

A GLOBAL SURVEY OF TRANSNATIONAL CRIMINAL ENTITIES AND  
INTERNATIONAL LAW ENFORCEMENT ORGANIZATIONS' INTERDICTION  
AGAINST HUMAN TRAFFICKING

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## **ABSTRACT**

# **A Global Survey of Transnational Criminal Entities and International Law Enforcement Organizations' Interdiction against Human Trafficking**

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## **SUPERVISING PROFESSOR: ROBERT GORMAN**

It is important for law enforcement and civil agencies to understand the connections between organized criminal groups and how each group forms bonds with others regarding the transport and trafficking in persons. Without this understanding, transnational crime will grow and threaten the state's stability, as well as individuals' freedom. Both secondary and primary data sources were used to illustrate the structure of criminal transnational human trafficking organizations and the international law enforcement groups. Asian, Eastern European, Western European, Latin American, and African criminal groups and regional interdiction agencies are discussed along with recommendations for

future efforts to interdict and curb human trafficking. Training and funding for anti-trafficking measures is lacking as well as proper education to prevent vulnerable persons from becoming entrapped by human trafficking rings. This study finds that increasing law enforcement training and funding allocations along with greater efforts to standardize international legal practice will negatively affect human traffickers and the vast transnational criminal organizations.

## CHAPTER 1 INTRODUCTION

Human trafficking is simply defined as activities in which someone obtains or holds another person then transfers said person to another location, wherein that person is compelled into forced service. Also, human trafficking is the illegal trade in persons which are exploited during the trade or after they reach the final destination. This definition does not fully describe the exploitive living conditions and treatment of the victims of human trafficking networks. Forced labor, sex trafficking, bonded labor, forced child labor, and child soldiers are all aspects of this global criminal enterprise. This thesis will analyze the interactions between regional organized crime groups and the efforts to curb human trafficking by international law enforcement organizations. Thousands of people are trafficked internationally and exploited by criminal groups. In addition, the future of international or regional law enforcement opportunities to end or mitigate human trafficking will be discussed in Chapter six.

Monitoring of trafficking in persons and anti-trafficking operations exists across the world under several international, regional, or local governmental entities. The United Nations established a sub-organization, The Office on Drugs and Crime, which focuses their efforts on ending illegal trafficking of drugs, arms, and peoples. These efforts advance UN agreements such as the Convention on

Transnational Organized Crime and protocols against trafficking in persons (see Appendix I: International Conventions). The European Union, African Union, Association of Southeast Asian Nations, Union Latina, and many other regional organizations have, also, each created conventions or treaties which illustrate the collective condemnation from the international community regarding human trafficking. Despite this, enforcement against criminal groups is severely lacking at the international structural level. INTERPOL, an international law cooperation group, is the only actual international effort to directly interdict against human trafficking by offering intelligence and greater communication to its 188 member states. The remaining enforcement and protective work is left to internal domestic and local law enforcement groups.

Just as economic globalization has connected every citizen and business across the earth, regional criminal groups have united globally to advance their own nefarious purposes including trafficking in persons. Organized criminal groups have formed a vast international web of connections that extend beyond their national borders. These connections began with narcotics trafficking. The growth of this transnational web is rapidly outpacing international efforts to control its spread. The success of the criminal interaction increased profits for groups from Asia, Africa, Europe, and the Americas. These criminal organizations now trade in persons along with other profitable communities, such as arms and drugs. In addition to the spreading criminality, each region has local circumstances that limit the enforcement of international universal legal norms, thereby hindering efforts to protect victims and end human trafficking.

Several elements of trafficking in persons and interdiction against such trafficking will be discussed. The first element is the interconnections of criminal groups and how the groups operate collectively. Secondly, the structure and operations of international efforts to disturb or enforce legal options to correct human trafficking will be explained. Third, internal perspectives and regional norms, such as prostitution or porous borders, which limit protection against human trafficking, will be correlated with regional and international law enforcement entities and their responses to trafficking. Fourth, economic and corruption issues which lead to an ideal situation for criminal groups will be discussed along with possible corrective actions.

## CHAPTER 2 TRANSNATIONAL CRIMINAL ENTERPRISES AND HUMAN TRAFFICKING DEFINITIONS

Transnational commerce is increasing in the modern globalized economy. David Henderson, former chief economist of the Organization for Economic Cooperation and Development, describes globalization as, “free movement of goods, services, labor and capital thereby creating a single market in inputs and outputs; and full national treatment for foreign investors (and nationals working abroad) so that, economically speaking, there are no foreigners.”<sup>1</sup> This globalized context applies to criminal groups as well.

As Richard Friman noted, an information revolution is central to expanding economic globalization. Growing interconnectivity of networks is increasing the density of globalism, which is defined as networks of interdependence at multi-continental distances.<sup>2</sup> The legitimate economy is allowing for greater trade of goods and services across borders, while illegitimate criminal enterprises are also expanding their transnational reach. States are losing political authority because of the new power of the markets and this effect weakens control of

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<sup>1</sup> Martin Wolf, *Why globalization works* (New Haven: Yale University Press, 2005), 17.

<sup>2</sup> Richard Friman, Ed. *Crime and the global political economy* (Boulder: Lynne Rienner Publishers, 2009), 6.

criminality within national boundaries as well as multinational collective responses to transnational criminal networks.<sup>3</sup>

Criminal operations involved with trafficking of illegal items often cross national borders and many of those groups have links to other criminal enterprises within a given state. Each of these groups must be organized, hence the term “organized crime.” While multiple definitions of organized crime are used by national governments, this thesis will define organized crime in relation to human trafficking. The German Federal Criminal Investigation Bureau (Bundeskriminalamt) defines organized crime as a planned violation of the law for profit or to acquire power. These offenses are each carried out by more than two participants who cooperate within a division of labor for a long or undetermined time span using a commercial or commercial-like structure. Also, violence or other means of intimidation is used to assert power over politics, media, public administration, justice and legitimate economy.<sup>4</sup>

The American Racketeer Influenced and Corrupt Organizations statute (Title 18 of the United States Code, Section 1961), the most common legal mechanism in the prosecution of organized crime, defines an enterprise as “any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity.”<sup>5</sup> A criminal enterprise is defined as any group of six or more people, where one of

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<sup>3</sup> Ibid. 7.

<sup>4</sup> Petrus Van Duyne, “*Organized crime, corruption and power*,” *Crime, Law & Social Change* 26 (1997): 203.

<sup>5</sup> Federal Bureau of Investigation glossary, “Organized Crime” <http://www2.fbi.gov/hq/cid/orgcrime/glossary.htm>. (accessed on 7/01/11).

the six occupies a position of organizer, a supervisory position, or any other position of management with respect to the other five, and which generates substantial income or resources, and is engaged in a continuing series of violations of subchapters I and II of Chapter 13 of Title 21 of the United States Code. The U. N. Convention against Transnational Organized Crime defines an organized criminal group as a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit.<sup>6</sup> Below is a chart describing funds raised by illicit enterprises.<sup>7</sup> The chart illustrates that human trafficking eight billion dollar business.

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<sup>6</sup> 55/25. United Nations Convention against Transnational Organized Crime.

<sup>7</sup> [http://www.wired.com/magazine/2011/01/ff\\_orgchart\\_crime/](http://www.wired.com/magazine/2011/01/ff_orgchart_crime/) (accessed 8/12/2011).



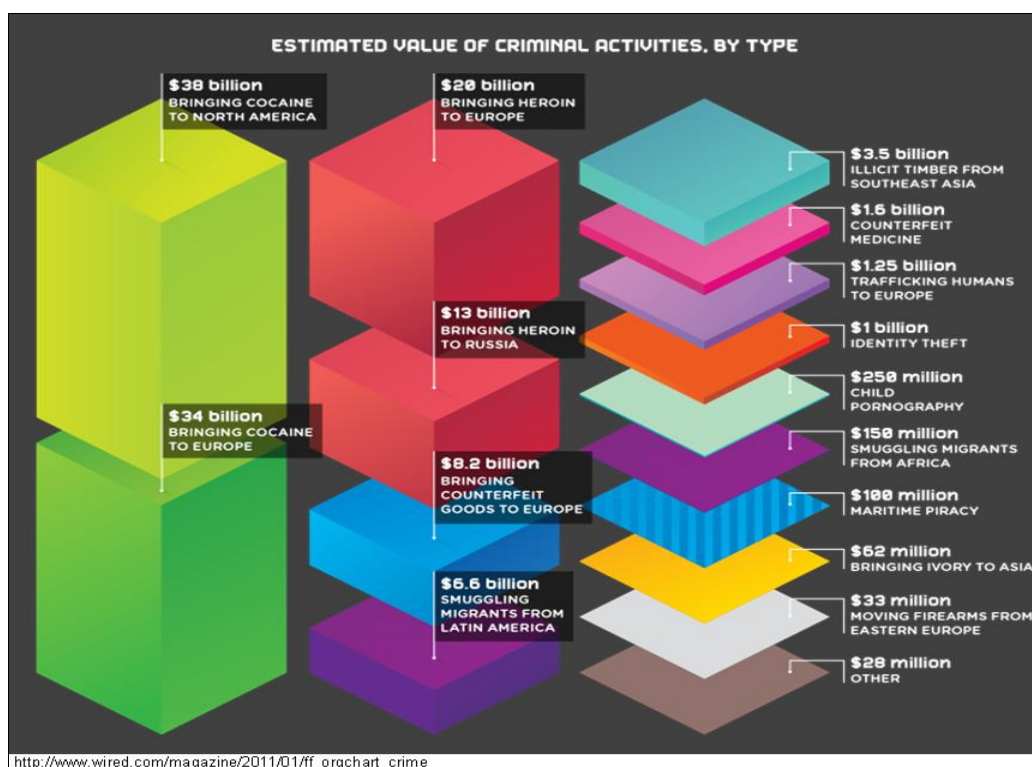


Figure 1: Estimated Value of Criminal Activities, By Type

Variations in domestic statutes complicate coordination of enforcement. There are also variations in international conventions. Several U.N. conventions detail efforts to interdict transnational human trafficking and correct care for the victims. These conventions and other documents are discussed in greater detail in Chapter six.

Transnational organized crime is simply defined as organized crime within which a criminal action transfers from one country to another. This includes financial crime, smuggling arms or drugs, and trafficking people. Just as the definition of organized crime is diverse in different areas, transnational organized crime involves a mixture of criminal groups interacting from several states. The Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children is an international legal agreement which is attached to the

United Nations Convention against Transnational Organized Crime. It was created after a series of international meetings in Italy in 2000. This Convention was adopted by resolution A/RES/55/25 of 15 November 2000 at the 55<sup>th</sup> session of the General Assembly of the United Nations and was ratified by at least one member at that time.

Under Article 3, this agreement states that:

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) “Child” shall mean any person under eighteen years of age.

A transnational human trafficking organized crime group is any group, consisting of three or more people, involved in the above described activities.

Article 5 discusses the criminalization of these acts.

*Criminalization:*

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences the conduct set forth in article 3 of this Protocol, when committed intentionally.

2. Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offences: (a) Subject to the basic concepts of its legal system, attempting to commit an offence established in accordance with paragraph 1 of this article; (b) Participating as an accomplice in an offence established in accordance with paragraph 1 of this article; and (c) Organizing or directing other persons to commit an offence established in accordance with paragraph 1 of this article.

Sovereign states have signed the protocol, but not all have ratified or accepted it at the national level. These countries include Barbados, Burundi, Congo, Czech Republic, Japan, Nauru, Republic of Korea, Sierra Leone, Sri Lanka, Thailand, and Uganda. Several states, including the United States, declare themselves not bound by Article 15 paragraph 2 which states:

Any dispute between two or more States Parties concerning the interpretation or application of this Protocol that cannot be settled through negotiation within a reasonable time shall, at the request of one of those States Parties, be submitted to arbitration. If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court.

These declarations revolve around each state retaining its sovereignty and avoiding obligation to other governing bodies. Such declarations show how the act of being bound by an international governing body can be seen as a political act and, as with all political actions, the various aims of the states must be considered.

Trafficking can be also understood at a cultural and sociological level. Cultural attitudes regarding prostitution, ethnic minorities, or forced labor vary depending on the region and that region's collective experience. Trafficking in persons has existed throughout history. Transnational slave trading is prevalent throughout America's past. Modern European moral attitudes regarding the

social value of prostitutes allowed for markets to be established in Paris where a human could be bought or sold in the 20<sup>th</sup> century.<sup>8</sup> Many citizens view the rights of migrants as less than their own. This native reaction to immigrants helps create distinctive immigrant communities along with a person's natural desire to live among others from their culture or background. These separate communities often have a partially distinct economy, which can increase the chances of criminal influence. Cultural and societal concerns are addressed in greater detail later in Chapter seven. Below is a map depicting the flow of transnational organized crime.<sup>9</sup> The list below the map details the criminal groups illustrated by the arrows of criminal transnational connections. The list consists of: Mexican cartels, Norte Del Valle, La Cosa Nostra, Nigerian Organized Crime, Italian Mafia, Balkan Organized Crime, Russian Organized Crime, Middle East Organized Crime, Red Wa, Jao Pho, Cambodian Organized Crime, Triads, Heijjin (Taiwan) Organized Crime, Filipino Organized Crime, and Yakuza.

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<sup>8</sup> Mats Berdal and Monica Serrano, Ed. *Transnational Organized Crime & International Security: Business As Usual?* (New York: Lynne Rienner Publishers, 2002), 96.

<sup>9</sup> [http://www.wired.com/magazine/2011/01/ff\\_orgchart\\_crime](http://www.wired.com/magazine/2011/01/ff_orgchart_crime) (Accessed 08/11/2011).



Figure 2: The Flow of Transnational Organized Crime

Currently, Italy is the hub of human trafficking in Europe. Its geographic point of entry along with the local criminal structure allows Italy to be a prime place for the transit into Europe. From 1998 to 2000 more than 10,000 women were trafficked into Italy. Also, forced labor in Italy is common. An international law enforcement task force launched Operation Marco Polo, which targeted Chinese traffickers and their Italian criminal associates in 2004. More than 3,000 forced laborers were discovered working in over 600 businesses.<sup>10</sup>

The Italian government processed 8,000 applications for state protection against trafficking in 1998 for foreigners, double the number processed in the U.S during that same year. It is common to see Italian news stories discussing the

<sup>10</sup> Mats Berdal and Monica Serrano, Ed. *Transnational Organized Crime & International Security: Business As Usual?* (New York: Lynne Rienner Publishers, 2002), 97.

forced prostitution within the immigrants' community. This common criminality exists without physically harming locals and lowers the political will of the population which would lead to criticism and action against trafficking.<sup>11</sup>

Africa, Asia, and Latin America have similar past patterns of behavior in a common acceptance of forced servitude, whether in forced labor or sexual exploitation. Criminal groups see the demand for an illegal trade network in humans and the profits that will be generated from it. The indigenous populace has a general concept that foreign migrants' human rights are much lower than local rights and this allows companies or criminal groups to maximize their profits from the enslaved foreign victims. This need for profit maximization translates into an economic pull for criminals. The possible legitimate job opportunities for the victims become pull factors for migrants. Migrants fall into criminal hands because the low economic opportunity within their home country, which forces interstate travel with criminal smugglers and possible exploitation. Voluntary smuggling of victims does occur; however, such cases often involve forced drug smuggling or later exploitation for fees or indentured servitude.

Generally the entry costs into human trafficking are low when compared with drugs or arms trafficking. Since people can easily travel across porous borders, without any elaborate efforts taken to hide contraband, criminal groups can start rings with minimal effort. Also, large migrant Diasporas can offer shelter and hide victims from law enforcement. Groups launder the initial payment for travel and any profits from exploitation through underground banking systems or funnel it into legitimate businesses.

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<sup>11</sup> Ibid. 99.

## 2a. Origin, Transit, Destination

Trafficking states can be divided into three categories: origin, transit, and destination.<sup>12</sup> The origin country is the home or country of residence of the victims. States of transit are one or more countries that the victim passes through heading toward their destination. In many cases victims are exploited and abused within the origin state and throughout their journey. Also, when victims are arrested or detained by authorities, they are often reluctant to communicate their experiences because of fear of the police or lack of proper documentation, which is taken from them by the traffickers. The final point in the trafficking chain is the destination country. Traffickers obtain victims, later to sell them to other groups for further trafficking or one ring is used for recruitment, transport, and exploitation. Many African and Asian rings sell women in Turkey or Italy to Eastern European criminal groups as part of the transit process.<sup>13</sup>

There is more information on origin states and their governments have more knowledge than destination states because victims speak of their homelands and the trafficking process. Admitting that victims are being trafficked out of one's own state is less sensitive, in the international arena, than recognizing the exploitation rings exist within one's country. Also, when victims are arrested or detained by authorities, they are often reluctant to communicate their experiences because of the abuse from the traffickers and limited language skills. Many victims believe that the police in a certain region are untrustworthy

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<sup>12</sup> *Trafficking in human beings, especially women and children, in Africa* (Florence: UNICEF Innocenti Research Center, 2003), 10.

<sup>13</sup> Siddharth Kara, *Sex Trafficking: inside the business of modern slavery* (New York: Columbia University Press, 2009), 83.

and will force them back into the trafficking rings. Below is a map depicting origin and destination states.<sup>14</sup> Countries of origin have a lower GDP per capita, while destination countries have a much higher GDP, which indicates the trafficking flows.

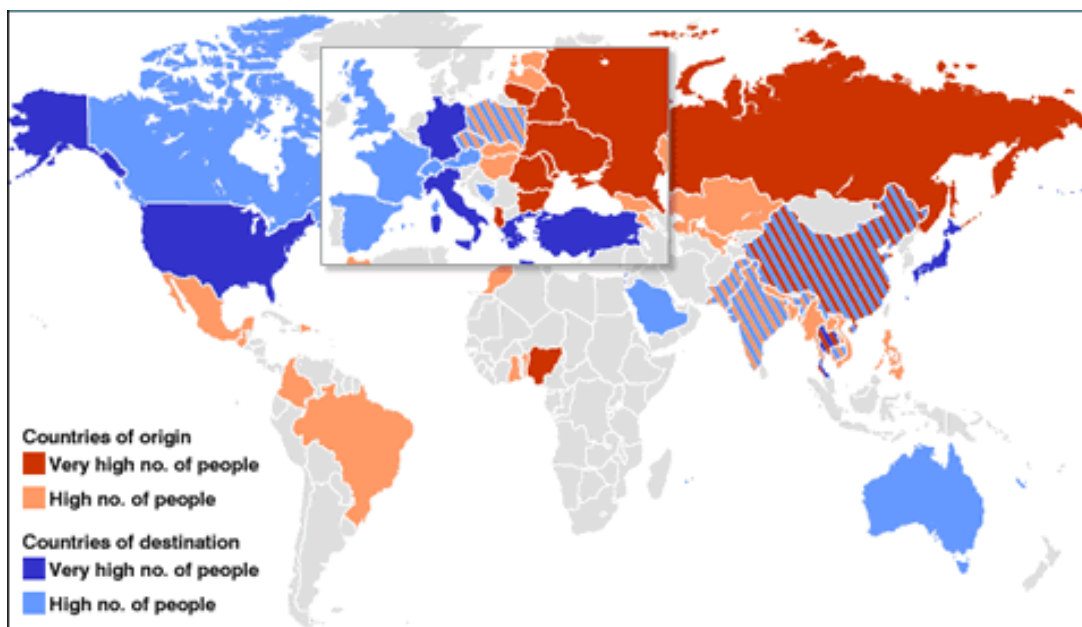


Figure 3: Countries of Origin/Destination

Transit states are normally picked because of the geographic location next to demanding markets.<sup>15</sup> In the developing world, much of the infrastructure is poor and borders are not guarded or monitored. Porous borders and hidden footpaths contribute to trafficking in persons. Conditions within transit states hamper law enforcement tracking the trafficking process. For example, if the victim speaks an unknown or unfamiliar language it can be difficult to determine their state of origin or to separate them from other illegal immigrants. Also, many states have limited law enforcement staffing. In Asia and Africa, many victims

<sup>14</sup> Map of key source and destination nations in human trafficking, [http://news.bbc.co.uk/2/hi/in\\_depth/6497799.stm](http://news.bbc.co.uk/2/hi/in_depth/6497799.stm) (accessed 7/15/2011).

<sup>15</sup> Najla Chahda, "IDM Workshop," *International Office of Migration* (2009): 10.



can be trafficked to multiple countries. Chinese and Nigerian victims could be transferred to more than nine states, with multiple stops along the route.<sup>16</sup> With the large number of states and different organized crime groups involved it is very difficult to map the entire process. Identifying a pattern for law enforcement to study is complicated due to the multiple regions that victims might be trafficked through.<sup>17</sup>

Destination countries can be origin states, as well. Women are trafficked from Eastern Europe into North Africa, while African women are trafficked to Western Europe or the Middle East. Trafficking routes through Egypt travels both north and south; Eastern European women heading south and east, while African women travel north. Bedouin guides have been reported that travel with Eastern European women by foot through the Egyptian desert to Israel.<sup>18</sup> An organized Russian-Egyptian criminal group was arrested in 1998 for an international prostitution ring, which involved many of these crossings.<sup>19</sup>

Destination states are reported to be less concerned with trafficking because local women and children are not being victimized by traffickers. The criminal groups reap the benefits of exploitation of migrant victims in Europe and the United States. Also, public demand for governmental action is lessened because these states see the problem as originating in a foreign land, thus outside their jurisdiction. Organized criminal groups use this to their benefit. The

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<sup>16</sup> *Trafficking in human beings, especially women and children, in Africa*, Florence: UNICEF Innocenti Research Center, 2003, 12.

<sup>17</sup> Najla Chahda, "IDM Workshop," *International Office of Migration* (2009): 17.

<sup>18</sup> *Trafficking in human beings, especially women and children, in Africa* (Florence: UNICEF Innocenti Research Center, 2003), 19.

<sup>19</sup> "Egyptian Government Tightens Grip on Prostitution by Foreigners", Deutsche Presse-Agentur: 7 Dec 1998.

victims do not speak the language, lack identification, and have no social ties, making them easy to exploit.

A good example of an exchange relationship between states is Italy's importation of trafficked humans. Italy is a transit and destination country for criminal organizations from Africa, the Middle East, and Europe. People are trafficking in from Africa, India, Turkey, Russia, Ukraine, and even as far away as China to work in Italy in forced labor or sexual exploitation industry. Below is a map of the flows into and out of Italy. The arrows marked with red are the inflows of persons, while the yellow shows the path out of Italy, and green is to final destination.



### CHAPTER 3

#### HUMAN TRAFFICKING BUSINESS TACTICS

Several economic criminal tactics or strategies are used in human trafficking. These models are similar to drug trafficking and distribution patterns. These include: low cost and high volume, high consumption and small saving, natural resource, violent entrepreneur, trade and development, and traditional slavery with modern technology.<sup>20</sup>

The low cost and high volume strategy is used by traffickers in the Americas. Entrance costs are low and large numbers of people can be moved quickly, even through dangerous areas, such as the deserts between Mexico and the United States. High numbers of fatalities can result; however, the volume of trafficked persons makes up for any loss. This model is used for labor and sexual exploitation, as security increases the costs increases, thereby escalating possible exploitation to raise more funds.<sup>21</sup>

High consumption and small savings strategy involve small groups of criminal entrepreneurial groups working together to form a trafficking ring. The victims are manipulated with drug addiction and psychological tactics, which is possible because of the lower social-economic status of victims. Because of the transient nature of the groups, profits are dissipated across the groups. While

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<sup>20</sup> Louise I. Shelley, *Human trafficking: a global perspective* (New York: Cambridge University Press, 2010), 135.

<sup>21</sup> Ibid. 121.

these smaller groups have limited interconnection, each group does cooperate with larger organized crime syndicates for transfers of humans, drugs, or arms.

The Natural resource strategy is similar to wholesale profits regarding sales from the natural environment without thought to its future and, in these cases, the future of the trafficked persons is not considered. Human rights violations are common because of two reasons. First, the victim is not used to help recruit other victims and they are transferred out of areas to unknown destinations. Second, unlike the trade and development model, profits do not develop other interests beyond created wealth for the criminals. Also, profits are dispersed or moved via an illicit banking system to criminal syndicates in other countries. These conditions create an interest in short-term profits for the groups. In the Former Soviet Union, smaller groups focused on generating funds, while larger criminal groups were forming influences over varied industries by buying former state owned businesses. However, the larger transnational groups did begin to take interest in trafficking in persons and operated out of legitimate nightclubs and casinos.<sup>22</sup> While the main income to the nightclubs and casinos were legal each have a second operation within which women are brought by intermediaries and sold to customers. These women either operated within the businesses or were transferred to other geographic regions.

Violent entrepreneurship tactic can be defined as a set of organizational decisions and action strategies enabling the conversion of organized force (or organized violence) into money or other market resources on the permanent

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<sup>22</sup> Louise I. Shelley, *Human trafficking: a global perspective* (New York: Cambridge University Press, 2010), 119.

basis. This model is not commonly used; however, in Latin America and the Balkans the criminal groups do use it with great effectiveness. The groups involved are smaller and based around familial or ethnic ties. Once obtaining vulnerable females, the groups control them through abuse, drug addiction, and stealing their travel documents. The women are sold to Former Soviet Union, Turkish, or Western European criminal groups. While their geographical range is small when compared to the Chinese or Russians, their income is high due to the wealth of the destination countries, mostly in Europe or the United States. Unlike other areas of human trafficking interconnections between criminal groups, these groups are known for their threats and acts of violence to eliminate competition within their area.

The Trade and development strategy invests profits from human trafficking into legitimate businesses or into other illicit criminal activities. This form is prominent in Asia. Recruitment is based on local knowledge of families and false promises of escape from poverty. Forced labor is very common; however, female sexual exploitation is increasing. As opposed to the low cost/high volume approach, human rights of the victims are respected to a greater degree because of the higher price of travel and investment in the victim. Much of the profit is channeled back to the origin states for development in other businesses, which minimizes the threat from law enforcement.

In Africa, human trafficking involves several smaller local groups which connect to larger organized smuggling criminals. Traditional slavery is the main model for African traffickers, particularly in sub-Saharan Africa. Sexual

exploitation in Western European is the primary generator of revenue. These groups traffic all forms of illicit goods, arms, drugs, traditional medicinal plant and animal parts, and humans. Many of the goods travel along the same route. Profits are transferred back to the origin states and used for other illicit gains. Because of the lack of outside knowledge of the world, many of the women do not know how the groups entrap and exploit women. Again, violence is common against the women because the social value is much less than the men's value. Local religious customs are sometimes performed which link the women to their horrible new lives and their traffickers. Following the indigenous African religious ceremonies, a mixture of Christian and local belief systems, the victim fears mystical forces, which severely limits escape efforts and can alienate them from their local communities.<sup>23</sup>

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<sup>23</sup> Louise I. Shelley, *Human trafficking: a global perspective* (New York: Cambridge University Press, 2010), 131.

## CHAPTER 4

### CORRUPTION, GDP PER CAPITA, TIER RANKING

For organized crime to exist across a state and internationally, corruption must also exist in the state and international levels. The Transparency International Annual Corruption Perceptions Index (CPI) lists the level of corruption in 178 countries on a simple 0 to 10 scale, with 10 describing states that are seen as “highly clean” and 0 as highly corrupt.<sup>24</sup> Over a dozen sources from ten independent agencies were compiled to form the CPI. In addition, experts were consulted from African Development Bank, Asian Development Bank, Bertelsmann Foundation, Economist Intelligence Unit, Freedom House, Global Insight, the World Bank, IMD, Political and Economic Risk Consultancy, and the World Economic Forum to create the index and its ranking system. This ranking system has a 90 percent confidence range for each country.<sup>25</sup>

The CPI rankings illustrate that only 45 out of 149 states rank higher than 5, meaning that these states operate under a less corrupt system. The remaining states are ranked from 5.0 to 1.1 (the ranking of Somalia). Also, the Global Corruption Barometer for 2010 listed sectors that is most affected by

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<sup>24</sup> Transparency International, “Corruption Perceptions Index 2010 Results by Country,” [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2010/results](http://www.transparency.org/policy_research/surveys_indices/cpi/2010/results). (accessed on 7/01/11).

<sup>25</sup> Transparency International, “The 2010 Corruption Perceptions Index measures the perceptions levels of public sector corruption in 178 countries around the world,” [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2010](http://www.transparency.org/policy_research/surveys_indices/cpi/2010). (accessed on 7/01/11).



corruption. In a worldwide view, political parties, civil servants, and legislature are the top three affected sectors, ranked from most affected to least respectively. Following those three sectors, police, private, and religious bodies are listed. Next in the listing are judicial, media, education, non-governmental organizations, and military. Governmental sectors involved with organized crime included political parties, civil servants, elected officials, police, and judicial officials.<sup>26</sup>

Structuring of governmental systems is influenced by the groups within the state and how different social, religious, and ideological viewpoints interact within the country. Developed countries must balance economic and social interests, while maintaining control internally and a limited external influence. Developing states work to increase trade and advance their own economies and manage local groups; however, corruption and an unstable government lower the overall achievement internally. Certain countries are more prone to such social pressures and corruption. Governmentally stable countries offer a legitimate government which ensures rights to citizens and offers legal means to demonstrate them.<sup>27</sup>

Countries allocate resources to deal with social problems without handling the inherent problems in their government structure, such as suppression of socio-political rights or lack of economic support.<sup>28</sup> Recent actions in Africa and Asia during elections show how rulers use military power during times of political

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<sup>26</sup> Transparency International, "2010 Global Corruption Barometer," [http://www.transparency.org/policy\\_research/surveys\\_indices/gcb/2010](http://www.transparency.org/policy_research/surveys_indices/gcb/2010). (accessed on 7/01/11).

<sup>27</sup> Walter Morris-Hale, *Conflict and Harmony in Multi-Ethnic Societies* (New York: Peter Lang Pub, Inc, 1996), 120.

<sup>28</sup> Nicholas Sambanis, "Do Ethnic and Non-ethnic Civil Wars Have the Same Causes?," *Journal of Conflict Resolution* 45 (2001): 259-282.

uncertainty and increasing corruption.<sup>29</sup> Anthony Annett stated that a feedback mechanism could reduce the risk of losing power by increasing the size of a government's military might or by offering the population subsidies.<sup>30</sup> Annett discusses how the governmental forces pit one factor against another to control power, hence stimulate greater corruption.<sup>31</sup>

Social groups will congregate in unforeseen political ways to produce a scenario that is best suited to their needs. Government can use the grouping of national factions by playing each group against one another, thus avoiding addressing the problems caused by poor governance or corruption. Also, political pairings can often coincide with rising corruption.

Historically, sovereign states responded to social friction by increasing military spending and efforts to appease the disturbed population. The function of ensuring rights and faith from the population in the government is a way to prevent criminality and promote greater acceptance of the government. Alexander J. Motyl states that non-Russians within the Soviet Union did not rebel and only resisted since they thought their rights were guaranteed under the Soviet Union constitution.<sup>32</sup> Economic support or lack of it did not really affect the social divisions in the Union of Soviet Socialist Republics because all groups were supposedly equal. However, while the majority remained loyal to the

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<sup>29</sup> R.C. Crook and J. Manor, *Democracy and Decentralisation in South Asia and West Africa. Participation, Accountability and Performance* (Cambridge: Cambridge University Press, 1998), 289.

<sup>30</sup> Anthony Annett, *Social fractionalization, political instability, and the size of government* (Washington: International Monetary Fund working paper, 00/82, 2000), 561.

<sup>31</sup> Ibid. 570.

<sup>32</sup> Motyl, Alexander J. *Will the Non-Russians Rebel?: State, Ethnicity, and Stability in the USSR* (Ithaca: Cornell University Press, 1987), 224.

governmental system, black markets were created to serve consumer needs and corruption increased. Jóhanna Kristín Birnir explains that social identity can act to help a social group to ally itself with a political choice such as shaping of a national party formation or platform.<sup>33</sup> Creating economic opportunity and ensuring political rights will increase the stability of a government by pacifying the social population.

Samuel Huntington, Reza Aslan, and Marta Reynal-Querol suggest that religious dissimilarity and social contrasts are the main factors in social conflict, both in criminality and military actions.<sup>34</sup> However, the argument can be made that the lack of faith in the legitimacy of the government and the legal rights of citizens are the main factors in these conflicts. States with high social fractionalization that create friction between social groups, due to differing ideas, socio-economic customs, and religious motivations, will have a greater likelihood of negatively affecting the stability of the government. This allows groups to bribe and embed corrupt officials to increase their economic gain. In addition, the political instability of a state where various social groups struggle for power leads to lack of faith and trust in the government which can divide the states into sectors, one criminal, the other legal. Examining the CPI ranking system shows that a state's economic stability greatly affects criminality within its system.

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<sup>33</sup> Jóhanna Birnir, *Ethnicity and Electoral Politics* (Cambridge: Cambridge University Press, 2006), 148.

<sup>34</sup> Samuel P. Huntington, "Clash of Civilization?" *Foreign Affairs* 72/3 (1993): 22  
 Reza Aslan, *Beyond Fundamentalism: confronting religious extremism in the age of globalization* (New York: Random House), 2010  
 Marta Reynal-Querol, "Ethnicity, Political Systems, and Civil Wars," *The Journal of Conflict Resolution*, 46/1 (2002): 29.

The International Monetary Fund report on gross domestic product per capita allows one to see the relative wealth of countries. The average per capita wealth of a state is 9,218 in 2010 United States dollars, which would place the worldwide average between Mexico (61<sup>st</sup> place) and Argentina (62<sup>nd</sup> place).<sup>35</sup> Below are charts depicting the GDP per capita and the U.S. Department of State tier ranking.<sup>36</sup>

Country	GDP per capita	tier score	Country	GDP per capita	tier score
Luxembourg	108,832	1	New Zealand	32,145	1
Norway	84,444	1	Spain	30,639	1
Denmark	56,147	1	Slovenia	23,706	1
Australia	55,590	1	South Korea	20,591	1
Sweden	48,875	1	Taiwan	18,458	1
United States	47,284	1	Czech Republic	18,288	1
Netherlands	47,172	1	Croatia	13,720	1
Canada	46,215	1	Poland	12,300	1
Ireland	45,689	1	Lithuania	11,044	1
Austria	44,987	1	Mauritius	7,593	1
Finland	44,489	1	Colombia	6,273	1
Belgium	42,630	1	Bosnia/Herz	4,319	1
France	41,019	1	Georgia	2,658	1
Germany	40,631	1	Nigeria	1,389	1
Iceland	39,026	1			
United Kingdom	36,120	1			
Italy	34,059	1			

Figure 5: Tier 1

<sup>35</sup> International Monetary Fund, "Country Information, IMF reports and publications arranged by country," <http://www.imf.org/external/country/index.htm>. (accessed on 8/12/11).

<sup>36</sup> U.S. Department of State, Human Trafficking in Person Report 2010.

Country	GDP per capita	tier score	Country	GDP per capita	tier score	Country	GDP per capita	tier score
Switzerland	67,246	2	Romania	7,542	2	Bolivia	1,858	2
UAE	59,717	2	South Africa	7,158	2	Djibouti	1,383	2
Japan	42,820	2	Suriname	6,975	2	Ghana	1,312	2
Israel	28,686	2	Bulgaria	6,334	2	Zambia	1,221	2
Cyprus	28,237	2	Montenegro	6,022	2	Pakistan	1,050	2
Greece	27,302	2	Belarus	5,800	2	Kyrgyzstan	864	2
Bahamas	21,879	2	Namibia	5,652	2	Cambodia	814	2
Portugal	21,559	2	Serbia	5,233	2	Kenya	809	2
Bahrain	20,475	2	Peru	5,172	2	Benin	689	2
Oman	18,657	2	Jamaica	5,039	2	Gambia, The	617	2
Slovakia	16,104	2	Jordan	4,500	2	Burkina Faso	598	2
Estonia	14,836	2	Angola	4,478	2	Timor-Leste	588	2
Hungary	12,879	2	Macedonia	4,431	2	Rwanda	562	2
Antigua/Barbuda	12,849	2	Ecuador	3,984	2	Nepal	562	2
Uruguay	11,998	2	El Salvador	3,701	2	Uganda	501	2
Chile	11,828	2	Albania	3,677	2	Togo	459	2
Brazil	10,816	2	Morocco	3,249	2	Ethiopia	350	2
Latvia	10,695	2	Indonesia	3,015	2	Sierra Leone	326	2
Turkey	10,399	2	Ukraine	3,000	2	Malawi	322	2
Mexico	9,566	2	Paraguay	2,886	2	Liberia	226	2
Argentina	9,138	2	Armenia	2,846	2	Burundi	180	2
Costa Rica	7,843	2	Egypt	2,789	2			
Botswana	7,627	2	Mongolia	2,227	2			
Romania	7,542	2	Honduras	2,016	2			

Figure 6: Tier 2

Country	GDP per capita	tier score	Country	GDP per capita	tier score	Country	GDP per capita	tier score
Qatar	76,168	2WL	Belize	4,159	2WL	Chad	768	2WL
Singapore	43,117	2WL	Turkmenistan	3,939	2WL	Tajikistan	741	2WL
Brunei	31,239	2WL	Fiji	3,518	2WL	Mali	692	2WL
Malta	19,746	2WL	Swaziland	3,061	2WL	Bangladesh	638	2WL
Trinidad/Tobago	16,753	2WL	Rep. Congo	2,983	2WL	Tanzania	548	2WL
Barbados	14,326	2WL	Guatemala	2,888	2WL	Afghanistan	517	2WL
Libya	11,314	2WL	Syria	2,877	2WL	Guinea-Bissau	509	2WL
Equatorial Guinea	11,033	2WL	Guyana	2,868	2WL	Mozambique	458	2WL
Russia	10,437	2WL	Iraq	2,564	2WL	Guinea	448	2WL
Lebanon	10,044	2WL	Sri Lanka	2,435	2WL	Central African Rep.	436	2WL
Venezuela	9,960	2WL	Philippines	2,007	2WL	Madagascar	392	2WL
Kazakhstan	8,883	2WL	Moldova	1,630	2WL	Niger	381	2WL
Gabon	8,724	2WL	Kiribati	1,479	2WL			
Malaysia	8,423	2WL	Uzbekistan	1,380	2WL			
Panama	7,593	2WL	Yemen	1,282	2WL			
Azerbaijan	6,008	2WL	India	1,265	2WL			
Maldives	5,841	2WL	Vietnam	1,174	2WL			
Vincent/Grenadines	5,229	2WL	Nicaragua	1,127	2WL			
Thailand	4,992	2WL	Cameroon	1,101	2WL			
Algeria	4,435	2WL	Côte d'Ivoire	1,036	2WL			
China	4,382	2WL	Laos	984	2WL			
Tunisia	4,200	2WL	Senegal	981	2WL			
Belize	4,159	2WL	Lesotho	837	2WL			

Figure 7: Tier 2 watch list

Country	GDP per capita	tier score
Kuwait	36,412	3
Saudi Arabia	16,996	3
Dominican Republic	5,228	3
Iran	4,741	3
Sudan	1,705	3
Papua New Guinea	1,488	3
Mauritania	1,195	3
Burma	702	3
Zimbabwe	594	3
Eritrea	398	3
Congo, D.R.	186	3

Figure 8: Tier 3

States that are ranked on the third tier by the U.S. Department of State Trafficking in Persons Report all have extremely low GDP per capita or are located in a region of the world where trafficking of humans is considered normal. Those states include Burma/Myanmar, Zimbabwe, Sudan, Saudi Arabia, Papua New Guinea, Mauritania, Kuwait, Iran, Eritrea, Dominican Republic, and the Democratic Republic of the Congo. Saudi Arabia and Kuwait have a relatively large GDP per capita, while the others are ranked lower in income in an overall scale. The ranking on tier 3 means that these states have not or will not make changes to law enforcement interdiction against human trafficking. States with a lower GDP per capita are ranked negatively on the tier system; this is because the lower economic prospects drive persons to travel outside the state or corruption allows criminals to obtain them for transport to a wealthier country. The lower the GDP per capita within a state the more likely corruption and criminal activity will be higher. Developing states lack the resources to control corruption.

The income level of the state of origin vastly affects the number of trafficking victims, whether women are used for the sex industry or men used for forced labor. States of destination are much higher in terms of GDP per capita income because this is where victims can be exploited for profit, especially with women involved in the sex trade. Western Europe and the United States are fund generators for criminal networks, in terms of drugs and women. Arms from criminal syndicates are sold to lower income countries, while women are

trafficked out to richer countries.<sup>37</sup> The majority of states on the 2 watch list tier are below the world average in GDP per capita. This reflects the lack of proper law enforcement and protective efforts of those states.

Not all the states on the 2 watch list are below the world average for GDP per capita. Two states listed as tier 2 watch list, Qatar and Singapore, are ranked in the top 20 of GDP per capita, while Russia and Venezuela are closer to the world average ranking. Twenty countries in the tier 2 are above the world GDP per capita average, while 52 are below. Switzerland, United Arab Emirates, Japan, and Iceland have the highest GDP per capita among those listed as tier 2. The lowest five are all African states; Ethiopia, Sierra Leone, Malawi, Liberia, and Burundi.

However, the GDP per capita does not necessarily affect the out flow of victims. States with large U.S. military or U.N. Peacekeepers bases, such as Germany, South Korea, and the Balkans, have women trafficked in to meet the demand for sex workers created by large military forces.<sup>38</sup> In some cases the states are relatively poor, while others rank among the top regarding GDP per capita. Countries with lower GDP per capita have a tier ranking of 2 or higher, which illustrates the economic link to trafficking.

The U.S. Department of State reports on trafficking states that are ranked as tier 1 consists of “countries whose governments fully comply with the Trafficking Victims Protection Acts (TVPA) minimum standards for the elimination

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<sup>37</sup> Siddharth Kara, *Sex Trafficking: Inside the Business of Modern Slavery* (New York: Columbia University Press, 2009), 15.

<sup>38</sup> Andrew Pratt, “Human Trafficking: The Nadir of an Unholy Trinity,” *European Security* 13 (2010): 17.



of trafficking”. Tier 2 is defined as states whose governments do not fully comply with the TVPA’s minimum standards but are making significant efforts to bring themselves into compliance with those standards. Tier 2 Watch List are countries whose governments do not fully comply with the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards and a) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; b) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or, c) the determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the country to take additional steps over the next year. The lowest ranking of tier 3 is defined as states whose governments do not fully comply with the minimum standards and are not making significant efforts to do so. Three factors must be determined if a state can be moved from tier 2 to tier 3; these are:

“the extent to which the country is a country of origin, transit, or destination for severe forms of trafficking; the extent to which the country’s government does not comply with the TVPA’s minimum standards and, in particular, the extent to which officials or government employees have been complicit in severe forms of trafficking; and what measures are reasonable to bring the government into compliance with the minimum standards in light of the government’s resources and capabilities to address and eliminate severe forms of trafficking in persons”.<sup>39</sup> (see Appendix 1: U.S. human trafficking tier ranking)

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<sup>39</sup> U.S. Department of State, Trafficking In Persons Report 2010, 20.

## CHAPTER 5

### TRAFFICKING IN PERSONS: REGIONAL PROFILES

#### 5a. Asia

Human trafficking in Asia has a history that is centuries old. International efforts to combat trafficking date back the formation of the League of Nations and continue with several regional and international bodies.<sup>40</sup> As the economies of Asian states grew, so did the reach of transnational criminal organizations. The transfer of sex slaves and forced workers is spreading out into new regions. Many countries do not have laws that are sufficient to combat these problems and, in some countries, the government indirectly helps create trafficking rings.<sup>41</sup>

Organized crime networks operate as businesses, always trying to maximize profits. Larger Chinese groups use a trade and development model, trading humans and investing the profits in illicit or legitimate development.<sup>42</sup> The majority of Chinese victims trafficked within China are men forced into labor with only 10 percent being female. The exchange of funds from labor exploitation is large and, as such, human rights violations are less than Eastern European traffickers; however, this depends on the location of the destination and the type of forced work with which the victim is involved. Migrant workers in Europe are

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<sup>40</sup> Ko Lin Chin, *Smuggled Chinese: Clandestine Immigration to the United States* (Philadelphia: Temple University Press, 2000), 28.

<sup>41</sup> Louise I. Shelley, *Human trafficking: a global perspective* (New York: Cambridge University Press, 2010), 115.

<sup>42</sup> *Ibid.* 114.

treated less brutally, but are forced to work harder because they are hard to replace. Without replacement of victims the cheapest option is to hide them within the state of destination. On the other hand, sex workers, who do produce large profits, are replaceable and this increases possible maltreatment of victims. Within China, the social rank of females is much lower than in Western cultures. Chinese women are still subject to forced abortion and sterilization perpetrated by the government. Although the government of China has worked to improve the perception of females in some ways, in other ways it has not, and many Chinese criminal entrepreneurs still view forced prostitution as an easy way to make a profit.<sup>43</sup>

Smuggled Chinese reach the shores of the United States, United Kingdom, other Asian countries, Europe, Africa, and Australia. The secretive nature of the Chinese traffickers makes it difficult to distinguish between smuggled aliens and trafficked victims. Thousands of migrants in London or Paris avoid speaking with police or international migration agencies; reducing knowledge of the problem until criminal prosecution cases arise. Chinese workers are in the Spanish construction industry, Italian textile and leather industries, and British low skilled manufacturing. These Chinese workers live in horrible conditions. In both cases, it is the criminal prosecution of the companies that has offered help to the victims; the victims did not report the exploitation.<sup>44</sup>

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<sup>43</sup> Ronald C. Keith, "Legislating Women's and Children's "Rights and Interests in the PRC," *The China Quarterly* 149 (1997): 31.

<sup>44</sup> Louise I. Shelley, *Human trafficking: a global perspective* (New York: Cambridge University Press, 2010), 117.

The numbers of Chinese people who are smuggled into the United States can reach 50,000 per year, which earns the trafficking rings an estimated three billion dollars.<sup>45</sup> One organized crime group does not control trafficking or smuggling. However, multiple smaller groups do operate in an organized way to ferry migrants to the United States and other states.<sup>46</sup> These groups fit the definition set by the United Nations for a transnational organized crime group.

The traffickers, called snakeheads, arrange for local gangs to extort payment for the travel and criminal risk. Many of the migrants' debts are paid by family or friends. If the amount is not paid quickly, the migrant maybe tortured while speaking with a relative over the telephone. This brutal act results in quick payment of almost all debts.<sup>47</sup> This is the primary operation within the United States.

In other Asian states, the collection of debt and treatment of trafficked victims changes depending on conditions of that state or region. Human trafficking is one of the significant revenue makers for Chinese, Japanese, and Southeast Asian organized crime groups, unlike South or Central America groups who primarily generate profits through drugs. Since development of other economic sites is essential in Asia, many of the positions are forced labor, such as construction or factory work. The trafficking and the exploitation of the victims are both revenue makers for the criminal groups.

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<sup>45</sup> Cleo J. Kung, "Supporting the Snakeheads: Human Smuggling from China and the 1996 Amendment to the U.S. Statutory Definition of Refugee," *The Journal of Criminal Law and Criminology* 90 (2000): 1272.

<sup>46</sup> Ibid. 1275.

<sup>47</sup> Ibid. 1277.

Throughout Asia victims of trafficking fill certain roles, such as sexual, labor, forced marriages, adoptions, soldiers, organ trafficking, begging, and debt bondage.<sup>48</sup> In India, victims become prostitutes and raise their children within that environment, thus creating an intergenerational sex industry working class. Women who have survived the sex enslavement can become traffickers themselves by luring in other women or young boys. Trafficking in children is more pronounced in Asia than other areas and many of the children serve in the sex industry.<sup>49</sup> Men that frequent brothels seek out the young because it is believed that will minimize exposure to disease.

Indian children are maimed to have greater success in begging. Reports out of Italy and Britain describe Asian children with maimed legs or hands and mutilated eyes to increase profits. Pakistani boys are shipped to the United Arab Emirates to work as camel jockeys, which is a very dangerous occupation.

All states in Asia and Oceania have trafficking problems regardless of income level. China, Japan, South Korea, and Australia, which have large legitimate economies, are both recruitment areas and destinations, while Bangladesh and North Korea are both very poor and experience all forms of trafficking. Organized crime is not the only source of this criminality. Corrupt government officials and small familial groups arrange many of the rings. The connection between organized crime groups and corrupt governmental officials within human trafficking rings is very pronounced in Asia.

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<sup>48</sup> Louise I. Shelley, *Human trafficking: a global perspective* (New York: Cambridge University Press, 2010), 142.

<sup>49</sup> Ibid. 143.

In Japan, many brothels are maintained by criminal groups. Each region of the country has different conditions set by local law enforcement. In Tokyo, women trafficked from South America, Africa, and Europe are available because of the global connections of transnational criminal groups. In southern Japan, trafficked women are almost always of Japanese ancestry because of an anti-trafficking police crackdown.<sup>50</sup> Northern Japan has more connections between Russian crime groups and the local Yakuza. Oddly enough, these groups trade in typical illicit exchanges, such as drugs, arms, but also, in fish, timber, and humans. Also, Japanese sex tourists will seek out non-Asian women, which increases the trafficking of Eastern European women out of Russian and the Former Soviet Union. In fact, Yakuza began to popularize sex tours with the profits being distributed into their other legitimate businesses.<sup>51</sup>

Thailand and the Philippines have large segments of their economies dedicated to sex tourism, suggesting organized crime's influence over local policy.<sup>52</sup> In the early 1990s, approximately 20 percent of the workforce was female in the oil rich western Asian states and the quickly growing industrialized states in the southeast of Asia. The majority of these workers serve as domestic workers; however, many become entertainers, which is a term for prostitutes. The outflow of migrants stem from several states, including the Philippines, Sri Lanka, Thailand, Indonesia, Bangladesh and India.<sup>53</sup>

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<sup>50</sup> Ibid. 153.

<sup>51</sup> Howard Abadinsky, *Organized Crime* (Belmont: Thomson Wadsworth, 2006), 196.

<sup>52</sup> Leela Gulati, "Asian Women in International Migration: With Special Reference to Domestic Work and Entertainment(s)," *Economic and Political* (1997): 3029.

<sup>53</sup> Ibid. 3030.

Organized crime groups operate smuggling and trafficking rings which provide false documentation for the victims. While the numbers of nationalities have changed in recent years, due to political pressure and law enforcement, the number of trafficked women has remained the same or increased in certain areas. Thai women enter Japan illegally, because working as a prostitute is forbidden, and are managed by Yakuza associated members. Similarly, migrants to Germany suffer under the same criminal management.<sup>54</sup>

Nepal, India, and Pakistan have organized criminal gangs which are linked to transnational human trafficking. However, the smaller gangs transfer people to the large trafficking rings. Many small familial based groups recruit locals then arrange for travel. The poor treatment of the victims is pervasive and recruiting tactics include offering false employment, education, or marriage. South Asian states are a source of recruitment, transit, and destination for victims. Thousands of trafficked men, women, and children travel through to other areas and thousands travel in from neighboring countries.<sup>55</sup>

Only two Asian states are ranked as tier 1 by the U.S. Department of State. They are South Korea and Taiwan. The tier 2 includes Cambodia, Hong Kong, Indonesia, Japan, Macau, Mongolia, Nepal, and Pakistan. Placed on tier 2 but on a negative watch list are Bangladesh, Brunei, and People's Republic of China, India, Laos, Malaysia, Maldives, Philippines, Singapore, Sri Lanka, Thailand, and Vietnam. The lowest ranking of tier 3 includes Burma/Myanmar,

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<sup>54</sup> Piriyaarangsang Phongpaichit and N. Treerat, *Guns, Girls, Gambling, Ganja*. (Chiangmai: Silkworm Books, 1998), 171.

<sup>55</sup> Adel Abadeer, *The entrapment of the poor into involuntary labor: understanding the worldwide practice of modern-day slavery* (Lewiston: Edwin Mellen Press, 2008), 42.

North Korea, and Papua New Guinea, among the poorest and most underdeveloped countries in the world. In addition, the United States determines the ranking, thus political ideology and relations with the United States from the ranked states can influence the placement.<sup>56</sup>

#### 5b. Eastern Europe/former Soviet Union

Since the fall of the Soviet Union and resulting expansion of Eastern European organized crime, human trafficking increased along with new economic channels and liberalization. It is estimated that the number of trafficking organizations operating within Eastern Europe is between five and eight thousand, approximately three million people are involved at some point in the process.<sup>57</sup> The term “Russian organized crime” is a general phrase used to describe any one of the criminal groups which were under Soviet leadership; some are Russians, others Ukrainian or other nationalities. This overall grouping consists of ethnic or geographic elements.

Unlike the United States, the Russian legal system has no definition for organized crime. The criminal groups can be broken down into three categories related to the size of the enterprise. First, Gruppirovki are gangs involved in petty crime and have an episodic structure, meaning that they are temporary groups that operate for a single enterprise. Secondly, Prestupaia are larger criminal groups connected at a regional level. Lastly, Soobshchestvo are at the highest level with international ties, which can involve dealing arms, drugs smuggling,

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<sup>56</sup> U.S. Department of State, *Trafficking in Persons*, 12.

<sup>57</sup> Bales, Kevin. *Understanding global slavery: a reader* (Berkeley: University of California Press, 2005), 79.



and illicit banking systems.<sup>58</sup> Each of these groups interacts within or maintains a human trafficking network.

The story of human trafficking within Eastern Europe and Central Asia spans centuries and, in its most current form, it is two fold. First, citizens seeking work flee Eastern Europe and the local young adults, without prospects, fall into the human trafficking trap. Secondly, without a history of trust in the government and fear of the authoritarian governments, victims become human capital as forced labor or sex workers and cannot escape. Since the fall of the Soviet Union trafficking has increased from within Eastern Europe to exportation out from its borders.<sup>59</sup>

The underground criminal networks built within Soviet prisons were outpaced by newer gangs which sprouted up in the early 1990s. Soon, the violence was hidden under legitimate business concerns of former gangster businessmen. In 1993, up to 40 percent of legitimate business was controlled by organized crime and the syndicates used force or illicit payment to gain large parts of formerly state-owned businesses, thus increasing their power.<sup>60</sup> Mikhail Gorbachev's Perestroika, "reconstructing", was seen by some law enforcement personnel as the beginning of modern organized crime in Russia and other Eastern European states.<sup>61</sup> Due to lack of criminal law which could be applicable in a free market system, once stolen goods left Russia they became legal.

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<sup>58</sup> Howard Abadinsky. *Organized Crime* (Belmont: Thomson Wadsworth, 2006), 177.

<sup>59</sup> Louise I. Shelley, *Human trafficking: a global perspective* (New York: Cambridge University Press, 2010), 179.

<sup>60</sup> Stephen Handelman, "The Russian 'Mafiya'," *Foreign Affairs* 73 (1994), 84.

<sup>61</sup> *Ibid.* 86.

Trafficked humans fared little better under the new economic and legal system, making Eastern European criminal groups one of the primary actors.

Given the lucrative criminal conditions of Russia, larger Soobshchestvo groups held summits with Italians and Colombians to improve illicit transit of drugs and humans. Over \$25 billion left Commonwealth states for western banks to finance new western offshoots of organized crime.<sup>62</sup> Moreover, the Russian government fears non-governmental organizations because of possible extremist thoughts igniting the depressed societal groups within the country, hampering NGO's effectiveness.<sup>63</sup> The populace sees Russian authorities as repressive and corrupt. Local victims of human trafficking fear going to the police or state agencies. In addition, violence against women is frequent in Russian and authorities do little until a woman is murdered, this attitude is another reason why female victims distrust police.<sup>64</sup>

Trafficking women in the Western European sex industry is very profitable for organized crime in Eastern Europe. The typical victim is well educated and seeking gainful employment. Syndicates post ads or personally offer jobs as house workers, waitresses, or entertainment abroad. These victims are trafficked to Western Europe or as far as Asia to serve as prostitutes in brothels operated by criminal organizations. Traveling to distant locations requires false documentation, transport, and bribing officials which can cost between US\$5,000 and US\$20,000. Women are forced to repay that amount and if they refuse they

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<sup>62</sup> Stephen Handelman, "The Russian 'Mafiya'," *Foreign Affairs* 73 (1994), 95.

<sup>63</sup> Brian D. Taylor, "Law Enforcement and Civil Society in Russia," *Europe-Asia Studies* (2006):194.

<sup>64</sup> Ibid. 206.

are beaten, raped, and in some cases, murdered to set an example for other women.<sup>65</sup>

Other Eastern European regions suffer from the same criminality. Chinese criminal groups routinely smuggle forced labor workers through Eastern Europe into the United Kingdom from Beijing. In one case after a plane trip to Belgrade, they were transported by car through Hungary, Austria, France and Holland before suffocating while travelling under the English Channel. Another example was a former military intelligence officer who created a travel agency that specialized in offering tourist visas to women involved in the sex sector of human trafficking, while the travel business laundered the profits.<sup>66</sup> Many victims of trafficking are unaware of their final destination. A group of Georgians traveled to Finland only to find out that Italy was the final objective. Many of the destination countries are within Western Europe. The primary sites are Belgium, Germany, Greece, Italy, and the Netherlands. Denmark, France, Spain, and Switzerland are the next set of destination states. Because of the ease of travel in Europe almost all countries are transit points.

Countries of Central Asia have reintroduced Soviet-style forced labor in Tajikistan, Turkmenistan, Uzbekistan, Kazakhstan, and Kyrgyzstan. Uzbekistan's government traffics children for forced agriculture work, while Kazakhstan has legal and illegal workers working in extractive industries and agriculture. The International Labor Organization (ILO) states that 20 percent of illegal immigrants

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<sup>65</sup> Howard Abadinsky, *Organized Crime* (Belmont: Thomson Wadsworth, 2006), 184.

<sup>66</sup> Louise I. Shelley, *Human trafficking: a global perspective* (New York: Cambridge University Press, 2010), 102.

in Russia are victims of forced labor. In fact, forced labor is more pervasive than sex trafficking in Eastern Europe and Central Asia.<sup>67</sup>

Russia cannot properly manage the 700,000 orphans or abandoned children left in state-care. Also, migrants from over Eastern European and Central Asian states are forced to abandon children which they cannot care for, greatly increasing the number of children without proper documentation. Human traffickers benefit from the breakdown of family units and easy recruitment of the unguarded children and the corruption of governmental childcare managers.

In Eastern European and Central Asia trafficked children are forced to become prostitutes, beggars, and child pornography workers. Many are sold for adoption. The national government has failed to pass laws to protect many of these children. Much of child pornography is produced in Russia, which accounts for 23 percent of the international pornography industry. Adoptions are falsified due to corrupt authorities, which can lead to horrible conditions for the children. Instead of legislating more effective laws, the Duma, or Russian State Parliament, has only reduced adoptions to the Western States, including to the United States. Eastern European pregnant women are trafficked to Western Europe and, following delivery, they are paid for the infants and returned home.<sup>68</sup> In some cases, this transfer of the infants is not a voluntary decision of the mother, but is coerced.

In addition, the geography of the region can endanger the victims. Children are packed into unsafe vehicles or boats. Former victims become

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<sup>67</sup> Louise I. Shelley, *Human trafficking: a global perspective* (New York: Cambridge University Press, 2010), 179.

<sup>68</sup> Ibid. 182.

traffickers. In Albania such youths transfer children to Italy via high speed boats across the Adriatic. Romanian children have been located in the United Kingdom transferred by unseaworthy vessels. These youths were maimed to increase the profits from begging. Ethnic minorities are more vulnerable because of their lower socio-economic status, making it easier to recruit and traffic them in Eastern Europe. Also, criminal groups recruit organ donors, which travel west before the operation hoping for a more effective and better training hospital. However, following the removal of the organ many are left without proper medical care or are not paid for their troubles.<sup>69</sup>

While some of these trafficking activities are completed without major involvement of larger organized crime groups, the fact that to gain any profit from the expensive travel and lodging of victims suggests many of these cases involve complicated criminal syndicates. As with all traffickers, profit is the goal and to increase the fiscal earnings a complex group needs a structure. These groups thereby fit into the United Nations description of transnational organized crime. The trafficking groups arose out of the Soviet prison groups and were established by former government officials. These groups were flexible and adaptive, enabling them to change with the new economic environment. The illicit exchange between the members allowed them to offer all that criminal organization desires; false documents, recruitment, bribery, criminal connections, and lethal force.<sup>70</sup> In recent years, the Russian government has moved to attack

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<sup>69</sup> Shelley, *Human trafficking*, 185.

<sup>70</sup> Ibid. 187.

human trafficking and efforts are still ongoing, but legislation is still needed to properly address the problem.<sup>71</sup>

Variations in trafficking measures are needed because of the size of the Former Soviet Union, which occupies two continents. Eastern European and Central Asian women are transported to regions within and out of their home regions. Some are issued entertainment visas in China or Japan and then become exploited by local criminal groups. In the north, women are trafficked to Estonia or Finland to serve as prostitutes for Swedes, who are prohibited by Swedish law from visiting prostitutes within Sweden, creating a sex tourism sector. Turkish criminal groups receive many Eastern European women as do Middle Eastern or Israeli groups. The income levels of the destinations are keys to understanding why the criminal groups traffic women into those areas. Two good Eastern European examples are Baku, Azerbaijan, and Moscow, Russia. In each city, the average income is much higher than the surrounding area, which means more profits in prostitution, thus larger number of trafficked women. Outside Eastern Europe, Korea and Japan offer similar earning potential for Russian organized crime groups.<sup>72</sup>

Moldova is one of the poorest countries in Europe and, as such, is a hotbed for human trafficking.<sup>73</sup> Because of the lack of economic opportunity, false employment promises account for 80 percent of trafficking cases. The same

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<sup>71</sup> Vsevolod Sokolov, "From Guns to Briefcases: The Evolution of Russian Organized Crime," *World Policy Journal* (2004): 71.

<sup>72</sup> Ibid. 73.

<sup>73</sup> Central Intelligence Agency, "Country Comparison: GDP," <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2001rank.html?countryName=Moldova&countryCode=md&regionCode=eur&rank=149#md>. (accessed on 7/12/11).

recruitment strategy applies in Moldova as in Russia. The women are tricked into relying on criminal groups for travel documentation and are later forced into prostitution. International criminal connections are plainly visible. Many spurious travel agencies offer jobs overseas; however, the owners are syndicates ranging from Russian to Yakuza groups. Of course the sex trade is not the only option for victims; others must work in unsafe construction jobs or forced begging.<sup>74</sup>

Destination countries change due to economic conditions. Almost 25 percent of Moldovans were trafficked to Russia, Turkey, and United Arab Emirates. In only a few years, that figure jumped to 97 percent, which indicates a change in outflows of victims. Eastern European criminal organizations, especially groups from Russia, form deals with local gangs to expand the trafficking recruitment. Also, women can be trafficked within their own states; sex tourism is prevalent in Moldovan cities where prostitution is illegal, which allows for women to be forced into prostitution locally.

From the former Soviet bloc, only five states, the Czech Republic, Georgia, Lithuania, Poland, and Slovenia, are ranked as occupying tier 1 by the U.S. Department of State. Ukraine, Kyrgyzstan, Armenia, Belarus, Slovak Republic, Hungary, Latvia, and Estonia are listed as tier 2, while Moldova, Tajikistan, Turkmenistan, Russia, Azerbaijan, Uzbekistan, and Kazakhstan are tier 2 watch list. Eastern Europe and Former Soviet Union republics are interconnected criminally and economic. Trafficking drugs, arms, and humans has created an underground criminal networks that reach from Mexico to Russia,

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<sup>74</sup> Siddharth Kara, *Sex Trafficking: inside the business of modern slavery* (New York: Columbia University Press, 2009), 110.

from Japan to the Ukraine and beyond. As the demand increases trafficking, exploitation of enslaved men, women, and children is, also, increasing, which results in new networks and transnational organized criminal groups.

#### 5c. Western Europe

Western Europe is the primary destination for Eastern European traffickers. Decreasing employment opportunities in Eastern Europe have forced many women to seek careers elsewhere. The lower social rank of females along with the feminization of poverty has allowed criminal organizations to target vulnerable women as property and traffic them to wealthier western states.<sup>75</sup> Unlike Asia or Central America, Eastern European women become vulnerable because their regions do not have employment positions which are available to them and they must travel for work. Prostitution within Europe is not uncommon and there is a negative view of sex workers held by many Europeans. Several European countries have legalized prostitution and criminal groups use this legality to establish a market for trafficking women. Germany, the United Kingdom, and France have worked to limit the amount of pirated items and goods made by enslaved children and forced labor; however, women trafficked in for sex work do not hold the same public respect, which limits greater protection.<sup>76</sup>

In states where sex work is illegal, such as Sweden, European travel to neighboring states with legal brothels, some run by criminal figures. Women and

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<sup>75</sup> Chris Corrin, "Transitional Road for Traffic: Analyzing Trafficking in Women from and through Central and Eastern Europe," *Europe-Asia Studies* 57 (2005): 543.

<sup>76</sup> Vincenzo Ruggiero, "Trafficking in Human Beings: Slaves in Contemporary Europe," *UK International Journal of the Sociology of Law* (1997): 232.



children from the Middle East, Eastern Europe, and Asia flow in to meet the demand in the Baltic States and other illegal brothels in Europe. Many of the trafficking ring operators are linked to Russian organized crime.<sup>77</sup> Many of the victims are falsely promised work abroad, and then smuggled into Europe to be exploited. Italian criminal organizations have formed links with Eastern European and Asia for importation of women and exportation of those women. Albanians routinely traffic women into Italy, as do Turkish groups, where the victims are sold to Italian syndicate factions. Albanians alone illegally smuggle over 5,000 people per month into Italy. Also, Chinese organizations smuggle in labor workers to function as slaves for Italian textiles companies.<sup>78</sup>

Criminals in Puglia, the Sacra Corna, hire smaller groups for transport and recruitment of victims. Some victims travel voluntarily because of lack of steady employment out of the farming season or false career promises, only to find themselves sold several times before reaching their final destination. The final work could be forced prostitution, construction, or drug smuggling. Some believe that this work is the only option for them, thinking that authorities will abuse or deport them because they are foreign. In Britain, victims legally enter the country, but must have their working visas stamped which indicates the only employment possible while they remain in the United Kingdom. In some cases, the employer can exert power over the employed, which can lead to exploitation of the worker. French officials have been arrested for issuing false paperwork for

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<sup>77</sup> Vincenzo Ruggiero, "Trafficking in Human Beings: Slaves in Contemporary Europe," *UK International Journal of the Sociology of Law* (1997): 235.

<sup>78</sup> *La Stampa*, 22 September 1994.

Algerian human trafficking rings, which indicates a larger criminal group's influence.<sup>79</sup>

In Northwestern Europe, smaller criminal groups or individuals are responsible for most of the trafficking. However, many of these groups can still be described as organized criminal groups. Foreign embassies in Geneva have had over 50 cases of slave labor of migrants who entered the state illegally in the past few years. Many domestic staff was forced to work and repay the traffickers, leaving little chance of any other employment.<sup>80</sup> Illegal immigration into Europe is a significant source of income for hidden European economies, funneled in by criminal organizations.<sup>81</sup>

As the major hub of trafficking in Europe, Italy will be discussed in more detail because of its form of trafficking affects all other regions through inflows and outflows of victims. Prostitution is legal in Italy. However, organized prostitution, such as found in brothels, is illegal. Both sides of this trade have elements of control from organized crime. Many of the street prostitutes are illegal immigrants and trafficking victims, some underage. Mainly from Eastern Europe, these women are forced to become sex workers. Each person costs roughly 5,000 Euros and can easily return that investment quickly.<sup>82</sup> Also, because victims can easily be replaced, they can be treated brutality.

Police are feared by the victims because corruption is not uncommon in Italy. Their identification is taken from them by the traffickers and they are beaten

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<sup>79</sup> Ruggiero, "Trafficking in Human Beings", 236.

<sup>80</sup> International Conference Union Action Without Borders, Syndicat sans Frontières.

<sup>81</sup> Ruggiero, "Trafficking in Human Beings", 234.

<sup>82</sup> Siddharth Kara, *Sex Trafficking: inside the business of modern slavery* (New York: Columbia University Press, 2009), 80.

to ensure their cooperation. Eastern European, Turkish, Asian, African and Latin women pass through Italy on to other destinations to serve the sex market demand. The complexity of this illegal trade hinders efforts to control it or even map its progress.<sup>83</sup>

Different immigrant populations operate in different sections of cities in Italy. In Rome, the primary streets for Eastern European sex workers are presently Salaria, Littoriana, and Via Appia. In northern Italy, Turin has sections of streets in which African trafficked women operate; all these women were purchased by local criminal groups. Six main criminal groups operate in Italy. Italian groups know the local economics and work closely with the foreign trafficking syndicates, clearly setting borders for sex work and avoiding violent responses from criminal competitors. Defining these groups by nationality is easiest: Russian, Chinese, Albanian, Romanian, and Nigerian. All these groups are very organized and meet the United Nations definition of transnational organized crime.<sup>84</sup> Descriptions of the operations of these groups are limited due to the secretive nature of organized crime.

Italy can be divided into two parts regarding human trafficking. North of Florence is controlled by foreign criminal groups from recruitment to exploitation, while south of Florence is controlled by Italian groups. Foreigners can operate in the south with the permission of Italian criminal organizations. Italians control drugs in the north. For the criminal enterprises, setting standards for foreign nationality and prices is beneficial, allowing the customer to pick his choice and

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<sup>83</sup> Kara, *Sex Trafficking: inside the business of modern slavery*, 85.

<sup>84</sup> Ibid. 92.

become a returning customer. Brothels and street prostitutes are, almost, universally controlled by organized crime. Trafficking done by criminal groups meets the needs of the market and is tailored to specific requirements of customers, without thought to the health of the women involved.<sup>85</sup>

#### 5d. Latin America

Human trafficking in Latin America is not a new phenomenon; however, law enforcement interdiction is increasing. In addition, negative attitudes regarding trafficked victims are changing as the crime has become more widespread. Several pull factors, such as poor economic conditions and transnational family setting, have created economic and social circumstances within which Latin American citizens attempt to follow work north into the United States or Canada.

Mexico has the largest population of any Spanish speaking state in Latin America and is a recruiting, transit, and destination hub. Increase in international commercial activities and more visitors to the United States have expanded opportunities of illegal immigrants, trafficked victims, and illicit items such as guns or drugs, to cross the border. Following greater U.S. law enforcement attention to the United States-Mexico border, cartels are now using counterintelligence and legitimate businesses as veils for their criminal networks.<sup>86</sup> As the conflict between governmental forces and cartels continues, local conditions change regarding human trafficking.

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<sup>85</sup> Kara, *Sex Trafficking*, 95.

<sup>86</sup> Library of Congress – Federal Research Division Criminal and Terrorist Activity in Mexico, *Organized Crime and Terrorist Activity in Mexico, 1999-2002*, 8.

A general outline of Mexico's transnational criminal activity is presented below. The federal government of Mexico has a permissive policy regarding transit of immigrants from other Latin American states; however, this policy does affect the flow of trafficking victims. First, the inflows create a complicated familial and regional relationship within Mexico that is difficult to control legally. Secondly, immigrants are not fully represented in any legal way, which increases the possibility of then becoming trafficking victims.<sup>87</sup> One possible reason for the lackluster law enforcement response is the 300 million dollars per year that human smuggling produced and the money offered to local officials.<sup>88</sup> The current state of dysfunction within Mexico's judicial system due to almost constant violence between cartels and police impedes any efforts to combat human trafficking. Also, large networks of organized crime have increased the speed, efficiency, and profitability of the criminal enterprise.

Thousands of unaccompanied migrant children travel through Latin America to reunite with family or seek work in the United States or Canada. Understanding the threat that these children were under, Mexico formed the Inter-Ministerial Task Force on Unaccompanied Children Migrants in 2010. This organization is comprised of 18 governmental ministries and works to promote protection at the regional level. However, the Convention on the Rights of the Children's Best Interests Determination setup by the Office of the United Nations High Commissioner for Refugees Agency is not applied in Mexico, which

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<sup>87</sup> Rodolfo Casillas R., *Trafficking Migrant Women and Minors at the Mexican Southern Border. An Exploration Into an Unknown Reality* (Washington: Organization of American States), 6.

<sup>88</sup> Library of Congress, *Organized Crime*, 10.

negatively affects the government's ability to help the victims.<sup>89</sup> Girls and children under the age of 14 are placed in holding centers, while boys are held with adults, which increases the chance of then falling back into the cycle of trafficking again.

Mexico began to liberalize financial services in the late 1980s which has increased opportunities for money laundering and the investment of illicit profits from drugs and human trafficking into legitimate businesses.<sup>90</sup> Reducing crop subsidies allowed drug production to increase and after drug smuggling; human trafficking became the second largest income for cartels.<sup>91</sup> The government of Mexico severely lacks funding and resources to properly deal with human trafficking.

The Mexican government is currently incapable of handling migration issues. For every group of 1,000 American citizens there are at least three immigrants from Latin America.<sup>92</sup> U.S. Immigration and Customs reports that there are over 300 alien smuggling groups in Mexico and the Mexican intelligence service estimates that there are a smaller number of approximately 100 groups. These groups can be divided into core and periphery operators. The criminal members manage recruitment and transfer victims locally and into South America.

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<sup>89</sup> Mariela Guajardo and Karla Gallo, "Unaccompanied migrant children in transit: Challenges and opportunities for Mexico," *Global Eye* (2010): 10.

<sup>90</sup> Peter Andreas, "U. S.: Mexico: Open Markets, Closed Border," *Foreign Policy* 103 (1996): 58.

<sup>91</sup> *Ibid.* 59.

<sup>92</sup> Guajardo and Gallo, "Unaccompanied migrant children in transit", 15.

With the success of the cartels, many other organized criminal groups from other regions see the economic benefit of cooperation between criminal groups. Drug smuggling businesses have already created transnational crime groups which span the globe. Trafficking in persons is following that trend. Eastern European criminal groups operating in Latin America were first identified by law enforcement reports in the 1990s. While networks from Albania, Armenia, Chechnya, Croatia, Georgia, Hungary, Lithuania, Poland, Romania, and Serbia, have all been detected, the primary nationalities are Russian and Ukrainian. At least four Russian mafia groups have had dealing within Mexico, including Poldolskaya, Mazukinskaya, Tambovskaya, and Izamailovskaya.<sup>93</sup> These groups are involved in many criminal enterprises, including human trafficking. These groups, which are based around various Russian cities, operate out of residences owned by cartel members to funnel drugs across the Pacific Ocean. Also, incoming illegal arms are transferred to Mexican gangs from Eastern Europe.<sup>94</sup>

Ukrainian criminal groups use Mexico as a hub for U.S.-centered human smuggling operations.<sup>95</sup> The foreign gangs are concentrated on the Western side of Mexico for easier access to Los Angeles and the West Coast. The Ukrainian Komisaruk family operates a human trafficking path from Mexico to Los Angeles wherein the criminal groups charge \$ 7,500 per person for smuggling them into the United States. However, many women and children are forced into prostitution and other forms of exploitation once they enter. Also, criminally

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<sup>93</sup> Library of Congress, Organized Crime, 29.

<sup>94</sup> Ibid. 29.

<sup>95</sup> Ibid. 31.

connected Ukrainian Americans offer transport and housing to the traffickers and victims.<sup>96</sup>

Asia is included in the transnational groups that work with Mexican cartels. Japanese, Chinese, and Korean groups smuggle paying migrants into Mexico or as part of the distribution chain linked with human trafficking. Several Yazuka gangs trafficked over 1,000 Mexican women to Japan in 1996 for forced sex work. This enterprise was linked to a Tijuana organization, which promised entertainment employment in Japan. However, once the women arrived they were forced into prostitution by the Japanese criminal groups.<sup>97</sup>

The Titanium Group, a Mexico City-based crime syndicate, is linked to human trafficking and other organized criminal operators, such as Russian, Ukrainian, and Japanese groups. This group operates human trafficking and forced prostitution rings in Central Europe and Latin America.<sup>98</sup> Maria Teresa Ulloa, director of the Regional Coalition Against Human Trafficking of Women and Girls in Latin America and the Caribbean, warned of the influence of foreign gangs and their collusion with local criminals, particularly regarding their involvement in human trafficking.<sup>99</sup>

Chinese groups operating out of the Fujian province illegally bring in migrants from China and transfer them to the United States. The Chinese groups paid the Arellano Felix cartel, which control most organized criminal activities in

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<sup>96</sup> Josh Meyer, "11 Held in Immigrant Smuggling Operation," *Los Angeles Times*, 4 May 2001, B1.

<sup>97</sup> Gregory Gross, "Mexican Women Forced to Be Sex Slaves: Taken to Japan, They Were Victimized by Organized Crime," *San Diego Union-Tribune*, 3 May 1996, A-1.

<sup>98</sup> Library of Congress, Organized Crime, 25.

<sup>99</sup> Coalition Against Trafficking in Women, "Mexico Trafficking," <http://www.catwinternational.org/factbook/Mexico.php>. (accessed on 9/16/11).



the Baja peninsula. Within the Mexicali area there is a large Chinese presence because of illegal Chinese immigrants wanting to cross the U.S. border. New arrivals can blend in and this group is where the chain of exploitation begins. Each migrant must pay for transport from China and once the Mexican smugglers deliver them, some must repay through forced labor or prostitution.<sup>100</sup> This practice of arranging payment following the journey is common for Chinese smugglers. The victims are transported to California, Illinois, New York, Texas, and Washington State.<sup>101</sup>

The Saleh Salman/Chen/Lin organization was a smuggling ring which operated in Mexico, China, and the United States. Funneling immigrants through Mexico and Ecuador, the group charged between US\$20,000 to US\$30,000 and created false immigration paperwork. This organization operated out of Shoueng and Guang-Zou City in China; Mexico City; Quito, Ecuador; Houston, Texas and Brooklyn, New York. In cases where the aliens could not directly pay, the groups arranged an alternate payment through exploitation.<sup>102</sup> Korean criminal groups are closely linked with production of counterfeit products; however, these groups also smuggle humans and arrange for their sale to exploitative markets to repay travel debts.

Of course, Mexico is only one of the countries in Latin America. It is ranked on tier 2 and has negative criminal elements allowing it to become a destination, transit, and origin country. Out of the American states ranked by the U.S. Department of State in 2009 only three states, Colombia, United States, and

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<sup>100</sup> Library of Congress, Organized Crime, 34.

<sup>101</sup> Ibid. 33.

<sup>102</sup> Ibid. 25.

Canada, can be placed in the highest category, tier 1. The remaining 28 are in lower categories. Argentina, Venezuela, Guyana, Belize, Dominican Republic, Guatemala, Nicaragua, and Saint Vincent and the Grenadines are on the tier 2 watch list, meaning there is a failure to provide evidence of increased interdiction efforts. Only Cuba is ranked as tier 3, the lowest category, mainly due to the lack of positive reports of trafficking and the high levels of human smuggling to neighboring islands, which results in trafficking to the United States.<sup>103</sup> Haiti is not listed because of lack of verifiable reports.

#### 5e. Africa

Criminal syndicates traffic women, men, and children into Africa and out to other regions. The main indigenous African criminal groups are Nigerian. These groups work with foreign criminal groups for transport and distribution of trafficking people, particularly for sexual servitude. The Minister of Justice of Nigeria in 2002 estimated that at least 45,000 women have been trafficked out of Nigeria. Nigeria has 36 states, of which Edo has the highest prevalence rate for out going trafficked women; 85 percent sent to other countries.<sup>104</sup> Nigeria is considered as an origin, transit, and a destination state for human trafficking; however, local concern has improved law enforcement and education, earning it a tier 1 listing by the U.S. Department of State.

Traditionally, African women do not wish to travel internationally for work; however, the economic conditions often prevent them from providing for their

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<sup>103</sup> Donald L. Brown, "Crooked Straits: Maritime Smuggling of Humans from Cuba to the United States," *The University of Miami Inter-American Law Review* (2002): 280.

<sup>104</sup> Patience Elabor-Idemudia, "Migration, Trafficking and the African Woman," *Agenda* 58 (2003):106.

families and they must travel for income. These groups of Africans in foreign states have now grown into communities, wherein recruitment of women and men for trafficking is growing. The rate in African sex trafficking has grown by a factor of 3.1 (mean) from 2006 to 2007 with 67,000 people trafficked by the end of 2007.<sup>105</sup> The income earned by victims differs greatly depending on which country is the final destination. Western Europe provides the greatest profit, while within Africa, average profits correspond with local income, which is much less than more industrial developed states.<sup>106</sup> The victims are transported to Europe or the Middle East where they are sold to criminal groups for either street or brothel sex work.

Across Africa, whether Sub-Saharan or northern, people are trafficked. Reports from Ghana, Tanzania, Cameroon, Senegal, and South Africa show abuses by traffickers and, later, exploitation.<sup>107</sup> The social norms of many of the regions make it hard for women to return if they become prostitutes. The criminal groups that control the women do send back small portions of income to the home countries. However, this allows for source states to view trafficked women as income generators rather than victims of crime.<sup>108</sup>

Income is a prime reason for trafficking of women and children. Children are given to traffickers because of promises of income or learning a skill, such as fishing or construction. However, many female children become sex workers.

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<sup>105</sup> Kara, *Sex Trafficking*, 18.

<sup>106</sup> Ibid. 21.

<sup>107</sup> Pana Africa News Agency [PANA] Report April 6, 2003; Xinhua General News Service, December 20, 2002; Washington Times, July 24, 2002; All Africa Global News Services, June 9, 2002; BBC Monitoring International Report, March 12, 2002.

<sup>108</sup> Patience Elabor-Idemudia, "Migration, Trafficking and the African Woman," *Agenda* 58 (2003):113.

The girls that do not become sex workers become often unpaid domestic servants. Domestic servants work for local African women who, due to their income level, can buy a young girl for such services. Some sobering facts have been revealed about forced domestic service, including that 80 percent of children come from a rural environment and more than 50 percent are younger than 14.<sup>109</sup>

NGOs report that 200,000 children are trafficked in West Africa in one year.<sup>110</sup> Countries that are members of the Economic Community of the West Africa (ECOWAS) have limited law enforcement. The border patrols focus on allowing greater trade, which increases the inflow and outflows of trafficked persons across the porous borders.<sup>111</sup>

Several countries receive victims from African nations. Women from Ghana are documented in Nigeria, Cote d'Ivoire, Netherlands, Lebanon, Libya, the United States, Italy, Belgium, Netherlands, Saudi Arabia, and South Africa. These states receive victims through several routes that travel out of Ghana to Nigeria. Ethiopia and Mali receive people from the Middle East and other African states. Syndicates use easy geographic routes to Spain, the Middle East, or sea routes to Italy. Similar to Asian trafficking, women can become important abettors

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<sup>109</sup> Mike Dottridge, "Trafficking in Children in West and Central Africa," *Gender and Development* 10 (2002):40.

<sup>110</sup> Kate Manzo, "Exploiting West Africa's Children: Trafficking, Slavery and Uneven Development," *Area* (2005): 395.

<sup>111</sup> Rasheed Olaniyi, "No Way out: The Trafficking of Women in Nigeria," *Agenda* 55 (2003): 45.

during recruitment and distribution, linking them to the organized criminal elements.<sup>112</sup>

Throughout most of Africa prostitution is illegal. In the few places where it is legal, the criminals seek to meet that demand. It is legal and regulated in Côte d'Ivoire and Senegal. In Burkina Faso, Central African Republic, Ethiopia, Madagascar, Malawi, and Sierra Leone prostitution is legal, but procuring it on the street or at a brothel is illegal.

Not only women are forced into labor; men and children are also targets. In Central Africa, civil wars and paramilitary units often abduct children or kill their parents before forcing them to become child soldiers.<sup>113</sup> Also, men and boys continue to serve as fishermen in West Africa or agricultural workers in Zimbabwe. Forced labor is used in the coffee industry in Kenya. The profits for the coffee company can increase by 46 percent. Smaller organized groups will trick or force workers to the coffee fields.<sup>114</sup>

Corruption exists at all levels in Africa. False documentation, bribes, and illegal actions by officials allow the criminals to continue their work with few repercussions. Forging of visas, birth certificates, and passports are increasing and particular cities are known for this service.<sup>115</sup> Also, travel companies, which are linked to criminal groups, have provided tickets and other travel requirements for victims who believe that they have been hired to work overseas. These victims' families will often pay thousands of U.S. dollars to the traffickers for the

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<sup>112</sup> Ibid. 48.

<sup>113</sup> P.W. Singer, *Children at war* (New York : Pantheon Books, 2005), 61.

<sup>114</sup> Kara, *Sex Trafficking*, 254.

<sup>115</sup> Rasheed Olaniyi, "No Way out: The Trafficking of Women in Nigeria," *Agenda* 55 (2003): 49.

chance at a better life.<sup>116</sup> False marriages occur to provide documents for travel, as do applications for political asylum. Organized crime and corruption have grown in recent years partly due to more income from free trade and porous borders and partly because of the over worked and relative insatiability of the governments in Africa. Profits have grown from human trafficking, along with arms and drugs, profits have grown with the rise of the interconnection of criminal groups.

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<sup>116</sup> Ibid. 50.

## CHAPTER 6 INTERNATIONAL LAW ENFORCEMENT INTERDICTION

### 6a. International and INTERPOL

The international community has recognized that human trafficking is a criminal element that challenges state sovereignty and threatens state security. Most of the judicial and police work against trafficking is domestic and begins when the victim is discovered. Lack of greater understanding of the trafficking process and its patterns creates challenges to the efforts to stop or limit trafficking in persons. Law enforcement agencies need greater collaboration and coordination to increase the effectiveness of collective action. At the international level, the primary mission on combating human trafficking is to increase intelligence collaboration and collective interdiction among countries.

The United Nations has defined human trafficking for its members and operates several agencies to serve as liaisons for law enforcement groups. Under the United Nations Office on Drugs and Crime (UNODC), multiple law enforcement activities are monitored, such as corruption, drug issues, trafficking in persons, money-laundering, organized crime, piracy, terrorism, and crime against wildlife. Much of the UNODC work is collaborating with national governments and other U.N. agencies to produce reports on trafficking and general operational outlines for law enforcement groups. One effort is the Global

Programme against Trafficking in Human Beings (GPTHB), which was designed by the Centre for International Crime Prevention (CICP) and the United Nations Interregional Crime and Justice Research Institute (UNICRI). Its key components are data collection, data assessment, and technical support to states.<sup>117</sup> To address the lack of understanding of trafficking, the GPTHB objectives are,

“to develop and improve functional databases on routes, structures, and modalities used by traffickers of human beings; to improve law enforcement functions and cooperation, including at the national and international levels; to strengthen criminal justice responses; to enhance inter-agency and inter-country cooperation; to heighten awareness within the law enforcement and judicial communities and among the population at large; to improve the protection and support system for victims and witnesses.”<sup>118</sup>

Local and domestic police forces must combat trafficking in persons before any higher powers, such as the United Nations or NATO. Local military or policing operations are the first line in interdiction. Similar to military or peacekeeping operations, domestic law enforcement organizations use local definitions to fight trafficking. Also, U.N. conventions or resolutions can be used in transnational coordination of multiple agencies.<sup>119</sup> Coalitions of countries and regional organizations, still under U.N. authorization, carry out policing operations in a decentralized fashion. These programs are by and large political. However, each state can only invest a set amount of resources in any transnational

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<sup>117</sup> United Nations Office on Drugs and Crime, “UNDOC and Organized Crime,” <http://www.unodc.org/unodc/en/organized-crime/index.html>. (accessed on 8/21/11).

<sup>118</sup> Global Programme against Trafficking in Human Beings, “Programme summary,” <http://www.uncjin.org/CICP/Folder/traff.htm>. (accessed on 9/01/11).

<sup>119</sup> Gary Wilson, “UN Authorized Enforcement Regional Organizations versus Coalitions of the Willing,” *International Peacekeeping* 10 (2003): 91.



taskforce. Also, ideological and political beliefs can make it difficult in collective action, whereas some states will refuse to work with others.<sup>120</sup>

Interpol is the largest international police organization. Along with organizing multinational interdiction against drug smuggling, transnational organized crime, and terrorism, it also targets human traffickers. This agency is an effort to help countries collaborate and it focuses on the elements outlined in the United Nations Convention against Transnational Organized Crime, and the additional Protocol to Prevent, Suppress and Punish Trafficking in Persons (TIP). The protocol focuses on several elements. First, the processes of trafficking must be mapped to determine whether individuals crossing or attempting to cross an international border with travel documents belonging to other persons or without travel documents are perpetrators or victims of trafficking in persons. Also, the types of travel documents involved in the transit process must be known to properly track the victim and thereby the trafficker. The means and methods used by organized criminal groups in human trafficking, which including recruitment and transportation of victims, must be understood. Travel routes and links between criminal individuals/groups can be mapped and this information should be shared with law enforcement agencies.

#### 6b. Asia

Criminal groups within China operate the largest trafficking rings in Asia, both internally and externally. In 2000, the Government of China ratified the U.N. TIP Protocol. In doing so, it recognized that domestic laws must be reformulated to combat trafficking; however, the reformation of laws has not occurred and

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<sup>120</sup> Ibid. 97.

forced labor and sex trafficking are not yet criminalized. The definition of trafficking in China is limited and is not as expansive as the U.N. definition. While China is a member of several anti-trafficking organizations, its internal efforts place it on the tier 2 watch list. Local NGOs work within China to help victims and education the population.<sup>121</sup>

Japan is a destination for trafficking victims and, while trafficking is illegal through immigration and labor laws, the legal definition needs to be refined and specific anti-trafficking law should be developed. Japanese internal agencies collaborate to attack trafficking from a multi-disciplinary task force. The Japanese government has several bilateral agreements with states across the globe. Japan hosts and manages the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, which offers training and education to local and regional police units. Also, it partnered with the Association of South East Asian Nations to increase monitoring of transnational crime in Southeast Asia. The main Japanese effort centers on local preventions and criminal control rather than international interdiction.<sup>122</sup>

India, Pakistan, and Nepal have agreements with neighboring states, assuming there is no conflict between those states. Trafficking is prevalent in South Asia. Each state has laws that make human trafficking illegal through labor or immigration statutes, though a domestic law that adequately defines trafficking in persons is lacking. NGOs are allowed to intercede for the government in caring for victims and providing anti-trafficking education. Legal statutes are weak in

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<sup>121</sup> U.S. Department of State, *Trafficking In Persons Report 2010*, 112.

<sup>122</sup> SAP-FL, Special Action Programme to Combat Forced Labour, *Human Trafficking for Sexual Exploitation in Japan*, International Labour Office, 65.

these countries and corruption is very high, which hampers interdiction. Due to the acceptance of forced labor and sexual tourism in these areas, little is done to combat trafficking in persons.<sup>123</sup>

The Association of South East Asian Nations (ASEAN), comprised of Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam, teamed with Japan, South Korea, and China to create ASEAN Plus Three. This group focuses on anti-terrorism measures, anti-money laundering, combating arms smuggling, and a workshop on trafficking in persons. The doctrine of this group is modeled after the U.N. convention against trafficking. Similar to other regional law enforcement groups, its main function is to enhance capacity building efforts with training, consultation, and education. ASEAN Ministerial Meeting on Transnational Crime (AMMTC) has outlined six key areas of cooperation: information exchange, cooperation in legal matters, cooperation in law enforcement matters, institutional capacity building, training, and extra-regional cooperation. Along with connecting local states, it cooperates with the European Union and the United Nations.<sup>124</sup>

In Southeast Asia and the Pacific, Australia's government has led the charge in transnational policing efforts. The national Attorney-General Department established the Pacific Transnational Criminal Intelligence Network, which is similar in operation to Europol. Less developed or less industrialized states than Australia, such as Papua New Guinea (PNG), have agreed to a

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<sup>123</sup> U.S. Department of State, *Trafficking In Persons Report 2010*, 176.

<sup>124</sup> Rob McCusker, "Law Enforcement Co-operation and Judicial Assistance in the Asia and Pacific Region," *Australian Institute of Criminology* (2005): 30.

program termed Enhanced Cooperation Program (ECP). Five-year packages of assistance in support of law enforcement, justice, and domestic policing are directed by the ECP. In addition, Australia negotiated several bilateral law enforcement agreements with neighboring states to better assess and control transnational crime.<sup>125</sup> Branching beyond Australia, the Participating Police Force (PPF) have placed 302 officers in New Zealand, Fiji, Tonga, Samoa, Vanuatu, Kiribati, Nauru, and the Cook Islands. Several other smaller regional law enforcement groups have formed to combat transnational crime, such as the Jakarta Centre for Law Enforcement Cooperation (JCLEC), ASEAN, and the Pacific Transnational Crime Coordination Centre (PTCCC). These efforts, while solely directed at combating human trafficking, demonstrate that an international regional organization of law enforcement agencies allows for a better understanding of criminals that work in this area.

One unit that specifically fights trafficking in persons is the Transnational Sexual Exploitation and Trafficking Team (TSETT), which is composed of specially trained investigators and analysts that work with the groups listed above. TSETT works within countries in Southeast Asia and the Pacific. Operations in the Philippines, Thailand, PNG, Australia, Indonesia, Singapore, and many of the smaller states have galvanized efforts against international trafficking. Corruption is high in less developed states and training of local police forces is lacking. Transnational criminal groups profit from drug smuggling and continue to spread their influence to other criminal enterprises, such as human

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<sup>125</sup> McCusker, "Law Enforcement Co-operation," 25.

trafficking.<sup>126</sup> Most of these countries are ranked as tier 2 or higher and significant progress must be made in combating human trafficking.

#### 6c. Eastern Europe/former Soviet Union

Russia is ranked at tier 2 and lacks funding for many anti-trafficking protocols. Within the Russian legal system there is no legal definition of transnational or organized crime.<sup>127</sup> Foreign international agencies and NGOs provide shelter and education for the victims, while local police forces are mistrusted by victims and the overall populace. Similar to China, the Russian government does not have the legal definitions and statutes to prosecute traffickers, despite ratifying the U.N. protocol. It does have an article that prohibited human trafficking federally, article 127 of the Russian Criminal Code. The penalty for a violation of that code is 15 years in prison. However, reports from NGOs illustrate that the number of prosecutions are minimal when compared to the level of illegal activity.<sup>128</sup> The most likely reason for this is widespread corruption of police and government officials.

Eastern European states with closer ties to Western Europe, such as Ukraine, Georgia, Moldova, Balkans, and other neighboring states, seek to increase economic links with Europe. These states have ratified the U.N. anti-trafficking protocol and are members of several international organizations to

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<sup>126</sup> Rob McCusker, "Transnational crime in the Pacific Islands: real or apparent danger?," *Trends & Issues in Crime and Criminal Justice* 308 (2006): 6.

<sup>127</sup> U.S. Department of State, Trafficking In Persons Report 2010, 279.

<sup>128</sup> Ibid. 280.

combat human trafficking.<sup>129</sup> In each case, these countries lack funding and training to properly interdict at an international level against traffickers. The revenue generated by these countries cannot provide effective policing against transnational crime. Local NGOs and foreign organizations report that the number of arrests and prosecutions are small and corruption is very high in these states.<sup>130</sup>

Nations in Central Asia formed the Central Asian Regional Information and Coordination Centre (CARICC), which is an anti-drug trafficking organization. While its focus is on drug issues, the action of exchanging information and intelligence has been used to increase law enforcement interdiction. This membership includes Azerbaijan, Kazakhstan, Kyrgyz Republic, Russia, Tajikistan, Turkmenistan, and Uzbekistan. Counter-drug operations also coordinate with Afghanistan and Pakistan. Liaison officers from these states work together to monitor cross-border crime and use the intelligence generated to mount operations in real time. Regional organizations interactions, such as liaison intelligence sharing, help to harmonize legal language between countries and channel efforts to fight transnational organized crime.<sup>131</sup>

The Organization for Security and Cooperation in Europe (OSCE) operates police reform programs (PRPs) in Central Asia. The goal is for “reforming police along universally recognized democratic principles of policing.”

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<sup>129</sup> Corrin, Chris. “Transitional Road for Traffic: Analyzing Trafficking in Women from and through Central and Eastern Europe,” *Europe-Asia Studies* (2005): 543.

<sup>130</sup> Ibid. 554.

<sup>131</sup> United Nations Office on Drugs and Crime, “Central Asia: Report Raps OSCE Police Reform Efforts as Ad Hoc,” <http://www.unodc.org/unodc/en/organized-crime/law-enforcement.html>. (accessed on 8/13/11).

However, corruption within the police force and poor coordination renders much of the work ad hoc. Political will is needed to advance these states into a real transnational law enforcement regional group. CPI scores for all of these states are very low, meaning that corruption of those in public office is high.<sup>132</sup> Central Asia has limited funding and is greatly corrupt, retarding human trafficking interdiction.

#### 6d. Western Europe

Europe is the most intensely interconnected region through economic integration and political cooperation. Several agencies operate in Europe and focus on different levels of crime. Because of the relative wealth of Europe, these programs are well funded and work relatively well together. Europe is a normally the destination for trafficking victims.

Member states of the European Union formed Europol to increase cooperation of competent authorities to prevent transnational crime, which falls under its mandate. As described by the head of the organized crime unit, Roberto Di Legami, Europol can take action in the following cases: an organized crime group operates internationally; the given group affects the Member States of the European Union in a transnational dimension (two or more Member States are affected by the criminal activities carried out). The mandate includes crimes such as illicit goods trafficking, human trafficking, money laundering, terrorism, and other law enforcement issues. The difference between Europol and domestic law enforcement, such as the German Federal or French national agencies, is

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<sup>132</sup> Central Asia: Report Raps OSCE Police Reform Efforts as Ad Hoc, EURASIANET.org (accessed on 08/15/11).

that Europol uses an intelligence-led approach to correlate and distribute information on criminal activities, while, the national agencies are operational entities.<sup>133</sup>

Europol's main activity is exchanging information and offering training to member states and other police forces across Europe. Similar to Interpol, most of its focus is spent on increasing communication and access to criminal databases for member states. Collective recognition of organized crime is a challenge to member states, because the concept of organized crime is different in each state. The collective law enforcement between different sovereign nations is still influenced by politics. Operational and actionable intelligence production can be limited by the governmental process behind the Europol structure, which requires unanimity from all members. The European Union aligns its efforts with the United Nations Convention Against Transnational Organized Crime to combat transnational organized crime and all its enterprises, which includes human trafficking.<sup>134</sup>

Although Europe is the most highly integrated region, it still has domestic law enforcement agencies. Information regarding trafficking in persons is easily available, but collective action is difficult to materialize because each state controls its police forces and hesitates in operating under any higher sovereignty. Also, induction in the European Union of nations that are less developed, such as

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<sup>133</sup> Roberto Legami, "Enhancing International Law Enforcement Co-operation, including Extradition," *Europol*: 58.

<sup>134</sup> EUROPA, "Council Framework Decision 2008.841/JHA of 24 October 2008 on the fight against organized crime," <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008F0841:EN:N> OT. (accessed on 9/10/11).



south-eastern Europe and the Balkans, have weakened efforts to collaborate in aggressive collective cross-border police actions.<sup>135</sup>

The European Council declared in the Amsterdam Treaty in 1999 that Europe must have a genuine European area of justice. The goal was to forge cooperation on criminal matters and standardize legislation, develop instruments based on the mutual recognition principle of judicial decisions, improve judicial cooperation mechanisms and develop greater relationships with foreign countries.<sup>136</sup> This has been done at the international level, but not expressed through local and domestic law enforcement operations. The European Union overall has established a vast international legal structure. However, enforcement is still limited to municipal or federal police agencies. The political will of a nation clearly influences the level of law enforcement or care for victims.

#### 6e. Americas

Within the Americas, collaboration between law enforcement agencies has left the role of individual agents unclear regarding the handling of investigations and information gathering. Lack of training, resources, and interpreters limit the services that law enforcement can offer to victims and how it can interdict against traffickers. The majority of funding is spent on the care of victims after the traffickers have been arrested. American traffickers, meaning all traffickers that operate within North or South America, are either low-level workers for larger criminal groups or understand the risk is low. One of the main objectives that have been identified to improve interdiction is training on how to liaise with other

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<sup>135</sup>Roberto Legami, "Enhancing International Law Enforcement Co-operation," *Europol*, 62.

<sup>136</sup> *Ibid.* 64.

law enforcement groups.<sup>137</sup> The interactions between law enforcement agencies will be discussed below.

Legislation in the United States divides trafficking into two sections for purposes of analysis. The first is termed, sex trafficking, which involves the “recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act in which a commercial sex act is induced by force, fraud, or coercion, or in which the person forced to perform such an act is under the age of 18”.<sup>138</sup> The second section is termed labor trafficking. It is defined as “the recruitment, harboring, transportation, provision, or obtaining of a person for labor services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery”.<sup>139</sup> The U.S. government created federal legislation to combat trafficking and offered help to local law agencies. One of the first legislative acts was the Trafficking Victims Protection Act of 2000. This act was the first federal law that intended to “combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims”.<sup>140</sup> In addition, the act’s language makes it clear that the federal government needs more legislation to allow communication between local and federal forces and more measures to combat this crime.

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<sup>137</sup> Heather J. Clawson, Nicole Dutch, Megan Cummings, “Law Enforcement Response to Human Trafficking and the Implications for Victims: Current Practices and Lessons Learned,” *Caliber* (2006): 10.

<sup>138</sup> Trafficking Victims Protection Act, 2000, 22 U.S.C. §7101(a).

<sup>139</sup> Clawson, et al, “Law Enforcement Response to Human,” 17.

<sup>140</sup> Trafficking Victims Protection Act, 2000, 22 U.S.C. §7101(a).

The government-created initiatives include micro-lending programs, training and counseling, educational and public awareness programs, and grants to NGOs in foreign states to improve their capability to fight trafficking.<sup>141</sup> The TVPA strengthens statutes for prosecution and broadens the legal definition of involuntary service, which results in an increase the number of legally punishable violators. All punishments were increased and violators can be forced to compensate the victim, which lowers the profits for any large trafficking rings. Also, victims can apply for a T nonimmigrant status visa, created specifically for victims of human trafficking, if their help contributed to the prosecution of traffickers.<sup>142</sup> In addition to the TVPA, the Immigration and Nationality Act, the Department of Justice, and the U.S. Department of Health and Human Services increased measures to protect former victims. Executive order 13257, signed by President Bush in 2002, created a cabinet level interagency task force, within the Department of State, to monitor and combat trafficking in persons.<sup>143</sup> In addition to federal measures, individual states have passed anti-trafficking laws to enable or improve its agencies to combat traffickers. The TVPA was set to expire this year; it was renewed.

The TVPA does not have an enforcement capability of its own and must rely on local law enforcement agencies. American humanitarian aid can be suspended if a state does not legally pursue traffickers. The financial obligations of the act are not always met and many local law enforcement agencies operate with dwindling funds. However, the TVPA has been reauthorized several times

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<sup>141</sup> Clawson, et al, "Law Enforcement Response to Human Trafficking," 20.

<sup>142</sup> Trafficking Victims Protection Act, 2000, 22 U.S.C. §7101(a).

<sup>143</sup> Clawson, et al, "Law Enforcement Response to Human Trafficking," 22.

by Congress and each renewal brings new strength and reinforcement. In an effort to increase cooperation between the United States and other countries, the Department of Justice partially funds task forces, trains foreign officials, and offers grants to NGOs.<sup>144</sup>

Cooperation among local, state, and federal agencies is still a new feature in efforts to fight human trafficking. Foreign corruption limits the different levels of intelligence sharing and enforcement funding is minimal. Local law enforcement is not as informed as federal law enforcement about human trafficking. Many local agencies do not know the criteria that must be met for proper prosecution and they lack definitive procedures for processing victims.<sup>145</sup> Line officers and first responders do not have the time to confer with federal or state agencies, while foreign law enforcement, especially in Latin America, lack training and funding to properly deal with the increasing number of human trafficking cases.

Sex tourism outside the United States has forced the U.S. Congress to legislate new laws. The Violent Crime Control and Law Enforcement Act of 1994 made it illegal to travel to another state and engage in sexual acts with a minor. The Sex Tourism Prohibition Improvement Act of 2002, which became law in 2003, closed any loopholes in the previous act, and the U.S. ratified the Optional Protocol to the United Nations Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography.<sup>146</sup> However, these

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<sup>144</sup> Clawson, et al, "Law Enforcement Response to Human Trafficking," 45.

<sup>145</sup> D. G. Wilson, et al, "Trafficking in human beings: Training and services among U.S. law enforcement agencies," *Police Practice and Research* 7 (2006): 155.

<sup>146</sup> Sara K. Andrews, "U.S. Domestic Prosecution of the American International Sex Tourist: Efforts to Protect Children from Sexual Exploitation," *The Journal of Criminal Law and Criminology* 94 (2004): 416.

measures only work if enforced and, because of the lack of victim involvement and testimony, many violators are not prosecuted.

Within states that attract sex tourists the local government does not move actively against them; the Judiciary Committee of the U.S. House of Representatives stated, "because poor countries are often under economic pressure to develop tourism, those governments often turn a blind eye toward this devastating problem of commercial sexual exploitation of children because of the income it produces".<sup>147</sup>

Beyond U.S. borders, Latin American states are coordinating to improve working relationships with each other. The flow of intelligence between the U.S. and Mexican agencies has led to convictions in each state. However, due to fiscal limitations, enforcing anti-trafficking laws is difficult for much of Latin America. A recent case involved a case from the Mexican Special Prosecutor for Organized Crime office (SIEDO). The success of this case, wherein four suspects were sentenced for trafficking Mexican women into the United States for forced sexual work, was the first time SIEDO obtained a conviction in a human trafficking case.<sup>148</sup>

Several regional organizations exist in the Americas, ranging from the Organization of American States (OAS) to the Union of South American Nations; however, many are economic in nature. The OAS states that sex trafficking is a greater threat than labor trafficking, even though forced labor is widespread in

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<sup>147</sup> Ibid. 428.

<sup>148</sup> Mexican judge sentences 4 in human trafficking case, CNN Wire Staff June 28, 2011.

Latin America.<sup>149</sup> Mexico faces thousands of kidnappings of migrants flowing toward the United States. Each of the victims is either trafficked or ransomed by their family. Organized criminal groups are increasingly involved in this practice. Unlike American law, Mexican anti-trafficking law still needs to be redefined and adapted to become an actual threat to criminal rings.

Many Latin American states do not have the resources to combat trafficking and have focused their efforts only due to U.S. pressure. The TIP report declares that there were 175 prosecutions in 2003 and 27 convictions in the Western Hemisphere; in 2004, 145 and 56 convictions; and in 2005, 170 prosecutions and 59 convictions.<sup>150</sup> The United States is excluded from these figures. This increase in trafficking convictions is similar to the increase seen in European convictions once the United Nations anti-trafficking language became incorporated into national European legal codes. The TVPA and TIP exert pressure on other countries by linking economic aid to progress against human trafficking. Also, the TVPA offers grants for protection and training to over 33 programs in the region.<sup>151</sup> Only Colombia is ranked as tier 1 in South America, mainly due to the flow of U.S. aid and the redistribution of resources toward education and prevention against trafficking. Without funding for more efficient anti-trafficking measures, much of the work is done by NGOs, which offer housing and training to victims and greater education to locals. Libertad Latina

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<sup>149</sup> David E. Guinn, "Defining the Problem of Trafficking: The Interplay of US Law, Donor, and NGO Engagement and the Local Context in Latin America," *Human Rights Quarterly* (2008): 127.

<sup>150</sup> Ibid. 135.

<sup>151</sup> David E. Guinn, "Defining the Problem of Trafficking: The Interplay of US Law, Donor, and NGO Engagement and the Local Context in Latin America," *Human Rights Quarterly* (2008): 140.

and the Council on Western Hemisphere Affairs along with thousands of smaller groups offer basis jobs training, shelter, and mental health recovery to victims.

Unlike Europe, the efforts to unify law enforcement interdiction are hindered by less communication, lack of international trust between states, and lack of resources. The ad hoc structure of most of international law enforcement began to change with united efforts against drug smuggling, which created the Inter-American Drug Control Commission (CICAD). In addition, the OAS has produced working draft that focused on drugs smuggling, corruption, and counter-terrorism. The implementation of the U.S. strategy for increased tracking of drug cartels allowed for the formation of the International Drug Enforcement Conference (IDEC), correlating data and resources for Latin American and European states. Multiple organizations were created; however, the American Congress decreased funding to foreign police projects, focusing on offering training.<sup>152</sup> Many Latin American states have bilateral agreements with the United States regarding multinational interaction on crimes.

Integration of trade and economics in Latin America grew in the 1990s. The Miami Summit of 1994 launched the Free Trade Area of the Americas along with MERCOSUR, the Andean Pact, and the Caribbean Common Market and Community (CARICOM). Later, the U.S.-Central America Free Trade Area was added to the regional economic partnerships. However, these economic groups are not security or law enforcement organizations. The Inter-American Convention echoes the OAS and the American Convention on human rights and

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<sup>152</sup> Bruce Zagaris, "Developments in the Institutional Architecture and Framework of International Criminal and Enforcement Cooperation in the Western Hemisphere," *The University of Miami Inter-American Law Review* (2006): 436.

the forced disappearance of persons in condemning human trafficking activities. In an effort to bind these states, all 35 members of the OAS agreed to the Inter-American Commission on Human Rights (IACHR), which is a branch of the OAS. However, this commission has no authority to compel states to comply with its recommendations.<sup>153</sup>

Reunion Extraordinaria de los Ministros de Justicia de las Americas (REMJA) is an international organization which aims to “consider issues contributing to enhanced legal and judicial cooperation in the Americas”. It is not an OAS agency, but a separate summit of American organizations that meet to create a hemispheric plan to address security and criminal threats.<sup>154</sup> Their focus is to combat transnational organized crime, terrorism, discuss mutual assistance in criminal matters, penitentiary and prison policies, cybercrime, trafficking in persons, violence against women, and Justice Studies Center initiatives. REMJA summits centers their attention on transnational crime and its connection to human trafficking. REMJA mandates collective actions against organized crime for other law enforcement agencies to work from and it is dependent on OAS members for support, which illustrates that its existence is really a political action and not an actual law enforcement directive.<sup>155</sup>

Overall interdiction of transnational criminal organizations is currently handled locally or with limited bilateral agreements between states. While all nations in the Western Hemisphere have ratified the IACHR and the United

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<sup>153</sup> David P. Warner, “Law Enforcement Cooperation in the Organization of American States: A Focus on REMJA,” *The University of Miami Inter-American Law Review* (2006): 460.

<sup>154</sup> Ibid. 407.

<sup>155</sup> Ibid. 417.



Nations Palermo Protocol, each state lacks funding, resources, training, and the political will to properly enforce these agreements.

#### 6f. Africa

African states are disorganized in their collective response to human trafficking. Also, geographic divisions and cultural traits significantly effect how African regions deal with trafficking. West Africa is the primary region involved in trafficking in persons and north and south Africa are destination areas. War and governmental instability have plagued Central Africa, while poor economic conditions limit any transnational policing efforts. The Economic Community of West African States (ECOWAS) became a regional law enforcement operation in the 1990s following the deterioration of the governments in West Africa.<sup>156</sup> ECOWAS is comprised of Benin, Burkina Faso, Cabo Verde, Cote, D'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and the Togolese Republic. These countries are the main origin points for trafficked people. This group has coordinated to form a plan of action regarding human trafficking. Procedures were formulated and each state agreed to participate in combating trafficking. In addition, it has allied with the African Union (AU), the International Organization for Migration (IOM), and the UNODC.

Together these groups created regional workshops and offer training to each other along with receiving training from U.S. and European states. The AU Initiative against Trafficking (COMMIT) was integrated in the Regional Economic Communities (RECs), which is an economic organization that forms plans, offers

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<sup>156</sup> D. Doktori, "Minding the Gap: International Law and Regional Enforcement in Sierra Leone," *Florida Journal of International Law* (2008): 339.

solutions, and sets up summits for states within the region. COMMIT recommendations align with the ECOWAS plan of action to improve regional cooperation.<sup>157</sup>

In southern Africa, the Southern African Police Chiefs Cooperation Organization (SARCCO) brings together leaders of the police forces for training and to address specific criminal issues. SARPCCO is comprised of Angola, Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe. This group works to synchronize regional legislation, exchange intelligence, and form joint task forces. These regional collective efforts help in prosecution of traffickers and foster a more tolerant treatment of victims.<sup>158</sup> INTERPOL created a sub-regional office in Harare which serves as the secretariat of SARPCCO. SARPCCO introduced the drafting of An Agreement on Cooperation and Mutual Assistance in the Field of Crime Combating, which coordinates cross border crime interdiction.<sup>159</sup>

Also in south Africa, the Southern African Development Community (SADC) operates to regionally organize development related issues, such as threats from transnational criminal groups. Bilateral agreements are common among African states. The larger, more prosperous countries, such as Nigeria and South Africa, have agreements with their neighbors to combat cross borders

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<sup>157</sup> All Africa Sponsor Wire, "Ecowas Joins AU, IOM to Extend Fight Against Human Trafficking," <http://allafrica.com/stories/201004200928.html>. (accessed on 8/20/11).

<sup>158</sup> INTERPOL Regional Activities, "SARPCCO Southern African Regional Police Chiefs Cooperation Organization," <http://www.interpol.int/public/Region/Africa/Committees/SARPCCO.asp#3>. (accessed on 7/15/11).

<sup>159</sup> Kauka Aromaa and Terhi Viljanen, ed. "Enhancing International Law Enforcement Cooperation including Extradition Measures," *European Institute for Crime Prevention and Control* (2005): 81.

crime. Transcontinental agreements are used as well. South Africa, Brazil, Argentina, and Chile have multilateral police units working against drug smuggling. SADC has a memorandum with Iran to interdict drug trafficking and exchange information. Russia, China, Turkey, Austria, Portugal, and Bulgaria have similar agreements with SADC.<sup>160</sup> Both SARPCCO and SADC have launched numerous operations to combat drug smuggling, transnational movement of stolen vehicles, and smuggling of precious stones. In addition, both groups work to eliminate corruption and control the spread of illegal firearms.

These measures focus on organized crime elements but not specifically on human trafficking. Immigration is a criminal issue that law enforcement organizations have focused on; however, the condition of victimized migrants is not considered in most cases. States do not have sufficient resources to fight transnational crime, particularly human trafficking. Corruption, economic deprivation, regional conflict, and the growing threat of organized crime obstruct these collective efforts.

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<sup>160</sup> Ibid. 85.

## CHAPTER 7

### REGIONAL PERCEPTIONS CONCERNING TRAFFICKING IN PERSONS

#### 7a. Prostitution

Prostitution is defined as exchanging sexual acts for money. Because of the possible immoral nature of this work it is illegal in some countries and/or parts of countries, while it is legal in other states. The sex industry, of which prostitution is a part, is greatly affected by human trafficking. Also, certain states have large parts of their economies dedicated to sex tourism, which creates demand to serve customer needs. Since the legal measures regarding this work vary from country to country, as do the registration of workers and immigrants, following human trafficking into this work is difficult. The relationship between prostitution and human trafficking and how regional perceptions affect the victims will be discussed below.

Most states have criminalized prostitution for religious, moral, or social reasons. Some countries do not legally detail exactly what kind of work is prostitution and situations are judged on a case-by-case basis. Also, prostitution involving women is not necessarily frowned upon in regions where females hold lower social rank, such as Africa, Latin America, and Asia, hampering efforts to track and deter trafficking. Lack of education limits victims' ability to avoid being caught in a trafficking ring. A nation's trafficking tier ranking reflects the U.S.

Department of State's assessment of its trafficking and is not a true measure of success; however, it does help identify states that have not tried to protect vulnerable citizens.

Out of the 23 states which allow regulated prostitution, five are listed on the tier 2 watch list: Venezuela, Cote d'Ivoire, Senegal, Lebanon, and Panama. The ranking of tier 1 reveals the national income of states. Colombia, United States, Austria, Germany, and the Netherlands all fall in at tier 1. Colombia, while not relatively high in GDP per capita, has focused efforts against organized crime. Greece, Hungary, Latvia, Switzerland, Turkey, Mexico, Bolivia, Ecuador, Paraguay, and Uruguay are ranked as tier 2, meaning that, while they interdict trafficking, their legal structure is still troubled by criminal syndicates and corruption.

One hundred and five countries have declare prostitution illegal. However, only 10 states are ranked as tier 1, while 50 are tier 2. The Department of State's ranking of tier 2 watch list includes 32 and 11 are tier 3, the lowest ranking, indicating negative movement against human trafficking: Burma, Eritrea, Iran, Kuwait, Mauritania, North Korea, Papua New Guinea, Saudi Arabia, Sudan, Suriname, and Zimbabwe. These states used trafficking for primarily forced labor, but trafficking of women is also a significant problem.<sup>161</sup>

The issues involving prostitution change in each state; each regions social attitudes differ and efforts to control this practice are often dictated by such attitudes. Throughout most of Africa and Asia prostitution is illegal, with notable

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<sup>161</sup> U.S. Department of State, "2009 Country Reports on Human Rights Practices," <http://www.state.gov/g/drl/rls/hrrpt/2009/index.htm>. (accessed on 7/10/11).

exceptions, while in Latin America and Australia it is regulated. Human trafficking rings aim to meet the demands of customers and they traffic women and children in each region, thus maximizing their profits. While the United States and the European Union provide the most profits, Latin America, Africa, and South America, are also profitable areas. General geographic regions and how trafficking is affected by local attitudes is discussed below.

Two good examples of trafficked victims' involvement in sex work are Kenya and Nigeria. In Kenya, trafficking in women and children involves prostitution and pornography. Men force the victims into the work through knowing family members, who are involved in the sex trade, negotiating with them to continue the generational sex work. In addition, pornographers tell parents that photographs must be taken for sponsorship possibilities or job opportunities, which allows the victim and pornographers time in seclusion.<sup>162</sup> The victims in Kenya reflect the conditions of a war-torn country. Ethnic clashes have destroyed communities and many young women become an easy target for traffickers. Refugees are trafficked into sex work for local soldiers or criminal groups across the globe. Women trafficked out of Africa to Europe or the United States are meant to satisfy the view of men seeking exotic "black sexuality."<sup>163</sup> Many of these women have lost their local economic value in the international

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<sup>162</sup> IOM's Work to Counter Human Trafficking: Responding to Challenges Vijaya SOURI Programme Specialist, Counter Trafficking Division, IOM Programme Specialist, Counter Trafficking Division, IOM.

<sup>163</sup> Patience Elabor-Idemudia, "Migration, Trafficking and the African Woman," *Agenda* 58 (2003):106.

division of labor, making it easier to exploit them by selling them in different countries.<sup>164</sup>

Nigeria, even with its tier 1 ranking, is an origin, transit, and destination for victims of human trafficking. Critics of the tier ranking system have used Nigeria's ranking to show that politics are involved with the system and do not always reflect the actual situation on the ground. Women are trafficked for sexual purposes to Europe, while men and children remain in Africa for forced labor. In addition, Ghana, Tanzania, Cameroon and Senegal all have reported similar problems. To free women from the trafficking process, Denmark, Germany, Norway, Sweden, Ireland, and the United Kingdom, have agreed, in theory, to offer refugee status to such women. However, fear of authorities prevents many victims from coming forward.

Many African states need to first see trafficking for sexual purposes as a crime against humanity and a violation of human rights to properly deal with the criminal organizations. One reason this is difficult is that regional transactional sexual relationships between girls and men are not uncommon in sub-Saharan Africa. Unstable economies and civil war help create conditions which drive more girls into prostitution, thereby increasing trafficking in Africa. Morocco, Gambia, and Cameroon each have a sex tourist industry, even if prostitution is still illegal in these countries. Corrupt officials allow this practice to continue; each of those states is ranked as tier 2 or lower by the U.S. Department of State.<sup>165</sup>

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<sup>164</sup> Ibid. 103.

<sup>165</sup> U.S. Department of State, Human Trafficking in Person Report 2010, 47.

Sexual relationships and patterns are different in Africa than in other parts of the world. It is common for a sub-Saharan man to marry the widow of a relation, and prostitution is common, regardless of legality. Also, seeking young girls for sex is encouraged because it is thought that this will decrease transmission of sexually transmitted diseases (STDs) or, in some cases, seen as a cure for STDs.<sup>166</sup>

While prostitution in Asia is usually illegal, it is also tolerated by many states. Thailand and the Philippines both have large sections of their economies dedicated to sex tourists with organized crime involvement; even though, prostitution is illegal in both states.<sup>167</sup> The amount of the economy dominated by sex tourist can reach as high as 15 percent in Southeast Asia; additionally, the profits created from housing and transport of sex tourists are not factored in to the 15 percent figure.<sup>168</sup> As in Africa, child prostitution is a serious problem in Asia; approximately 35 percent of prostitutes in South East Asia are between 12 and 17 years of age.<sup>169</sup> Contributing to this problem is the ratio of women to men in Asia, which lower the available female companionship. The low social value of females in Asia lowers the moral uncertainty about visiting prostitutions that are trafficked by larger organized crime groups.

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<sup>166</sup> A. Osho and B.A. Olayinka, "Sexual practices conducive to HIV transmission in Southwest Nigeria," St. Lukes Hospital & Maternity Ltd, *The Continuing African HIV/AIDS Epidemic* (1999): 89.

<sup>167</sup> Piriyaarangsang Phongpaichit and N. Treerat, *Guns, Girls, Gambling, Ganja*. (Chiangmai: Silkworm Books, 1998): 116.

<sup>168</sup> <http://www.justice.gov/criminal/ceos/sextour.html>. (accessed 09/21/2011).

<sup>169</sup> <http://pulitzercenter.org/blog/untold-stories/unicef-protecting-children-commercial-sexual-exploitation-thailand>. (accessed on 07.20/2011).



Females have a lower worth socially, and this allows criminals to exploit women without fear of punishment. Many Asian states penalize the females for prostitution with jail time or fines they cannot pay, while traffickers can pay fines and avoid jail time. This creates a cycle of women returning into the prostitution enterprise organized by criminals.<sup>170</sup>

Prostitution exists in all Asian countries regardless of its legality. It is regulated in Hong Kong, India, Israel, Kazakhstan, Kyrgyzstan, Macau, Singapore, Lebanon, and Timor. All of these states are ranked as tier 2 or lower, indicating their governments' lack of effort to stop trafficking, most have much lower GDP per capita than western countries. These states' corruption level is below 5 on the CPI scale, with 10 representing the least corruption. The tier ratings for Kazakhstan and Kyrgyzstan show that large numbers of victims are involved in forced labor, rather than prostitution. In the remaining states prostitution is illegal. However, Iran, Kuwait, North Korea, Saudi Arabia, and Papua New Guinea all have earned a tier 3 ranking, partly due to human trafficking of females for sex work by organized criminal groups. The lower social rank of females is common in Asia, whether through religious reasons, such as the practice of Sharia law, or from traditionally patriarchal cultural ideals.

Men who frequency prostitutes, especially sex workers than can not speak their language or have any other local connection to them, treat them as products, not a human beings. This view still exists in Latin America, when forced prostitution in the final destination for human trafficking victims. Argentina, Brazil,

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<sup>170</sup> Ko Lin Chin, *Smuggled Chinese: Clandestine Immigration to the United States* (Philadelphia: Temple University Press, 2000), 132.

Belize, Canada, Costa Rica, Cuba, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, and Chile allow prostitution but using those services is illegal. It is regulated in Bolivia, Colombia, Ecuador, Paraguay, Peru, Uruguay, Mexico, Panama, and in the state of Nevada within the United States. The tier rankings for the former are tier 2 or higher, Colombia and Canada are the exceptions which receive a tier 1 ranking. Cuba and the Dominican Republic each earned a ranking of tier 3. Also, excluding Canada, each of these countries scored well below a five on the CPI scale. The regulating countries are tier ranked at 2 or higher, excluding the limited prostitution allowed in Nevada which earns a tier 1 rating. The CPI rates the United States as 7.1 and Uruguay as 6.9. The remaining states are all below 4, illustrating greater corruption.

As with other regions the criminal groups operate as a business and will seek to maximize their profits, whether through smuggling drugs, arms, or humans. The tier classification illustrates that human trafficking exists in all these states regardless of the legality of prostitution, most likely due to the geographic proximity of the counties. Each of these countries is an origin, transit, and destination areas for traffickers. In many states, the victims understand that prostitution is illegal and fear deportation because of threats to family members or falling back into their homeland trafficking ring.<sup>171</sup>

Europe is the primary destination for victims and the greatest revenue generator for human trafficking criminal organizations, partly because of regulated prostitution and porous borders. Western Europe receives more

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<sup>171</sup> Andrews, "U.S. Domestic Prosecution," 419.

trafficked persons from other countries than any other area.<sup>172</sup> Prostitution is illegal for the customer but not the prostitute in Armenia, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Republic of Ireland, Italy, Luxembourg, Poland, Portugal, Slovakia, Spain, and United Kingdom. It is legal and regulated in Austria, Germany, Greece, Hungary, Latvia, Netherlands, Switzerland, and Turkey. The U.S. Department of State rates Belgium, Czech Republic, Finland, France, Ireland, Italy, Denmark, Luxembourg, Poland, Spain, and United Kingdom as tier 1, while the remaining are tier 2; none are tier 3 or the watch list. Only Italy, the Czech Republic, Armenia, Bulgaria, and Slovakia receive a ranking lower than 5 by the CPI. Also, corrupt officials in these countries allow them to become transit country for traffickers.<sup>173</sup>

Prostitution is illegal in much of Eastern Europe; however, many of the criminal organizations have Eastern European national bases. Geography, corruption, and GDP per capita reflect the tier rankings in Europe. Bosnia, Croatia, Georgia, Lithuania, Norway, Slovenia, and Sweden are all ranked at tier 1. Albania, Belarus, Iceland, Macedonia, Montenegro, Romania, Serbia, and Ukraine are ranked as tier 2. Each one of these countries scored below a five on the CPI scale, excluding Iceland, which received an 8.5 score. As discussed earlier, the Balkans is a hotbed for human trafficking activities. Belarus, Romania, and Ukraine are origin states and transit for traffickers catering to the sexual industry. Sweden, Norway and Iceland, ranked tier 1, tier 1, and tier 2

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<sup>172</sup> Ruggiero, "Trafficking in Human Beings," 235.

<sup>173</sup> Morten Kjaerum, "Refugee Protection Between State Interests and Human Rights: Where is Europe Heading?," *Human Rights Quarterly* 24 (2002): 518.

respectively; in these countries the customer commits the crime not the prostitute. The ranking of tier 2 watch list is earned by Russia, Moldova, Malta, and Azerbaijan. Only Malta is ranked above a five on the CPI scale, illustrating the corruption in these states.

The Eastern European criminal organizations manage the outflow of peoples into Western Europe where prostitution is legal or tolerated, which maximized their profits in all parts of the trafficking and exploitation operation. The growth of the sex industry has allowed Eastern Europe to export women to the European Union, earning illicit income to be reinvested in underground criminal syndicates.<sup>174</sup>

In most cultures, men achieve status with sex, while females value abstinence, therefore raising the prices for prostitution.<sup>175</sup> Men that use prostitutes often have more partners than females do, which increases demand for this service. Criminal organizations understand this economic action and seek to capitalize on trafficking women who will meet the needs for their customers and secure profits for these groups. Feminization of poverty has greatly affected the increase in trafficking of women for sexual work. In every region of the world, women are at greater risk of falling into a trafficking rings or being used by organized crime.

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<sup>174</sup> Esther I. Madriz, "Images of Criminals and Victims: A Study on Women's Fear and Social Control," *Gender and Society* 11 (1997): 356.

<sup>175</sup> John M. Luiz and Leon Roets, "On Prostitution, STDs and the Law in South Africa: The State as Pimp," *Journal of Contemporary African Studies* 18 (2000): 23.

## 7b. Feminization of Poverty

Traditional and patriarchal cultural systems lower the value of women versus men. In addition, the pull factors in the developing world, change the traditional family structure by separating men from their families, which in turn, forced women into dire economic straits. The United Nations have defined the term “feminization of poverty” in several documents. Resolution 104 of session 50 in 1996 discussed the “difficult socio-economic conditions that exist in many developing countries have resulted in the rapid feminization of poverty, especially in rural areas and in female-headed households.”<sup>176</sup> As workers travel to cities for employment, many men leave their families, and female-headed households are increasing. Without traditional local protection, because the majority of men have left the village, local women are experiencing more exploitation, insecurity, poverty, and illiteracy, partially due to internal conflict and unequal male-female ratios.<sup>177</sup> Patriarchal societies expand this poverty by demeaning women’s roles and changing migration patterns, which in turn force women to travel to earn income for their families across the developing world.

Thousands of Asian victims become entangled with trafficking groups because of false employment promises. They are enslaved in neighboring countries or imported to different continents for forced labor or sex work. African women, who would normally remain within the household, now are able to travel to Europe or the Middle East to seek jobs. Latin American victims follow a similar

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<sup>176</sup> United Nations, “General Assembly of the United Nations Resolutions 64<sup>th</sup> session,” <http://www.un.org/en/ga/64/resolutions.shtml>. (accessed on 7/01/11).

<sup>177</sup> Rasheed Olaniyi, “No Way out: The Trafficking of Women in Nigeria,” *Agenda* 55 (2003): 46.

path by journeying north with the help of trafficking groups, without knowing the possible exploitation that might await them.

Global inequality is reflected by the trafficking of women. While overall average income per capita is increasing, the rate at which women are becoming poorer is increasing.<sup>178</sup> Lone mother households have increased which lowers discretionary income of those households and decreases economic opportunities for their children. Working women earn less than men; less than one U.S. dollar per day.<sup>179</sup> In many societies, credit, land, and inheritance are reserved for men, while females do not receive education beyond reading and writing, medical care, or employment training. Out of the issues of concern, including improving education, medical care, and food production, the economic plight of women was listed by the Platform for Action at the Fourth World Conference.<sup>180</sup> Governments across the earth have tried to help stabilize or improve the economic conditions of women, but social customs are difficult to overcome.

The Annual Human Rights Report created by the United Nations lists three minimal requirements which the worlds' poor cannot achieve:

Be well nourished and healthy (measured by the proportion of children under five who are underweight); to reproduce healthily (assessed by the proportion of births unattended by trained health personnel); and to be educated (represented by rates of illiteracy).

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<sup>178</sup> D, Topouzis, "The Feminization of Poverty, Africa report," *The African American Institute*, 35(1990): 63.

<sup>179</sup> Alain Marcoux, "The Feminization of Poverty: Claims, Facts, and Data Needs," *Population and Development Review* 24 (1998): 136.

<sup>180</sup> Department of Economic and Social Affairs, "The Feminization of Poverty," <http://www.un.org/womenwatch/daw/followup/session/presskit/fs1.htm>. (accessed on 9/13/11).

Women in the developing world lack at many if not all of these elements.<sup>181</sup> It has been estimated that due to poverty and lack of opportunity, there are 100 million women that, given the greater survival rate of females worldwide, are missing from populations. Recent economic downgrades have decreased the amount spent on social programs, which could in the long-term affect the cultural value of women. Developing regions are working to address changing familial roles and retain the positive economic gains of increased trade. Latin America, Asia, and Africa have focused on these issues with varying degrees of success; however, women are being trafficked more now than in the past several decades to meet the demands of sex tourism. Criminal networks take advantage of this feminine economic class to recruit and trap females, while reaping profits in the illicit exchange in women.

#### 7c. Regional Acceptance of Forced Labor

The majority of trafficked victims are forced into involuntary domestic servitude, agricultural work, or construction.<sup>182</sup> Approximations of the profits earned in selling victims are much greater than from traditional slavery and the victims are easier to trap in trafficking rings. Several countries are directly implicated in allowing forced labor. President Bush commented that Cambodia, Myanmar, Ecuador, Saudi Arabia, and Venezuela have failed to show serious attention to this kind of human trafficking.<sup>183</sup>

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<sup>181</sup> Mayra Buvinić, "Women in Poverty: A New Global Underclass," *Foreign Policy* 108 (1997): 45.

<sup>182</sup> Ethan B. Kapstein, "The New Global Slave Trade," *Foreign Affairs* 85 (2006): 105.

<sup>183</sup> *Ibid.* 107.

In areas with greater income, trafficking victims are forced into domestic work. Women from South East Asia are told of jobs prospects abroad and later sold to Middle Eastern criminal groups which, in turn sell them to Middle Eastern locals.<sup>184</sup> This forced servitude is not uncommon in the Middle East. In the 1980s many Asian governments passed laws forbidding citizens from traveling abroad for this type of employment; however, the demand is high and networks still traffic young girls to the Middle East. Reports to Indian and Bangladeshi newspapers state that women located in the Middle East are overworked, beaten, suffer famine, and are raped in some of these households. Many of the women understand that their services will be domestic, but they are unaware of the possibility of violence within the workplace. Criminal groups create false documents and arrange travel for a price which the victim must pay, which increases their profits.

Central and South Asia have huge numbers of people in bonded labor. India, specifically, is estimated as having over 65 million forced workers. Bonded labor means that the workers must work to repay debt; however, many of the workers are forced in a generational cycle that encompasses their children.<sup>185</sup> Agricultural work is forced on thousands of victims in Central Asia. This practice is considered normal; throughout history these regions were ruled by regimes that allowed this. Even following the abolition of serfdom, the people were still bound to the land to provide sustenance. The Soviet Union reinforced this type of

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<sup>184</sup> Bimal Kanti Paul and Syed Abu Hasnath, "Society Trafficking in Bangladeshi Women and Girls," *Geographical Review* 90 (2000): 270.

<sup>185</sup> Office to Monitor and Combat Trafficking in Persons Washington, DC June 3, 2008, The Facts About Human Trafficking For Forced Labor.



bondage and the following socialist regimes continue this pattern.<sup>186</sup> Tracking of forced labor is difficult because the illegality is in question in many states.

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<sup>186</sup> S. Swianiewicz, *Forced Labour and Economic Development: An Enquiry into the Experience of Soviet Industrialization* (New York: Oxford University Press, 1965): 189.

## CHAPTER 8 RECOMMENDATIONS AND CONCLUSION

To truly combat transnational human trafficking, countries must confront transnational crime at every level, from the local to the international. The League of Nations addressed slavery in 1926 with the Forced Labour and Similar Institutions and Practices Convention.<sup>187</sup> Trafficking is always part of the slavery process, but it was not until 1998, when the U.N. passed the Rome Final Act, that trafficking became part of the definition of slavery.<sup>188</sup> Many governments do not understand modern slavery and the exploitation involved in human trafficking. Even where the process is understood, action to halt trafficking is slow. The full measure is still not grasped in certain regions. One of the fundamental conditions that allows criminal groups to continue trafficking in persons is disrespect for the freedom of the individual and the traditional roles within families. While criminals might not be expected to recognize the victims' humanity, other members of society should acknowledge that people cannot be sold and bought. This acknowledgement is part of the nature of a civilized society, while criminal actors

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<sup>187</sup> Kate Manzo, "Exploiting West Africa's Children: Trafficking, Slavery and Uneven Development," *Area* (2005): 396.

<sup>188</sup> K. Bales and P. T. Robbins, "No One Shall Be Held in Slavery or Servitude: A critical Analysis of International Slavery Agreements and Concepts of Slavery," *Journal of International Affairs* 2 (2001): 27.

do not illustrate this, it is written into constitutions, local laws, U.N. conventions, and ideological writing across the world.

Reinforcing this basic human concept of individual freedom is the most important and challenging task in ending human trafficking. However, it is not possible to force a global viewpoint on human trafficking through international law enforcement. The options for controlling trafficking in persons are now limited to law enforcement interdiction, economic aid to developing regions, and education of the victims and population.

Law enforcement interdiction at an internal level often depends on local training, lack of corruption, and political will. These three factors will define if a state is successful in combating human trafficking. Local police and civil officers must understand exploitation and trafficking. Also, the profits raised by trafficking for organized criminal groups must be studied in a global survey. Many states do not have enough funding to properly comprehend the international nature of criminal enterprises and must rely on an international agency, such as the U.N., Europol, or OAS to coordinate their efforts. Filtering down through the U.N., all agencies must be taught to use the vast human trafficking databases. Human trafficking is a key into other organized criminal activities.

The International Organization for Migration (IOM), which monitors migration and has 125 member states, has created a victim-centered Global Human Trafficking Database to help countries understand trafficking issues and track its patterns. Also, IOM created a Global Assistance Fund to refer, assess, and offer assistance to victims through their governments. Training is offered to

governmental officials, NGOs, and police to allow this system to help with interdiction procedures or improve treatment of victims. Such training should be more widespread and offered to leaders of all police agencies. Within local agencies, anti-trafficking training and the need to identify victims, should be passed on to subordinates.

Strengthening national police elements is the primary goal of UNODC work. As mentioned before, this U.N. subsidiary offers anti-trafficking training to police and governmental officials. Most often the training is for leaders and high ranking police officers, not always understood by “street cops,” thereby decreasing the effectiveness of the training when used on the street. The UNODC help regions develop trafficking interdiction legal measures. Increasing legislative measures against trafficking is necessary to curb transnational criminal organizations. Also, penalties for those convicted of human trafficking should include revenue raised by the confiscation of property, similar to U.S. anti-drug smuggling statutes. Targeting the banking and underground money transfers of criminal profits will have the greatest effect against trafficking rings, increasing the cost of illicit business. Trafficking cannot be effectively regulated by an international body because each country is sovereign and an outside legislative body cannot prosecute its citizens. Thus, all states must collectively unify anti-trafficking legal measures, meaning, each nation must use a common definition and similar legal statutes to combat trafficking in persons. This will help target transnational organized crime.

Failure to train police officers on how to investigate human trafficking, interview witnesses, and coordinate with officials of originating countries constrains transnational policing efforts.<sup>189</sup> Without increased funding, training cannot expand, and national and local police forces cannot be expected to properly deal with these cases. In an effort to highlight the need for an increase in training, Colombia provides a case study for developing countries. Developing states often supply migrants to serve the vices of the developed world. Colombia earns a score of 3.5 in the CPI corruption scale and is 75<sup>th</sup> for GDP per capita; however, Colombia is ranked as tier 1 by the U.S. Department of State on human trafficking. Through U.S. assistance, Colombia has focused its law enforcement training to address transnational crime and has greatly increased education within the poorer areas of the state; raising the amount spent on public education from 2.4 percent of national GDP in 1991 to 4.7 percent in 2006.<sup>190</sup>

While organized crime still exists in Colombia, the levels of transnational crime has decreased in recent years. Also, all forms of human trafficking and the exploitation of victims take place in Colombia, including forced labor, sexual exploitation, begging, forced paramilitary enlistment, and domestic servitude. Colombia is an origin, a transit, and a destination state. The U.S. Department of State lists Colombia as a state with significant security risks for American travelers, especially for travel in rural areas. Narco-terrorism exists in Colombia, but its operation has much less effect on the government than it did in the

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<sup>189</sup> U.S. Department of State, Trafficking In Persons Report 2010, 6.

<sup>190</sup> "UNESCO Institute for Statistics Colombia Profile".. Retrieved 16 May 2010.

1980s.<sup>191</sup> An increase in educational spending is noted as one of the causes that limits criminal growth. In 2010, Colombia increased investigations of trafficking in persons and human exploitation. The government provides care for under-age victims and refers adult victims to local NGOs or international partner agencies. Increasing funding to NGOs, and efforts to legitimize a developing country's governmental structure, may help slowly curb corruption and criminal influence.

If international groups offer even greater assistance to states in both economic and anti-corruption measures, the overall effect would decrease transnational crime because other economic possibilities would become available to citizens and push factors would be limited. International groups cannot change the state, only the citizens can alter local criminality. The push and pull factors that force migration might still exist, but an increase in education will inform travelers of possible danger and threats. Training local police and government officials and educating citizens is needed to combat trafficking. Without the knowledge of how to interdict or understand the criminal problems no public institution can stand against the influence of organized criminal groups which are not bound to certain geographical regions or legal constraints.<sup>192</sup>

The U.N. Trafficking Protocol's definition of trafficking should be expanded to cover all forms of trafficking and exploitation. Also, all members of the U.N. General Assembly must incorporate the broadest definition and coverage under legal codes into domestic constitutions and local statutes. If such measures are

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<sup>191</sup> U.S. Department of State, "Colombia Country Specific Information," [http://travel.state.gov/travel/cis\\_pa\\_tw/cis/cis\\_1090.html](http://travel.state.gov/travel/cis_pa_tw/cis/cis_1090.html). (accessed on 9/14/11).

<sup>192</sup> Frank Laczko and Marco Gramegna, "Developing Better Indicators of Human Trafficking," International Organization for Migration working paper (2003): 179.

taken, human trafficking and exploitation of victims will be illegal regardless of the origin of the victim or where the exploitation was located. In addition, all states should legally define transnational organized crime and adopt measures that can be used to interdict it with all-encompassing racketeering charges.

The World Trade Organization, with its 153 members, monitors immigration policies regarding increasing international trade. Within its legal measures, global anti-human trafficking statutes should be introduced, with Interpol intelligence gathering assistance, to focus attention on the global supply chain and possible forced labor involvement. Such measures will help local businesses, such as restaurants, manufacturers, and entertainment establishments, understand that trafficking in persons will negatively affect their companies. International and bilateral trade agreements should reinforce anti-trafficking measures by allowing states that meet the U.N. anti-trafficking measures to increase trade and raise local income. Trafficking migrants must be legally redefined to separate victims from migrants with legitimate employment, regardless of whether their entry into a state was legal or not. This fostering of victims would increase cooperation with prosecuting officials and lessen the challenges for investigating officers.

As mentioned before, NGOs have an expanding role in the prevention and care for trafficking victims. These organizations take a proactive role, while law enforcement is only involved once a person is already victimized. Traditional family value changes according to which region one is located in, and social norms are often dictated by local customs. Religious institutions offer care and

education through local facilities. Catholic Relief Services and the Jewish Community Relations Council have sectors which focus on anti-trafficking measures. These groups present different education programs based on their faith. Many majority Muslim states are ranked at tier 2 or tier 3 by the U.S. Department of State; however, local NGOs help prevent human trafficking. Local NGOs are often comprised of former victims, clergy, community organizers, and women seeking to help victims. Preventing future exploitation, fund raising for education, and reintegrating victims into society are the main goals for NGOs regardless of the geographical reach of the work.

One of the hardest factors to eliminate is social attitudes toward victims of human trafficking. Education at the social level is needed to combat the categorization of victims as somehow deserving such exploitation. Economics drive up the prices for sexual exploitation in Europe and America, while lowering possible economic benefits for citizens in lower income countries. Nepal and India have several NGOs that work to change the general populations' ideas about trafficking victims and find former victims employment. As rural areas become more knowledgeable about trafficking, and victims can return to their homes, it becomes harder for criminal enterprises to manipulate future victims.<sup>193</sup> Many states have victims engaged in forced labor and only economic measures, such as increased trade and foreign investment, can limit this servitude. In some areas of the world, exploitation is seen as normal and it must be taught that each individual has rights.

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<sup>193</sup> Tom O'Neill, "Selling Girls in Kuwait: Domestic Labour Migration and Trafficking Discourse in Nepal," *Anthropologica* (2001): 153.



As society see exploitation and trafficking in persons as a violation of human rights, it should increase local cooperation. Galvanizing the U.N., World Trade Organization (W.T.O.), and all the regional economic groups in anti-trafficking efforts with a common definition can address the global nature of human trafficking. The United States and Western Europe partly fund NGOs and offer funding to foreign anti-trafficking non-governmental groups along with larger international organizations, such as HumanTrafficking.org, Women Trafficking and Child Labour Eradication Foundation, and the Human Trafficking Project. The United States funded over 85 million dollars to international trafficking in persons programs and 24 million dollars domestically.<sup>194</sup>

International efforts to combat feminization of poverty must increase to limit the number of potential victims. In 1995, the U.N. created a Plan of Action for Equality, Development, and Peace, which declared that feminization of poverty should be a focus of international attention. Economic agencies, such as Strategies for the Advancement of Women based in Nairobi and governmental development programs in Europe, have strengthened special projects to provide training and education for female entrepreneurs. Also, the Ugandan-based National Poverty Eradication Action Plan declared that mass poverty can be eliminated by 2017. Other African states have created programs to boost female involvement in businesses and target poorer women.<sup>195</sup> However, because of the lack of monetary funds, resources, or influxes of foreign investment, many

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<sup>194</sup> U.S. Government Anti-trafficking In Persons Program Funding, Democracy and Global Affairs, Office to Monitor and Combat Trafficking in Persons, 2011.

<sup>195</sup> United Nations, "Women Watch Gender Equality," <http://www.un.org/womenwatch/daw/followup/session/presskit/fs1.htm>. (accessed on 7/26/11).

African states will not be able to reform the economic situation. The IMF focuses on country driving efforts aimed at spurring the civil society through multiple ventures.

While still behind western standards, Africa and Asia are slowly working toward a more equal and less-gender based system. Many countries rely on NGOs to help women find shelter, food, and education. Increasing micro-loan programs, which was started by the U.N. in the 1990s, to female-owned businesses could decrease the push factors that drive females into situations where they can be exploited.<sup>196</sup> Rising out of poverty requires increasing local production capability, which reflects the structure of what a government does internally.

International agencies, such as the U.N., the World Bank, and the International Monetary Fund, should continue to reduce debt of developing states or rearrange payment options, which would allow states to focus their efforts on increasing local productive capability. These measures will work toward realizing the eradication of poverty or at least lowering its impact. The IMF-World Bank has focused on four maladies that cause states to fail: poor governance, excessive intervention in the markets, excessive government spending, and large sectors owned by the government. Successfully addressing these problems can limit the economic pull factors, which endanger migrants and employment-seeking natives. Also, states must focus on geography, disease, poor infrastructure, and agricultural failure to properly develop. If these factors are not

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<sup>196</sup> United Nations Capital Development Fund, "Investing in Least Developed Countries, Millennium Development Goals," <http://www.uncdf.org/english/index.php>. (accessed on 7/16/11).

addressed by the states or international aid they cannot develop to become involved in greater trade and greater stability.<sup>197</sup> Developing states have chosen to focus on improving their economies without addressing internal corruption, hoping a greater national income will eliminate the motivations for criminal behavior. However, the opportunity cost of narrowing national goals to only the economy, does not address the moral failings which will slow development. Developed states must address the views within their citizenry regarding sex work and forced labor. Human trafficking is treated as a criminal issue, but it is also a human rights issue. Corruption, the emerging moral deficit in the cultural views on exploitation, and regional forced servitude are issues that all societies, countries, and individuals must combat globally to specifically interdict against transnational criminal human trafficking.

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<sup>197</sup> Jeffrey Sachs, *The End of Poverty: Economic Possibilities for Our Time* (New York: Penguin 2005), 210.

## APPENDIX I

**Table 1: U.S. human trafficking tier, Afghanistan-Libya**

Afghanistan	2WL	Bulgaria	2	Ecuador	2	India	2WL
Albania	2	Burkina Faso	2	Egypt	2	Indonesia	2
Algeria	2WL	Burma	3	El Salvador	2	Iran	3
Angola	2	Burundi	2	Equatorial Guinea	2WL	Iraq	2WL
Antigua & Barbuda	2	Cambodia	2	Eritrea	3	Ireland	1
Argentina	2	Cameroon	2WL	Estonia	2	Israel	2
Armenia	2	Canada	1	Ethiopia	2	Italy	1
Australia	1	Central African Rep .	2WL	Fiji	2WL	Jamaica	2
Austria	1	Chad	2WL	Finland	1	Japan	2
Azerbaijan	2WL	Chile	2	France	1	Jordan	2
The Bahamas	2	China (PRC)	2WL	Gabon	2WL	Kazakhstan	2WL
Bahrain	2	Colombia	1	The Gambia	2	Kenya	2
Bangladesh	2WL	Congo (DRC)	3	Georgia	1	Kiribati	2WL
Barbados	2WL	Congo (ROC)	2WL	Germany	1	Korea , North	3
Belarus	2	Costa Rica	2	Ghana	2	Korea , South	1
Belgium	1	Cote d'Ivoire	2WL	Greece	2	Kosovo	2
Belize	2WL	Croatia	1	Guatemala	2WL	Kuwait	3
Benin	2	Cuba	3	Guinea	2WL	Kyrgyz Republic	2
Bolivia	2	Cyprus	2	Guinea -Bissau	2WL	Laos	2WL
Bosnia & Herzegovina	1	Czech Republic	1	Guyana	2WL	Latvia	2
Botswana	2	Denmark	1	Honduras	2	Lebanon	2WL
Brazil	2	Djibouti	2	Hong Kong	2	Lesotho	2WL
Brunei	2WL	Dominican Rep	3	Hungary	2	Liberia	2
				Iceland	2	Libya	2WL

Table 2: U.S. human trafficking tier, Lithuania-Somalia

Lithuania	1	Nicaragua	2WL	Slovak Republic	2	U.A.E.	2
Luxembourg	1	Niger	2WL	Slovenia	1	United Kingdom	1
Macau	2	Nigeria	1	South Africa	2	U.S.A.	1
Macedonia	2	Norway	1	Spain	1	Uruguay	2
Madagascar	2WL	Oman	2	Sri Lanka	2WL	Uzbekistan	2WL
Malawi	2	Pakistan	2	Sudan	3	Venezuela	2WL
Malaysia	2WL	Palau	2	Suriname	2	Vietnam	2WL
Maldives	2WL	Panama	2WL	Swaziland	2WL	Yemen	2WL
Mali	2WL	P. New. Guinea	3	Sweden	1	Zambia	2
Malta	2WL	Paraguay	2	Switzerland	2	Zimbabwe	3
Mauritania	3	Peru	2	Syria	2WL	Haiti	SC
Mauritius	1	Philippines	2WL	Taiwan	1	Somalia	SC
Mexico	2	Poland	1	Tajikistan	2WL		
Micronesia	2WL	Portugal	2	Tanzania	2WL		
Moldova	2WL	Qatar	2WL	Thailand	2WL		
Mongolia	2	Romania	2	Timor -Leste	2		
Montenegro	2	Russia	2WL	Togo	2		
Morocco	2	Rwanda	2	Trinidad & Tobago	2WL		
Mozambique	2WL	St. Vincent/Gren.	2WL	Tunisia	2WL		
Namibia	2	Saudi Arabia	3	Turkey	2		
Nepal	2	Senegal	2WL	Turkmenistan	2WL		
Netherlands	1	Serbia	2	Uganda	2		
Neth. Antilles	2	Sierra Leone	2	Ukraine	2		
New Zealand	1	Singapore	2WL				

## APPENDIX II

Table 3: International Conventions, Afghanistan-Congo (ROC)

### RELEVANT INTERNATIONAL CONVENTIONS

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)		Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)		
Afghanistan			X		X(a)		X(a)		X
Albania	X	X	X		X(a)		X(a)	X	X
Algeria	X	X	X		X(a)		X(a)	X	X
Angola			X		X(a)		X(a)	X	X
Antigua & Barbuda		X	X	X	X			X	X
Argentina	X	X	X	X	X	X	X	X	X
Armenia	X	X	X	X	X	X	X	X	X
Australia	X	X	X	X	X	X	X	X	X
Austria	X	X	X	X	X	X	X	X	X
Azerbaijan	X	X	X	X	X	X	X	X	X
The Bahamas	X	X	X					X	X
Bahrain		X(a)	X		X(a)		X(a)	X	X
Bangladesh			X	X	X	X	X	X	X
Barbados	X		X					X	X
Belarus	X	X	X		X(a)		X(a)	X	X
Belgium	X	X	X	X	X	X	X	X	X
Belize		X(a)	X	X	X	X	X	X	X
Benin	X	X	X	X	X	X	X	X	X
Bolivia	X	X	X	X	X		X(a)	X	X
Bosnia & Herzegovina	X	X	X	X	X	X	X	X	X
Botswana	X	X	X		X(a)	X	X	X	X
Brazil	X	X	X	X	X	X	X	X	X
Brunei			X		X(a)				
Bulgaria	X	X	X	X	X	X	X	X	X
Burkina Faso	X	X	X	X	X	X	X	X	X
Burma		X(a)						X	
Burundi	X		X		X(a)	X	X	X	X
Cambodia	X	X	X	X	X	X	X	X	X
Cameroon	X	X	X	X		X		X	X
Canada	X	X	X	X	X	X	X		X
Central African Rep.		X(a)	X					X	X
Chad		X(a)	X	X	X	X	X	X	X
Chile	X	X	X	X	X	X	X	X	X
China (PRC)		X(a)	X	X	X	X	X		
Colombia	X	X	X	X	X	X	X	X	X
Congo (ROC)	X		X		X(a)			X	X

Table 4: International Conventions, Congo-India

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)		Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)		
Congo (DRC)		X(a)	X		X(a)	X	X	X	X
Costa Rica	X	X	X	X	X	X	X	X	X
Cote d'Ivoire			X					X	X
Croatia	X	X	X	X	X	X	X	X	X
Cuba				X	X	X	X	X	X
Cyprus	X	X	X	X	X	X		X	X
Czech Republic	X		X	X		X	X	X	X
Denmark	X	X	X	X	X	X	X	X	X
Djibouti		X(a)	X	X		X		X	X
Dominican Republic	X	X	X		X(a)	X		X	X
Ecuador	X	X	X	X	X	X	X	X	X
Egypt	X	X	X		X(a)		X(a)	X	X
El Salvador	X	X	X	X	X	X	X	X	X
Equatorial Guinea	X	X	X		X(a)			X	X
Eritrea					X(a)		X(a)	X	X
Estonia	X	X	X	X	X	X		X	X
Ethiopia			X					X	X
Fiji			X	X		X		X	X
Finland	X	X(A)	X	X		X	X	X	X
France	X	X	X	X	X	X	X	X	X
Gabon			X	X	X	X		X	X
The Gambia	X	X	X	X	X	X		X	X
Georgia	X	X	X		X(a)			X	X
Germany	X	X	X	X	X	X	X	X	X
Ghana			X	X		X		X	X
Greece	X		X	X	X	X	X	X	X
Guatemala		X(a)	X	X	X	X	X	X	X
Guinea		X(a)	X					X	X
Guinea-Bissau	X	X	X	X		X		X	X
Guyana		X(a)	X					X	X
Haiti	X		X	X		X		X	X
Honduras		X(a)	X		X(a)		X(a)	X	X
Hong Kong						X	X		
Hungary	X	X	X	X	X	X	X	X	X
Iceland	X		X	X	X	X	X	X	X
India	X			X	X	X	X	X	X

Table 5: International Conventions, Indonesia-Micronesia

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)		Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)		
Indonesia	X	X	X	X		X		X	X
Iran			X		X(a)			X	X
Iraq		X(a)	X		X(a)		X(a)	X	X
Ireland	X		X	X		X	X	X	X
Israel	X	X	X	X	X	X	X	X	X
Italy	X	X	X	X	X	X	X	X	X
Jamaica	X	X	X	X		X	X	X	X
Japan	X		X	X	X	X	X	X	
Jordan		X(a)	X	X	X	X	X	X	X
Kazakhstan		X(a)	X	X	X	X	X	X	X
Kenya		X(a)	X	X		X	X	X	X
Kiribati		X(a)	X					X	X
Korea, North (DPRK)									
Korea, South (ROK)	X		X	X	X	X	X		
Kosovo									
Kuwait		X(a)	X		X(a)		X(a)	X	X
Kyrgyz Republic	X	X	X		X(a)		X(a)	X	X
Laos		X(a)	X		X(a)		X(a)	X	
Latvia	X	X	X	X	X	X	X	X	X
Lebanon	X	X	X	X	X	X		X	X
Lesotho	X	X	X	X	X	X	X	X	X
Liberia		X(a)	X	X		X		X	X
Libya	X	X	X		X(a)		X(a)	X	X
Lithuania	X	X	X		X(a)	X	X	X	X
Luxembourg	X	X	X	X		X	X	X	X
Macedonia	X	X	X	X	X	X	X	X	X
Madagascar	X	X	X	X	X	X	X	X	X
Malawi		X(a)	X	X	X	X		X	X
Malaysia		X(a)	X					X	
Maldives				X	X	X	X		
Mali	X	X	X		X(a)	X	X	X	X
Malta	X	X	X	X	X(a)	X	X	X	X
Mauritania		X(a)	X		X			X	X
Mauritius		X(a)	X	X		X	X	X	X
Mexico	X	X	X	X	X	X	X	X	X
Micronesia (FSM)				X		X			



Table 6: International Conventions, Moldova-Somalia

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)		Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)		
Moldova	X	X	X	X	X	X	X	X	X
Mongolia		X(a)	X	X	X	X	X	X	X
Montenegro		X(a)	X	X	X(a)		X	X	X
Morocco			X	X	X	X	X	X	X
Mozambique	X	X	X		X(a)		X(a)	X	X
Namibia	X	X	X	X	X	X	X	X	X
Nepal			X	X	X	X	X	X	X
Netherlands	X	X(A)	X	X	X	X	X	X	X
New Zealand	X	X	X	X		X	X	X	X
Nicaragua		X(a)	X		X(a)		X(a)	X	X
Niger	X	X	X	X	X			X	X
Nigeria	X	X	X	X		X		X	X
Norway	X	X	X	X	X	X	X	X	X
Oman		X(a)	X		X(a)		X(a)	X	X
Pakistan			X	X		X		X	X
Palau									
Panama	X	X	X	X	X	X	X	X	X
Papau New Guinea			X					X	X
Paraguay	X	X	X	X	X	X	X	X	X
Peru	X	X	X	X	X	X	X	X	X
Philippines	X	X	X	X	X	X	X	X	X
Poland	X	X	X	X	X	X	X	X	X
Portugal	X	X	X	X	X	X	X	X	X
Qatar		X(a)	X		X(a)		X(a)	X	X
Romania	X	X	X	X	X	X	X	X	X
Russia	X	X	X			X	X	X	X
Rwanda	X	X	X		X(a)		X(a)	X	X
St. Vincent & the Gren.	X		X		X(a)			X	X
Saudi Arabia	X	X	X					X	X
Senegal	X	X	X	X	X	X	X	X	X
Serbia	X	X	X	X	X	X	X	X	X
Sierra Leone	X			X	X	X	X	X	X
Singapore			X			X	X	X	
Slovak Republic	X	X	X	X	X	X	X	X	X
Slovenia	X	X	X	X	X	X	X	X	X
Somalia						X		X	X

Table 7: International Conventions, South Africa-Zimbabwe

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)		Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)		
South Africa	X	X	X		X(a)	X	X	X	X
Spain	X	X	X	X	X	X	X	X	X
Sri Lanka	X		X	X	X	X	X	X	X
Sudan			X		X(a)	X	X	X	X
Suriname		X(a)	X	X		X		X	X
Swaziland	X		X					X	X
Sweden	X	X	X	X	X	X	X	X	X
Switzerland	X	X	X	X	X	X	X	X	X
Syria	X	X	X		X(a)		X(a)	X	X
Tajikistan		X(a)	X		X(a)		X(a)	X	X
Tanzania	X	X	X		X(a)		X(a)	X	X
Thailand	X		X		X(a)		X(a)	X	X
Timor-Leste		X(a)	X		X(a)		X(a)	X	
Togo	X	X	X	X	X	X	X	X	X
Trinidad & Tobago	X	X	X					X	X
Tunisia	X	X	X	X	X	X	X	X	X
Turkey	X	X	X	X	X	X	X	X	X
Turkmenistan		X(a)			X(a)		X(a)	X	X
Uganda	X		X		X(a)		X(a)	X	X
Ukraine	X	X	X	X	X	X	X	X	X
United Arab Emirates		X(a)	X					X	X
United Kingdom	X	X	X	X	X	X	X	X	X
United States	X	X	X	X	X	X	X		X
Uruguay	X	X	X	X	X	X	X	X	X
Uzbekistan	X	X	X		X(a)		X(a)	X	X
Venezuela	X	X	X	X	X	X	X	X	X
Vietnam			X	X	X	X	X	X	
Yemen			X		X(a)		X(a)	X	X
Zambia		X(a)	X	X		X		X	X
Zimbabwe			X					X	X

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