

# CHAPTER 5

## DATA ANALYSIS AND RESEARCH FINDINGS

### Introduction

This chapter presents an analysis of the data collected during interviews of experts, access to international, governmental, non-governmental and other reports, and the analysis of cases described in the previous chapter. This study remains an exploratory study and the number of cases and countries included in the research as well as the data in the cases is limited. It should be made clear that the cases may not be representative of all types of human trafficking within the countries included in the study, and say nothing about the pattern of trafficking in other OSCE participating States not included in the research.

### Individual Traffickers

Individual or ‘soloist’ traffickers exploit victims in different markets. They are often those who import and exploit domestic servants. Another soloist trafficker is the “loverboy” who, through courtship, promises of love and marriage, recruits and then psychologically manipulates or forces his victim into prostitution. This pattern has been documented in the Netherlands<sup>145</sup> and the United States.

An analysis of criminal collaboration in the Netherlands (2000 – 2003) gleaned from police files, show that 12 per cent of the cases involved solo operators and the majority of these solo operators (66 per cent) were involved in domestic trafficking.<sup>146</sup> The lack of statistics on solo operators or domestic trafficking could easily be influenced by a refusal to observe the phenomenon or an over-emphasis upon linking trafficking with transnational organized crime and activities. While not recognized as a problem in all countries, domestic trafficking, in some countries, far outweighs international trafficking.<sup>147</sup>

Individual traffickers were identified in four of our cases. These varied from a U.S. real estate agent who imported and exploited a single domestic worker from Peru (case 21), to a West African woman who smuggled in and exploited young girls from Ghana and Togo as hairdressers in her businesses in the U.S. (case 23), to a Russian farmer who held workers under slave-like conditions (case 11) and the director of a psycho-neurological clinic in Karelia (Russia) who exploited his patients in forced labour and passed them on to his friends (case 12).

Individual traffickers who recruit and force a single victim or multiple victims into labour exploitation have been reported in Russia and other countries of the Commonwealth of Independent States (CIS) where farmers from remote areas recruited and exploited persons to do dirty and dangerous work on their farms. The victims were mostly domestics or migrants from CIS countries, often homeless and alcohol addicted persons.<sup>148</sup> Single individuals have also been known to traffic individuals into prostitution. This form of trafficking or pimping has been reported in the United Kingdom and the Netherlands,<sup>149</sup> but the pattern of a single trafficker recruiting and exploiting a single or small group of victims may be changing. The social service organization Humanitas in the Netherlands reports that a number of victims are trafficked by a number of “loverboys” who appear to now be working together in small, loose networks.<sup>150</sup> In the United Kingdom, the “loverboy” is often part of a network of abusers, especially in cases where the victims are children.<sup>151</sup>

145 See various reports from the Dutch National Rapporteur on Human Trafficking at <<http://www.bnrm.nl/>>, accessed 31 March 2010. For information on the grooming process and forced prostitution of minors in the U.S., see Human Smuggling and Trafficking Center (2008).

146 Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings), *Third Report, Summary* (The Hague, 2004), <<http://english.bnrm.nl/reports/third/>>, accessed 31 March 2010.

147 Alexis Aronowitz, *Human Trafficking, Human Misery: The Global Trade in Human Beings* (Praeger: Westport, 2009); Louise Shelley, *Human Trafficking: A Global Perspective* (Cambridge University Press, 2010 forthcoming): this is especially the case in the US.

148 Izmail Kitoboev, “Jail got slaveholder”, *Kommersant Sibir. Omsk*, No. 158 (2997), 27 August 2004, <<http://www.kommersant.ru/doc.aspx?DocID=500991>>, accessed 31 March 2010 (in Russian).

149 Interview with Head of Operations, Human Trafficking Centre, United Kingdom and BNRM (2009).

150 Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings), *Seventh Report, Summary* (The Hague, 2009), <<http://english.bnrm.nl/reports/7th%2Dreport/>>, accessed 31 March 2010: The modus operandi of the loverboys is also changing. Where previously the (young) men courted their young female victims and won their allegiance based upon the relationship, reports are surfacing that the traffickers are more prone to use violence.

151 Head of Operations, Human Trafficking Centre, United Kingdom, in a written correspondence to the author (22 February 2010).

Demographic variables (age, gender, country of birth) of those suspected or convicted of trafficking are published by a number of organizations compiling such data.<sup>152</sup> Men continue to outnumber women as traffickers in most police and prosecution statistics.<sup>153</sup> According to Russian statistics, 65 per cent of those arrested for trafficking are men; most traffickers are in the age groups 18-24 (30 per cent) and 30-40 (30 per cent) and tend to be better educated than most offenders involved in crimes of violence.<sup>154</sup> According to one Russian expert, younger criminals involved in trafficking are more likely to use violence, while older ones prefer to use cunning and deceit.<sup>155</sup>

The largest single group of traffickers arrested and suspected of trafficking in Germany and the Netherlands are Germans (40 per cent) and Dutch (34 per cent) respectively.<sup>156</sup> This same pattern is also reported in Belgium.<sup>157</sup> This may be an indication that efforts to arrest and prosecute traffickers focus on the exploiters in the destination country and not on those involved in earlier phases of the trafficking process such as recruitment and transportation. Further, a word of caution<sup>158</sup> is in order concerning the nationality of traffickers. Nationality is often linked to the legal status of an individual living in country at a given period. Country of birth might be a more accurate measure, however, it still says nothing about the ethnic or cultural background of offenders. Cultural background, influencing attitudes towards gender relations and emancipation, is a powerful predictor of one's willingness to exploit women in prostitution.<sup>159</sup> With respect to criminal careers, Russian authorities report that the majority of traffickers are first-time offenders. Only 4.4 per cent of identified traffickers had previously been convicted of a crime.<sup>160</sup>

According to the Dutch National Rapporteur, suspects and those convicted of human trafficking rarely admit their direct involvement in human trafficking. Only 16 per cent of suspects and 23 per cent of convicted traffickers admitted to (partial) involvement in human trafficking. At best, they admit to certain activities which may be essential to aiding and abetting the process – purchasing tickets and arranging for the entry into the Netherlands or transporting the victims to and from their place of employment.<sup>161</sup>

Suspects and offenders may use various techniques to neutralize their responsibility or deny the existence of a victim. It has been reported that in most situations they deny that the victim was working against her will<sup>162</sup> or that the victim had a relationship with the traffickers and that the trafficker was not forcing the woman to do anything against her will.<sup>163</sup> Developing a relationship with the victim is also a method used by traffickers to ensure that the victim will not co-operate with the police.

## Women as Traffickers

The role of women in trafficking “appears to be predominant in the Eastern European and Central Asian region [...]”<sup>164</sup> In some countries, women's involvement in trafficking appears to be greater than their involvement in other types of crimes.<sup>165</sup> Countries which show a high proportion of females in convictions for human trafficking in Eastern Europe and Central Asia are Azerbaijan and Georgia (86 per cent of those convicted for trafficking are women), Tajikistan (78 per cent), Armenia (69 per cent), Kyrgyzstan (60 per cent), Uzbekistan (48 per cent) and Kazakhstan (34 per cent). In Eastern

152 For more information, see for example, the reports of the UK Human Trafficking Centre, the Bureau of the Dutch National Rapporteur on Human Trafficking and the annual report of the German Bundeskriminalamt.

153 Male traffickers outnumber female traffickers in Germany, the Netherlands and the United Kingdom. For more information, see for example, the reports of the UK Human Trafficking Centre, the Bureau of the Dutch National Rapporteur on Human Trafficking and the annual report of the German Federal Criminal Police (Bundeskriminalamt).

154 V. Ovchinsky and Ju. Torbin, *Fighting human trafficking in the Russian Federation*, Academic Report, edited by V. Ovchinsky and Ju. Torbin (Moscow: Norma, 2009), p. 75 (in Russian).

155 Ibid.

156 Bundeskriminalamt, *Menschenhandel: Bundeslagebild 2008*, <[http://www.bka.de/lageberichte/mh/2008/bundeslagebild\\_mh\\_2008.pdf](http://www.bka.de/lageberichte/mh/2008/bundeslagebild_mh_2008.pdf)>, accessed 31 March 2010; Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings), *Seventh Report*, Summary (The Hague, 2009), <<http://english.bnrm.nl/reports/7th%2Dreport/>>, accessed 31 March 2010.

157 Centre for Equal Opportunities and Opposition to Racism, *Menschenhandel- Smokkel Jaarverslag 2008* (Brussels, 2009), <[http://www.diversiteit.be/?action=publicatie\\_detail&id=108&thema=5](http://www.diversiteit.be/?action=publicatie_detail&id=108&thema=5)>, accessed 31 March 2010.

158 The Dutch National Rapporteur uses the country of birth of suspects and those convicted of trafficking, while the German Federal Criminal Police reports refers to the nationality of the offender (for German offenders, the nationality at birth is also provided).

159 Interview J.L. Hendriks, the Netherlands.

160 Ministry of Interior of the Russian Federation; V. Ovchinsky and Ju. Torbin. *Fighting human trafficking in the Russian Federation*, Academic Report, edited by V. Ovchinsky and Ju. Torbin (Moscow: Norma, 2009), pp. 75-76, 90-91 (in Russian).

161 Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings), *Seventh Report*, Summary (The Hague, 2009), <<http://english.bnrm.nl/reports/7th%2Dreport/>>, accessed 31 March 2010: Table 9.9.

162 BNRM.

163 Ibid., Table 9.9: 22 per cent of suspects and 19 per cent of convicted traffickers claimed they had a relationship with their victim(s).

164 United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons* (Vienna, 2009a), p. 46, <[http://www.unodc.org/documents/Global\\_Report\\_on\\_TIP.pdf](http://www.unodc.org/documents/Global_Report_on_TIP.pdf)>, accessed 31 March 2010.

165 United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons* (Vienna, 2009a), p. 47, <[http://www.unodc.org/documents/Global\\_Report\\_on\\_TIP.pdf](http://www.unodc.org/documents/Global_Report_on_TIP.pdf)>, accessed 31 March 2010: In Figures 18 and 19, the data show that in Eastern Europe and Central Asia the percentage of women convicted of all crimes did not rise above 15 per cent during the period of reporting, but the percentage of women convicted of human trafficking, as a percentage of total convictions for human trafficking, rose above 50 per cent in a number of countries in the region.

Europe, only Latvia shows a higher percentage of women (53 per cent) than men convicted of trafficking.<sup>166</sup> It is not clear whether women are becoming more involved as traffickers or if these figures are reflecting a bias on the part of the police and the criminal justice system. Women may be easier targets for the police who, after having arrested a woman, do not delve deeper into others involved in the organization. An alternative explanation is that men may be 'using' female traffickers assuming that if caught, women will receive lighter punishment, particularly if they have children.

The role of Nigerian women involved as traffickers has been documented in research<sup>167</sup> and confirmed through expert interviews in Austria.<sup>168</sup> Nigerian women act as "madames" and sponsor young Nigerian victims, paying their fees, and then requiring that the women work for the *madame* to pay off their debts.<sup>169</sup> According to the Italian police, most of the *madames* were at one stage trafficked to Europe and have gradually taken on the job as pimps/exploiters.<sup>170</sup> The Austrian experts report that *madames* running entire exploitative networks in Italy, Germany and Austria are very well respected in the communities back home.<sup>171</sup>

Statistics show that in the Netherlands, a large percentage of Nigerian and Bulgarian women are involved in trafficking.<sup>172</sup> According to the United Nations Office on Drugs and Crime,<sup>173</sup> 60 per cent of Nigerians prosecuted (and 50 per cent of those convicted) for trafficking are women; in Slovakia, a quarter of those prosecuted in trafficking cases are women. Data collected between 1996 and 2003 in Italy shows the percentage of women who constitute the total number of traffickers from the following countries: Albania (7 per cent), Former Yugoslav Republic<sup>174</sup> (11 per cent), Italy (12 per cent), Romania (25 per cent), and Ukraine (79 per cent).<sup>175</sup> These may be women who were once trafficked victims and have worked their way up the trafficking ladder to become involved as traffickers. For example, analysis of human trafficking cases carried out by the Supreme Court of Kazakhstan has shown that "typically the majority of those who are engaged in recruitment are women who were once victims of trafficking since they are familiar with trafficking channels and know the right people".<sup>176</sup> It is not clear if these women are working under the control of traffickers and are forced to recruit other victims, or if they are working voluntarily as traffickers.

Within our study, almost a third of all traffickers were women, whereas women were involved in about half of the cases. Further, in about half of the cases, where at least one woman was involved, they played leading roles. There was one case where the woman was the only offender (see case 21 involving the trafficking of a Peruvian maid). In case 23 involving forced labour in hair braiding salons, the woman was the primary trafficker. In case 18, a mother and daughter trafficking team forced Thai women into prostitution in the United Kingdom and, in the same case, the female head of the trafficking organization in Thailand transported a victim into the United Kingdom via Ireland.<sup>177</sup>

If not playing a leading role, women were usually the ones who had close contact with the victims and would both control them and collect the revenue generated by the victims to turn over to the traffickers. In case 13, a woman adopted a minor female in Dushanbe, Tajikistan so as to traffic the minor into prostitution. The female suspect groomed her for the job, teaching her various sex acts and monitoring the girl's performance. Over the course of three years, the woman forced the young girl into commercial prostitution in Dubai, Iran and Turkey.<sup>178</sup>

This pattern is found in the Russian Federation and the United States as well. Women, though they participate in human trafficking in small numbers, still play an active role, sometimes as the leaders of the criminal groups. This could be seen in the case investigated by the prosecutor's office in Khabarovsk krai (Russian Far East) in 2006, where a woman was the leader of a criminal group recruiting women for sexual exploitation abroad. Cases in the United States have also involved women as the head of trafficking operations. In a case involving the sexual exploitation of Guatemalan women and minors, the majority of those arrested (five of the nine traffickers) were women themselves.<sup>179</sup>

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166 Ibid.

167 D. Siegel, "Nigeriaanse madams in de mensenhandel in Nederland", *Justitiële Verkenning*, Jrg. 33, No. 7 (2007); Alexis Aronowitz, *Human Trafficking, Human Misery: The Global Trade in Human Beings* (Praeger: Westport, 2009); M. Kreutzer and C. Milborne, *Ware Frau. Auf den Spuren moderner Sklaverei von Afrika nach Europa*, Econwin (Salzburg, 2008): also quoting further studies.

168 Interview Joana Reiterer, Austria.

169 Interview J. Reiterer, Austria.

170 Antonio Runci and Luigi Vetere of the Criminal Police in Turin, quoted in: Kreutzer/Milborne (2008; 45f).

171 As witnessed during a visit in Nigeria of the authors together with Ms. Joana Reiterer. In: Kreutzer/Milborne (2008; 47).

172 Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings), *Seventh Report, Summary* (The Hague, 2009), p. 369, <<http://english.bnrm.nl/reports/7th%2Dreport/>>, accessed 31 March 2010.

173 K. Kangaspunta, "Women Traffickers", UNGIFT Forum, Vienna, 13-15 February 2008 (United Nations Office on Drugs and Crime, 2008).

174 Ibid.: This is quoted directly from the source.

175 Ibid.

176 "Protivodeistvovat' torgovlye ljudmi" (Combating human trafficking), 21 May 2009, available from the website of the Supreme Court of the Republic of Kazakhstan, <[http://www.supcourt.kz/news/index.php?ELEMENT\\_ID=12899](http://www.supcourt.kz/news/index.php?ELEMENT_ID=12899)>, accessed 31 March 2010.

177 This same Thai woman had been previously convicted and jailed for 16 years for false documentation and was wanted in the United States for having trafficked underage girls (case 18).

178 Materials of The Prosecutor's General Office of the Republic of Tajikistan presented at the OSCE training in Dushanbe on November 17-19, 2009 (in Russian).

179 U.S. Department of Justice, "Nine Charged in Sex-trafficking Ring Involving Minors", 9 August 2007b, <[http://www.justice.gov/opa/pr/2007/August/07\\_crt\\_597.html](http://www.justice.gov/opa/pr/2007/August/07_crt_597.html)>, accessed 31 March 2010.

This phenomenon has to be further explored, since the high numbers of women recognized as offenders in trafficking cases may be related to a number of reasons. These include, among others, a sort of transformation of their exploitation as former victims into traffickers themselves; the psychological impact of trauma and a quasi-liberation from their victim status; gaps and limitations in investigations resulting in the investigation terminating at the point when the first-line offender is identified and prosecuted; or shortages of and inadequate assistance and protection leading to a cycle of re-victimization and re-trafficking.

## Trafficking Patterns

In the United Nations *Global Report on Trafficking in Persons*, domestic trafficking was only reported in 32 nations. This phenomenon is likely to be under-detected “[...] due to restrictive definitions of trafficking or greater visibility of foreign victims”.<sup>180</sup> It may also be due to a refusal to recognize the problem as a domestic one. The common indicators to identify foreign victims (illegal migration status, lack of documents, no knowledge of local language or customs, ignorance of surroundings or the country in which they are residing) are not applicable to domestic victims of human trafficking. Additionally, the U.N. reports that the countermeasures that are usually implemented to address trafficking (e.g., customs and border control, training of consulate and embassy personnel regarding visa applications) are not able to address or identify forms of domestic trafficking.<sup>181</sup>

There are, however, countries which have recognized the problem of domestic trafficking. While foreign women still constitute a larger percentage of total victims found in forced prostitution in many countries, in Germany and the Netherlands, the largest *single* group of victims is German and Dutch respectively. The U.N. reports that nationals also accounted for a large percentage of the victim population in France, Italy and Romania, and that victims of domestic trafficking were recorded in Azerbaijan, Georgia, Kazakhstan and Moldova.<sup>182</sup> The United Kingdom is beginning to focus on internal trafficking as well.<sup>183</sup> While no statistics are available in the United States, the country does recognize the problem of domestic trafficking.<sup>184</sup> One trafficking expert estimates the number of United States citizens trafficked within the United States at between 100,000 and 300,000, and most of these young sex workers are teenage runaways.<sup>185</sup> According to one organization, “[e]vidence suggests that children under the age of 18 now constitute the largest group of trafficking victims in the United States”.<sup>186</sup>

There are clear differences between domestic and international trafficking. Domestic trafficking is easier to perpetrate. It requires no false documents, little if any transportation, no crossing or bribing government officials at borders. Domestic trafficking is said to occur in “a more simple, but rude way”.<sup>187</sup> According to one Russian expert, in the case of domestic, local trafficking, traffickers usually recruit victims on the streets, in market places or train stations, and more often use physical violence to overcome the victim’s resistance. The opposite may be found in cases of international trafficking where the process is similar to methods used by commercial businesses – recruitment occurs via ads in the mass media, or the establishment of fake tourist, employment, model or other agencies. International trafficking employs more deceit than ‘open’ violence.<sup>188</sup>

The majority of cases (80 per cent) that were analysed in the study were either international or a mixture of both international and domestic trafficking.

## Traffickers and Their Organizations

In addition to individual traffickers, loose networks and more highly organized structures involved in human trafficking have been identified by various Government agencies. United Kingdom police, after Operation Pentameter, identi-

180 United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons* (Vienna, 2009), p. 11, <[http://www.unodc.org/documents/Global\\_Report\\_on\\_TIP.pdf](http://www.unodc.org/documents/Global_Report_on_TIP.pdf)>, accessed 31 March 2010.

181 United Nations Office on Drugs and Crime, *Trafficking in Persons: Analysis on Europe* (Vienna, 2009).

182 Ibid.

183 Interview Head of Operations, UKHTC. See also the UKHTC website at <<http://www.ukhtc.org/news/internal-trafficking-what-it->>, accessed 31 March 2010.

184 Human Smuggling and Trafficking Center, *Domestic Trafficking: An Internal Issue December 2008* (2008), <<http://www.state.gov/documents/organization/113612.pdf>>, accessed 31 March 2010.

185 A. Tully, “Experts Say Human Trafficking A Major Problem In U.S.”, *Radio Free/Europe Radio Liberty*, 11 July 2008, <<http://www.rferl.org/articleprintview/1183179.html>>, accessed 31 March 2010 citing Louise Shelley; Louise Shelley, *Human Trafficking: A Global Perspective* (Cambridge University Press, 2010 forthcoming): for more information on domestic trafficking within the United States.

186 Shared Hope International, *Demand: A Comparative Examination of Sex Tourism and Trafficking in Jamaica, Japan, the Netherlands and the United States* (2007), <<https://www.sharedhope.org/files/demand.pdf>>, accessed 31 March 2010, citing R. Estes and N. Weiner, “The Commercial Sexual Exploitation of Children in the U.S., Canada, and Mexico” (University of Pennsylvania School of Social Work: Philadelphia). According to Shelley (forthcoming, 2010), the US may be the only developed country with such a huge domestic trafficking problem.

187 Interview with Vladimir Ovchinsky (Russia), Advisor to the Chairman of the Constitutional Court of the Russian Federation.

188 V. Ovchinsky and Ju. Torbin, *Fighting human trafficking in the Russian Federation*, Academic Report, edited by V. Ovchinsky and Ju. Torbin (Moscow: Norma, 2009), pp. 62-63 (in Russian).

fied three different levels of organization amongst traffickers. The “loners” operate without a formal network and recruit and sell victims themselves. The second group is categorized as “market traders” who seize opportunities in the most profitable markets. They may rotate their victims around the U.K. and sell them to other traffickers. More sophisticated gangs and networks maintain well established relationships with interconnecting groups. They control the whole supply chain and most facets of the sex industry in which victims are exploited.<sup>189</sup> The Dutch National Rapporteur, in an in-depth analysis of police files involving 156 cases of trafficking identified similar organizational patterns – in 41 cases (26 per cent), the criminal organization form was classified as a soloist operation; slightly fewer cases (35 or 22 per cent) involved isolated criminal groups.<sup>190</sup> More than half of the cases (51 per cent) were classified as criminal networks – an undefined criminal infrastructure, in which members are bound together and in which membership and clear clusters are based on geographical proximity, family relationships, friendships, trade relations and related activities.<sup>191</sup>

According to Russian experts, 80 per cent of all convicted traffickers committed the crime in a group;<sup>192</sup> however only 10 per cent of these cases were officially recognized as organized criminal groups by the court. Thus, the majority of trafficking cases (70 per cent) in the Russian Federation involve criminal networks, which is the most flexible form of (criminal) organization.<sup>193</sup> It should be noted, however, that these statistics may not reflect the real structure of trafficking organizations, but may only be reflecting the existing bias of law enforcement practices or registration.

In a more recent study of criminals and their organizations carried out by the National Crime Squad of the Dutch National Police (in the period 2005-2006), 75 per cent of the cases sent to the prosecutors office involved a single suspect.<sup>194</sup> Of the 65 cases involving more than one suspect, 36 of the cases involved an ethnically heterogeneous criminal partnership.<sup>195</sup>

## Criminal Networks

Networks are characterized by their flexibility, segmentation and specialization. Unlike rigid, hierarchical structures, networks are flat, more fluid and can adapt to changes in legislation, law enforcement and government responses, and shifts in market supply and demand.

Research in the Netherlands on organized criminal groups indicates that they are built on social relations, such as family (case 24) or friendship ties. These ties serve to cement the relationships between members of the group, but also serve as a bridge between criminals in different countries.<sup>196</sup> This pattern was confirmed by Austrian authorities. According to the Austrian Federal Criminal Police (*Bundeskriminalamt*), the criminal networks active in Austria are organized along ethnic lines, mainly Hungarian, Bulgarian, Ukrainian, Romanian and Moldovan. With the exception of Romanian and Moldovan groups, these separate ethnic groups do not co-operate. The rationale for the organized criminal groups is to make money. There is therefore competition for market shares.<sup>197</sup> However, co-operation tends to occur on occasions when it appears profitable to do so. In that case, groups tend to be more heterogeneous with respect to ethnic or religious backgrounds.<sup>198</sup> Russian officials also confirm this pattern.

Criminal networks tend to be organized along hierarchical or horizontal lines. Within this study, hierarchical and horizontal structures were identified. Organizations that had a hierarchical structure generally had a single person taking the role of the investor; this person planned and controlled the criminal operations (see case 6). This study also revealed that a number of independently functioning hierarchical organizations could be linked in a horizontal network (case 5) that exchanges victims in order to provide their clients with ‘fresh’ faces (case 18). This seems to be the pattern for forced sexual exploitation, but not for labour exploitation.

According to research carried out by Austrian experts, sex trafficking from Nigeria to Europe is in the hands of the *madames*, who act in a loose, low-profile, ‘cluster’ network, which does not mix with other crimes such as drug trafficking.<sup>199</sup>

189 G. Maxwell and B. Skelly, *Pentameter Final Conference 21 June 2006 Speech* (United Kingdom Human Trafficking Centre, 2006).

190 The isolated criminal group with a minimum of two and a maximum of five members is responsible for the entire range of activities from recruitment to forcing women into prostitution.

191 Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings), *Third Report, Summary* (The Hague, 2009), <<http://english.bnrm.nl/reports/third/>>, accessed 31 March 2010.

192 A sole perpetrator was involved in only 20 per cent of trafficking cases in the Russian Federation.

193 Interview with Vladimir Ovchinsky (Russia), Advisor to the Chairman of the Constitutional Court of the Russian Federation; Interview with Alexander Krasnov (Russia), Head of the Department of Drugs, Human Trafficking and Ethnic Crimes of the Investigative Committee, Ministry of Interior of the Russian Federation.

194 This could be due to the fact that either the trafficker was operating as a soloist, or that no one else in the criminal network was arrested. This is not clear from the police report and would involve more detailed analysis of the cases to reach an accurate picture.

195 Netherlands Police Agency (Korps Landelijke Politiediensten), *Trafficking in Human Beings: Crime Pattern Analysis 2007* (Driebergen, Netherlands, 2008a).

196 E. Kleemans et al, *Georganiseerde criminaliteit in Nederland; rapportage op basis van de WODC-monitor* (The Hague: Ministry of Justice, 1998), <<http://www.wodc.nl/onderzoeksdatabase/w00173-georganiseerde-criminaliteit-in-nederland-rapportage-op-basis-van-de-wodc-monitor.aspx>>, accessed 31 March 2010.

197 Interview G. Joszt/R. Idinger.

198 Interview G. Joszt/R. Idinger.

199 M. Kreutzer and C. Milborn, *Ware Frau. Auf den Spuren moderner Sklaverei von Afrika nach Europa*, Econwin (Salzburg, 2008), p. 45f.

## Transnational Organized Crime Groups

While experts in Austria, the Netherlands and the United Kingdom believe trafficking organizations are mainly characterized as loosely operating networks,<sup>200</sup> large scale international organized crime groups have been uncovered in human trafficking cases. They tend to be involved in trafficking for commercial sexual exploitation (see cases 4, 7 and 8) and other crimes (see a later section in this chapter on trafficking and other crimes). In one case (8), traffickers were of different nationalities (Russian, Israeli and Moldovan) and the gang trafficking women into numerous countries were said to be in close contact with 'Israeli', 'Albanian', 'Dutch', 'German', 'Greek', 'Arabic', 'Belarussian', 'Egyptian', 'Uzbek', 'Moldovan' and 'Ukrainian' organized crime groups. In the case of labour exploitation in the agricultural sector (case 19), 13 members of the organization were arrested, among them, two women. The traffickers' nationalities were Indian, Polish, Portuguese and British. These multi-ethnic groups, however, appear to be the exception rather than the rule in the cases included in this study. In the other two cases, the criminal organizations appear to be ethnically homogeneous (cases 4 and 7 involving, respectively, a Bulgarian and a Nigerian criminal network).

In an international trafficking operation involving 100 Bulgarian women forced by Bulgarian nationals into prostitution in France and Italy (case 4), intelligence sources report that the criminal group was organized in a hierarchical structure with family connections among members. The main organization was devoted to human trafficking but had links to another organization in Albania that was involved in money laundering.<sup>201</sup>

A high profile case in Russia involving a highly sophisticated criminal group is the "Pasko case" investigated in Nakhodka in 2006. The criminal group, created for the purpose of sexually exploiting women, was organized along hierarchical lines. The head of the organization divided the whole team into two sub-teams, so that they could work almost 24 hours a day. He established (criminal) rules of behaviour and procedure, responsibilities of each member, a reporting system and an order for the distribution of money. Each sub-team included a driver, a pimp and 6-7 prostitutes. Operators and pimps drafted daily financial reports to the chief. Pimps also were responsible for recruiting new prostitutes, mainly from remote places of the region. They also maintained a database of clients, identifying and labelling so called "bad clients" who mistreated the women. For one hour a client paid Roubles 500 – 600 (about USD 20-25). Of this, the trafficked prostitute received approximately Roubles 120-150 (USD 5-7). Women were only allowed to leave the organization if they either paid a large sum of money or if they brought two girls into the organization themselves. For even minor transgressions, the women were harshly punished or penalized.<sup>202</sup>

According to experts in Austria, there are separate and independent national organized crime groups in origin, transit and destination countries. All have only partial information and there are a limited number of individuals or masterminds that keep the entire operation together. In that way, the risk and likelihood of convictions (and thus disruption of the criminal network) is also minimized, since often only a part of the charges can be upheld.<sup>203</sup> It was impossible, based upon the limited descriptions provided in the press and government reports to which the researchers had access, to verify this information. More information on the organization of the criminal networks would require a detailed investigation into police and prosecution case files.<sup>204</sup>

## Roles within Trafficking Organizations

Chapter 2 identified a number of roles within criminal organizations. These include the following roles: investors; recruiters; transporters; corrupt public officials or protectors; informers; guides and crew members; enforcers; money-launderers; supporting personnel and specialists. The smaller the organization, the fewer separate roles one is able to identify. Supporting roles or "facilitators" were identified in a number of our cases. Due to the limited data available for analysis in many of these cases, it is difficult to provide much detail concerning the specific roles within the organizations or to determine which persons played which roles. An in-depth study of police and prosecution case files would be necessary for this.

According to the Dutch police, "driving and accommodating victims are apparently key tasks within trafficking in human beings organizations". Roles may be combined so that pimps/exploiters also serve as drivers and perform other odd jobs.<sup>205</sup> The roles, and the degree of criminal liability linked to these roles are not always apparent. According to one expert in Austria, the brothel managers or owners of the premises are not always, or not gene-

200 Head of Operations, UKHTC, Austrian police, Hendrikson and Nuijten, Netherlands.

201 Eurojust, *Annual Report 2007* (The Hague, 2008), <[http://www.eurojust.europa.eu/press\\_releases/annual\\_reports/2007/Annual\\_Report\\_2007\\_EN.pdf](http://www.eurojust.europa.eu/press_releases/annual_reports/2007/Annual_Report_2007_EN.pdf)>, accessed 31 March 2010; See case 4 – Trafficking in Human Beings.

202 "Pasko case", Nakhodka, Russia, 2006; Materials from the training on "Counter-trafficking measures on national and regional level", conducted in UVD (Mol) of Nakhodka 30 March 2007 by the Vladivostok Center for Organized Crime Studies associated with TraCCC (Washington DC) (<<http://www.crime.vl.ru/index.php?blog=4&p=1510&more=1&c=1&tb=1&b=1#more%201510>>, accessed 31 March 2010); interview with Ludmila Erokhina, senior researcher in Vladivostok Center for Organized Crime Studies.

203 Interview G. Joszt, Austria.

204 J. Leman and S. Janssens, "The Albanian and Post-Soviet Business of Trafficking Women for Prostitution: Structural Developments and Financial Modus Operandi", *European Journal of Criminology*, Volume 5 (4) (2008): study of criminal networks in Belgium.

205 Netherlands Police Agency (Korps Landelijke Politiediensten), *Trafficking in Human Beings: Crime Pattern Analysis 2007* (Driebergen, 2008).

rally, the perpetrators. The situation is more complex; the traffickers are often middle men, frequently from the same country/region of origin as the victims, who threaten, blackmail and actually exploit the women. These middle men have only limited connection to the brothel, but reside with the women, transport them to the brothels, fully isolate them and keep them under constant surveillance.<sup>206</sup> This pattern could be observed in case 6 in the Netherlands, where the two main traffickers refused to appear in the Red Light District where their victims were working behind windows, but left other pimps in charge of controlling the victims.

The roles that traffickers assume are illustrated in the conviction data from the Dutch Public Prosecution Office. According to the most recent report of the Dutch National Rapporteur, “[...] most of the judgments in 2007 involved human trafficking cases in which victims were forced to work in prostitution in the Netherlands. Almost three-quarters of the convicted perpetrators were pimps. Half were involved in recruiting victims and 35 per cent escorted victims to the Netherlands from other countries. Roughly a quarter had to guard the victims and slightly less than a fifth was responsible for transporting the victims to and from the workplace. A minority of the perpetrators, 5 per cent, operated a sex business. These perpetrators often performed several different roles.”<sup>207</sup>

In one case in the United Kingdom (case 18), the head of the trafficking gang in Thailand acted as a transporter/guide (possibly also recruiter) and accompanied one of the victims into the United Kingdom, where she was then left to be sold to and exploited by others.

Traffickers/pimps may serve as facilitators, but this is not always the case and not all facilitators are traffickers/pimps or exploiters. In case 5, in addition to the trafficker/pimps, there were at least four other facilitators who organized things for the victims and the traffickers such as housing, registering cars, organizing a translator for the traffickers when they were interrogated by the police, registering the women at the Chamber of Commerce, renting rooms for the prostitutes to work and driving the victims to and from work.

In case 6, two Turkish brothers were at the head of the organization along with a third suspect, who at times worked for the brothers and then split off to begin his own business. In addition to these three “heads of the operation”, there were 20 pimps. The pimps were followed by one or two prostitutes who enjoyed more freedom and responsibility than the other women. They were followed by 11 active bodyguards, three permanent “chauffeurs”<sup>208</sup> and others who had previously worked for the brothers.<sup>209</sup>

Guarding the trafficked victims to prevent their escape – the role of the enforcer – is also a role that was seen in a number of cases. In the case involving the exploitation of Uzbek migrants in Russia (case 10), the trafficker employed “security guards” to prevent the escape of his victims.

In a case (22) involving the trafficking of Korean women into the United States for forced prostitution, investigators uncovered an elaborate network of recruiters (in the United States and Korea), brothel owners, money remitters and drivers.

Diversification appears to be tied to the size of the trafficking operation, but without more detailed information on the individual cases, it is impossible to determine how closely individual roles are linked to size.

## Modus Operandi

### Recruitment

The modus operandi of traffickers continues to change based upon markets, opportunities, changes in government responses, loopholes in the law, and new technology. Traffickers creatively look for new ways to recruit victims or ensure their (legal) entry into a destination country. In Austria and the United Kingdom, for example, traffickers applied for visas for dancers or training for dancers to bring trafficked victims into the country.<sup>210</sup> Traffickers also skillfully exploit legal loopholes and have brought trafficked victims into Austria and the Netherlands as unaccompanied minor asylum seekers who then seek legal remedies to remain in the country (case 7). After the young girls (often Nigerians) were placed in open centres awaiting legal proceedings, they disappeared. Only a few were found. They had been trafficked into prostitution in other European countries.<sup>211</sup>

206 Interview with G. Jozsz, Austria.

207 Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings), *Seventh Report, Summary* (The Hague, 2009), p. 16, <<http://english.bnrm.nl/reports/7th%2Dreport/>>, accessed 31 March 2010.

208 These were unlicensed taxi drivers.

209 In the 10 years that the organization was operational, it had expanded to 35 pimps, bodyguards and other accomplices.

210 One expert quoted a recent example, i.e., 120 women were recruited for training as dancers in Bavaria, and a contract was signed for this purpose, but they ended up in prostitution (Interview C. Weidel, Austria). The ‘artistic visa’ has since been suspended in Austria (interview with C. Weidel, Austria). The same pattern has been observed in the UK (Glynn Rankin, UHKTC).

211 Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings), *Seventh Report, Summary* (The Hague, 2009): This modus operandi has also been observed in the United Kingdom (Interview with Head of Operations, UKHTC).

Recruitment is increasingly occurring through the Internet.<sup>212</sup> Reports have surfaced in the Netherlands that “lover-boys” (pimps) have come into contact and recruited their victims through such popular network sites as “Hyves” and “Sugarbabes”.<sup>213</sup> Internet sites in the United States have been used to advertise trafficked victims and minors.<sup>214</sup> Recruitment frequently involves deception. Many victims are offered jobs with high salaries in legitimate industries or agriculture. An emerging pattern is also occurring with the recruitment of women already working in prostitution (see case 5). One expert in Austria explains that trafficked victims are better informed than was previously the case, although their expectations are unrealistic. The nightclub/brothel ‘Babylon’, for instance, is one of the ‘high-end’ luxury brothels in Vienna where women can earn very well. Many trafficked women are told that they will be going there to work, but usually they are taken to work in another exploitative setting. The traffickers, however, keep luring them with the promise of eventually being able to make big money at ‘Babylon’. Women are told they are on the waiting list to go there and that they have to perform well to qualify to work at Babylon. While women may be willing to work in the Red Light District or sex industry in countries in Western Europe, they do not understand the conditions that await them – isolation, punishment, strict and high financial/income targets to be reached, mounting debts, resulting in debt bondage that can last as long as ten years. Some can never pay off the debts.<sup>215</sup> The practices used to recruit victims in the cases examined in this study include the following: false promises regarding working conditions and payment, personal recruitment based on friendships, family ties and fake romantic relationships as well as adoption, the use of employment agencies, and forced labour to repay prior debt. In one case (8), an organized criminal group established a chain of fake/front employment agencies which promised women well-paid jobs abroad as waitresses, dancers or nurses/care workers and promised at the same time to cover all travel costs. Workers in case 1 were promised good working conditions and a salary. Another case (9) involved recruitment on the streets of socially unprotected persons (usually the homeless or mentally impaired) for slave labour at a garbage disposal site in Anapa (Krasnodarskiy krai, Russian Federation), while a farmer recruited workers at train and bus stations for forced labour on the farm (case 11). Recruitment can occur by the same person who is also the sole exploiter, by a person who is part of a criminal network but is also involved in the exploitation of the victim, or by an individual who is only one of many persons within the trafficking network but is not involved at all in the exploitation phase. All three patterns emerged in this study. In case 21, the accused went to Peru to recruit a domestic servant who she smuggled into the US and then exploited in her home. In case 13, the female trafficker, as part of a trafficking network, went to Tajikistan to adopt a young girl whom she groomed and forced into prostitution. In cases involving the large scale recruitment and exploitation of Chinese migrants (cases 2 and 3) or women for prostitution in different countries (case 8), the recruiter is only one of a number of roles within the organization. This clearly points to the fact that dismantling a trafficking organization requires focusing also on the recruitment phase in the country of origin and demands international co-operation between government agencies in countries of origin, transit and destination.

### Transportation

The transportation of victims seemed to be chosen based on the possibilities of the traffickers and the distance to be travelled. In many cases, the plane, as the most direct means, was chosen, but also private cars were used when the traffickers were themselves travelling that way. Routes may also be chosen based upon the presence of corrupt officials along the route to facilitate travel. Both licit and illicit travel and employment agencies may be involved in arranging the transportation of trafficked victims into countries, as was found in different cases in this study (cases 2, 3, 8).<sup>216</sup> Smuggling will occur when documents are unavailable; however when documents (whether licit or illicit) are available, countries can be entered via airports or other controlled border crossings. In case 18 it was impossible for the escort and trafficked victim to enter the United Kingdom as the United Kingdom had refused to issue a visa. With an Irish visa based on false documentation, the trafficker flew with the victim to Dublin, took a train to Belfast and flew to Gatwick on a domestic flight where visa and passports are unnecessary. Another method of entering the country (legally) involves the abuse of asylum laws, where trafficked minors enter a country, apply for asylum and, while awaiting a decision, are taken by the traffickers and forced into prostitution, as was the case with Nigerian minors entering the Netherlands (case 7).

According to experts, trafficking into Austria and Belgium takes place by way of legal transportation/travel agencies, e.g., bus transport from Bulgaria to Brussels. This has been reported in Austria as well.<sup>217</sup> Travel agencies can

212 This phenomenon has been observed in the Netherlands and Austria (Joszt/Ildinger).

213 C. Huisman, “*Loverboy zoekt via Internet*”, *de Volkskrant*, 9 September 2008.

214 Alexis Aronowitz, *Human Trafficking, Human Misery: The Global Trade in Human Beings* (Praeger: Westport, 2009); Katherine Chon, “*Children for Sale Online*”, *Global Eye on Human Trafficking*, Issue 1 (International Organization for Migration, December 2007): The Internet site, Craigslist, has since taken positive measures to prevent sex trafficking on its Internet site; however there are still problems associated with the online advertising agency against which legal action has been taken.

215 Interview G. Joszt, Austria and Stef Janssens, Belgium.

216 A number of cases in the annual reports of the CEOR (2006, 2008) show the link between trafficking and travel and employment agencies.

217 Interview G. Joszt, Austria.

also be part of the criminal organization.<sup>218</sup> Based upon a report by the Belgian Senate on visa fraud, the Minister of the Interior in that country repeatedly sent staff members to several foreign countries to study the problem of travel agencies and their involvement in human trafficking.

## Documentation

With the fall of internal borders in the European Union and the increase in the number of Member States joining the Union, and the ease with which nationals of the EU and members of CIS countries travel visa-free across respective borders, the need for false documentation is becoming less. However, for international trafficking of citizens not entitled to enter the EU or individual countries “visa-free”, smuggling or the use of fraudulent documents may be the only way to ensure entry and employment. In fact, fraud involving travel related documents occurred mostly in cases that involved international trafficking of victims from outside the Schengen area.

Traffickers were involved in document fraud in a number of cases in this study. In large scale, sophisticated trafficking operations (cases 7 and 8), highly organized document forgery occurred. Traffickers forged documents related to visas and identification documents but also in relation to employment. In the case of the Chinese cooks in Germany (case 3) for example, traffickers used two working contracts. One was to regulate the actual employment relationship between the Chinese victims and their ‘masters’, while the other contract was given to the German authorities in order to create the facade of legal employment.

Another form of documentation fraud involves the buying of passports and visas through corrupt officials in embassies. While this was not documented in any of the cases in this study, reports have surfaced in the past involving corrupt embassy officials supplying visas and passports to individuals thus facilitating human trafficking. According to the Programme against Corruption and Organised Crime (PACO), corrupt members of staff at Western embassies are also sometimes involved. For instance, cases involving irregularities and abuse of power at Embassies and Consulates in several Western European countries, including the Austrian consulates in Lagos, Bucharest, Budapest and Belgrade, were reported. While not linked to human trafficking *per se*, these instances of visa fraud may have indirectly facilitated it.<sup>219</sup> Owing to “visa scandals” in several European countries, States have taken a set of measures to counter the danger of irregularities and corruption at Embassies. As a consequence, Austria took a series of countermeasures, including the rigorous prosecution of the consular staff concerned, leading to a number of convictions. Preventive measures have also been introduced. These include frequent personnel rotations, specialized training for consular staff and heads of mission, an electronic appointment system for visa applicants, the handling of the visa procedure by at least two different staff members, the raising of awareness at all levels and the introduction of rigorous controls.<sup>220</sup> Belgium has also reported cases of visa fraud and rigid countermeasures. Corruption therefore goes hand in hand with document trafficking.<sup>221</sup>

## Markets of Exploitation

Exploitation will occur in any market in which there is a demand for cheap labour and service, and in unattractive markets in which jobs have traditionally been referred to as the 3 D’s: dirty, dangerous and difficult (or demanding). The markets in which trafficked victims are exploited will vary from one city or country to the next. The U.S. State Department’s 2009 *Trafficking in Persons Report* documents the markets of exploitation in 175 countries around the world.

Trafficking patterns and markets of exploitation will differ from one city, country or region to the next. In the United States and Canada, both commercial sexual exploitation and labour exploitation have been reported. In Western Europe, the predominant market of exploitation is commercial sexual exploitation, although cases of labour exploitation have been documented.<sup>222</sup> Countries within Eastern Europe and the Commonwealth of Independent States (Belarus, Moldova, the Russian Federation and Ukraine) serve as source countries for sexual exploitation into Europe. Other Southeastern European and CIS countries in Central Asia and the Caucasus serve as source countries for

218 Centre for Equal Opportunities and Opposition to Racism, *Mensenhandel- Smokkel Jaarverslag 2008* (Brussels, 2009), <[http://www.diversiteit.be/?action=publicatie\\_detail&id=108&thema=5](http://www.diversiteit.be/?action=publicatie_detail&id=108&thema=5)>, accessed 31 March 2010: Sometimes these travel agencies are part of the criminal organization. In one case in Belgium, the travel agency was linked to the Chinese Triads.

219 M. Kreutzer and C. Milborn, *Ware Frau. Auf den Spuren moderner Sklaverei von Afrika nach Europa*, Econwin (Salzburg, 2008), p. 169: A former trafficker in Lagos named Ben, stated that it was well known back then within the community and trafficking networks, that visas could be bought at the Austrian Embassy at fixed rates.

220 Interview R. Ruzs, Austria.

221 PACO [Programme against Corruption and Organised Crime in South-Eastern Europe], Council of Europe, *Trafficking in Human Beings and Corruption*, Report on the regional seminar in Portoroz, Slovenia (19-22 June 2002), <<http://www.belgium.iom.int/STOPConference/Conference%20Papers/24.%20Segeer%20-%20Council%20of%20Europe%20PC-PACO%20TP28%20THBCORR%20provisional.doc>>, accessed 31 March 2010.

222 Fewer cases of labour exploitation than cases of sexual exploitation have been documented in many European countries but this may reflect less experience in investigating such cases than the fact that fewer cases actually occur.

labour exploitation into Azerbaijan,<sup>223</sup> Kazakhstan, the Russian Federation,<sup>224</sup> China, Korea, Middle East, Turkey and other destinations.

In the Netherlands, sectors most at risk are agriculture, greenhouses, ports, markets and both the legal and illicit prostitution sectors; however cases of trafficking have been uncovered in other sectors as well.<sup>225</sup> In the United Kingdom, trafficked victims have been found in the prostitution sector as well as in agriculture and the fishing (cockle) industry. Both the United Kingdom and the Netherlands have uncovered cases of human trafficking for forced labour in the cannabis cultivation sector and both countries report cases of organized pick-pocketing and theft involving large numbers of trafficked Roma children.<sup>226</sup> The predominant market for trafficking in Austria is commercial prostitution.<sup>227</sup> The cases in Russia and Tajikistan provided information on various markets of exploitation to include the domestic service market, a garbage disposal site, agriculture and commercial prostitution. Table 4.1 (Chapter 4) provided a breakdown of the markets of exploitation and destination countries included in this study. For more detail, a summary of all cases can be found in Appendix 1.

Exploitation in commercial prostitution is moving from the more open to the more closed sector – in escort services and private homes. This phenomenon has been reported in Austria, the Netherlands and the United Kingdom.<sup>228</sup> In the United Kingdom, police have uncovered a system which has come to be known as the “Chinese Chicken Houses”. Advertisements are placed in newspapers advertising ‘services’ by Asian women. The customer dials a mobile phone number and is given the address of an apartment, home or a landmark where he is met. At the home there are one or two Chinese women working in prostitution and a housekeeper. The customer agrees upon a service and price and pays the woman or the housekeeper the agreed upon amount. Every week the women are given train tickets and travel either alone or are accompanied by the housekeeper to a new location or even a new city. This system has been linked to organized prostitution, but it is unclear to what degree individuals involved are trafficked victims.<sup>229</sup>

The expert on human trafficking in the Netherlands Police Agency<sup>230</sup> calls the trafficker “Homo Economicus”, because (s)he is motivated by profit. Traffickers continuously find new ways to exploit victims. In one country, traffickers were found to have imported workers for the purpose of registering them for social benefits. The workers were entitled to benefits; however, having been told by the traffickers that their claim was denied, they were sent back home. The traffickers then collected the government payments. Another new market for exploitation has been identified in the Netherlands. Young women are ‘encouraged’ by their trafficker boyfriends to take out large loans. He takes the money and she is left with the debt.<sup>231</sup> Traffickers have also forced their victims to work as drug couriers.<sup>232</sup>

### *Maintaining Control over the Victims*

Traditional means of exerting control over victims through force, violence, threats of violence against the victims and their families still exist. In two cases in Belgium (not included in this study), orders were given to kill trafficked victims. One involved the order by a Nigerian *madame* to have a young Nigerian woman killed because she became pregnant during the smuggling trip and ran away. In a second case in Belgium, a Bulgarian trafficker offered EUR 5,000 to criminals to assassinate a victim who had testified against him to the Belgian authorities.<sup>233</sup> In case 6, the traffickers were accused of having beaten victims with baseball bats and then submerging them in cold water to prevent bruising. Other means of binding the victims to the trafficking group and their pimps was through winning the

223 A major alleged case of trafficking for labour exploitation was uncovered involving hundreds of men from the Balkans in construction projects in Azerbaijan. Under false promises of high salaries they were lured and then forced to work for meager pay and live in abominable conditions (AzerNews, 20 October 2009, <http://www.azer-newspaper.blogspot.com/>).

224 E. Tyuryukanova, *Human Trafficking in the Russian Federation*, Inventory and analysis of the current situation and responses, Report conducted by E.V. Tyuryukanova and the Institute for Urban Economics for the UN/IOM Working Group on Trafficking in Human Beings (Moscow: UNICEF, ILO, CIDA, 2006), <[http://www.no2slavery.ru/files/Unicef\\_EnglishBook.pdf](http://www.no2slavery.ru/files/Unicef_EnglishBook.pdf)>, accessed 31 March 2010.

225 Interview J.L.Hendriks.

226 Netherlands Police Agency (Korps Landelijke Politiediensten), *Looks can be Deceiving: The Identification of Human Trafficking in the Licenced Prostitution Sector* (Driebergen, Netherlands, 2008); Interviews with G. Rankin, United Kingdom; Head of Operations, UKHTC, UK; Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings), *Seventh Report, Summary* (The Hague, 2009), <<http://english.bnrm.nl/reports/7th%2Dreport/>>, accessed 31 March 2010; Netherlands Police Agency (Korps Landelijke Politiediensten), *Trafficking in Human Beings: Crime Pattern Analysis 2007* (Driebergen, Netherlands, 2008).

227 There have been few cases of labour exploitation prosecuted in Austria. This may have to do with the fact that it has been difficult to prove labour exploitation in court. Also there may be insufficient political will to investigate labour exploitation trafficking due to the demand for cheap labour. Interview with G. Tatzgern, Austria.

228 Interviews with G. Joszt and R. Idinger in Austria, S. Titterton in the United Kingdom, and J.L.Hendriks in the Netherlands.

229 Interview S. Titterton in the United Kingdom; Louise Shelley, *Human Trafficking: A Global Perspective* (Cambridge University Press, 2010 forthcoming): This form of “mobile prostitution” is characteristic of patterns in the United States as well.

230 Interview J.L. Hendriks, Netherlands.

231 Interview J.L.Hendriks, Netherlands.

232 Interview J.L.Hendriks, Netherlands; Centre for Equal Opportunities and Opposition to Racism, *Mensenhandel - Smokkel Jaarverslag 2008* (Brussels, 2009), <[http://www.diversiteit.be/?action=publicatie\\_detail&id=108&theme=5](http://www.diversiteit.be/?action=publicatie_detail&id=108&theme=5)>, accessed 31 March 2010: this has also been reported in Belgium.

233 Written communication from S. Janssens, CEOOR, Belgium (based upon case D in CEOOR's annual report, 2007).

allegiance of the women through intimate relationships, constant monitoring, confiscation of passports and imposing “buy-out” fees. For a fee ranging from EUR 30,000 to EUR 240,000, a woman could buy her freedom.<sup>234</sup> Vacillating back and forth between affection and violence is a method of controlling victims that has been reported in numerous cases in the Netherlands.

Measures used to keep victims under control are not always openly coercive. Force and coercion are at times more subtle or completely lacking – making it difficult to distinguish between freelance prostitution and trafficking, or violations of migration laws and contractual fraud and trafficking. According to experts in Austria, most women trafficked into prostitution are currently (as opposed to the past) earning a small salary which provides hope in paying off their debts.<sup>235</sup> In the case of trafficked Nigerians, a contract frequently is signed between the trafficker and the victim regulating the repayment of debt. Since the victim earns some money – and possibly more than she would be making at home – she may not see herself as being exploited or a victim of trafficking. Dutch police report this same phenomenon, also pointing out the fact that with some trafficked victims, supervision is minimal, they are now given small payments and are living in their own apartments, provided ‘courtesy’ of their trafficker/pimps.<sup>236</sup> This is an attempt to “buy the victim’s silence and ensure that victims do not denounce their traffickers”.<sup>237</sup> In Belgium the same pattern has emerged. This small salary, despite conditions of exploitation, appears to be enough to bind the victims to their trafficker.<sup>238</sup>

Sometimes no force or threat is necessary to maintain control over victims. In the Russian Federation, for example, labourers are often exploited until they are physically exhausted, rendering the use of force or threats of harm unnecessary. This is the case of males trafficked to Russia for forced labour from other countries. Traffickers often bring them to isolated places forcing them to work on construction sites or in agriculture. Victims are unfamiliar with the territory and often don’t know the language so even if they place calls for help, it is difficult for them to explain where they are. Hotline numbers established in the Russian Federation and abroad by international organizations and NGOs received calls for help from trafficked victims, but without sufficient information to identify the location of the exploitation, were unable to assist the victims.<sup>239</sup>

Culture may play a determining role in controlling victims. According to one expert in the United Kingdom, force is not necessary to control Chinese trafficked victims. Victims have often paid huge sums to be brought into the country and their culture of honour prohibits them from trying to escape before the debt has been repaid.<sup>240</sup>

This strong culture of honour (perhaps combined with subtle threats) is also evident in cases involving Chinese victims of trafficking in Belgium. In one case involving Chinese victims of trafficking for labour exploitation, several letters with victims’ ‘promises’ were retrieved. The contents typify the power and control that the ‘criminal network leader’ exercised over his victims. One of the letters stated: ‘Proof of promise: I (name) am family of X and Y. I feel myself honoured, privileged and very grateful to X who although very busy, has firstly chosen me from so many family members to help me to go abroad. I will remember this kind gesture always in my heart. I will be always grateful that they both have helped me to get a better life from and escape poverty. For this reason I want to voluntarily pay USD 10,000 as a thanks (the plane ticket and other costs are included). I realise completely that with that amount of money I cannot thank enough those two people for the aid which they have offered. I promise here voluntarily, from the bottom of my heart, that when I am abroad, I will always listen to X and Y. If I must work in the restaurant or assist the family, I will work always hard and I will never complain. I will do that of my own free will. I will do my work as good as possible and I will never be tired or afraid of difficulties. I will also never say bad things about X and Y to a third person. I will remember their kind gesture and all my future generations will be grateful as well. If I don’t respect my word and do not do as I promise to do, then my family will always live in unhappiness. All the consequences will be carried out by me and my family. I confirm my promise solemnly! This is promised by (name).’<sup>241</sup>

In the case of West Africans, in particular Nigerians, a more subtle form of control has been identified. Young women are subjected to voodoo or “juju” practices (case 7)<sup>242</sup> before leaving their country. This practice binds them to the

234 Netherlands Police Agency (Korps Landelijke Politiediensten), *Looks can be Deceiving: The Identification of Human Trafficking in the Licenced Prostitution Sector* (Driebergen, Netherlands, 2008b).

235 Interview G. Jozsz and R. Idinger, Austria.

236 R. Surtees, *Trafficking Victims in SEE – what we know, what we need to know*, *Mensenhandel: achtergrond en aanpak*, Conference, Vrije Universiteit Amsterdam, 31 October 2007a.

237 Alexis Aronowitz, *Human Trafficking, Human Misery: The Global Trade in Human Beings* (Praeger: Westport, 2009).

238 A Belgian expert on human trafficking refers to this as a win-win situation (communication from S. Janssens, CEOOR, Belgium).

239 Alberto Andreani, Expert, OSCE.

240 Interview S. Titterton, United Kingdom. There may also be a concern on the part of the victims that family members at home will be forced to repay the debt if they are unable to do so.

241 Taken verbatim from a written communication from S. Janssens, CEOOR, Belgium.

242 E. Aghatise, “Women Trafficking from West Africa to Europe: Cultural Dimensions and Strategies”, *Mozaik* (2005), <<http://www.koed.hu/mozaik15/esohe.pdf>>, accessed 31 March 2010: Young women are forced to swear an oath, while a piece of their (intimate) clothing, a fingernail clipping or lock of hair is used in a voodoo ritual. Failure to respect the oath results in misfortune befalling the girls or their families. It is alleged that the trafficked women are so fearful of these oaths that Italian police note that, compared to other foreign women trafficked into prostitution into Italy, Nigerian women are subjected to much less physical supervision and control.

traffickers and ensures that they will not escape or co-operate with the police.<sup>243</sup> In the case involving the trafficking of young Togolese and Ghanaian women forced to work in hair braiding salons in the United States (case 23), the young victims were coerced and manipulated with threats of voodoo curses as well as fierce beatings and draconian rules.

In a study of 23 cases of human trafficking in the Netherlands, police identified the following coercive measures: violence or threat of violence against the victim, violence or threats of violence against family members, taking advantage of a vulnerable position, taking the victim's passport, imposing a debt on the victim, winning the trust of the victim (with gifts or pretending to be in love), imprisonment, supervision and monitoring, creating a drug dependency of the victim, socially isolating the victim, making it publicly known (or threatening to alert the victim's family that she is working as a prostitute), tattooing the trafficker's name on the victim,<sup>244</sup> fraud, voodoo, ransom for release, imposing fines, threatening to sell the victim to another trafficker/pimp.<sup>245</sup>

A new modus operandi in Austria involves victims leaving one organization with which they have a debt because another organization is 'taking them over' and offering them 'protection'. Even though the first organization is still looking for them, the victims no longer feel like victims.<sup>246</sup>

The cases included in this study identified various methods of maintaining control over the victims of trafficking. This violence can be placed on a continuum from psychological to mild physical violence to more severe forms of threats and violence. Among the least serious forms of control was the practice of frequently moving victims within the country of destination in order to disorientate them and thus create a psychological barrier against any attempts to escape (case 18). Traffickers also made use of the victims' vulnerability to exploit them. This included forcing mentally disabled patients from a medical clinic into domestic labour (case 12) or taking advantage of the economic vulnerability of a victim's financial debt (cases 16 and 18), or offering a summer job to a young girl living in a children's home (case 15). In one case (11), the trafficker, a farmer, seized the victims' identification and removed their clothes to prevent them from escaping. The victims were also put in chains.

Further, within the study the threat or actual use of violence was reported as a means of keeping control in 60 per cent of the cases. Often these threats were also directed against the victim's family in order to make sure that victims would not run away or report their cases to the authorities. In cases 3 and 20, there were open threats to kill the victims if the victim failed to comply with the traffickers' orders.<sup>247</sup> In a case involving extreme violence (case 6), the traffickers used baseball bats to beat non-compliant victims.

Violence is used not only to maintain control over victims, but also over the members of the group. This was reported in only one case included in this study (case 4) in an international human trafficking case involving Bulgarians who trafficked women into prostitution in France and Italy. Leaders of the organization reportedly "[...] used threats against witnesses as well as violence against group members, including murder and grievous bodily harm [...] to maintain their position".<sup>248</sup>

### Debt Bondage

Debt bondage is a way to ensure that the victim will remain enslaved in the trafficking situation. Nigerians are said to incur a debt of approximately EUR 50,000 which must be paid off before they can be released by their traffickers (case 7).<sup>249</sup> The same pattern is found with Chinese victims who are forced to repay large debts for being smuggled into the destination country. A Thai victim (case 18) who was brought illegally into the United Kingdom was told she had incurred a debt of GBP 30,000 but that she would have to gross GBP 60,000 working as a prostitute to pay off the debt. In the case of Chinese victims trafficked into Chinese restaurants in Germany (case 3), an upfront fee of EUR 10,000 was charged "... to cover agency fees, paperwork and travel costs." Money lenders, often from the same organization, charge exorbitant interest rates placing the victim further in debt. This is similar to the situation in Austria involving Romanians. They come to Western Europe to visit relatives, and owing to a lack of money, they end up in a situation of financial dependency and exploitation and thus debt bondage.<sup>250</sup> A similar pattern was found in case 2 when the victim incurred debts for her transportation from China but that she could never repay with her meager EUR 100 per month salary.

243 In a high profile case in the Netherlands, Operation Koolvis, police used the services of a Nigerian parson and former trafficked victims to "break the spell" and convince victims in the investigation that they could talk with the police and that they would be safe.

244 Louise Shelley, *Human Trafficking: A Global Perspective* (Cambridge University Press, 2010 forthcoming): reports that the practice of 'tattooing' their victims is also common in the United States.

245 Netherlands Police Agency (Korps Landelijke Politiediensten), *Trafficking in Human Beings: Crime Pattern Analysis 2007* (Driebergen, Netherlands, 2008), p. 86.

246 Interview G. Joszt, Austria.

247 There was no account of a killing related to any of the cases.

248 Eurojust, *Annual Report 2007* (The Hague, 2008), p. 25, <[http://www.eurojust.europa.eu/press\\_releases/annual\\_reports/2007/Annual\\_Report\\_2007\\_EN.pdf](http://www.eurojust.europa.eu/press_releases/annual_reports/2007/Annual_Report_2007_EN.pdf)>, accessed 31 March 2010.

249 Korps Landelijke Politiediensten, *Met Onbekende Bestemming* (Driebergen, Netherlands, 2009).

250 Interview G. Joszt, Austria.

For some victims it is impossible to erase the debt and buy their freedom, particularly in the case where a victim has repaid the debt, but is then sold to another trafficker, incurring a new debt. A number of cases involving forced prostitution in this study involved the sale of victims from one trafficker to another (cases 14, 15 and 18), but this generally occurred before the debt had been repaid. The sale price continuously increases with each transfer, placing the victim in yet more debt. This practice of selling women from one trafficker to the next seems to be pervasive with some Eastern European groups selling women to the West.<sup>251</sup>

### Financial Gains

This is the area of trafficking about which the least is known. As regards financial gains of criminals, typically traffickers operate smartly and minimize risk by splitting their financial gains into differing investments. Transfer of funds may occur by way of bank transfers, but for the most part it is done through informal channels, via personal transfers or couriers – persons travelling back to the home country may take the criminal proceeds as cash.<sup>252</sup> Profits are huge and in the case of an international trafficking ring operating in Italy and France between 2002 and 2006 (see case 4), Eurojust estimates profits at approximately EUR 10 million.<sup>253</sup>

Three patterns emerge – either 1) money is sent back to the country of origin of the traffickers where it is often invested in legal businesses such as restaurants, bars, or property such as apartments or houses;<sup>254</sup> 2) the money is used to support a lavish lifestyle; or 3) it is (re-)invested in other criminal or legitimate activities in the destination country. While there is only limited information on the financial gains and investments from the cases analysed in this study,<sup>255</sup> examples of all three patterns can be found.

In case 5, investigators in the Netherlands were able to calculate the profit generated by two traffickers (pimps) from a number of victims. One of the traffickers earned EUR 13,480 in profits per month on four victims (for a total of EUR 94,361), while the second trafficker earned EUR 219,707 in the 14 months during which three women worked in prostitution. The money was spent on themselves and the victims, often for membership in gyms, on drugs and gambling. Some of the money was allegedly transferred to a Hungarian account. In case 6, profits were spent on expensive watches, cars, restaurants and gambling and maintaining a luxurious life style. Money was sent back to Germany to the father of two of the suspects. Investigators suspect other money was sent directly to Turkey and invested in houses and tourist complexes. In case 16, officers in the United Kingdom were able to trace bank deposits from the trafficker between June 1999 and October 2002 amounting to GBP 204,396. Large amounts were transferred abroad through Western Union and through the offender's own account. Limited amounts were transferred back to the families of a number of the victims. The offender maintained a lavish lifestyle travelling extensively, purchasing designer clothes and expensive cars.<sup>256</sup> In case 1, profits generated by the trafficked victims were used by the trafficker to purchase property in Belgium. Nigerians (case 7) are believed to have made a minimum of EUR 4 million from the 80 Nigerian victims who were forced into prostitution and required to pay EUR 50,000 for their trip to Europe.

The traffickers in case 6 are believed by Dutch officials to have generated a profit of EUR 19 million in forcing over 100 women into prostitution. Assets of over EUR 900,000 belonging to the main trafficker have been seized in Turkey. Further, Turkish authorities are co-operating with Dutch authorities in carrying out a financial investigation into the profits generated through the trafficking business in a effort to seize and confiscate the criminal proceeds.<sup>257</sup>

While forced prostitution generates profit for the traffickers, forced labour saves costs (which in turn generates profits). In case 3, Chinese workers were paid approximately EUR 600 for a 78-hour work week. If, according to German law, a cook was entitled to earn EUR 1,900 for a 39-hour work week, the restaurant owner/exploiter saves EUR 3,200 per worker per month.<sup>258</sup>

In all of these cases above, proceeds of the crime were invested in the legitimate economy. This, however, is not always the case. In case 18, a mother and daughter trafficker-team made so much money running brothels over a four month period that they decided to expand their operations, setting up brothels in another city.

251 Louise Shelley, *Human Trafficking: A Global Perspective* (Cambridge University Press, 2010 forthcoming).

252 Interview G. Jozst, Austria.

253 Eurojust, *Annual Report 2007* (The Hague, 2008), p. 35, <[http://www.eurojust.europa.eu/press\\_releases/annual\\_reports/2007/Annual\\_Report\\_2007\\_EN.pdf](http://www.eurojust.europa.eu/press_releases/annual_reports/2007/Annual_Report_2007_EN.pdf)>, accessed 31 March 2010.

254 Interview G. Jozst and R. Idinger, Austria. Nigerian traffickers (madames) often invest the money back home, e.g., in property. Interview J. Reiterer, Austria.

255 It is possible that more information is available in the police or prosecution case files but was not available in the materials used for this study.

256 Regina v Luan Plakici, Court of Appeal, United Kingdom.

257 M. Van Dongen, "Saban B. leeft in luxe in Turkije", *de Volkskrant*, 16 January 2010, p. 3.

258 Andreas Ulrich, "Chinese Restaurants Accused of Human Trafficking", *der Spiegel Online* (20 August 2009), <<http://www.spiegel.de/international/germany/0,1518,643945,00.html>>, accessed 31 March 2010.

## Victims

A number of push factors contribute to the large number of potential victims. These include push factors such as relative poverty, lack of legitimate or viable opportunities, underemployment and unemployment, regional conflicts, socio-economic dislocation, dysfunctional families, child abuse or abandonment as a result of one or more parents migrating, discrimination on ethnic or gender lines, changing community values and practices, the role of the media in advertising and promoting false opportunities, and the involvement of organized criminal groups ready to take advantage of these misfortunes. This large supply of potential victims – often desperate to improve their lives – generally has no realistic picture of the life that awaits them as a trafficked victim. According to one expert in Austria, Nigerian women often do not have a realistic assessment of what it is like to work as a prostitute in Europe. Movies showing the red light district and night clubs tend to paint an unrealistic picture of the sex industry. Despite awareness raising campaigns in Nigeria by the head of one NGO,<sup>259</sup> people tend not to believe her, and to simply hope that they themselves might be luckier. Remittances from Nigerians living abroad help convince some victims that they may be lucky and successful – that another fate is possible. A lack of opportunities and no access to jobs or money drives many victims into the hands of traffickers in Nigeria and other parts of the world. This was very clearly portrayed in the documentary “Sex Slaves”, where a trafficked victim from Eastern Europe, having been beaten, raped and forced into prostitution in Turkey – where she is arrested and repatriated – vows to never return to Turkey knowing what awaits her, while her sister, also aware of the danger, insists on going to Turkey to work in the hope that she will not suffer the same fate.<sup>260</sup>

Victims may not consider themselves victims. According to one expert in Austria, Nigerian women rarely consider themselves victims, due to cultural beliefs, social background, certain myths, fear and intimidation.<sup>261</sup> In case 6, in spite of police wiretaps indicating the extreme violence and manipulation that the traffickers used against their victims, victims were hesitant to testify. When claims of abuse arose, one woman even went so far as to claim that “[t]his scenario is more like a Hollywood film than reality”.<sup>262</sup>

Victims are often vulnerable, or find themselves in a vulnerable position.<sup>263</sup> In this study, they were homeless persons (case 9), patients from a mental institution (case 12), a children’s home (case 15), an orphanage (case 13), minors (cases 7, 10, 14, 16, 17 and 20), children and minors placed in the care of the trafficker by their parents (case 23).

For many victims of trafficking, there is a general mistrust of the police. This may be due to police corruption (particularly in their home country), or even participation of police officers (as well as other officials) either indirectly or directly in human trafficking. According to one expert in Austria, this mistrust of the police is particularly true for victims of trafficking from countries in Africa and Asia. This mistrust is also transferred to the Austrian police (and police in other destination countries) and is influenced by a fear of criminalization, punishment and deportation.<sup>264</sup> Austrian police have reported an incident where women were raped by traffickers/pimps dressed up as Austrian police officers, in order to discourage women from contacting the police.<sup>265</sup> In order to protect victims of trafficking, it is essential that police and other government agencies are seen as organizations to which a victim can turn for protection. This can be accomplished through close collaboration with NGOs.

In the majority of cases analysed for this study, the victims were either exclusively female or at least girls/women were among the victims (over 80 per cent) in groups of male and female victims. Exceptions to this pattern occurred in cases of exploitation that involved hard physical labour (cases 1, 2, 3, 9, 10, 12 and 19).<sup>266</sup>

Rational choice theory may be used to explain this pattern. The theory suggests that traffickers will weigh their potential revenues against the risks involved in their operations. Women and children, irregular migrants or vulnerable persons, are more easily manipulated and controlled.<sup>267</sup>

259 Ms. Reiterer conducts awareness raising campaigns herself in Nigeria. Interview J. Reiterer, Austria. This picture was confirmed by Mr. Joszt, Austria.

260 This phenomenon was clearly visible in the documentary *Sex Slaves* (<<http://freedocumentaries.org/film.php?id=161>>, accessed 31 March 2010) where one repatriated trafficked victim was driven by poverty to return and enter into prostitution again.

261 Interview G. Joszt, Austria.

262 J.W. Navis, “Spong: Rechtbank partijdig”, *Spits* (29 May 2008).

263 R. Surtees, *Listening to Victims: Experiences of identification, return and assistance in South-Eastern Europe* (Vienna: ICMPD, 2007), <<http://www.nexusinstitute.net/publications/pdfs/Listening%20to%20victims.pdf>>, accessed 31 March 2010: Not all victims are vulnerable. In a study, “Listening to Victims” conducted by the Nexus Institute and the International Centre for Migration Policy Development (ICMPD), the research shows that victims have much more agency than was previously believed. Many victims who are identified and who accept assistance may also be the vulnerable ones. Those less vulnerable may not identify themselves as victims or accept assistance, and therefore may not fall into the statistics on backgrounds of victims of trafficking.

264 Interview G. Joszt, Austria.

265 E. Blassnig, P. Mayring, K. Ottomeyer, “Biographien von gehandelten Frauen: Leidenswege”, in Nautz, J. and B. Sauer (ed.) *Frauenhandel. Diskurse und Praktiken* (Goettingen: V&R Unipress, 2008), p. 168.

266 It is possible that women were among the victims in these cases as well but this information was not available in the case description.

267 E. B. Skinner, *A Crime So Monstrous. Face to Face with Modern-Day Slavery*, 1st Edition (New York: Free Press, 2008): This kind of rationality can also be observed in the case of the Haitian Restaveks, where 90 per cent of families place a child with another family for domestic service. This is not necessarily, but may result in slavery. Those children are generally abandoned by their owners before they develop the physical strength to rebel against them.

## Trafficking as a Business – Profit, Costs and Risks

The criminal business of human trafficking – and the profits generated as a result thereof – is huge. Estimates by the ILO place the profit generated by trafficking for labour exploitation and sexual exploitation at around USD 31.6 billion a year.<sup>268</sup>

In line with rational choice theory, another ILO study on the economic perspective of human trafficking in Europe found that organized crime groups calculate “[...] risk [...], reward and effort involved, both in absolute terms and in comparison with other activities.”<sup>269</sup> A successful business aims to increase profits while also reducing risks and costs. Legitimate businesses may do this through advertising, marketing and taking measures to keep overhead costs to a minimum. Their goal is to attract attention. Trafficking organizations operate in much the same way; however, they often take steps to divert attention away from their activities, rather than *drawing attention to* the business.

There are a number of actual costs involved in operating a sex trafficking business. These are the costs of acquiring the victims (victims may be bought and sold between traffickers) and operating costs (rental or purchase of premises, clothes, and advertising costs). Additionally, traffickers may incur other expenses such as paying bribes. If the trafficker is caught, additional costs may include attorneys, fines, prison time, restitution to the victim and forfeiture of assets.<sup>270</sup> To avoid the risk of getting caught and keeping overhead costs down – and thus profits high – traffickers take a number of measures. These include:

*Cost reduction:* numerous victims housed in a single apartment/unit; refusal to pay for medical services; recruitment/exploitation of locals or those allowed to enter and reside legally in country;

*Risk reduction:* use of fraudulent documents; recruiting women working as prostitutes in their own country; use of safe houses; use of bodyguards to escort victims into the country and to/from work; manipulation/violence to control victims and ensure they will not escape; recruitment/exploitation of locals; forced prostitution in escort service; exploitation of persons allowed to legally reside and work in a country; rotation of victims to other destinations; use of corrupt officials; use of aliases; constant replacement of mobile phones to avoid taps; talking in code; investments, cars, apartments in name of other persons; use of underworld businesses or intermediary figures to aid in travel arrangements, legal assistance, banking, rental of property;

*Profit enhancement:* trafficking in areas in which there is high market demand and high prices paid for prostitutes; rotating victims – fresh faces bring in more money; selling/renting out trafficked persons to other traffickers/pimps; keeping all profits and refusing to give any money to the victims; forcing women to have unprotected sex; forcing victims to work long hours and 7 days a week; pressuring victims to work until they earn a specific amount of money.

### Increasing Profit

Human trafficking is a highly lucrative business. Unlike other commodities such as drugs or stolen goods, trafficked persons can be used over and over again; they can be rented out, or sold and resold. They are indebted and forced to repay sums of money far above the actual cost of their transportation, employment and housing costs. They may be exploited for years and even victims who have been rescued and repatriated can be easily re-trafficked.<sup>271</sup> In addition to purchasing and selling victims, they can also be rotated to different destinations. The provision of new faces provides variety for customers and increases profits for the trafficking organization.

This phenomenon was observed in a number of cases in this study. In case 14, a 15 year old Lithuanian victim was tricked into going to the United Kingdom for a good job. The young victim was sold five times to numerous pimps, raped and forced into prostitution.<sup>272</sup> Victims forced into prostitution were also sold to other trafficker/pimps in cases 15 and 18. When a prostitute did not generate enough money for the traffickers in case 5, she was moved to another area where she was expected to bring in more money. In case 6, trafficked victims were expected to bring in EUR 1,000 per day.

Trafficking of men into prostitution is a way to increase profits. In Austria, one expert told of a father who forced his son to work on the homosexual prostitution market (*Homostrich*), because he knew that this brings in more money than prostituting a woman.<sup>273</sup>

268 P. Belser, *Forced Labour and Human Trafficking: Estimating the Profits* (Geneva: International Labour Organization, 2005), <[http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_081971.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_081971.pdf)> accessed 31 March 2010.

269 G. Van Liemt, *Human Trafficking in Europe: an Economic Perspective* (Geneva: International Labour Organization, 2004), p. 17, <[http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_081992.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_081992.pdf)>, accessed 31 March 2010.

270 S. Kara, *Sex Trafficking: Inside the Business of Modern Slavery* (New York: Columbia University Press, 2009).

271 This phenomenon was clearly visible in the documentary *Sex Slaves*. The problem of re-trafficking is most acute where dishonour has been brought upon the victim's family as a result of the woman having (been forced to) work(ed) in prostitution and there is no possibility of reintegration.

272 Regina v. Shaban Maka, Court of Appeal, 2005.

273 Interview G. Jozst, Austria. It is unclear if this larger profit is linked to the fact that fewer men work as prostitutes.

## Reducing Costs

Any time a business uses trafficked victims for forced labour, they necessarily reduce their operating costs which is intricately interwoven with increasing profits. The longer an organization operates, the greater the profits (in the case of forced prostitution) and the lower the operating costs (in the case of forced labour) and thus, the greater the profits. In the case of exploiting domestic victims, there are no upfront transportation costs to the traffickers (cases 9 and 12).<sup>274</sup> Other operating costs are held low by housing trafficked victims in crowded, poor housing or on the premises where they work (cases 1, 2, 9, 10, 11, 12, 19, 21 and 23).

## Reducing Risk

In the cases included in the study which provided a certain degree of detail, measures taken by traffickers to protect their operation were observed. Some of the most common were the use of nicknames (cases 6 and 18), the constant changing of telephones or sim cards (cases 5 and 6),<sup>275</sup> and the refusal to appear in the red light district or prostitution areas where their victims were working (cases 5 and 6).

Rotation of victims reduces risks (as well as increases profits) for the trafficking organization. This prevents the victim from establishing a trusting relationship with her client. Bringing victims abroad where they are isolated and ignorant of the local culture and language reduces the likelihood that they will escape and co-operate with the police. Rotation of victims to different cities within a country or to different countries occurred in cases 7, 13, 14, 15 and 22. Constant supervision of the victim to prevent his or her escape was another measure used by the traffickers to reduce risk (cases 1, 2, 3, 5, 6, 13, 15, 17). Other more forceful means were used to reduce the risk that victims would escape or turn to the police for assistance. These include the use of guards (cases 10 and 19) or physically detaining the individuals on the premises (cases 9, 11, 21 and 23).

Many of these measures were used in combination in case 5 (see above). Additionally, the traffickers used physical as well as psychological violence against the victims and threatened to harm their families. The police report that the victims were entirely dependent upon the traffickers to regulate everything – from their housing to their registration with the Chamber of Commerce and tax forms. As a result of this dependency, many of the women developed a strong emotional relationship with their trafficker/pimps and a number of the victims fell in love with their traffickers.

In order to avoid the risk of getting caught attempting to smuggle their victims into a country, traffickers may turn to using fraudulent documents or legal means to bring them into the country. Traffickers in the Netherlands and Austria have been known to abuse the asylum laws to bring young women into the country legally and then force them into prostitution for the duration of the application procedure (case 7).<sup>276</sup>

## Corruption

In 2006, the OSCE reported that “there is a very strong correlation between trafficking and corruption” and “the trafficking of persons [...] flourishes in part through the corruption of public officials”.<sup>277</sup> Corruption is referred to in many studies but has not been the focus of many specific studies. Moreover, little has been published on corruption and human trafficking; references between corruption and human trafficking are usually anecdotal. It is difficult to obtain information, in part, because victims may not be aware of corruption and traffickers and corrupt officials are not likely to report the practice. Human trafficking could undoubtedly “not occur on the scale it does were it not for the complicity and collusion of corrupt officials with criminal gangs”.<sup>278</sup>

Cases in Belgium have pointed to corruption and collusion between traffickers and government officials. In one case in Belgium involving victims of sexual exploitation from an Eastern European country, the women reported their distrust of the police in their home country because they were all corrupt. The victims stated that the traffickers and exploiters from their home country had been preparing sex parties for policemen, magistrates, judges and politicians and that there were very strong links between the traffickers with state officials and policemen.<sup>279</sup> During an

274 This is really a moot point as transportation costs are always passed on to the trafficked victim.

275 Experts in Austria also report that escort services frequently change their telephone numbers as a way of minimizing risks (interviews with G. Joszt and R. Idinger, Austria).

276 M. Kreutzer and C. Milborn, *Ware Frau. Auf den Spuren moderner Sklaverei von Afrika nach Europa*, Econwin (Salzburg, 2008), p. 169: In Austria, non-EU nationals are immediately instructed by the traffickers to file an asylum application. During that time, they reside legally in Austria and are allowed to work in certain areas, including prostitution. This period can last for years. Traffickers exploit this situation.

277 L. Holmes, “Human Trafficking & Corruption: Triple Victimization?” (2009), citing L. Mann and I. Dolea, *OSCE Trial Observation Manual for the Republic of Moldova* (Chisinau: OSCE/ODIHR, 2006), 79; 182.

278 L. Holmes, “Human Trafficking & Corruption: Triple Victimization?”, in Cornelius Friesendorf (Ed.), *Strategies against Human Trafficking: The Role of the Security Sector*, National Defence Academy and Austrian Ministry of Defence and Sports (Vienna and Geneva, September 2009), p. 84.

279 Written communication from S. Janssens, CEOOR, Belgium.

investigation into another case by the Brussels Federal Police, corruption practices were discovered with regard to a trafficker obtaining a licence for a bar. Additionally, evidence showed that there was also dubious contact with an embassy.<sup>280</sup>

Corruption in human trafficking commonly involves local authorities and/or migration service officials and/or diplomats dealing with the issuance of travel documents. Consular staff at the Austrian Embassy in Lagos and several countries in South Eastern Europe, for instance, were accused of visa fraud.<sup>281</sup> As a response, as it was mentioned above, the Austrian Government implemented a set of rigorous countermeasures.<sup>282</sup> Corruption at the border also facilitates trafficking. As many victims are transported with fraudulent documents, the support of border officials is needed to secure safe passage. This could be seen in a case involving a lieutenant-colonel of one of the Russian special services who aided a criminal group which had been trafficking women from the Russian Federation and the CIS to the Near East and Western Europe for almost 10 years. The lieutenant-colonel also engaged a border control officer who controlled the 'window' at the border, which facilitated the human trafficking activities (case 8).<sup>283</sup> Other cases of police corruption involved in human trafficking in the Russian Federation have been documented.<sup>284</sup> In Kazakhstan, three police officials, including the former head of the Anti-Trafficking in Persons Unit in Almaty, were prosecuted for trafficking in 2007, resulting in a six and a half year sentence for one officer.<sup>285</sup> Following the World Bank definition of corruption – “the abuse of public office for private gain” – this study identified a number of cases where legitimate agents misused their position to facilitate or even initiate trafficking. One case (12) in the Russian Federation involved the director of a clinic who misused his patients by forcing them to work as domestic servants in private households. In case 9, an employee of a public waste disposal facility in the Russian Federation exploited homeless people.

## Overlap Between the Upper- and Underworld Activities

Partnerships are forged between the legal and the illegal world in order to create a legal facade.<sup>286</sup> Model and travel agencies may be used for the recruitment and transportation of victims, while other (semi-)legitimate businesses may be involved in renting property, obtaining licences or laundering money.<sup>287</sup> In case 19, victims of labour trafficking were recruited through advertisements and labour agencies in Eastern Europe to travel to and work in the United Kingdom.

Cases of labour and employment agencies have also been linked to human trafficking in Belgium. A Russian Employment agency, Eliteprof, trafficked women and organized an international prostitution network. It had local agencies in various Russian cities like Volgograd, Berdsk, Perm, Omsk, Novosibirsk and Zlatoust. These agencies recruited women through job advertisements for work abroad in a Western country. Eliteprof had a licence for employment of Russians abroad and also for activities as a travel agency and a tourist operator. The organization was organizing the employment of Russian, Polish and Lithuanian women who were being sent to labour markets in Belgium, Japan and the Czech Republic.<sup>288</sup>

It is not always apparent to what degree individuals are knowingly exploiting victims of trafficking. According to one expert in Austria, where prostitution is not prohibited, the owners of brothels often run legally sanctioned businesses, complying with licence requirements and paying taxes. They may believe they are hiring a “freelance” prostitute and may not be aware of the trafficker/pimp who is exploiting her while she is working on their premises.<sup>289</sup>

There is no clearer instance of the successful merging and co-operation between the legal and the illegal sectors, than in cases of labour exploitation. In a case in the United Kingdom (19), recruitment agencies were sending legal migrants to the United Kingdom to work in the agricultural sector. Upon arrival, the victims were met by members of the organizations and trafficked to work on a farm. The farm, which profited from slave labour, sold goods produced or harvested by trafficked victims to large supermarket chains which then passed on their ‘savings’ to customers.<sup>290</sup>

280 Case material obtained from S. Janssens, CEOOR, Belgium.

281 M. Kreutzer and C. Milborn, Op. Cit., p. 165.

282 Please refer to the section ‘Documentation’ above.

283 V. Bogdanov, “Trafficking in persons under cover”, *Rossiiskaya gazeta, Bezopasnost*, 30 July 2009, <<http://www.rg.ru/2009/07/30/rabyni-site.html>>, accessed 31 March 2010.

284 E. Tyuryukanova, *Human Trafficking in the Russian Federation*, Inventory and analysis of the current situation and responses, Report conducted by E.V. Tyuryukanova and the Institute for Urban Economics for the UN/IOM Working Group on Trafficking in Human Beings (Moscow: UNICEF, ILO, CIDA, 2006), pp. 63-64, <[http://www.no2slavery.ru/files/Unicef\\_EnglishBook.pdf](http://www.no2slavery.ru/files/Unicef_EnglishBook.pdf)>, accessed 31 March 2010.

285 U.S. Department of State, *Trafficking in Persons Report* (Washington D.C., July 2008), <<http://www.state.gov/g/tip/rls/tiprpt/2008/105388.htm>>, accessed 31 March 2010.

286 Interviews with G. Joszt/R. Idinger. It is unclear if the legal businesses are aware of the illegal practices of trafficking networks and to what degree the collaboration occurs.

287 Interview C. Weidel, Austria.

288 Case information obtained from S. Janssens, CEOOR, Belgium.

289 Interview G. Joszt, Austria.

290 One Austrian expert commented on the fact that, for instance, the Austrian tourism industry and some others benefit from the availability of cheap labour, Interview G. Tatzgern, Austria.

The most complex and concrete example of an overlap between the criminal organizations and legitimate businesses within the scope of this study was the co-operation of Turkish-German traffickers in the Netherlands (case 6) with a number of primarily legitimate agents. Among others, the criminals used the services of a real estate agency that handled various organizational issues like housing and vehicles for them and also a consultancy firm that gave them advice on legal and bureaucratic issues. Apart from that, they worked together with a physician of an abortion clinic to ensure their victims could continue working without interruptions due to pregnancy. Breast enlargement operations were performed by a doctor on a number of the victims who were escorted to the clinic by a male companion/member of the criminal network who determined the size of the breast enlargement.

According to Austrian experts, organized crime groups trafficking persons have contacts with excellent lawyers, are very well informed concerning the changing legal context, and are fully apprised of legal changes and relevant Supreme Court decisions in Austria and at the European level. They have been known to be in possession of legal proceedings of earlier human trafficking court cases, and have other channels of information.<sup>291</sup>

At the “other end of the trafficking chain”, legitimate businesses with a high cash turnover – snack bars or restaurants – can be used to launder money. In case 4, the Bulgarian network was using business structures for the purpose of money laundering. Money laundering was also reported in case 22, but it is unclear if these were legitimate or illicit businesses established by the traffickers for the sole purpose of laundering their funds.

## Trafficking and Other Crimes

Trafficking and its relation to other crimes can take one of two forms. Either victims can be made to commit crimes for the traffickers (drug smuggling, drug dealing, forced begging, stealing or prostitution),<sup>292</sup> or the traffickers themselves are involved in parallel criminal activities. While both of these forms of criminal activities were uncovered in this study, this section will concentrate only upon crimes perpetrated by the criminals involved in human trafficking.

Traffickers have been linked to other offences, particularly in situations where organized criminal groups have already established travel routes, safe houses and employed corrupt officials. In a study of almost 2000 law enforcement agencies in the United States, almost 92 per cent reported a connection between human trafficking and other criminal networks involved in drug trafficking and prostitution.<sup>293</sup>

The European Union agency Eurojust provides an example of an international criminal organization involved in numerous offences, of which human trafficking was just one. An Albanian criminal network operating in Belgium, France, Germany, the Netherlands, Italy and the United Kingdom was involved in drug trafficking, trafficking in human beings, money laundering, trafficking of illegal arms and trafficking in stolen vehicles, document fraud and organized transnational burglary.<sup>294</sup> A Turkish criminal organization exploiting Polish victims in the transport sector in Belgium were also involved in, or in the past had been linked to value added tax fraud involving diesel, fencing stolen vehicles, an attempted murder, and the sale of drugs. They had also been involved in two cases involving human trafficking concerning economic exploitation, violating social legislation, theft of trucks, fraudulent bankruptcies, threats, bribing Romanian and Ukrainian customs officers, forgery, cigarette smuggling, drug dealing and money laundering practices. Co-defendants who spoke about this were threatened in jail. There was even a reward of EUR 300,000 offered for killing them.<sup>295</sup>

According to experts in Austria and the Netherlands, this pattern can also be found: organized criminal groups are typically also involved in other illegal activities and markets such as stolen goods, cigarettes or drugs.<sup>296</sup> The borders between markets are fluid (as opposed to the 1960s, when separate markets prevailed). Pimps/traffickers now offer forged documents, drugs, medication, stolen goods and other goods and services.<sup>297</sup>

A number of crimes may be perpetrated in aiding traffickers to move irregular migrants into a country for the purpose of exploitation (document forgery) or for the purpose of controlling victims (rape, illegal detention, assault). The use of forged documents is a frequently mentioned secondary crime in international trafficking cases and was found in a number of cases included in the study. This points to the need for law enforcement and other agencies investigating “parallel crimes” that could be linked to trafficking, to delve deeper into the investigation to determine whether a case involves human trafficking, and not ‘just’ migrant smuggling or fraudulent documentation. At the same

291 Interview with G. Joszt/R. Idinger, Austria.

292 Victims in the United Kingdom have been forced to transport and deal illegal drugs (UKHTC, <<http://www.ukhtc.org/news/internal-trafficking-what-it->>, accessed 31 March 2010).

293 A. Farrell, J. McDevitt and S. Fahy, *Understanding and Improving Law Enforcement Responses to Human Trafficking* (Washington D.C.: National Institute of Justice, 2008), <<http://www.ncjrs.gov/pdffiles1/nij/grants/222752.pdf>>, accessed 31 March 2010.

294 Eurojust, *Annual Report 2007* (The Hague, 2008), <[http://www.eurojust.europa.eu/press\\_releases/annual\\_reports/2007/Annual\\_Report\\_2007\\_EN.pdf](http://www.eurojust.europa.eu/press_releases/annual_reports/2007/Annual_Report_2007_EN.pdf)>, accessed 31 March 2010: Eurojust is a judicial co-operation body created to improve the fight against serious crime by facilitating the optimal co-ordination of action for investigations and prosecutions covering the territory of more than one Member State in the European Union.

295 Case material obtained and taken verbatim from S. Janssens, CEOOR, Belgium.

296 Interview, MWC Nuijten, Netherlands. Interview G. Joszt and R. Idinger, Austria.

297 Interviews with G. Joszt and R. Idinger, Austria and R. Nuijten, Netherlands.

time, investigators identifying (in particular) women involved in human trafficking or other crimes, should determine whether or not the woman is a victim of trafficking and is being forced to commit these crimes. In this case, the principle of non-punishment should be applied.

## Macro-Level Factors Enabling Trafficking

There are a number of factors facilitating or enabling human trafficking. First, there is an often seemingly unlimited supply of potential victims due to the lack of opportunities and perspectives in origin countries. A lack of social support systems requires young adults to support both their parents and their children. A lack of employment opportunities in many origin countries forces persons to seek employment abroad. This affects women in particular. The lack of legal migration possibilities drives migrants into the arms of smugglers and traffickers. Victims incur debts which puts them at risk of exploitation. Other factors which put migrants at risk of trafficking are abject and relative poverty, unemployment and underemployment, a desire to improve one's life, economic uncertainty and crisis in family situation, low educational level, widespread domestic violence and violence in the society, gender inequality, and the erosion of traditional values. According to one Austrian expert, "respect can be bought through money". If someone returns from Europe with money, the person is not asked how s/he earned it. If, however, a person is deported with nothing, this person, upon return to Nigeria, is stigmatized as a 'loser', HIV-positive, and 'a whore'. This, and the absence of any rehabilitation and reintegration programmes, psychological, economic and legal and support, often leads to re-trafficking of repatriated victims.<sup>298</sup>

Further, restrictive migration policies and the limited availability of legal migration and especially labour migration possibilities is considered another factor contributing to both smuggling and human trafficking.<sup>299</sup> This affects women in particular. The first European Commission's Expert Group on Human Trafficking asserted in its report of 2004 that "women's inability to access regulated migration and their propensity to work in unregulated unskilled sectors leaves them more vulnerable to trafficking and exploitation".<sup>300</sup>

Unregulated, informal and precarious working conditions in destination countries foster human trafficking and exploitation. These sectors include commercial sex industry/prostitution, household/domestic work, au pair, marriages, gastronomy and the construction industry. Women are more likely than men to end up in the unregulated and precarious sectors (domestic servitude including care for the elderly, child care, maid services and the sex industry).<sup>301</sup> Men are likely to end up in other unregulated sectors, among others, construction and agriculture. According to an Austrian expert, high labour costs may also be a factor contributing to both smuggling and human trafficking in that they are conducive to the existence and growth of informal and precarious labour markets.<sup>302</sup>

Another factor contributing to human trafficking is the lack of, or limited access to the labour market for asylum seekers. Three months after filing a request for asylum in Austria, asylum seekers are legally eligible for limited forms of self-employed work. Due to their lack of language and other skills, prostitution is one of the few opportunities for legal employment available to asylum seekers during the waiting process, actually pushing them into the sex industry and paving the way for their exploitation.<sup>303</sup>

## Government and Criminal Justice System Responses

This section provides a brief, non-comprehensive overview of some measures that have been taken by selected governments included in the study. The list is by no means exhaustive and it is beyond the scope of this study to examine local initiatives. These measures are provided only as an introduction to the kinds of actions which could be taken to address the problem.

Any time initiatives are taken to raise awareness of potential victims or customers of trafficked persons, this raises the cost and risk to traffickers. When expertise is developed among agencies investigating situations involving exploitation, this increases the risk to this business. Increased prosecution will raise the risk and increase costs to traffickers, while asset seizure and confiscation will reduce profits. Most of these measures, taken together, provide governments with tools to attack the business of human trafficking.

298 Interview J. Reiterer, Austria: While Reiterer discussed this specifically with Nigerian victims in mind, this applies as well to trafficked victims and the conditions that they face in many source countries.

299 Interview B. Sauer, Austria.

300 European Commission, Directorate-General Justice, Freedom and Security, *Report of the Experts Group on Trafficking in Human Beings* (Brussels, 2004), p. 147, <<http://www.europa.eu.int>>, accessed 31 March 2010.

301 Interview B. Sauer, Austria.

302 Interview R. Ruzs, Austria.

303 R. Ruzs, Austria.

## Prosecution and Conviction

Despite legislation against trafficking in most countries, the likelihood of arrest, prosecution and conviction for human trafficking remains low. Police do not always recognize cases of human trafficking.<sup>304</sup> Victims can make poor witnesses<sup>305</sup> – they are traumatized, their stories are inconsistent, they are in love with or afraid of their traffickers and refuse to testify against them,<sup>306</sup> and fail to recognize they are victims. It is often difficult to obtain evidence of coercion against the trafficker and often cases of trafficking, if they even go to court, result in convictions only for human smuggling.<sup>307</sup> It is therefore necessary that police rely upon measures other than victim testimony to gather evidence against traffickers. These include telephone taps, surveillance, asset investigation and financial analysis of bank accounts and transactions.

In its *Global Report on Trafficking in Persons*, the United Nations Office on Drugs and Crime collected data on 155 countries between 2007 and 2008. The UN reports the following in terms of convictions recorded for the specific offence of trafficking in persons during the reporting period.<sup>308</sup>

Table 5.1: Distribution of Countries According to the Number of Convictions for Specific Offence of Trafficking in Persons

Convictions	%
No convictions and offence in force	19 %
No convictions because no offence defined by law	22 %
One to ten convictions per year	17 %
At least 10 convictions per year	29 %
Data not available	14 %

Global criminal justice data on prosecutions and convictions for human trafficking provide a disturbing trend. Despite new or improved legislation on human trafficking in the 175 countries included in the U.S. State Department's *Trafficking in Persons Report 2009*, prosecutions have declined steadily since 2003. Convictions have fluctuated but remain around the 2003 level (see Table 5.2). Given the number of victims estimated to be trafficked worldwide, prosecution and conviction data show just how small the chances are of being caught, prosecuted and convicted for trafficking.<sup>309</sup> Rational choice theory would support the notion that this crime pays.

Table 5.2 Global Criminal Justice Data and Legislation<sup>310</sup>

Year	Prosecutions	Convictions	New or Amended Legislation
2003	7,992	2,815	24
2004	6,885	3,025	39
2005	6,618	4,766	41
2006	5,808	3,160	21
2007	5,682 (490)*	3,427 (326)	28
2008	5,212 (312)	2,983 (104)	26

\* Numbers in parentheses are those of labour trafficking prosecutions and convictions.  
Source: U.S. Department of State (2009, p. 47).

304 Berger tells of a woman who was trafficked to the US from Mexico and forced to work in prostitution. Her trafficker beat her. Failing to identify the situation properly, the police arrested the 'boyfriend' for simple assault in a domestic violence situation. The victim's lawyers are trying to get the prosecution to recharge the defendant for human trafficking.

305 There is a perception that exists in some police forces that children from troubled backgrounds will make poor witnesses, although in practice the reverse can be true. However, when looking to prove trafficking where the victims is a 14 year old girl who has previous convictions, high levels of truancy, thought to be sexually promiscuous etc., police and/or prosecutors can be reluctant to proceed. Correspondence from the Chief of Operations, U.K. Human Trafficking Centre.

306 Police in Austria also report that female victims often refuse to testify against their traffickers. Interview G. Joszt.

307 In spite of numerous successful convictions for human trafficking in the Netherlands, a recent high profile case, Operation Koolvis (case 7), involving Nigerians in an international trafficking ring resulted in convictions only for human smuggling.

308 United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons* (Vienna, 2009), p. 9, <[http://www.unodc.org/documents/Global\\_Report\\_on\\_TIP.pdf](http://www.unodc.org/documents/Global_Report_on_TIP.pdf)>, accessed 31 March 2010.

309 Tracking criminal justice responses and convictions improves in countries with National Rapporteurs where resources and systems are applied for data collection.

310 U.S. Department of State, *Trafficking in Persons Report* (Washington D.C., 2009), p. 47, <<http://www.state.gov/documents/organization/123357.pdf>>, accessed 31 March 2010.

Convictions for human trafficking in the United States have also been low. Since the enactment of the Victims of Trafficking and Violence Protection Act of 2000 in the United States, only 196 cases have been prosecuted resulting in convictions against 419 people.<sup>311</sup>

In the Russian Federation, in spite of anti-trafficking legislation introduced in 2003, the conviction rate for cases involving human trafficking remains low. This is true in many other CIS countries as well. Between 2004 and 2007, 287 criminal ‘episodes’ were investigated under Article 127.1 of the Criminal Code of the Russian Federation (Trafficking in Persons)<sup>312</sup>; 128 persons were identified as suspects in human trafficking, of which only 20 were convicted.<sup>313</sup> At the same time, the number of criminal cases and prosecutions for labour trafficking is much lower than for trafficking for sexual exploitation.

While it is difficult to successfully prosecute and obtain convictions in trafficking cases in general, cases of labour trafficking are reportedly even more difficult to successfully prosecute in some countries. Explaining this phenomenon in the United Kingdom, one expert refers to the perception that the trauma suffered by victims of labour trafficking might be significantly lower than that suffered by victims of sexual exploitation. Victims of labour trafficking might not fit the “stereotypical view” of a trafficked person; therefore it is difficult for juries to view the persons as victims of trafficking.<sup>314</sup>

Prosecution for human trafficking has been relatively successful in the Netherlands. In 2007, 73 (61 per cent) of the 120 cases brought before the court resulted in a conviction for human trafficking; in 24 (20 per cent) of the cases, conviction was obtained for other offences.<sup>315</sup> Most of the successful prosecutions have involved trafficking for sexual exploitation. It has proven more difficult to obtain convictions in labour trafficking cases. Prosecutors and judges have more experience with cases involving sexual exploitation and labour exploitation is not considered to have “damaged the integrity” of the victim.<sup>316</sup>

### *Establishing Specialized Expertise within Law Enforcement and the Criminal Justice System*

A number of police forces in the Netherlands have formed specialist teams to investigate human trafficking. Additionally, the public prosecution service is intensifying its policy on human trafficking and prosecutors have been appointed in the new regions that can devote 50 per cent of their time to human trafficking cases. The Office for Financial, Economic and Environmental Offences in the Netherlands recently assigned the human trafficking portfolio to a prosecutor and an advocate-general. Co-ordination on cases in the public prosecution service takes place in the “portfolio owners meeting”.<sup>317</sup>

In the Netherlands, the Social Intelligence and Investigation Service (SIOD) has made human trafficking and labour exploitation a priority and it recently established an internal “Programme to Improve Efforts to Tackle Human Trafficking”.<sup>318</sup> Co-ordinated investigation and a focused prosecution have resulted in the successful conviction in the Sneeep case (case 6 of this study).

Belgium has specialized units comprising police, the social inspection and magistrates which together take a multi-disciplinary approach to investigating human trafficking.<sup>319</sup>

The German Federal Police (*Bundeskriminalamt*) founded a special unit for combating trafficking. Its main purpose is to advance the international co-operation in prosecution efforts. It also provides two-week seminars for police and border control officials and publishes a yearly report on the status of human trafficking in Germany. The police organizes, in co-operation with NGOs, seminars for investigators, victim protection officers and prosecutors, seminars that aim at better victim care and strengthening of the network among officials.

While there are no specialist anti-trafficking police units in the Russian Federation at the local level, a Drug, Human Trafficking and Migration Crime Unit has been established at the federal level in the Investigative Committee of

311 J. Berger, “Despite Tough Laws, Few Trafficking Arrests”, *New York Times*, 3 December 2009, <<http://www.nytimes.com/2009/12/04/nyregion/04trafficking.html?scp=4&sq=human%20trafficking&st=cse>>, accessed 31 March 2010: Although more common, there have been few cases of labour trafficking.

312 Russian Ministry of the Interior statistics refers to so-called “criminal episodes” which may comprise more than one criminal act in a single criminal case (on average there have been five episodes per criminal case for the period 2004-2007).

313 Statistics of the Prosecutor’s General Office of the Russian Federation.

314 The level of trauma experienced by the victim might contribute to the decision whether or not to prosecute the offender for trafficking. This, and the fact that the ‘victim’ of labour trafficking does not always look like a victim to police, prosecutors and juries may contribute to the low arrest, prosecution and conviction rate in cases of labour trafficking. The Head of Operations, UK Human Trafficking Centre argues for the need to break away from stereotypical views of what a victim of trafficking looks like which in turn may increase the successful investigation, arrest and prosecution of criminals involved in labour trafficking. Interview with and written communication from the Head of Operations, UK Human Trafficking Centre.

315 Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings), *Seventh Report* (The Hague, 2009), Table 10.8, p. 414, <<http://english.bnrm.nl/reports/7th%2Dreport/>>, accessed 31 March 2010.

316 Interview J.L. Hendriks: On 27 October 2009, the Supreme Court in the Netherlands handed down a judgment requiring lower courts to consider other mentioned factors when dealing with cases of trafficking for labour exploitation.

317 BNRM, Op. Cit., Summary.

318 BNRM, Op. Cit., Summary, p. 17.

319 Written communication from S.Janssens, CEOOR, Belgium.

the Ministry of Interior of the Russian Federation. This unit supervises the investigation of trafficking cases all over the country. The Investigative Committee issued a methodical handbook for operational officers and investigators containing the main principles and best practices of trafficking investigations, including proactive investigation strategy. The Academy of Prosecutor's General Office in 2008 produced a report on combating human trafficking in the Russian Federation containing statistics and examples of investigated trafficking cases.<sup>320</sup>

### *Expertise Centres as an Example of Interagency Co-operation*

In the Netherlands and the United Kingdom respectively, an expertise centre has been established with representatives from a number of governmental stakeholders. Representatives from the Dutch National Crime Squad (*Dienst Nationale Recherche*), the National Criminal Intelligence Service (*Dienst Nationale Recherche Informatie*), the Royal Military Police (*Koninklijke Marechaussee*), the Immigration and Naturalisation Service (*Immigratie- en Naturalisatiedienst*) and the Social Information and Investigation Service (*Sociale Inlichtingen- en Opsporingsdienst*) work together in the Expertise Centre Human Trafficking and Human Smuggling of the Dutch National Police, where knowledge of and experience in combating the smuggling and trafficking of persons is gathered, analysed and made available to investigation services.

In the United Kingdom, representatives from the Crown Prosecution Service, the Serious and Organized Crime Agency (SOCA), the UK Border Agency (UKBA), Revenue and Customs (HMRC) and a research development manager co-ordinate efforts to assist local police in their attempt to eradicate trafficking. Two NGOs, STOP the Traffic and Stop Trafficking, are also represented in the Centre to aid the police in their victim-centred approach to dealing with trafficking investigations. The Human Trafficking Centre also co-ordinates closely with the United Kingdom's Gangmaster Licensing Authority (GLA)<sup>321</sup> whose responsibility it is to, among others, safeguard the welfare and interests of workers while ensuring labour providers operate within the law. One of the tasks of the GLA is to carry out onsite inspections of places of employment to ensure that businesses are upholding the law. When the GLA determines non-compliance, licences to operate are not issued, are withdrawn or are followed by a criminal prosecution.

Such administrative responses have also been carried out in the Netherlands where municipal governments can refuse to issue to, or withdraw licences from businesses which are suspected of, or have been found to be involved in human trafficking and other crimes, or if there is a serious suspicion that the licence will be used (also in the future) for criminal activities.<sup>322</sup>

In Belgium, specialized units comprising police, social inspection units and magistrates for human trafficking also co-operate to provide a multidisciplinary approach.

A Human Smuggling and Trafficking Center in the United States “[...] provides a mechanism to bring together federal agency representatives from the policy, law enforcement, intelligence, and diplomatic areas to work together<sup>323</sup> on a full time basis to achieve increased effectiveness, and to convert intelligence into effective law enforcement and other action”<sup>324</sup>.

### *Proactive and Prevention Strategies*

In addition to the need to increase arrest and successful prosecutions of human traffickers – a reactive measure – the governments of a number of countries included in the study have taken various proactive or preventive measures to eradicate trafficking. Many of these prevention measures are aimed at trafficking for sexual exploitation, while others are aimed at exploitation of trafficked persons in other sectors as well.

The Dutch and Austrian policy clearly differentiates between voluntary prostitution as opposed to sex trafficking and other forms of sexual exploitation, coercion and violence. Prostitutes are subject to mandatory registration with the authorities, as well as regular health checks. In both countries there is also a sizeable illegal sex market (in Vienna it is estimated to be twice the size of the legal market). In Austria, some 85-90 per cent of registered prostitutes are foreigners, whereas this rate is much lower in the illegal sector.<sup>325</sup> The police are constantly monitoring both the regular and the irregular sex markets in order to detect possible exploitation; to this end, they also seek to establish a

320 V. Ovchinsky and Ju. Torbin, *Fighting human trafficking in the Russian Federation*, Academic Report, edited by V. Ovchinsky and Ju. Torbin (Moscow: Norma, 2009) (in Russian).

321 The Gangmasters Licensing Authority (GLA) regulates those who supply labour or use workers to provide services in agriculture, forestry, horticulture, shellfish gathering and food processing and packaging. For more, see the website at <<http://www.gla.gov.uk/>>, accessed 31 March 2010.

322 J.L. Hendriks, Netherlands (written communication). This suspicion must be supported by concrete indications.

323 The numerous law enforcement jurisdictions in the United States make co-ordination more difficult.

324 <<http://www.state.gov/m/ds/hstcenter/>>, accessed 31 March 2010.

325 ExpertInnenkreis 'Prostitution' im Rahmen der Task Force Menschenhandel, *Arbeitsbericht 'Prostitution in Österreich*. Rechtslage, Auswirkungen, Empfehlungen (Vienna, 2008), p. 11, <<http://www.bmeia.gv.at/aussenministerium/aussenpolitik/menschenrechte/schwerpunktthemen/kampf-gegen-menschenhandel.html>>, accessed 31 March 2010: According to this expert group, the legal prostitution market in Vienna has doubled since the 1970s. This may be due to the fact that asylum seekers and new EU citizens are now able to work legally in prostitution and owing to the outreach work by STD ambulances as well as counseling centres in the red light districts.

rapport with women. They also work with informants and receive hints from clients. Police raids are also carried out in order to close down or at least disrupt the illicit business even though a criminal charge would not be possible and a conviction rather unlikely. Plans are in place to establish multi-stakeholder groups to more fully monitor sex markets with a view to better identifying victims and disrupting the trafficking business.<sup>326</sup> To this end, an interdisciplinary working group developed an Action Plan on Prostitution in mid 2008, with the overall objective to clearly differentiate between voluntary prostitution and sex trafficking and other forms of exploitation, to improve working conditions for prostitutes, including social protection and health support, and to improve protection against exploitation.<sup>327</sup>

In the Netherlands, a draft bill has been published (but not yet introduced to Parliament) which will require every sex business to be licensed.<sup>328</sup> As part of the efforts of the Human Trafficking Task Force to improve supervision of the prostitution sector, a protocol/manual on 'supervision of the licensed prostitution sector' is being written in consultation with the Ministry of the Interior and municipalities. To end exploitation in sectors outside of the prostitution branch, training courses in human trafficking have been offered to employees of various departments in the Labour Inspectorate.

With respect to the sex market, various awareness raising campaigns in the Netherlands and the United Kingdom have been aimed at the general public, and in particular, customers of prostitutes (or others who may come into contact with prostitutes such as taxi drivers or hotel personnel) warning them that prostitutes may be victims of trafficking. The particularly powerful campaign of Crime-Stopppers UK warns customers of prostitutes "Walk in a punter [customer], walk out a rapist".<sup>329</sup> The website of the Dutch Crime-Stopppers *Meld Misdaad Anoniem* (Report Crime Anonymously) reports that a number of valuable tips came into the organization leading to the rescue of victims and the arrest of traffickers.<sup>330</sup>

An awareness raising campaign aimed at the general public to raise awareness of the signs of human trafficking, The Blue Blindfold Campaign, was launched in the United Kingdom in 2007. It has received the endorsement of the FBI and the U.S. Human Smuggling and Trafficking Centre and it is currently being promoted to Federal and local agencies across the United States. Crime Stoppers International (CSI) has also endorsed Blue Blindfold. The organization will be engaging in programmes throughout the world in the forthcoming months and Blue Blindfold will be promoted as an awareness raising tool. The Blue Blindfold campaign has also received the backing of the United Nations Office on Drugs and Crime (UNODC).<sup>331</sup>

In Austria, training is provided for consular staff, and co-operation is sought with authorities in origin countries. Training and awareness raising is going to be offered to all potential stakeholders who may come into contact with trafficked victims, including street workers and health workers.<sup>332</sup>

In the Russian Federation, several hearings in the State Duma aimed at further developing the anti-trafficking legislation, including Criminal Code amendments and Law on the Status of the Victim of THB and broad awareness raising campaign in mass media showed the urgent necessity for special measures aimed at converting knowledge and awareness into the safe models of behaviour.<sup>333</sup> Two all-Russia NGOs Assemblies have been conducted to build a nation-wide anti-trafficking platform. Besides, many round tables organized by NGOs in co-operation with state authorities moved counter THB activity forward.

### *National Referral Mechanisms, National Rapporteurs and Other Multi-agency Task Forces*

A country-wide National Referral Mechanism for the identification of trafficked persons is in preparation in Austria, involving mainly the Ministries of Justice, Interior, European and International Affairs and Women's Affairs and working together with the NGO LEFOE<sup>334</sup> as its main partner. It will agree on criteria, and standard operating procedures for victim identification and referral to appropriate victim support, including international cross-border co-operation.<sup>335</sup> There is also a multi-agency National Task Force on Human Trafficking headed by the Ministry of European and

326 Interview G. Joszt, Austria.

327 <<http://www.bmeia.gv.at/aussenministerium/aussenpolitik/menschenrechte/schwerpunkthemen/kampf-gegen-menschenhandel.html>>, accessed 31 March 2010.

328 Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings), *Seventh Report, Summary* (The Hague, 2009), p. 3, <<http://english.bnrm.nl/reports/7th%2Dreport/>>, accessed 31 March 2010: "Other relevant pieces of legislation are bills to enhance the standing of victims in criminal proceedings, a draft bill to expand the possibilities for confiscating illegally obtained profits and a bill on the liability of companies for temporary employees that they hire".

329 Crime Stoppers, <<http://www.crimestoppers-uk.org/media-centre/crime-in-the-news/may-2008--crime-in-the-news/walk-in-a-punter-walk-out-a-rapist>>, accessed 31 March 2010.

330 See the website report at <http://www.meldmisdaadanoniem.nl/english/human-trafficking/>.

331 UKHTC – Tackling Human Trafficking: The Ongoing development; <<http://www.ukhtc.org/news/tackling-human-trafficking-ongoing-development>>, accessed 31 March 2010.

332 For more on this aspect, IOM, UN.GIFT and the London School of Hygiene and Tropical Medicine, *Caring for Trafficked Persons. Guidance for Health Care Providers* (IOM, 2009), <[http://www.epacvaw.org/IMG/pdf/CT\\_Handbook.pdf](http://www.epacvaw.org/IMG/pdf/CT_Handbook.pdf)>, accessed 31 March 2010.

333 Elena Tyurukanova and Zhanna Zaiouchkovskaya (eds.), *Prevention and Countering the Spread of Slavery and Human Trafficking in the Russian Federation*, Final report on the research part of the EC-IOM project "Prevention of Human Trafficking in the Russian Federation, European Commission. International Organization for Migration, International Labour Organization (Moscow: Impala, 2009), pp. 65-66: About 70 to 80 per cent of the general population and at risk groups in the Russian Federation is aware of modern day slavery and the danger of being trafficked.

334 Verein LEFOE – Beratung, Bildung und Begleitung für MigrantInnen (<<http://www.lefoe.at>>), accessed 31 March 2010).

335 Interview G. Joszt, Austria.

International Affairs and, since 2009, a national Anti-Trafficking Co-ordinator, a senior official of this Ministry, spearheading national efforts to prevent and counter human trafficking, which includes all relevant state and non-state actors. The second Austrian National Action Plan contains a comprehensive approach to national co-ordination, prevention, victim protection and support, prosecution and international co-operation. A special focus is on contributing to improving the situation in the 'source' countries/regions; to this end, the Austrian Development Agency (ADA) has a focus on important countries/regions of origin for trafficking into Austria.<sup>336</sup>

Over 24 countries have National Rapporteurs or equivalent mechanisms which collect statistics on human trafficking in their respective countries. The Dutch National Rapporteur conducts research and reports annually to Parliament on the situation within the country. In addition to evaluating the success and bottlenecks with respect to procedures in the Netherlands, the National Rapporteur makes recommendations for improved legislation, law enforcement and local services, awareness and indicators to recognize human trafficking, training, services to victims, and investigation and prosecution.<sup>337</sup>

In Belgium, the Centre for Equal Opportunities and Opposition to Racism (*Centrum voor Gelijkheid van Kansen en voor Racismebestrijding*) fulfils the role of a national rapporteur or equivalent mechanism. The Centre is responsible for the promotion, co-ordination and the follow-up of the policy in Belgium to combat trafficking in human beings. In addition to the collection of statistics<sup>338</sup> and the publication of annual reports, the Centre is responsible for a broad range of activities which include, among others, monitoring activities of government departments, the situation in various cities and judicial districts, fostering co-ordination and co-operation between victim reception centres and representing victims in court. One of the Centre's essential missions is to draw up an independent and public annual report on the evolution and results of the fight against human trafficking and smuggling. This report is transmitted to the Government and the Parliament. The Centre's reports also represent an important tool for those actors on the ground in terms of the operating methods of criminal networks, new trends in the trafficking phenomenon, as well as jurisprudence. The Centre evaluates different aspects of policy and puts forth recommendations with a view to a more effective fight against trafficking and a heightened consideration for the needs of victims.<sup>339</sup> The Centre publishes a brochure in 28 languages informing individuals of exploitative situations and providing numbers and addresses of shelters which may assist them.<sup>340</sup>

The United States Federal Government introduced and continually funds a number of multi-agency task forces.<sup>341</sup> These task forces are designed to increase interaction and co-operation among relevant stakeholders. They help local and territorial law enforcement agencies to better work with the U.S. Attorney's Office as well as victim service organizations in order to guarantee a victim-centred approach to the efforts towards combating trafficking in human beings. Among these multi-agency initiatives is the Human Trafficking Rescue Alliance (HTRA) that prepares and gives out guidelines as to how agencies should interact with victims of trafficking. Additionally, there are a number of similar task forces all over the United States with similar focuses even if approaches are often quite different.<sup>342</sup> Overall the portfolio of government responses incorporates various government agencies with different areas of specialization. Among them are federal law enforcement and judicial organizations such as the FBI and the Department of Justice, which co-operate to continually improve, in particular, the situation concerning the sexual exploitation of children through the *Innocence Lost National Initiative*. Social welfare agencies – at the national level, the Department of Health and Human Services (HHS) – are also involved. HHS's Per-Capita Services support a number of civil society initiatives currently covering over 90 locations across the country. These provide "anytime, anywhere" services to foreign victims of trafficking.<sup>343</sup> National hotlines exist in the United States to facilitate the reporting of trafficking cases. In addition to English, toll free hotlines are also in Spanish and Korean.<sup>344</sup>

The German Federal Ministry for Family, Seniors, Women and Youth (*Bundesministerium für Familie, Senioren, Frauen und Jugend*) is sponsor and co-ordinator of a national network for the co-operation in anti-trafficking efforts (*Koordinierungskreis gegen Frauenhandel und Gewalt an Frauen im Migrationsprozess e.V.*). National and state police

336 Second Austrian National Action Plan 2009-2011 can be downloaded from: <<http://www.bmeia.gv.at/aussenministerium/aussenpolitik/menschenrechte/schwerpunkthemen/kampf-gegen-menschenhandel.html>>.

337 The Dutch National Rapporteur has published seven reports to the Government. English language reports can be found at <<http://english.bnrm.nl/>>.

338 Centre for Equal Opportunities and Opposition to Racism, *Menschenhandel- Smokkel Jaarverslag 2008* (Brussels, 2009), <[http://www.diversiteit.be/?action=publicatie\\_detail&id=108&thema=5](http://www.diversiteit.be/?action=publicatie_detail&id=108&thema=5)>, accessed 31 March 2010: The most recent annual report provides information on the sectors of exploitation, case studies and statistics on offenders, police, court and NGO responses to traffickers and victims.

339 Information provided by Stef Jansens, Analyst, Human Trafficking, Centre for Equal Opportunity and Opposition to Racism, Belgium.

340 See <[http://www.diversiteit.be/?action=publicatie\\_detail&id=107&thema=5](http://www.diversiteit.be/?action=publicatie_detail&id=107&thema=5)>, accessed 31 March 2010.

341 U.S. Department of State, *Trafficking in Persons Report* (Washington D.C., 2009), <<http://www.state.gov/documents/organization/123357.pdf>>, accessed 31 March 2010: The basis of US efforts in combating trafficking and protecting victims is the 2000 Trafficking Victims Protection Act (TVPA). It was re-authorized in 2005 and amended on several aspects as recently as 2008. The TVPA serves five main purposes: 1) define and criminalize the act of human trafficking; 2) introduce a maximum sentence of 20 years in prison; 3) create a new visa category for VoTs; 4) issuance of a yearly report – TIP Report; 5) provide "significant funding for enforcement [...] and new assistance programs". As of April 2009, there are 42 out of 50 US states which have introduced criminal anti-trafficking legislation.

342 A. Farrell, J. McDevitt and S. Fahy, *Understanding and Improving Law Enforcement Responses to Human Trafficking* (Washington D.C.: National Institute of Justice, 2008), <<http://www.ncjrs.gov/pdffiles1/nij/grants/222752.pdf>>, accessed 31 March 2010.

343 U.S. Department of State, Op. Cit.

344 Polaris Project, <[http://www.polarisproject.org/index.php?option=com\\_content&task=view&id=71&Itemid=90](http://www.polarisproject.org/index.php?option=com_content&task=view&id=71&Itemid=90)>, accessed 31 March 2010.

as well as approximately 35 NGOs and specialized shelters are members of the group and receive essential financing from the Ministry.<sup>345</sup> In addition to the national efforts, the German government's strategy includes the sponsorship of international development projects, awareness raising campaigns and educational efforts to prosecutors in typical countries of origin and transit.<sup>346</sup>

In the Russian Federation, the first government-run shelter in co-operation with local NGOs was opened in 2009 to assist victims of trafficking in Vladivostok (Russian Far East). Other government shelters exist to help children in difficult situations and victims of violence. Some elements of NRMs exist at the local level and can support the first steps to create NRMs as formalized co-operation between the law enforcement and NGOs – service-providers based on Memoranda of Understanding (or other forms of agreements) ensuring clear division of responsibilities and guaranteed assistance to the victims of THB.

At the regional CIS level, two Model Laws (on Combating Human Trafficking and on Providing Assistance to the Victims of Trafficking in Human Beings), as well as Recommendations on Unification and Harmonization of the Legislation of CIS countries in the area of Combating Trafficking in Human Beings have been adopted by the CIS Inter-Parliamentary Assembly, in compliance with the CIS Program of Co-operation to Combat Trafficking in Human Beings for 2007-2010. Preparation of the new CIS Program for 2011-2014 started recently and it was also reported to the CIS Inter-Parliamentary Assembly in February 2010 that preparation of the Commentary to the Model Legislation was on the way.

The Co-ordinating Council of the CIS Prosecutors' General is the body responsible for the implementation of the above mentioned CIS programme of co-operation and for the annual reporting of the relevant national structures on the status of the implementation and the efficiency of international co-operation.

## Concluding Remarks

This chapter has presented an assessment of trafficking cases examining the traffickers, their organizations and their modus operandi – including the means they use to recruit, transport, exploit and control their victims. The cases included in this study cover a wide array of situations, from individual traffickers to loose networks built on family or friendship ties, to more highly organized and sophisticated international operations. It is important for law enforcement to recognize the involvement of individuals in trafficking. The larger and more sophisticated the organization, the greater the likelihood that police are able to identify different roles within the organization. The roles are often fluid and chauffeurs, escorts and guides can easily take on other roles such as pimps and brothel owners.

Traffickers are a heterogeneous group, about whom only limited information is available. They vary from former 'trafficked-victims-turned-traffickers' to housewives, business owners and pimps – and share few common characteristics. A trend observed is the increasing involvement of women in trafficking, not just as recruiters, but also playing a more prominent role in both the organization and the trafficking process. Victims, too, differ on a number of demographic variables such as age, gender, marital status and educational level and work experience. As a group, however, they share a common trait. They may be vulnerable or they find themselves in vulnerable situations in which they, at some point, lose control over their self-determination and become a victim of trafficking.

This study has shown that domestic trafficking is a problem in certain countries. While the number of domestic trafficking cases reviewed in this research is small, it is a serious problem in most countries that to date has been overlooked. This may have to do with the fact that the indicators and methodologies/mechanisms that have thus far been developed to identify trafficked victims are more helpful and reliable for international trafficking with foreign victims, than for the identification of domestic victims. Markets of exploitation differ between and within countries, and may be influenced by the local conditions. The local conditions may favour or support particular forms of trafficking – for domestic service, fishing, agriculture, construction or prostitution. Trafficking into certain markets may be more prevalent in one city in a country than in another city in the same country. Not only do the markets of exploitation differ, but so do the means that traffickers use to exploit their victims. The coercion used to maintain control over victims varies from the subtle pressure to repay debts, to debt bondage, manipulating the victims into falling in love with their traffickers, constant supervision, the use of guards, threats, actual violence and voodoo practices or a combination of any of the above.<sup>347</sup>

Globalization, open borders and visa-free travel between Schengen or EU countries and between CIS countries have decreased the reliance of traffickers upon false documents and smuggling to bring individuals illegally into destination countries while also necessitating new approaches for the identification of victims with legal residency in destination countries. Border controls present an opportunity for governments to identify the movement of potential

345 Bundesministerium für Familie, Senioren, Frauen und Jugend, <<http://www.bmfsfj.de/RedaktionBMFSFJ/Abteilung4/Pdf-Anlagen/gewalt-kooperationskonzept,property=pdf,bereich=bmfsfj,sprache=de,rwb=true.pdf>>, accessed 31 March 2010.

346 U.S. Department of State, *Trafficking in Persons Report* (Washington D.C., 2004), <<http://www.state.gov/documents/organization/34158.pdf>>, accessed 31 March 2010.

347 Another form of manipulation is to threaten victims from traditional Muslim countries by telling them that their families will be informed that they have dishonoured the family by working as prostitutes. This pattern has been identified in Albania as well.

victims into a destination country and intervene even before these potential victims are exploited.<sup>348</sup> The international nature of trafficking clearly points to the fact that dismantling a trafficking organization requires focusing on the recruitment phase in the country of origin as well as on the transit routes and demands international co-operation between government agencies in countries of origin, transit and destination.

The area least explored and understood in the trafficking process is the profit generated by trafficking and the financial investments of traffickers. It is not clear whether profits are re-invested to increase the trafficking business, whether the profit is spent in maintaining a luxurious lifestyle (the latter was more prevalent in the cases included in this study where this information was available) or whether profit is invested in legitimate businesses in the trafficker's home country – or a combination of any of these. It remains one of the most important aspects in controlling trafficking as the seizure of assets of traffickers and trafficking profits will increase the cost to traffickers. From an operational and practical standpoint, this remains one of the most difficult measures to implement requiring international collaboration with respect to asset seizure and confiscation.

Corrupt government officials and legitimate actors facilitate trafficking in human beings and protect traffickers. Their role must be examined in terms of their involvement and the degree to which they can be held accountable in trafficking prosecutions. This is particularly true in politically sensitive cases involving individuals with ties to high-level officials or involving huge profits and money laundering schemes.

Trafficking has been linked to other crimes, some of which are instrumental in instances of human trafficking – smuggling, document fraud, corruption and crimes against the victims – kidnapping, assault, illegal detention, theft of documents, rape and murder. Trafficking organizations have been linked to drug trafficking, people smuggling, trafficking in illegal arms, stolen vehicles and organized burglary. Traffickers have been known to force their victims to commit crimes which include forced begging, theft and drug smuggling. It is essential that law enforcement investigating these and other crimes are alert to signals indicating the involvement of these same criminals in human trafficking.

Governments are responding with different measures to eradicate trafficking. These include awareness-raising through training of front line staff and campaigns to raise awareness of customers of prostitutes who may come into contact with trafficked victims. The Netherlands, the U.K. and the U.S. have established centres to bundle expertise from different organizations (police, prosecution, border control, military police, NGOs) and to provide expertise to police in local investigations. Governments are expanding their reach by taking executive measures to withdraw licences and by refusing to issue licences to businesses suspected of using slave labour or trafficked persons.

Cost and risk reduction are directly tied to increasing profits generated through trafficking. It is important to understand which measures are used by traffickers to protect their operation as preventive measures can be taken by governments to counter these. The Netherlands will soon pass legislation requiring escort services to have a landline telephone which can be directly linked to a permanent address. This will facilitate increased oversight of the escort branch.

This section has examined the trafficking phenomenon based upon government reports and other literature, interviews with experts and the analysis of cases included in the study. The following chapter introduces the reader to more comprehensive measures aimed at fighting human trafficking from a business perspective.

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348 Potential victims do not know what awaits them and they hope for legitimate, non-exploitative employment. They can be handed information brochures with hotline numbers to turn to in case they end up being trafficked.