

# Child Trafficking and Organized Crime

The purpose of this paper is to educate the public on the involvement of organized crime in the trafficking of women and children. Human trafficking has morphed into an international problem that must be addressed by the global community.

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## Where Have All the Young Girls Gone?

by Robyn Skinner and Catherine Maher

Jamtala Daspara village in South 24 Parganas West Bengal does not have any teenage girls. The complete absence of girls in the Jamtala Daspara village is an extreme but telling case of a trend that is occurring across India: young girls in poor villages are being tricked or sold into the sex trade through false promises of marriage, education, and offers of money to their families.<sup>1</sup>

Yet India is not the only country plagued with human trafficking activity. In fact, the sale of human beings into forced labor or for sexual exploitation is a global problem so vast that it ranks as the third largest criminal industry in the world, right behind arms trafficking and drug trafficking.<sup>2</sup> The U.S. Department of State estimates that between 600,000 and 800,000 people are currently trafficked internationally each year;<sup>3</sup> many NGOs claim this number to be closer to one million people. Human trafficking occurs in several forms – most common is being trafficked into forced or sweatshop labor. Some organizations report as many as fifty percent of women and girl trafficking victims are sold specifically for sexual exploitation.<sup>4</sup>

Like guns and drugs, women and children are traded as commodities in the global black market. Because of the Internet and computer technology, it is faster, easier, and cheaper than ever before for groups around the world to conduct illicit economic transactions while evading government detection. Low transaction and communication costs are a major reason why the trafficking of women and children (especially into the commercial sex industry) is so profitable: in Russia alone, the trafficking of women and children is estimated to earn six-billion dollars per year.<sup>5</sup> Given the extremely lucrative

nature of this business, it is not surprising that organized criminals are also major players in the human trafficking industry.

According to the International Organization for Migration, organized crime groups, such as Chinese and Vietnamese Triads, Japanese Yakuza, South American cartels, and Italian and Russian Mafias have developed transnational alliances to facilitate human trafficking activity, such as establishing local contacts to create safe houses, coordinate transportation, and obtain illegal documents.<sup>6</sup> Independent traffickers also benefit by affiliating with organized crime. For example, traffickers who are isolated in particular regions can expand their operations by collaborating with organized criminal groups that have connections in numerous locations around the world.<sup>7</sup> Furthermore traffickers with organized crime connections often enjoy legal protections: traffickers who are arrested by police who have corrupt connections to organized crime are often released without punishment or at most, a small fine. Lastly, traffickers can threaten victims and their families with violence from organized criminals, making it easier for traffickers to intimidate, coerce, and control their victims.

Globalization has intensified the trafficking of both women and children around the world, particularly in communities unsettled by conflict. Years of war left Bosnia with weakened borders and a frail law enforcement system, creating an environment where organized criminals and traffickers flourished; hundreds of women and girls from Hungary, Slovakia, Romania, Ukraine, and Moldova were sold into Bosnia's commercial sex industry since the war ended in 1995.<sup>8</sup>

The women in Bosnia are not alone in their plight. Hundreds of thousands of women are trafficked into or transported through Western Europe every year for the purpose of prostitution. One conservative estimate notes that 120,000 women and children are trafficked annually from

South and Central America, Eastern Europe, Africa, and Central and Southeast Asia into many areas of Western Europe.<sup>9</sup>

The trafficking of women and children in the region has intensified for several reasons, such as porous borders, political unrest, and economic struggles caused by the collapse of communism.<sup>10</sup> The onslaught of poverty is an especially significant factor; traffickers use false advertisements promising well-paying jobs (e.g., as domestic workers or waitresses) in Western Europe to lure impoverished women and children. Desperate for money to support themselves and their families, many people respond to these advertisements, including women and children who often find themselves forced into the commercial sex industry in an unfamiliar country instead.

Western Europe is not the only region plagued by human trafficking. Trafficking in women and children is also on the rise in South Asia: according to some estimates, as many as 9,000 girls are trafficked each year from Nepal and Bangladesh to India and Pakistan.<sup>11</sup> Traffickers in these countries are no longer uneducated, "paan-chewing" men, but carry cell phones, video cameras, and speak cultured English<sup>12</sup> instead, allowing them to exploit women and children more efficiently and effectively than ever before.

In many communities in this region, human trafficking is exacerbated by another issue: female children are deemed as financial burdens to their families. It is frequently considered unimportant to educate female children (relative to male children), thus girls receive little, if any, education to provide them employable skills. Combined with social stigma against women working outside the household, women often end up depending on their families for their livelihood, unable earn income to support themselves. This financial burden is only relieved when a dowry is received after the daughter is married; however, in many countries the bride's family pays the dowry. Traffickers target these communities, especially

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families stricken by extreme poverty, offering money disguised as marriage dowries in exchange for their daughters.<sup>13</sup> Hunger pangs and the prospect of financial gain make these offers incredibly tempting. One villager remarked, “We sold the little jewelry that we had, then the farm and the bullocks. Now the only sellable things left with us are our daughters.”<sup>14</sup>

While these families believe they sold their daughters into marriage, the reality is that they unwittingly sold their children into the commercial sex industry. After traffickers acquire the women and girls (whether through false marriage offers or job advertisements), they undergo a process known as ‘seasoning’ where they are raped, beaten, and otherwise physically and emotionally abused in order to break any defiance and resistance they harbor towards the traffickers. The women are then forced into prostitution to ‘reimburse’ the traffickers for the dowries to their families. These women may work for a lifetime without ever successfully being able to settle their debt, since traffickers continue saddling the women with additional (and frequently arbitrary) costs, such as living expenses, termination of unwanted pregnancies, and/or penalties for attempted escapes.<sup>15</sup>

Fortunately, the global community is not ignoring the issue of human trafficking. On November 15<sup>th</sup>, 2000, the UN adopted the United Nations Convention against Transnational Organized Crime which promotes collaboration against transnational crime. Under this convention, the Protocol to Prevent, Suppress, and Punish the Trafficking in Persons, focuses specifically on combating trafficking as well as protecting and assisting trafficking victims.<sup>16</sup>

Similarly, in July 2002 the Council of the European Union issued a decision on combating human trafficking, which reiterates the importance of prosecuting all parties involved in any kind of trafficking and sets the minimum penalty for trafficking within Europe at six years in prison.<sup>17</sup> Introducing the Council Framework Decision also motivated countries who want to become part of the EU to criminalize human trafficking in their national legislation – such as Turkey who incorporated anti-trafficking provisions in its penal code in 2002.<sup>18</sup> Requiring the criminalization of trafficking is a major

step in anti-trafficking efforts since many countries who wish to join the EU are situated on trafficking routes, as transportation hubs, as source, or as trafficking destination countries.

In addition to the fight against the trafficking of women and children remaining slow, sometimes social conventions hamper progress. Several shelters in Katmandu that rehabilitate rescued trafficking victims discovered that many families refuse to take their daughters back because they view them as prostitutes, rather than as victims of exploitation.<sup>19</sup> These families often believe the shameful nature of their child’s previous work will dishonor the entire family, and therefore, can no longer accept them.

Progress is also hindered by legislative reforms that are not comprehensive enough to be effective. In India, only the state of West Bengal has anti-trafficking legislation – the Immoral Trafficking Prevention Act (ITPA). Moreover, the provisions of the ITPA only address victims trafficked into sexual exploitation, while neglecting other forms of human trafficking such as into forced labor. In 1997, the Supreme Court of India established a committee and a national plan of action to examine trafficking activity in the country’s commercial sex industry. However, NGOs in the country report that, in fact, the government continues to pursue a misguided approach in its anti-trafficking efforts, including arresting victims for prostitution rather than arresting traffickers who are actually responsible for the exploitation.<sup>20</sup> Government corruption also helps trafficking activity persist since “seldom do criminal activities thrive on such a large, organized level unless they are done hand in glove with the police.”<sup>21</sup>

Due to the complex nature of trafficking activity, only a multifaceted approach can stop this criminal industry. One of the most important approaches is increasing public awareness about how traffickers recruit victims. It is vital that women and children learn to be wary of job or marriage offers since traffickers commonly use such fraudulent offers to lure victims. People also need to understand that trafficked women and children are victims and not perpetrators of crime. It is especially important that law enforcement and criminal justice officials understand this distinction as they are often the first people (aside from traffickers and patrons) to come into contact with victims – such as in brothel raid.

## From Thailand to Japan: Spotlight on the *Yakuza*

Japanese organized criminals, called *Yakuza*, play a major role in human trafficking from Thailand to Japan, having developed networks of recruiters to ensnare women and girls from Thailand and sell them into Japan's sex industry.

Once traffickers bring Thai females into Japan, the women and girls are often sold to brothels or "snack bars" where the girls provide food, drink – and sexual services – to patrons. The managers of these snack bars, often women known as "mamas" or "mamasans," rely on *yakuza* for protection from the local police and to ensure that the Thai women and girls do not escape. Many victims interviewed for a Human Rights Watch report on trafficking from Thailand into Japan claimed they would have been killed if they had tried to escape.<sup>1</sup> Mamas will also take passports and other personal identification documents from victims to prevent them from fleeing. Thus, if escapees are caught by *yakuza*, they are returned to their mama and are brutally punished. If they are captured by police without identification, they are deported from the country.

*Yakuza* involvement in human trafficking thrives on a corrupt police force. Thanks to financial and political resources and connections, the *yakuza* successfully offer bribes in exchange for a blind eye or leniency from the local law enforcement who catch trafficking activity.

Thailand is not the only country where women are recruited into Japan's sex industry. According to the United States Department of State, women from Burma, China, Indonesia, and Korea, and other countries, are also being exploited in Japan. "Japan is a destination country for Asian, Latin American and Eastern European women and children trafficked for the purposes of forced labor and sexual exploitation... The government should pursue efforts to prosecute the powerful organized crime figures behind Japan's trade in human traffic."<sup>2</sup>

<sup>1</sup> Human Rights Watch. (September 2000). Owed Justice: Thai Women Trafficked into Debt Bondage in Japan. Retrieved November 22, 2004 from the World Wide Web: <http://www.hrw.org/reports/2000/japan/>

<sup>2</sup> U.S. Department of State. 2004 Trafficking in Persons Report: Introduction. Retrieved November 22, 2004 from the World Wide Web: <http://www.state.gov/g/tip/rls/tiprpt/2004/34021.htm>

This awareness would increase the effectiveness of law enforcement in several ways, such as emphasizing the screening of women and children after arrest to identify trafficking victims so they could be treated with the sensitivity afforded to victims of crimes and not criminals. Differentiating traffickers from the victims also means a more efficient use of law enforcement resources towards pursuing traffickers instead wasting resources on pursuing victims.

In addition to correctly identifying trafficking victims, it is also vital to curb the increasing volume and intensity of trafficking in persons. Human trafficking is fostered by advances in technology that make it faster, easier, and cheaper (and therefore more profitable) for traffickers to communicate and conduct transactions, regardless of their location around the world. While it is impossible to restrict access to or halt development in technology, there is another way to raise the transaction costs and make trafficking less profitable. Stronger law enforcement and immigration control can make it costlier for traffickers to conduct their operations. Information-sharing and collaboration between agencies in different countries is especially important as it would make it more difficult for traffickers to coordinate activities in different countries without being monitored or disrupted by law enforcement.

Just as important as information-sharing and collaboration is purging corruption from the law enforcement system. Trafficking in women and children proliferates in countries with police corruption because traffickers realize that the possibility their actions will be punished is extremely low. Traffickers can operate knowing that police and judges will turn a blind eye to any illicit activity, or at the most, impose minimal charges (such as fines). Organized criminal groups are particularly notorious for taking advantage of government and police corruption to conduct human trafficking operations. Therefore, overhauling the law enforcement system in countries with corruption is a priority in making trafficking in human beings less attractive and more difficult for traffickers.

In addition to cooperation between law enforcement, governments also need to be held accountable for human trafficking activity within their borders. Thus, international pressure, such as

sanctions on, or the official condemnation of, governments who ignore human trafficking activity is also important. The United States is a leader in this respect with the Trafficking Victims Protection Act of 2000 (TVPA). The TVPA sets standards for the elimination of trafficking, such as whether the government prohibits trafficking, or whether punishment for trafficking is sufficiently stringent, etc. The TVPA also categorizes countries into three different lists according to government compliance with the standards to counter trafficking activity. Governments who fail to meet the minimum standards of the TVPA are subject to penalties, such as “withhold[ing] non-humanitarian, non-trade-related assistance [and] funding for participation in educational and cultural exchange programs... [as well as] U.S. opposition to assistance... from international financial institutions... and multilateral development banks.”<sup>22</sup> The threat of penalties under the TVPA has motivated the governments of Bangladesh, Ecuador, Guyana, and Sierra Leone to take significant steps to fight trafficking in persons,<sup>23</sup> demonstrating the ability of international pressure to effect change.

Hopefully, the combination of increased public awareness, strengthened law enforcement, and international pressure will give thousands of victims a new voice against the injustice of trafficking in human beings, and will create an environment where traffickers, especially those associated with organized crime, will find it increasingly difficult to profit from the modern-day slavery of women and children.

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## Endnotes

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<sup>4</sup> Polaris Project.

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<sup>13</sup> Vasudev, S.

<sup>14</sup> Ibid.

<sup>15</sup> Hughes, D. M., Sporcic, L. J., Mendelsohn, N. Z., & Chirgwin, V.

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<sup>17</sup> The Protection Project.

<sup>18</sup> Ibid.

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