

Global Human Trafficking: A Mercy Concern

Elizabeth McMillan, RSM

Introduction

At a meeting this past November of the Sisters and Associates who coordinate Mercy Justice ministry in the Americas, Mercy Sister Dierdre Mullen reported that there were “approximately 20 million migrants and refugees worldwide, triple the number estimated by the UN only 17 years ago.”¹ Further, she noted, countries such as Ireland, Italy and Spain, which in the 18th and 19th centuries sent millions of citizens abroad, are now countries of destination. Modern communication media reveal to the masses of indigent people worldwide economic opportunities not available to them in their native lands, and trucks, busses, ships, and even airplanes offer them greater mobility than was available in the past.

At the same meeting Mullen reported that “in 2005 the funds migrants sent back to their home countries was at least \$167 billion, and [that] this revenue now dwarfs all forms of international aid combined.” In Honduras, for example, salaries earned abroad constituted the largest or second largest source of the country’s GNP in recent years. The percentage of this income sent home by professionals working abroad – mostly in the United States—is insignificant when compared with the percentage earned by those who do manual labor: agricultural workers, maids and janitors, those who work in food service, on factory assembly lines, and in the construction trades. Most of these people who are on the move go willingly, ready to risk and to sacrifice, in hopes of a better future for themselves and their families. The International Labor Organization [ILO] reports that women migrating for work opportunities now constitute about half of all migrant workers².

I. The Bad News: Exploitation of the Vulnerable

In this socio-economic climate where the extreme poverty of the very poor makes them extremely vulnerable socially and morally, they are ready victims of the form of slavery we call *human trafficking*. Enslaving people for economic gain is an old story. More than 1,000 years before the birth of Jesus Christ, Moses led the captive people of Abraham in flight from their Egyptian masters. In 1619 the first African slaves arrived in Virginia, the first of the English colonies in the land that eventually became the United States. And it wasn’t until 1863, almost 250 years later, that President Abraham Lincoln issued the Emancipation Proclamation, declaring that “all persons held as slaves within the Confederate States [of the USA] are, and henceforth shall be free.”³ In the year 1776 indentured servants sailed from Rotterdam in the Netherlands, “packed” into ships carrying “four to six hundred souls; not to mention the farm instruments, tools, provisions, water-barrels and other things that likewise occupy much space.” After describing in some detail the grotesque conditions of the trip the author of this account goes on to say that “even with the best wind the voyage lasts 7 weeks.”⁴ The plight of these indentured servants, if they survived the transatlantic voyage, which many did not, prefigured the situation of those who are trafficked today. Not only was the voyage itself a very risky venture, but the

¹ Dierdre Mullen, Meeting of Justice Ministers, Sisters of Mercy of the Americas, St. Louis, MO, USA, November, 2006. http://www.unodc/en/trafficking_human_beings.html

² *Draft ILO Multilateral Framework on Labour Migration*, International Labor Organization, Geneva, 2005

³ www.infoplease.com/timeline/slavery.html

⁴ <http://www.let.rug.nl/usa/D/1601-1650/mittelberger/servan.htm>

indentured were literally the property of those who paid their passage; they belonged to them until it was paid off by their sweat and strain.

The United States Department of State reports on its website that 800,000 to 900,000 persons, principally women and children, are trafficked annually within or across international borders.”⁵ At the Conference on Human Trafficking sponsored by the McGill International Law Society, Montreal, Canada, March 20, 2006, the estimate reported was 800,000 to four million people. They are kidnapped, forced, or induced into prostitution by deception. Among the children are boys as well as girls. It is reported that “the present rate of trafficking in children is already 10 times higher than the trans-Atlantic slave trade at its peak.”⁶ Also included in this number are the thousands of infants stolen from their mothers and sold on the international market to families desperate to adopt.⁷

The United States is the destination country for the greatest number of victims of trafficking. Government estimates are that at least 50,000 are trafficked to the US, and that the number could be as high as four million.⁸ The US government also estimates that 14,500 to 17,500 are trafficked within the country.⁹ The clandestine nature of the activity makes it difficult, even impossible, to know how many people are trafficked into the US, indeed into any country, in a given year.

A classic case of human trafficking was reported by the press in Newark, New Jersey, in the United States in November of 2005. A 35-year-old man named Rosales pleaded guilty to keeping young Honduran women in an apartment to work off fees of \$10,000 to \$20,000 for smuggling them into the United States. Rosales implicated in turn the ringleaders and others involved along with him in a trafficking ring. He told the police that he and several Honduran women had been smuggled into the country by a “coyote”. The coyote’s sister in Houston made arrangements for them to travel to Newark, New Jersey, where he was asked to “be in charge of” an apartment where a new group of Honduran women were to be housed. He was told by one of the ringleaders of the smuggling ring, “If any of these bitches get out of line, you should beat them. One of the women was pregnant, and after ingesting an abortion-inducing drug, she delivered a baby who died before an ambulance arrived.

In his testimony offered as part of his guilty plea, Rosales testified against the leaders of the trafficking ring. Ten people were indicted. They had brought the women to the United States on the promise of decent jobs in restaurants. The young women were forced to drink alcohol and dance with customers. They were forced to work up to seven days a week from 6 p.m. to 2 a.m., and were threatened with deportation or harm to them or their families in Honduras if they did not comply. The newspaper article invites readers to report other cases of human trafficking or slavery to a 1-888 phone number, and offers a web address to readers who want to find out more about a trafficking and exploitation.

⁵ <http://state.gov/p/inl/41444.htm>

⁶ http://www.cwin.org.np/press_room/factsheet/fact_trafficking.htm

⁷ R.T. Naylor, *The Wages of Crime*, Cornell University Press, 2002

⁸ U.S. Department of State. Trafficking in Persons Report, June, 2002.

<http://www.state.gov/g/inl/rls/tiprpt/>

⁹ Ibid.

According to statistics collected by the US State department in the late 1990's, of those 700,000 to four million trafficked worldwide, at least 50,000 are trafficked to the United States annually. US officials also estimate on the basis of available data, that the majority of victims around the globe come from Southeast Asia (225,000) and South Asia (150,000). An additional estimated 100,000 are from the countries which are former members of the Soviet Union. Over 100,000 come from Latin America and the Caribbean, and over 50,000 come from Africa. These (mostly) women are trafficked to Asia, the Middle East, Western Europe and North America.¹⁰ The United Nations Office on Drugs and Crime reports, "Economic and Sexual slavery is a highly lucrative global industry controlled by powerful criminal organizations, such as the Yakuza, the Triads and the Mafia."¹¹

A related issue is the question of the legalization of prostitution. Those who advocate legalization allege that making it illegal deprives women of the right to decide for themselves whether they want to earn a living by offering sexual companionship for a price. Women's groups who oppose the legalization argue that there is no such thing as a "right" to the exploitation of one's body. In 2006 the Joint Project Coordinated by the Coalition Against Trafficking in Women (CATW) and the European Women's Lobby (EWL) on Promoting Preventive Measures to Combat Trafficking in Human Beings for Sexual Exploitation published the report, The Links Between Prostitution and Sex Trafficking: A Briefing Handbook. The report concludes:

"Legalization removes every legal impediment to pimping, procuring and brothels. Traffickers can use work permits to bring foreign women into the prostitution industry, masking the fact that women have been trafficked, by coaching them to describe themselves as independent "migrant sex workers."¹²

The authors cite the testimony of prostitutes who have been subject to degrading and dangerous, even life-threatening abuse, such as "slashing with razor blades; tying women to bedposts and lashing them until they bleed; biting women's breasts; burning the women with cigarettes, cutting her arms, legs and genital areas; and urinating and defecating on women".¹³ The Report also cites a Canadian report on pornography and prostitution that found that "the death rate of women in prostitution was 40 times higher than the general population".¹⁴

II. Attempts to Monitor and Control International Trafficking

In 2002 the United Nations issued what became known as the Palermo Protocol, a Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Its stated purposes are

¹⁰ www.usdoj.gov/crt/crim/traffickingsummary.html

¹¹ "Trafficking in Persons: The New Protocol", United Nations Office on Drugs and Crime. www.usdoj.gov/crt/crim/traffickingsummary.html

¹² Raymond, Janice et al, A Comparative Study of Women Trafficked in the Migration Process: Patterns, Profiles and Health Consequences of Sexual Exploitation in Five Countries. N. Amherst, MA, 2002.

¹³ Ibid., p. 14.

¹⁴ Loc.cit., p.16.

- (a) to prevent and combat trafficking in persons, particularly women and children;
- (b) to protect and assist the victims of such trafficking, with full respect for their human rights; and
- (c) to promote cooperation among States Parties in order to meet those objectives.

The protocol aims to supplement the United Nations Convention against Transnational Organized Crime. Some of the international criminal organizations that traffic in weapons and drugs also traffic in people.

The International Labor Organization

In 2005 the International Labor Organization negotiated a Multilateral Framework on Labor Migration which offers “principles and guidelines for a rights-based approach to labor migration”.¹⁵ Section VI of the Framework calls for the “Prevention of and protection against abusive migration practices”, stating that “Governments should formulate and implement, in consultation with the social partners, measures to prevent abusive practices, migrant smuggling and trafficking in persons; they should also work towards preventing irregular labour migration.”¹⁶ The document further calls for “addressing the specific risks faced by women and, where applicable, promoting opportunities in the workplace”.¹⁷

In 2004 the UN Global Programme Against Trafficking in Human Beings (GPAT) housed in the United Nations office on Drugs and Crime produced a report on human trafficking that was based on data collected from 1996 and 2003.¹⁸ Their working definition of human trafficking reads:

“The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion or abduction, or fraud, or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation includes, at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.”¹⁹

The UN definition includes a specific reference to the *act*, the *means*, and the *purpose*. Thus the “recruitment, transportation, transfer, harbouring or receipt of persons” would be criminal, as would threat or the use of “force, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim.”²⁰ The definition is comprehensive. However, one of the difficulties in its application is that a person may have consented to – and even *paid*

¹⁵ ILO Multilateral Framework on Labor Migration, Geneva, Nov.,2005

¹⁶ Draft ILO Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration., Geneva, 31 October – 2 November 2005, International Labour Office, Geneva

¹⁷ Ibid., #V.9.12

¹⁸ Global Programme Against Trafficking in Human Beings,

¹⁹ http://www.unodc/en/trafficking_human_beings.html

²⁰ Ibid., p. 51.

for—the services of a person to transport her illegally across the border, and then *subsequently* found herself without passport or funds in the hands of her “coyote”.²¹

The United States is the global destination for the greatest number of trafficked persons, and estimated 50,000 persons annually, although the number could be much higher. In 2000 the United States Congress passed the Victims of Trafficking and Violence Protection Act, strengthening the Criminal Section of the Civil Rights Division, enabling it to “reach the more insidious forms of coercion” and to “come to the aid of more victims and to bring more cases than allowed under prior laws.” The report characterized trafficking as “one of the fastest growing areas of international criminal activity” and noted that the overwhelming majority of those trafficked are women and children.²²

The Act defines human trafficking as “the recruitment, harboring, transportation, provision or obtaining of a person for commercial sex, labor services through the use of force, fraud, or coercion, for the purpose of subjecting that person to involuntary servitude, peonage, debt bondage, or slavery.”²³ In 2002 the US State Department issued the first of annual reports in which countries are ranked according to the efforts they are making to combat trafficking. The report employs Tier Placement categories, Tier 1 being the group of countries which have in place the legal structure and law enforcement apparatus in place to monitor and control human trafficking. In Appendix B can be found excerpts from the 2007 report on the countries in which the Sisters of Mercy are ministering.

The Tier 2 class of nations are those that are not doing enough, and the countries on the Tier 2 Watch List are those who are not able to show that they are making sufficient effort to address the problem. Specifically, the statute challenges each country to:

- Create new laws that criminalize trafficking with respect to slavery, involuntary servitude, peonage or forced labor
- Permit prosecution where nonviolent coercion is used to force victims to work in the belief they could be subject to serious harm
- Permit prosecution where the victim’s service was compelled by confiscation of documents such as passports or birth certificates
- Increase prison terms for all slavery violations from 10 years to 20 years and adds life imprisonment where the violation involves the death, kidnapping, or sexual abuse of the victim
- Require courts to order restitution and forfeiture of assets upon conviction
- Enable victims to seek witness protection and other types of assistance
- Give prosecutors and agents new tools to get legal immigration status for victims of trafficking during investigation and prosecution

²¹ The term used for those who lead illegal migrants across the border between Mexico and the United States.

²² Ibid.

²³ Ibid.

Initiatives to combat human trafficking have come as well from Canada and countries in the European Union, the Group of Eight, and the Organization for Security and Cooperation in Europe (OSCE). Regional conferences such as the Joint Bali/Budapest Processes meeting in Vienna in October of 2005 have also been convened. At this conference the Chair, Turkey, underlined the connection to international organized crime and the “key role of awareness raising campaigns directed at the general public, judicial and law enforcement agencies”²⁴. Reference was also made at the meeting to “the development of an European Union plan on best practices, standards and mechanisms to prevent and combat trafficking in human beings,” and to the group’s recent communication, “Fighting trafficking in human beings –an integrated approach and proposals for an action plan.” The plan calls for yet stronger co-operation at the regional and global level and to continue to promote regional initiatives like the “Nordic Baltic Task Force against Human Trafficking and the Budapest Process”.²⁵

A UN Report on Human Trafficking Trends, published in April, 2006, documents the trafficking of people from 127 countries to be exploited in 137 other countries. A global map of human trafficking [see appendix A] reveals the global patterns.

Countries of origin (blue) are countries from which people are trafficked).²⁶ Among those where there is a *high or very high* number of reported incidents are:

- In Africa: Nigeria, Ghana and Morocco.
- In Asia: China, Thailand, Bangladesh, Cambodia, India, Laos, Myanmar, Nepal, Pakistan, the Philippines, and Viet Nam.
- In Central and South Eastern Europe: Albania, Bulgaria, Lithuania, Romania, the Czech Republic, Estonia, Hungary, Latvia, Poland and Slovakia.

The main destination countries:

- The United States is a country where there is a very high incidence of cases of people being trafficked into the country.
- Australia, Canada and the United Kingdom are also on the list of destination countries with a high incidence of persons brought in.

The countries which are both origin and destination countries:

- Poland, the Czech Republic, China, India, Thailand, Cambodia

Victims of trafficking are abducted or recruited in one country, transported through transit regions, and then taken to destinations in other countries where they are exploited.²⁷

²⁴ www.icmpd.org/fileadmin/ICMPD-Website/Budapest/_Process/Working-Groups/Bali.BP_Meeting_Conclusioins_Vienna_2005.pdf

²⁵ Ibid.

²⁶ See Appendix for the global maps from the UN report.

Global Patterns of Trafficking

This analysis by regions of the world reveals a global pattern of dominant destinations as well as a pattern of regions in the world where the majority of victims of trafficking originate. The principal countries of *destination* are found in North America, Western Europe, Western Asia and Turkey, and Oceania. The principal countries of *origin* are those in the Commonwealth of Independent States (former members of the Soviet Union), Africa, Asia, Central and South Eastern Europe, and Latin America and the Caribbean. Some of these countries are significant regions in terms of both origin and destination. Central and South Eastern Europe, Asia, Africa and Western Europe are mainly *transit* areas. Among the countries of Western Europe that are cited as destination countries, Belgium, Germany, Greece, Italy and the Netherlands rank very high in the numbers of persons trafficked, and Nigeria ranks very high as a “source country” from which many are trafficked. The destination of these Nigerians is predominately Western Europe.²⁸

Within the Americas, the countries of Latin America (Central and South America) and the Caribbean are primarily countries of origin. The United States and Canada are the destinations of most of the victims of trafficking, although persons are also trafficked to Europe and to destinations within the region. Central America is cited most frequently as the sub-region from which most victims are trafficked, followed by the Caribbean and South America. Brazil, Colombia, Dominican Republic, Guatemala and Mexico are rated as countries with considerable traffic northward. Within Oceania, Australia is high on the list of destinations for those trafficked primarily from Thailand and the Philippines.

The U.N. researchers employed three fundamental categories in their analysis of the data: (1) criminal acts, (2) the means used to commit these acts, and (3) goals, the purpose for which the traffickers were engaged in the activity. The available figures range from the reported number of those rescued or repatriated to the reported number of trafficked persons in existence. The difficulties involved in collecting current and reliable data reflect the challenges of trying to monitor and control an enterprise that is by its very nature clandestine. Much of the activity goes undetected. Some of the other shortcomings of effective data management that hindered the researchers are:

- a definition of *trafficking* in terms of only one kind of exploitation, e.g., sexual
- the definition does not cover adult males, who are also trafficked
- the affected population is not identified as “victims of crime”, but as “smuggled migrants” (with the underlying assumption that these people have engaged the smuggler)
- the victims are afraid to supply information for fear of retaliation or harm to their family members
- many countries lack a centralized system of data collection; also, some produce annual figures, while the data produced by others covers a period of several years

²⁷ *Trafficking in Persons: Global Patterns*, United Nations Office on Drugs and Crime (UNODC), April, 2006

²⁸ Ibid.

- countries mix categories of data: e.g., trafficked persons with migrant smuggling and other forms of irregular migration
- countries collect data solely on trafficking across borders, whereas *smuggling* across borders is a transnational activity that *terminates with the arrangement once having crossed over the border; trafficking involves non-governmental organized exploitation.*

Finally, researchers note, data collection is complicated by the difficulties in verifying *consent*. A child under the age of 18 cannot legally have given his or her consent, and those adults responsible for children do not have the legal right to consent to the child's commercial exploitation.

A critical issue for those charged with enforcement of laws governing trafficking is this important distinction between *trafficking* and *smuggling*. The law enforcement community in the United States in its guide for those charged with patrolling its borders uses the following conditions to distinguish smuggling from trafficking.

In the case of smuggling,

- The person being smuggled is usually cooperating
- There is no coercion
- Those being smuggled are knowingly violating the law
- Once over the border, the person is free to leave the smuggler
- It always involves the crossing of an international border
- It has to do only with entering a country, i.e., crossing a border illegally

Whereas, trafficking

- Involves force, fraud or coercion, or the involvement of minors in commercial sex
- Is forced labor or exploitation
- Enslaves, isolates, leaves the person without passport or visa
- Can occur without crossing an international border
- Involves working in commercial sex acts or other forced labor

Fraud, force and *coercion* are the key components that distinguish trafficking. Under United States law, whenever any *minor* is induced to perform a commercial sex act, it is considered trafficking regardless of whether fraud, force or coercion is involved.²⁹

Mercy in the Context of Global Trafficking

Since the year 2000 the US Department of State has been collecting data and publishing reports from their files on human trafficking around the world. The countries profiled in Appendix B give some idea of the current situation in the countries where the Sisters of Mercy are present. Excerpts from these reports can be

²⁹ Human Smuggling and Trafficking Center HSTC@State.gov

found in this Appendix. Most of what appears in the profiles is cited textually from the State Department's 2007 report. The report identifies the countries as *source*, *transit* or *destination* countries.³⁰ The *source* countries are those from which the victims are trafficked by force or deception, and the *destination* countries are those where they are put to work, in some cases having passed through a *transit* country.

Conclusion: Organizations Committed to the Effort

The only good news in this distressing overview of one of the most serious challenges to our generation is that there are a number of organizations that are either exclusively dedicated to an anti-trafficking agenda, or are participating in the effort to inform, protect, protest or prosecute. The list of these organizations can be found in Appendix

Faced with this shocking scenario, what might we be called to do with the special charisma given to Catherine to rescue and care for endangered women and children?

³⁰ <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm> The excerpts cited from the report will be largely quoted *verbatim*, though not in their entirety.

APPENDIX A

Global maps from the April 2006 report, Trafficking in Persons: Global Patterns, United Nations Office on Drugs and Crime (UNODC)

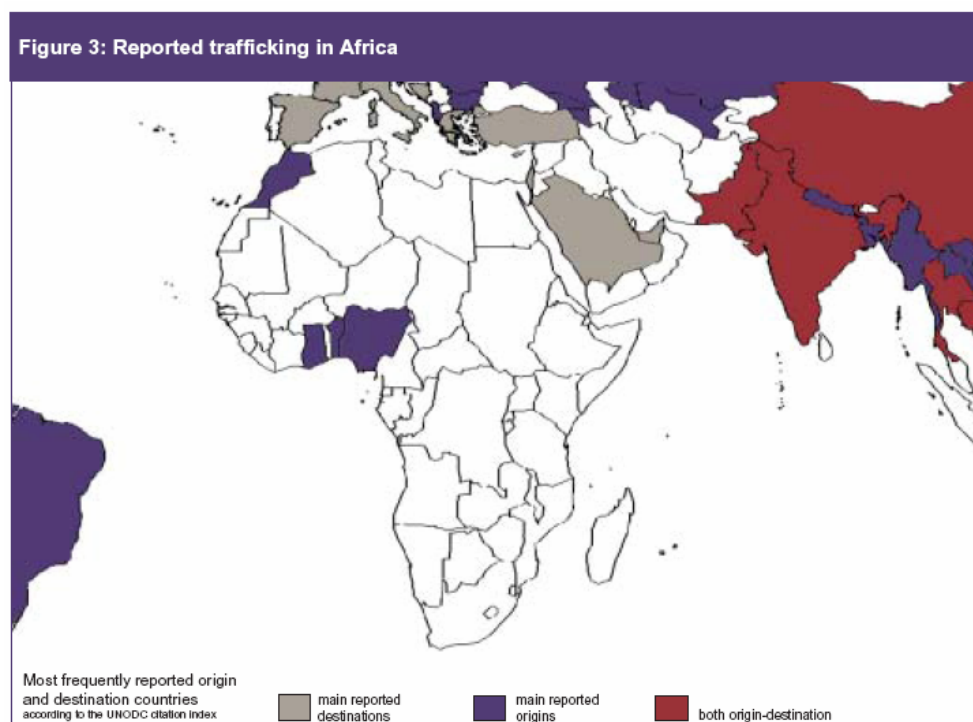
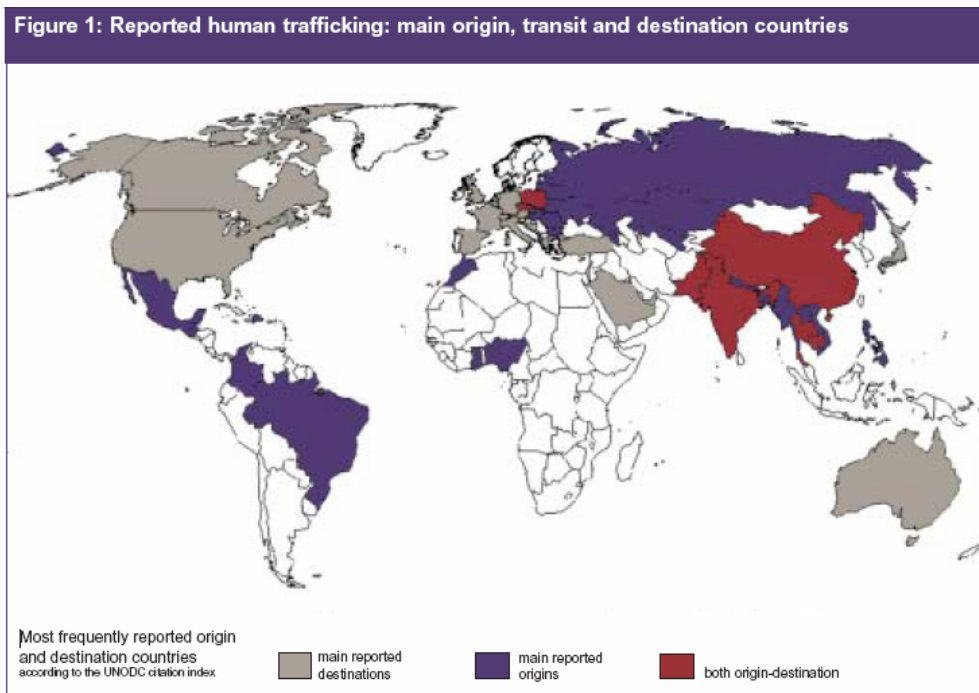


Figure 5: Reported trafficking in Asia

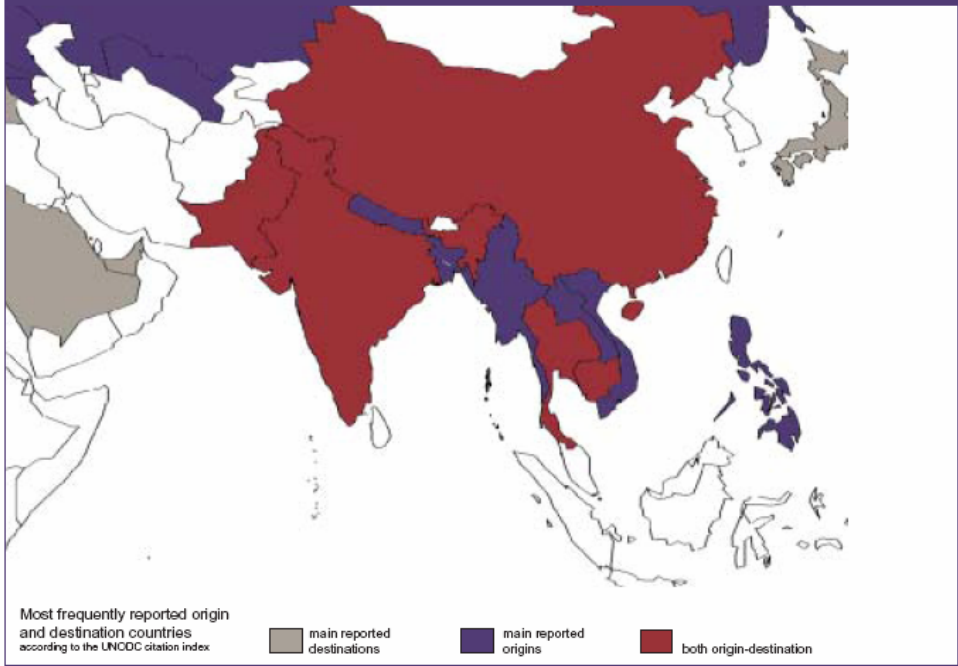


Figure 8: Reported trafficking in Europe

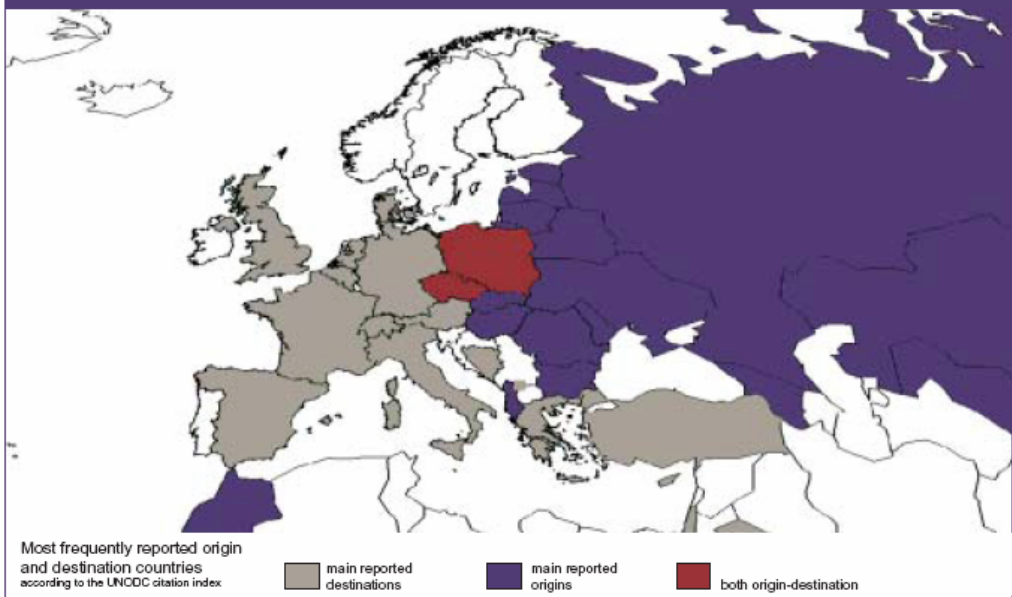


Figure 10: Reported trafficking in the Commonwealth of the Independent States

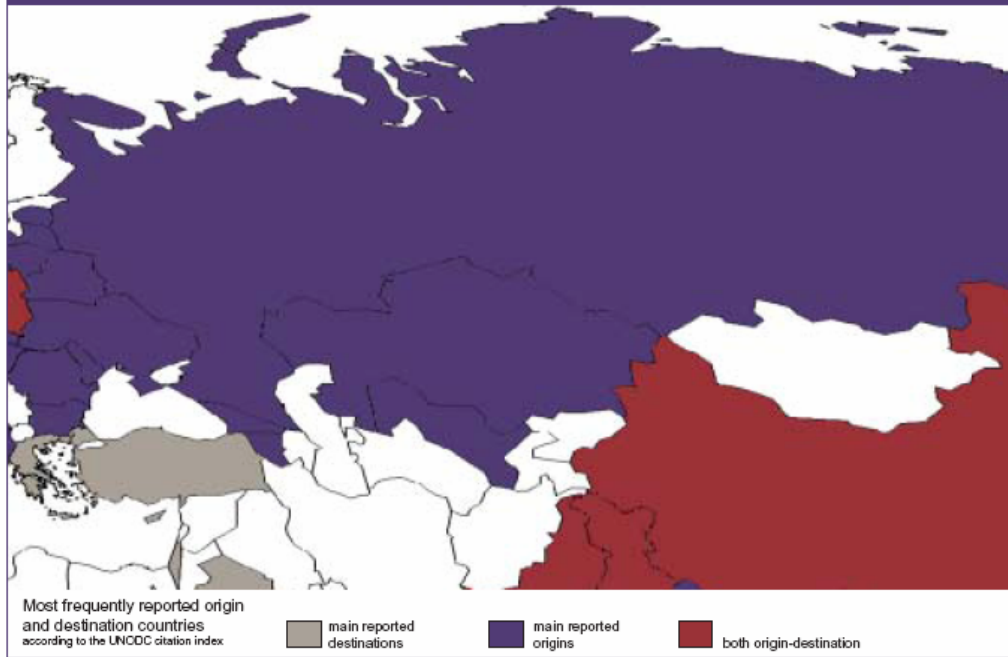


Figure 13 Reported Trafficking in the Americas

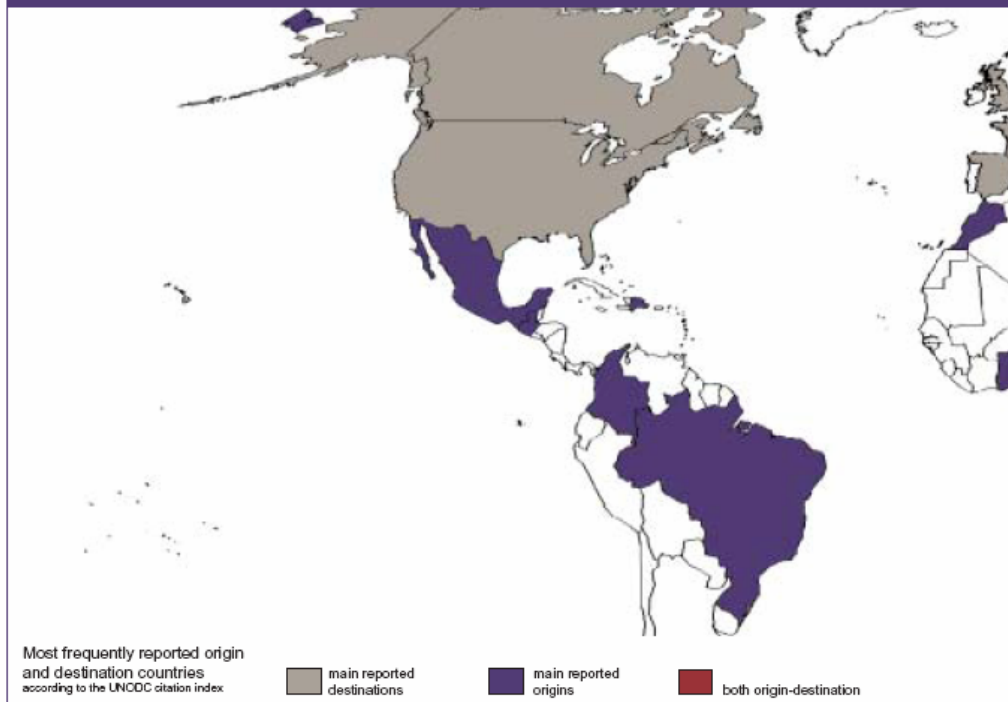


Figure 15: Reported trafficking in Oceania

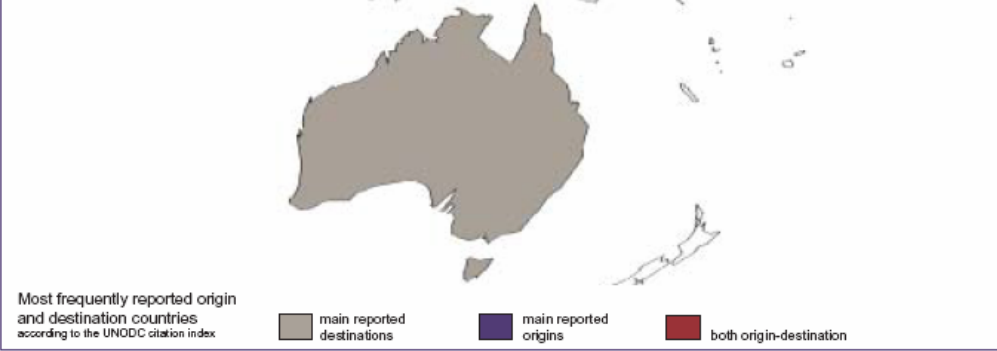


Figure 22: Countries of Origin, as measured by the extent of reporting of trafficking

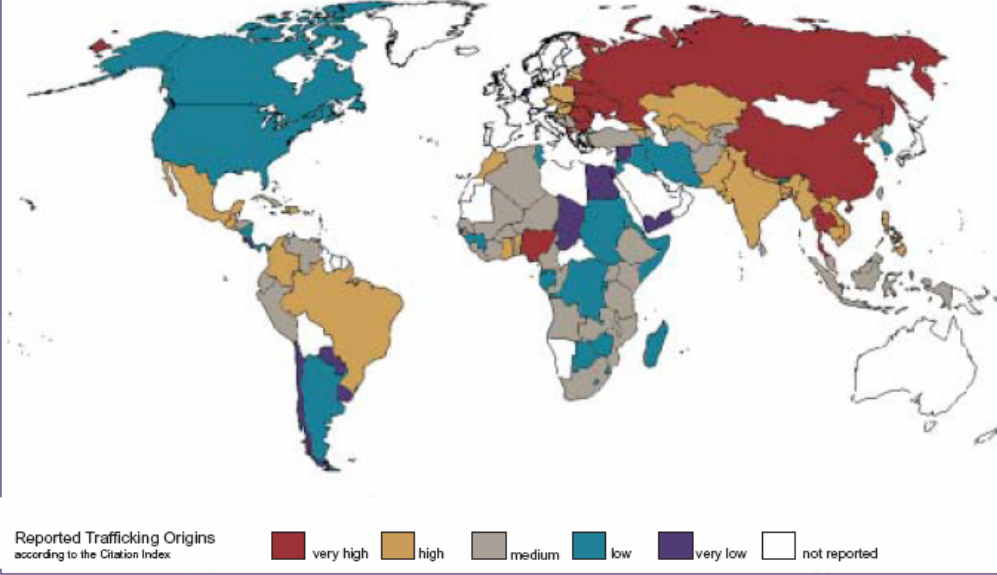


Figure 23: Countries of Transit, as measured by the extent of reporting of trafficking

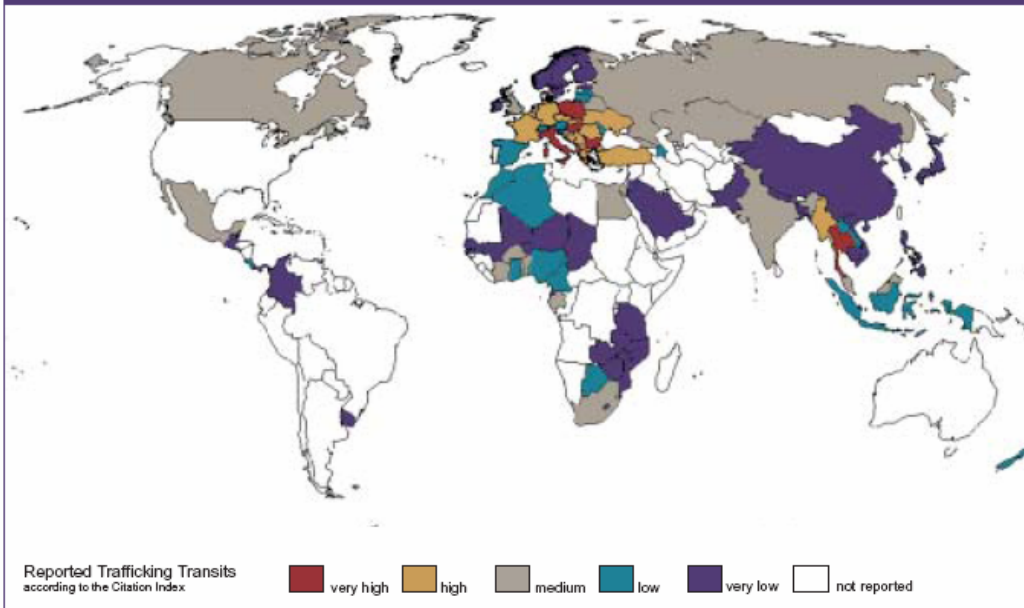
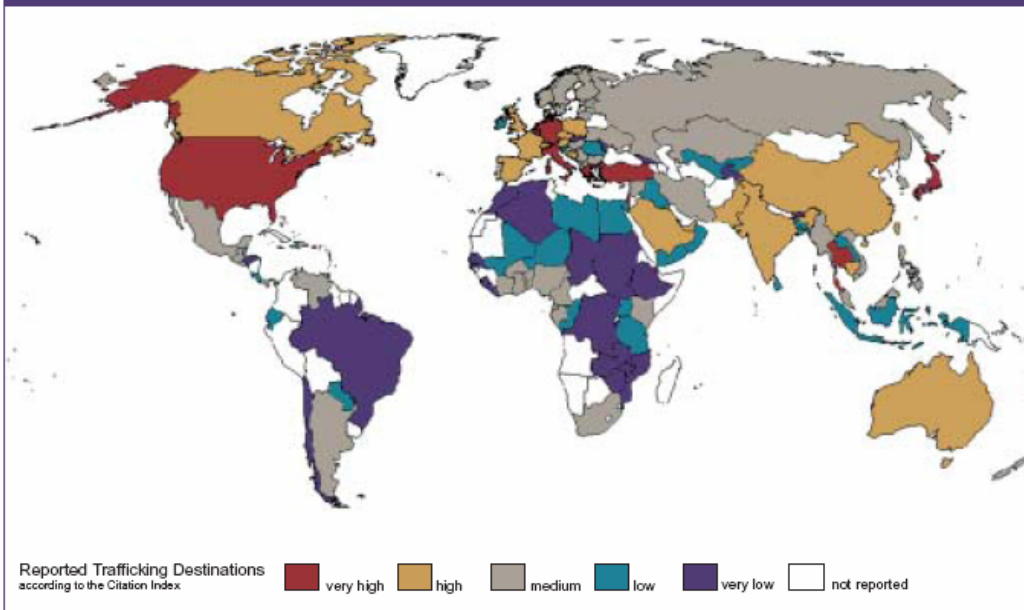


Figure 24: Countries of Destination, as measured by the extent of reporting of trafficking



APPENDIX B

In **Europe** the Sisters of Mercy are in Ireland, the United Kingdom, and Italy.

Italy is a transition and destination country for men, women, and children trafficked for the purposes of commercial sex exploitation and forced labor. Most victims are trafficked from Nigeria, Romania, Moldova, Albania, and the Ukraine. Ireland and the United Kingdom do not appear on the US State Department report.

In the **Near East** they are in Pakistan.

Pakistan is a source, transit and destination country of severe forms of trafficking. Women and girls from Middle Eastern and Eastern European countries are trafficked for commercial sexual exploitation and bonded labor. Men, women and children are trafficked for bonded labor to the Middle East and East Asian countries. Pakistan faces a significant internal trafficking problem reportedly involving thousands of women and children trafficked to settle debts and disputes or forced into sexual exploitation or domestic servitude. Unconfirmed estimates of Pakistani victims of bonded labor are in the millions. Women and children from Bangladesh, India, Burma, Afghanistan, Sri Lanka, Nepal Azerbaijan, Iran, Kazakhstan, Kyrgyz Republic, Turkmenistan, Uzbekistan, and Tajikistan are also trafficked to Pakistan for sexual exploitation and internal servitude.

In **Africa** the Sisters of Mercy are present in Kenya, Nigeria, South Africa, Zambia, and Zimbabwe.

Kenya is a source, transit and destination (SDT) country “for purposes of forced labor and commercial sex exploitation, including the coastal sex tourism industry. Children are trafficked within the country for domestic servitude, street vending, agricultural, and commercial sexual exploitation, including sex tourism. Kenyan men, women, and girls are trafficked to the Middle East, other African nations, Europe, and North America for domestic servitude, enslavement in massage parlors and brothels, and forced manual labor. Foreign employment agencies facilitate and profit from the trafficking of Kenyan nationals to Middle Eastern nations, notably Saudi Arabia, the United Arab Emirates, and Lebanon, as well as Germany. Chinese, Indian, and Pakistani women reportedly transit Nairobi en route to exploitation in Europe’s commercial sex trade. Brothels and massage parlors in Nairobi employ foreign women, some of whom are likely trafficked.

Nigeria is a SDT country. Within the country and internationally women and children are trafficked for forced labor and street begging (mostly boys) and for sex and domestic servitude (mostly girls). Nigerian women and girls are trafficked to North Africa, Saudi Arabia and Europe, notably Italy, France, Spain, the Netherlands, Belgium, Austria, and Norway. Small numbers are also trafficked to the United States. Nigeria prohibits all forms of trafficking through its 2003 Trafficking in Persons Law. The government demonstrated steady efforts to protect trafficking victims during 2007.

South Africa, Zambia, Zimbabwe made some progress in addressing anti-trafficking concerns since the release of the 2006 Report. In June 2006, President Mbeki signed the Children's Act, which specifically criminalizes child trafficking. In August 2006, the National Prosecuting Authority (NPA) sponsored a two-day seminar on prosecuting human trafficking cases in the South African context for provincial prosecutors and chief prosecutors from other African countries. The South African Police Service's Organized Crime Unit received training from International Organization for Migration (IOM) on the role of organized criminal groups in the trafficking of women and children. In October, police officers from South Africa, Mozambique, and Swaziland met to discuss cross-border trafficking, including trafficking in persons. In August, the Women's Parliament conducted a two-day meeting focusing on human trafficking. The Department of Labor funded a national radio campaign on child labor that ran during the annual "16 days of activism against violence to women and children" campaign.

In **Asia Pacific** the Sisters of Mercy are in Australia, Aotearoa NZ, Papua New Guinea, Pakistan, the Philippines, Samoa, and Tonga

Australia is a destination country for some women from East Asia and Eastern Europe trafficked for the purpose of commercial sexual exploitation. The majority of trafficking victims were women from India, the Peoples Republic of China, and South Korea migrating to Australia temporarily for work whose labor conditions amounted to slavery, debt bondage, and involuntary servitude. The Government of Australia has strengthened its domestic trafficking laws to cover offenses involving deception, exploitative employment, conditions and contracts, or debt bondage. The government has also increased penalties for trafficking in children and for employers who exploit workers in conditions of forced labor, sexual servitude, or slavery. It provides significant resources to support anti-trafficking efforts throughout Southeast Asia.

Transnational Sexual Exploitation and Trafficking Teams (TSETT) within the Australian Federal Police investigated 14 possible trafficking cases in 2006. Australia, as co-chair and co-founder of the Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime, continues to play a prominent leadership role in several regional projects aimed at building awareness of trafficking, increasing law enforcement capacity, and enhancing victim support. The government supported a public awareness campaign with advertisements in daily and suburban newspapers encouraging victims and concerned members of the community to call the police hotline.

Aotearoa New Zealand is a *destination* country for a significant number of foreign women from Malaysia, Hong Kong, People's Republic of China, and other countries in Asia, who are illegally in the commercial sex trade". The law prohibits both sex and labor trafficking. In 2003 the Prostitution Reform Act legalized prostitution for those over 18 and decriminalized solicitation. Other laws prohibit child sex trafficking and tourism. Penalties for trafficking for commercial exploitation are commensurate with those for rape – up to 20 years imprisonment. While there have been no prosecutions under the new anti-trafficking law, which requires movement across an international border, instances of internal trafficking can be prosecuted under laws on forced labor, slavery, other forms of abuse and the Prostitution Reform Act.

Papua New Guinea is a *destination* country for women and girls trafficked for the purpose of commercial sexual exploitation. Papua New Guinea does not prohibit all forms of trafficking in persons, though its criminal code prohibits the trafficking of children for sexual exploitation. Internal trafficking of women and children for sexual exploitation and domestic servitude occurs. Children are held in indentured servitude as domestic workers. Women are trafficked from Malaysia, the Philippines, Thailand, Indonesia, and the People's Republic of China for sexual exploitation in brothels in the capital and at isolated logging and mining camps. Children are held in indentured servitude either as a means of paying a family debt or because the natural parents cannot afford to support the child. Papua New Guinea has a significantly increasing problem of trafficking in persons.

The Philippines are a *source, transit* and *destination* country for men, women and children trafficked for sexual exploitation and forced labor. They are often lured with false promises of legitimate employment, and are trafficked to destinations throughout Asia, the Middle East, Africa, Europe and North America. To a lesser extent, the Philippines are a transit point and destination for women from the People's Republic of China. Within the Philippines there is internal trafficking from rural to urban areas. Children are also exploited. The government passed an anti-trafficking law in 2003, and provides a range of social services to victims. However, corruption and a weak judiciary remain serious impediments to the effective prosecution of traffickers. Despite widespread allegations of law enforcement officials' complicity in trafficking, the government reported no prosecutions of trafficking-related corruption.

In **North America** Sisters of Mercy are present in Canada and the United States.

Canada

Canada is principally a transit and destination country for women and children trafficked for the purpose of commercial sexual exploitation. Women and children are trafficked mostly from Asia and Eastern Europe for sexual exploitation, but victims from Latin America, the Caribbean, Africa, and the Middle East also have been identified in Canada. Many trafficking victims are from Asian countries such as South Korea, Thailand, Cambodia, Malaysia, and Vietnam, but some victims are trafficked from Romania, Hungary, and Russia. A significant number of victims, particularly South Korean females, transit Canada before being trafficked into the United States.

Canada prohibits all forms of human trafficking through Law C-49, which was enacted in late 2005, and which prescribes a maximum penalty of 14 years' imprisonment. Transnational human trafficking is specifically prohibited by Section 118 of Canada's Immigration and Refugee Protection Act (IRPA), which carries a maximum penalty of life imprisonment and a \$1 million fine. Withholding or destroying a victim's identification or travel documents to facilitate human trafficking is punishable by up to five years in prison. Canada also prohibits child sex tourism through a law with extraterritorial application. In November 2006, the Royal Canadian Mounted Police (RCMP) organized anti-trafficking training in Eastern Canada for law enforcement, victim service providers, and non-governmental organizations (NGOs). The RCMP also has developed anti-trafficking videos, pamphlets, and posters, which are distributed widely. Canada works closely with

foreign governments, particularly the United States and Mexico, on international trafficking cases.

Canadian law provides for formal victim assistance in court and other services. Canada coordinates anti-trafficking policies through its Interdepartmental Working Group and the Human Trafficking National Coordination Center, which received increased staffing and resources in 2006. The government continued awareness-raising campaigns, such as supporting an anti-trafficking Web site and distributing posters and materials, including anti-trafficking pamphlets printed in 14 languages. Canada annually funds anti-trafficking programs domestically and around the world, and contributes funds to international organizations such as UNODC.

The United States is the destination country for the greatest number of victims of trafficking worldwide, an estimated 50,000 annually. On March 11, 1998, President Clinton issued a directive establishing a US government-wide anti-trafficking strategy of (1) prevention, (2) protection and support for victims, and (3) prosecution of traffickers. Within the United States the Civil Rights Division of the federal government employs what they term a “victim centered approach” to the investigation and prosecution of cases. In addition to the prosecution of cases, they work to secure the victims’ safety and housing as well as medical and psychiatric services.

The Intelligence Reform and Terrorism Prevention Act of 2004 of the US State Department established the Human Smuggling and Trafficking Center to “work with other governments to address the separate but related issues of human smuggling, trafficking in persons and criminal support of clandestine terrorist travel.” The US Attorney General’s Trafficking Prosecution Unit works with Human Trafficking Task Forces throughout the United States, training officers and collaborating with them in the prosecution of cases. At the time of filing the 2007 report, there were 725 cases under investigation. “Working with US Attorneys’ offices, the Civil Rights Division has prosecuted 360 human trafficking defendants, secured almost 240 convictions and guilty pleas, and opened nearly 650 new investigations since 2001. That represents a six-fold increase in the number of defendants convicted in comparison to 1995-2000.”³¹ The US Attorney General also approved in 2007 the formation of a Human Trafficking Prosecution Unit to focus specifically on human trafficking. This unit is also charged with providing training, technical assistance, and coordination with 42 Anti-Trafficking Task Forces throughout the United States. The Division is also providing training and technical assistance to other countries at their request.

In the **Caribbean** the Sisters of Mercy are in Belize, Guyana, and Jamaica.

Belize is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and commercial sexual exploitation. Central American women and children are trafficked to Belize for exploitation in prostitution. Girls are trafficked within the country for sexual exploitation, sometimes with the consent of close relatives. In February 2007, the government took a critical step to confront official trafficking-related corruption by arresting two police officers for human smuggling; a third police officer was arrested for allegedly exploiting a trafficking victim.

³¹ Ibid.

The Government of Belize prohibits all forms of trafficking through its Trafficking in Persons Prohibition Act, which prescribes punishment of up to five years' imprisonment and a \$5,000 fine. An interagency trafficking-in-persons committee leads government efforts to prosecute traffickers, protect victims, and raise community awareness about human trafficking. The government also cooperates with foreign governments on international trafficking cases, and joined the Latin American Network for Missing Persons in 2006. Complicity in trafficking by law-enforcement officials appears to be a significant impediment to prosecution efforts. Since June 2006, the government has sponsored anti-trafficking campaigns and messages on television, radio, and in newspapers. The government also worked with Belize's tourism industry to draft a code of conduct to prevent child sex tourism.

Guyana is principally a source country for men, women, and children trafficked within the country for the purposes of commercial sexual exploitation and forced labor. Most trafficking takes place in remote mining camps in the country's interior. Amerindian girls from the interior also are trafficked to coastal areas for sexual exploitation, and young Amerindian men are exploited under forced labor conditions in timber camps. Guyanese women and girls are also trafficked to Suriname, Barbados, Trinidad and Tobago, Venezuela, Brazil and the United States. Guyana prohibits all forms of trafficking through its comprehensive Combating of Trafficking in Persons Act of 2005. The government made limited law-enforcement progress against traffickers over the last year.

Jamaica is a source country for women and children trafficked within the country for purposes of commercial sexual exploitation and forced labor. The majority are women and girls, and increasingly, boys who are trafficked from rural areas to urban and tourist areas for sexual exploitation. In November 2006 the government launched a comprehensive study of human trafficking, focusing on vulnerable persons and communities to gain a better understanding of the problem and to set up a system for collection of trafficking data. No reports of public officials' complicity in human trafficking were received in 2006. The government recently enacted the Trafficking in Persons Act of 2007 and has made intensive law enforcement and prevention efforts. The new law prescribes penalties of up to ten years imprisonment. A police Airport Interdiction Task Force, created through a memorandum of understanding between Jamaica and the United States, actively investigates cases of drug trafficking and human trafficking at ports of entry.

In **Latin America** there are Sisters of Mercy in Argentina, Chile, Guatemala, Honduras, Panama, and Peru.

Argentina is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Most victims are trafficked within the country, from rural to urban areas, for exploitation in prostitution. Argentine women and girls also are trafficked to neighboring countries and Western Europe for sexual exploitation. Foreign women and children, primarily from Paraguay and Brazil, are trafficked to Argentina and Western Europe for commercial sexual exploitation. Bolivians and Peruvians are trafficked into the country for forced labor in sweatshops and agriculture. Reported cases of human trafficking have increased in Argentina, which may be due to growing public awareness of the issue, as well as a higher number of migrants in the country, some of whom are vulnerable to being trafficked.

Argentina does not prohibit all forms of trafficking in persons. Widespread corruption and collusion with traffickers at provincial and local levels has been reported and is considered to be a serious impediment to prosecuting cases. The government increased anti-trafficking training for judicial and law enforcement officials, including in the critical tri-border area with Brazil and Paraguay. Additional training for judges and police is sorely needed.

The government lent strong political support to anti-trafficking campaigns and has taken the lead within Mercosur for a regional anti-trafficking campaign. In October 2006, the government conducted a nationwide campaign against child labor.

Brazil is source country primarily for women and children trafficked within the country for the purpose of commercial sexual exploitation, and for men trafficked internally for the purpose of forced labor. NGOs (non-governmental organizations) estimate that 500,000 children are in prostitution in Brazil. Brazilian women are also trafficked for sexual exploitation to destinations in South America, the Caribbean, Western Europe, Japan, the United States, and the Middle East. In October 2006, President Lula directed the creation of a national plan of action against trafficking for all forms of exploitation. Prosecutions and convictions of trafficking offenders appeared to increase, and Supreme Court strengthened the hand of the federal government in punishing slave labor through a November 2006 ruling. In 2006, Brazil issued a new regulation that requires state financial institutions to bar financial services to entities on the Ministry of Labor's "dirty list," a public listing of persons and companies that have been documented by the government as exploiters of forced labor.

Chile does not prohibit all forms of trafficking, though it criminalizes transnational trafficking for sexual exploitation through an article of its penal code. Penalties under this statute range from three to 20 years' imprisonment. An anti-trafficking law is pending [2007] before the Chamber of Deputies. Chilean police engaged in covert anti-trafficking operations and stings and incorporated trafficking into training programs in 2006. The government made solid efforts to assist trafficking victims and funds victim-assistance programs. Trafficking victims may remain in Chile during legal proceedings against their traffickers, and may apply for legal residency. The government works with foreign governments to facilitate the safe return of Chilean victims trafficked abroad. The government conducted regular education and outreach campaigns, which were geared to prevent the sexual exploitation of minors. The government also continued to conduct joint public awareness-raising projects with NGOs (nongovernmental organizations) and international organizations, and it funded anti-trafficking training programs and projects.

Guatemala is a *source, transit* and *destination* country for Guatemalans and Central Americans trafficked for purposes of labor and commercial sexual exploitation. Human trafficking is a significant and growing problem in the country. Guatemalans and women and children trafficked through Guatemala from El Salvador, Honduras, and Nicaragua are subject to commercial sexual exploitation in Mexico, Belize, and the United States. Border areas with Mexico and Belize remain a top concern due to the heavy flow of undocumented migrants, many of whom fall victim to traffickers. The government sponsored nationwide public awareness campaigns targeting potential victims of trafficking to warn them of the dangers. However the government failed to convict and punish traffickers or to provide special training for judges, prosecutors and police. Credible reports indicate that some local officials have

facilitated acts of human trafficking by compromising police investigations and raids of brothels, accepting bribes, and falsifying identity documents. Last year [2006] 564 people, mostly from Central America, were rescued from brothels but then were deported; many were potential trafficking victims. The government also rescued 300 children, who were transferred to NGOs (non-governmental organizations). Due to resource constraints and the volume of migrants in the country, many aliens are simply left at the border; some are potential trafficking victims who fall back into the hands of their traffickers. No meaningful government mechanism for screening potential trafficking victims exists.

Honduras is a source and transit country for women and children trafficked for sexual exploitation. Honduran women and children are trafficked to Guatemala, Mexico and to the United States. Most foreign victims trafficked into Honduras for commercial sexual exploitation come from neighboring countries; some of them are economic migrants en route to the United States. According to the government and NGOs (non-governmental organizations), an estimated 10,000 victims have been trafficked in Honduras, mostly internally. Many victims are children trafficked from rural areas to urban and tourist centers such as San Pedro Sula, the North Caribbean coast, and the Bay Islands. Child sex tourism is growing in the country. Tourism is likely to grow with a concomitant growth in the local sex trade, particularly child sex tourism. In light of this situation, and because Honduras' new anti-trafficking law is not yet fully enforced, the country's lack of a stronger law enforcement response to trafficking crimes is of concern. The government should intensify efforts to initiate prosecutions under its new anti-trafficking law to achieve more convictions and increased sentences against suspected traffickers. It should also make greater efforts to increase shelter and victim services.

Panama is a source, transit and destination country for men, women and children trafficked for the purposes of labor and sexual exploitation. Women and children are trafficked internally for sexual exploitation. Also, there are credible reports of women and children trafficked from Columbia and the Dominican Republic to Panama for sexual exploitation, as well as through Panama to Costa Rica and the United States (through Central America) and Europe. Child domestic laborers, who may be trafficking victims, are trafficked from the western provinces to Panama City. Panama's anti-trafficking legislation [2004] is ambitious, and the authorities are in the process of implementing provisions to improve victim protection, however there were no convictions using the new law in 2006. The government funds NGOs (non-governmental organizations) that shelter or assist trafficking victims and operates a foster family program.

Peru is primarily a source country for women and children trafficked internally for sexual exploitation and forced domestic labor. Most are girls and young women trafficked from rural to urban areas. Although the country does not have a comprehensive law against trafficking, the penal code covers trafficking-related crimes such as slavery, pimping, sexual exploitation of children, and forced labor. In the Lima region alone, police removed 81 underage victims from raided premises. Peruvians are also trafficked to Japan and Africa. The government produced a draft of a legal framework for future anti-trafficking actions in coordination with the Office of Migration. The Public Ministry provided support and substantial in-kind support including travel expenses and staff time for a US government-sponsored program on trafficking in persons for 1,389 prosecutors, police, health workers, educators, and local government officials in thirteen cities. An interagency group monitors the

enforcement of trafficking laws and the progress of cases through the judicial system. They have created a nationwide hotline for reporting trafficking in persons, however the government lacks the resources to provide adequate protection for victims.

APPENDIX C

Organizations and Networks Involved in Anti-Trafficking Efforts

Campaign to Rescue and Restore Victims of Human Trafficking

US Dept of Health and Human Services

<http://www.acf.hhs.gov/trafficking/>

Main menu:

About Human Trafficking

About Rescue and Restore

Coalition Information

Campaign Tool Kits

Resources

Center for Women Policy Studies.

Founded in 1972 for feminist policy analysis, research and advocacy.

<http://www.centerwomenpolicy.org/>

Women's health

Women and poverty

US Foreign Policy and Its Impact on Women

Women Engaging Globally

Global POWER

“No More Business as Usual”

The Barbara Waxman Fiduccia Papers on Women and Girls with Disabilities

GABRIELA Network

gabnet@gabnet.org

A Philippine-US Women's Solidarity Mass Organization that educates women, and organizes them around issues, such as Trafficking, that are of urgent concern to women.

Anti-Slavery International

Thomas Clarkson House

The Stableyard

Broomgrove Road

London SW9 9TL

info@anti-slavery.org

An organization dedicated to raising awareness about the evils of the 18th century slave trade, and lobbying the government of the United Kingdom to provide “guaranteed protection and assistance to all trafficked people”.

Make Way Partners

www.makewaypartners.org/human-trafficking.html

A Christian agency working to combat and to prevent human trafficking as well as to end all forms of modern-day slavery through education and humanitarian assistance to the victims of trafficking.

Network of Victim Assistance [NOVA]

www.novabucks.org/index.htm

A network in Bucks County, Pennsylvania, USA, which offers services to victims of sexual assault

Stop Trafficking Newsletter

stoptraffick@aol.com

A monthly newsletter on human trafficking sponsored by the Sisters of the Divine Savior (Salvatorian Sisters). A number of religious communities, including the Sisters of Mercy of the Americas, co-sponsor the publication. The website also offers education materials, e.g., a Parish Packet of educational materials.