

8

When Life Becomes a Commodity

HUMAN AND WILDLIFE TRAFFICKING

COMING BACK FROM SLAVERY

From 3 am to 8 pm, James Kofi Annan, not yet 6 years old, worked in a fishing village with other children. Like the other children with whom he worked, he was sold for labor. He moved from village to village working in fishing villages, usually with one meal a day, no medical care, and little sleep. When he was 13, he managed to escape and returned home to the relief of his mother and the ire of his father, who had received ongoing payments. Despite ridicule for his poverty, he enrolled in school, learned to read, and excelled—eventually being one of only a few to attend college. He then worked for five years at Barclay's Bank of Ghana. After five years, he resigned to devote his efforts full-time to "Challenging Heights," an organization he established to rescue, shelter, and educate child slaves, especially about their rights. The organization works in prevention and advocacy and educates parents about the dangers of trafficking and the opportunities that school and health care open up for their children. Annan has won a number of awards, including the Frederick Douglass Freedom Award in 2008. He uses award money to further his work.

Source: End Slavery Now (2015).

LEARNING OBJECTIVES

After completing this chapter, students should be able to do the following:

- 8.1 Analyze the features of modern life that contribute to the opportunity and motivation for international crime
- 8.2 Understand the types and prevalence of human trafficking
- 8.3 Analyze global and societal factors that contribute to offending and vulnerability to victimization
- 8.4 Evaluate the effectiveness of the current anti-trafficking regime and suggest improvements
- 8.5 Assess programs to rehabilitate the variety of victims of human trafficking
- 8.6 Evaluate the strengths and weaknesses of the legal framework for combatting trafficking in wildlife

GLOBALIZATION EFFECTS ON CRIME

One of the more dangerous and dark effects of globalization is the globalization of crime. More open borders coupled with technological advances in communication, transportation, and manufacturing create opportunities for new crimes and for conducting old crimes in new, more efficient, less risky ways. Just as the market for legal goods and services is global, so is the market for illegal goods and services. There are at least 52 activities that fall into the category of transnational crime. They range from trafficking in arts and antiquities to trafficking in human organs.

Improvements in transportation and communication did not cause globalization, but they increased its pace exponentially. The volume of transportation of both people and goods through sea and airports is such that identifying every illegal shipment is impossible. In 2007, 2.2 billion people traveled globally on 29 million flights among 3,750 airports. In 1996, 332 million tons of goods traveled across the seas; by 2007, it was 828 million tons (United Nations Office on Drugs and Crime [UNODC] 2014). How can this many people or this much cargo be inspected effectively?

The anonymity, speed, and new modes of communication serve transnational crime well. Mobile telephones, “burner” disposable phones, and the capacity to route communications through several countries in seconds before reaching the final destination make it hard to pinpoint the geographic locations or identities of the people communicating. Encryption makes it difficult to decode and read illicit messages. In 2009, there were close to 240 million websites (and there will probably be many more by the time this gets to print). Policing this many for crimes as diverse as child pornography, money laundering, and human trafficking is a near impossible task.

Anything that can be gotten legally can be obtained illegally, and many forbidden goods and services from drugs to slaves are available through international crime. With high-quality printers and copiers and digital video and audio recorders, making counterfeit goods from purses to watches and pirating movies and music is easier and the goods are harder to distinguish from the genuine ones. From counterfeiting to the sex trade, new technologies make old crimes easier and make many new “cyber-crimes” possible.

The costs of transnational crime were enormous, about U.S. \$870 billion, comparable to 1.5 percent of global gross domestic product (GDP) or 7 percent of the world's exports of merchandise in 2012—a figure that has surely risen significantly since then (Interpol 2014;

UNODC 2012). Drug trafficking, the most lucrative of the crimes, reaped profits of about \$320 billion in 2012, counterfeiting made about \$250 billion (hundreds of billions more if domestic counterfeit sales and digital pirating are included), human trafficking about \$32 billion, smuggling migrants about \$7 billion, and trafficking in timber about \$3.5 billion. Elephant ivory, rhino horn, and tiger parts from Africa and Asia produced \$75 million annually in criminal turnover (UNODC 2012). However high the economic costs, it is the political, social, and human costs that are most severe. Millions of lives are lost or ruined. The corruption that transnational organized crime (TOC) breeds destabilizes governments. The costs of TOC are burdensome for all societies, but like all social problems they fall most heavily on developing countries. Even in healthy societies, transnational crime threatens states, democracy, and development.

INDIVIDUAL AND ENVIRONMENTAL VULNERABILITY TO TRANSNATIONAL ORGANIZED CRIME

Anticipating where organized crime might arise and who might fall prey is important to preventing and combatting TOC. Uncovering patterns of individual and environmental vulnerabilities that “push” people toward organized crime or make them victims of it helps to understand how trends in TOC develop. Markets in drugs, arms, and people expand and contract as societal conditions change. Factors such as unemployment, a labor market closed to women, gender discrimination, lack of opportunity, poverty, persecution, collapse of social infrastructure, conflict, and war “push” people toward crime. The lure of better conditions or illicit opportunities, along with demand for goods or services, may “pull” them toward traffickers or other victimizations (Europol Public Information 2011).

Environmental Factors

Determining the environments in which TOC will thrive and those that will be resistant is not as easy a proposition as it might seem. Political, social, economic, and cultural factors all play a role. Their synergy in different configurations alters the relative importance of each from case to case. These factors are those that also relate to disorder generally, from domestic crime to violent conflict. Some, such as a strong ethnic identity, are relevant only in the context of others in determining the nature of the crime or disorder that emerges.

Political Factors

Rule of law is one of the most important factors related to the infiltration of organized crime in a country. Where these factors are present, countries are less vulnerable:

- Government and its officials, private entities, and individuals are accountable under the law.
- Laws are clear, publicized, stable, just, and applied evenly.
- The processes by which laws are enacted and enforced are accessible, fair, and efficient.
- Justice is timely delivered by competent, ethical, and independent representatives who have the resources they need and reflect the makeup of the communities they serve. (World Justice Project 2016)

Rule of law depends on the quality of its institutions and the people who occupy them. People must perceive the institutions as legitimate. Laws need to be fair and applied equally. This requires independent and accountable branches of government. The justice system, for example, must not hold any person above the law and must serve the country, not special interests. Lawless spaces create an environment ripe for crime. With no one to enforce or uphold it, there is no law.

Crime thrives where there are weak institutions and weak rule of law. In West Africa and East Africa, governments of failing states are overrun by criminal networks. As with the traditional crime networks, organized crime uses its own people and methods to fill in for legitimate institutions. In February 2016, Operation Adwenpa in West Africa positioned 100 local and Interpol officers at border points in Benin, Côte d'Ivoire, Ghana, Nigeria, and Togo. In just 10 days, the officers arrested a Ghanaian wanted by Brazil for drug trafficking, a French national wanted by Benin, and another Ghanaian who was smuggling two children into Togo; six children being trafficked for labor were rescued; and 900 kg of narcotics, seven stolen vehicles from Canada, France, Germany, and Italy, and gold, jewelry, ivory, and counterfeit passports were seized (Interpol 2016a).

In countries and regions with little state capacity for regulation and enforcement, "might makes right." These countries become incubators for crime. The weakness and void within failed and failing states provide a haven for criminal activity. In some areas, the only governing force is transnational crime. In Guinea-Bissau, for example,

South American drug cartels have taken over, making it a hub on their trafficking routes. Drugs provide a better income for the people and the country as a whole than its cashew exports. The government and drug traffickers are indistinguishable, and the valuable drug trade is protected by the military. It has been called Africa's first "narco-state" (Mungai 2015).

Where states are in transition, even from autocracy to democracy, they are at their most fragile. Laws and institutions are in flux. It takes time to build a stable government. State structures weaken before new strong ones are established. Conditions of anomie in developing nations and countries in transition after the breakup of the Soviet Union and Warsaw Pact rendered them vulnerable to TOC. These countries sit along drug transit routes from both Asia and Latin America. Traffic in drugs, arms, and people passes through these routes.

Strong authoritarian states also provide opportunities for organized crime. Authoritarian states are not accountable to anyone. The legislature and judiciary may serve the executive branch, not the people. Corruption is almost always present. Unlike the situations of weak states, organized crime operates within the limits established by the state authorities. It is at the service of, rather than in opposition to, the government. Collusion between the state and criminals in these conditions is under control of the state, not the criminals, and state officials as well as their friends and families grow wealthy (Williams and Godson 2002).

Violent Conflict

Violent conflict and hostility destroys the economy, infrastructure, and social relations within a society. It depletes resources. War-torn societies in the Middle East and the former Yugoslavia illustrate this dramatically. Black markets and negative social relations develop to fill the void. Its effects last long after a conflict has ceased. Supplies needed for conflict fuel black market trafficking not only for arms but also for many goods, including people trafficked for conscription into armed groups or for sex slaves to serve them. One of the greatest challenges to postwar recovery is the expansion of organized crime. Skilled militants with an oversupply of arms take advantage of the economic and political vacuums. The insecurity from violent conflict diffuses outward to neighbors; it increases tensions among states and among social groups within states. When the conflict has ceased, armed groups remain (Marshall and Cole 2014).

Civil war gave rise to piracy along the shores of East Africa. Somalia has not had a functional government since

1991. Fishermen in Somalia have become pirates because legitimate employment opportunities are few and far between and there is no functioning government to patrol the waters. Somali piracy peaked in 2011, but pirates are still active there as well as in West Africa and Southeast Asia. In recognition of the weaknesses of many governments and the lawlessness of the seas, some governments have gone so far as to encourage merchant companies to hire private security forces and arm their ships, effectively handing over government's traditional monopoly on the use of force (Urbina 2015).

Economic Factors

Where the economy is weak, organized crime often pays better and offers more security than conventional jobs, even jobs in the police and military. In these situations, many officers are corruptible, from the local police to military generals.

When an economy is transitioning from a command market to a free market, particularly in the context of a political transition, organized crime is likely to become deeply entrenched in the economy. As mentioned above, authoritarian states and organized crime share interests. When the regime falls or transitions, the power often shifts to the criminals. They can seize control over many businesses, particularly in export sectors. They can demand "protection" from small and large businesses, banks, and other financial institutions (Williams and Godson 2002).

Rebel and terrorist groups turn to organized crime to finance their activities. From FARC (Revolutionary Armed Forces of Colombia) in Colombia to more recent conflicts in the Middle East, there are close links between terrorism and TOC. FARC, the Taliban, al Qaeda, and Hezbollah all participate in the drug trade in various capacities to fund their activity.

Cultural and Social Factors

Cultural norms might disguise or contribute to trafficking. When laws passed by the central government conflict with traditional norms, the traditional norms often dictate practice. The rule of law often does not extend far beyond urban areas if enforced even there. Traditional forms of justice often prevail. Sexual mores that condone and promote violence against women play a role in justifying or morally "neutralizing" trafficking in women and girls for both sex and labor. Norms relevant to child labor may suggest that a child is a resource to be put to work, however dangerous the job.

There is a very thin line between seeing a woman as of less value than a man or a child as a resource and selling that woman or child to a trafficker. Child sex tourism and child domestic servitude and labor are no longer acceptable in international law or in any domestic law regardless of custom or traditional norms. Ironically, diplomatic personnel have been among the most visible abusers of these customs. The Organization for Security and Cooperation in Europe (OSCE) has produced a handbook as well as guidelines for preventing diplomats from using trafficked labor and settling disputes when they arise (OSCE 2014).

"Favors" for friends and family in the context of business or government is considered corruption in most modern societies and contrary to rule of law outside of a family-owned business. But it is normative in traditional societies. Family and friends are expected to benefit from one another's positions. This extends into some societies as quid pro quo or clientelism through which political and economic favors are exchanged. These expectations reinforce social relations between organized crime and a populace, between organized crime and politicians, and it solidifies loyalties and relations within the organized crime group itself. The Italian Mafia and Chinese Triads were based on these principles. Nigerian politics is still based on "prebendalism" in which those in political office are expected to use the office for their benefit and that of their faction. Along with authoritarian rule, this cultural norm helps to explain the rise of Nigerian organized crime (Williams and Godson 2002).

Markets also explain the strength of organized crime. In some cases, as happened with alcohol and prohibition, legalizing alcohol broke the grip of organized crime.

Some markets, of course, cannot be legalized. But even among those where legalization is possible, it does not necessarily push out organized crime. For example, the legalization of prostitution in Amsterdam did not force the sex traffickers out of the business.

Individual-Level Factors

In assessing individual vulnerability, three main categories of risk are worth considering:

- *Personal vulnerability*: any characteristics of the individual such as youth or old age, physical disability, gender, mental disability, cultural difference, and family situation
- *Situational vulnerability*: legal status in a country or marginalization due to cultural, religious, social, and linguistic isolation

CONSIDER THIS

THE PROTECTION OF COMMUNITY

A San Diego State University researcher discovered that approximately 38,000 Spanish-speaking workers in San Diego County, California, are victims of abuse and human trafficking. Most were in the construction sector, followed by food processing and janitorial work. Agriculture was the lowest. Most abuse occurred at the workplace rather than during capture or transportation. Workers were confined

to the workplace, forbidden from contact with relatives, and subjected to physical and sexual violence as well as having their identity papers confiscated. The low level of trafficking among these farm workers was surprising. The research revealed that the close-knit network of agricultural workers might have reduced the potential for trafficking and abuse (Zhang 2012).

- *Circumstantial vulnerability:* unemployment and economic destitution (Daniel-Wrabetz and Penedo 2015)

Age

Children are particularly vulnerable. As economic liabilities in conditions of poverty, they may be lured or sold into the labor or sex market. At the other end of the age spectrum, older adults are also vulnerable. People at the upper end of working age are still able to work but may be left out of the job market, particularly where jobs are hard to come by. Desperate for work, they are more easily lured into high-risk opportunities. Desperate for money, and perhaps ignorant of modern technologies and finance, they become victims of a variety of emerging crimes. The handicapped and mentally disabled, excluded from many opportunities, may be lured by offers of love or jobs.

Children are the most powerless victims. Sold by her parents in Egypt, Shyima Hall was later smuggled into California by her captors. She worked 20 hours a day while suffering physical and verbal abuse. Her captors kept anything from her that might teach her English. Four years into her captivity, a neighbor filed an anonymous report of her captivity. At the time of her rescue, she could speak only three English words (U.S. Department of State [USDOS] 2014).

Shyima is one of many who were sold by their parents. In Svay Pak, a neighborhood in Phnom Penh, Cambodia, half of the population lives on less than \$2 a day. It is the global epicenter of child sex trafficking. Desperation drives many parents and relatives to sell one or more of their children. Neoung sold the virginity of her 12-year-old daughter, Kieu. Kieu was held in a brothel for three days

and raped by three to six men a day. Upon her return, her mother sold her a second time and then a third time. It was then that Kieu knew that she needed to flee. When interviewed by CNN, Kieu's mother said she was heartbroken to sell her daughter but had no choice because of debt. Ann, facing \$6,000 of debt, also sold her daughter. The money lenders promised her "big money" for her daughter's virginity. She had seen others do it, so she did it too. In the neighborhood, some of these mothers are mocked for giving away their daughters. Others think it is fine. Deep in poverty and debt, a daughter's virginity is often a family's most valuable asset. In Cambodia, United Nations International Children's Emergency Fund reports that a third of the 40,000 to 100,000 people in the sex trade are children. In countries where corruption is high, prosecutions happen but are difficult to bring forward because many police are involved in the trafficking. In a society like Cambodia devastated by violent conflict and genocide, poverty and corruption combine in a lethal mix.

Agape International Missions now works in Svay Pak, providing loans, rescuing girls, housing them, and giving them factory jobs. Shyima's story illustrates all three levels of vulnerability, common in Cambodia. However, there is no country immune from child trafficking as a source country, a destination country, or both. In China, the one-child policy is blamed. In India, it "makes sense" to sell girls off at a young age. They are financial liabilities; a girl will ultimately leave home, after her parents pay for her marriage, and move in with her husband's family. Selling girls, perhaps as child brides, saves this expense.

Although it is impossible to count the victims of child trafficking, estimated to be at about 1.2 million, and determine how many are sold by parents, the number is

CONSIDER THIS

CHILDREN, THE MOST VULNERABLE SEX WORKERS

Sex trafficking is the fastest growing organized crime. National and global sports events are among the “hottest” venues for sex trafficking. Among the sex workers are children. The Federal Bureau of Investigation (FBI) estimates that 200,000 children in the United States are at risk for being trafficked for sex every year. Many, if not most, are sold online. In 2008, the FBI found 2,800 advertisements for children online.

Thorn, an NGO, combats online child trafficking with “intelligent technology.” Its program, “Spotlight,” identifies victims online and illicit online networks. In 2016, the organization collaborated with the FBI, the Alameda County district attorney, and police in Oakland, California, to identify victims at Super Bowl 50 (Arteaga 2016).

surely in the tens or hundreds of thousands. Children are trafficked for sex, for cheap and unpaid labor—domestic labor and hazardous work—and for soldiering.

Marginalization

Marginalized people and marginalized communities are also among the most vulnerable. These groups face discrimination, persecution, violence, and abuse. The Roma are a people without a homeland. They face discrimination and prejudice throughout Europe, although they are citizens of the European Union (EU) and the countries in which they live. Not only poor, they also face extreme marginalization and little access to social services such as education, health care, employment, and credit. They end up taking loans in the informal sectors of money lending at exorbitant interest rates, putting them into debt and making them vulnerable to traffickers. They lack the protection of law enforcement and distrust it, exacerbating their vulnerability. Many have been prosecuted for crimes—from prostitution, to burglary, to illegal entry—that they were forced to commit while victims. Threat of turning victims over to law enforcement after they have been forced to commit crimes is one method of coercion. This dilemma confronts minority ethnic groups worldwide, particularly in countries with weak governments or governments that violate the rights of minorities within their population. There are hundreds of such marginalized groups globally.

Marginalization of lesbian, gay, bisexual, and transgender (LGBT) people makes them particularly vulnerable. Many countries criminalize people on the basis of sexual orientation. This elevates the threat of violence and precludes them from educational and employment

opportunities. Many are rejected by family and their communities. This is a twofold dilemma. The discrimination and lack of opportunity leads them to seek opportunity outside of traditional channels and prohibits them from turning to law enforcement for help. Non-governmental organizations (NGOs) in Argentina found that transgender women were promised jobs but had their passports stolen by traffickers and were forced into prostitution. South African LGBT children were coerced into prostitution by threats to expose them to their families (USDOS 2014).

THE LEGAL FRAMEWORK TO COMBAT TRANSNATIONAL ORGANIZED CRIME

International conventions and treaties have the force of law, binding the countries that ratified them to uphold them and promote international cooperation in achieving the objectives. Because TOC differs from traditional “organized crime” in several ways, considering the differences is important in constructing legal frameworks that combat TOC in all of its dimensions.

Traditionally, organized crime groups develop territorially in areas marginal to or neglected by the state. They offer services such as credit, jobs, and security where conventional opportunities do not exist. These activities devolve into loan sharking, “protection,” and positions in the criminal hierarchy. Traditional syndicates supply a range of goods or services, diversifying rather than specializing. They secure loyalty within their territories by intimidation but also by providing services that the government does not or cannot provide. Criminal control can

force peace in a violent and conflict-ridden region, a *Pax Mafiosa*, the Mafia's peace. Even Joaquín Guzmán Loera ("El Chapo"), head of the Sinaloa Cartel, is a folk hero in his home state, where homicide is two and a half times the national average. People celebrate him for helping out local people, for providing them with jobs in the trade, for his intelligence demonstrated in having amassed a fortune, for winning against the government for many years, and for keeping their state relatively calm. When he escaped from jail, he returned to his state and many people were glad because it would keep worse drug gangs out of the area (Neuman and Ahmed 2015).

Now, TOC is increasingly composed of loosely structured networks rather than the hierarchically structured groups of traditional organized crime "syndicates" (UNODC 2014). A study of 40 crime groups from 16 countries distinguished five types of crime organization: the crime network, the traditional rigid hierarchy, regional hierarchies, clustered hierarchies, and core group organizations. The traditional rigid hierarchy characterized only one third of the groups and was mostly associated with groups having a strong social or ethnic identity. Regional and clustered hierarchies are composed of groups that may be distributed across countries or regions. Component group networks grant more autonomy than in the rigid hierarchies, and the core group structures are small, tightly knit flat structures surrounded by a loose network (van Dijk and Spapens 2014).

These smaller, decentralized, more fluid and agile criminal structures are better adapted to changing conditions. For example, after the Cali and Medellín cartels of Colombia disbanded, hundreds of smaller, more fluid, more sophisticated groups took over cocaine trafficking. They proved to be nimbler in face of stronger law enforcement and court adjudication (van Dijk and Spapens 2014). Mexico, which acquired a more significant role in trafficking after the demise of the Colombian cartels, underwent similar transformations. The structure of the Sinaloa cartel, perhaps the most famous of the drug cartels, rose to power after the fall of the Guadalajara cartel in the 1980s. It adapted its structure in the last 20 years, operating as a federation of affiliated cells. It allies with other cartels in adopting a less hierarchical, more decentralized structure overall. Each subgroup has significant autonomy in its own operations (Harris 2014). Each subgroup has its own hierarchy.

Smaller, more fluid, and more agile groups also adapt quickly to the opportunities of globalization. More open borders facilitate movement of people and goods. Internet and mobile phones facilitate communication. Global

financial systems make it easier to move money. Racketeering is less profitable for traditional groups that are weakened by arrests and social changes, the ethnic diversity of urban areas, easier credit, the decline of powerful unions, and transparency in government contracts. More regulation and prosecution at the national level has pushed crime to the global level, where many gaps in regulation and security open new opportunities. The new networks are low profile and fill the market gaps left by the decline of the larger, very visible traditional groups. The scenario of organized crime today is "less a matter of a group of individuals who are involved in a range of illicit activities, and more a matter of a group of illicit activities in which some individuals and groups are presently involved" (UNODC 2010). If the groups and individuals are caught, the activities continue as the market and incentives remain.

The capacity of small groups to engage in a broad network of supply and transit links in a variety of markets is illustrated by the story of two FBI cases. One Albanian group was caught smuggling in 100 kg of heroin. The group's U.S. ties were in the cities of Chicago and Detroit and in the state of Texas. The group had international ties in Albania and Macedonia. The heroin traveled from Afghanistan and probably through Turkey on its way to Albania. This small group was allegedly also dealing in illegal pharmaceuticals, gambling, ecstasy, and stolen goods. This was a very loosely organized group with no clear leader. Another group was headed by a Vietnamese woman who lived in Canada and for six years managed to traffic millions of ecstasy pills into the United States. She was the leader and pivotal link in a small Asian drug trafficking network (Bjelopera and Finklea 2012).

The 2000 UN Convention against Transnational Organized Crime is the major treaty governing international efforts to combat TOC. Because of the complexity of TOC structures, the convention is carefully crafted using rather broad definitions to expand the responsibilities of governments as needed to prosecute newly emergent crimes and fluid forms of organizations that commit them.

An act is considered *transnational* if it occurs in more than one state, if part of the preparation or control takes place in another state, if the organized criminal group has activities in more than one state, and if it has substantial effects in a state other than where it was committed (UNODC 2000, Article 3).

Crimes to be prosecuted under the act include money laundering, corruption, obstruction of justice, participation in a criminal group (as defined above), and "serious crime" (UNODC 2000, Articles 5, 6, 8, and 23).

The *serious crime* stipulation casts a wide net. It is defined by the length of the potential sentence in the country where the act is committed. Any crime for which the sentence could be a maximum of four or more years of incarceration is covered (UNODC 2000, Article 2).

Under the convention, an *organized criminal group* is one with the following characteristics:

- A group of three or more persons that was not randomly formed
- Existing for a period of time
- Acting in concert with the aim of committing at least one crime punishable by at least four years of incarceration
- Acting to obtain, directly or indirectly, a financial or other material benefit (UNODC 2000, Article 2)

The convention considers participation in an organized criminal group very broadly as well. It includes participation directly in the crime, of course, and also agreeing to take part in a crime of the criminal group or doing anything that could contribute to the crime being fulfilled, including giving advice (UNODC 2000, Article 5).

These broad definitions give the act the scope and flexibility to adapt to unforeseeable developments in the nature of the organization and the nature of crime.

Every country that ratifies the convention agrees to incorporate the terms of the convention into their domestic laws. This would include criminalizing the acts mentioned in the convention, institutionalizing methods for prevention, and securing the rights of victims, rather than prosecuting them as criminals, which is critical to divert them from criminal enterprises.

Revising domestic law in line with the convention ensures two mechanisms with which to hold states accountable: the international convention and their own laws. States can be called to task for violating either mechanism. In general, such carryover from international law to domestic law, rather than simply being redundant, increases enforcement (Simmons and Hopkins 2005).

All serious crimes with an international component as described above are included in the convention.¹ For specifically targeted crimes, three protocols supplement the convention: one for trafficking in persons, especially women and children, a second for smuggling migrants, and a third for manufacturing.

HUMAN TRAFFICKING: WHEN PEOPLE BECOME A COMMODITY

Data on human trafficking are based on cases that have been detected. There is no generally agreed on or methodologically sound estimate of the number of victims. Thus, the data reported on victims detected should not be assumed to represent the gender and age breakdown of all victims. Crimes involving female victims, by far the largest group of detected victims, may be more frequently detected than crimes involving male victims.

The State of Trafficking in Persons: Prevention and Prosecution

There is no accurate count of victims of human trafficking. The USDOS estimates that there are approximately 20 million victims currently. Each year, countries report² the number of traffickers they convict and the victims they identify. While many have been saved, millions are still captive (Tables 8.1, 8.2, and 8.3).

Forms of Human Trafficking

The main forms of human trafficking are sexual exploitation (53 percent), forced labor (40 percent), and organ removal (0.3 percent).

Sex Trafficking

In two separate incidents in London, Border Force officers stopped young girls traveling alone. The ages on their passports indicated that they were adults. They were in transit from Lagos, Nigeria, to Paris, being trafficked as prostitutes. They were placed in protective custody, but their captor eventually caught up with them. He tried to move them to Spain, but border patrols refused one girl entry. This gave Interpol an opportunity to capture their captor, who is now serving 14 years in prison in London (Interpol 2014).

Many children and others trafficked in the sex trade never get out alive. Sex trafficking haunts every continent and, more than likely, every country. It is the most common form of human trafficking. It is impossible to know how many victims there are globally or within any one country. In the United States alone, there are thousands, both U.S. citizens and foreign nationals. One estimate is that there are about 4.5 million people globally trapped in forced sexual exploitation (Polaris Project 2015). They may be working alongside victims of forced labor in the

A CLOSER LOOK

VICTIMS OF HUMAN TRAFFICKING

TABLE 8.1 Regional Trafficking by Servitude Category

Based on the victims rescued, regional patterns of human trafficking vary in the proportions of victims in various categories of servitude.

Region	Sexual Exploitation	Forced Labor	Other ^a
Africa and Middle East	53%	37%	10%
Americas	48%	47%	4%
East Asia, South Asia, and Pacific	26%	64%	10%
Europe and Central Asia	66%	26%	8%

a. Other includes organ removal, armed combat, petty crime, forced begging, benefit fraud, baby selling, pornography, forced marriage, illegal adoption, and rituals.

Source: Adapted from Federal Bureau of Investigation Hate Crime Statistics for 2012 to 2016 (FBI 2013, 2014, 2015, 2016, 2017).

TABLE 8.2 Detected Victims of Human Trafficking by Age and Gender, 2011

Sadly, the numbers of children victimized seems to be rising, based on counts of detected victims. From 2004 to 2011, the percentage of victims who are girls increased from 10 to 21 percent and the percentage of victims who are boys increased from 3 to 12 percent, although the ratio of children to adults varies by region.

Women	Girls	Men	Boys
49%	21%	18%	12%

Source: Adapted from Federal Bureau of Investigation Hate Crime Statistics for 2012 to 2016 (FBI 2013, 2014, 2015, 2016, 2017).

TABLE 8.3 Children and Adult Victims of Trafficking per Region

Region	Children	Adults
Africa and Middle East	62%	38%
Americas	31%	69%
East Asia, South Asia, and Pacific	36%	64%
Europe and Central Asia	18%	82%

Source: Adapted from Federal Bureau of Investigation Hate Crime Statistics for 2012 to 2016 (FBI 2013, 2014, 2015, 2016, 2017).

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SELLING CHILDREN ONLINE—AVAILABLE TO BE RAPED

Every day, thousands of children, some boys but mostly girls, are advertised for sale. Some are runaways and gullible, some are simply naive and gullible, and some are kidnapped. However they got there, they are captive and available to be raped—20 or 30 times a day, depending on the number of buyers. One of the most notorious of these sites operates openly—globally. “Backpage” hosts 80 percent of the online sex ads in the United States. Anyone can post an ad, reply to an ad, and buy anything from antiques to children.

Operators of the site know that children are being sold. With profit nine times the average for online service sites, it is worth hundreds of millions of dollars. Children’s lives are ruined before they have a chance at life. The U.S. government has tried for years, and is still trying, to shut the service down. How could the most powerful country in the world fail repeatedly to protect its most vulnerable?

agricultural camps, mines, or other remote and isolated industries, where government presence is minimal. Bolivian and Peruvian women and girls supply forced sex work in the mining areas of Peru. In the mines of Surinam, Guyana, Madagascar, and China, and in the U.S. state of North Dakota, women and children are exploited in the sex trade. This is a short list of the countries involved.

As in other forms of trafficking, the promise of a legitimate job is often used as bait. Kidnapping, buying and selling children, and selling young girls as “brides” all are techniques to coerce victims into the sex industry. Like other forms of trafficking, the internet opened up more opportunities. In addition to “mail-order brides,” escort services, dating services, and thinly veiled online advertisements for prostitution make marketing sex cheap and easy.

Some victims are captive within their homeland, and others are captive in places where they do not speak the language, making escape even more difficult.

Fully 79 percent of female and 8 percent of male trafficking victims who have been detected are trafficked for sexual exploitation. In some cases, women have been tricked into sexual labor through the mail-order bride industry. Many women enter these marriages willingly to escape poverty. Some, after entering the marriages, are sold by their “husbands,” who turn them over to sweatshops or brothels. As with child labor, some children are sold as brides to pay off family debts. “Opium marriages” involving girls to settle debts are common in Afghanistan. This was the fate of Khalida. When she was 9 or 10 years old, her father’s opium crop was wiped out in the government’s war against the drug trade. Unable to pay the

drug trafficker the U.S. \$2,000 he had borrowed, he sold Khalida to the 45-year-old trafficker. Such marriages may involve girls as young as 5. In these cases, the girl is a domestic servant until she is old enough to consummate the marriage. Suicide among these children is also not uncommon (Aronowitz 2013).

Nicholas Kristof, a *New York Times* columnist, spent decades investigating human trafficking. The stories he collected are outrageous and common. Poonam was taken from her home in Nepal. The recruiter told her that she could earn a lot of money and make her father proud. She was 12 years old. He took her to a brothel in Mumbai, India, where he sold her for \$1,700. Given “falsies” and a skimpy dress, she was ready for customers. Determined to make a big profit, the brothel owner sold her 20 to 25 times a day—every day. There were no holidays, no days off, and no pay. One day when she was hurt and bleeding, Poonam refused. She was beaten and burned with cigarettes. She was rescued when the police raided the brothel. Although she told the police that she was older, she feared a beating that the brothel owner told her she would get from the police. The police realized that she was a child and took her to Maiti Nepal, an anti-trafficking organization (Kristof 2015).

Although it is not a money-making prospect, terrorist groups, including Boko Haram and ISIS (Islamic State of Iraq and Syria), have kidnapped thousands of women and girls; Boko Haram alone kidnapped more than 2,000 just in 2014 and 2015. Most are used as domestic or sex slaves, sometimes through forced marriage. When 200 women and girls were rescued by Nigerian forces, the victims reported that they were forced to change their

names, raped, and forced into marriage and other forms of slavery. In a manner similar to how traditional organized crime groups rationalized their crimes, ISIS developed elaborate rules concerning when raping “sex slaves” was allowed and when it was not (Dearden 2015).

Sex Tourism

Globalization provides opportunities for tourism and sex tourism (as well as for medical tourism and receiving trafficked human organs). Sex tourism is such big business that it supplies as much as 2 to 14 percent of the GDPs of Thailand, Malaysia, the Philippines, and India (Aronowitz 2013).

Child pornography and child sex tourism are the darkest sides of this dark business. The Centers for Disease Control and Prevention (CDC) estimates that there are about 2 million children sexually exploited globally. It warns that under U.S. law, any residents of the United States who engage in sexual or pornographic activity with children anywhere in the world can be prosecuted when they return to the United States (CDC 2013). Any child engaged in sex work is considered trafficked. In 2012,

U.S. federal agents uncovered 123 children exploited sexually for the purposes of pornography, 5 of whom were only 3 years old. The investigation spanned 46 U.S. states and six countries (ICE Newsroom 2013).

Child sex tourism is found all over the world. Sex tourism along both sides of the U.S.–Mexican border is big business. In some cases, it is affiliated with the drug cartels. Flows of traffic in child sex tourism follow patterns. U.S. residents and Canadians generally travel to the Mexican border and Latin America, with Costa Rica and Mexico being the favored spots, followed by Brazil and the Dominican Republic. Europeans travel primarily to Africa, where there are reportedly 10,000 to 15,000 girls being trafficked off the coast of Kenya. Australians go to Southeast Asia, primarily Indonesia, the Philippines, and Thailand. Asians tend to travel within their own regions (Table 8.4) (Aronowitz 2013).

Ironically, the legalization of prostitution does not seem to diminish sexual exploitation. In the Netherlands, where prostitution is legal, human trafficking has always infiltrated prostitution. Human traffickers take advantage of licensing differences in local laws. Licensing prostitutes should provide law enforcement with a chance to

A CLOSER LOOK CHILD SEX TOURISM

TABLE 8.4 Major Known and Emerging Destinations of Child Sex Tourism

Although child sex tourism is more prevalent in developing countries, it exists all over the world. Major sporting events, such as the Super Bowl in the United States and FIFA (Fédération Internationale de Football Association) championship games, attract tourists for the sports and the sex trade that accompanies them.

Region	Countries
Africa	Cameroon, the Gambia, Kenya, Senegal, South Africa
Southeast Asia	Indonesia, Cambodia, Laos, the Philippines, Thailand, Vietnam
Central and South America	Brazil, Colombia, Costa Rica, Dominican Republic, Guatemala, Honduras, Mexico
Northern Russia, Eastern and Southeastern Europe	Romania, Moldova

Source: Adapted from *Transnational Crime and the Developing World* by Channing May (https://illicittrade.com/reports/downloads/Transnational_Crime-final.pdf) licensed under CC BY 4.0 (<https://creativecommons.org/licenses/by/4.0/>).

CONSIDER THIS

CHILD SLAVES IN NEW YORK

Beginning at 9 and 11 years of age, the young Korean brother and sister slept in a basement with no mattress. They worked daily keeping house, being masseuse to the homeowner, and later in a grocery store, although they needed to turn over their salaries. They were beaten daily

and kicked routinely. They did go to school. One day after six years of captivity, the boy, then 14, decided to tell his teacher of the nightmare they had been living. Later that day, their captor was arrested at her home in Flushing, New York. (Colangelo and Schapiro 2016)

recognize victims. Utrecht, a municipality that requires licenses for “window prostitutes,” interviews each one for about an hour before she is licensed. Whether or not this is helping is debated. Many West European prostitutes may have disappeared into the illegal sector to avoid registration. Non-location-bound prostitution and prostitutes working in “houses” of prostitution are less visible, and it is harder to enforce regulation (Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children 2013).

The U.S. 2015 Trafficking in Persons Report recognizes the Netherlands as a Tier 1 country for its laws and

efforts to combat trafficking and help victims. It registered 1,561 victims in 2014, up from 2013. Approximately 80 percent of trafficking victims in the Netherlands are victims of sexual exploitation.

Human Trafficking in the Global Supply Chains

The image of victims of trafficking are often pictures in isolated areas, perhaps with a cruel overseer keeping them captive. Contrary to this image, many victims, an estimated 19 million, are working in the corporate supply

A CLOSER LOOK

VICTIMS IN FORCED LABOR BY REGION

TABLE 8.5 Detected Victims in Forced Labor

Overall more males are trafficked for forced labor than females, nearly twice as many. However, this varies by region.

Region	% Boys and Men	% Girls and Women
Africa and Middle East	45	55
Americas	68	32
East Asia, South Asia, and Pacific	23	77
Europe and Central Asia	69	31

Source: Adapted from *Transnational Crime and the Developing World* by Channing May (https://illicittrade.com/reports/downloads/Transnational_Crime-final.pdf) licensed under CC BY 4.0 (<https://creativecommons.org/licenses/by/4.0/>).

chains of the world's most visible industries and largest corporations. This is very big business given that forced labor generates U.S. \$150 billion annually (Table 8.5) (International Labour Organization [ILO] 2016).

Trafficking exists throughout the global supply chains in agriculture and the food industry, in nearly every consumer or business-to-business product, and even in the services, particularly the hospitality industry. Global supply chains make trafficking in persons easy to conceal. A multinational corporation procuring raw materials from several countries, manufacturing in several others, assembling in still more, and shipping to others may have little knowledge of the workers hired by subcontractors and by subcontractors of the subcontractors. Giant hotel chains may have little knowledge of who is hiring the personnel cleaning their rooms, making the beds, or making the sheets they put on the beds. Possibly, the corporations do not care to know. Human trafficking exists in every link in the chain.

Victims of trafficking work in every industry—from sophisticated industries such as electronics to the incredibly dangerous brick ovens, from our necessities such as food, clothing, and construction to recreation soccer balls. Even chocolate candy is tainted by human trafficking. Trafficked children, some sold by their relatives, work the cocoa farms of West Africa swinging machetes and wielding chainsaws while exposed to toxic chemicals for 12 or more hours a day.

Marginalized groups, migrants, the disabled, and minorities are most at risk. Industries that are seasonal or have peak periods of demand may turn to traffickers to meet periodic needs for an influx of labor such as to bring in a harvest, roll out a new product, or construct a highway within a limited time. In East and South Asia, the garment industry turns to forced labor to meet periods of high consumer demand (USDOS 2015).

Major global corporations are not exempt. Toyota subcontractors trafficked laborers from China, Vietnam, Indonesia, the Philippines, Brazil, and Thailand. Workers had been stripped of their passports and threatened with deportation if they tried to leave. Like most companies when their supply chain is exposed, Toyota promised a full investigation and restitution (National Labor Committee 2008). But people's lives were already ruined. Human rights activists, NGOs, and international governmental organizations brought trafficking in the supply chain to public attention and are making corporations accountable. Corporations are promising to investigate and hold all phases of their supply chain accountable. Ignorance is no longer considered an excuse.

Fishing and Seafaring

Slavery and human trafficking in the seafood industry has become notorious. An award-winning (Easton 2015) Associated Press (AP) investigation (McDowell, Mason, and Mendoza 2015) found Burmese victims of human trafficking in fishing and shrimping in Thailand and Indonesia. Their fish flow into the supply chains of Fancy Feast, Meow Mix, and Iams pet foods. Fish caught and shrimp caught and peeled by trafficking victims were found in stores throughout the world, including Kroger, Safeway, Albertsons, Walmart, and Sysco, the world's largest food distributor. They are also sold to restaurant suppliers and throughout Europe and Asia. According to the AP investigation, some suppliers, such as Santa Monica Seafood and other independent suppliers, go to great lengths to try to ensure that their supply chains are trafficking free. They admit that despite the effort expended and cost incurred, they still cannot guarantee their supply chains.

Workers interviewed by the AP investigative team and workers who spotted them cried out for help and begged to be taken away. They reported that the captains force them to drink unclean water and work them for 20 to 22 hours a day. They are routinely whipped or beaten. "I think our lives are in the hands of the Lord of Death," one said. Men are maimed by the beatings, and deaths resulting from their conditions and abuse are common. When a man dies, the body is tossed overboard to be devoured by sharks. "If Americans and Europeans are eating this fish, they should remember us," said Hlaing Min, 30, a runaway slave from the Indonesian island of Benjina. "There must be a mountain of bones under the sea. . . . The bones of the people could be an island, it's that many" (McDowell, Mason, and Mendoza 2015).³

Nestlé commissioned an independent investigation of its own industry. The company found that the fish in its Purina brand pet foods were caught by trafficked labor from Myanmar and Cambodia. One of the laborers interviewed reported that after 10 years of backbreaking work, he had nothing to show for it. Nestlé found underage workers and workers working long days without rest and given minimal food and water. With their own papers confiscated, the fake identities provided by traffickers or companies hid the illegality of the workers.

Trafficking in the seafood industry is not limited to Asia. The nature of the work, often out of sight on seafaring vessels, renders it less visible than in the cases of sex workers who are filling a market and have direct interaction with clients. Not all trafficked workers are unskilled

labor. Ukrainian men trafficked to Russia, Turkey, and South Korea, for example, tended to have relatively high levels of professional identity. They were skilled professionals, having studied at technical colleges. However, like other victims of trafficking, age made them vulnerable. They tended to be older or younger and inexperienced, both categories that are less desirable on the legitimate job market (Surtees 2015).

Garment Industry

Ironically, Patagonia, one of the founding members of the Fair Labor Association and whose website is an education on environmentalism and social responsibility, has had a difficult time in cleansing its supply chain. Patagonia found a problem with its first-tier manufacturers—those who make their clothes from cloth. Its 2007 investigation resulted in Patagonia eliminating 33 of its contracted manufacturers, reducing to 75 from 108. In a subsequent investigation, Patagonia disclosed that it had discovered that most of the subcontracting Taiwanese factories that spin its raw materials into yarns, and that knit yarns into cloth, were guilty of trafficking and exploitation. The factories were using labor “brokers” who charged workers exorbitant fees, U.S. \$7,000, for their jobs. The brokers also charged an additional monthly fee for the workers to keep their jobs. The traffickers deposited the workers’ paychecks into accounts from which brokers deducted their fees. Patagonia found that the further down the supply chain the exploitation occurs, the harder it is to identify (White 2015).

Patagonia is far from the only clothier subject to human trafficking. Like other consumer products, the clothing industry is decentralized. Material components come from many suppliers and are manufactured in phases that move materials globally from one subcontractor to another. Investigations uncovered victims in the supply chains of clothing sold in Walmart, Sears, and JC Penney, among others. Some companies have made restitution to the victims (National Labor Committee 2003).

Electronics

Apple designs and sells electronic consumer products. It does not mine the metals, manufacture the components, or assemble them into finished products. Foxconn builds about 40 percent of the world’s electronics, including many of Apple’s. It employs hundreds of thousands of workers, widely dispersed globally such as in China, Brazil, and the Czech Republic. It supplies Apple along with Dell, Hewlett Packard, and many others in the

industry. Foxconn doesn’t make the components from which it builds the products. Apple, for example, gets the parts that Foxconn assembles from companies such as Flextronics—both of which contract with the biggest names in electronics. Based in Singapore, Flextronics has factories across four continents in 30 countries.

Flextronics, Foxconn, and similar factories recruit labor through thousands of “brokers.” Brokers scour the poorest regions of the developing world; in the case of Flextronics and Foxconn, this would include Indonesia, Cambodia, Myanmar, Vietnam, and Nepal. Brokers sell the jobs. Desperate for work, people or their families pay as much as a year’s wages, sometimes more.

Workers may be kept captive. Some factory managers confiscate and lock workers’ documents in safes, preventing workers from leaving. They may be trapped for years while trying to pay back the debt and interest. In 2008, Apple tried to stop the abusive practices and limit broker fees to one month’s pay. A “daisy chain” of brokers and recruiters from the factory all the way back to workers’ home villages makes that near impossible because each broker charges a fee. In 2012, Apple found that workers were overcharged U.S. \$6.4 million (Simpson 2013).

The story of one man, Bibek Dhong, illustrates how this works. When Apple announced the iPhone 5, the short time horizon for production and delivery set off a hiring frenzy to staff the Flextronics International factory in Malaysia, where the cameras for the phone would be manufactured. Although Apple said that workers should not pay a fee for the jobs, brokers subcontracted to sub-brokers, who apparently always charge. A native of Nepal, Dhong was recruited in the drive for labor. His first contact was a local broker who promised him a good overseas job. Dhong paid him U.S. \$250 and was sent up the chain to a broker who was registered with the government. Dhong surrendered his passport to this broker, who wanted \$350. When Dhong finally reported to the airport for passage to the job, he was ordered to pay another \$400. Borrowing at every step, Dhong was \$1,000 in debt before he started working. The broker warned that if Dhong mentioned the fees, he would be punished, fined, and sent back to Nepal.

Within a month and a half, the factory lost the contract due to camera defects. Dhong and thousands of others were without work but were kept in the factory hostel for two more months, without adequate food for most of that time. With expired visas, their passports were returned with a one-day travel stamp to get them back to Nepal. Owing money, many needed to sell their land. Dhong, working in a shoe factory for \$3 a day, owes

U.S. \$300 a year in interest on the loans for a job that lasted only briefly (Simpson 2013). Flextronics and Apple promised to repay workers for fees charged.

Flextronics is one of Apple's main suppliers. Apple is far from its only client. Flextronics claims to be in the supply chain of nearly every customer in the electronics chain. This includes consumer electronics but also Lockheed Martin (aircraft), Ford Motor (automobiles), and more than 1,000 customers in nearly every line of business (Simpson 2013).

Shipping

In one of the largest human trafficking cases in the United States, Signal International shipyard brought 500 Indians to Mississippi, each expecting a good job and a green card. Each worker paid between U.S. \$10,000 and \$20,000 to the recruiter in India. Instead of jobs and green cards, Signal gave the Indians very restrictive work permits and inhumane working conditions. They lived under armed guard, as many as 24 in a space the size of a double wide trailer. Signal called these "profit centers" and deducted \$1,050 a month from their pay, making \$730,000 on the housing. Signal fined them \$250 to \$500 for having alcohol or guests. They were regularly searched and were threatened with deportation if they complained or questioned the legality of the situation. The Southern Poverty Law Center organized lawsuits for the men. Along with the American Civil Liberties Union, Asian American Legal Defense and Education Fund, and dozens of prestigious law firms, it worked pro bono for seven years on the cases. In February 2015, a jury awarded \$14 million to

five victims. In July 2015, another suit was settled for \$20 million. Other cases continue. But Signal lost \$34 million and declared bankruptcy (Desai 2015; Yachot 2015).

Trafficking in Organs

People the world over live longer, and medical procedures such as organ transplants are now commonplace. While this is progress, there is a sinister side. The number of people needing an organ transplant far exceeds the available supply. In most countries, the average wait time for an organ transplant is counted in years. In the United States alone, 22 people die every day while waiting.

As in every other form of transnational crime, where there is unmet demand, there is an opening for crime—in this case, for trafficking in human organs. People on both sides of the exchange are desperate—the people who desperately need organs to save their lives and the people who need money to save their lives and/or those of their families. It makes for big business. One of the top 10 illegal moneymaking activities, it makes about U.S. \$1.2 billion (De Compostela 2015). The World Health Organization estimated in 2012 that about 10,000 black market operations occur yearly. Many of these organs, primarily kidneys and livers, are trafficked. Economic and political crises plunge people into the hands of human traffickers. Nearly every country is a source of desperate people willing to sell an organ in hopes of getting out of debt or maybe getting out of the country.

The Palermo Protocol specifically prohibits removal of organs as exploitation. Laws of the Council of Europe, the United States, and many other countries also prohibit

CONSIDER THIS ORGAN WATCH

Global commerce in organs seems to have begun in the 1970s and 1980s in South Asia. A 1990s report on 131 transplants revealed that wealthy patients from the United Arab Emirates and Oman traveled to India, where local brokers scoured the slums of Bombay recruiting people so desperately poor that they would sell their "extra" kidney for \$2,600 to \$3,300. Researchers Nancy Scheper-Hughes and Lawrence Cohen began to investigate the medical ethics of such "transplant tourism." What they uncovered, however, was "the entrée of international organized crime into the secret world of illicit transplant

surgeries" that spanned continents. Calling the global trade in organs "the new cannibalism," they founded Organ Watch in 1999. Their interviews with organ sellers uncovered stories of deception, physical threats, false imprisonment, confiscation of documents, and beatings—the techniques common to human traffickers the world over.

Organ Watch fights traffickers in courts and has tracked down traffickers in person, confronting them on behalf of victims—both sellers and recipients. (Scheper-Hughes 2015)

A CLOSER LOOK

ORGAN TRAFFICKING

TABLE 8.6 Prominent Countries Involved in Organ Trafficking Networks

The people who sell their organs are located primarily in poorer or developing countries, while the buyers are located in wealthy countries.

"Selling" Countries	Facilitating or Operating Countries	"Buying" Countries
Argentina, Bangladesh, Brazil, China, Colombia, Egypt, India, Iran, Iraq (until the Iraq War), Israel, Moldova, Romania, Pakistan, Palestine, Peru, the Philippines, Russia, United States, Turkey	China, India, Iran, Iraq (until the Iraq War), the Philippines, Romania, Russia, South Africa, United States, Turkey	Australia, Canada, France, Gulf States, Iran, Israel, Italy, Hong Kong, United Kingdom, United States, Taiwan

Source: Adapted from Scheper-Hughes (2015).

the selling of human organs. Despite this, courts sometimes see this as a victimless crime and prosecution is very difficult. In one such case in New Jersey, U.S. federal prosecutors had a hard time believing that prestigious U.S. hospitals could be involved in trafficking or that the victims had been coerced. Despite a decade of trafficking, the defendant was sentenced to only two and a half years in a low-security prison because, as the judge said, "everyone got something out of the deal" (Scheper-Hughes 2015).

Trafficking in organs is a complex process and involves an extensive network from the person who identifies the victim, to medical personnel who perform the surgeries on the victim donor and on the recipient, to persons who transport the organ, to organ banks, and to any other "middlemen" who may be involved. The network for any one transplant may involve actors from four or five countries. As with other forms of trafficking, the patterns may shift depending on law enforcement activity or new actors entering the "business."

The complexity and complicity involved is evident in the trafficking patterns in the Middle East. Wealthy recipients from Israel, Kuwait, Oman, and Saudi Arabia originally traveled primarily to India. Traffic then

moved toward Turkey, Iran, and Iraq, and then to Russia, Romania, Moldova, and Georgia. One common pattern connected participants from four countries. Israeli kidney buyers flew to Turkey, where Turkish and Israeli doctors transplanted the organs of sellers from rural Romania or Moldova. Brazil and South Africa joined the traffic in the last 20 years (Table 8.6) (Aronowitz 2013).

COMBATTING HUMAN TRAFFICKING

Human trafficking is, unfortunately, big business. According to the FBI, it is not only the third largest criminal enterprise in the world but also the fastest growing. Combatting trafficking depends on preventive and enforcement efforts from the local community up to the global level. This is a monumental task and requires the coordinated efforts of NGOs, local and national governments, and international governmental agencies. Each of these entities is charged with "due diligence" under international law to uphold rights.

Efforts to stem human trafficking stretch back over a century. In 1902, in an effort to prevent the trafficking of women and girls in prostitution, 13 European countries

adopted the International Agreement for the Suppression of the White Slave Trade. In 1921, the League of Nations passed a Convention for the Suppression of Traffic in Women and Children. The UN adopted the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others in 1950. It did not consider other purposes for trafficking and, like the other human rights treaties of the time, had weak monitoring and enforcement mechanisms. It was not until the end of the Cold War, with the opening of borders and the rapid increase in goods and people flowing across borders, that developed countries felt threatened. This was the impetus for a vigorous transnational regime for human trafficking generally. Human trafficking became perceived as a criminal problem as opposed to only a human rights problem (Lloyd and Simmons 2014).

The Palermo Protocols

Regional and national laws and agreements concerning human rights multiplied quickly throughout the 1990s. Many of these specifically referred to human trafficking among other provisions, and some related indirectly to human trafficking as in the protection and rights of migrant workers, children, or domestic workers (Lloyd and Simmons 2014). As a supplement to the 2000 Convention against Transnational Organized Crime, the UN

Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol) entered into force on December 25, 2003. With an agreed-on definition for trafficking in persons, it provides a framework for convergence in national law and coordination of international investigation and prosecution. The protocol binds ratifying countries to “prevent and combat trafficking in persons,” “protect and assist victims,” and “promote cooperation among States Parties” (Article 2) (Office of the United Nations High Commissioner for Human Rights 2000).

The protocol is important for recognizing the variety of forms trafficking may take, many of which had been neglected in national laws. For example, Article 3 makes clear that the threat or use of force is not the only means of trafficking. Fraud, deception, abuse of power, and payment or benefit given to persons having control over the person all are prosecutable as trafficking. In other words, any form of direct or indirect coercion is trafficking. Even when a person voluntarily engages the trafficker, if deceit or fraud was involved (as in the many false promises of good and legal jobs), it is trafficking. Transporting a person from one location to another is not necessary for a person to be trafficked; it is the coercion and exploitation that constitute trafficking. Each of these provisions allows prosecutions that previously would not have been covered by many national laws.

CONSIDER THIS

CARING FOR VICTIMS

Guidelines for a good anti-trafficking law based on the Palermo Protocol include mechanisms designed to make prosecution easier and ensure the care of victims. They include the following:

- A broad definition of coercion that includes all forms—financial, physical, reputational, anything that would compel people to continue their activity to avoid harm
- A well-articulated definition of trafficking to include all forms, not just recruitment and transportation
- Provision for complete care of the victim—medical, physical, legal, emotional, and psychological
- Immigration relief for victims regardless of their legal status

- Legal services to address compensation for the crimes committed against them (USDOS 2010)

Like other countries, the United States offers victims of human trafficking “continued presence” immigration status and protection while their cases are investigated and prosecuted. They are offered counseling, medical care, job skill training, housing, and other assistance. Their immigration status may be made permanent depending on their circumstances. They are not considered criminals regardless of the acts they were forced to perform. The “Continued Presence” brochure can be found on the Immigration and Customs Enforcement website (<https://www.ice.gov/doclib/human-trafficking/pdf/continued-presence.pdf>).



PHOTO 8.1 This girl is but one of many child casualties of the drug trade in Afghanistan. She was sold by her parents to settle a debt with drug traffickers.

Reuters/Parwiz.

Exploitation, according to Article 3, includes sexual exploitation, forced labor, anything resembling slavery, and removal of organs. Any form of involvement with the trafficking of children—from recruiting, to harboring, to transferring, to receiving—is prosecuted as trafficking. A child is anyone under 18 years old. These definitions make possible many more strategies of trafficking and more of the people involved than had been possible under most national laws. Like the convention on TOC, these same criteria are to be encoded into national laws.

In combination with provisions for prevention and victims' rights, the protocol constitutes a vigorous global regime. "Traffickers," claimed Jana, a survivor of sex trafficking, "are extremely well connected. We need to be too" (USDOS 2015). That is what the convention and protocol hope to accomplish.

Governmental and Intergovernmental Agencies

Since the Palermo Protocol, a number of governments established mechanisms to monitor human trafficking globally. Besides the UN Convention Against Organized Crime, a Committee of the Parties was established

to monitor provisions of the convention. In addition, The UN Special Rapporteur on Human Trafficking is empowered to take action on violations against trafficked persons, visit countries to assess their prevention and prosecution efforts, make recommendations, and submit annual reports. Although the original mandate was for three years, it has been extended repeatedly. In July 2017, The Human Rights Council extended the mandate for an additional three years. In the United States, The Victims of Trafficking and Violence Protection Act passed into law in 2000 mandates that the USDOS issue a "Trafficking in Persons" report annually. It assesses countries' activities to combat human trafficking. Those countries not compliant with the international rules stipulated in the Palermo Protocol may be sanctioned by the United States. Countries are rated from Tier 1, those that meet or surpass the minimal level of compliance, to Tier 3, the lowest level of compliance. The Council of Europe adopted a European Convention against trafficking. The Group of Experts on Action against Trafficking in Human Beings (GRETA) and the Committee of the Parties monitor the European Convention across parties to the convention. Many agencies within these governmental and intergovernmental organizations play a role in monitoring. In addition, many

local and global civil society organizations are very active in monitoring human trafficking.

Monitoring, publicizing the results, and sanctioning have been shown to be effective in coercing countries to root out and prosecute human trafficking more vigorously. It also significantly improves the lives and future life chances of victims.

Enacting comprehensive laws, conducting investigations to root out trafficking, ensuring enforcement, and providing comprehensive victim services all are necessary actions required of governments under international law.

Incorporating the international protocols into domestic law, from local to national, is important to reinforce enforcement and norms. As of 2018, many countries had yet to ratify or assent to the Palermo Protocol against human trafficking. These countries were primarily developing countries in Southeast Asia, Oceania, and Africa. Recent parties include Japan in 2017 and South Korea in 2016 (United Nations Treaty Collection 2018).

Even among those countries that have ratified the Palermo Protocol, many are ranked in Tier 2 or 3 of the USDOS Trafficking in Persons Report. Tier 2 countries are not meeting minimum standards of international law but are making significant efforts to come into compliance. Among Tier 2 countries, there is a watch list of countries whose number of victims is increasing or who have not provided efforts to combat severe forms of trafficking. Tier 3 countries are not making efforts to comply. Tier 2 countries are primarily middle- to low-income developing countries. These countries need support from other international governmental and non-governmental agencies to meet their goals. Tier 3 countries are among the most authoritarian governments or are failed states. Those countries that are failed states will need international assistance and enforcement. For those that are authoritarian, international pressure and sanctions may be needed to bring them into compliance. Many of these countries are themselves under sanction for human rights violations.

The state of California has been called the epicenter of TOC in the United States, including human trafficking along with drugs and arms trafficking and related activities (Harris 2014). California is also one of the largest agricultural states and home to many vulnerable migrants. As such, it has developed model laws, among them the “Transparency in Supply Chain Act” of 2012. It requires all corporations with gross receipts of more than U.S. \$100 million and sales in California of more than \$500,000 to report on their efforts to trace their supply chains and eradicate any human trafficking found. This

has affected nearly every major corporation, not just foods. Many of these reports are public and online such as those from Patagonia and Nike.

In 2016, the U.S. Congress passed a law modeled somewhat after California’s; it gives the government the right to confiscate any goods that are suspected of being made with child or forced labor. It requires Customs and Border Protection to file an annual report on enforcement.

Many states as well as the federal government have set up special units and task forces. Trafficking in Persons is one of the special units of the FBI dedicated to all forms of human trafficking that issues regular reports. While the special units bring forward and obtain convictions on many cases, they are only a fraction of the estimated 600,000 to 900,000 victims thought to be in or passing through the United States every year.

Government training so that personnel who work at borders and in customs and immigration can recognize victims is essential. Border enforcement is one of the most effective ways of tracing trafficking routes and saving victims of trafficking as well as illicitly trafficked goods. Not only government employees but also personnel working for private companies, whether in transit hubs or on planes and trains and along highways, need to be trained. In the Netherlands, a railway inspector spotted an older man with two young Hungarian women. The women had bags of sexy lingerie. Suspicious, the inspector notified police that the group had boarded the train at Sittard, headed for Utrecht. There, the man was arrested. In another case, a flight attendant recognized a young girl in need on an Alaska Airlines flight to San Francisco. She noticed that the girl was ill at ease and left a note for her in the restroom. The girl replied with a note crying for help. Rest stops along highways are another “hot spot” for human traffickers. Airline Ambassadors and Truckers against Trafficking deliver training to private companies so that their employees become lookouts for trafficking victims. The greater the awareness, the more victims can be saved.

Combatting Trafficking in the Supply Chain

Cleansing the global supply chain of trafficked victims is essential. While many corporations are making the effort, not all are and it has proven difficult to combat trafficking. Partnership for Freedom, a non-governmental agency, announced a competition for the best technological solutions for combatting trafficking in the private sector.

Mobile phones and online sources are becoming important tools in developing countries for everything

from small-scale finance where banks are not available to communicating market conditions. Each of the five finalists in the competition has proposed a way to extend these technologies to people at risk or in close proximity to them. Solutions include using mobile phones to get regular data directly from workers to track data on labor conditions globally. Another proposal would monitor, collect, analyze, and map social media and public internet sources for indicators of labor exploitation. Others would communicate directly with ships at sea in the fishing industry to gauge conditions or to pay migrant workers and get feedback from them, thereby increasing transparency and accountability in recruitment (Partnership for Freedom 2016).

The ILO launched the “Fair Recruitment Initiative” in 2015 as part of a larger “Decent Work” initiative. If businesses can prevent deceptive recruitment, they can prevent victims from entering the supply chain. Four steps form the basis of the initiative:

- Study the migration pattern. One important specific suggestion is to find alternatives to private recruiters such as worker cooperatives, accredited employers, and public employment agencies.
- Improve laws and policies. An important suggestion here is to work with legislators and train inspectors with respect to regulating recruiters and employment agencies.

- Promote best fair business practices, particularly in cross-border recruitment, by providing online access to tools and strategies.
- Empower and protect workers—work with trade unions and civil society organizations and use social dialog mechanisms to address and obtain early warnings of unfair recruitment practice. (ILO 2015)

The “Fair Recruitment” pilot program was set to operate from 2015 to 2018, with the ILO, trade unions, media professionals, governments, and civil society organizations working together and coordinating their efforts.

Everyone Can Play a Role

Although many victims are out of sight while locked in basements or brothels, others circulate in public view and even serve the public in hotels, restaurants, and brothels. Awareness of human trafficking and recognizing the signs are critical. Neighbors may get an occasional glimpse of a domestic laborer. Victims of sexual exploitation work along highways at truck stops. Recognizing the signs of victimization may save lives. There are many resources that educate about warning signs and indicators related to human trafficking.



PHOTO 8.2 In 2014, religious leaders from around the world met at the Vatican to sign the Declaration of Religious Leaders Against Modern Slavery.

Reuters/L'Osservatore Romano.

Recognizing Victims

Across the United States, hundreds of thousands of people are victims of human trafficking. Some are smuggled from other countries. Some enter legally, recruited for what they thought were legitimate jobs, only to have their papers stolen and be forced into servitude. Some are U.S. citizens. This is the case throughout Europe, Asia, South America, and Africa.

How would you recognize a victim? The U.S. Department of Homeland Security, which offers trainings for first responders, law enforcement, and federal workers, lists these indicators:

- Does the victim possess identification and travel documents? If not, who has control of these documents?
- Did the victim travel to a destination country for a specific job or purpose, and is the victim engaged in different employment than was expected?
- Is the victim forced to perform sexual acts as part of employment?
- Is the victim a juvenile engaged in commercial sex?
- Does the victim owe money to an employer or does the employer hold wages?
- Did the employer instruct the victim on what to say to law enforcement or immigration officials?
- Can the victim freely leave employment or the situation?
- Are there guards at the work/harboring site or video cameras to monitor and ensure that no one escapes?
- Does the victim have freedom of movement? Can the victim freely contact family and friends? Can the victim socialize or attend religious services? (U.S. Immigration and Customs Enforcement 2013)

Polaris Project (2018), a non-profit, lists potential red flags that anyone might notice in his or her community having to do with work and living conditions, mental health, autonomy, and general sensibility or disorientation:

- Are the people free to come and go, and are they fearful, anxious, or depressed?

- Do the people lack health care or appear to be malnourished?
- Do the people have inconsistencies in their stories?
- Do the people know where they are and how they got there?
- Are the people not able to speak for themselves?
- Do the people have few possessions, and are they in control of their own money, bank accounts, or other finances?
- Do the people's living conditions seem to have high-security measures such as high fences and barbed wire?

Educating Communities

Educational campaigns that reach into the communities most vulnerable to human trafficking are one of the most effective tools. U.S. Agency for International Development (USAID) uses a multifaceted approach on the ground, working with community leaders, NGOs, and the private sector to strengthen local capacity to prevent and combat trafficking. USAID teaches local leaders about the techniques of traffickers, the costs of victimization, and victim services. Information tailored to the community is communicated by locals through schools, community activities, pamphlets, and neighborhood watches. It also works to strengthen local governments and civil society. USAID's (2006) activities include the following:

- Strengthening government surveillance and monitoring
- Monitoring private contracts to ensure adequate labor standards
- Enacting legislative reforms, including training prosecutors and judges
- Raising public awareness of traffickers' techniques and safe migration practices
- Mobilizing community resources for awareness campaigns
- Developing local capacity for helping victims and joining with NGOs to develop reintegration and rehabilitation programs that include shelter, health care, and psychological services
- Providing literacy, life skills, self-esteem, and vocational programs for victims

CONSIDER THIS

WHAT CAN NGOs DO? LA STRADA INTERNATIONAL

La Strada International (LSI) focuses its advocacy work on female victims of trafficking in Europe. Established in the Netherlands in 1995, its member organizations are based in Eastern European countries where poverty, violent conflict, and weak social safety nets increase women's vulnerability. Given the scope and depth of the conditions that give rise to human trafficking and the financial and legal constraints placed on NGOs within many countries, LSI asks, "What can anti-trafficking NGOs offer?"

It turns out that, in conjunction with one another, they can—and do—accomplish a lot.

Advocacy and Lobbying

One of the key roles of any civil society organization is advocacy. LSI was organized in 1995, before the emergence of the intergovernmental organizations and major treaties relevant to human trafficking. LSI, along with other human rights groups, was influential in every step of developing the European human trafficking regime. It lobbied governments for ratification of the Council of Europe Convention and was instrumental in the EU directive and the European hotline and in evaluating the GRETA missions. Gaining status as a participant in international governmental organizations gives civil society groups a direct channel to governments that have the power to prosecute and sanction. LSI sits at the table at a number of such organizations. Chief among them is the Organization for Security and Cooperation in Europe (OSCE), Alliance Expert Coordination Team made up of representatives of the UN, EU, and OSCE as well as other major NGOs. Working with other NGOs also helps to build civil society capacity in local and national communities.

Prevention

Prevention takes many forms, including direct outreach to potential targets of traffickers and education within the most vulnerable countries and within destination countries. Raising awareness among targeted groups is essential. Educational campaigns stressing the deceptive techniques used to lure people and educating victims about their rights are critical. LSI runs a 24-hour hotline with trained consultants who register victims and help them to find needed support. They provide safety tips and information as to where victims can get emergency help if needed.

Monitoring has a preventive effect given that countries experience pressure to conform to international norms. Prevention efforts also require education in the source and destination countries. How to recognize victims of trafficking or the traffickers themselves and how to report such information are important. Disseminating information concerning the extent and types of forced labor can expand eyes and ears on the ground and save lives.

Social Support Services

This is LSI's core mission. This service depends on each individual victim's needs and the resources that can be garnered. Emergency and long-term care are provided. Basic necessities of food, clothing, and safe shelter, replacing identity documents and acquiring travel documents, psychological and emotional support and counseling, health care, legal aid and support, education, and job training or help in finding a job are among the services that nearly all victims need. They may also need transportation back home and help in resettling when they arrive. In 2013, Google, along with LSI, Polaris Project, and Liberty Asia, established an international information sharing collaboration between hotlines and nonprofits. This facilitates case management and victim protection across borders. Victims are starting over with nothing. Unless these services are provided, victims may never escape.

Compensation

Victims of trafficking have the right to compensation for material and immaterial damages. They rarely receive any. The COMP.ACT project coalition worked to identify and overcome obstacles that prevented victims from receiving compensation. It formed national coalitions to present recommendations to governments on achieving justice for victims. Many partners worked directly with lawyers to support victims in pursuing compensation claims. In the years from 2009 to 2012, they secured compensation for more than 50 victims. The highest award granted was €54,000.

As a result of their activity, intergovernmental organizations included compensation in their agendas. The EU Directive on combatting and preventing trafficking in human beings and the EU Strategy toward Eradication of Trafficking in Human Beings both cover compensation.

Source: Hoff (2011); La Strada International (n.d.).

MTV EXIT (End Exploitation and Trafficking) Foundation incorporated as a nonprofit in Europe in 2003. MTV and USAID joined forces in 2004 to produce MTV EXIT. Because youths are the most vulnerable to trafficking, the program maintains that youths are also the most powerful to end it. The program is a high-quality production of educational campaigns and youth trainings using social media, live events, and activities with rock musicians, movie and television stars, documentaries, dramas, animated videos, and videos of live events. MTV EXIT claims to have been the largest behavioral change campaign in the world. By 2014, it held 40 concerts in 18 different countries, hosted 1.8 million people through its live events, reached 83 million viewers of its programs, and sponsored 570 community outreach events. Detailed instructions are posted online to help local communities train youths aged 18 to 25 years using MTV videos and materials. Australia Aid and the Association of Southeast Asian Nations were also involved (MTV EXIT Foundation 2014; USAID n.d.). The 10-year MTV EXIT project ended in 2014, although concerts continue and videos are still available online.

TRAFFICKING IN WILDLIFE: FLORA AND FAUNA

Nearly every lucrative trade is a temptation for organized crime; trafficking in wildlife is one of the increasingly lucrative specialties. While globalization makes transportation of products and communication among criminal networks of buyers and sellers easier, it also circulates information on the purported medical and magical properties of wildlife, expanding their allure. Although poverty is a motivation for trafficking in wildlife on the supply side, increasing wealth is motivation on the market side. Consumer demand is the most important driver of wildlife trafficking. Increasing wealth enables people to pay high prices for a rare species that they believe can cure a disease or bring good fortune or simply so that they can have something rare and exotic as a symbol of their wealth. Rhino horn, more expensive pound for pound than heroin or cocaine, is consumed in Vietnam not just for its supposed curative powers but also to flaunt wealth (May 2017).

Thousands of animals are trafficked daily. The World Wildlife Seizure Database (World Wise) lists more than 7,000 species seized for illegal trafficking. No one species accounted for more than 6 percent of seizures (UNODC 2016). Parrots, freshwater turtles, and even great apes are among those animals that become pets to satisfy

someone's need to have an exotic animal. Sea life provides caviar. Rhinos and elephants are prized for their ivory. Some, like the totoaba fish, are thought to have medicinal value. As with other crimes, harm extends beyond the immediate victims. The totoaba are found only in the Gulf of California. Once plentiful, they were overfished due to demand for their swim bladder, used in traditional Chinese medicines and soups. One totoaba sale to a trafficker can net a Mexican fisherman one month's salary. Illegal trade in totoaba also threatens other marine life that gets caught in the nets. Among them is the vaquita, a small dolphin that is the most endangered marine animal in the world. Only about 100 are thought to still exist (Bale 2016).

Illegal animal trafficking is second only to habitat destruction in its danger to animal species. The threat to animals whose populations are being decimated is important in its own right. There are other costs as well. Wildlife trafficking undermines conservation efforts. It undermines the economic viability of communities that depend on wildlife biodiversity and ecotourism. By bypassing public health controls, it has the potential to introduce zoonotic infectious diseases into human populations, domestic animals, and other wildlife. Invasive species, such as the vine mealy bug, damage crops. Like other organized and transnational crime, wildlife trafficking undermines the rule of law and fuels corruption. It threatens global security.

Worldwide illegal animal trafficking is the third largest illicit trade in goods, after guns and drugs. The perception that it is a low-risk, high-return crime attracts organized crime groups, making trafficking in wildlife increasingly lethal to both animals and humans. The value of the trade is impossible to measure. About a decade ago, the USDOS estimated a cost of U.S. \$10 billion (Bergman 2009). A number of recent estimates placed it at about \$20 billion in 2012 (Havoscope 2016).

Fairly reliable global estimates on trafficking and poaching are available for the largest animals—elephants, rhinos, and tigers. African elephants are poached at an unsustainable rate. Poachers killed more than 100,000 in just three years from 2010 to 2012 (Udell 2015). Their population declined 20 percent in the last decade, dwindling to 400,000 (USDOS 2015). More than 1,000 rhinos on average were poached each year from 2012 to 2015 just in South Africa alone (USDOS 2015; Udell 2015). Of the five rhino species in the world, three are endangered. Only 5,000 black rhinos are left in the wild. Their slaughter began with rumors that their horns, ground into dust, could cure cancer. However, the alleged magic keratin is the same as is found in fingernails (Mathewson 2016).

CONSIDER THIS

PANGOLINS IN DEMAND

Little heard of in the West as of yet, pangolins are in high demand elsewhere. Described as artichokes with legs, their scales, which are used in Chinese medicine and sell for up to \$6,000 a pound, have long been valued. Now, their meat is considered a delicacy. In the last 10 years, more than a

million pangolins have been trafficked. They are the most trafficked animal in the world. With a diminishing supply in Asia, traffickers are turning to Africa. All eight species are being considered for the endangered species list.

Sources: Mathewson (2016); Northam (2015).



PHOTO 8.3 Considered a delicacy, all eight species of this little-known mammal are endangered. The adult pangolin resembles an armadillo.

2630ben/iStockphoto.

For many people, it is hard to imagine the grandeur of a tiger being used as decoration. But for others, it is a sign of status, putting tigers on the brink of extinction. Already three of eight subspecies are extinct, and the remaining five are endangered. The last sign of a tiger in Cambodia was in 2010. Vietnam's tiger population may be 10 or fewer (Global Tiger Initiative Secretariat 2013).

Habitat loss related to development is one cause for tigers' decline, but the main threat is poaching. Their bones are used in traditional Asian medicines, and their pelts (the most frequently seized item) and other body parts, such as teeth and claws, are made into decorative items. From 2000 to 2012, there were 645 seizures of tiger

parts, representing about 1,425 tigers, across 12 countries. India has the largest tiger population and was the country with the most seizures. China and Vietnam, with small wild tiger populations, are zones of large consumption. As with other illegal goods, the seizures are only a fraction of those traded (Stoner and Pervushina 2013). In 2010, tiger range countries met to devise an enhanced surveying and protection plan involving governments, NGOs, local communities, and philanthropists. The good news is that the tide may be turning for tigers; for the first time in 100 years, the tiger population may be growing. The World Wide Fund for Nature (2016) reported recently that from 2010 to 2016 the tiger population had increased from 3,200 to 3,890.

The Special Case of Latin America

While many of the big animals come from Asia and Africa, Latin America is the source of 25 percent of wildlife seizures. As one of the most biodiverse regions of the world, Latin America is particularly vulnerable to wildlife trafficking. Ecuador, for example, has 1,600 known species of birds in comparison with the 900 of the continental United States (Bergman 2009). One bird, a wild scarlet macaw, could fetch U.S. \$150, more than people could make hauling other cargo up and down the rivers in Ecuador in a year (Bergman 2009). Brazil is reportedly home to 15 to 20 percent of the world's biodiversity and the source of 5 to 15 percent of the illegal trade in wildlife. In Colombia, wild animal trafficking is a \$17 million industry—the fourth largest illegal industry after guns, drugs, and human trafficking. Animal trafficking from Colombia follows the same routes to Europe and the United States as do the drugs. In just one year, 2012, 46,000 illegally trafficked animals were rescued in Colombia, far fewer than were trafficked (Wight 2013).

Birds, reptiles, turtles for their eggs and meat, caimans for their skins, marine life such as shark fins and the totoaba bladders, sea cucumbers, and conch as well as

monkeys, frogs, scorpions, spiders, and even jaguars are trafficked. Although many are traded domestically, there is a thriving international trade as well. Birds are the main commodity on Latin America's illegal market, making up 80 percent of Brazil's illegal market. Of those, 60 percent serve the domestic market and 40 percent serve the international market. In Mexico, it is 90 percent of 65,000 to 78,500 parrots. That still leaves 6,500 to 7,850 parrots for the international market. A wild finch from Guyana would sell for \$5 locally. In the United States, it would bring \$500 to \$10,000, depending on the appeal of its song. About 73 million sharks are killed to supply the global shark fin market. Shark fin soup, a sign of status and wealth, can sell for \$100 a bowl in China (Neme 2015). It is not hard to see how wildlife trafficking became a multi-billion-dollar business for TOC (Tables 8.7 and 8.8).

The United States is a destination country for much of the illegal trade in wildlife, especially that coming from Latin America. From 2004 to 2013, U.S. consumers imported 7,111 illegal animals, 47,914 illegal wildlife products, and 81,526 illegal pounds of wildlife. Demand was highest for meat, eggs, and shoes (Goyenechea and Indenbaum 2015).

A CLOSER LOOK THE GLOBAL WILDLIFE MARKET

TABLE 8.7 Poacher Versus Consumer Prices (U.S.\$)

From poacher to consumer, the price of wildlife increases exponentially.

	Commodity	What the Poacher Receives	What the Consumer Pays	Rate of Markup (%)
Live	Macaw	\$2 to \$20	\$800 to \$10,000	29,900% to 49,900%
	Chimpanzee	\$50	\$20,000	39,900%
	Falcon	\$500	\$50,000 to \$100,000	9,900% to 19,900%
Product	Pangolin meat (per kilogram)	\$22.50	\$250 to \$350	1,011% to 1,456%
	Bear gall bladder (whole)	\$100 to \$150	\$5,000 to \$10,000	4,900% to 6,567%
	Tiger pelt	\$1,500	\$16,000	967%

Source: *Transnational Crime and the Developing World* by Channing May (https://illicittrade.com/reports/downloads/Transnational_Crime-final.pdf) licensed under CC BY 4.0 (<https://creativecommons.org/licenses/by/4.0/>).

(Continued)

(Continued)

TABLE 8.8 Estimated Value of Select Illegal Trade in Wildlife

Based on these and other estimates of the United Nations Office on Drugs and Crime, illegal trade in wildlife is thought to be the third largest revenue stream of transnational organized crime.

Animal or Animal Part	Value of Trade
Ivory	\$100 million value of annual trade \$15 per kilogram in Africa Up to \$850 per kilogram in Asia Carved ivory is not priced by weight
Rhino horn	\$8 million value of annual trade (price in source country may be only 1 percent of final retail price)
Powdered rhino horn	Up to \$20,000–30,000 per kilogram
Tiger parts	\$5 million value of annual trade
Tiger skin	Up to \$20,000 in China for one skin
Tiger bones	Up to \$1,200 per kilogram
Indonesian timber	\$4 billion value of annual trade

Source: Adapted from “Environmental Crime: trafficking in wildlife and timber” by UNODC, ©United Nations.

Cost to the Ecosystem

Trafficking in wildlife robs a country of some of its most valuable resources. Whereas the sale of protected wildlife is illegal, in many countries indigenous communities depend on these animals and plants for food and medicines. Poaching deprives them of important resources and a potential revenue stream in ecotourism. While exotic animals bring extremely high prices in their final destination, the community of their origin receives very little.

When animals are poached and their natural numbers are reduced, not only is species diversity in terms of one animal threatened, but also entire ecosystems become unbalanced, harming many more. Tigers, for example, are at the top of their food chain. If tigers become extinct, the biodiversity and balance of the entire ecosystem would become unbalanced. The populations of deer, wild boar, and other tiger prey would increase rapidly. This would deplete the vegetation on which they, smaller animals, and insects depend because regrowth would not keep up with consumption. Not only could the forest be lost, but

also forest animals and insects would probably migrate to nearby areas—most likely agricultural—thereby threatening another human food supply.

Contemporary poachers have little regard for the ecosystems in which they operate. Other species than those targeted are often killed in the process of capturing the prize.

Like other forms of transnational crime, wildlife trafficking contributes to corruption and violence, bringing greater harm to the ecosystem. Traps and nets do not discriminate; they capture prey as well as other animals. In capturing some birds, whole trees are felled.

The Legal Framework for Combatting Trafficking in Wildlife

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is the main international instrument for combatting traffic in endangered species. It subjects international trade to controls with respect to species threatened with extinction, species

whose trade must be controlled to prevent their use in ways that threaten their survival, and species under protection in at least one partner country that has asked for cooperation from others in controlling trade in those species. CITES was first drafted in 1963 but did not go into force until 1975. By 2016, there were 181 parties to CITES and 35,000 species under some degree of protection.

Despite international treaties, convergence in domestic laws is weak. For a treaty such as CITES to be effective, the convention must be enforced at the national level. Using Indonesia as just one example, tigers are listed at a sub-species level in domestic law and only two are named. Before any prosecution may occur, the sub-species needs to be proven. With only two listed, forensic tests may be inconclusive and charges must be dropped (Stoner and Pervushina 2013). Because trade in certain species is legal in some countries and illegal in others, enforcement of the law is complicated. Furthermore, in many countries there are technicalities that make certain kinds of trade legal but others illegal, even with respect to the same species. For example, in many Latin American countries, selling sharks is allowed, but shark finning (removing the fins) is not allowed. Some traffickers have gotten around the law by leaving the fins attached to the spine, “shark spining.” In Ecuador, “incidental” catching of sharks is legal, but intentionally catching them is not (Neme 2015).

In 2012, the UN recognized trafficking in wildlife as a new form of TOC, made it an issue of highest concern, and called for a greater response. In illicit trade in tigers, roughly 10 percent of the suspects, but probably significantly more, are part of organized crime groups. In Russia

and Nepal, major organized crime elements have been identified in the trade (Stoner and Pervushina 2013).

Interpol established the Environmental Compliance and Enforcement Committee⁴ in 2012 with 190 member countries. Interpol partners with national and international organizations on “projects” and “operations” that cover many of the endangered species of fauna and flora. Environmental “projects” include Predator on “big cats” and other species, Project Wisdom for elephants, Leaf for timber, Scale for fishing, and Eden for waste, particularly electronic (Interpol 2016c). Its operations cover nearly every continent. Interpol operations are precisely targeted and facilitate information sharing and cooperation in enforcement as needed in the case of any transnational crimes (Interpol 2016b). In another action, Interpol joined with four other intergovernmental organizations⁵ to form the International Consortium on Combating Wildlife Crime. It supports national and regional law enforcement. Created during the International Tiger Forum in 2010, it models similar initiatives that emphasize cooperation across agency and national borders—local, regional, and global efforts.

Transnational criminal groups do not necessarily specialize. Making money in one crime can finance illegal activities in another area. In 2011, Europol linked the Rathkeale Rovers (aka Irish Travelers), an Irish organized crime group, to 67 rhino horn thefts networked across 15 European countries. Using traditional organized crime tactics of intimidation, aggravated burglary, and violence, the group preyed on antique dealers, museums, zoos, private collections, and virtually any sources. The group sold through auction houses throughout Europe. Its activities

CONSIDER THIS CRUSH AND BURN

In 2015, the United States, China, Ethiopia, Mozambique, Thailand, Republic of the Congo, and the United Arab Emirates crushed or burned all, or a significant portion of, their stockpiles of seized ivory. This global demonstration raised awareness of wildlife trafficking and showed that trafficking will not be tolerated (Welch 2015).

In May 2016, Kenya had its biggest ivory burn ever. President Uhuru Kenyatta lit the match and set fire to U.S. \$105 million worth of ivory. He demonstrated Kenya’s zero tolerance for poaching and the terrorists that transnational

crimes such as poaching, human trafficking, and drugs and arms trafficking attract (Gittleman 2016).

In 2017, two tons of ivory jewelry, statues, and trinkets representing tusks of about 100 elephants was crushed in New York’s Central Park. Many of the pieces were extremely valuable, including a pair of ivory tower sets worth U.S. \$850,000. Since 1989, more than 270 metric tons of ivory, representing tusks of about 20,000 elephants, was burned or crushed by 22 nations (Associated Press 2017).

were not limited to ivory or Europe. The group also trafficked in drugs, counterfeit products, money laundering, fraud, and organized robbery. Beyond Europe, the Rathkeale Rovers committed crimes in North and South America, China, South Africa, and Australia (Udell 2015).

The secrecy of financial enterprises enables illegal transnational criminal activities. Shell companies,

jurisdictions that protect the privacy of financial matters over the public good, allow transnational crime to flourish—without the easy flow of money across borders, often protected by national laws, transnational crime would be harder to conduct and easier to prosecute. This is discussed in Chapter 9.

SUMMARY

Transnational crime is one of the most serious threats to human security in the 21st century. The scale of these crimes in loss of life and money is staggering. Human trafficking and trafficking in organs are among the fastest growing crimes. Desperation drives people to risk slavery for themselves or their children, lured by promises of jobs that never materialize. Literally worked to death, they are deprived of any chance at life. Their countries of origin lose as well, robbed of many of their working-aged populations, robbed of their young, and leaving many children orphaned and many husbands and wives widowed. Others, also driven by desperation, pay smugglers for passage to refuge or pay off a debtor with a part of their body. Others, equally desperate, buy the organ. Both risk life-threatening complications. Ultimately, ending these crimes and wildlife trafficking requires ending the

desperation—the poverty—that drives people to victimization, thereby ending the supply.

Eliminating the market would also put an end to transnational crime. If people were unwilling to buy another human, human trafficking would not exist. Probably only scientific advances will end the desperation of people selling their organs. Many of these people probably do not think of themselves as criminals. Public education to help people recognize victims of trafficking and public exposure (as well as just punishment) of those who have kept victims captive both are important in diminishing the market.

Convergence of international law concerning human and wildlife trafficking is essential. Particularly important is convergence in the financial industry so that money cannot be so easily laundered or hidden. If the profit can be taken out of trafficking, there will be little motive.

DISCUSSION

1. What features of modern life and globalization contribute to increases in human trafficking. In wildlife trafficking?
2. What is the role of poverty in international crimes? Consider human and wildlife trafficking especially.
3. How does convergence in laws across countries help to combat trafficking?
4. Why should the global community be concerned about trafficking in wildlife?
5. How does transnational crime contribute to corruption?

ON YOUR OWN

1. The Polaris Project collects data on human trafficking. It also educates the public about how to recognize victims of human trafficking. Based on the information on its website, what are indicators that you could watch for to recognize a potential victim? You can also reference the UNODC.

<https://polarisproject.org/human-trafficking>

https://www.unodc.org/pdf/HT_indicators_E_LOWRES.pdf

2. Analyze the USAID and/or other countries' programs to combat human trafficking. Does the program take a holistic approach?

3. Investigate up-to-date statistics on wildlife trafficking. Has any progress been reported? Have there been changes in laws or in enforcement techniques? The World Wildlife Reports are a place to begin investigation. The 2016 report can be found at this URL:

https://www.unodc.org/documents/data-and-analysis/wildlife/World_Wildlife_Crime_Report_2016_final.pdf

4. Analyze news reports of the connection between human trafficking and terrorism.

NOTES

1. As a point of clarification, the “International Classification of Crime” is used for statistical purposes to allow for better coordination across countries and includes serious and “non-serious” crimes, many of which are not covered by the convention.
2. Reporting is a requirement of the Palermo Protocols to which 173 countries are party.
3. The 2015 Associated Press investigation led to the freeing of 2,000 slave laborers. The four journalists—

Robin McDowell, Margie Mason, Martha Mendoza, and Esther Htusan—won the Bartlett and Steele Award for Investigative Business Journalism (Easton 2015).

4. This replaced the Environmental Crime Committee.
5. The five organizations are CITES Secretariat, Interpol, UNODC, the World Bank, and the World Customs Organization.