Trafficking in Human Beings in Europe: Perception of Civil Society

Trafficking can take place for a variety of reasons and it is, therefore, difficult to address all forms with the same sets of policies and measures. In order to identify the best possible actions for prevention, prosecution and protection it is necessary to differentiate between different forms of trafficking, without establishing a hierarchy. The 'push' and 'pull' factors for the trafficking of women into the sex-industry are different from the push and pull factors that fuel trafficking for labour exploitation in, for example, construction work.

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Trafficking for sexual exploitation: A gender perspective[3]

Trafficking in women for sexual exploitation in the sex industry remains the most dominant form of trafficking in Europe today. While women are also trafficked for labour exploitation, in particular for exploitation in domestic work in Europe, the most prevalent form of trafficking in women and girls remains for the purpose of sexual exploitation. Almost all countries in the European Union are today both destination and transit countries for trafficked women. However, not all countries are origin countries (countries where the women are trafficked from). Great economic disparities between countries together with limited possibilities for people to ensure their livelihoods have fuelled the trafficking of women from Africa, Asia, and Central and Eastern Europe, mainly to Western Europe and North America, not the other way around. Although international bodies, including the European Union, have called for better statistical data, most countries have not yet established any system to monitor trafficking. A key challenge in the identification process is to get statutory bodies, such as police, working together with NGO's that may be providing support services to victims. Data on detected cases remain hidden in prostitution and immigration offences files.

The overall number of women in prostitution in European countries has grown to more than half a million. In Vienna, Austria, almost 70 per cent of prostituted women come from Eastern Europe. There are about 15,000 Russian and Eastern European women in Germany's red-light districts. Many are in brothels, sex clubs, massage parlours and saunas under the financial control of criminal groups from the Russian Federation, Turkey and the former Yugoslavia, according to a survey by the International Organization for Migration (IOM) (UNESCE, 2004). An ILO report (Belsar et al., 2005) estimates that 12.3 million people are trafficked at any given time. In the most developed countries, 75 per cent of the traffic is for sexual exploitation, which involves mainly women and children.

Given the extent of the problem of trafficking in women and girls for sexual exploitation in Europe, it is essential to maintain a specific focus in this area. The aim is to develop an in-depth understanding of the root causes, the most effective prevention strategies, and how to meet the support and assistance needs of victims.

The specificities of trafficking in women

Poverty, racism and sexism are inextricably connected to trafficking and prostitution. Among the push factors making women vulnerable to trafficking and exploitation are poverty, gender inequality and violence against women. Using the case of Latvia, an expert from the European Women's Lobby (EWL) Observatory explains:

> *Latvia has inadequate legislation providing support for women suffering from a partner's violence (in fact one of the poorest in Europe) and it has no functioning system of remedies. As a result many of the affected women choose to look for better life opportunities abroad, many of them becoming victims of sex trafficking.*

Among the pull factors, there is the demand for trafficked women in destination countries through the expansion of the sex-industry: prostitution markets, the porn industry and so forth. The sex industry in EU Member States has become one of the most lucrative businesses. Even in countries with a rural spread of population (like Ireland), escort agencies on the Internet allow women to be made available to men in remote locations (O'Connor & Pillinger, 2009). Further, as suggested by the Mediterranean Institute for Gender Studies (MIGS), another factor affecting demand for sexual services is the tendency to stereotype women, and particularly Eastern European women, as sex symbols. Besides pornography, women are presented in popular culture and the media in general in ways that reinforce the stereotypes of women as either mothers or sex symbols.

Trafficking in women is also developing in the context of mail-order brides. The women are promised a marriage and family, but are forced into domestic and sexual servitude. Research done in the United Kingdom shows that many websites that catalogue mail-order brides are venues for pornography and prostitution (Eaves, 2009). Women are pictured with their children, or in infantilising, childlike poses. Many of the thousands of newlywed mail-order brides become victims of violence, sexual exploitation and sex trafficking. Current trends in the industry show greater supply of, and demand for, women from Russia and Eastern Europe[4], as well as women from the Philippines, Thailand and Vietnam.

The links between trafficking and prostitution

Both the European Union Action Plan on Trafficking as

1 The European Policy Action Centre on Violence against Women (EPAC VAW) is a branch of the European Women's Lobby (EWL) specifically working on violence against women; it supports the EWL's Observatory on Violence against Women. The EWL is the largest non-governmental women's organisation in the European Union, representing approximately 2000 organisations in 30 European Countries. Working with its members at national and European levels, the EWL's main objective is to fight for gender equality and to ensure the integration of a gender perspective in all EU policy areas.

2 Christian Organisations Against Trafficking NETwork (COATNET) is an international ecumenical network that unites 50 professional organisations and international networks from over 30 countries worldwide with the common aim of combating trafficking in human beings. The network operates under the umbrella of Caritas Europa and its member organisation Caritas Ukraine is responsible for the daily coordination of the project.

3 This section is based on the Nordic Baltic Project publication by EWL, 2008. The Nordic Baltic Network focuses on trafficking in women for sexual exploitation and has developed specific expertise in this area contributing to better policies and concrete actions to prevent trafficking and protect women and girl victims of trafficking for sexual exploitation.

4 In Russia alone, 25,000 women per year sign up to Russia's at least 600 marriage sites. Only 5 to 7 per cent of the women who sign up – around 1,500 women per year – eventually find a foreign spouse, according to a study conducted by American University (2000).

well as the Council of Europe Convention recognise that demand reduction should be part of an integrated strategy against trafficking. In terms of trafficking for sexual exploitation, many actors are reluctant to recognise that there is a link to the demand for women in 'prostitution markets' in the destination countries. Without the demand for women in the sex-industry, there would be no business for pimps, and, as a result, no need for a supply chain. In short: no demand, no supply, no trafficking.

Increasingly, evaluation reports on the models regulating prostitution show that in those countries where the focus is to curb the demand, trafficking in women for sexual exploitation is less prevalent than in countries that have legalised/institutionalised prostitution as a form of work. There are different strategies to curb the demand in the sex industry, which include targeting the pimps and brothel-owners, raising awareness and changing attitudes, as well as establishing administrative penalties for buyers or criminalising the buying of sexual services and providing exit routes for women out of prostitution.

Curbing the demand is also important from a gender equality perspective as prostitution markets perpetuate inequality, as well as an ultra-conservative view of sexuality in which commercial interests are the dominant factor. It should also be pointed out that repressive policies actually targeting women in prostitution rather than focusing on the pimps and buyers are an unacceptable development and are contrary to the goal of support and protection. Women in prostitution should not be subjected to regulatory measures, obligatory health controls, administrative fines or other constraints, costs and/or punishments. Such women should be provided with planned and structured exit routes from prostitution, which may include training, education and employment opportunities.

Repressive immigration policies fuel trafficking

In the last decade, EU Member States have moved towards increasingly restrictive immigration policies, which have had a negative impact on trafficking. Vulnerability to trafficking is linked to the desire of women and men to seek better life opportunities than that which their country of origin can offer. Entering into an expanding international sex industry, where there has been an explosion in demand for migrant women, is one of the few ways they can survive poverty and globalisation (Penttinen, cited in O'Connor & Pillinger, 2009). Restrictive immigration policies, stricter border controls and biometric ID systems will not make women and men less vulnerable to trafficking. On the contrary, it may make them more vulnerable. Therefore, it is clear that trafficking cannot be efficiently counteracted without an overview and a strategy for the reform of European immigration policies and practices.

Increased focus on victim support and assistance needed

Work against trafficking must increasingly focus on the needs and wellbeing of victims. This does not mean that other aspects of fighting trafficking in women, such as police cooperation and prosecution, are deemed less important. However, it does entail a shift in focus, in which all actions must be measured against their impact firstly on the victim her/himself. This applies to policies and practices in all areas, from identification procedures, court procedures, compensation schemes, return policies and shelter set ups, to the rules on residence status for victims of trafficking, and so forth. Central to the success of this approach is the development in every country of good inter-agency models of work on combating trafficking that ensure the provision of quality services to victims.

Human trafficking for labour exploitation

Human trafficking outside sexual exploitation recently received more in-depth consideration when international and European legal instruments started being transposed into national law. Some of the international instruments that are important for the harmonisation of national legislation include the Palermo Protocol (which contains the definition of human trafficking), the revised EU Framework Decision 2002/629/JHA (which complements UN work at the regional level), the Council of Europe Convention on Action Against Trafficking in Human Beings (which encourages a common approach in nearly all destination, transit and source countries in Europe) and relevant ILO conventions (which define forced labour and slavery-like practices). Such harmonisation would enable the effective prosecution of traffickers and protection of people who have suffered as a result of this global crime against humanity.

Although there is no doubt that trafficking for sexual exploitation needs to receive continued attention, the general focus should include all modern slavery practices and not neglect other substantial numbers of trafficked persons. The latest ILO finding (2009) is that the annual illicit profits from labour trafficking are five times higher than their earlier estimates in 2005. According to the United Nations Office on Drugs and Crime's (UNODC's) Global Database on Human Trafficking Trends (2005), trafficking for labour exploitation accounts for only 23 per cent of all reported trafficking cases. However, statistics from some countries testify to the increasing number of labour exploitation cases. For example, in 2004, Ukraine's identified cases of trafficking for sexual exploitation were more than double those for labour exploitation. In 2007, the gap between the two categories had almost disappeared and in 2008, the number of labour exploitation cases exceeded those of sexual exploitation. Western European countries are also increasingly concerned about hosting coercive labour practices and forced labour. Some findings suggest that regular migrants can also be trapped in trafficking and forced labour situations in Europe (Pereira & Vasconcelos, 2008).

The sectors particularly prone to exploitation are agriculture, construction, manufacturing, food processing, catering and domestic work, as well as illicit activities. Sometimes different types of work are associated with different genders and nationalities. For example, females are more likely to be found in domestic sector, males in the construction industry, Ukrainian women are preferred in caring for elderly and children and for cooking and cleaning, while Roma people are more often forced into begging. Yet there is little in-depth research into those associations or into the various employment sectors, especially unregulated ones, apart from the domestic service sector.

Despite the proven high level of demand for foreign domestic workers in Europe, in many countries this category of workers is still one of the most vulnerable to human trafficking. Excluded from labour legislation, working in isolated and unregulated conditions, and extremely dependant on the good or bad will of the employer, domestic workers are exposed to labour exploitation, which can often be combined with sexual abuse.

Migrant domestic workers who face exploitative situations in Europe come from different countries and regions of the world, with some nationalities prevailing in certain countries. For example, Latin Americans mainly work in the domestic sector in Spain; in Italy domestic workers predominantly come from the Ukraine, Moldova, Romania, the Philippines, Peru, Colombia and Ecuador; in Portugal – from African and Eastern European countries; and in Sweden – from Eastern Europe and Asian countries.

In many European countries the demand for domestic work performed by migrant women will continue to increase; therefore, safeguarding domestic workers' rights should be paramount in the efforts to curb human trafficking for labour exploitation. The creation by ILO of the Convention for Domestic/Household Workers' Rights provides significant impetus and is a crucial step forward at the international level.

Special assistance and proactive prevention

Together with the improvement of labour and other laws, it is important that trafficking cases are identified as such and are dealt under the relevant article of criminal legislation. Many COATNET partners report that it is very difficult to identify or prove incidents as human trafficking, especially for labour exploitation, using the current definition of trafficking. There is a lack of practical commentaries on how severe the exploitation should be in order to qualify for trafficking, what forms of constraint, coercion and vulnerability can indicate trafficking cases, and so forth. The situation is also aggravated by the fact that

many people trafficked for labour purposes do not recognise themselves as trafficking victims.

Being conscious of these challenges, some COATNET partners, namely KSPM (Re-Integration Center for Migrant Workers of the Church of Greece) Greece, Aidrom in Romania and Czech Caritas, have started developing interventions in the direction of building expertise and capacity to identify and support trafficking victims outside sexual exploitation, and to raise awareness about the availability of such services. The specific assistance needs of people trafficked for labour exploitation should be taken into account when developing assistance programmes. Obtaining compensation for damage suffered and a well-paid job placement is the first priority, with other types of assistance (access to shelter, medical care and social assistance) playing an additional role. Like in combating trafficking for sexual exploitation, the effective prosecution of traffickers depends on assistance and protection being provided to victims (which is a factor contributing to their willingness to cooperate with law enforcement), and on a human rights approach prevailing over immigration law enforcement.

Along with complex assistance to trafficked persons, proactive prevention aimed at the protection of all migrant workers, and, in particular, of vulnerable irregular migrants working in inadequately regulated sectors of employment, is equally crucial in combating trafficking for labour exploitation. Irregular migration and labour exploitation is likely to rise in times of global recession, which considerably contributes to the vulnerability of workers due to a more significant decrease in employment opportunities, stronger dependence on employers who, operating on a low profit margin, may reduce labour conditions even without clear evidence of the use of coercion, and due to the aggravation of the main root causes of human trafficking – poverty and social exclusion. In these circumstances, it is even more vital to continue work towards promoting the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, adopted in December 1990.

Conclusion

Given the extent of the problem of trafficking in women and girls for sexual exploitation in Europe, it is essential to maintain a specific focus in this area, but a general focus should include all modern slavery practices, so as not to neglect the other substantial numbers of trafficked persons.

Repressive policies targeting women in prostitution and restrictive immigration policies contribute to the vulnerability of potential trafficked persons and should be avoided. It is necessary to improve and develop the protection of, and adequate services for, victims of trafficking. It is important to continue to develop systems to monitor trafficking, conduct action-oriented research into various employment sectors, especially unregulated ones, improve the identification and prosecution of both sexual and labour trafficking cases, and raise awareness about the availability of services for people trafficked into labour sectors, as in sexual exploitation. ▪

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