, and agencies like UNICEF and IOM are calling on governments to insert it in their Poverty Reduction Strategy Papers (PRSPs).⁵

Labour market aspects

With the primary shift in labour demand in most developed countries from industrial to service sectors, highly gendered niches have appeared in sectors such as domestic work, health, child and aged care, that are likely to be more female dominated. Trans-nationalization of the global economy provides the dual opportunity of cheap and vulnerable labour both at home and abroad (Sassen, 2003); but in many countries, the sectors women work in (domestic/entertainment) are not covered by labour laws, and the migrants are subject to long working hours, low pay, and a high degree of control. They are often isolated, with less contact to other workers, lack local language skills, and frequently subjected to abuse, including sexual abuse (ibid). Trafficking is an extreme, criminal version of this labour market dysfunctionality. Some countries of origin in Southeastern Europe are increasingly considering ways of negotiating legal labour agreements with destination countries, as the Philippines has done for many years, in order to undercut the profitability of traffickers.⁶

In Southeastern Europe, the IOM global database shows some 64% of victims

2005). Globally, IOM statistics are somewhat lower for sexual exploitation (81.3%) and a little higher for forced labour (14%).⁷

In the Kosovo sex trade, traffickers and employers have increasingly adjusted their business practices and begun paying the victims up to EUR200-300 a month, and providing more adequate accommodation; in effect removing some of the victimization factors (IOM, 2004).

There is a lingering question in Europe about whether the legalization of prostitution plays a role in counter trafficking efforts, particularly given the scanty evidence that legalization can help reduce the magnitude of trafficking.⁸ Indeed, there appear to be more trafficked women detected in West European countries where aspects of prostitution are legal. Some experts find that legalization may only protect nationals and further marginalize the position of trafficked women (US Department of State, 2004). ILO points out that even where the industry is legal, it is insufficiently monitored and regulated (Kelly and Regan, 2000).

What is being done?

Central, Eastern and Southeastern Europe is an interesting case study for trafficking, because of the many actions taken by these countries. They have all signed the Trafficking Protocol,⁹ have national plans of action against trafficking, central contact points on the issue and have formally agreed to adopt UNICEF's guidelines on child victims. Capacity building efforts under EU and other programs are showing results in the number of new laws and training programs in some vulnerable regions.¹⁰ Information campaigns have been implemented in countries of origin and destination throughout Europe, particularly Southeastern Europe; and shelters and assistance programs at both ends of the migration spectrum are being operated by many NGOs in cooperation with governments, IOM and others. School campaigns, hotlines and capacity building of NGOs and others have been variously implemented and supported by IOM, OSCE, UNICEF and NGOs in Europe and Asia. IOM has an extensive training manual, including modules on interview techniques, assistance to victims, health care (including psycho-social therapy), law enforcement cooperation and return and reintegration.

Assisted return and reintegration programs also play an important part in preventing trafficking in persons. Conditions for sustainable return are critical for those victims who cannot or do not wish to remain in destination countries, as UNICEF and others estimate that up to 5% of trafficked women returned to SEE countries are re-trafficked, and the Belgrade Clearing Point estimates between 11 – 21% of assisted victims trafficked to Kosovo in 2003/2004 had been re-trafficked (Surtees, 2005). There is evidence that social support and job creation assistance can motivate returnees to stay home, and even serve as a form of secondary prevention.¹¹ Despite these efforts (dependent on government or international

⁷ Compare Asia, where foreign domestic workers account for 90% of migrant workers in Hong Kong; 30% of the migrant labour force in Singapore; and up to 80% of Sri Lanka's workforce in the Middle East (Maimbo et al, 2005).

⁸ Major differences of approach became apparent in the negotiations during the drafting of the UN Protocol. The Coalition against Trafficking in women (CATW) saw all prostitution as a violation of women's human rights (Doezema, 2002), but the Human Rights Caucus saw prostitution as legitimate labour. One expert points writes that where only forced prostitution is illegal under national laws it is difficult to establish this in court (Hughes, 2000).

⁹ *The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing the United Nations Convention against Transnational Organized Crime, 2000.

¹⁰ Italy has trained police forces in Albania. Austria has funded a women's shelter in Belgrade; and France has funded prevention programs in Central and Eastern Europe (United States Department of State, 2004).

¹¹ A Romanian NGO claims a reintegration rate of 84% of returned trafficked women where they are assisted (UNICEF et al, 2002); IOM has found that the majority of Moldovans assisted to return and reintegrate were still there and employed 12 months after returning (IOM, 2005a). IOM monitors reintegration after 3, 6 and 12 months

donor funding), there is still a lack of effective reintegration programs that address housing, health, education, employment, substance abuse and trauma. This encourages re-trafficking.

Temporary residence options for victims of trafficking can be a preferable alternative to return, usually as an incentive to cooperate with law enforcement agencies in identifying the traffickers (e.g. the USA, Netherlands, Switzerland), or as part of witness protection programs (e.g. Germany), and with the opportunity to work (Netherlands) and even remain permanently (e.g. Italy, Austria). Such strategies can help both protect victims in highly vulnerable circumstances from further potential victimization upon return, and help authorities to address the demand side of the problem, pursue and prosecute the perpetrators, and undercut the profitability of the traffickers and related players.

There is clearly strong and growing commitment by governments to address the problem, but this is often not followed through with concrete action; nor is there sufficient effective enforcement and accountability or coordination among the many actors, particularly UN agencies.¹² Little is undertaken in destination countries to address the labour market or demand factors that permit trafficking of foreign persons for illicit services.

3. Data and Research

While the body of data on trafficking in persons is growing, it mostly relates to cross-border trafficking, and remains imprecise (Terre des Hommes, 2004). IOM data and research indicate that as traffickers adjust their practices – increasingly using legal documents, remunerating their victims, or conducting the sex trade from private dwellings – the referrals for assistance have declined. Thus the iceberg may be growing but the tip is getting smaller (IOM, 2004).

The case-related databases of IOM and the RCP provide useful information directly from victims on the determinants, methods and purposes of the trafficking, as well as the risk factors and profile of the traffickers. The cases, however, are mostly referred by the authorities or NGOs, and are unlikely to represent a critical mass, or reliably indicate the overall scale of the problem. They do offer useful pointers on cause, process and effect to aid future prevention, protection and prosecution. But they are likely to be biased by the mode of case referral.

The USA has recently started to develop a methodology to estimate future flows of human trafficking into the USA for purposes of labour and sexual exploitation.¹³ This involves assessing empirical data around two critical regions and using simulation techniques to develop trafficking models that would yield some initial estimates. The aim is to correct the huge gap in trafficking data, and aid future planning and assessment of prevention and interdiction strategies (IOM Washington, DC).

IOM has also begun to examine the “demand side of the phenomenon in the sex industry in the Czech Republic (IOM, 2005b), to establish who the clients are, their sensitivity to the circumstances of trafficked victims; and their potential to act against it. Information on this is

¹² The UN Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography Tj ~~idj~~ -2276 be Salarted to

virtually non-existent. Without prejudicing the sensitive debate around prostitution and the sex industry, the study found a high incidence of abusive labour practice where the industry was stigmatized, even criminalized, but poorly regulated.

What more should be done?

Four key policy messages of this presentation are addressed to the major international players and all governments:

1. Agencies currently collecting baseline data on trafficking (e.g. IOM, ILO, OSCE, NGOs) should evaluate these efforts and together develop a comprehensive set of **indicators** for cross-country comparability (age, gender, education, prior employment etc);
2. Multilateral development institutions like the World Bank to design **theoretical models** to assess:
 - likely trafficking flows (early warning);
 - economic impacts on migrants, their families and communities back home (e.g. of foregone or reduced remittances, health and other costs);
 - the role of gender in shaping determinants and impacts of trafficking;
 - how to evaluate the efficacy of current counter trafficking programs.
3. Institutions working on labour and development issues, such as ILO and the World Bank should provide rigorous analysis of **labour market factors**, including the nature of employment and consumer demand for trafficked persons, the role of recruiters and other middle men, and the regulatory context that permits labour exploitation to occur or to be under-prosecuted.
4. Migration and labour-oriented agencies such as IOM examine **good migration practices** as mitigating forces against trafficking (e.g. correlation between better planned, regulated migration and low incidence of trafficking? (e.g. Philippines).

These actions should provide the tools for all governments to systematically and centrally collect baseline data on trafficking of persons into, within and out of their countries; and for development agencies to link international development projects on poverty reduction, gender equity and social inclusion of youth more closely to anti-trafficking efforts (Clert et al, 2005).

They will also provide the evidentiary rationale for including trafficking in country poverty reduction strategies.

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