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978-0-521-11381-6 - Human Trafficking: A Global Perspective

Louise Shelley

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Introduction

In June 2006, the BBC reported that auctions of Eastern European women had been held at Stansted, Gatwick, and other London airports. According to the Crown Prosecution Service, the women were sold for £8,000 each (then approximately U.S. \$15,000). The auctions of young women destined for sexual slavery in Britain occurred in open, highly policed locales. One auction even took place in front of a cafe at Gatwick Airport.¹ Such appalling news reveals that slave markets are no longer history. Once immortalized in historical lithographs and paintings, slave auctions occurred right outside the city that is the global headquarters for human rights organizations such as Amnesty International and Anti-Slavery.

If the auctioneers had been selling illicit drugs in such a public place, there would have been immediate arrests. Yet there was no such intervention to protect the young women. Ostensibly, the British police are not corrupt and had not been paid off. Why would such auctions be tolerated in a society that was an early advocate of the abolition of slavery? How can this occur in a country that values its contribution to the rule of law?

Part of the answer is that Great Britain, like most other countries, did not view human trafficking as serious a threat as the international drug

¹ "Slaves Are Auctioned by Traffickers," June 4, 2006, news.bbc.co.uk/2/hi/uk_news/5046170.stm (accessed August 27, 2008); "Women for Sale in Gatwick Slave Auctions," *Evening Standard*, www.thisislondon.co.uk/news/article-23388098-details/women+for+sale+in+Gatwick+Slave+Auctions/article.do (accessed August 27, 2008).

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trade. Yet these auctions in the United Kingdom as well as deaths of large numbers of smuggled Chinese migrants in two separate cases at the beginning of the century served as a wake-up call.² Combating organized immigration crime became a high priority of a new state agency that was created in the United Kingdom to combat serious organized crime.³ So far, few other countries have yet to allocate the resources needed to fight human trafficking, even though it has become one of the fastest growing forms of transnational crime worldwide.

Auctions of sexual trafficking victims may be the most visibly egregious part of the problem, but they are the tip of an iceberg of a massive international problem of human trafficking that encompasses many diverse forms of exploitation. Humans are also trafficked for labor exploitation, for marriage, for begging, for service as child soldiers, and for their organs.⁴ Every continent of the world is now involved, and even a country as small and isolated as Iceland, with a population of 250,000, has had human trafficking cases.⁵

Transnational criminals have been major beneficiaries of globalization. Human smuggling and trafficking have been among the fastest growing forms of transnational crime because current world conditions have created increased demand and supply. Migration flows are enormous, and this illicit trade is hidden within the massive movement of people.⁶ The supply exists because globalization has caused increasing economic and demographic disparities between the developing and developed world,

² "Britain's Straw Says Truck Deaths a Warning," Reuters, June 19, 2000; Warren Hoge, "Trucker Found Guilty in Death of Immigrants," *New York Times*, April 5, 2001, A6. "Smugglers jailed over Chinese deaths," May 11, 2001, <http://news.bbc.co.uk/2/hi/europe/1325826.stm> (accessed July 23, 2009); Patrick E. Tyles, "19 Die as Tide Traps Chinese Shellfish Diggers in England," *New York Times*, February 7, 2004, <http://www.nytimes.com/2004/02/07/world/19-die-as-tide-traps-chinese-shellfish-diggers-in-england.html?scp=1&sq=%20Chinese%20Shellfish%20Diggers&st=cse> (accessed July 23, 2009).

³ www.soca.gov.uk/orgCrime/immigration.html (accessed July 21, 2009).

⁴ Daan Everts, "Human Trafficking: The Ruthless Trade in Human Misery," *Brown Journal of World Affairs* 10, no. 1 (Summer/Fall 2003), 149–58; Alexis A. Aronowitz, *Human Trafficking, Human Misery: The Global Trade in Human Beings* (Westport, CT: Praeger, 2009), 110–121. Marriage brokers can be facilitators of victimization as they obtain wives for men with known histories of violent spousal abuse. See Suzanne H. Jackson, "Marriages of Convenience: International Marriage Brokers, 'Mail-Order Brides', and Domestic Servitude," *University of Toledo Law Review* 38 (2007): 895–922.

⁵ www.protectionproject.org/human_right_reports/report_documents/iceland.doc (accessed August 27, 2008).

⁶ Moisés Naím, *Illicit: How Smugglers, Traffickers and Copycats Are Hijacking the Global Economy* (New York: Anchor Books, 2006), 88–91.

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along with the feminization of poverty and the marginalization of many rural communities. Globalization has also resulted in the tremendous growth of tourism that has enabled pedophiles to travel and many to engage in sex tourism. Trafficking has expanded because the transportation infrastructure is there and transportation costs have declined. The end of the Cold War resulted in the rise of regional conflicts and the decline of borders, leading to an increased number of economic and political refugees. Furthermore, many rebel groups turned to illicit activity, including human trafficking, to fund their military actions and obtain soldiers. Demand has also increased as producers depend more on trafficked and exploited labor to stay competitive in a global economy in which consumers seek cheap goods and services, including easily available and accessible sexual services.

Supply and demand have created a flourishing business for traffickers. Traffickers choose to trade in humans, as Chapters 3 and 4 discuss more fully, because there are low start-up costs, minimal risks, high profits, and large demand. For organized crime groups, human beings have one added advantage over drugs: they can be sold repeatedly. In drug trafficking organizations, profits flow to the top of the organization. With the small-scale entrepreneurship that characterizes much of human trafficking, however, more profits go to individual criminals – making this trade more attractive for all involved.

Human smugglers and traffickers are not always motivated exclusively by profit. Some consciously engage in this activity to fund a terrorist group, a guerilla movement, or an insurgency. Others trade in people to provide suicide bombers.⁷

Everywhere in the world, the consequences of trafficking are devastating for its victims and the larger community. Those victimized in this open slave market were not only the young women destined for sexual slavery. All of society suffers from such victimization. Other casualties include the principles of a democratic society, the rule of law, and respect for human rights. The degradation of the women in full view of the public deals a direct blow to the rights of women and to gender equality.

⁷ Sara A. Carter, “Taliban Buying Children for Suicide Bombers,” July 2, 2009, www.washingtontimes.com/new/2009/jul/02/taliban-buying-children-to-serve-as-suicide-bomber/ (accessed July 21, 2009); information on the Hezbollah was obtained from an observer at the Hezbollah in Austria; U.S. State Department. Human Rights on Nepal, 2005, <http://www.state.gov/g/drl/rls/hrrpt/2005/61709.htm> (accessed June 22, 2007); “Stolen Kids Turn into Terrifying Mascots,” <http://www.cnn.com/2007/WORLD/africa/2906193.stm> (accessed April 30, 2007).

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The full costs of human trafficking, however, will become evident only in coming decades as the harm compounds and the worldwide recession that began in 2007 reveals its full costs.

Defining the Scale of the Problem

The scale of human trafficking is now significant.⁸ Crafting even inexact estimates of the number of people trafficked annually is difficult, at best, because of the covert nature of the problem. Compounding the difficulties in estimation, trafficking is often perpetrated by distinct ethnic groups that are hard for outsiders to penetrate.⁹ According to the Government Accountability Office (GAO), many U.S. government estimates of the numbers of trafficked individuals are dubious.¹⁰ Yet almost every expert on human trafficking and smuggling, whether practitioner or scholar, agrees that the problem is significant and increasing as both demand and supply for people are rising. The growth of human trafficking and smuggling has been most apparent in the past two decades.

Europe is facing increasing illicit migration from Africa, the Middle East, and Asia, with an estimated 400,000 people entering Europe illegally each year.¹¹ It is estimated that as many as 850,000 illegal immigrants have been entering the United States annually since 2000, although the number has declined since the onset of the recession in 2007.¹² Many of these illicit immigrants have paid human smugglers and cannot be considered victims of trafficking. But all too often those who pay smugglers become victims of trafficking along the way or on arrival.

⁸ Aronowitz, *Human Trafficking, Human Misery*.

⁹ See Andrea di Nicola, "Researching into Human Trafficking: Issues and Problems," in *Human Trafficking*, Maggy Lee, ed. (Cullompton and Portland, OR: Willan Publishing, 2007), 39–72; Frank Laczko and Marco Gramegna, "Developing Better Indicators of Human Trafficking," *Brown Journal of World Affairs* 10, no. 1 (Summer/Fall 2003), 179–94.

¹⁰ "Human Trafficking: Better Data, Strategy, and Reporting Needed to Enhance U.S. Antitrafficking Efforts Abroad," GAO-06-825, July 18, 2006, <http://www.gao.gov/docsearch/abstract.php?rptno=GAO-06-825> (accessed August 27, 2008).

¹¹ Ben Hall, "Immigration in the European Union: Problem or Solution?" http://www.oecdobserver.org/news/fullstory.php/aid/337/Immigration_in_the_European_Union:_problem_or_solution_.html (accessed August 27, 2008).

¹² Fact Sheet No. 3 "Illegal Immigration to the United States: Causes and Policy Solutions," http://udallcenter.arizona.edu/programs/immigration/publications/fact_sheet_no_3_illegal_immigration.pdf (accessed August 27, 2008); Julia Preston, "Mexican Data Show Migration to U.S. in Decline," *New York Times*, May 15, 2009, A1.

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In 2004, the U.S. government provided an approximation of the size of the international trafficking problem, suggesting some 600,000 to 800,000 people were victims of trafficking worldwide, of which 80 percent were female, 50 percent were minors, and 70 percent were trafficked for sexual exploitation.¹³ As previously mentioned, the GAO criticized these estimates. In 2006, the Trafficking in Persons Report (TIP) attempted to provide alternative statistics, citing data from the International Labour Organization (ILO) that includes trafficking both across borders and within individual countries. According to their data, 12.3 million people worldwide are in forced bonded labor, child labor, and sexual servitude.¹⁴ Their report, “A Global Alliance Against Forced Labor,” states “9.8 million are exploited by private agents and 2.5 million are forced to work by the state or by military groups.”¹⁵ The most numerous victims are in the Asian region, estimated by the ILO to number 9.5 million. ILO estimated that 2.5 million are victims of human trafficking, of which about two-thirds are women and children trafficked into commercial sexual exploitation. But at least one-third are also trafficked for other forms of economic exploitation. These victims are more often men and boys.¹⁶ UNICEF has estimated that 300,000 children younger than age 18 are trafficked to serve in armed conflicts worldwide.¹⁷

Transnational crime was once synonymous with the drug trade. Yet trafficking in persons is now perpetrated on such a large scale that it is a prime activity of many transnational crime groups. Like the drug trade, the trade in people is driven, in part, by demand in the developed world. Some transnational crime groups such as the Chinese Triads, Thai, Indian, Pakistani, Nigerian, Mexican, Russian-speaking, Albanian, and Balkan specialize in trading humans.¹⁸ Particularly active in trafficking women for the sex trade are Russian-speaking, Thai, Japanese *yakuza*,

¹³ www.ojp.usdoj.gov/ovc/ncvrv/2005/pg51.html (accessed July 21, 2009).

¹⁴ U.S. Department of State, *Trafficking in Persons Report* (Washington, DC: U.S. Department of State, 2006), 6.

¹⁵ ILO, Report of the Director General, *A Global Alliance Against Forced Labor* 2005, 10–12, <http://www.ilo.org/wcmsp5/groups/public/-dgreports/-com/documents/publication/kd00012.pdf> (accessed August 27, 2008).

¹⁶ ILO, “A Global Alliance Against Forced Labor,” Global Report on the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work (Geneva: ILO, 2005).

¹⁷ U.S. Department of State, *Trafficking in Persons Report* (Washington, DC: U.S. Department of State, 2007), 26.

¹⁸ Testimony of Roger Plant, “Human Trafficking in China: ILO Activities and Lessons for International Policy Coordination,” hearing on Combating Human Trafficking in China: Domestic and International Efforts, US Congressional-Executive

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and Indian groups.¹⁹ Yet many other lesser-known groups also traffic women for sex, labor, and marriages such as Dominican, Filipino, and Turkish crime groups, as well as small-scale entrepreneurs around the world.²⁰

None of this activity can function without the complicity of law enforcement and the corruption of officials in source, transit, and destination countries. In all regions, the crime groups are able to function effectively because they cultivate close links to law enforcement, embassy personnel, and other officials such as border guards who can assist their trade.²¹ In fact, in societies as diverse as Thailand, Nigeria, and Russia,

Commission on China, Washington, DC, 6 March 2006, <http://www.cecc.gov/pages/hearings/2006/20060306/RogerPlant.php> (accessed August 27, 2008); Amy O'Neill, *International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery* (Washington, DC: Center for the Study of Intelligence, 1999), 55–62; M. R. J. Soudijn, *Chinese Human Smuggling in Transit* (Den Haag: Boom Juridische Uitgevers, 2006); K. Farr, *Sex Trafficking: The Global Market in Women and Children* (New York: Worth Publishers, 2005); Obi N. I. Ebbe and Dilip K. Das, *Global Trafficking in Women and Children* (Boca Raton: CRC Press, 2008); A. A. Aronowitz, "Smuggling and Trafficking in Human Beings: The Phenomenon, the Markets that Drive It and the Organizations that Promote It," *European Journal on Criminal Policy and Research* 9 (2001), 163–65; D. Hughes and T. Denisova "The Transnational Political Criminal Nexus of Trafficking in Women from Ukraine," *Trends in Organized Crime* 6, nos. 3/4(2001), 43–67; D. M. Hughes, "The Natasha Trade – The Transnational Shadow Market of Trafficking in Women," *Journal of International Affairs* 25 (2000), 18–28.

¹⁹ Ebbe and Das, *Global Trafficking in Women and Children*; Pasuk Phongpaichit, Sangsit Phiriyarangsarn, and Nualnoi Treerat, *Guns, Girls, Gambling, Ganja: Thailand's Illegal Economy and Public Policy* (Chiang Mai: Silkworm, 1998); James O. Finckenauer, "Russian Transnational Organized Crime and Human Trafficking," in *Global Human Smuggling: Comparative Perspectives*, David Kyle and Rey Koslowski, eds. (Baltimore and London: Johns Hopkins University Press, 2001), 166–86; Vidyamali Samarsinghe, *Female Sex Trafficking in Asia: The Resilience of Patriarchy in a Changing World* (New York: Routledge, 2008); S. M. Tumbahamphe and B. Bhattarai, "Trafficking of Women in South Asia," <http://www.ecouncil.ac.cr/about/contrib/women/youth/english/traffic1.htm> (accessed November 10, 2003); Siddhart Kara, *Sex Trafficking: Inside the Business of Modern Slavery* (New York: Columbia University Press, 2009).

²⁰ Dina Siegel and Yucel Yesilgoz, "Natashas and Turkish Men: New Trends in Women Trafficking and Prostitution," in *Global Organized Crime: Trends and Developments*, Dina Siegel, Henk van de Bunt, and Damian Zaitch (Dordrecht, Boston, London: Kluwer Academic Publishers, 2003), 73–83; IOM Migration Information Programme, "Trafficking in Women from the Dominican Republic for Sexual Exploitation," excerpted in *Trends in Organized Crime* 3, no. 4 (1998), 26–29 "Trafficking in Women from the Dominican Republic for Sexual Exploitation," <http://www.oas.org/atip/country%20specific/TIP%20DR%20IOM%20REPORT.pdf> (accessed September 15, 2008).

²¹ Leslie Holmes, "Corruption and Trafficking: Triple Victimization?" in *Strategies Against Human Trafficking: The Role of the Security Sector*, Cornelius Friesendorf, ed. (Vienna: National Defence Academy and Austrian Ministry of Defence and Sport, 2009), 89–121.

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law enforcement officials often facilitate human trafficking.²² In other cases, a significant proportion of police income is derived as a result of their tolerance of trafficking.²³ The following telling quote from the noted antislavery advocate, Kevin Bales, also applies outside the Thai context: “To be sure, a brothel owner may have some ties to organized crime, but in Thailand organized crime includes the police and much of the government. Indeed, the work of the modern slaveholder is best seen not as aberrant criminality but as a perfect example of disinterested capitalism.”²⁴

The profits from such activities are significant and rising. Current estimates by the United Nations Office of Drugs and Crime place human trafficking as the second most profitable form of transnational crime after the sale of drugs and rank it more profitable than the sale of arms. One analysis suggests that the profits of current day slavery are much greater than in the old world.²⁵ The International Organization for Migration estimates that profits of \$7 billion were made from trafficking in persons in 1997.²⁶ These profits have grown since then as the scale of human trafficking and smuggling has increased.²⁷ A recent study, based on previously cited ILO data, estimates the profits of commercial sex trafficking and forced labor are much higher. According to this study, the annual profits from commercial sexual exploitation were \$33.9 billion, based on approximately 1.4 million trafficked people engaged in commercial sexual exploitation.²⁸ These calculations were based on trafficking victims serving a smaller number of clients than is usually the case in most parts of the world. Almost half of these profits came from

²² Phongpaichit, Phiriyarangsarn, and Treerat, *Guns, Girls, Gambling, Ganja*; Osita Agbu “Corruption and Human Trafficking: The Nigerian Case,” *West African Review* 4, no. 1 (2003), 1–13; *Trafficking in Persons Report 2004* (Washington, DC: U.S. Department of State, 2004), 168.

²³ Phongpaichit, Phiriyarangsarn, and Treerat, *Guns, Girls, Gambling, Ganja*, pp. 157, 179, 182, 18, 263.

²⁴ Kevin Bales, *Disposable People: New Slavery in the Global Economy* (Berkeley and Los Angeles: University of California Press, 1999).

²⁵ UN World Drug Report 2007, http://www.unodc.org/pdf/research/wdro7/WDR_2007.pdf (accessed September 14, 2008), 170; Kara, *Sex Trafficking*, 24.

²⁶ David Kyle and Rey Koslowski, “Introduction,” in *Global Human Smuggling*, Kyle and Koslowski, eds., 4.

²⁷ Testimony of Roger Plant, “Human Trafficking in China.”

²⁸ Peter Belser, “Forced Labor and Human Trafficking, Estimating the Profits,” Cornell University, ILR School, <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1016&context=forcedlabor> (accessed September 6, 2008), 5, 14.

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industrialized nations. In second place were the countries of Asia with \$11.2 billion, followed by transitional countries with \$3.5 billion, Latin America with approximately \$2 billion, Middle East and North Africa with approximately \$1 billion, and half that from sub-Saharan Africa, where wages are low.²⁹ The estimates are \$10.4 billion for those in all situations of forced labor exploitation, \$3.8 of which derives from trafficked laborers.³⁰ The greatest profits are generated from those exploited in industrial societies where wage scales are higher.

Legislative Framework that Defines Human Smuggling and Trafficking

Illegal movement of persons generally encompasses two related activities: migrant smuggling and the trafficking of persons for the purpose of exploitation. In short, both activities involve the recruitment, movement, and delivery of migrants from a host to a destination state. What separates the two activities, however, is that the traffickers enslave and exploit trafficked persons, while smuggled migrants have a consensual relationship at the onset with their smugglers. Moreover, many smuggled individuals are free at the end of their journey or after a period of indentured servitude.

The growth in these two forms of illegal movement of people has been significant and consistent, driving the international community to define the problem and initiate collective action to curtail these pervasive phenomena. In 2000, the United Nations adopted protocols to address human smuggling and trafficking along with the United Nations Convention on Transnational Crime.³¹ Their adoption in tandem reflects the international understanding that human smuggling and trafficking are part of the organized crime problem.³² The Trafficking Protocol, which came into force on Christmas Day in 2003, had 117 signatories as of September 2008.³³ The Protocol Against Smuggling of Migrants by Land,

²⁹ Ibid., 14.

³⁰ Ibid., 11.

³¹ Kara Abramson, "Beyond Consent, Toward Safeguarding Human Rights: Implementing the United Nations Trafficking Protocol," *Harvard International Law Journal* 44, no. 2 (Summer 2003), 473–502; Janice G. Raymond, "The New UN Trafficking Protocol," *Women's Studies International Forum* 25, no. 5 (2002), 491–502.

³² Phil Williams and Ernesto Savona, eds., *The United Nations and Transnational Organized Crime* (London and Portland, OR: Cass, 1996).

³³ <http://www.unodc.org/unodc/en/treaties/CTOC/countrylist-traffickingprotocol.html> (accessed January 27, 2009).

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Sea and Air was adopted shortly after in January 2004 once it had the requisite 40 signatories. By September 2008, it had 112 signatories.³⁴

The protocols on human smuggling and trafficking supplement the United Nations Convention on Transnational Organized Crime, which sought to provide a unified definition for identifying transnational criminal organizations:

“Organized criminal group” shall mean 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. “Serious crime” shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty. “Structured group” shall mean a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure.... [A]n offence is transnational in nature if: (a) It is committed in more than one state; (b) It is committed in one state but a substantial part of its preparation, planning, direction or control takes place in another state; (c) It is committed in one state but involves an organized criminal group that engages in criminal activities in more than one state; or (d) It is committed in one state but has substantial effects in another state.³⁵

The United Nations’ transnational crime definition provides the overarching framework for the protocols. It addresses the size, duration, and the multijurisdictional aspects of the acts of these crime groups. Furthermore, it provides the flexibility to examine transnational organized crime outside of such traditional ethnic groups as Russian-speaking organized crime groups, Chinese Triads, Japanese Yakuza, and Italian Mafia families.

The Convention and its protocols set the problem of trafficking and smuggling within a criminal context. Throughout the negotiations over the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, there were two competing feminist responses to the way to define the phenomenon. There was extensive debate “whether prostitution *per se* is slavery and therefore equivalent to trafficking in persons.”³⁶ With the

³⁴ <http://www.unodc.org/unodc/en/treaties/CTOC/countrylist-migrantsmugglingprotocol.html> (accessed January 27, 2009).

³⁵ UN General Assembly, “Convention against Transnational Organized Crime,” November 2, 2001 (New York: United Nations Publications), 25–26.

³⁶ Melissa Dittmore and Marjan Wijers, “The Negotiations on the UN Protocol on Trafficking in Persons,” *Nemesis* 4 (2003), 80; for further discussion of this see Jo Dozema, “Who Gets to Choose? Coercion, Consent and the UN Trafficking Protocol,” *Gender and Development* 10, no. 1 (March 2002), 20–42.

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adopted definition, there is no consideration of voluntary sex work. The gender discussions of prostitution that have been featured in the collections of Kamala Kempadoo and others scholars who suggest that women who work as prostitutes have rights that should be recognized.³⁷ Instead the approach taken by the United Nations addresses the criminals who enslave women and children. It takes a law enforcement perspective.

The convention was adopted in November 2000 by the UN General Assembly. “It opened for signature by Member States at a High-level Political Conference convened for that purpose in Palermo, Italy, on 12–15 December 2000 and entered into force on 29 September 2003.”³⁸ This Convention was a necessary prerequisite to the adoption of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol Against Smuggling of Migrants by Land, Sea and Air. The definition of trafficking developed within UN Protocols has served as a basis for developing policies to prevent trafficking, protect victims, and prosecute offenders.³⁹

The definition of trafficking developed by the United Nations is a consensual document that was agreed on by member states. It, therefore, represents the interests of governments rather than individuals. Its focus is on border security, illegal migrants, and organized crime. It does not address the needs of trafficking victims as do some national and regional legislation on human trafficking that were developed subsequently.⁴⁰

The definition of trafficking in article 3a of the anti-trafficking protocol attached to the Convention of Transnational Organized Crime defines the problem in the following way:

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, or

³⁷ For example, see Kamala Kempadoo, ed. (with Jyothi Sanghera and Bandana Pattanaik), *Trafficking and Prostitution Reconsidered: New Perspectives on Migration, Sex Work and Human Rights* (Boulder, CO: Paradigm, 2005); Kamala Kempadoo and Jo Dozema, *Global Sex Workers: Rights, Resistance and Redefinition* (New York and London: Routledge, 1998); Thanh-Dam Truong, Saskia Wieringa, and Amrita Chhachhi, *Engendering Human Security Feminist Perspectives* (London and New York: Zed Books, 2006); Anne Gallagher, “Human Rights and the New UN Protocols on Trafficking and Migrant Smuggling: A Preliminary Analysis,” *Human Rights Quarterly* 23 (2001), 975–1004.

³⁸ <http://www.unodc.org/unodc/en/treaties/CTOC/index.html> (accessed July 21, 2009).

³⁹ http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_20traff_eng.pdf (accessed September 7, 2008).

⁴⁰ Council of Europe Convention on Action against Trafficking in Human Beings and the Trafficking Victims Protection Act in the United States both pay attention to victims.