**Human Trafficking**

  10th February 2020

Introduction

Human trafficking is defined as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat, or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation”.[1](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-1-39)

This entry does not explicitly discuss people smuggling and irregular migration (see [People Smuggling & Irregular Migration](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/)). While transportation methods, practices, and actors may be the same in some cases, there are recognised differences in the way perpetrators and victims are viewed and treated, meaning ‘it is critical to differentiate between the concepts, in order to better distinguish between who is a victim of trafficking, and who is an asylum- seeker, and who is an illegal migrant’.[2](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-2-39)

This has led to the two issue areas being understood and responded to in distinct ways.[3](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-3-39) It is important to note that people smuggling can become human trafficking if those being smuggled become victims of exploitative acts (such as withdrawal of passport or debt bondage etc.).[4](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-4-39) The extent of this form of human trafficking is contested – some studies suggest it is not as prevalent as sometimes assumed.[5](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-5-39) Others argue that smuggled people are particularly vulnerable to trafficking given that they may not understand their rights, cannot organise trade unions, employers can change contracts arbitrarily, and that both are involved in a supply chain that already disrespects the law.[6](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-6-39)

The overlap with people smuggling especially applies to the means used to transport people (see [People Smuggling & Irregular Migration](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/)). People may be trafficked using smaller vessels across boundaries such as yachts and rafts, as well as larger sailing and fishing vessels. There are some cases of people being trafficked in storage containers aboard larger container ships.

Trafficked victims originate from a wide range of countries, regions, and backgrounds.[7](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-7-39) The most frequent international routes are from the Global South to the Global North. However, only 35 per cent of human trafficking is thought to take place internationally, and only 15 per cent of detected cases takes place across regions.[8](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-8-39) While maritime routes can sometimes be used, the most common route for human trafficking is via conventional air transport.[9](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-9-39)

It is often unclear whether people are being smuggled or trafficked. There are often few linkages to the deception, coercion, or exploitation that constitutes trafficking. Because trafficking does not always refer to the movement of people, but instead to recruitment practices and outcomes, it is not always easy to separate from smuggling in the transit phase. For that reason, the practices and routes that constitute the irregular movement of people is covered in more detail in the entries on people smuggling and irregular migration.

A group of people sitting on a net

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Characteristics

Human trafficking is widely criminalized because those being trafficked are ‘subjected to exploitation of a kind that goes beyond what other illegal migrants might experience’.[10](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-10-39) Degrees of criminalization are often in practice separated out by the degrees of consent and form of exploitation.

*Consent and exploitation*

Those trafficked sometimes initially consent to work, but may be subject to later deception or coercion; what is known as ‘improper means’.[11](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-11-39) Such practices are common in the fisheries sector (see [Forced Labour & Labour Abuses](https://www.safeseas.net/evidence/2021/09/14/slavery-2/) for more detail). In Indonesia for example, where 1342 trafficked fishers were rescued in 2015, victims reported that they were told that the jobs they were going to would be low-skilled but they would have all of their needs met onboard.[12](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-12-39) In many cases, the destination of the work was different from that promised.[13](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-13-39) Cases of coercion were also documented.[14](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-14-39)

Such forms of exploitation may include debt bondage, whereby labourers are presented with increasing fees and costs that they have to work to pay back**.**[15](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-15-39) This is the most common form of human trafficking in the maritime sector.[16](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-16-39) These practices may be criminalized to a lesser degree as exploitation can be more difficult to identify. Victims may also find themselves criminalized. Sometimes they have been compelled to commit criminal acts (such as Illegal fishing) or to have irregular migration status.[17](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-17-39) This can be used as an instrument of coercion by human traffickers who threaten to file reports to the authorities.[18](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-18-39)

Other forms of human trafficking are criminalized to a stronger degree, particularly where no consent is given or where exploitation takes other forms. In rare cases explicit violence is reported in the recruitment phases, including kidnap.[19](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-19-39) Victims may be sexually exploited, have their organs removed or be forced into marriage.[20](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-20-39) Children are the most-easily identifiable victims because they cannot provide any form of consent, and may be forced into labour, sexual exploitation, illegally adopted, or recruited as child-soldiers.

While trafficking for sexual exploitation is perhaps the most high profile aspect of the problem, evidence suggests that forced labour is also common.[21](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-21-39) Some analysts have suggested that a focus on sexual exploitation may prevent sufficient recognition and criminalization of other forms of human trafficking – especially those more prevalent in the maritime sector.[22](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-22-39)

*Victim characteristics*

Chronic poverty is a key driver for human trafficking.[23](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-23-39) The UNODC’s Human Trafficking report suggests that economic need led to 51 per cent of reported human trafficking occurrences.[24](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-24-39)

This has led to concerns that the COVID-19 pandemic will exacerbate trafficking as vulnerability increases.[25](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-25-39) Many countries – especially those reliant on tourism and entertainment – have seen sharp increases in unemployment rates and migrant workers have taken on more debts due to disrupted travel plans.[26](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-26-39) This prediction is based on the 2008 Global Financial Crisis, where trafficking victims from countries with prolonged unemployment were detected in other countries more regularly.[27](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-27-39)

Others argue that poverty provides context but is not always a sufficient cause in itself.[28](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-28-39) This has led to numerous studies working to identify the characteristics of the victims of trafficking.[29](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-29-39) Other factors highlight characteristics of the victim, including gender, age, ethnicity, and a lack of access to education or social integration.[30](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-30-39)

Some also highlight characteristics of the origins and places of exploitation – including the prevalence of crime, natural disasters, lack of democratic cultures or social protection, prevalence of gender inequality, or conflict and post-conflict status.[31](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-31-39) Not all victims fit these patterns however. EUROPOL has pointed to global communication and low cost transport facilitating the trafficking of victims who would not normally be considered vulnerable.[32](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-32-39)

*Perpetrator characteristics*

There have been a number of studies on the characteristics of the perpetrators. The first concerns the types of actors involved. The structure and size of the organized criminal groups involved in human trafficking range from small opportunistic local networks to large transnational organizations. Because trafficking is a process rather than a single offence, studies suggest that many trafficking perpetrators are part of shifting organisational structures where different actors fulfil different roles. Recruiters, for example, are not always the same actors as those exploiting people once trafficked.[33](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-33-39)

Traffickers will sometimes work with smugglers to facilitate the movement of trafficked people.  The criminal groups involved in these practices are thought to be specialized and therefore oriented towards specific markets and localities.[34](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-34-39) In some cases, there is evidence that these networks can also be more hierarchically organised with a distinct leadership.[35](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-35-39) Traffickers structured in organized criminal groups tend to use violence more frequently than individual or opportunistic traffickers.[36](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-36-39)

In maritime cases, it is expected that transnational groups are often more involved due to the need to move people across borders. This process has also been shown to adapt and change according to the dynamics of supply and demand, making it difficult at times to identify perpetrators.[37](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-37-39) Difficulty of identification has led generally to low numbers of prosecutions and convictions.[38](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-38-39) This may also result from the involvement of immigration officials and law enforcement bodies, with evidence of corruption in some trafficking cases.[39](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-39-39)

Human trafficking is a profit-driven activity.[40](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-40-39) Human traffickers can make profit at several points along the chain depending on the function they fulfil, through the recruitment, movement, sale, or exploitation of people.[41](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-41-39)

*Human trafficking and insecurity*

Trafficking is sometimes considered to be a threat to national security.[42](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-42-39) For example, trafficking in persons was described as a security threat in the 3003 European Security Strategy.[43](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-43-39) This is because it undermines the rule of law and enriches criminal networks. Some forms of exploitation pose more direct security threats to states. The potential recruitment and exploitation of children into terrorist and violent extremist groups is one example.[44](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-44-39) Non-state actors such as rebel groups may also traffic children for to be child soldiers. Others criticize the securitization of human trafficking on the basis that it not always as large-scale or organised as often presumed.[45](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-45-39)

Some states also conduct human trafficking on a large scale, compelling citizens into sexual exploitation or forced labour. In 2019, the US amended its Trafficking Victims Protection Act to recognise governments can also act as traffickers.[46](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-46-39) The 2020 Trafficking in Persons Report found 12 governments had a “policy or pattern” of trafficking, including: Afghanistan, Belarus, Burma, China, Cuba, Eritrea, Iran, North Korea, Russia, South Sudan, Syria, and Turkmenistan. Bigio and Vogelstein argue that human trafficking can fuel conflict by enabling armed and extremist groups to raise income and expand their power and military capabilities.[47](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-47-39)

Scope

Latest International Labor Organization (ILO) figures estimate 40.3 million people are in modern slavery, which includes sexual exploitation, with an estimated revenue for traffickers of 150 billion USD.[48](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-48-39) This may be a conservative estimate.[49](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-49-39) One of the problems with collecting data on human trafficking is that categories are not always clearly defined or are used differently by different actors.[50](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-50-39) In addition, data on the number of people trafficked can be confused with those on other groups of people, such as the number of migrants smuggled into a country or the number of women in prostitution.[51](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-51-39)

This underpins a lack consensus in the actual extent of human trafficking.[52](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-52-39) A UNESCO Project on trafficking data concluded that there is much ‘numerical certainty’ due to differing definitions at work in each data set and methodological opaqueness.[53](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-53-39) The scope of trafficking undertaken in the maritime domain is particularly unclear.

Impact

The most significant impact of human trafficking on the victim themselves. While impacts differ depending on the form of exploitation and coercion, victims generally suffer severe physical and psychological consequences. Unlike most other violent crimes, trafficking usually involves prolonged and repeated trauma. Physical abuse, for example, can lead to ongoing health problems. If victims are trafficked for sexual exploitation they may contract STDs, which combined with an absence of healthcare, can have negative physical consequences.[54](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-54-39)

Psychological consequences include shame, guilt, and depression, and can sometimes leading to victim suicide.[55](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-55-39) This can also occur after victims are repatriated to their origin.[56](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-56-39) Another potential outcome is that the victim themselves is arrested and charged, furthering social exclusion.[57](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-57-39) Studies indicate that trauma worsens during the trafficking process and may persist far beyond the end of any exploitation.[58](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-58-39) Child victims can be especially impacted, as abusive practices may stunt their further physical development and lead to developmental and social difficulties**.**

Trafficking can impact larger communities and even states due to its political and economic implications. Politically, trafficking can undermine the rule of law and lead to instability by enriching criminal organisations.[59](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-59-39) This is especially the case in countries already suffering from civil unrest, natural disasters, or post-conflict situations. Economic costs include the cost of prevention, the cost of victim support and treatment, and the costs associated with law enforcement and prosecution.[60](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-60-39)

Linkages and synergies

Human trafficking is most often linked to people smuggling (see People Smuggling & Irregular Migration) and forced labour (See Forced Labour & Labour Abuses). Trafficked peoples may be compelled to engage in illegal acts. This includes prostitution in jurisdictions where prostitution is criminalized, as well as other acts such as illegal fishing, pickpocketing, drug cultivation, or drug trafficking.[61](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-61-39)

There is evidence of large territorial criminal organizations engaging in human trafficking together with other forms of illicit trafficking, including drugs.[62](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-62-39)

Responses

*International*

The 2000 UN Trafficking Protocol deals with criminal justice responses to trafficking and sets out recommendations for the treatment of victims. Supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the Palermo Protocol), it currently has 117 Signatories and 163 Parties. Many United Nations entities run programmes to combat trafficking, including the UN Office on Drugs and Crime (UNODC) and the ILO. The International Organization for Migration (IOM), plays an important role in providing services to trafficked persons and organizing their voluntary repatriation. The UN also launched the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) in 2007.[63](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-63-39)

International organisations such as the UNODC, ILO, and Interpol have all produced best practice reports on combating human trafficking.[64](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-64-39)

*Regional*

Many regions also have their own conventions and plans. The Council of Europe Convention on Action against Trafficking in Human Beings, for example, has 44 signatories and establishes three core aims: the prohibition and prevention of trafficking in persons, the investigation of trafficking activity and the prosecution and punishment of traffickers, and the protection of victims of trafficking.[65](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-65-39) The EU has an EU Anti-Trafficking Coordinator and regional law enforcement often takes place through EUROPOL.[66](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-66-39)

The Association of Southeast Asian Nations (ASEAN) has also prioritized human trafficking, adopting both a convention and an action-oriented plan to improve cooperation and coordination of their member States’ efforts to stop trafficking.[67](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-67-39)

*National*

At a national level, 169 countries and territories have enacted legislation criminalizing trafficking.[68](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-68-39) As human trafficking takes place in the recruitment and exploitation phases, investigation is an important tool to identify perpetrators and sites of exploitation. Since 2003, the number of people convicted of human trafficking offences has tripled.[69](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-69-39)

Many countries focus on raiding sites of exploitation, however, which targets those trafficked but not always the perpetrators. This also runs the risk of criminalizing other activities such as consensual prostitution, critiqued because ‘governments were responding to trafficking fears by legislating to restrict women’s freedom of movement.’[70](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-70-39)

Other approaches aim to reduce the sources of vulnerability that lead people to be trafficked. These include campaigns to raise awareness of the dangers of human trafficking amongst vulnerable populations. However, such programmes often fall short because they fail to provide potential victims with an alternative course of action. Other programmes attempt to reduce vulnerabilities more directly themselves, though such efforts have generally been more limited.[71](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-71-39)

A final strategy is to focus on victim needs.[72](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-72-39) Under the UN Trafficking in Persons Protocal, States are obligated to treat trafficked people as victims rather than smuggled migrants.[73](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-73-39) However, few countries have implemented these recommendations, in part due to the difficulty of identifying victims in the first place.[74](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-74-39)

Some states prioritise those being sexually exploited as being victims, but not those engaged in forced labour.[75](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-75-39) Wylie for example argues that there is a ‘relative blanking out of international engagement in relation to trafficking for labour exploitation when compared to the issue of sex’.[76](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-76-39) In other cases, political sensitivities around irregular migration, a lack of capacity to investigate victim status, or a lack of training make it difficult to identify victims.[77](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-77-39)

For example, the UK has a National Referral Mechanism for the identification of victims, and two Crown Prosecution Service Protocols, which provide for prosecutorial discretion where victims of human trafficking have committed criminal offences.[78](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-78-39) Studies demonstrate, however, that identification remains difficult due to a lack of training and that – even when identified – trafficked people will still often face criminalization.[79](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-79-39)

This can lead to the victims themselves being detained or deported.[80](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-80-39) Many return to debts or are ostracized due to their experience.[81](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-81-39) Some argue that responses to trafficking overemphasise criminal prosecution at the expense of human rights, and this balance is something well-studied but not yet implemented.[82](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-82-39)

Significant tensions exist between initiatives designed primarily to enforce the law against traffickers and those designed to uphold the human rights of trafficked persons. The two approaches are not mutually exclusive, however, and evidence suggests that the prompt identification and appropriate treatment of victims is crucial to an effective law enforcement response. As a result, there has been a movement toward multi-agency models, but there are still obstacles of cooperation such as differences in power, financial resources, values, and priorities.[83](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-83-39) Given the need for a victim centred approach, NGOs are also often involved, especially by providing support services.[84](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/#easy-footnote-bottom-84-39)

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