

# ANTI-TRAFFICKING EFFORTS HARD TO GET RESULTS

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**W**ITH THE FALL OF THE WALL and the introduction of a market economy in Eastern Europe, trafficking has become increasingly common. The countries of the region have cooperated with the EU in attempts to stop this activity. But trafficking has not diminished. There are those who claim that anti-trafficking efforts have actually led to increased trafficking. Others are of the opinion that the efforts are misdirected, that the welfare of the victims is being ignored.

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“There are root causes of trafficking in the countries of origin, such as poverty, unequal gender relations and traditional social structures to name a few, there are root causes involving the migration process, such as the lack of safe and legal migration opportunities – especially for certain categories of migrants, such as low-skilled and women – as well as root causes in the countries of destination, such as demand for cheap and exploitative labor and the increasingly repressive policies towards undocumented persons.”

This is how Irena Konečná, director of La Strada in the Czech Republic, summarizes the reasons why it is so difficult to stop trafficking. In her view, there are

problems in the countries of origin as well as in the destination countries – but also in immigration policy itself.

La Strada is an NGO that supports the victims of trafficking and provides information on the danger that trafficking poses. La Strada International is a network of nine NGOs based in Poland, Ukraine, Belarus, Bulgaria, Moldova, the Czech Republic, Bosnia Hercegovina, Macedonia and the Netherlands. La Strada focuses on groups that are particularly at risk: youth, the unemployed, minorities, and migrants. It runs telephone support and offers victims safe housing and other types of help. One of the first La Strada organizations was founded in the Czech Republic in 1995.

At its inception, the organization focused primarily on sexual exploitation. But according to Konečná, the trend in the Czech Republic has been towards an increasing number of people being subjected to labor exploitation. Konečná does, however, emphasize that there are no clear boundaries between different kinds of exploitation. They coincide and intermix.

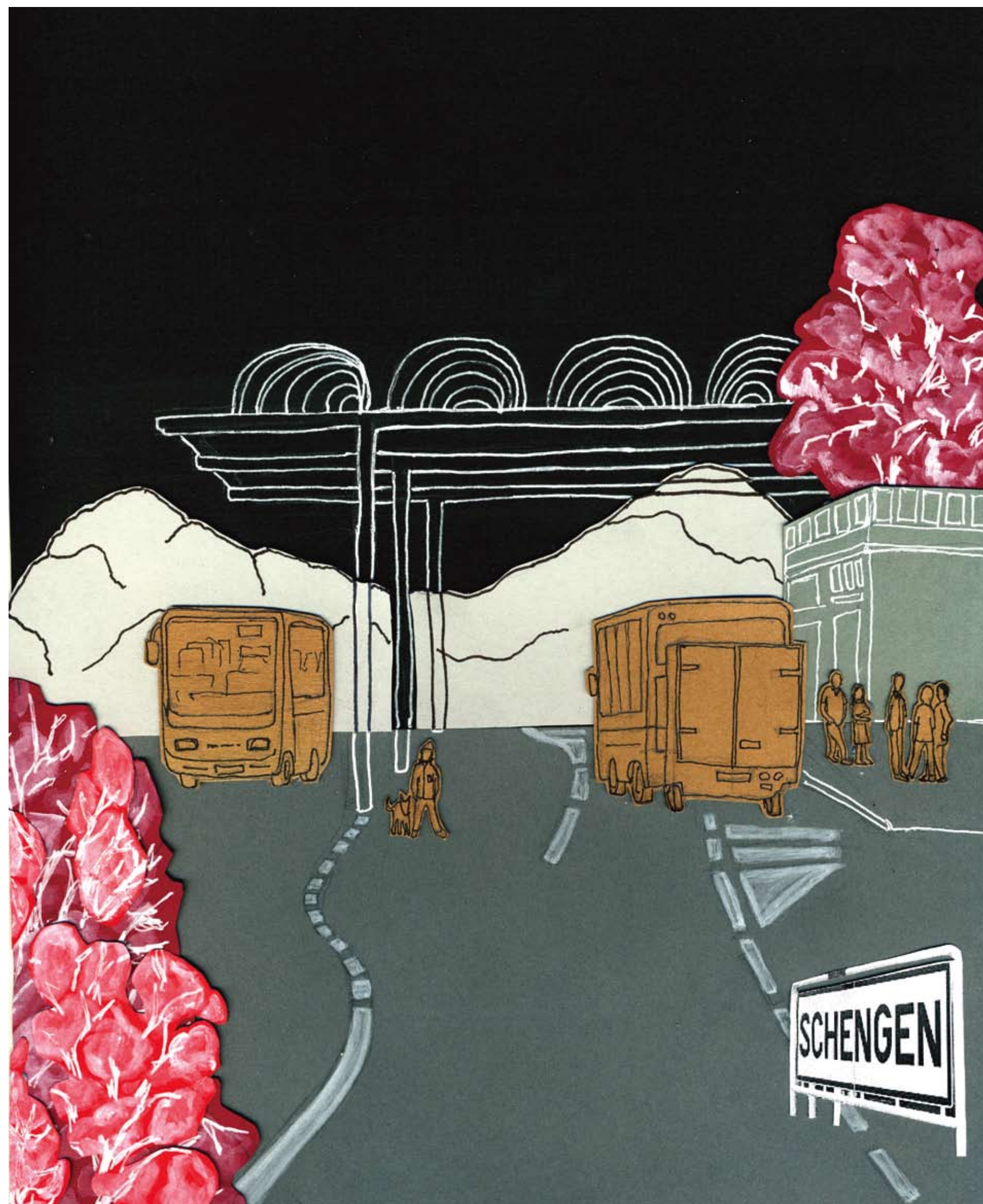
“I would like to stress that human trafficking is not something ‘static’. Rather, it is a process that can begin with labor exploitation and violation of labor laws but end as forced labor or human trafficking, or even

sexual exploitation”, says Konečná.

With time, the Czech Republic, like Poland and other countries, has become an important destination country. In the Czech Republic, there are businesses and individuals who engage in sexual as well as labor exploitation. The pattern recurs in other Central European countries that have put themselves through IMF’s reform program in order to make the transition to a market economy. They go from being countries of origin to being transit countries as well; finally, they gradually turn into destination countries.

**THE PHENOMENON IS COMPLEX:** trafficking develops and is transformed. The streams of people who are being bought and sold go in different directions.

The introduction of a market economy in the former Communist states led to unemployment and greater social inequality. The women and men who end up in – or engage in – trafficking have, in many cases, no alternative. They are simply trying to support themselves and their families. As the borders are closed, they are generally forced to enter the richer countries through illegal channels. There are recruiters who actively search out likely subjects for trafficking. Some groups are more vulnerable to attempts at recruitment than



The new Europe was to be the continent of mobility. And it became the continent of migrants.

others. Many believe that they are being helped in their attempts to smuggle themselves into the rich countries. In reality, they are being sold, and thus end up having to work off a debt to the buyer – the purchase price. This means that they can be exploited as workers or as providers of sexual services, or forced to perform illegal acts such as stealing or begging. They are at the mercy of those who have bought them and have no influence on their situation or income. They often do not speak the country's language and are afraid that the authorities will discover them and send them home. This kind of vulnerability and exploitation is the essence of trafficking.

**THE UN'S PALERMO PROTOCOL**, proclaimed in 2000, gives a definition of trafficking. To traffic is to recruit, transport, lead across borders, receive or house a person that one intends to exploit sexually, use as forced labor, as a slave, or for organ transplants; and to use violence, threaten, kidnap, persuade, pay or get paid by, or lure with false prospects, or to gain control over the person in question by other means.

Trafficking for sexual purposes is seen as a lucrative trade. There are no production costs, no warehousing expenses; the women can be exploited repeatedly; their services are sold several times daily and the women can be resold. Less is known about trafficking for labor exploitation or other purposes; but here also, it is likely that large profits are to be had.

At present, anti-trafficking work is being conducted on several levels. The government of the destination country often tries to prosecute criminals and stop the import of humans through illegal channels. At the EU level, cooperative efforts are being made to seal off borders and harmonize legislation. In the countries of origin, efforts are directed more towards prevention – often with funding from the EU or the UN – including information campaigns that warn of the dangers associated with attempts to cross the border in search of a living. Furthermore, a number of NGOs, such as La Strada, operate in the countries of origin and transit, as well as in the destination countries. These offer support and protection to the victims of trafficking. In the destination countries, the NGOs' primary focus is on helping people who are trying to escape from a trafficking situation; in the countries of origin, they focus on helping those who return.

**IT IS NOT EASY TO COORDINATE** efforts being conducted at different levels. Often there is a contradiction between the intention to help the victims and the end goal of eliminating the organized crime responsible. Furthermore, cooperation between police and NGOs does not always function smoothly in these countries.

Anna Ekstedt, associated with the Council of the Baltic Sea States (CBSS), is senior advisor for the "Task Force against Trafficking in Human Beings" (TF-THB). TF-THB is a newly established Baltic cooperative project which fights trafficking on the political level. The project includes twelve member countries and seven observer states. The initial phase of the organization's work has consisted in mapping out the relevant actors in each member country; the NGOs often do supportive and advisory field work. In Anna Ekstedt's opinion, this is problematic, since the NGOs may exaggerate the



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number of victims in order to stress the magnitude of the problem and to justify demands for funding:

"Nor does the contact and cooperation between NGOs and state always function satisfactorily. NGOs often base their efforts on the needs of the victim and do not always encourage the victim to notify the police and engage the judicial apparatus. The police, in turn, do not always refer the victims to the NGOs for support."

The trafficking problem may be handled differently, depending on the country and the region. It can be conceived as a juridical problem, as a question concerned with migration, or as a question of human rights. The concept used determines the goals a country sets for itself and the methods on which it concentrates, methods that might include increased legislative action, more stringent border controls, information that warns at-risk groups, or more effective support for victims.

Most countries within the EU have passed legislation that forbids human trafficking, but often the law refers only to groups that are vulnerable to trafficking for the purpose of sexual exploitation. In Sweden, Norway, and Iceland it is a crime to buy sex. There, attempts are made to unite the struggle against trafficking for sexual purposes with the fight against prostitution, based on the argument that the two are, in principle, one and the same phenomenon.

**WITH RESPECT TO THE VICTIM'S** legal position, legislation differs from country to country. Victims are seldom treated as complainants in any ensuing legal process. Rather, they are classified as witnesses, which deprives them of economic compensation. There is little chance, finally, of a victim being protected from threats emanating from his or her home country, or that the victim will be granted asylum in the country in which he or she has been subjected to trafficking.

Seen from the perspective of the destination country, the great problems are the organized criminals, the perpetrators who run trafficking, and illegal migration. The destination countries seal off their borders and

many introduce stringent controls to prevent women and men from being brought in. In spite of this, an increasing number of women and men are being trafficked, or enter the richer parts of Eastern Europe and Northern and Western Europe as illegal immigrants. The fight against trafficking is fruitless. Although a growing number of perpetrators are prosecuted for trading in humans, trafficking quickly finds new paths.

The anti-trafficking efforts that have been undertaken under Sweden's term of the EU presidency have primarily treated the problem as a legal matter – the perpetrators must be apprehended; as a migration issue – illegal immigration must be stopped; and, finally, as a women's issue – the fight against trafficking is an element in the fight against prostitution.

Prior to the EU Ministerial Conference – which took place on October 18 on the occasion of the Antitrafficking Day, itself established by the EU – a number of NGOs (Amnesty International, La Strada International, Anti Slavery International, the Churches' Commission for Migrants in Europe, the Global Alliance against Traffic in Women, Save the Children, Terre des Hommes International Federation, and ECPAT International) had united in a common statement in which the fear was expressed that anti-trafficking measures at the EU level would, first, lead to more stringent migration control, and, second, divert the fight against trafficking into a fight against organized crime. They entreated the EU to assume a more far-sighted view of the trafficking problem, and improve support and help for persons who are or have been exposed to trafficking. A broader view would include things such as labor exploitation, multiple forms of exploitation, at-risk groups, minority issues, internal trafficking, problems related to returning home, victims' right to asylum, and issues of re-trafficking. These are the types of problems identified by those who encounter victims of trafficking.

**LILIYA IVANCHENKO IS AN ATTORNEY** and a Human Trafficking Prevention Project manager at Living for Tomorrow, an NGO in Estonia. Living for Tomorrow is an international support organization with its main office in the United States, and with sister organizations in other parts of the world. It runs a support network which offers telephone support, provides information to at-risk groups and generally provides help and protection. Liliya Ivanchenko reports that Russian-speaking women in Estonia constitute a risk group. Compared to the majority of the Estonian population, their future prospects are poor. Available information indicates they are a focus of recruitment efforts. Unemployment, which has hit different ethnic groups differently, has led to young women and men living in Estonia's Russian-speaking areas being taken to Estonian cities, where they are exploited either as labor, or sexually.

"Russian-speakers, because they lack Estonian language skills, often cannot get well-paid jobs. Because of this, there is a tendency towards internal human trafficking within Estonia, from the northeastern part of the country to the capital city", says Liliya Ivanchenko. She continues:

"Russian-speakers' risk of becoming victims of human trafficking for the purpose of sexual exploitation is also revealed in a survey done in 2006 by the Estonian

Open Society Institute. The survey shows that Russian women are subjected to twice as much pressure from recruiters as Estonian women."

Thus, minority issues play a part, as do internal trafficking and exploitation, in several ways at once. Trafficking can take place within the borders of a single country. The issues are interrelated and unless this is taken into account, anti-trafficking efforts may easily miss the target. If one wishes to spread information about trafficking risks, for instance, it seems reasonable to address the minority groups in their own language.

For a woman desperately trying to support herself and her family, the closed borders and inaccessible labor markets of the richer neighbor countries are tremendous obstacles. Seen from this perspective, the fight against trafficking requires entirely different methods than border checks or the prohibition of the purchase of sex.

**KRISTINA ABIALA AT SÖDERTÖRN UNIVERSITY** is also of the opinion that borders and legislation on immigration are part of the problem. Assistant professor Abiala works in gender studies and sociology at the university's Institute for Contemporary History. She has visited Moldavia several times, in order to study Moldavian migration and closely linked issues. The only way to stop trafficking is to improve the conditions of the groups that leave Moldavia, Kristina Abiala contends. She is not impressed with the work that EU does to stop trafficking.

"Sweden's minister of justice Beatrice Ask has, during the Swedish EU presidency, said that trafficking is to be prevented through legislation and increased cooperation between customs officers and police. Sweden associates laws against prostitution with trafficking. But even if every country were to adopt anti-prostitution sex-purchase laws, it would still not end trafficking."

When rich countries close their borders in order to stop the entrance of a stream of migrants, it has the opposite effect, Kristina Abiala maintains. The migrants are forced to use illegal means of entry.

"You can never stop people from dreaming of a better life – fortunately, I would say. Migration cannot be stopped. I think free immigration should be allowed, or at least it should be made easier for those who wish to immigrate in order to join the labor force."

In Kristina Abiala's opinion, another way to stop trafficking is to improve conditions for the groups that now leave Moldavia. That is, ensure that they can support themselves and create a future for themselves in their own country.

"The only way to approach the question is to ask people what kind of support they need and what they are asking for."

She has been in Moldavia and has talked to women and young people about their lives, their future prospects and their decision to migrate. Moldavia offers few employment prospects to young women with higher education, as the country is strongly patriarchal and men usually hold the more lucrative positions in society. Families and households have difficulties managing economically, even when the adults have jobs. Wages are low and the country's economy is on the brink of collapse. The alternative is migration.

One NGO ran a campaign in Moldavia, "Abandoned People". A film was shown in the schools, containing

strong warnings about how badly things could be for migrants. The person who migrated, the film said, betrayed both his or her family and country.

"It was pure scaremongering. It is, in my opinion, a little naive to believe that young people would be impressed by it, for at the same time they were getting information from other sources. One's neighbor could confirm how much money one could make."

According to Abiala, it is possible to see, in the villages, which households have family members abroad. They have fine houses with modern amenities. There is visual evidence everywhere proving that migration does pay.

"There is a power in their will to migrate. An enormous drive to create a future for themselves and their children. Just as when many people emigrated from Sweden and Norway to the United States in order to create a new future."

When Abiala talks of migration and trafficking, she shares the victims' perspective. Trafficking, in this view, is where one ends up if one tries to migrate – and has had luck.

A large proportion of Moldavia's population resides outside the country, particularly Moldavians from the country's southern regions. It can be difficult for family supporters to return home, for then the money stops coming in. Family life gets adjusted to one grown person being abroad: to the fact that that's what the division of labor looks like.

**TO RETURN HOME WITHOUT MONEY**, or to have failed to send money home, makes the return difficult. Those who have failed are often under severe psychological stress, and have difficulties readjusting to life in the home town. Furthermore, the prevalent patriarchal mentality makes it difficult for women who have been sexually exploited to return home, in Kristina Abiala's view.

Suzanne Hoff, international coordinator at La Strada International, based in Amsterdam, says that it is not always easy to give people who have been victims of trafficking adequate support and help. Often, the support provided is still conditional on whether a trafficked person cooperates with the authorities. If the victim is an illegal immigrant in the eyes of the law, it is difficult for that person to file a complaint with the police, since this would mean that he or she risks being sent home, even though national legislation should offer protection and support and provide the person with a reflection period, to consider pressing charges.

If she – for it is most often a woman who contacts La Strada member organizations – receives protection and support, it is often only for the duration of the legal process (or criminal procedure), as is the temporary residence permit. It remains difficult for trafficked persons to obtain a permanent residence permit in European countries.

A trafficked woman who presses charges is usually afraid of what might happen once the legal process is over. Will she be sent home? Will there be any protection for her there? The fear is especially great if the perpetrators are part of a cross-border network, as they most often are, and the woman risks being confronted with them again, facing revenge for the fact that she reported the crime.

Most commonly, the woman is denied permanent asylum in the country in which she has been a victim of crime. She is usually sent home. La Strada member organizations in nine European countries, try to provide reception for the woman, and provide her with a period of rest. Not all European countries have NGOs or an infrastructure able to provide support. Sometimes, the home country also lacks the laws necessary to protect the victim.

The women were seldom in good socio-economic circumstances before they were trafficked, says Suzanne Hoff. Their exposure to trafficking has usually worsened their situation; those returning might also be stigmatized.

"If a person has been exploited as a worker in a bakery, with miserable working conditions and no wages, everyone might realize that the woman is not to blame. But it is regarded to be the woman's fault if she has been exploited in the sex industry. The stigmatization of the woman has to do with the conceptualization of the sex industry."

**IT IS NOT UNCOMMON FOR THE** women to become re-trafficked – that is, they once again ends up in, or go back into, trafficking. This is a clear indication of the lack of success of anti-trafficking efforts. Trafficked persons who are identified by the authorities in the destination country are sent home. Once home, they receive inadequate protection and support. The women have no alternative; they must once again try to leave.

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**ANTI-TRAFFICKING EFFORTS HARD TO GET RESULTS**

The risk society is here. The risk categories change, but not merely along well-worn paths.

It is well worth it to migrate. And now people no longer venturing across the Atlantic.