

**“Taking Care of Countering the Business of Trafficking in Human Beings”**  
by  
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in  
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**Abstract**

*This article briefly discusses trafficking in human beings (THB) and vulnerability of people, in particular during migration, and weaknesses of response to counter THB. It posits that looking at THB in the framework of ‘business’ helps to understand where we are going wrong and succinctly points out that we must account for power, crime, desperation and economics to prevent and disrupt trafficking, particularly in migration crises.*

*"The global tide against forced labour is rising and we have seen significant progress in ending this scourge. But the job isn't done yet, because modern slavery still is, unfortunately, big business and millions are suffering."*

Guy Ryder, Director-General, International Labour Organization (ILO)

**Introduction**

This paper began as a presentation on trafficking in human beings (THB) to the Webster University International Humanitarian Conference in February 2015, on *Family, Migration and Separation*. Two years later, the Syrian refugee crisis that is impacting Europe - and the world - on political, economic and policy levels, points to the need for a change in perspective of migration. The situation requires a better analysis of impacts, such as the increasing vulnerability that migration creates to trafficking in human beings, ‘modern slavery’ and exploitation. The base of the presentation given at the Webster conference was also used to write a blog for the current European Commission (EC)-funded project *Demand Side Measures Against*

*Trafficking*,<sup>1</sup> where the author led a work package on analysing security sector actions to address efforts based in demand-side policies to combat trafficking. A difficult topic indeed.

A part of the difficulty in preventing vulnerability in migration, be it as a refugee, an ‘economic migrant’ or an asylum seeker, is the lack of resources to analyse situations of ‘demand’ and to combat criminals and exploiters that take advantage of vulnerable people. One demanding factor is us, how we consume and interact and the fact that our demands and actions affect others - our push for cheap, illegal or un-regulated goods and services. The criminal market can be seen as another aspect of demand that responds or creates the first; and the need of migrants, refugees, asylum seekers and those seeking a better life a third demand.

### **On Migration and Vulnerability to Trafficking**

Increasing population, migration, conflict and human development have always led to societal shifts in economics and power, including changing trends in demographics, criminality and exploitation.<sup>2</sup> Causes and uses of power and technology, combined with the highest ever levels of migration in recorded history,<sup>3</sup> can be elaborated to understand human trafficking.

The trafficking market is based on opportunity and necessity. The exploitation of need and opportunity - created by economic systems - creates a demand and supply and can expose those not in a protected structure and hence are quite vulnerable. Vulnerability is increased because in the majority of cases and situations today, people need a stable state and money to live and support their families. For money, people need jobs or opportunities to find it.<sup>4</sup> The changing and increasing grey market in an unmonitored employment sphere, coupled with conflicts and economic

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<sup>1</sup> DemandAT, “Addressing Demand in Anti-Trafficking Efforts and Policies - DemandAT,” [www.demandat.eu](http://www.demandat.eu).

<sup>2</sup> For example, see Diamond, Jared, *Guns, Germs and Steel: A short history of everybody for the last 13,000 years* (Vintage: London, 1998).

<sup>3</sup> There are 244 million migrants (United Nations, 2015); 21.3 million refugees and over 65 million displaced, the highest since World War II (United Nations High Commissioner for Refugees, 2017); 1.8 million asylum seekers waiting for decision on asylum claims (UNHCR, 2014). There are up to 2.5 million trafficked people (United Nations, United States Trafficking In Persons Report, United Nations Office on Drugs and Crime 2012: 75 per cent female and 27 per cent children; 58 per cent sexual exploitation, 36 per cent labour, 1.5 per cent begging); 29.8 million in slavery (2014 Freedom Fund); 21 million forced labourers (2016 ILO - of these: 4.5 million in sexual exploitation).

<sup>4</sup> There are of course other means to acquire money, such as investment, owning a business, or even winning money. This paper focusses on the average person that requires employment.

migration, creates a vulnerable space that traffickers exploit. In June 2016, the UNHCR reported that one in every 113 people [or 65.3 million people] globally is now either an asylum-seeker, refugee or displaced person - the top country of origin being Syria.<sup>5</sup>

### **The Business of Trafficking**

To understand trafficking in human beings, we need to look at the economic ‘business’ basis, in particular the criminal business model and thus where administrations fail in weak structures and systems to stop exploitation and criminality. What is a business? It is “the activity of making, buying, or selling goods or providing services in exchange for money.”<sup>6</sup> Money is the key here, as our constructed neo-liberal economy runs on profit, by minimising costs and risk. The big business that Guy Ryder mentions, unfortunately still creates human commodity. We are not that advanced from the colonial era of slave trade; in fact, the United Kingdom (UK) passed a ‘Modern Slavery’ Act that aims to improve the fight against trafficking, in 2015.

There are five ‘principles’ in a business model: i) advertising, ii) transport, iii) communication, iv) premises; and v) finance. This can be equated to five elements that need to be disrupted to break a trafficker’s business model: i) the recruitment of victims (sometimes through advertising), ii) transporting victims, iii) communications between the traffickers, facilitators, and end-users, iv) where the victims are accommodated, and v) following the traffickers’ money trail. In their business model, traffickers and organised crime groups exploit the weak aspects of regulating and monitoring these five elements in such large movements of migration, to take advantage of potential victims and increase their trafficking flow and commodification, and hence increase profits.

In August 2015, António Guterres, the then head of the United Nations Refugee Agency (UNHCR), “reiterated the need to protect refugees fleeing to Europe by ensuring they are protected from human traffickers and that a properly functioning

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<sup>5</sup> “Global forced displacement hits record high”. UNHCR, 20 June 2016.  
<http://www.unhcr.org/afr/news/latest/2016/6/5763b65a4/global-forced-displacement-hits-record-high.html>

<sup>6</sup> Merriam-Webster Dictionary, “Business,” <http://www.merriam--webster.com/dictionary/business>.

system is created to allow them to apply for asylum legally.”<sup>7</sup> It is this lack of system that organised crime networks (OCNs), traffickers and smugglers,<sup>8</sup> which may or may not be part of an OCN, have been at the forefront of exploiting. They do so with quick take-up of technology and the power it encompasses - mobile phones, e-finance transactions and social media platforms - to exploit vulnerabilities to create victims of trafficking. Unfortunately, law enforcement agents and authorities have not caught up, or they still lack the resources to compete with the resources and strategies of OCNs. The profits of forced labour (which includes THB) were estimated in 2016 at USD150 billion annually,<sup>9</sup> almost surpassing the profits of the international trade in trafficking guns and drugs. It is big business.

Yet, if trafficking is big business, to fight it, are we focusing correctly? Are we targeting the demand and commodification that creates slavery in the first place? If not, why not? Perhaps there are two answers. One, we ourselves are not concerned enough. Two, the governments that we elect do not place adequate emphasis, nor create strong structures to legally address asylum and refugees and to penalize demand and commodification of humans and the economic benefits from smuggling and trafficking. Combine these two factors within a political-economic system that works on an economic basis of cost-cutting and erasing deficits, and one can begin to see the cracks in the fight.

## **A Quick Note on Trafficking**

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<sup>7</sup> “At a joint press conference with French Interior Minister Bernard Cazeneuve in Geneva, he said such a system would help replace the currently "dysfunctional" approach within the European Union to the handling of the influx of refugees to Europe.” United Nations High Commissioner for Refugees, “UNHCR Chief Guterres Stresses Need To Fight Human Trafficking, Protect Victims,” August 26, 2015, <http://www.unhcr.org/55de024d6.html>.

<sup>8</sup> There is a debate on the difference between trafficking and smuggling, with the United Nations definitions making the distinction by those being smuggled as doing so “by choice” or “consent”, as well as distinctions of exploitation, transnationality and source of profits, although pointing to the fact there are overlaps. See United Nations Office on Drugs and Crime (UNODC), “Migrant Smuggling FAQs,” [https://www.unodc.org/unodc/en/human--trafficking/faqs--migrant--smuggling.html#Overlaps\\_and\\_differences](https://www.unodc.org/unodc/en/human--trafficking/faqs--migrant--smuggling.html#Overlaps_and_differences). This author considers the blur between the two wider and greyer, where from research and interviews with law enforcement agents and NGOs over the years, show that the distinction is not always so clear and those smuggled may be finally trafficked or be more vulnerable to trafficking. It is further complicated when families are involved in trafficking and the profit trail is not so easily distinguished. OCN can be involved in both smuggling and trafficking in parallel, and this author sees smuggling as a form of exploitation.

<sup>9</sup> US Trafficking in Persons Report 2016. See also estimates of 110 billion EUR from the International Labour Organization (ILO), “Profits and Poverty: The Economics of Forced Labour,” Special Action Programme to Combat Forced Labour (SAP-FL), Fundamental Principles and Rights at Work Branch (FPRW), 2014, [http://www.ilo.org/wcmsp5/groups/public/ed\\_norm/-declaration/documents/publication/wcms\\_243391.pdf](http://www.ilo.org/wcmsp5/groups/public/ed_norm/-declaration/documents/publication/wcms_243391.pdf).

Trafficking in persons or human beings (TIP or THB)<sup>10</sup> exceeds the stereotype of young starry-eyed girl hoping to make it in the city as a model or a film star and instead becoming instead sexually exploited. Trafficked people can include fruit and vegetable pickers, drug mules, beggars, adopted children, the person that cleans a house, fishermen/women, a young footballer, someone collecting welfare benefits, a street entertainer, petty thieves, and people missing a kidney, to name some other examples. In other words, the person providing a good, entertainment or service that you purchase or consume, could easily be involved in the chain of trafficking.

Just how many people are trafficked? The most common reference for statistics on THB is the International Labour Organization (ILO). Their 2014 report estimates that there are 18.7 million victims in exploited forced labour (also “modern slavery” or trafficking for labour), forced domestic work and forced sexual exploitation. The EU official number from 2013-2014, is 15,846 women, men, girls and boys registered as victims of trafficking in the EU. Victims of trafficking for forced criminality, organs/cells/tissue, adoption, marriages, begging and sport should be added to these figures. Increasingly, authorities are hesitant to give ‘numbers’, as reasoned by the most recent *Trafficking in Persons* report from the United States government: “Given the complex nature of human trafficking, it is difficult to amass reliable data to document local, regional, and global prevalence.”<sup>11</sup> The EU also acknowledges this: “Given the complexity of reporting on this phenomenon, the actual number of victims is likely to be substantially higher than those registered by national authorities.”<sup>12</sup>

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<sup>10</sup> For the United Nations definition of THB see UNODC, “Human Trafficking,” <https://www.unodc.org/unodc/en/human--trafficking/what--is--human--trafficking.html>. “Article 3, paragraph (a) of the [Protocol to Prevent, Suppress and Punish Trafficking in Persons](#) defines Trafficking in Persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

For the EU legislation and policy on THB see European Commission, “Directive 2011/36/EU,” 2011, <https://ec.europa.eu/anti-trafficking/node/4522>. People do not have to be moved across a border to be ‘trafficked’.

<sup>11</sup> *Trafficking in Persons Report 2016*, Department of States, United States of America. Page 12 <https://www.state.gov/j/tip/rls/tiprpt/2016/>

<sup>12</sup> First Report on the progress made in the fight against trafficking in human beings, European Commission, 2016. [https://ec.europa.eu/anti-trafficking/eu-policy/first-report-progress-made-fight-against-trafficking-human-beings-2016\\_en](https://ec.europa.eu/anti-trafficking/eu-policy/first-report-progress-made-fight-against-trafficking-human-beings-2016_en)

In March 2017, the ILO announced that it would partner with other organisations to better collect and give statistical estimates on the current numbers of those affected by ‘modern slavery’.<sup>13</sup>

The ‘demand’ for forced labour or goods and services provided by trafficked people, comes from power, crime, economics and desperation. Power is used by traffickers to recruit traffickees, who are coerced or deceived, unwitting or even wittingly, with the lure of money, the hope of a job or just a better life. Power is further used through threat, confiscation of documents or abuse, to keep the victim a victim. Power can also be used to kidnap a victim, or force someone to be trafficked to pay off a personal or family debt. Evidently, in a period of migration crisis, such as we see now from Syria towards Europe, the vulnerability of people intensifies as they are more susceptible to coercion, deception, threats or kidnapping, in particular children.

Trafficking is - in most States - clearly a crime. The problem with fighting crime is supply, demand and economics. If there is a demand, criminals will supply. If there is supply, and mass migration from conflict is one example, the criminals will create a demand. The vulnerable are super targets for criminals, especially when combined with necessity for jobs as mentioned previously. Clandestine demand for sex and drugs is still a battle for the security sector when criminals are so well financed through the benefits of their exploitative behaviour. Demand for labour is something that a States’ structures, dealing with the labour, social, and health sectors, are grappling with, in particular in terms of coordination with the security sector vis-à-vis the crime of trafficking. To this should be added the problem of criminalising the victim if they have an irregular (“illegal”) status or are coerced into forced criminality.

Economics and business work on a system of supply, demand, efficiency, and product to market.. From the ‘end-user’ perspective, we ask ourselves, is there an easier, quicker - or in the cases of sexual exploitation or illegal activities - a clandestine way, to obtain goods or services? This is not desperation, but a demand that the criminal will tap into, maybe not directly, but as an intermediary, particularly for example to provide cheap or forced or exploited labour.

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<sup>13</sup> *ILO and Walk Free Foundation to collaborate on Global Estimate of Modern Slavery*, 17 March 2017 [http://www.ilo.org/global/topics/forced-labour/news/WCMS\\_547316/lang--en/index.htm](http://www.ilo.org/global/topics/forced-labour/news/WCMS_547316/lang--en/index.htm) Final figures will be presented to a global conference in November 2017.

For those with desperation for money, jobs, or family reunion, a person may even suspect or know they are being trafficked, but think they can escape. For aspects such as desperate parents wanting a child to adopt, or for people desperate for an organ transplant, if they have sufficient money, opportunity or power to by-pass waiting lists or bureaucracy, then money can buy a person, silence and ignorance of exploitation. Again in a situation of migration crisis, many families are separated and vulnerable, and missing or unidentified children in particular are very susceptible to THB.

Economics are a main factor supporting human trafficking, as the business model is highly profitable. If the risk of trafficking were too high - that is, with poor profits or severe penalties, or both - the supply would drop. Economics can also be a factor for people to become involved in trafficking, either willingly or unwillingly. Trafficking involves not only criminals as transporters, but also recruitment agencies, employers, identity forgers; sometimes border guards, police and authorities are also corrupted, bribed and involved. Another facet that criminals exploit is the underpaid staff in the security sector, who earn less compared to other employment sectors and have low or no pension prospects.

### **Culpability of the Population**

In today's stressful society, economic pressure means that the bottom line is the first thing you think about when purchasing goods or services - how much does it cost? There is demand for bargain goods and services, reflecting the concept of 'value for money' in the extreme. But a T-shirt for five euros is unlikely to be made by someone who is not exploited; it is simply economically impossible. A restaurant with increasing rent, increased cost of produce, taxes, and still wishing a healthy profit, will be likely to turn a blind eye to the person in their kitchen washing dishes for many hours, for little pay (EUR 1 an hour, if at all), and who is possibly coerced or has confiscated identity documents. Vulnerable people, trafficked people, refugees, displaced people, economic migrants and even registered migrants are filling this 'demand'. It is all about the demand for a lower price and an easier economic benefit.

Even in day-to-day life, people would rather pay fifteen per hour rather than fifty per hour for domestic services. It is well-known that in Europe, domestic work services are typically paid in the informal economy. Because the activity occurs in private households, some even under diplomatic immunity, it is difficult to monitor

and for the security sector to intervene.<sup>14</sup> Sadly, the demand for prostitution, especially for cheap prostitution, in today's society means that many people that are vulnerable can be trafficked into THB. There is also an increase in young males trafficked into prostitution.<sup>15</sup> Vulnerability, escape from a country in conflict or poverty and the need for a job, create situations where a person can end up being trapped and either cannot or will not tell someone that they are a victim.

### **Is There a Solution?**

To succeed in the fight against trafficking, we need to incorporate the triple bottom line - social, environmental and financial - into our thinking. The international community has committed to human rights and human security in our societies, but it is failing in upholding these. Environmental factors such as natural crises and changing demographics in the agricultural industry causing people to lose jobs and livelihood can also contribute to vulnerability and migration, which indirectly could lead to THB situations. From the financial side, what we spend is perhaps determined by keeping within a budget - the individual, the private sector and the State. We need, however, to shift our mindset to ascertain if, by pushing for lower and lower prices and cost-cutting measures, we are creating further problems, or catalyzing social problems of vulnerability and ultimately of trafficking.

Additionally, the security sector and other stakeholders engaged in combatting THB need to be supported with technology and training in social media, as well as resources to monitor such, in order to investigate and prevent THB in the first place. Administrations underfinance law enforcement, labour inspectorates and teams fighting trafficking, hence they have insufficient human resources, technological or equipment capacity to keep up with the traffickers. Financial forensics can be an important tool in fighting, preventing and disrupting THB and also an important alternative to victim testimony for evidence in prosecution and convictions of traffickers. But again, it needs to be supported with both human and financial resources and political willingness for mutual legal assistance. The global community

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<sup>14</sup> See for example, Organization for Security and Co-Operation in Europe, "Research Paper on Trafficking in Human Beings for Domestic Servitude in the OSCE Region: Analysis and Challenges Report of the Tenth Alliance against Trafficking in Persons Conference," (paper presented at the conference on Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude, Vienna, June 17-18, 2010), <http://www.osce.org/secretariat/75804?download=true>.

<sup>15</sup> From author's own interviews and research 2012-2016.

needs to think about the power of creating human security and using technology to stop the trafficker, not to have technology allow traffickers to succeed.

### **The Governments' Responses to Demand-Creation Activities**

Government structures and policies fail in preventing vulnerable people falling victim to THB. People are exposed to vulnerability through our contribution to conflicts, through migration policies, through inappropriate legislation, lack of oversight and of resources for investigation and oversight. Traffickers are seldom prosecuted, and rarely convicted; when they do get punished, they receive either only financial penalties or receive weak prison sentences.<sup>16</sup>

The onus is on both the State and people to disrupt the business of THB. In the EU, following the creation over recent years of national strategies on counter-trafficking, efforts are increasing. States are beginning to put in place legislation to protect victims, to improve investigation and to increase penalties of traffickers following the Directive [2011/36/EU](#) of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims.

For people, on-going analysis on how we are all addressing efforts to target demand by end-users of goods and services provided by trafficked people is important. This is being done through awareness and consumer campaigns, by improving cooperation within the security sector and between the security sector, labour inspectorates, and other bodies and agencies that could confront THB.

To address the business of THB and how it interlinks with vulnerability of people and risks of migration, we must all be more aware and take care to eliminate the wrong side of business. We as consumers are interlinked in all types of business models and we are all responsible for how we interact, who we vote for and what we consume. All of our decisions affect someone. Identifying and preventing vulnerability is not just the responsibility of authorities, we must all be more aware of the level of migration we now have in today's world and how any of these people could be you. We were all once migrants in our history, think about this next time you purchase a product or service or cast your vote.

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<sup>16</sup> There is increasing research and analysis on the trafficker, outside of the remit of this short article. See here for example for projects and research funded by the EU: [https://ec.europa.eu/anti-trafficking/eu-projects\\_en?solsort=ds\\_field\\_publication\\_date%20desc](https://ec.europa.eu/anti-trafficking/eu-projects_en?solsort=ds_field_publication_date%20desc)