



# HUMAN SEX TRAFFICKING

## AND THE RISE OF GLOBALIZATION

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## ABSTRACT

[Revenues from human trafficking for purposes of sexual exploitation are around 7 Billion U.S. dollars per year and has become a true international industry for modern organized crime. With increased globalization, sophisticated syndicates have arisen to capture these profits and the rates of people trafficked for exploitative purposes are showing signs of increasing. These high profits, combined with a crime that is traditionally low priority for national governments has pushed the 21<sup>st</sup> century into a “perfect storm” of global slavery networks that is unprecedented. Traditional law enforcement strategies have either been ineffectual or complacent in addressing the problem. Sexual exploitation through human trafficking is a modern issue that must be addressed with new and experimental strategies.]

*Trafficking in Persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs<sup>12</sup>*

Given the dark and illicit nature of the criminal enterprises involved in human trafficking exact figures are difficult to extract and the collection and aggregation of the data requires a degree of guesswork based on uncovered instances of trafficking. These estimates put the

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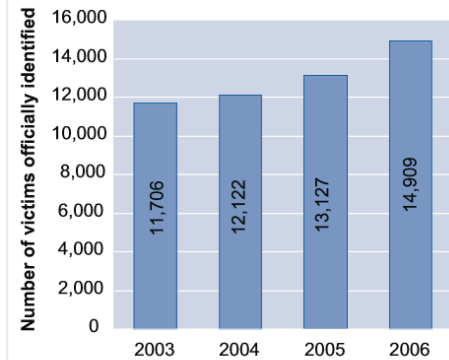
<sup>1</sup> Protocol to Prevent, Suppress and Punish Trafficking in persons, United Nations Office on Drugs and Crime, paragraph 3 article(a)

<sup>2</sup> UNODC Global Report on Trafficking in Persons

number of trafficked persons per annum between 700,000 and 4 million.<sup>3</sup> With annual revenues estimated to be around \$7 billion dollars per year.

This chart from the Global Report on Trafficking in Persons<sup>4</sup> indicates the difficulty in data gathering and aggregation. Many nations from this 155 country study are reluctant or unable to give reliable data for a myriad of reasons. Cynically, general corruption of officials within law enforcement and civilian leadership positions engaging in or directly benefitting from trafficking may be reluctant to release official figures. More benignly, differing laws and statutes may mean more trafficked persons fall directly under and are classified as undocumented migrants which results in misreporting of actual numbers. The judicially apathetic or inept, the surveyed nation may itself lack the tools and judicial capacity to effectively target and prosecute trafficking criminally. Whatever the case may be, despite the limited data set, there is an indication that

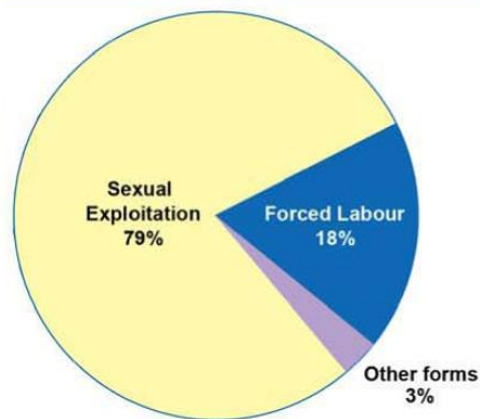
**Fig. 20: Total number of victims identified by State authorities in the 71 countries where information was available for the entire reporting period**



Source: UNODC/UN.GIFT

**Fig. 21: Profile of victims identified by State authorities in 61 countries where information was collected, aggregated for 2006**

**Fig. 23: Distribution of victims identified by State authorities according to the form of exploitation for 52 countries where this information was collected (2006)**



Source: UNODC/UN.GIFT

trafficked persons per year are on the increase between 2003, and 2006.

There are many reasons why a person may be trafficked, need for domestic migrant labor in the service industry, the aforementioned organ removal, etc. the largest chunk of trafficked persons exists for purposes of sexual exploitation.

<sup>3</sup> Haynes, 223

<sup>4</sup> UNODC, Global Report on Trafficking in Persons, 48

<sup>5</sup> UNODC, Global Report on Trafficking in Persons, 50

In order to continue discussing what trafficking is it is important to discuss what trafficking is not. Trafficking is not smuggling. Human smuggling is an economic transaction engaged by a would-be migrant and a smuggler. This smuggler could either be a professional human smuggler or in some cases a person with some connections looking to earn extra income. The key differences between human smuggling and trafficking are that the smuggled individual willingly and knowingly enters into an agreement with the smuggler and pays a set fee for their services. When the smuggled migrant enters the country of destination the professional relationship between smuggler and smuggled is effectively over. The smuggled does not “owe” the smuggler any surprise or hidden fees and is largely left to their own agency as far as finding employment, housing, etc.

Unfortunately, because of the tenuous legal status of the smuggled and undocumented migrants, smuggling can often turn into trafficking. The trafficker could decide upon reaching the destination country that the undocumented migrant must pay off “incurred costs” of smuggling and be forced into positions where they effectively become indentured servants. Human smuggling is not a traditionally lucrative business whereas human trafficking, specifically for purposes of sexual exploitation, can be an extremely lucrative enterprise.<sup>6</sup> Trafficked persons, are estimated to be worth hundreds of thousands of dollars over their lifetime.<sup>7</sup> With revenue estimates ranging from \$75,000 to \$250,000 per person per year, largely generated from brothels depending on the standards of living of the destination country.<sup>8</sup> Trafficked persons are effectively slaves and can be sold and resold several times over and are immediately profitable commodities producing revenues immediately at relatively low overhead.

It is also important to disambiguate trafficking for purposes of sexual exploitation from prostitution. There is a tendency to lump prostitution and sex trafficking into the same category for purposes of legislation and prurient sensationalism, this can be unhelpful and damaging for all involved. Prostitution is a commercial act where agents are willingly engaged in sex trade.

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<sup>6</sup> Haynes, 231

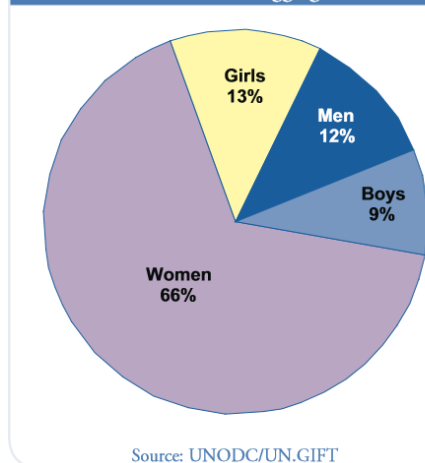
<sup>7</sup> Ibid, 232

<sup>8</sup> Das, Eargle, Esmail, 233

While there is a grey area involving the economic reasons why women and some men may engage in this industry there is some degree of consent. These people are entering into the field of prostitution knowing that they will be having sexual encounters with paid clients.

With trafficking for purposes of sexual exploitation this agency and choice is removed entirely. Often trafficked persons are lead to believe that they will be moving to the west to work as dancers, nannies, waitresses or other forms of domestic labor but when they arrive they are forced into brothels and made to work as prostitutes. A key feature of this forced sexual slavery are the tools used to control the trafficked person. These persons regularly face beatings to force compliance, are often subjected to rapes early in their brothel enslavement to get them accustomed to being used for sexual purposes, and are subjected to various cocktails of drugs to control and make trafficked persons pliable. Traditional traffickers would use heroin and other opiates to create an addiction and then become the trafficked person's only source of the drug. More modern, globalized traffickers use modern cocktails of anti-depressants, sedatives and other mood altering pharmaceuticals.

Fig. 21: Profile of victims identified by State authorities in 61 countries where information was collected, aggregated for 2006



<sup>9</sup> Human trafficking is largely a gendered phenomenon. Roughly 20 percent of trafficked persons are men and boys, with another 13 percent being made up of girls, however, the vast majority of trafficked persons are women. Women are traditionally more vulnerable to trafficking for a wide range of economic and cultural reasons.

The feminization of poverty globally involves the increasing levels of lone single mother populations.

These woman are often living on or near subsistence level wages while having to be the primary bread winner for their children. These women are particularly vulnerable because they can't afford to take care of their children on their wages and may be willing to sell off their children, particularly less "valuable" female children to traffickers. These mothers may not even know

<sup>9</sup> UNODC, Global Report on Trafficking in Persons, 48

that they are in fact selling their children into slavery and are lured into false promises that their children will be cared for or given some type of domestic labor assignment in a richer nation. Single mothers may themselves be lured in by such promises with the hope of earning wages above subsistence and the hope of sending remittances home.<sup>10</sup>

Another factor in female vulnerability comes from lack of economic stability and gender inequality. In many undeveloped nations young girls are not given equal access to academic opportunities which inevitably leads to a dearth of professional opportunities. These women have limited options available to them. If they are rural they can either have children and live on subsistence wage incomes or move to urban centers where they can work in the export manufacturing sector or become prostitutes earning up 25 times the base salary of other positions as in Thailand.<sup>11</sup>

Economic instability and bureaucratic chaos tends to lead to higher levels of emigration away from the distressed areas into more stable nations. An increase of emigration is associated with increased trafficking since these desirable destination countries promise a much better life for both immigrant and the trafficked. After the collapse of Berlin wall and the Soviet hegemony over Eastern Europe, hundreds of thousands of women were trafficked into the west for purposes of sexual exploitation.<sup>12</sup>

These previous factors confluence into the funnel into which persons become trafficked, social dislocation, or the migration of persons away from rural areas to more productive and often more lucrative urban centers. Lack of opportunities, economic instability and the search for higher levels of income are the major factors which push many young girls and women away from rural life. Bangladesh was and continues to be a major trafficking origin country, sanctioned often by the United States and other western powers, these sanctions had the unintended consequence of further stressing Bangladesh's economy and led to increased levels of trafficking, particularly among children.<sup>13</sup>

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<sup>10</sup> Goodey, 26

<sup>11</sup> Flowers, 151

<sup>12</sup> Goodey, 27

<sup>13</sup> Anwary, 118

In the 1990's Bangladesh roughly 90 percent of all export garment workers were women. These women were described as "young, rural, and ignorant of urban life."<sup>14</sup> Due to these young women's general naiveté and inability to pick out predators from a legitimate support network create easy prey for traffickers. Further exacerbation of this effect was the signing into law of the Harkin bill in the mid 1990's which effectively eliminated child labor. This bill, very likely pushed by outside influence from the feel-good westerners who wanted these children to have a childhood and likely not understand the various survival economics at play within Bangladesh, had the effect of forcing many juveniles out of the labor force and into stark poverty.

As modern corporations have grown and evolved with the changing economic landscape of globalization so to have modern trafficking syndicates. These organized crime operations are multinational and extremely well connected politically with ties to both local law enforcement agencies as well as civilian governments. Through these connections they remain largely shielded and hidden from international scrutiny. These organizations use local contacts in preferred countries of origin where their influence is large to source women through gangs and other agents. Traditionally it would be local gangs operating within small communities who would find and manipulate the future trafficked persons. Countries under extreme economic duress or collapse would find persons, not naturally involved in criminal enterprises, turning to trafficking as a source of additional or replacement incomes. Often a trafficked person is lured in by a family friend or another person known to the trafficked. These people would then sell the trafficked persons to larger and larger syndicates, each new ring have wider global influence and possessing larger degrees of sophistication. The profits generated by the syndicate are then divided out amongst the various parties involved in the chain of trafficking. Politicians and local law enforcement, travel agents and transporters, and importantly, the traffickers and employees of the trans-national organization themselves.<sup>15</sup>

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<sup>14</sup> Anwary, 117

<sup>15</sup> Ibid, 233

Modern, international trafficking syndicates are diversified organizations that are also engaged in drugs and weapons smuggling.<sup>16</sup> These outfits view human trafficking as a relative quick and safe method for acquiring start-up capital to engage in this more lucrative, yet capital-intensive, enterprises.<sup>17</sup> For much of the history of trafficking up to this new frontier of the globalized slave trade it has been difficult to investigate and more importantly prosecute traffickers for their crimes. With a global reach rivalling the largest multi-national corporation and billions of dollars at their disposal modern traffickers employ computer networks, modern pharmaceuticals and have become market and politically savvy within their trade.

Politically, sexual exploitation through trafficking is a hot button issue that plays well on newspaper headlines. The sensationalized narrative of trafficked persons forced into brothel work would be used to generate heat for other, non-related policy issues from cracking down on prostitution, trafficked or not, to implementing hardline immigration standards and funding increased border security.

For the majority of the 20<sup>th</sup> century trafficking for sexual exploitation was largely paid lip service through a policy perspective and relatively few attempts were made at curtailing trafficking, these policies were largely ineffectual. In 1904 the International Agreement for the Suppression of White Slave Traffic is regarded as one of the earliest international treaties regarding the issue of sexual exploitation through trafficking was adopted over concerns of European women being fraudulently or through abusive coercion of women put into prostitution in colonial countries.<sup>18</sup> This was followed by the 1933 International Convention on the Suppression of the Traffic in Women of Full Age in which signatories would target pimps and brothel owners.<sup>19</sup> Followed by the United Nations adoption of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and the 1979 UN Convention of the Elimination of All Forms of Discrimination Against Women, an

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<sup>16</sup> Haynes, 226-227

<sup>17</sup> Haynes, 227

<sup>18</sup> Ibid, 228

<sup>19</sup> Ibid, 228



agreement whose adoption would require any signatory to “take all measures to suppress both trafficking and ‘exploitation of prostitution’” taken to mean forced sexual exploitation.<sup>20</sup>

Despite the handful of conventions and attempts to regulate and dismantling of international sex trafficking most nations followed an “arrest and deport”<sup>21</sup> model of dealing with the issue of trafficking. Often prosecutors and law enforcement found it much easier to charge and get convictions by charging the trafficked persons for working without proper documentation, illegal entry into destination country, or prostitution. Another issue was that judges, lawyers, and other law enforcement personnel were complicit in these prostitution rings themselves, either directly receiving bribes or other remuneration or through class-based moralizing. In a case involving a Bosnian woman who had agreed to testify against her “owner” was harassed by a judge haranguing her for use of false documentation and illegal entry despite this already being known to the prosecution despite this being already known to the prosecution and having been provided false documents and suffering regular beatings and forced to work without pay by her owner for a year.<sup>22</sup>

The main issue with this arrest and deport model, besides not actually criminalizing the traffickers was that it would create a situation where re-victimization was high. A trafficked person would be arrested, tried, and deported back to their country of origin. A trafficked person who had such conviction, particularly for prostitution or who had been known to have already been exploited sexually, was either prosecuted and jailed or would experience further social ostracization. This puts the trafficked person in a precarious situation where the extreme economic duress under which they were initially trafficked becomes even more intense.

With increasing grass-roots anti-trafficking networks the United States and European Union have adopted stricter methods for dealing with traffickers. This model described as “Jail the Offender”<sup>23</sup> places more onus on the prosecution of the traffickers and allows law enforcement and prosecution to bring to bear against traffickers tools initially developed to

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<sup>20</sup> Haynes, 228

<sup>21</sup> Ibid, 229

<sup>22</sup> Ibid, 239

<sup>23</sup> Ibid, 239

prosecute organized crime organizations. The main advantage of this method is it creates strong disincentive for the traffickers themselves. Where the traditional legal strategy generally targeted the trafficked, traffickers were able to engage in their trade with relative security knowing their role would largely be ignored. With a more aggressive anti-trafficker policy a whole slew of liabilities for the traffickers become exposed and they may be less likely to want to operate within these nations. Given that the western world is the destination of choice for traffickers due to the higher revenues generated, by clamping down on trafficking in these nations worldwide trafficking would cease to be as lucrative.

The downside of this policy tends to be the lack of protections for the trafficked persons and a low rate of actual successful prosecutions. In the European Union trafficked person still face deportation regardless of cooperation with law enforcement. The United States does provide some stronger protections for these persons. The Trafficking Victims Protection Act (2001) allows for the provisioning of temporary visas for trafficked persons if “it is determined that the victim is ‘a potential witness to such traffickings’.”<sup>24</sup> While a positive step for the rights of the trafficked, the act only provisions up to 5,000 visas per year regardless of how many persons are identified and limits them to persons who have experience “severe forms of trafficking.”<sup>25</sup> The lack of effective actual prosecutions is another problem with this approach. From 2001 to 2002 the United States Department of Justice would only successfully prosecute thirty-six cases despite the Department of State estimates that “more than 50,000 persons are trafficked into the United States each year.”<sup>26</sup> The TVPA was enacted in 2001 “and as of February 2003 ... only twenty-three visas has been granted.”<sup>27</sup> One criticism of the TVPA is that, while much more comprehensive and effective than previous attempts at trafficking prevention the “legislation focuses too much on funding annual reports criticizing countries for failures to enact or adopt legislation ... too little on ensuring that anti-trafficking legislation and initiatives are actually *implemented*...”<sup>28</sup>

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<sup>24</sup> Haynes, 241

<sup>25</sup> Ibid, 241

<sup>26</sup> Ibid, 241

<sup>27</sup> Ibid, 241

<sup>28</sup> Ibid, 241-242

Trafficking has always been a problem relatively ignored until very recently when it has seen an explosive growth due to increased globalization. Evolving, sophisticated, well connected criminal cartels are capitalizing on human misery in order to turn a cheap buck. Women are largely the targets for trafficking and sexual exploitation makes up the bulk of the revenue streams of trafficking syndicates. The post-2000's world has taken a much more proactive role in attempting to curtail and target trafficking organizations but there is still much to be done to actually address the issues involved in trafficking. While targeting organized crime is a positive step towards decriminalizing the victims of human trafficking the broad and complex economic issues involved with the motives and incentives behind trafficking persons from their country of origin, poverty, inequality, and economic duress need to be addressed to effectively end the networks of human slavery that exist. Due to the highly political nature of these issues and despite a general consensus about the facts and causes of trafficking there is a conflict among two distinct sides of the debate. The so called neo-abolitionists see sexual exploitation as demand side effect of prostitution. With not enough prostitutes to fill the quantity demanded of sex markets purveyors will turn to exploiting trafficked women to meet their customer's needs. While the neo-regulationists see the problem of trafficking as a supply side issue, arguing that because of the illegality of prostitution there is limited supply of legitimate sex-workers. Decrease the punishments for prostitution and increase the supply for the demand. As in most economic analysis, the answer is likely somewhere in between.

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