

1. Introduction: the issue of human trafficking

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Human trafficking has justifiably been called the slavery of our times. While the overwhelming majority of internationally trafficked persons – an estimated 80 per cent – are women and children, many thousands of men are trafficked each year too. The majority of internationally trafficked persons are forced into what is nowadays an antiquated term, ‘white slavery’ – that is, sex work. One reason why this term is no longer appropriate is that contemporary trafficking involves people of all colours, ethnicities and religions. But not all trafficked persons are engaged in sex work. While some – especially children – operate in the shadow economy as beggars or pickpockets, many others work in more or less legitimate areas of national economies, including agriculture, construction, fishing, domestic service, and manufacturing. Many other children are trafficked for adoption purposes, which sometimes results in them virtually becoming slaves to their new families. According to the International Labour Organization (ILO), some 43 per cent of trafficked persons are trafficked for sexual exploitation, 32 per cent for non-sexual labour exploitation and circa 25 per cent for a mixture of sexual and non-sexual labour exploitation (ILO 2008: 3). One feature common to all trafficked persons is that, irrespective of the type of work in which they are engaged, they are being severely exploited, enjoy few if any human rights and, in one way or another, are being severely coerced. Most have also been deceived by traffickers.

Before exploring this issue further, it is necessary to define two of the key terms used in this study. The first is ‘human trafficking’. The most frequently cited definition in the 2000s is that provided in Article 3 of one of the so-called Palermo Protocols of the United Nations (UN), that on human trafficking (the ‘Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children’ – in UN 2000a).¹ This is quoted in full in Chapter 2, and need not be repeated here. Unfortunately, while this UN definition is a thoughtful and comprehensive one, it is also somewhat cumbersome and even confusing. For instance, newcomers to the topic might find difficulty in understanding from it the differences between human trafficking and people smuggling; the

latter is the second term requiring definition here. Human trafficking can be distinguished from people smuggling in six ways.

First, whereas smuggling is necessarily an international phenomenon, not all cases of trafficking are. For example, a young woman might be abducted in a village in her native country and taken to the capital, where she is forced to engage in sex work. This said, many cases of trafficking do involve a transnational component, and most of the material considered in this volume relates to international trafficking.

Second, all smuggling is by definition illegal, whereas many trafficked persons cross state frontiers on a legal basis, using a genuine passport and visa – while some remain in the home country, as already noted. Moreover, human trafficking was not technically illegal in many countries until the 2000s; indeed, of 155 countries surveyed by the UN, almost 30 per cent (57 countries) still did not have specific legislation criminalising trafficking in persons as of November 2008 (Sarrica et al. 2009: 22).

The third and fourth points relate to the use of force and mendacity, and are closely interlinked. Smuggling involves neither coercion nor deception of one another on the part of the two principal actors, the smuggler and the smugglee (though it does necessarily entail deception of state authorities); trafficking always involves coercion and typically, sooner or later, also involves deception. In theory, smuggling is a straightforward – albeit illegal – economic transaction of essentially equal but different agents. The smugglers have a service to sell (illegal migration), and those who seek their assistance in illegally entering a destination country are willing to pay for that service and are fully aware of the terms of the deal. The person being smuggled is free to exit the deal at any point, although they may well forfeit their fee if they do; this freedom to exit the agreement means that no coercion is involved. Trafficked persons, on the other hand, are not free to exit the ‘business relationship’, and in most cases can leave it only through an often risky escape or when the trafficker permits them to leave. The coercion necessarily involves a level of psychological violence. This assumes many forms, but includes threats to report ‘difficult’ trafficked persons to the authorities for not having the appropriate documentation, or to shame prostituted women by informing their families about their activities (that is, two forms of blackmail), and threats of physical violence. In all too many cases, especially those involving women and children, it also involves actual physical violence. In addition to the more obvious examples of this – starvation, beatings, torture, rape, even murder² – mention should be made here of the tendency among many traffickers to render trafficked persons more dependent by promoting their addiction to drugs. There are many reports from trafficked victims of having been forcibly injected with illicit drugs, on which they have then become dependent (Repetskaia 2005: 52). Occasionally, as a

means of ensuring obedience, trafficked people have even been forced to watch others being executed (*ibid.*: 53).

Trafficking also involves deception. Even where people have agreed to work for others on less than optimal terms, what eventually become their harsh living and working conditions have not been explained in advance. Drug dependency can also arise from deception (that is, as well as from overt coercion); a number of trafficking victims have related how they were unwittingly introduced to illicit drugs, through being given drinks or food laced with an addictive drug. Trafficking also typically involves deprivation; of the various forms this assumes, one of the worst is the deprivation of identity papers, which renders escape attempts that much more difficult and risky.

Fifth, international human trafficking – unlike people smuggling – involves a continuing and coercive relationship between the trafficker (or other traffickers) and the victim after the latter has reached the destination country. An essentially similar distinction is drawn by Paul Holms, a former member of London's Metropolitan Police and subsequently a specialist working for the International Organization for Migration (IOM). For him, the salient distinguishing feature between people smuggling and international human trafficking is that the former involves payment in advance and in full for a person being transported illegally to a destination country, whereas the latter refers to a situation in which at least some (and often all) of the sum demanded by the smugglers is to be paid after the person illegally entering a destination country has reached that country (Holms cited in Bezlov and Tzenkov 2007: 109). In the case of people smuggling, therefore, the relationship between the smuggler and the smugglee is terminated once the latter has arrived in their chosen country; trafficked persons are not so fortunate, and have to 'work off' their often artificially inflated and hence unjustified debt. Invariably, this involves severe exploitation and coercion, usually degradation, and all too often violence against the trafficked person.

Finally, and leading on from the last point, the attitudes of smugglees towards smugglers is often markedly different from that of trafficked persons towards their traffickers. Research into Chinese people smuggling reveals that many smugglees and others in source countries consider that people smugglers are doing a 'good deed', while smugglers often see themselves as providing a valuable service and are concerned about their responsibilities to their clients (Zhang and Chin 2004: ii, 8–10). Few if any traffickers would be sufficiently self-deceptive as to see themselves in such positive terms.

Unfortunately, the clear conceptual distinction that exists between people smuggling and human trafficking is not always sustainable in practice. All too often, people smuggled to their chosen end-destination then discover that their 'smugglers' claim that their expenses have increased significantly since the original agreement, and that the smuggled persons will therefore have to work

off the additional costs in the destination country. This scenario demonstrates clearly how people smuggling readily mutates into human trafficking. Since the smuggled persons have broken the laws of the destination country in entering it illegally, they typically see themselves as being in no position to complain to the authorities. This gives the ‘smugglers’ – now actually traffickers – an ideal situation to exploit.

SIGNIFICANCE

As demonstrated below, it is impossible to determine the precise scale of trafficking, either globally or even into or between particular countries; the various reasons for this will be elaborated. Unfortunately, a few crude positivists maintain that if a phenomenon cannot be adequately measured, then serious researchers should avoid it. Fortunately, none of the contributors to the present volume is so naive as to accept this argument. But for those who believe that the scale of trafficking is exaggerated, it is worth pointing to some of the many qualitative ways in which trafficking directly or indirectly affects everybody – so that it is a more significant phenomenon than is often realised.

One of the most significant reasons that trafficking matters is because of its ethical and human rights implications; but this is more appropriately considered in a later section of this chapter. Another important aspect of trafficking is the health implications. Given that so many trafficked persons – mainly but not exclusively women and children – are engaged in sex work, the fact that they are all but invisible to state authorities and typically do not have proper access to state-provided medical resources is a potential problem to anybody using their services. If they catch and transmit sexually transmitted diseases (STDs), it is often not merely their clients who become infected, but also third-party partners of the clients. While many STDs can be readily cured nowadays, others cannot; the most serious STD is HIV (human immunodeficiency virus), which remains a potential killer, recent improvements in medical treatments notwithstanding.

Given that so many trafficked persons work illegally, they are in a particularly weak position to negotiate for better conditions. This has implications for those who are in a position to work legally. Trafficked persons will often perform tasks for a fraction of the cost that legal workers would consider as minimum wages.³ Two obvious and common consequences of this are that wages are pushed down (that is, exploitation levels increase) and/or unemployment rates increase among those legally able to work.⁴

If local citizens believe that their poor working conditions or unemployment are in some sense the result of illegal migrants undercutting them, the ensuing resentment can fuel tensions, including racial ones. Since overt racism

is on the rise in many parts of the world (see for example Hainsworth 2006), it is most unfortunate if trafficking both adds to this and further increases the already numerous dangers faced by trafficked persons.

Finally, the macroeconomic ramifications of trafficking are significant. There is some dispute among experts as to the scale of different forms of transnational illicit business. Obuah (2006: 250), citing others, maintains that international human trafficking is now the third-largest form of smuggling, after drugs and weapons. Others maintain that human trafficking has become either the second-largest (European Commission 2007) or even the largest form of smuggling in terms of revenue generation and/or the number of criminals engaging in it. And there are certainly claims that it is the fastest-growing crime globally (Chalke 2009: 8). While the actual dollar sums and number of criminals involved are disputed, there is simply no question that large-scale transnational crime has a serious negative effect on the capacity of states to raise taxes (and hence supply public goods), banking transparency, and so on. Moreover, the greater the sums involved, the more there is available to corrupt officers of the state, which in turn can result in delegitimation of particular regimes and even political and economic systems.

Given the significant problems posed by human trafficking, it is surprising that the international community has focused on the issue in a serious way only since the late 1990s. Since other chapters provide details on the major international agreements designed to curb trafficking, only two documents – one international, the other national – will be mentioned here. Thus it is of symbolic significance that the most frequently cited – and hence arguably most important – international document relating to trafficking, the Palermo Protocol referred to above, dates only from 2000; even then, it did not enter into force until December 2003. It is equally telling that the United States (US) did not adopt a document specifically aimed at assisting victims of trafficking until 2000 either (United States' Trafficking Victims Protection Act, or TVPA). Most other states have also introduced targeted anti-trafficking legislation only in the 2000s, while, as noted above, several countries still have no laws specifically addressing trafficking.

METHODOLOGICAL PROBLEMS IN MEASURING THE SCALE OF TRAFFICKING

There are many reasons why it is impossible to measure the scale of global trafficking with any degree of precision. Most relate to the reporting situation. For instance, unlike what is the case with most crimes, the victims of trafficking typically have what are in many ways sound reasons not to report their situation to the authorities. Occasionally, trafficked persons will see their situation

from a relativistic perspective, as the lesser of two evils. It must not be forgotten that most trafficked persons come from poor backgrounds, have low levels of education, and have very poor prospects in their home country. From this perspective, they sometimes believe that their sorry situation could be even worse, so that there is a disincentive to report it.

Almost certainly a more common reason is that many internationally trafficked persons are illegal migrants, and fear that they will themselves be punished if they approach the state authorities. Moreover, many trafficked persons are very wary of the police and other agents of the state anyway. In addition to the point about the legality of their own status, there are two further aspects to this. First, among those trafficked persons who are reasonably aware of the situation in their destination country, there is often a perception that the authorities would do little or nothing to help them. Since prosecution rates against traffickers are very low in most countries, conviction rates even lower, and penalties typically mild, such perceptions are in many cases justified. But another fear – again, one that is all too often legitimate – is that corrupt police officers might be colluding with their traffickers or pimps. Since evidence will be produced in this volume of police collaboration with crime gangs – sometimes for pecuniary benefit, sometimes in return for free use of prostitutes – it is completely understandable that many trafficked persons will think twice before approaching the authorities. Not only might their allegations be dismissed but, worse still, officers might reveal to the trafficked persons' keepers that the former have tried to blow the whistle on them. This could result in violence, sometimes fatal, being used against the trafficked person.⁵

A third factor is that many trafficked persons are basically unaware of their rights. Many have little in the way of a social network within which they could discuss their situation. This is often related to the fact that many internationally trafficked persons have a limited command of the language of the country in which they are working. This obviously renders it more difficult for them to develop networks there and to discover more about their rights.

There are also often very personal reasons why trafficked persons can be reluctant to approach the authorities. Many trafficked persons working as prostitutes are ashamed of the fact, and would be horrified to think that their family might learn about their situation. Thus, if a trafficked prostitute believes that reporting her situation to the police might mean she has to be a witness at a court trial and that news of this will sooner or later reach her family, she will often opt to remain silent. Given the generally unsympathetic attitudes of families in Albania (see Chapter 6) and in numerous other countries towards daughters and sisters who have been involved in sex work, the decisions by many trafficked women to remain silent is understandable, if regrettable.

The point about the trafficked persons' relationships with their families can

operate in a quite different way. Depressingly often, young women are sold to traffickers by members of their families – and not only male members – in the first place; trafficked persons are unlikely in such cases to want to do anything that will see them returned to the very people in whom they have now lost all trust.

Yet another factor is the so-called Stockholm Syndrome. This term was originally coined by Swedish psychiatrist and drugs expert Nils Bejerot to refer to the attitudes of bank employees taken hostage by robbers during a bungled raid on a Swedish bank in 1973; following their release, the hostages revealed considerable sympathy for their captors. The term thus refers to a situation in which captured people – victims – warm to their captors. Nowadays, the term is often used more broadly, to refer to situations in which victims not only sympathise with their captors, but also become highly dependent on them – not merely in a material sense, but also emotionally and psychologically (Sethi 2001). Trafficked persons sometimes even fall in love with their captors. Readers who find this difficult to believe need only recall that many women married to violent husbands put up with the physical abuse; while this is often because of perceived economic necessity and no clear exit strategy, some women apparently continue to love and forgive their violent partners. Psychologists sometimes explain such behaviour and attitudes in terms of cognitive dissonance: perceiving themselves to be unable to overcome their situation, such as by exiting, some people learn to accept – live with – what others see as their unacceptable situations.

It should by now be clear why it is impossible to provide accurate and reliable data on the scale of trafficking. But, since these figures are sometimes used in policy-making and are the best available, it is worth at least noting some of the most frequently cited estimates of the scale of trafficking. According to an official US government-sponsored research project completed in 2006, the total number of people trafficked internationally each year is approximately 800 000 (US Department of State 2008a: 7). The ILO estimates the global average number of people in forced labour because of trafficking at 2.4 million persons (ILO 2008: 1 and 3), while some estimates of the total number of trafficked persons at any one time (including those trafficked domestically) run to 4 million (Wagley 2006: 5). Bales (2004: 8–9) has estimated that there are some 27 million slaves worldwide; but this figure includes a large number of bonded labourers in the Indian subcontinent who ‘give themselves into slavery as security against a loan’ and are technically not being deceived, so that they do not fully accord with most definitions of trafficking. The ILO believes that up to 1.2 million trafficked persons are children or adolescents (under 18 years old) (ILO 2008: 3). Whatever the precise figures, it is clear that vast numbers of people are the slaves of our times. Since we cannot be certain of the numbers of people trafficked, it follows that data

on the amount of revenue generated by trafficking must also be soft (unreliable). But a 2006 US Federal Bureau of Investigation (FBI) intelligence report estimated that trafficking in persons for either sexual exploitation or forced labour was generating circa US\$9 billion profit per annum globally,⁶ while the ILO estimates that the profits generated from human trafficking could be as high as US\$32 billion per annum (ILO 2008: 1).

REASONS FOR THE RISE IN TRAFFICKING: SOME INITIAL OBSERVATIONS

More detailed analyses of the reasons for the increase in trafficking since the late 1980s will be provided in the following specialised chapters; this is appropriate, since the factors, and particularly the relative weight of each of these, vary from place to place, and often over time. Only a general overview is provided here (see too Okereke 2005).

One of the many reasons for the rise in trafficking is the impact of globalisation. As borders have become more porous – with the advent of what Kenichi Ohmae (1990) has called the ‘borderless world’ – so it has become easier for people to cross them. This point about greater mobility is a general one. But there is a closely connected point that relates specifically to the post-Communist world. This is that the overwhelming majority of the former Communist states – Yugoslavia was an exception – had highly restrictive regulations on foreign travel. While most citizens in Eastern Europe were able to visit neighbouring Communist countries, it was usually very difficult to obtain permission to visit the West. This has all changed for the better. Yet while this might suggest less demand for people smuggling and trafficking, the reluctance of affluent countries to grant residence and work visas to foreigners with few if any formal qualifications explains why such outsiders often seek to enter and work in these countries illegally. This conundrum is reflected well in the fact that at the same time as many European countries were opening up the frontiers between themselves via the Schengen process, commentators began talking about ‘Fortress Europe’ and arguing that this encouraged illegal migration (for example Glenny 2005).

But the greater mobility does not only apply to smuggled and trafficked persons. Sadly, one of the major growth areas in international travel in recent years has been in sex tourism. While tourism is claimed by some (Douglas 2003, cited by Kneebone and Debeljak in Chapter 8 in this volume) to have a beneficial effect, in that it can promote both economic development – with its positive spinoffs – and greater government transparency, there is no question that it can also have a dark side. Sex tourism from affluent Western states to countries such as Cambodia and Thailand has played a major role in increasing both adult and child prostitution in recent years.

A second factor is technology and the greater use of this for advertising (as well as for laundering the proceeds of trafficking). Criminal organisations have been highly successful in using the internet to entice gullible and/or desperate people with little or no chance of obtaining residence visas through legal channels to seek better earnings in more affluent societies with the aid of those organisations. Often, job advertisements for waiters, dancers, child-carers, secretaries, and so on in affluent countries are very attractive to people with limited or no qualifications, whose gullibility and despair is easily exploited by unscrupulous operators.

Third, all the (often subjective) indicators available suggest that there has been a substantial increase in corruption in most parts of the world since the end of the Cold War; one of the most lucrative areas for corrupt officials is to collude with crime gangs in people smuggling and human trafficking (see Zhang and Pineda 2008).

A fourth factor has been the prevalence of both civil and international wars in recent times, which has acted as a major 'push' factor for people understandably trying to flee their troubled lands. In later chapters, examples of this from South-Eastern Europe and the Greater Mekong Subregion will be cited, though the point also applies to various parts of Africa, the Middle East, Latin America and other parts of Asia.

While some seek to escape from war-torn countries, others have sought to flee from highly oppressive regimes. Thus Burma, for instance, has been a major source of trafficked persons over recent years, especially for the sex industry in Thailand (Thomas and Jones 1993; TED Case Studies 1997).

The legalisation of many forms of prostitution in the affluent West appears to have increased demand, since many basically law-abiding men who might think twice about running the risk of being arrested for using a prostitute will not hesitate to use one if this is legal. Criminal gangs can now find it more attractive to trade in people than in drugs, since they are less likely to fall foul of the law where prostitution is legal. While not universally accepted (Caldwell 1998), this is a point made by several analysts (for example Hughes 1998): legalisation can and usually does increase demand for sexual services, so that those who control such services will seek a greater supply of sex workers. *Ceteris paribus*, this will increase the demand for trafficked persons – especially if demand exceeds the supply of non-trafficked sex-workers – as traffickers seek higher profits. While this might suggest that prostitution should be illegal, as argued by abolitionists, such a simple equation is misleading. But the reasons for arguing this are complex, and are best elaborated in the concluding chapter, following a number of empirical chapters.

Leading on from this, simple cost–benefit analyses reveal to many criminals that, even in countries or particular situations where their activity is illegal, the ratio of the potential pay-offs from human trafficking to the

disincentives are typically much higher than the ratios relating to drugs or arms trafficking. Compared with the punishments meted out for the latter two, the punishments for human trafficking are usually very mild. Moreover, human trafficking has two additional advantages over drugs and weapons trafficking. One is that there is an almost limitless supply of the 'product'; sadly, it is unlikely that there will be a shortage of impoverished and desperate people in the world in the foreseeable future. In contrast, as governments have dramatically increased their monitoring of weapons' movement in the wake of 9/11, arms trafficking has become more difficult. Equally, and in part also related to the so-called War on Terror, many governments have been making more concerted efforts in recent years to destroy coca and opium poppy crops in Colombia, Afghanistan and elsewhere, which reduces the supply of illicit drugs. The second benefit is that, whereas the return on a particular batch of illicit drugs or weapons is a one-off, trafficked persons can generate income for the traffickers for several years. Indeed, the income is not always only from the trafficked person's sex work; in some cases, traffickers have the gall to charge their 'slaves' interest on debt and late repayments, which can build up to sizeable sums (Repetskaia 2005: 53–4).

A number of cultural factors also contribute both to the demand for prostitutes and to the desire of women to escape their homelands. A prime example of the former is the emphasis in many traditional cultures on the importance of marrying a virgin; this tends to increase the demand for prostitutes, as unmarried (though possibly engaged) men seek to satisfy their sexual desires, and even to learn sexual technique. As for the latter phenomenon (women seeking to leave their home states) – it is also in some traditional cultures that dominant male attitudes towards both education and going out to work mean that women are treated as second-rate citizens. Unequal gender rights is a serious issue in many developing and some transition states, and unfortunately again plays into the hands of traffickers.

All these factors – and the list is far from complete – help to explain why, according to some analysts, the net return to criminals from human trafficking is now higher than the return on drugs trafficking, and hence why the scale of human trafficking appears, by most of the soft methods available for measuring this, to be increasing.

TRAFFICKING AND HUMAN RIGHTS

Most of the world's states have long since ratified the 1948 UN Universal Declaration of Human Rights, and hence in principle accept the various freedoms and rights contained in it. Several of the 30 articles comprising the Declaration relate directly to human trafficking, with others being less directly

relevant. Thus Article 3 ('Everyone has the right to life, liberty and security of person'), Article 4 ('No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms'), Article 5 ('No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment'), Article 6 ('Everyone has the right to recognition everywhere as a person before the law'), Article 7 (first part – 'All are equal before the law and are entitled without any discrimination to equal protection of the law') and Article 23 (concerning 'free choice of employment' and 'just and favourable remuneration') can all be invoked to demonstrate various ways in which trafficking constitutes a serious and multiple abuse of human rights. But there is another article that will be considered later in this book, and which is open to interpretation. This is Article 13, which relates to the freedom of movement and residence. According to part one of that article, 'Everyone has the right to freedom of movement and residence within the borders of each state'. Since the wording does not specify within the borders of their own state, but rather 'each state', a case can be made that there should be no such concept as illegal migration. Again, this is more appropriately considered in more detail in the concluding chapter.

Reference was made above to the conundrum of the so-called borderless world that has developed simultaneously with Fortress Europe. The fact that formerly Communist states have now liberalised travel rights should represent a net improvement in human rights. But the actual situation cannot be described as a positive-sum one. The reluctance of many Western states to accept responsibility for the victims of trafficking must be seen as a human rights issue. All too often, destination states place legal issues and civic (civil) rights ahead of basic human rights, full ownership of which, in practice, they prefer not to accept. This point requires elaboration.

Many internationally trafficked people are sooner or later illegal migrants: even if they have entered a destination country legally, they typically do so on tourist visas that are both temporally limited and do not permit employment; once they overstay their visas and/or are in some way employed, they have broken the law. As illegal migrants, they do not enjoy even minimal legal rights, let alone full civic rights, in their destination countries. Since so many of them are abused in various ways by their traffickers and/or local pimps and other exploiters, their need to exercise what should be their human rights are typically at least as great as anyone else's. Societies cannot claim to be truly civilised or developed when they wittingly permit widespread abuse of human rights, or even when they are simply too indifferent to investigate situations that look suspicious from a human rights perspective. Again, the point about states not only not accepting full ownership of what are generally known as universal human rights obligations but even contributing to the abuse of such rights is further explored in the 'Conclusions' chapter of this volume, with reference to 'quadruple victimisation'.

STRUCTURE

The logic of the layout of this book is relatively straightforward: more general precedes more specific, and European case-studies precede Asia-Pacific ones – though some chapters straddle these categories. In the Chapter 2, Polish criminologist Zbigniew Lasocik explores various social and legal aspects of human trafficking, with particular reference to the European Union (EU) and its member-states. In an interesting comparison, he considers the ways in which the situation of a footballer transferred between teams is both similar to and different from the situation of a trafficked person. This leads into an analysis of some of the many grey areas in the concept of trafficking, not all of which can be adequately addressed through legislation. This point emerges clearly from the distressing case of a teenager from Togo and her problems in France, cited by Lasocik. He argues strongly in favour of public consciousness-raising if trafficking is to be brought under control, and argues that the media have a crucial role to play in this; at present, they still tend to prefer to provide sensational and salacious details on trafficking, which works against the development of more sympathetic and mature public attitudes towards the problem. Lasocik's chapter also provides a useful overview and analysis of the most important anti-trafficking legislation in Europe, with a special focus on by far the largest (population-wise) new member of the EU, Poland.

In a provocative analysis, Sanja Milivojevic and Marie Segrave deconstruct and problematise much of the writing on trafficking, and many of the statistics, in Chapter 3. By reference to the world soccer championships in Germany in 2006, they demonstrate convincingly that predictions and estimates regarding trafficking are often wildly inaccurate, which unfortunately leads to the adoption of misguided perceptions and policies. Milivojevic and Segrave make a persuasive plea for an approach to trafficking that emphasises prevention and protection, rather than prosecution and law-based approaches, which often disadvantage trafficked persons at least as much as their traffickers. They strongly criticise patronising approaches, whether by states – they focus on the repatriation policies of Australia and Thailand – or by feminist abolitionists (those who would criminalise all aspects of prostitution), and instead argue for an approach to trafficking that is neither as gendered nor as overly focused on sex-related exploitation. One of their principal arguments is for a more open migration process and less restrictive approaches to borders and citizenship. In this context, they highlight many of the contradictions in the current approach to globalisation that actually promote both trafficking and illegal migration more generally, and they deconstruct policies that are in fact much less about protecting trafficking victims than about protecting borders.

Chapter 4 examines the trafficking situation within, from and through Central and Eastern Europe (CEE), which is interpreted very broadly here, to

include all of the Soviet successor states. Many Western authorities, such as the German federal police, have identified CEE as the primary source in recent years of women trafficked for the purposes of prostitution. The chapter includes original survey data on attitudes towards people smuggling, as well as material directly on trafficking. Given the point made above concerning the frequent mutation of smuggling into trafficking, and the relative paucity of mass survey material on trafficking, these data provide useful insights into popular perceptions on illegal migration, human rights and other issues directly related to trafficking. The analysis includes a focus on the dynamism of the situation in CEE, and argues that there are some reasons for very cautious optimism that the situation will improve in the future.

In Chapter 5, Olivera Simić focuses explicitly on the role of peacekeepers in the Balkans vis-à-vis trafficking. The reference in the title of her chapter – ‘boys will be boys’ – is intentionally ironic, and encapsulates nicely the tolerant attitude of so many states and international organisations (IOs) until very recently towards members of international peacekeeping forces paying for sex from women who they should in many cases suspect of having been trafficked. The nature of such peacekeeping forces changed in the 1990s, becoming much more directly involved with local populations across a wider range of activities. Their existence and sometimes inappropriate activities provide another part of the explanation for the rise in trafficking since the early 1990s. Simić highlights the problem of immunity, meaning that most peacekeepers have not been subject to laws and regulations that could land them in trouble with local authorities; they have thus almost always been able to use prostitutes without having to concern themselves about possible retribution. This, plus the de facto attitudes of even many advanced Western authorities towards the use of sex workers by their own personnel (both military and civilian), has increased demand for prostitutes in areas under peacekeeping control, which in turn has resulted in more human trafficking. While Simić welcomes the belated change of heart of many governments and IOs on this issue, and the resulting new legislation and regulations, she points out that it is a change of culture – attitudes – towards women and sex work that is really required.

The focus of Chapter 6 is Albania. In a study based heavily on original fieldwork carried out in Albania in 2008, Stephanie Schwandner-Sievers highlights the dilemmas faced by many trafficked Albanian women. All too often, Albanian cultural traditions still treat Albanian women as the property of Albanian men. One of the most unfortunate ramifications of this is that women who have been trafficked to other countries and who then hope to escape their trafficking situation by returning home often find that they are unwelcome, since they are deemed to have brought ‘shame’ on their families. Western governments need to be much more aware of the dangers to which they often subject repatriated trafficked persons.

Sweden is often cited as the prime example of a state that has made the use of prostitutes, rather than prostitution itself, illegal – and many countries are now following or considering following the Swedish lead. Details of the Swedish approach are provided by Kevin Leong in Chapter 7. Given the Australian base of most of the contributors to this volume, it is not surprising that he also considers the implications of the Swedish model for Australia. But most of his findings have resonance in many Western (developed) states, and invite consideration by legislators and police authorities everywhere. Like several other contributors to this volume, Leong argues that trafficked persons should be treated as victims of crime rather than illegal immigrants, and should thus be accorded far more rights than most states are currently prepared to recognise. Yet the Swedish approach is ‘the ultimate prosecution model’ rather than a human rights model, and this means that it has a number of negative implications, which Leong elaborates; they include an increase of violence against sex workers, for reasons which he explains. He concludes that, while there are interesting lessons to be learned from the Swedish approach, there are also several aspects of this model that are problematic and need to be addressed.

In Chapter 8, Susan Kneebone and Julie Debeljak compare the trafficking situations in two neighbouring states – one formerly Communist (Cambodia), the other still Communist (Laos). They demonstrate that both local authorities and the international community tend to concentrate on two of the ‘three Ps’ often cited in policy approaches to trafficking, and based on both the UN’s Convention against Transnational Organized Crime and the US Department of State’s approach – prevention and prosecution (punishment). Conversely, there is not nearly enough focus on the dehumanising aspects of trafficking, and hence insufficient attention to the third ‘P’, protection; approaches need to be more victim-centred. Moreover, simply passing legislation, without having adequate state capacity to implement it or a genuine commitment to the concept of the rule of law, is unlikely to have much positive effect on the trafficking situation. One of the counter-intuitive findings of their research is that, if the data are reliable, more people are trafficked from Laos for non-sexual employment than for sex work. Moreover, their research in both Laos and Cambodia reveals how opaque much of the trafficking process remains – but also that mass organisations in Communist Laos and official recognition of the problem of corruption can play a positive role. In contrast, mass organisations essentially collapsed when Cambodia began its transition from Communism, while corruption is so pervasive throughout the state mechanism that it is hardly recognised, contributing to a worsening of the trafficking situation in and from that country. Although non-governmental organisations (NGOs) are playing a generally positive role in Cambodia, there are also drawbacks if these are unable to cooperate well with state agencies, for reasons that Kneebone and Debeljak elaborate.

Sallie Yea's focus in Chapter 9 is on domestic trafficking in the Philippines. Having provided a neat and insightful analysis of the abolitionist (gendered violence) versus the sex work perspective in the prostitution debate, Yea herself adopts a more nuanced approach than either position. Based largely on her own fieldwork research into the domestic trafficking situation in Cebu City in the Philippines, she argues that neither the abolitionist nor the sex work argument fully addresses or explains how women who have been coerced into prostitution – trafficked – often choose to return to it after having managed to escape their trafficking situation. In adopting this position, she essentially agrees with those, such as Sandy (2006), who argue that the coercion–choice dichotomy in the prostitution debate is too stark and simplistic. For Yea, it is not a black-and-white issue of complicity or constraint, but rather that individual situations can be located along a continuum between these two, and different explanations of why a particular woman is a prostitute may be necessary at different points in time. While she does not claim that non-trafficked prostitutes make completely free choices to engage in sex work, she does argue that they can become used (normalised) to prostitution, and – in a context of 'constrained choice' – opt to return to sex work even when they have managed to escape from a trafficking situation.

The concluding chapter highlights and engages with some of the key findings and arguments presented in the preceding chapters, and identifies the dynamic factors in the trafficking issue. It also demonstrates how trafficked persons are subject to victimisation not merely by their traffickers, but also by corrupt officials, the media and, whether wittingly and intentionally or not, all too often by states too. In short, they are subjected to quadruple victimisation. In response to this recognition, policy proposals are made at the end of the chapter designed to overcome – or at least reduce – this victimisation and improve the rights and lot of trafficked persons.

Before concluding this analysis of the structure of this collection, its parameters – limitations – need to be identified. The primary focus is on transnational human trafficking for the purposes of sexual exploitation, though the book does include material on both domestic human trafficking and human trafficking for non-sexual purposes. Given the collection's principal focus, there is a heavy emphasis on the trafficking of women, and to some extent children, rather than on adult males. Unfortunately, as Surtees (2008a) points out, trafficking of adult males has been much less researched than trafficking of women and children. But inasmuch as the admittedly questionable data available suggest that more women and children are trafficked than men, and that trafficked women are more likely to be subjected to gross physical abuse than men are, the focus here can be justified. This said, most of the theoretical arguments apply equally to men and women; the overwhelming majority of human rights are not gender-specific.

A second limitation is the collection's geographical coverage. The main European countries and regions analysed are Germany, Poland, Sweden, South-Eastern Europe (principally Albania, Bosnia and Hercegovina, and Kosovo), and Central and Eastern Europe including the Commonwealth of Independent States (CIS). According to the ILO, more than 55 per cent of the world's trafficked persons being forced to work are located in the Asia-Pacific region (ILO 2008: 3), so that a particular focus on that part of the world is justified. The Asia-Pacific countries and regions examined in depth in this volume are the Philippines and the Greater Mekong Subregion (especially Cambodia, Laos and Thailand) and Australia; some material is also included on China, Malaysia and elsewhere. However, while the limited coverage of this book means that many parts of the world are barely mentioned, or else not referred to explicitly at all, the selection does provide what, for want of better terms, can be called developed, transitional and developing states; one of the last of these is a Communist state, while the others are now essentially anti-Communist. It also means that the collection includes detailed analyses of source, transit and destination countries. In short, many of the observations and recommendations either have universal applicability, or else apply to many other examples of a similar type of state.

One final point to note here is that, after deliberation, it was decided not to remove all duplication of materials where data, definitions, and so on appear in two or more chapters. The reason is a pragmatic one; since most readers of edited collections read only selected chapters, not the entire text, some chapters might appear incomplete were there to be such pruning. This said, the duplication is minimal; mainly, it is the UN's Palermo Protocol definition of trafficking that has been repeated – albeit in varying levels of detail – in various chapters.

CONCLUSIONS

On one level, this collection paints a depressing picture of life for so many people in today's world. But in that it analyses underlying causes – seeks to understand the dynamism – of the processes being studied, and examines and assesses the methods that have been and could be used to combat trafficking, it is not a book without hope. As noted above, the concluding chapter explores both the internal dynamism of the trafficking situation and the measures that are being or could be taken by states and IOs to combat it. The fact that the international community has begun to focus seriously on the issue of human trafficking since the beginning of the millennium is itself welcome and encouraging. Nevertheless, it will become very obvious from the following pages that this momentum must be maintained and intensified if the serious

human rights abuses inherent in human trafficking are to be eradicated or severely reduced.

NOTES

1. There are in fact two Palermo Protocols – the one cited here concerning human trafficking, and one specifically concerned with people smuggling. But to minimise confusion, and because this is a common practice in the literature on trafficking, references to the trafficking protocol will be referred to as ‘the Palermo Protocol’ in the rest of this volume.
2. The Italian Ministry of the Interior reported in 2000 that 168 foreign prostitutes had been murdered the previous year, mostly Albanians and Nigerians who had been killed by their pimps (Renton 2001: 6).
3. Readers who would appreciate a ‘bitter-sweet’ (that is, funny–sad) literary approach to this should see Lewycka (2008).
4. It was only in September 2009 that the Australian government introduced legislation requiring employers to pay foreign ‘guest-workers’ at the same rates as Australian workers.
5. It is not always that the police corruptly collude with crime gangs; sometimes they offer women who have escaped their traffickers the choice between being returned to the brothel they have just escaped, or remaining in custody. For evidence of this, and of a girl returning to the brothel from a police station and being beaten by the brothel owner, see Thomas and Jones (1993): 72–3.
6. At http://www.fbi.gov/page2/june06/human_trafficking061206.htm, accessed July 2009.