

Combating (child) human trafficking: building capacity

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Abstract

The presentation/paper focuses on the challenges and necessity of building capacity at local, national, and international levels with a focus of how to more effectively combat trafficking in human beings (THB). Insight from several of initiatives are shared with the aim of illustrating how to capitalize on the vast number of opportunities that already exist at these levels and how they might be coordinated to enable collaborative work in an informed and dynamic manner to combat human trafficking. Information from several recent research projects that focus on some of these same issues is also incorporated into this paper.

Key words

Human trafficking; capacity building; sustainability; partnership; 4 P's

Resumen

El artículo se centra en los desafíos de la lucha contra el tráfico de personas y en la necesidad de aumentar la capacidad para ser más eficaces en ese sentido, local, nacional e internacionalmente. Nos hacemos eco de la visión de varias iniciativas, con el fin de ilustrar cómo capitalizar el gran número de oportunidades que ya existen en los ámbitos citados, y la forma en que se podrían coordinar para posibilitar la colaboración de una manera informada y dinámica para combatir la trata de personas. También se incluye en el artículo información emanada de diversos proyectos recientes de investigación sobre el tema que nos ocupa.

Palabras clave

Trata de personas; aumento de la capacidad; sostenibilidad; colaboración; 4 pes

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1. Introduction

Next to drug trafficking and arms dealing, human trafficking (hereinafter, HT) has been described by various official sources (e.g., International Labour Organization – hereinafter, ILO – 2012, U.S. Department of State 2013b, United Nations Office on Drugs and Crime –hereinafter, UNODC- 2014) as one of the most profitable border-transcending crimes in the world. HT is a grim reality of the 21st-century global community. Despite this fact, however, there currently is no reliable data, owing largely to the fact that our ability to measure the extent and nature of human trafficking is at best highly suspect and hence unreliable (see, for example, Laczko and Gramegna 2003, Merry 2016 – also see below). Thus, we continue to espouse the gravity of human trafficking in *objective* reference terms that serve more to shock and shake the core of our sense of humanity than to inform or frame the issue in definable, quantifiable terms. For example, a 2003 address to the United Nations by then President George W. Bush demonstrated the substantial attention garnered by human trafficking in international politics. In his speech, Bush said: “There’s a special evil in the abuse and exploitation of the most innocent and vulnerable (...). The trade in human beings for any purpose must not be allowed to thrive in our time” (The Telegraph 2003). Arguably, it wasn’t until September 2002 when a major EU conference on trafficking, i.e., *Preventing and Combating Trafficking in Human Beings*, made human trafficking a major political priority in Europe and the terms *human trafficking* and *trafficking in persons* (TIP) and *trafficking in human beings* (THB) are all part of the migration policy discourse.

In 2012, former President Obama (The White House, President Barack Obama 2012) identified HT as one of the great human rights issues of our time, saying it “tears at the social fabric of our communities, endangers public health, and distorts health, and fuels violence and organized crime”. Cast alongside, in recent years, the proverbial war against terrorism, the war against Islam, the war on drugs, the war on poverty, and the war on human smuggling, the issue of HT has become a major focal point for international and national policy concerns in that it is perceived to undermine a broader sense of global order (Winterdyk *et al.* 2012, Giguere 2013). A further reflection of the growing attention garnered by HT is the relative proliferation of published material focusing on the subject matter. There is no scarcity today of books, academic and non-fiction, on human trafficking. Based on a cursory search of published material in late 2016, the author identified more than 65 English-language books on HT ranging from personal accounts of trafficking victims to the intricacies of trafficking in persons. As the volume of books continues to grow, there is also a growing number of journals dedicating a special issue to some aspect of TIP from criminological/criminal justice perspectives. These include, among others, the *European Journal of Criminology* in 2010 and the *International Journal of Comparative and Applied Criminal Justice* in the fall of 2007. Also, in 2015, a new journal titled the *Journal of Human Trafficking* will be launched with four proposed issues per year.

So, while “modern day slavery” (Bales 2007) has existed for thousands of years, contemporary awareness has been slowly commanding world-wide attention. For example, there is no shortage of information on sex trafficking and child sex trafficking, but there remains a dearth of information on such other forms of HT as forced labor, bonded labor, debt bondage among migrant laborers, involuntary domestic servitude, organ trafficking, and child soldiers. Yet, in 2012 the International Labor Office estimated state-imposed forced labour victimized some 2.2 million people, with another 14.2 million people trafficked for forced labour exploitation (ILO 2012). Similarly, the organization’s anti-slavery website refers to ILO data estimating that “at least 52.6 million men and women around the world work as domestic workers”. And, even though domestic work is one of the oldest occupations, it wasn’t until 2013 that the Domestic Work Convention, and its

provisions that all workers have access to decent work conditions, came into force (Anti-slavery 2013).

Even though considerable attention has been/is being directed to HT these days, the high standing of HT has also made it vulnerable to a variety of political and even faith-based agendas. For example, although the practice of TIP dates to ancient times, it has only been since the enactment of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (known as part of the Palermo Protocols) in 2000, that there has been a concerted effort to examine and evaluate counter interventions for use against human trafficking. And, even though it is widely acknowledged that human trafficking is generally characterized as a violent crime, often as a form of transnational (organized) crime, an economic injustice, and a crime that challenges fundamental human rights, the issue of trafficking remains mired in several pragmatic legal, social, and political challenges. Trafficking in human beings is arguably a complex issue and connected to numerous other issues (Kyle and Koslowski 2001, Lee 2011, van Duyne and Spencer 2011, Mishra 2015), thereby increasing the need for a coordinated effort to combat and prevent it.

This article will focus on the challenges of building capacity at a local, national, and international level in order to effectively combat (child) human trafficking. In general, much of the rhetoric on combating crime is about relying on evidence-informed data to be *smart* about crime control and/or intervention. While the amount of work and research being done is commendable, some fundamental issues remain to be addressed and resolved before we can truly impact and address the plight of human trafficking. To this end, this article covers three main areas that must be resolved before we can build the capacity needed to effectively and efficiently combat human trafficking. We begin with a short discussion about the challenges of measuring the extent and nature of human trafficking. From there we'll explore some of the socio-political issues before examining the challenges around building international cooperation to combat TIP. We then move to the third area, which is reviewing some of the international efforts to build capacity. A final section will conclude with several recommendations on how the European Union (and, in effect, the international community) might consider moving forward to build the capacity required to combat human trafficking (Council of Europe 2016).

2. The opaque picture of human trafficking

Before launching into a critical examination of the challenges we face in trying to establish a reliable measure of just how pervasive human trafficking is, I qualify my commentary by acknowledging that any amount of human trafficking is a fundamental violation of human rights and should not be tolerated. If we are to eliminate the problem, however, or at least reduce it to a level at which it is no longer a profitable enterprise, we first need to know its true extent and nature in order to better inform policy and effective intervention and prevention strategies.

As we know, anti-trafficking advocates have emphasized the pervasive nature of "modern forms of slavery" by reiterating frequently cited statistics and developing counter trafficking strategies based on the assumption that instances of human trafficking are widespread and rapidly expanding. For instance, in 1999 one of the British co-founder of the Free the Slaves foundation, Kevin Bales, argued that proportionally more people are held in situations of bondage today than at any other point in history. In fact, despite the way the term "human trafficking" seems to imply a crime involving the (illegal) movement of people, the practices of sexual exploitation, forced labour, domestic servitude, and child soldiers, among other possible forms of exploitation for profit, provide the main impetus for the various forms of enslavement (see Haugen and Boutros 2013). Unfortunately, the Foundation's data is not based on any scientifically robust, reliable or valid data, or even a sound methodology upon which to stake its claim about trafficking (Merry

2016). Thus, while it may be true that in absolute terms more people than ever before are being held in bondage, without a standardized rate, such data can only be viewed with a degree of skepticism. In fact, despite the repeated citing of Bales' work and that of others, the global scope of human trafficking, for any purpose, remains vague and highly contested. In the country of Botswana in South Africa, for example, there are no legal provisions by which to charge any person for human trafficking (Kelebonye 2010). Meanwhile the International Labour Organization, seen to be a credible organization, estimates the extent of global sex trafficking at between 4.2 and 11.6 million people. Not only is the gap between these two numbers significant, but Kristof and WuDunn (cited in Haugen and Boutros 2013, p. 57) peg the number as low as three million. Who, if anyone, is correct or close to being correct about these estimates and how can these be verified without a standardized approach? (See, for example, Albanese 2007, Rudolph and Schneider 2013).

Efforts to conduct national surveys from which to extrapolate estimates of (child) human trafficking may be well intentioned, but are ill informed since most people surveyed do not have sufficient awareness about crime and human trafficking to offer informed opinions (Roberts and Hastings 2007, Mishra 2015). Similarly, the UNODC estimates that some four million people per year are involved in human trafficking, while Bales and Soodalter (2009) and Bales (2012) peg the "number of slaves in the world today" closer to 27 million people per year – an enormous difference of 23 million *victims* for which no clear estimation explanation or reliable data is given, or available because of the hidden nature of this crime. If one is to believe the average *purchase* price of a trafficked victim in 1809 (adjusted to today's value) would be approximately \$40,000, but today sells for around \$90, then simple economics would dictate that you need to move "more goods" to make a comparable profit (Bales 2012). It may also signal, also in accordance with the core economic principle of supply and demand, a much readier supply of victims. Bales and Soodalter (2009) suggest that some 140,000 HT persons are at any one time being controlled by organized gangs. In 2013, at a human trafficking summit meeting held in Ottawa, Canada, George Mueller, Los Angeles county District Attorney, said that "at least 100,000 American children are trafficked for the purpose of sexual exploitation every year" (Together Let's Stop Traffick 2015).¹ Citing research from the U.S. Department of Justice, Mueller also suggested that an American pimp can earn between \$150,000 and \$200,000 per year, and that one-third of all teens turning to life on the street will be lured into prostitution within 48 hours of leaving home. It is, therefore, ironic that much of the literature that focuses on TIP for the purposes of sexual exploitation, or simple prostitution, tends to avoid what is really happening to these trafficked victims is the sexual violence being extorted on these victims.

According to the 2009 *Global Report on Trafficking in Persons*, worldwide, 20 percent of all trafficking victims are children. The 2011 Report, however, revealed that the percentage of trafficked children had jumped to 50 percent – more than doubling since 2009. Goździak and Bump (2008), however, in their review of some 700 published articles and books on the trafficking of children, found that over half of the publications (54%) between 2000 and 2007 contain non-empirical data and only 12 percent of the literature was found to be peer-reviewed. Have more recent works been more rigorous in their methodologies? This question formed the framework of a recent exploration of the integrity of the more recent publications on HT undertaken by Lisa Fedina (2014). Fedina examined 42 recently published books on HT and found that 78 percent rely on prevalence data from a few main "expert" sources and that many of the issues identified by Goździak and Bump in 2008 still applied to the more recent publications. The first main "expert" source noted by Fedina was the U.S. Department of State which since 2001 has been annually publishing the *Trafficking in Persons Report* (see U.S. Department of State 2001-2017) and the second was the work of Kevin Bales. Ironically, in his 2012 publication, Bales addresses the issue of

¹ See the section "Creating public awareness" below for further discussion on the Summit.

unreliability of his own initial data, but then proceeds to erroneously justify his estimates (see Bales 2012, pp. 33-35). Either way, any number of trafficked victims is alarming, but given the complete lack of reliable estimates and the fact that our methodologies for estimating also remain controversial, we should remain skeptical about using such figures to justify building capacity to combat any form of human trafficking (see Savona and Stefanizzi 2010). Clear discussion as to from where the numbers, or estimates, are derived and/or any methodological explanation as to how the estimates were established is grievously lacking. Further complicating the situation is the knowledge that not every country actually reports events occurring within their borders. In a 2012 United Nations report, the UNODC website posted that 54 percent of trafficking victims were strangers to their recruiters while 46 percent of victims and recruiters were known to each other (UNODC 2012). Given that we do not know the true extent of the problem, it is not possible to say that such relationships are factually true beyond the number of cases that have been confirmed.

Meanwhile, also drawing on available data, Lehti and Aromaa (2006) point out, contrary to conventional wisdom, that “most of the global trafficking for sexual exploitation is short-distance” (Lehti and Aromaa 2006, p. 149) and that in fact only 25-30 percent of trafficking involves global trade. This general observation is also supported by a recent UNODC report, which states “data show intra-regional and domestic trafficking are the major forms of trafficking in persons” (UNODC 2014). For example, in April 2014, a 31-year-old Canadian woman was charged with domestic trafficking of another woman (18 years of age) for the purposes of sexual exploitation. After a charge was filed, another woman came forward and then another and another, all claiming similar forms of exploitation (CBC News 2014). Yet, the findings of the UNODC (2014) and other researchers seem to contradict the former Head of Europol’s 2010 referral to HT as one of the most prevalent types of organized crime activities in the EU (Europol 2011). Again, a profound statement but arguably void of any reliable data and based on a suspect methodology. On a related note, the UNODC estimates that the “slave-trade” is increasing by 50 percent annually. Given the significant dark figure² (i.e., underground or clandestine nature) of human trafficking, increased attention and awareness to its expression, however, exactly how reliable is this estimate? Pointing to the imprecise nature of trafficking figures, in 2006, the U.S. Government Accountability Office declared many of the U.S. government estimates of human trafficking as “questionable” given a lack of methodological rigour, reliability measures, and comparability of country-specific data.

As a result, and in the same year, the U.S. State Department *Trafficking in Persons Report* sought to overcome these challenges by relying on data from the International Labour Organization (ILO), making the ILO estimates the most popularly cited human trafficking figures. In 2016, the ILO suggests that some 40.3 million men, women, and children are targets of HT at any given point in time and, of this number, some 24.9 million are subjected to forced labour and 4.8 million are victims of sexual exploitation (ILO 2017). A number of years earlier, however, Laczko and Gramegna (2003, p. 180) had already pointed out that “one of the biggest gaps in our understanding of trafficking is in the area of statistics and data collection”. This theme is further explored in a book edited by Savona and Stefanizzi (2010). Each of the book’s ten contributions approaches the dilemma of measuring human trafficking from different angles and offers different solutions. The book, however, offers a consensus that says to understand the phenomenon, it is necessary to be able to measure it. Efforts are afoot to try and improve how we measure the numbers of victims of trafficking. Farrell and several of his colleagues (2010) from the Urban

² According to the 2016 U.S. Department of State TIP report, in Zimbabwe cases have been reported of young men and young boys being trafficked to South Africa for farm work. They are then forced to work for several months without pay before their “employers” have them arrested and deported as illegal immigrants. There are no reliable figures as to how extensive this problem is.

Institute at Northeastern University in the United States used a triangulated approach that relied on several sources to produce estimates. Fedina (2014) points out that this approach, while not perfect, does represent a step in the right direction.

Like problems of scope, the scholarly literature points out that the amount of profits derived from HT is skewed by varied but generally imprecise estimates. Human trafficking was initially declared the “third most profitable business for organized crime” (UNODC 2014), but has since been elevated to the second most profitable form of organized criminal activity in the world, alongside drug trafficking and arms dealing (Walker-Rodriguez and Hill 2011, Mishra 2015). Several other sources attribute this latter claim to the U.S. Department of Health and Human Services; however, the claim is no longer available on the department’s website. Organizations such as the Polaris Project (2017) estimated that the total yearly profits from the human trafficking industry are around \$32 billion (U.S.), with profits per individual ranging from \$13,000 to \$67,000 (U.S.) per year. However, in 2012, the European Commission cited an ILO report which estimates that the human trafficking enterprise at around \$42 billion (U.S.) per year. Hence, it is apparent from these and the disparity among estimates from other organizations that we do not know the true extent of the economic impact of human trafficking. And, although we can *explain* the disparity to some extent, from a research and policy perspective, not being able to provide reliable data is problematic for justifying the allocation of resources because the many other competing causes and issues can not only be observed but accurately measured (e.g., poverty, recidivism rates, economic impact of break-and-enters, motor vehicle theft, etc.) as well. Yet, the rhetoric and consensus, as reflected in the 2013 documentary *Not my Life* (see <http://notmylife.org/>), is that trafficking in persons for sexual exploitation, forced labour, organ harvesting, or domestic servitude, etc. is a *serious* problem and one that should command our attention.

In summary, any claims about the nature and extent of human trafficking is couched in suspicion and should be a major concern if we are to promote capacity building. For example, the Rights Work group; an organization whose focus is the examination of human trafficking and forced labour through independent research and debate, recently reported that despite efforts of authors and two professional reference librarians to locate original reliable sources of all past research, only similar statements were turned up and not one article was uncovered that contained any evidence to support any of the claims. Even more disturbing is the fact, according to the article, that several of the sources – including Interpol – used the terms “smuggling” and “trafficking” interchangeably (cited in Fedina 2014).

3. Easy to champion, not so easy to do: capacity building

Obtaining international cooperation in the face of neutral, i.e. complacent, or even negative public attitudes towards illegal immigration tends to pose a serious challenge when transnational crimes such as TIP are based on the ability of traffickers to move trafficked victims across borders undetected. This concern was perhaps most clearly reflected in the case of Kathryn Bolkovac, a former American police investigator who worked as a UN International Police Force monitor, who in 2001 became a whistle blower against the United Nations, who hired DynCorp from the UK, involvement in sex trafficking in post-war Bosnia (Lynch 2011). As Dandurand (2012) and others who study the subject have noted, traffickers “can operate with relative impunity because they are able to take advantage of the difficulty that national law enforcement and criminal justice agencies have in working together” (Dandurand 2012, p. 208). Aside from the fact that THB is a grievous human rights violation, it is also largely a transnational crime and, like drug trafficking or trafficking in firearms or wildlife trafficking, international cooperation is crucial to any success to preventing and controlling these crimes. In addition, it is essential to recognize that not all forms of trafficking/exploitation are the same. As Savona and Stefanizzi (2010, p. 127) point out, “the market of prostitution is different from the labour market and so are the mechanisms of exploitation”. Therefore, in relation to TIP,

cooperation is also essential to fulfilling the 4*P*'s of the Palermo Protocol (United Nations General Assembly 2000), i.e., *Protection* of victims, *Prevention* of trafficking, *Prosecution* of traffickers, and *Partnership*. Interestingly, until 2009, paradigm was referred to as the 3 *P*'s - without the inclusion of *Partnership*. It was former American Secretary of State Hillary Rodham Clinton who introduced the fourth *P* into the scope of the response mechanism.

We will next provide a brief overview of the four *P*'s and the role they can play in capacity building.

1. **Protection of victims.** Fundamentally, strategies to protect victims include 3 *R*'s. That is, *Rescue*, *Rehabilitation*, and *Reintegration*. Essential to being able to protect a victim of trafficking is the ability to identify him or her. Proactive identification methods are thus extremely important. Once a victim is identified, the government has an obligation to meet the 3 *R*'s in a way that honours the basic human rights to which all people are entitled. In addition, governments and NGOs need to guarantee the protection of victims and provide maximum support through their laws. Furthermore, legislation should mandate appropriate efforts to protect trafficked victims and other witnesses (including their families) during the investigation and trial process. Reasonable support should also be provided for a defined period when required for a person's safety. Therefore, appropriate protection programs may include some or all the following elements: access to independent legal counsel; protection of identity during legal proceedings; and in-camera trials (see, for example, Mulu 2010, Spires 2016).
2. **Prevention** has evolved from public awareness campaigns to now also involve legislative changes, through which to ensure the rule of law and protect victims, provide better enforcement, more effective coordination and communication (collaboration-based and involving all the various stakeholders), and to tackling human trafficking at its root causes. Efforts to prevent human trafficking include prevention at all three levels of the prevention model – that is, primary, secondary, and tertiary strategies (see Lab 2013). At a recent conference on anti-human trafficking in Bangkok, Brendan Howe opined that simply relying on the belief that prevention through economic growth and opportunity, which he referred to as “econophilia”, alone cannot solve the social ills, what is required is a holistic approach taking into account the pushes and pulls (Southcott 2014). Prevention of HT, as described by the U.S. Department of State “is closely intertwined with protection and prosecution measures” (U.S. Department of State n.d.).
3. **Prosecution.** As the adage goes, for justice to take place, “justice must be seen to be done” if it is going to work. Ideally, drawing on the classical principles of criminology, prosecution or punishment must be certain, swift, and proportionate to the gravity of the offence to be an effective deterrent. Unfortunately, relative to the reported number of persons trafficked, the number of successful prosecutions is an abysmal few. Arguably, it is the lack of specific and/or adequate legislation at a national and/or international level on trafficking that conflates our efforts to combat HT. A recent study by Farrell *et al.* (cited in Spohn 2014) examined 140 human trafficking cases in 12 counties in the United States and observed that very few cases resulted in actual human trafficking charges because the legal elements necessary to meet the definition of human trafficking were not met. Of the one-third of the cases that did result in a charge, the offenders were charged with offences often relating to prostitution or transporting for prostitution. Spohn (2014, p.

169) suggests that part of the roadblock to effective legal reforms is that the legal system often “resists or circumvents these legal reforms”. Similarly, a report prepared on the plight of human trafficking in India demonstrated that without a strong legal framework to ensure an effective law enforcement response, perpetrators of TIP would continue to operate with relative impunity (Ministry of Women and Child Development 2006). In addition, while prosecution should be consistent with a country’s laws, consideration should be given to setting international standards of punishment for traffickers to reflect the global support for combating trafficking and ensure no country can be perceived as a trafficking haven. As evidenced at the International Criminal Court (ICC), however, when offenders are detained in different countries, there is considerable variation between the types of treatment they receive (see Vojta 2014). In February 2014, a meeting hosted by the Organization for Security and Co-operation in Europe (hereinafter, OSCE) in cooperation with the UN in Vienna, called for intensifying “the fight against modern-day slavery by taking specific steps to protect victims and prosecute the criminals who commit this terrible crime” (OSCE 2014). Fundamental to these steps is ensuring that each individual governments’ makes sure its policies are void of wording or other features that make discrimination possible based on gender, age, caste, social class, faith, and/or ethnicity (see, for example, Brysk and Choi-Fitzpatrick 2012).

4. **Partnership.** To build capacity within the EU, let alone the global community, it is paramount for the member States and their local, regional, and national stakeholders to form partnerships in order to help cement their diverse experience and expertise to bring to bear on the complexity and intricacies of human trafficking. Collectively, they can then also leverage any messaging campaigns and/or resources they can come to bear on their efforts to combating trafficking. As the saying goes, there is strength in numbers. An example of using partnership to build capacity in combating crimes such as HT is the Canadian 2009 Anti-Crime Capacity Building Program, which provides up to \$15 million a year to “enhance the capacity of government agencies, international organizations and non-government entities to prevent and respond to threats posed by transnational criminal activities throughout the Americas (...)” (Public Safety Canada 2013). Drawing on crime prevention theory from the sub-field of environmental criminology, *target hardening* a crime problem at a local or national level will in most cases result in what is referred to as “crime displacement”. Therefore, by only strengthening national level initiatives to combat TIP it is highly likely that the activity will simply move elsewhere because HT is a profitable crime, a crime for which risk of detection, apprehension and prosecution make it attractive to criminals. And so, partnerships require bilateral, international, and multilateral cooperation to more effectively prevent and combat trafficking activities. And, while it is beyond the scope of this article, in 2008 the International Organization for Migration (hereinafter, IOM), located in Brussels, used the term “networking” to describe how to effectively combat an increasingly inter-connected global setting of human trafficking (see Piero *et al.* 2008 and see Figure 2). This issue will be discussed further in the next section.

While together the 4 *P*s are important and many jurisdictions have incorporated them into legislation, they have arguably not been effectively implemented. One key step to rectifying this issue is to focus on the fourth *P* (Partnership) as the cornerstone of effective, sustainable capacity building.

4. Working together and capacity building

Starting in the late 1980s, the Council of Europe has dedicated considerable time and resources to combating trafficking in human beings. In 2005, these efforts culminated in the adoption of the Convention on Action against Trafficking in Human Beings. One of the objectives of the Convention was creating a mechanism to monitor compliance. In addition, and consistent with the Palermo Accord, the Convention embraces the original 3 *P*'s, i.e., *prevention*, the *protection* of the victim of trafficking, and the *prosecution* of traffickers. The Convention entered into force on 1 February 2008.

The Convention included a series of requirements and guidelines for all signing members of the Convention. This monitoring mechanism is comprised of the Group of Experts on Action against Trafficking in Human Beings (GRETA). The group is composed of 15 independent experts from a wide range of fields/disciplines as well as the Committee of the Parties to the Convention and has an integrated monitoring mechanism. Somewhat like the American Trafficking in Persons reports (initiated in 2000), each year, GRETA prepares country evaluation reports containing an analysis of the implementation of the Convention by each party and identifies proposals for further action.

The year 2016 marked the 8th anniversary of the Convention having entered into force and ratified by 40 of the 47 member States of the Council of Europe. To date, only Estonia, Greece, and Turkey have not ratified the Convention. At face value, the Convention speaks to a notable effort to combat trafficking in persons among the Council of Europe members. Although operating for over 30 years, it wasn't until 2014 GRETA prepared its first country. In addition, in February (17-18th) the Council of Europe along with the Swiss OSCE held a meeting in Vienna to, among other things, discuss the results of the first GRETA evaluation and to explore what approaches have worked in the prevention of THB and how it might be enhanced. The conference focused on the relative effectiveness of the 4 *P*'s.

In its third *General Report of Activities* (2013), GRETA urged European governments to improve and enhance their efforts. As Nicolas Le Coz, President of GRETA stated: "Europe must not stay an El Dorado for human traffickers" – a place where traffickers can ply their trade without risk of prosecution. The report also emphasized the need to combat all forms of THB, noting that it is manifesting in one way or another and taking place every day throughout Europe but seldom investigated and punished. Yet, in terms of working together to combat THB, the Report calls for the "involvement of the private sector and the role of the media must be expanded in order to reinforce prevention" (GRETA 2013, p. 6) by helping to promote public awareness of trafficking as well as drawing attention to new forms of trafficking.

Although it may be premature to offer an informed response as to whether GRETA is meeting its objectives on its annual budget of around 770,000 euro, it does represent a well-intentioned effort to combat THB within a collaborative organizational framework. GRETA, however, has no legal authority to enforce compliance and only limited capacity to provide resources and infrastructure in countries that lack sufficient resources to enforce, let alone implement, anti-trafficking strategies. There is no clear effort to examine various initiatives that some countries like England, France, and others have introduced. One such initiative, for example, is Portugal's 2008 introduction of the Observatory of Trafficking in Human Beings (hereinafter, OTSH). Established by the Ministry of the Interior, the role of the OTSH is to collect, process, and disseminate information and knowledge about human trafficking. To accomplish this, Portugal has created a national Monitoring System on THB, which, according to GRETA's Third General Report, is innovative "both in terms of technology and methodology used". The monitoring system collects both qualitative and quantitative data from different stakeholders ranging from official sources to non-government organizations that assist victims of trafficking.

Based on the relative success of the model, Portugal is working towards developing a cooperative network system with partner countries. It would be called a Pan-European Monitoring System on THB and has already been approved by the European Commission. Such an effort demonstrates the potential for cooperation and collaboration (the fourth *P*) to combat THB on an international – or at least European – level (GRETA 2013). However, in a report from the Human Rights Council of Europe in February 2013, GRETA “urged the Portuguese authorities to pay increased attention to detecting trafficking for the purpose of labour exploitation” (Human Rights Europe 2013). The GRETA report further points out that the Portuguese initiative has limited capacity to intervene and intimates a certain “reluctance among NGOs to report human trafficking cases for fear it may expose victims to the traffickers or to expulsion from the country”.

In order to build capacity there is a need to build greater coalition between all stakeholders, policy-makers, and perhaps most importantly between politicians. Some of the key elements that must be acknowledged include the expressed need to protect the rights and dignity of trafficked persons and to promote their welfare. The Palermo Protocol and other recognized international human rights standards should serve as a common focal point upon which to establish various agreements. In addition, given that movement of victims across jurisdictions is seen to be a common practice, it is necessary to develop inter-jurisdictional cooperation arrangements to expedite and simplify the rapid identification of trafficked victims. This should also include the sharing and exchange of information across boundaries normally defined by nationality and right of residence – this should be rephrased. In their survey of Canadian border security personal, Winterdyk *et al.* (2012) found that despite written agreements between Canada and the United States, such arrangements were not readily facilitated. In fact, when the researchers attempted to survey their border security personal for the study they were stymied by Homeland Security. While it is understandable that various legal, including privacy legislation and political implications may be at issue, to be proactive in combating HT, it is deemed essential to establish mechanisms to facilitate the secure, confidential and legal exchange of information regarding traffickers and their methods of operation and cooperation. Referring to the successful NGO ACT (The Action Coalition on Human Trafficking in Alberta, Canada n.d.), but some of the mobilization efforts that have been used to build capacity have involved holding forums around trafficking, hosting roundtable discussions, using broadsheets and protests, promoting more public education, and promoting presentations to local and national government authorities and specialized committees on trafficking and/or exploitation of people (e.g., sex, labour, domestic, etc.).

The final example we will refer to is what has been transpiring in Brazil – a Tier 2 country. The various UNODC reports point out that Brazil does not fully comply with the minimum standards for the elimination of trafficking, that is has long since been recognized as a country rife with human trafficking for the purposes of sexual exploitation and forced labour, and is also a country where rampant corruption of public officials has hindered efforts to combat human trafficking (see Studnicka 2010). Nonetheless, Brazil has attempted to build capacity to address the problem. Starting in 2008, Brazil introduced its first National Action Plan on Combating Trafficking in Persons. In cooperation with the International Centre for Migration Policy Development (hereinafter, ICMPD), Brazil has adopted a four-pronged approach to combating the country’s human trafficking problem in the country. The elements of this multi-pronged approach include using evidence-based research to inform policy, capacity building, publications, prevention, and protection campaigns. The ICMPD-led project is financed by the European Commission, with Brazilian, Portuguese and Italian partners (International Centre for Migration Policy Development 2014). In its second national plan (2012-2016), Brazil has taken even more aggressive steps to combating THB on several levels including financing of close to \$3 million (U.S.) to support the implementation of such reform initiatives as:

- changing the law to facilitate prosecutions;
- increasing the number of anti-trafficking offices and assistance posts;
- improving data collection; and,
- publishing a "dirty list", which publicly identified individuals and corporate entities determined to be responsible for *trabalho escravo* (slave labour) (U.S. Department of State 2013a).

Although no evidence was found as to the relative success of this multi-jurisdictional collaborative project, it shows how international cooperation between a source country and destination region can work together to address the risk factors that precipitate human trafficking.

In summary, it is hoped that the term building capacity is not in the process of becoming somewhat of a cliché.

In the next section, we will take a brief look at some examples of capacity building undertaken to combat /prevent human trafficking.

5. Comparative Lessons for capacity building

Although there is a rich body of literature on building national capacities for combating human trafficking (see, e.g., Foot 2016), the body of literature in relation to the level of capacity building needed to effectively and efficiently combat human trafficking is somewhat more limited. In this regard, the use of international examples as possible sign-posts of what could or should be considered within the European Union context is considered helpful. Therefore, this article draws upon several different international initiatives to summarize three main approaches.

5.1. Establish coalitions with vested parties

First, there is a call to invite government organizations, civil society organizations, and private sectors to work together in the implementation of the European initiatives to combat human trafficking. To do so requires the establishment of national coalitions to establish cooperation and collaboration among all three levels of vested interest groups. This would also require all EU State members to support all civil organizations and private sector agencies involved in combating human trafficking and providing services and support to trafficked victims. Also, key to cooperation and coordination is the need for all stakeholders to implement well-evidenced and informed awareness programs on how best to combat human trafficking and support trafficked victims. To further entrench and support such initiatives regular multi-State and civil and private bodies should have regular focused meetings/workshops to exchange ideas, experiences, and findings (see, e.g., Dandurand 2012, Foot 2016).

5.2. Establish mechanisms and/or systems for international cooperation

The second approach to capacity building involves establishing mechanisms or systems for EU and international cooperation. Recognizing that human trafficking is both domestic and international in nature (generally, see Bernat 2013), thinking or working within a silo mentality (see the next section) must be avoided at all cost. As such, another key building block is the need to develop a standardized database like the Uniform Crime Report in most countries or the International Victimization Survey, etc. This will necessitate the need to reach some fundamental agreement on a concrete definition of human trafficking (Shelley 2010, Winterdyk *et al.* 2012). For example, until the early 1990s, human trafficking was seen to be a form of human smuggling and a kind of illegal migration (Laczko and Gramegna 2003). In fact, it was not until 2000 when the United Nations' Protocol to Prevent, Suppress and Punish Trafficking in Persons that smuggling and human trafficking were clearly defined as separate forms of transnational crime. Even though efforts have been made to distinguish the difference between "trafficking" and "smuggling", controversy still

surrounds the general definition of human trafficking (see Anderson and Davidson 2004). Furthermore, any such actions will require a centralized Coordination Unit serving not only to coordinate EU states, but also to coordinate collaboration with other Coordination Units around the world. One such example is the effort made by the Royal Canadian Mounted Police (RCMP) who in 2007 established the Human Trafficking National Coordination Centre (HTNCC). The Centre attempts to address the four *P*'s and in October 2013 produced the first national report assessing the problem of domestic human trafficking for sexual exploitation in Canada.

To date, 28 countries have become members of the European Union. This is seen to represent a major step in the right direction because potential member states must clearly demonstrate their support of relevant national and international conventions. All member states must be prepared to play an active role, as tacit support is clearly insufficient. The extent of their role would likely be determined based on some agreed upon protocol reflective of how the NATO support their alliance or how the investment organization Contactica in Spain speaks to the need for international cooperation to help minimize risk and cost while optimizing opportunities.

Getting back to the nature of human trafficking it is deemed essential to establish regional coalitions to combat human trafficking among the EU members. However, no cooperation with the UNODC can take place until the member states create bilateral agreements and memoranda of understanding amongst themselves in order to coordinate their efforts to combat human trafficking by developing mechanisms that would make it possible the free exchange of information and anything else deemed necessary to combat trafficking.

Another mechanism or system deemed necessary would be the establishment of specialized programs that focus on enhancing the 4 *P*'s. These systems should focus on inventorizing and mapping the regional and international mechanisms and tools to be used to combat human trafficking.

A *final* mechanism, already in place in such countries as the Netherlands (see Zeldin 2016), and as is customary with any major organization, there should be a strategic plan outlining the contents of a politically neutral annual report prepared on the status of human trafficking for the member states.

5.3. *Creating public awareness*

Irrespective of what is sometimes said about the media, it remains a vital tool for communicating and connecting with the public. When engaging in proactive initiatives in such areas as combating human trafficking, it is far more cost-effective and cost-efficient to prevent the crime from occurring in the first place. Once this type of crime occurs, it roots itself into a society and shoots out rhizomes to neighbouring jurisdictions or, in the case of transnational HT, to other nations around the world. Crime, as is generally acknowledged, is about perceived opportunity vs. perceived risk of detection and apprehension. Human trafficking is one of the most profitable crimes in the world, and opportunity currently outweighs risk, one could surmise that this is a form of crime that will be on the rise until mechanisms to effectively combat it can be developed and put in place. These mechanisms are by default largely reactive; formal actions cannot be taken until an offence has been committed, detected and prosecuted. Therefore, drawing on the social development model of crime control would facilitate a shift from the criminalizing tendencies and privileging of criminal justice efforts to viewing trafficking not just as a human rights violation but as a social problem.

As Foot (2016), among others, observed, trafficking is best understood as a continuum involving the complex interplay between social and economic opportunities and their positions of vulnerability. In her recent book on trafficking, Lee (2011, p. 150) builds on this proposition by arguing that since "the existing knowledge-base of trafficking is fraught with undisclosed biases, silences (...) and

methodological deficiencies”, we should shift our focus away from using administrative criminology to situating and fathoming human trafficking as a social problem. Since very few victims, let alone perpetrators of trafficking, ever end up in the criminal justice system, in order to build the capacity needed we might need to expose the elements that violate or create conditions that erode human rights across the criminal justice continuum and the nexus of challenges that most countries present to people who want move/migrate internationally. Unfortunately, neither Lee nor Foot address this issue, nor do they speak to the diversity of human trafficking. Nevertheless, their ideas should serve to prompt the exploration of alternative approaches to combating human trafficking.

In order to optimize the role of the media in building capacity by creating public awareness on the issue of combating human trafficking in addition to the seemingly more popular media coverage of incidents of human trafficking. Coverage of anti-trafficking efforts, the provision of informed tips of how people can detect and report suspected incidents of human trafficking, etc., also contribute to capacity building. Although there is a growing number of movies (e.g., *Human trafficking* with Dustin Hoffman in 2005; *The whistleblower* -based on a true story- with Rachel Weisz in 2011, and *Not my life* in 2010), documentaries, the media could arguably play a bigger role. An example that could be replicated in Europe is the work of the American-based CNN Freedom Project and Leif Coorlim (see CNN n.d.).

Finally, in addition to the role of social media, consideration should be given to establishing a central repository where people could access academic, government, NGO, etc. publications from throughout Europe. Again, several examples can be considered as possible templates. For example, the University of Nebraska-Lincoln hosts an anti-trafficking website map. Another example that could be explored and which originated in North America is the organization that calls itself Together Let's Stop Traffick and whose primary focus is to develop an international resource and information centre (see Chart 1). While arguably a self-evident initiative, currently no such entity can be found anywhere else in the world. Spearheaded by Kim Perry in 2013, Co-chair Board of Trustees for the International Policing Training Institute in the United States, the first meeting was held in Ottawa, Canada with some 130 participants from around the Anglo-speaking world attended the three-day summit. As their summit promotional material noted: “solutions and intelligence can be coordinated within a world-wide nerve centre – adequately funded and resourced, and supported by training analysts with leading edge technology”.

The first phase of a four-pronged program to build the first truly borderless and fully integrated International Resource and Coordination Centre focused on bringing together people from around the world to engage in a guided workshop promoting the exchange of ideas, best practices, and the development of a model framework of international support and capacity building to more effectively combat human trafficking. At the first meeting in 2013 in Ottawa, it was recognized that currently there is too much siloing going on, which makes it financially and politically counter-productive to continue trying to make headway in the fight against human trafficking. In fact, current efforts and initiatives were deemed to have limited resource and that it was extremely difficult to build much capacity. Five main themes were identified as integral to the building of a Resource and Coordination Centre. These included: 1) user information needs; 2) running the centre; 3) managing the information, which includes raising awareness about the need for better, i.e., reliable and valid, data, 4) communications, which should include improving the use and exchange of data through national and regional forums; and, 5) research, which in terms of capacity building should involve not only the systematic collection of human trafficking data but also the development, implementation and use of compatible data collection systems ultimately based on interoperability platforms allowing secure and legally authorized real-time communications for collaborative and accountable information sharing. Also, embracing more comparative research within the EU will help spawn greater opportunities to both share and learn from others. Currently, as Burke (2013)

and others have pointed out, most human trafficking research tends to be provincial in orientation.³

FIGURE 1

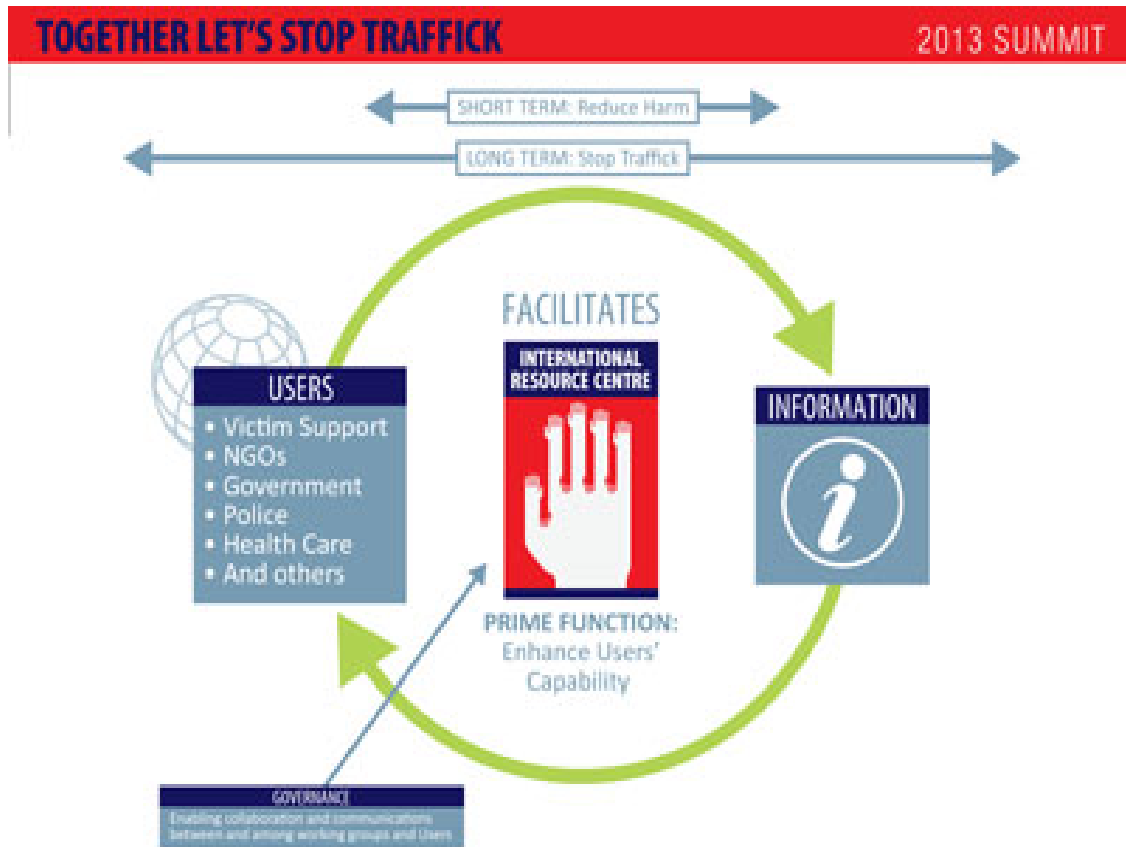


Figure 1. Together Let's Stop Traffick. 2013 Summit.
Source: Together Let's Stop Traffick 2015.

The organization Crown Agents out of the United Kingdom has identified some of the fundamental challenges that characterize effective capacity building. They identify six core issues to effective capacity building (see Figure 2). First, there is a need to identify the appropriate balance between expertise and skill sets needed to support an organization whose vested goal is to stop human trafficking. There is no magic formula to identify the “experts” and/or how many need/should be at the table. A consultative process needs to be applied to ensure that all vested parties have an equal voice. Secondly, contextualizing learning is seen to be important. Any training and learning must be adaptable and sensitive to its local and/or regional context. It is also important to keep in mind that, while the EU is comprised of some 28 member states, each varies in terms of its own relative capacity, awareness, social and political perspectives, etc., which do not necessarily lend themselves to standardized communication, training, or educational practices. Thus, while contextual learning marks a starting point for other nations, it is essential that any learning or training be tailored to the needs and conditions of the different member states while still fulfilling its primary goals and objectives.

³ Phases II through IV were anticipated to be activated on a yearly basis. Unfortunately, like so many well intended initiatives to combat human trafficking, the initiative has not materialized as planned.

The third core issue for capacity building, one that is sometimes taken for granted or given token attention, is the role of institutional development (see, e.g., Friesendorf 2007, OSCE n.d.). While one may have the skills and knowledge available, without a proper and functional institutional framework or a resource and coordinating centre, it will be difficult to ensure the necessary effective coordination needed to properly combat human trafficking. Here we can refer to the efforts of the Together Let's Stop Traffick organization.

Accountability, and how to assessing impact/outcome, is the fourth core issue of capacity building. In an era when efficiency and effectiveness have become *hot buttons* for the sustainability of any program or organization, it is important to include appropriate evaluation and monitoring protocols for the measuring of outcomes to ensure that the goals and objectives are being met. Furthermore, any evaluation or monitoring plan should have short-term and long-term plans and include both process and summative components to ensure that decisions and any policy reforms can be based on evidenced- based research. As to the basic practices regarding in-house versus contracted monitoring and evaluation, they should be carefully considered to ensure transparency and objectivity.

One thing that can (hopefully) be agreed upon is that human trafficking is a complex crime with many different layers of expression and, consequently, the way its perpetrators engage in trafficking are equally diverse. Human trafficking is also orchestrated by organized crime groups. Research suggests regional variations, with some regions more involved in trafficking such as domestic servitude (see Haugen and Boutros 2014), while other regions engage in other forms of trafficking (see Laczko and Goździak 2005, Mishra 2015). What has not been well documented is the role of sophisticated information and other modern technologies used in the act of committing human trafficking crimes. While some work has been done on using information and technology to combat human trafficking, there is comparatively little work being done on how offenders of human trafficking are using modern communication and technology. Within the scope of HT, the Attorney General of California has deemed it time "to harness the power of technology to go after those using it enslave others" (USC Annenberg Center on Communication Leadership and Policy 2014).

In 2010, the University of Southern California (USC) launched its Technology and Human Trafficking Initiative and its first report (see Latonero 2011) focused on examining the role of social networking sites and online classifieds in the proliferation of HT crimes. The report notes that "sex trafficking operates via online channels, whereby traffickers use the Internet to recruit and advertise victims using online classified and social networking sites" (USC Annenberg Center on Communication Leadership and Policy 2014). The report also explores how modern technology can be used for anti-trafficking strategies through such methods as photo recognition (e.g., the 2008 case of Christopher Neil from Canada, otherwise known online as *Mr. Swirl*) mapping technologies (e.g., ESRI), crowdsourcing (see, for example, Damato 2013 or Blumenthal 2016 for a powerful presentation of using spatial mapping techniques to study the vulnerability of potential trafficking victims in Cambodia), and mobile phone applications. The report offers several recommendations which evoke the need to not only combat human trafficking but to support the needs of victims, and be used as a resource by vested stakeholders.

In the USC's second Technology and Human Trafficking report (Latonero 2012), they point out that mobile devices and social networks have become virtually omnipresent in human trafficking, especially with respect to the sex trafficking of young girls. Online platforms have become havens for traffickers recruiting naively innocent victims. The report further notes that social networks have become pervasive globally and "fundamentally transformed the landscape of human trafficking". Therefore, as discussed in the report, it has become imperative to understand the negative and positives of technology's impact "on social change and human rights" if we are going

to effectively build capacity to combat trafficking (see Latonero 2012). For example, in late 2011, Google granted a total of \$11.5 million (U.S.) to counter-trafficking organizations who, in their efforts to combat human trafficking, advanced new initiatives by capitalizing on technology to combat trafficking. Some of the organizations included the Polaris Project, Slavery Footprint, and the International Justice Mission. Because of the work of an individual with Adobe Photoshop who solved the *Mr. Swirl* case, a full-time person has been assigned to assist organizations in using technology to combat all forms of trafficking. Finally, in his September 25, 2012 address to the Clinton Global Initiative, then President Obama optimistically said: “[W]e are turning the tables on traffickers. Just as they are now using technology and the Internet to exploit their victims, we are going to harness technology to stop them” (The White House, President Barack Obama 2012).

FIGURE 2

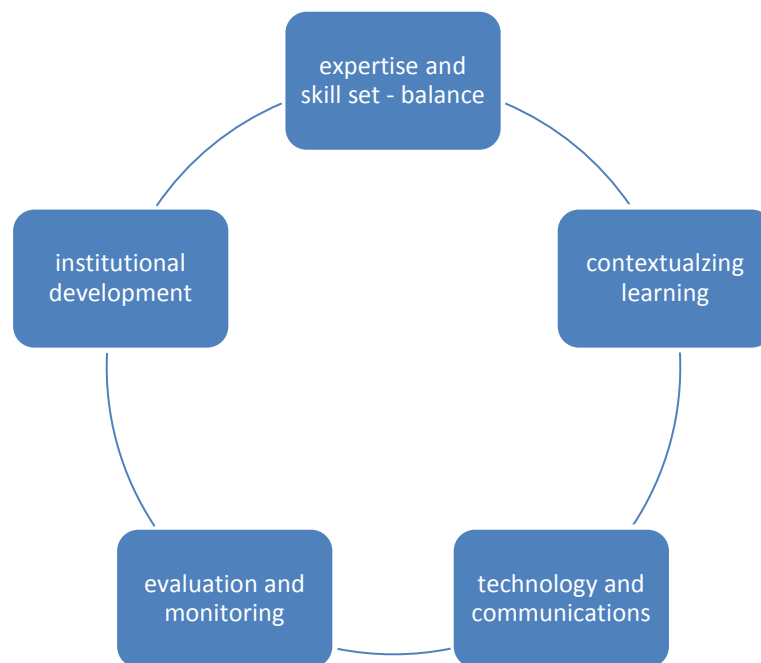


Figure 2. Elements for Capacity Building.

5.4. A resource and coordinating centre

A final component in building capacity to combat human trafficking is the need to establish an international resource and coordination centre that has satellite chapters strategically located around the world. Borrowing from the initiative of the Together Let's Stop Traffick organization, several key partners are readily identifiable. The list, while comprehensive, may not be exhaustive; yet, it represents a model or approach that should be considered as a viable starting point. The list of *partnerships* includes: the media, united NGOs, governments, education initiatives, local responses, victim support systems/organizations, tourism, health, financial establishments, private sector, border security operations, law enforcement agencies, information technology developers, legal instruments, and the military.

Coordinating, managing and administrating such a diverse group requires logistics that are well beyond the scope of this article and author, but it is recognized that without such an effort, it will remain difficult to effectively combat a transnational crime that has endured the millennia. Fortunately, numerous approaches can be found ranging from emergency response units to the military operations and it is important to keep in mind, as mentioned earlier, that many opportunities to help build capacity currently exist but are unexploited at local, regional, national, and international levels. So it's not like we're starting at zero.

6. Summary

Human trafficking has gained considerable social and political traction since the Palermo Protocol came into effect. However, given the inadequate social and economic resources, political good will, and efforts of numerous NGOs to-date, anti-human trafficking campaign(s) have had nominal impact on our individual and collaborative efforts to combating human trafficking. While this article has offered a somewhat conventional template for building capacity, effectively combating HT will require us to first:

1. resolve the disputes over the definition of a trafficking victim;
2. address the enduring limitations of the existing research using sampling to measure the trafficked population;
3. resolve the prevailing mischaracterisations of the trafficking problem which are largely attributable to the politicisation of the trafficking debate; and,
4. establish a mechanism that will support cohesive national-international collaborative approaches to combating trafficking in persons.

For example, most jurisdictions focus primarily, if not solely, on human trafficking in relation to child and women sexual exploitation, often taking the form of forced labour, domestic servitude, and even trafficking for organs. Ultimately, until we can collectively address and resolve the fundamental hurdles that have polarized and even paralyzed our efforts to effectively combat TIP, then any efforts to build capacity to combat human trafficking will remain little more than intellectual rhetoric sprouting ill-informed strategies that will do little to curb the problem.

7. Conclusion and some reflections

Although this paper has focused on how to best build capacity to address the plight of human trafficking, we began by questioning the reliability of the facts or evidence surrounding the nature, extent, and patterns of human trafficking. While there is no denying that no amount of human trafficking should be tolerated, without reliable evidence it is to be expected that many would question the reality of the true extent of the harm resulting from TIP. In part, due to the hype and sensational images and lexicon that surround TIP, the gravity of TIP may be somewhat exaggerated and have prompted formal responses disproportionate to the true gravity. The opposite could equally well be true. In essence, it could be argued that the *factual myths* we have created around the nature and extent of human trafficking have obscured our frame of reference in how we might best address the issue. The fundamental issues that form the basis of these myths need to be addressed before we can effectively begin to capitalize on any informed capacity building strategies.

A related issue to this factual myth is that such myths generally lead to poor if not outright bad policies. The first part of this article focused on the highly publicized but unsubstantiated claims about the nature and extent of human trafficking which have been used to justify various formal responses (i.e., laws, law enforcement practices, border security strategies, etc.) at the international, regional, state and local levels. For example, until recently we have characterized human trafficking as a transnational crime, as an organized crime, and limited intervention and prevention efforts primarily to the sexual exploitation of children and women – with very little energy being expended to address the oppression of the estimated 10 million people in forced labor, slavery, organ trafficking, and/or debt bondage. Furthermore, as Winterdyk *et al.* (2012) and Aronowitz (2016), among others, have suggested, by focusing on human trafficking as something that needs to be controlled from an administrative criminological perspective we overlook a fundamental praxis of criminology (see Mishra 2015) - describing, explaining, and predicting the root causes that render certain people vulnerable – and thus limit our ability to come up with

creative, long-term solutions to this form of victimization. For example, as Haugen and Boutros (2014) describe in their book *The locust effect*, poverty; indeed, the violence committed against people who live in poverty has yet to be addressed by society or in the human trafficking literature.

While several ideas about how we might begin to build effective capacity to combat human trafficking have been discussed; as researchers, policy-makers, and vested individuals and stakeholders in the fundamental rights of all global citizens, until we can address the fundamental issues we must remain skeptical consumers of the information we have. We should insist upon better research and not blindly accept information simply because it comes from a *reputable* source. At best, we are dealing with opinions, ill-informed research offering wildly varying estimates of the prevalence of HT, and nothing more.

Despite these cautionary and critical comments, we cannot lose sight of the fact that human trafficking, forced labor, slavery debt bondage, and all the other forms of TIP, are horrendous human rights abuses that are complicated by history, place, social customs, patterns of discrimination, migration patterns, and economic development and dislocation. It is imperative, therefore, that we all seek a deeper and broader understanding that does not rely on catch phrases and opinions.

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