



A S T R A N E T W O R K

ASTRA - Central and Eastern European Women's Network for Sexual and Reproductive Health and Rights

The Issue

Advocate's Tool No. 5:

Trafficking in Persons

Although there is some debate surrounding an official definition of human trafficking, the main elements generally are: movement; some form of force, deceit, illegal coercion, or lack of consent; and exploitation. Individuals are trafficked and forced to work in sweatshops, agricultural settings, domestic work, the entertainment and service industry, and commercial sex work. Sex trafficking is a severe, yet small, part of the larger issue which tends to overshadow the other forms of trafficking. To date, there has been a simultaneous inflation of the problem and rushed implementation of unevaluated policies. What was at one time an emergency situation has now developed into a chronic endemic. Hope lies in policies and programmes which confront the root causes of trafficking and a shift to a human rights based system of protection for trafficked persons.

Root Causes and Current Challenges

Trafficking is deeply rooted in **poverty, conflict, globalization, and gender discrimination**. These factors perfect the supply and demand chain which fuels human trafficking and create an environment of vulnerability, especially for already marginalized groups.

GOOD PRACTICE: F.R. of Yugoslavia

In June 2001, the National Coordinator on the issue of Trafficking in the Federal Republic of Yugoslavia launched the Initial Board for Combating Trafficking in Human Beings with the support of representatives of ministries, national NGOs, international agencies, and the media. The Initial Board prepared a long term, coordinated and multi-disciplinary approach to trafficking in the form of the National Plan of Action and coordinated guidelines. (UN Expert Meeting Report)

The challenges faced today grew out of the politicized "savior" responses from decades ago. Some of these current hurdles are: a "war of numbers" (poor data collection, inflation of numbers, and donor-driven agendas); the "hunt for victims" (destructive police raids or NGO searches); and so-called "borderline cases" (the vagueness of government definitions). (Joint UN Report) Due largely to sensationalist media and political agendas, human trafficking is now equated with prostitution, and sex trafficking policies have become vehicles to promote anti-migration, anti-pornography, and anti-sex work policies. These policies are not successful. For example, the "Swedish model" (criminalizing clients) has not been shown to reduce trafficking or forced prostitution. According to Kulick, three years after the law was implemented in Sweden, reported numbers of sex workers remained the same while internet advertisements and bordellos appeared to *increase*, indicating that the law was pushing sex work underground.

The actual effects seen were increased difficulties for women in accessing social services (esp. health care), increased police harassment, and decreased prosecutions of traffickers (sex workers cannot serve as witnesses or provide evidence). "Combating sex trafficking, then, is a complicated matter. The moral imperative to rescue women from brothels is compelling when young girls are involved or there is clear evidence of duress, but "rescuing" adult women from brothels against their will can mean an end to their health care and economic survival. In countries and situations in which basic survival is a daily struggle, the distinction between free agency and oppression may be more a gray area than a bright line. Indeed, the Center for Health and Gender Equity observes that sex workers who resist rescues may not do so because they would prefer commercial sex as lifestyle, other things being equal, but because there are no 'viable economic alternatives to feed and clothe themselves and their families.'" (Cohen) Governments should instead adopt an empowerment framework based on prevention (addressing root causes) and protection (realization of human rights).

General Recommendations

From the UN Expert Meeting Report:

- "Governments should treat trafficking as a development concern and place it on the national, regional and international agenda.
- Governments should take effective action aimed at preventive interventions, protection and assistance to trafficked persons, prosecution and punishment of traffickers.
- Governments should integrate a gender and human rights perspective into all development and anti-trafficking plans in an integrated, multi-sectoral manner. This should encompass all relevant government ministries and departments, including national women's machineries and NGOs."

Policies and programmes should address:

- Economic empowerment
- Education, including life skills
- Safe migration
- Data collection
- Awareness raising
- Training
- Special protection for children
- Victim referral
- Assistance to victims
- Return and reintegration
- Human rights
- Gender equality

GOOD PRACTICE: Be Active Be Emancipated

B.a.b.e. (Croatia) has been involved with addressing the root causes of trafficking of women by providing programming and services which prevent the vulnerabilities and socio-economic enablers of human trafficking. They have provided training for governmental commissioners, focusing on human rights, women's rights, mechanisms for the protection of women's rights, development of action plans, gender mainstreaming and educational issues. B.a.b.e. has also developed a project on life-long education. (Joint UN Report)

Finally, all policies and programmes *must* be monitored and evaluated in order to remain responsive to changing political, social, and economic climates and contexts.

For more information...

AWID: Prevention as the new approach to human trafficking (2005), interview with B. Limanowska Busza, J. (2004). "Sex work and migration: The dangers of oversimplification – A case study of Vietnamese women in Cambodia." *Health and Human Rights: An International Journal* 7, 231-249.

Cohen, S. "Ominous convergence: sex trafficking, prostitution, and international family planning." *The Guttmacher Report on Public Policy*, 2005, 8(1): 12-14.

Girard, F. (2004). "Global implications of U.S. domestic and international policies on sexuality." *International Working Group for Sexuality and Social Policy Working Papers no.1*. Available at: www.mailman.hs.columbia.edu/sms/cgsh/iwgssp.html.

"Human Trafficking: Better Data, Strategy, and Reporting Needed to Enhance U.S. Anti-trafficking Efforts Abroad," United States Government Accountability Office Report to the Chairman, Committee on the Judiciary and the Chairman, Committee on International Relations, House of Representatives

Kulick, D. (2003). "Sex in the new Europe: The criminalization of clients and Swedish fear of penetration." *Anthropological Theory*, 3(2), 199-218.

"Trafficking in Human Beings in South Eastern Europe: Focus on Prevention", a joint UNICEF, UNOHCHR, and OSCE ODIHR report by Barbara Limanowska ("Joint UN Report")

UN Recommended Principles and Guidelines on Human Rights and Human Trafficking, E/2002/68/Add.1

Trafficking in women and girls: Report of the Expert Group Meeting, UN Division for the Advancement of Women (DAW) and UN Office on Drugs and Crime (ODC) (2002) ("UN Expert Meeting Report")



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