



**today's fight for tomorrow's freedom**

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## Trafficking FAQ

### What is trafficking?

Trafficking includes three elements. The definition of trafficking in persons is:

- **The action** of recruitment, transportation, transfer, harbouring, or receipt of persons
- **By means** of the threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim
- **For the purposes** of exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced labour, slavery or similar practices, and the removal of organs.

It is slavery because traffickers use violence, threats, and other forms of coercion to force their victims to work against their will. This includes controlling their freedom of movement, where and when they will work and what pay, if any, they will receive.

### How does trafficking work?

Trafficking works in a number of different ways and one person's story may differ significantly from another's.

### Debt bondage

One example is when a person is approached by someone they know, and are told of good job opportunities in another place. If the individual is interested in migrating to another country, they may then be introduced to a facilitator who promises to arrange a job for them in another country, saying that they will fund the visa costs, flight costs and accommodation cost at the country of destination and when the migrant arrives at the destination, then they can start paying back the money that has been borrowed. When the migrant arrives in the country of destination, then the job that they have been informed of may not exist (this happens significantly to women who are promised jobs in the hospitality or care industry and are then forced into prostitution), or if the job does exist then they are bonded into labour and the trafficker will take most of the money that the migrant earns as repayment of the earlier debt which is often inflated. The migrant is not free to leave the situation as they have to pay back the money owed. In many cases,

mechanisms of control are placed upon the migrant and this can include the removal of their passports and identification document.

### **Removal of identification documents**

Another example is when a migrant pays an upfront fee to the 'recruiter' to arrange the job. Upon arrival in the destination country, the recruiter can then take away the worker's passport justifying it as part of the destination country's law. While some victims of trafficking enter the destination country through regular migration routes (i.e. with a valid and legitimate visa), they can then be made irregular (commonly referred to as illegal) if their visa expires and the trafficker can then exercise further control over the victim by threatening them of authority action against their now irregular status.

### **False promises**

A third example is that of the child who works in the home of non-immediate family members as a domestic worker. The child's parents may have been promised that by sending their child away to work in someone else's home,, then that child would receive education. However when the child arrives at the home, they are subjected to domestic work, sometimes averaging twelve hours a day. This means that even if the child is able to attend school, the time left for homework and concentrating in school is limited. This is an instance of trafficking where the child has not crossed a national border, but because they have been removed from their home for the purpose of exploitation, it is classified as trafficking.

### **What is the difference between trafficking and smuggling?**

There are three important differences between trafficking and smuggling

#### **A. Consent**

Trafficking occurs when a person is coerced or deceived into leaving their community either within a country or abroad, either through regular or irregular migration routes for the purpose of exploitation. Even if the victim initially consented to leaving their country, that consent has been rendered meaningless through the coercive and deceptive actions of traffickers.

Smuggling is when a person consensually enters into a financial arrangement with a facilitator who will assist their entry into another country through irregular migration routes.

#### **B. Exploitation**

Smuggling ends with the migrants' arrival at their destination, whereas trafficking involves the ongoing exploitation of the victim.

#### **C. Transnationality**

Smuggling is always transnational, whereas trafficking can also happen internally, within borders of a single country.

### **How many people are trafficked and where does it take place?**

It is impossible to know precisely and statistics are difficult to obtain because trafficking is an underground activity. The International Labour Organization in 2007 estimated that at least 2.5 million people have been trafficked into forced labour (including sexual exploitation).

Of these:

1.4 million	56 per cent are in Asia and the Pacific
250,000	10 per cent are in Latin America and the Caribbean
230,000	9.2 per cent are in the Middle East and Northern Africa
130,000	5.2 per cent are in sub-Saharan countries
270,000	10.8 per cent are in industrialised countries
200,000	8 per cent are in transition countries

### **Who are the victims of trafficking?**

- The majority of trafficking victims are between 18 and 24 years of age
- An estimated 1.2 million children are trafficked each year.
- 95 per cent of victims experienced physical or sexual violence during trafficking (based on data from selected European countries)
- 43 per cent of victims are used for forced commercial sexual exploitation, of whom 98 per cent are women and girls
- 32 per cent of victims are used for forced economic exploitation, of whom 56 per cent are women and girls
- 25 per cent of victims are used for a combination of forced commercial sexual exploitation and forced labour or for undetermined reasons
- Many trafficking victims have at least middle-level education

### **Who are the traffickers?**

52 per cent of those recruiting victims are men, 42 per cent are women and 6 per cent are both men and women. In 54 per cent of the cases, the recruiter was a stranger to the victim, 46 per cent of cases the recruiter was known to the victim.

The majority of suspects involved in the trafficking process are nationals of the country where the trafficking process is occurring.

### **What type of work are people trafficked into?**

People are trafficked into a number of different situations. What is most commonly seen in the media is the trafficking of young women into sexual exploitation. However, men and children are also trafficked into sexual exploitation as well as being trafficked into other industries such as: agriculture, food processing and packaging, domestic work, hospitality and catering industry, construction and security. Increasing number of cases were noted of people trafficked for forced criminal activities, such as pick pocketing, cannabis cultivation.

### **How much money is made from trafficking?**

It is estimated that global annual profits made from the exploitation of all trafficked forced labour are US \$31.6 billion. Of this:

- \$15.5 billion 49 per cent is generated in industrialised economies
- \$9.7 billion 30.6 per cent is generated in Asia and the Pacific
- \$1.3 billion 4.1 per cent is generated in Latin America and the Caribbean
- \$1.5 billion 4.7 per cent is generated in the Middle East and North Africa

### **How do people end up being trafficked?**

The vast majority of people who are trafficked are migrant workers who are seeking to escape poverty and discrimination, improve their lives and put themselves in a situation to financially support their families. These dreams are exploited by traffickers who promise well paying jobs.

Trafficking is underlined by a number of various factors which can be commonly categorised as push and pull factors.

**Push factors are situations/circumstances which can lead a migrant to seek better opportunities away from their communities.** These factors include:

- Inadequate employment opportunities combined with poor living conditions, including a lack of basic education and health provision.
- Political breakdown or economic dislocation which may be caused by conflict, environmental disaster or imposition of economic sanctions. These threaten an individual's ability to sustain themselves and family directly or indirectly as such crises usually lead to higher unemployment, rising cost of living and fewer public services.
- Discrimination, nepotism and or corruption which excludes people from employment of professional advancement.
- Family breakdowns, especially the death or sickness of parents which compel remaining family members to send children away from home to work or have better opportunities.

**Pull factors are conditions which attract people away from their communities.**

These include:

- Fewer constraints on travel (less restrictions on freedom of movement; cheaper and faster travel opportunities)
- Higher salaries and standards of living abroad, greater job mobility and opportunities for professional advancement and more options for acquiring new skills and education.
- Established migration routes and communities in other countries and a demand for migrant workers along with active presence of recruitment agents or contacts.
- The increasing demand for migrant workers in developed countries.

**Why do people simply not leave a situation of trafficking?**

It is very difficult for victims of trafficking to escape from the situation for the following reasons:

- **Implicit or explicit threat of violence.** This can be directed at the migrant or at their family back in the country of origin to ensure compliance.
- **Restrictions on freedom of movement.** Traffickers may confiscate the migrant's identity or travel documents to control their movements and ensure that they do not try to escape.
- **Debt bondage.** They are in debt to the trafficker or their own family. They think that eventually they will be able to make money, but their debt is inflated through exorbitant charges for interest, accommodation, food, etc.
- **Fear of Authorities.** Trafficking victims are often in the country illegally and therefore are afraid that if they go to the authorities to make a complaint or to seek protection they will be imprisoned or deported.
- **Isolation.** Typically the migrant will not know the language or country to which they have been brought and will have no money to live on let alone pay for a ticket home.
- **Emotional attachment.** The victim has an emotional attachment to the trafficker (who may be posing as a boyfriend) which the trafficker exploits.

### **How are children affected by trafficking?**

According to ILO figures at least 1.2 million children are trafficked globally into the unconditional worst forms of child labour.

In relation to children in the UK, ECPAT UK's research from 2004 documents 35 cases of child trafficking in 17 London boroughs. Most of these children were trafficked for domestic work or for prostitution, but there were cases of trafficking for benefit fraud, restaurant work and involvement in illegal activities. 32 out of the 33 boroughs in London were concerned that they had a problem with trafficked children.

ECPAT's research in 2006 in three regions of the UK found 80 reported cases of known or suspected child trafficking (in 60 per cent of cases the child had gone missing from social services and had not been found). Most children were from China, Nigeria, Somalia and Vietnam (19 male) with 28 per cent under 16. Government research in January 2009 identified 360 cases of known or suspected child trafficking (around 50 per cent had gone missing).

### **Will trafficking into the UK stop if we have stricter immigration controls?**

UK policy focuses on trafficking as an organised immigration crime, but this misses the point that people can be trafficked through regular migration channels with the correct visas (e.g. nurses, agricultural workers, etc.) and can also come from EU states or have EU passports (Lithuania, Climbie, Birmingham raid).

Policies focussed on reducing illegal immigration are likely to punish the trafficked person and ignore the fact that their rights have been violated. For example, the new offence of knowingly employing an illegal migrant worker and the Joint Workplace Enforcement Pilot to identify the exploitation of illegal migrant labour and "then deliver effective enforcement action". Trafficking policy should focus on the forced labour outcomes rather than considering it only as an issue of organised immigration crime.

Increasing the opportunities for regular migration and ensuring that there is proper protection from exploitation for these migrant workers would reduce trafficking as it would negate the need for migrants to go to people who then turn out to be traffickers. It may also assist the long term development of countries of origin as remittances totalled \$80 billion in 2002 and are often more valuable than overseas assistance and foreign investment. Migrants contributed £2.5 billion more in taxes than they used in benefits in the UK in 1999-2000.

### **What international laws are there to protect those who have been trafficked?**

In December 2000, the UN adopted a ***Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children***, supplementing the *UN Convention against Transnational Organized Crime*.

'...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;

### **What is the UK government doing to help those who have been trafficked?**

The UK government has taken a number of steps to identify trafficking and assist victims:

- The UK introduced an offence of trafficking for sexual exploitation in the Sexual Offences Act 2003 and separate offence in the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 which covers trafficking for all forms of labour exploitation. Exploitation is defined as: slavery or forced labour; use of threats, force or deception to obtain a service; or a request or inducement to get someone to undertake an activity that someone who wasn't young, disabled or a family member would be likely to refuse.

These trafficking offences came into force in 2004 and both carry a maximum penalty of 14 years in prison. This means that the UK is complying with its obligations under the UN Protocol on trafficking (ratified in February 2006).

- The UK Government took action against trafficking for forced labour. It passed the *Gangmasters (Licensing) Act 2004*, which establishes a system for registering labour providers in the agricultural, shellfish gathering and associated packing and processing sectors. The licensing system came into force in 2006.

As of January 2008, there has been 90 successful convictions for trafficking for sexual and four convictions of trafficking for labour exploitation.

The Government set up the UK Human Trafficking Centre which will be a dedicated national police led unit (which will co-ordinate with the CPS, immigration, etc.) and will have a mandate to pursue trafficking for both labour as well as sexual exploitation.

- In September 2008, the Government withdrew its reservation on the Convention on the Rights of the Child (CRC). The reservation had meant that trafficked children were processed as unaccompanied asylum-seeking children and did not have their rights under the CRC upheld and could be detained and deported without access to the specialist help they needed
- The UK ratified the Council of Europe Convention on Trafficking in Human Beings in December 2008. One of the main purposes of the Convention is to design "a comprehensive framework for the protection and assistance of victims and witnesses". The treaty identifies trafficking as a violation of human rights and has a number of important measures:

**Article 2:** Ensures the Convention includes both transnational and internal trafficking;

**Article 5:** Covers prevention measures, including enabling migration to take place legally, social and economic initiatives targeted at the vulnerable and promoting a human rights based approach to counter trafficking policies;

**Article 10:** Identifying trafficked people via training of appropriate staff and ensuring

that, where there is reasonable grounds to believe someone has been trafficked, they are not removed until a full identification process has been undertaken.

**Article 12-15:** Contain minimum standards for the protection of the rights of trafficked persons (including a reflection period of 30 days, assistance to trafficked people, residency permits, child protection components, non-discrimination clauses, compensation provisions, etc.). Assistance should not be made conditional on their willingness to act as a witness.

**Article 20:** The retention, removal, concealment or destruction of documents for the purpose of trafficking people should be criminalised.

**Article 26:** Provides for the possibility of non punishment of trafficked people for criminal activities if they have been compelled to perform them.

**Article 36:** Establishes an independent body of experts (GRETA) to monitor the implementation of the treaty by those states that have ratified it.

### **What can I do to stop trafficking?**

Students and young people have a vital role to play in the fight to eradicate slavery from the world today. The first step is awareness of the issue. Once you are aware, you can inform a lot of other people and they in turn can make more people aware. When a lot of people are armed with facts then they can start to lobby decision-makers, both in governments at home and internationally, as well as in international organisations. Effective lobbying can make a massive difference to decision-makers, who will either be counting on your votes now or in a few years time. For example, six years ago in the UK, not many people knew about trafficking, but with education, the general public and organisations like Anti-Slavery International lobbied the government to take steps to address the problem and produce an action plan focusing on the protection and rehabilitation of trafficking survivors. Whilst there is still a way to go, the UK government has ratified the Council of Europe Convention on Action on Trafficking in Human Beings in December 2008 which offers victims of trafficking minimum protections.

Activities that students can carry out to help raise awareness and fight for the eradication of slavery include:

- Visiting the [Anti-Slavery International](#) website and learning about the different forms of slavery
- Joining the [Campaigns Network](#) and taking regular actions on campaigns
- Writing a letter to your local MP and asking for action on a particular campaign
- Becoming a [member](#) of Anti-Slavery International
- Holding an awareness raising day at school/college/university/place of worship/youth club/community centre
- Organising a writing group and asking each one in the group to write a letter to your favourite shops asking what measures they are taking to identify, prevent and end the use of slavery in their supply chain
- Organising a fund-raising activity/event to raise funds to help support Anti-Slavery International's partners in their release and rehabilitation of enslaved people. Download a [Fundraising for Freedom](#) Events pack
- Supporting the Niger Schools Development project which provides education for children descended from slavery

Specific actions around trafficking that student could take would be to urge the UK government to:

- Establish an independent National Rapporteur on Trafficking as a focal point for information; to foster co-ordination between different organisations and agencies; and to review government policy and make policy recommendations.
- Improve identification and referral mechanisms through further training. The identification of trafficked people and their referral for support is the responsibility of all agencies and individuals. It cannot be assumed that trafficked people will simply identify themselves as such to the authorities. Anti-Slavery International training manual at:  
[www.antislavery.org.uk/homepage/resources/PDF/PDFtraffic.htm](http://www.antislavery.org.uk/homepage/resources/PDF/PDFtraffic.htm)
- Ensure that residence permits granted to victims of trafficking should incorporate both the criminal justice route and the social justice route, so that residence permits are not conditional on the victim testifying against the trafficker.