

2006

In Plain Sight? Human Trafficking and Research Challenges

Austin Choi-Fitzpatrick
University of Denver

Follow this and additional works at: <https://digitalcommons.du.edu/hrhw>



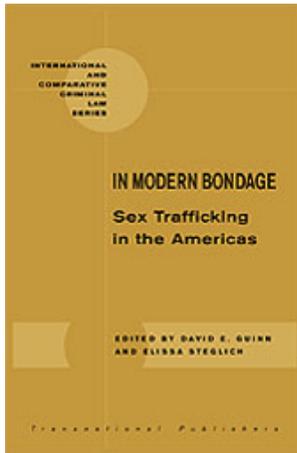
Part of the [Human Rights Law Commons](#), [International Humanitarian Law Commons](#), and the [International Law Commons](#)

Recommended Citation

Choi-Fitzpatrick, Austin (2006) "In Plain Sight? Human Trafficking and Research Challenges," *Human Rights & Human Welfare*: Vol. 6 : Iss. 1 , Article 18.

Available at: <https://digitalcommons.du.edu/hrhw/vol6/iss1/18>

This Review Essays is brought to you for free and open access by the Josef Korbel School of International Studies at Digital Commons @ DU. It has been accepted for inclusion in Human Rights & Human Welfare by an authorized editor of Digital Commons @ DU. For more information, please contact jennifer.cox@du.edu, dig-commons@du.edu.



In Plain Sight? Human Trafficking and Research Challenges

By Austin Choi-Fitzpatrick

In Modern Bondage: Sex Trafficking in the Americas. Edited by David E. Guinn and Elissa Steglich. Ardsley, NY: Transnational Publishers, 2003. 475pp.

And even at this time, when a great deal has been said...the public idea of just what is meant by the “white slave traffic” is confused and indefinite.

— Edwin Sims, 1910¹

A common view regarding trafficking does not yet exist.

— Guinn and Steglich, 2003

The recently released exploratory work, In Modern Bondage: Sex Trafficking in the Americas, edited by David E. Guinn and Elissa Steglich, is a helpful analysis of the state of trafficking for sexual exploitation in Central America and the Caribbean. The book makes two things clear: how far researchers have been able to come given the scarcity of reliable data; and how much work remains to be done before a clear picture of the nature and magnitude of trafficking and the best means for its eradication is obtained.

In Modern Bondage: Sex Trafficking in the Americas is, essentially, the final report of an extensive “Trafficking Project” undertaken by the International Human Rights Law Institute (IHRLI) at DePaul University. The project’s stated intention is to determine the magnitude of trafficking of women and children for sexual exploitation, assess existing and identify needs for effective and strategic solutions. The book’s tagline—in the Americas—is a bit misleading as the countries included in the study (Belize, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, and Panama) represent a more modest selection from within Central America and the Caribbean.

In Modern Bondage does an excellent job of moving beyond outrage toward the effective demonstration of how difficult it is to assess the breadth—and sometimes the true nature—of human trafficking. Indeed, the very “absence of record has fortified a willful ignorance of reality;

¹ Quoted in Bell 1910 (13).

policy priorities have followed the belief that ‘if not seen, it does not exist’” (10). Conducting research within such a context is inordinately challenging, and those working on the project can be heard “sharpening their machetes to carve through the jungle of qualitative data” and anecdotal evidence in search of what the book’s introduction refers to as “the invisible.”

Editors Guinn and Steglich are not alone in this struggle. Echoed throughout the book are the tremendous difficulties faced by those conducting research on such a complex and hidden phenomenon. Indeed, no single methodology is up to the task. With this in mind, the Trafficking Project collected data several ways. The first, establishing collaborative relationships with local NGOs, provided the Project with local representation (not to mention institutional authors for each of the book’s national reports). The second component, national consultations, introduced the project and laid the groundwork for the third component: a research assessment of trafficking in the region. This research drew on in-country collaborators (collecting as much information as possible) and IHRLI-based researchers (building on this research to solicited specific input from government actors, NGOs working in-country and international organizations in-country). The final Project component was the development of country-specific recommendations drawn from the study’s findings. The Trafficking Project’s final report is thus divided into several initial chapters providing an overview of the findings and a chapter for each of the eight countries.

Early in the book’s overview, Guinn and Steglich write, “Despite the lack of concrete data, the trafficking of women and children for sexual exploitation in Central American (sic) and the Caribbean has become a very visible phenomenon on the ground” (10). The most immediate reasons given for this will be familiar to many: vulnerability/supply, demand for cheap and exploitable sex, criminal networks and complicit governments. These findings are in line with assessments of supply/vulnerability worldwide: for women, poverty and gender discrimination result in disproportionate economic burdens coupled with a lack of job opportunities. Often their only recourse is economic migration. For children, poverty, family disintegration, abuse,² gangs, drugs and homelessness are significant risk factors. Victims are found to fall into debt bondage and to suffer from threats, violence, forced drug use and compromised physical and mental health. While the book is nearly silent on specific political and economic events that have generated these vulnerabilities in Latin America, globalization policies, public corruption and weak border controls are listed as factors contributing to increased levels of trafficking. Likewise, few surprises emerge in regard to demand for human trafficking. Guinn and Steglich emphasize that the demand for such services are “unchecked.” In their view this is largely due to the legality of adult prostitution (and other commercial sexual activity) in all eight countries. Further compounding this demand dynamic is the presence of male migrants and sex tourism.

The third and fourth reasons cited for this “very visible phenomenon” are criminal networks and inefficient (or corrupt) governments. The research paints “a disturbing picture of criminals acting with near-absolute impunity and an absence of identification, treatment, and protection of victims combined with underutilized forums for action, advocacy and attention” (47). Only Costa

² These findings comport with many other assessments of those conditions which give rise to trafficking. It is interesting to note that a prior history of physical or sexual abuse was especially emphasized as a factor contributing to vulnerability to sexual exploitation.

Rica is spared the editors' disparaging disappointment over governmental inefficacy, corruption, lack of political will or, in many cases, all three.

Without a doubt, governments are called in for a drubbing. The report cites numerous failings: weak implementation of existing protection measures, clear incentives for the maintenance of the status quo; an overall lack of awareness and information; minimal reporting; weak enforcement mechanisms; a lack of specialized services; and a lack of coordination. At the international level, Guinn and Steglich determine that states in the region are failing to fulfill their international commitments *vis-à-vis* vulnerable women (47) and that even the most forward-thinking countries have failed to move beyond the national planning stage of their anti-trafficking agendas (50).³ Failure to fulfill international commitments is not for want of opportunity. All eight countries are party to many relevant international conventions.⁴ None have ratified the U.N. Trafficking Protocol (2001). Even ratification of the protocol, though, would be no guarantee of involvement in the anti-trafficking effort. Each country is party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and yet the convention's counter-trafficking provisions "are completely ignored" (47).

Despite this woeful track record on the international level, Guinn and Steglich reserve a bit of optimism for the emergence of common platforms for regional policy on trafficking for sexual exploitation, drawn from the 1996 First World Congress against Commercial Sexual Exploitation of Children, held in Stockholm.

Although forward movement on common regional (and international) policy platforms is dependent on political will and economic resources, the reader is reminded that all countries in question already have domestic laws addressing trafficking for prostitution. In all but a few countries men, women, adults, minors⁵, nationals and foreigners are protected by trafficking legislation. The report highlights several countries' policies. The Dominican Republic is singled out for praise for having effectively placed trafficking for sexual exploitation on its national agenda. Costa Rica has gone to the greatest lengths to combat the commercial exploitation of children, Guatemala has the most lenient trafficking penalties, Belize and Panama rely more heavily on their immigration measures than on their trafficking laws (Panama's primary recourse is reported to be deportation), in Nicaragua the Ministry of Labor simply requests that the commercial sexual exploitation of children be stopped so long as it is a first offense, etc.

Since the IHRLI's research methodology examines both trafficking for sexual exploitation and commercial sexual exploitation, the report includes an assessment of domestic legislation regulating prostitution-related activities. In each country, adult prostitution is legal while pimping and pandering is criminalized. The penalties include fines and possible prison time (Guatemala excepted:

³ This pessimistic assessment echoes the findings of the 2004 Trafficking in Persons (TIP) Report, issued by the United States Department of State's Office to Monitor and Combat Trafficking in Persons. The TIP Report notes that few of the countries considered in this work are fully complying with minimum standards for the elimination of trafficking established by the TIP Report.

⁴ e.g., Convention on the Rights of the Child; the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women; and the ILO Convention 182 on the Worst Forms of Child Labor, etc.

⁵ National policies differ, however, on the age (under 18) that trafficking is considered an aggravated offense. For example, in Honduras, Panama and Nicaragua trafficking of a minor is only an aggravated offense if the minor is less than 12 years old (56).

it only fines perpetrators). Inexplicably, there is no further discussion as to the inter-relation between the policies, enforcement failures and instances of legal prostitution and of trafficking for sexual exploitation.

From atop this compilation of data on national legislation and international commitments, one can clearly see the formidable obstacles standing between the present dismal situation and the eradication of trafficking. Implementation of existing laws is weak due to a profound lack of personnel, technology, services, information, reliable data systems, expertise, coordination, enforcement mechanisms, cooperation and, most importantly, political will.⁶

Guinn and Steglich's recommendations are conventional and center on regional solutions (frameworks, U.N. conventions, existing treaties and Inter-American conventions). Domestic solutions are included as well (information systems, programs and policy coordination) but far and away the most salient recommendation is the provision of effective public leadership. While a number of country reports contain more radical recommendations such as arresting globalization or more equitably redistributing wealth, none are included in Guinn and Steglich's list.

In Modern Bondage is the first study of its kind, both in focus and in breadth, to so comprehensively survey the state of trafficking in the Central American and Caribbean region. An increasing amount of research is being conducted in the region by a number of actors, including the International Office of Migration (IOM).⁷

Three Areas of Confusion

Both the IHRLI and the IOM are contributing to an ever-growing body of research attempting to estimate the nature and magnitude of human trafficking worldwide. Increased attention has resulted in growing social consciousness, new laws, and, in a few countries, funding and political willpower. Confusion persists, however, in three key areas: the nature, and the magnitude of trafficking, and the best means for its eradication. Kevin Bales, the world's foremost authority on modern slavery, has identified the lack of standard definitions as one of the most common obstacles faced by those conducting research on trafficking (Bales 2005: 137). There is also confusion regarding the magnitude of this issue. In the United States, Central America and the Caribbean, there is a clear and concerning gap between estimates of the problem's size as compared with the actual number of identified victims. Finally, there is confusion over what approaches might best end human trafficking. An approach I refer to as "law and enforcement" has been adopted by both the United Nations and the United States, with mixed results. In Modern Bondage provides an excellent opportunity to explore these three issues in greater detail.

⁶ This lack of political will seems most acute in Nicaragua where the Department of Labor, formally tasked with investigating cases of commercial sexual exploitation, only *requests* that first-time offenders stop the offending activity.

⁷ In 2005 the IOM released an Exploratory Assessment of Trafficking in Persons in the Caribbean Region (The Bahamas, Barbados, Guyana, Jamaica, The Netherlands Antilles, St. Lucia and Suriname). The report takes a broader view of trafficking (to include labor as well as sexual exploitation) and does not estimate the number of victims.

Nature of the Problem

The Trafficking Report follows the United Nations definition of human trafficking as it is spelled out in the anti-trafficking protocol to the Convention Against Transnational Organized Crime: 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 exploitation⁸ (U.N. 2001).

In this way they situate trafficking for sexual exploitation⁹ as a subset of human trafficking, itself a subset of the human rights violation of modern slavery (18). They note that trafficking for sexual exploitation and commercial sexual exploitation (which they define as prostitution, pornography, sex tourism, etc.) are distinct human rights concerns and emphasize the importance of researching the ways women might enter the commercial sex industry without being trafficked. Since both prostitution and other commercial sexual activities (undertaken by adults) are legal in each of the countries under consideration, there is a clear opportunity for the researchers to examine “sex trafficking” as a discrete phenomenon within a largely unregulated commercial sex sector.¹⁰ And yet, inexplicably, the editors adopt “a combined focus due to the interrelated nature of these problems” (13).

At first blush this approach seems understandable, perhaps even sensible. There is little quantitative data on commercial sexual exploitation in Central America and the Caribbean and even less on human trafficking, effectively rendering the various forms of commercial sexual exploitation (listed above) the only observable phenomena. Unfortunately, while the gathering of qualitative data under these conditions contributes to a descriptive understanding of the problem, it also creates several difficulties. To begin with, this data cannot be disaggregated to produce an understanding of these phenomena separately (or in relationship to one another). Secondly, this data limitation makes it nearly impossible to produce any standard indicators that can measure the progress and effectiveness of anti-trafficking (as opposed to anti-prostitution) interventions over time. Finally, it becomes impossible to describe how these two phenomena interrelate in the same environment.

Judging by the fact that the survey used for this research (included as an appendix) is clearly geared toward examining the prevalence of “sex trafficking” exclusively, it seems unlikely that the researchers at DePaul would have begun the project with this dual focus. It is more likely that this combined approach was only adopted once data on both phenomena started coming back from the field. If this speculation is true, it underscores the challenges to conducting solid and systematic trafficking-related research.

While the Trafficking Report has combined their research on commercial sexual exploitation and trafficking for sexual exploitation, the task of explicating the relationship between them falls to those

⁸ “Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs...” (U.N. 2001).

⁹ I prefer the term “trafficking for sexual exploitation” to the more ribald “sex trafficking.” The latter will only be used when quoting the authors.

¹⁰ This essay will avoid the debate regarding prostitution although the book under review provides sufficient material to do so.

contributing to the country reports. Yet even there the confusion persists. Writing from Guatemala, Pro Niños y Niñas Centroamericanos (PRONICE) points out, “by itself, trafficking is not sexual exploitation” (218) but does not go on to further explain how trafficking for sexual exploitation can occur apart from sexual exploitation. Writing from Costa Rica, the group Servicios Interamericanos de Abogados en Derechos Humanos is explicit in its assessment that “while sex tourism and tourism-related prostitution have risen to visible levels, their coincidence with trafficking activities was not readily detected” (103). Without irony the authors go on to observe that the nature of the topic is unclear to almost every institution working in this area (123). Those conducting research in the Dominican Republic for the Centro de Investigación para la Acción Femenina (CIPAF), report that the “Majority of women know what they’re getting into” (137). Unfortunately, the researchers do not clarify whether the condition they are describing is commercial sexual exploitation or trafficking for sexual exploitation.

The Trafficking Project misses a prime opportunity to further explore the relationship between legalized adult prostitution and trafficking for sexual exploitation. Instead, these legal sexual services are considered alongside (male) migration¹¹ and sex tourism as demand factors. While there has been much talk of late regarding the relationship between demand for sexual services and instances of human trafficking their relationship is still poorly understood. The Trafficking Project’s joint focus on the commercial sex sector and “sex trafficking” leaves the reader with the impression that a demand for legal sexual services results in an increase in cases of human trafficking. While this may be true, it has yet to be conclusively borne out by research.

Magnitude of the Problem

Every project attempting to assess the magnitude of trafficking for sexual exploitation in a particular region, or in a particular economic sector, begins its work with a disclaimer regarding the difficulty of finding data on such a hidden phenomenon. Indeed there is a small, but growing, body of literature addressing this challenge directly.¹² While the paucity of measurable phenomena is a problem for any research agenda, disagreement and confusion regarding the phenomenon to be measured (as discussed above) undermines any research agenda. While *In Modern Bondage* found consultants to be the most reliable and consistent sources of information, they were unable to “offer a complete picture of the problem” (16). With this in mind it seems inconsistent that the Guatemalan organization PRONICE reports that trafficking for commercial sexual exploitation is common, visible and easy to recognize (193). The basis for such a statement is not confirmed by the number of trafficking cases identified in that country, of which there are seven documented by NGOs and none by the government, but instead by the presence of sexually exploited women and children from Guatemala and Central America (193, 219). The assumption (unsupported by the data) seems to be that where there is commercial sexual exploitation, there must be trafficking for sexual exploitation.

¹¹ Male migrants’ only appearance in this research is as contributors to demand. Many of these male migrants are vulnerable to similar structural and economic constraints, not to mention exploitation and trafficking. While trafficking for labor exploitation is beyond the scope of this work, it shouldn’t have been left out so completely.

¹² See Laczko and Gramegna (2003); Bales (2005); Brennan (2005); and Kelly (2005).

The Panama country report suggests:

Although those interviewed could not confirm that there is an increase in the problem of trafficking of women and minors for commercial sexual exploitation, it could be inferred from their reports that because of the increase in poverty, social inequality, marginalization, and gender discrimination, it is highly possible that there is an increase in trafficking of women and girls for commercial sexual exploitation (292-3).

While those writing from Panama are more cautious (“it is highly possible”) in connecting the increase in risk factors to an increase in instances of trafficking for sexual exploitation, the emphasis is on the assumed likelihood of such cases.

The Dominican Republic country report documents similar causal factors in the “sex sector” but does not assume that the presence of these factors leads to trafficking for sexual exploitation. Instead, they limit their research and reporting to the sale and trafficking of children and adolescents. They cite a 1999 report by the Organismo Rector del Sistema de Protección de Niños, Niñas y Adolescentes (1999) which determines the magnitude of the problem to be small (137). Meanwhile, the Costa Rican country report is explicit in stating that the research agenda involved commercial sexual exploitation and not human trafficking. If an examination of commercial sexual exploitation qualifies one to speak on the scope of sex trafficking, of what use is an analysis of trafficking as a discrete phenomenon?

Under-resourced countries are not the only ones experiencing this problem. Even when resources join political will, it is difficult to assess the magnitude of trafficking. Within the United States estimates of individuals trafficked into the country annually for both sex and labor have been revised downward twice from an initial assessment of 50,000 in 2003 to a current estimate of as few as 14,500 in 2005. Corroborating these latest numbers is impossible since the Department of State has not publicized its methodology. Voicing their frustration in the footnotes of a recently released report, Free the Slaves and UC Berkeley’s Human Rights Center argue that this lack of transparency makes it nearly impossible to “recreate, assess the validity of, or improve upon, the estimates” (Free the Slaves and UC Berkeley 2004: 57-58, fn8).

In the final analysis, the actual magnitude of human trafficking, whether in Central or North America, is not known. Neither a lack of cases nor challenges in assessing the magnitude have dissuaded organizations from making expansive statements about the size of the problem. Perhaps wisely, the editors of the book do not estimate the number of victims claimed by trafficking for sexual exploitation. Nor do they tally the estimates made by in-country researchers, some of whom admit that it is unknown how many women have been victims of trafficking (142). It seems then that while *In Modern Bondage* has managed to document conditions of vulnerability within the region (migration, discrimination, commercial sexual exploitation, etc.) they do not clearly disaggregate these phenomena from trafficking for sexual exploitation. It is not clear whether this was a result of confusion on the ground regarding the nature of trafficking for sexual exploitation or an indication that the problem is not as widespread as it is assumed to be. It is clear that despite the United Nations broadly accepted definition, there is a palpable need for more useful, practical and consistently applied tools in the analysis of the problem.¹³

¹³ One promising precedent must be noted: The United Nations Educational, Scientific and Cultural Organization (UNESCO) office in Thailand has created a Trafficking Statistics Project in an attempt to “clarify the bases on which

Solutions to the Problem: “Law and Enforcement”

As mentioned previously, many of the challenges encountered by *In Modern Bondage* are common within the anti-trafficking community. Those working on the issue of human trafficking have come to it from any number of backgrounds: law enforcement, migration, domestic violence, labor rights, immigrant rights, women’s rights, children’s rights, etc. They bring with them any number of perspectives on the nature of the problem. “Human trafficking” is seen as: an issue predominantly involving sex; an issue only involving labor; an issue of demand for cheap goods and services; an issue primarily related to migration; and, as an issue of systemic poverty which pushes people to take desperate risks. So many perspectives exist that one is reminded of the parable of the blind men discussing the elephant.¹⁴

It is not surprising that the United Nations Crime Commission addresses human trafficking primarily as a criminal matter. The Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (U.N. Protocol), which supplements the United Nations Convention Against Transnational Organized Crime, was adopted by the U.N. General Assembly in November 2000. Through strategic compromises it established a broadly accepted definition of human trafficking which all signatories are obligated to integrate into domestic legislation.

The Protocol reflects its “law and enforcement” origins. Solutions thought to best address this issue are predominantly legal: new legislation, trained law enforcement, victim status for the trafficked person and the creation of improved social services for the victim (who may also be a witness). At the time of the Protocol’s drafting, a human rights caucus was able to influence the formulation of the definition but was unable to make other gains. The U.N. Special Rapporteur on Human Trafficking, Sigma Huda, has since stated “Despite its overwhelming human rights dimension, human trafficking is often perceived and addressed only as a ‘law and order’ problem and is primarily located within the crime prevention framework” (Huda 2004: 4). As a result of this approach, more radical solutions are generally avoided: enforcing labor laws; such as ensuring corporate responsibility, overhauling immigration laws, or placing poverty alleviation on the national agenda.

Not surprisingly, Guinn and Steglich call on the countries in question to adopt “law and enforcement” norms situated within a variety of frameworks, conventions, treaties, policies and programs. Since the United States has been an early adopter of domestic legislation and has demonstrated a significant amount of political will in addressing certain aspects human trafficking, its example may hold some insights into the efficacy of this “law and enforcement” approach. The United States passed its own anti-trafficking law, the Victims of Trafficking and Violence Protection Act (VTVPA) in 2000 and ratified it in 2003 and 2005. This law was the beginning of a larger move by the United States to address human trafficking locally and globally. Multiple federal agencies

estimates of the numbers of trafficked persons are derived” (UNESCO 2005). Within the database are a wide variety of estimates regarding human trafficking as well as links to the methodology—if available—used to arrive at the number.

¹⁴ In this parable six men are trying to describe an elephant. The man touching the leg is sure that the animal is a tree while the man grasping the tail is sure that it is a rope, and so on.

including the State Department, the Department of Justice, the U.S. Agency for International Development, and the Department of Health and Human Services have committed to anti-trafficking work and have allocated funding toward anti-trafficking initiatives. Consecutive rounds of legislation have integrated relevant laws and appropriations, and high-level leaders including the President have spoken publicly about on the issue.

While both the VTVPA and subsequent initiatives are more victim-centric¹⁵ than the U.N. Protocol, they still subscribe to the dominant characterization of human trafficking as a law and enforcement issue first and foremost. This formal, “law and enforcement” approach has made certain achievements. These include the passage of the world’s most comprehensive anti-trafficking law, attempts to decriminalize the victim, the appropriation of monies for various programs, the provision of extensive training to a wide variety of governmental and non-governmental actors, the fostering of a public dialogue on trafficking for sexual exploitation and the monitoring and censuring of other countries based on their anti-trafficking efforts.

This approach has also resulted in significant challenges, the foremost of which is identifying victims of trafficking, whether in the Caribbean or California. Human trafficking for any purpose represents a significant violation of trust, and the identification of victims is predicated on the re-establishment of trust by an individual or agency. Needless to say, it is inordinately difficult to re-establish this trust, especially when working within a law and enforcement model. In the United States, social services are made available to adult survivors of trafficking on the condition that they are willing to cooperate with a criminal investigation. This requirement makes a hard job harder. It is difficult enough for community-based organizations to gain a survivor’s trust without the risk of law enforcement involvement. So long as services for survivors of trafficking are contingent on their involvement in the criminal justice process, the number of reported cases within the United States will remain low.

The effort to emphasize that a victim of trafficking is a victim and not a criminal (“decriminalization”) has resulted in a certain degree of success. The next step—emphasizing that victims should not be viewed as sources or witnesses—is facing ongoing resistance. The argument that some vetting process must be in place to ensure that generous services are not squandered on the undeserving reveals how deeply ingrained this law and enforcement approach is. Alternatives, such as reversing migration flows (168), reformulating violence as a public health problem (266), or redistributing wealth more equitably (192), are proposed by those NGOs writing the country reports (Dominican Republic, Panama and Nicaragua, respectively). Unfortunately, these solutions have formed on the margins of the debate, and consequently are not included in the first third of Guinn and Steglich’s book.¹⁶

According to the White House, the United States has spent \$295 million to address trafficking globally (Department of State 2005: 295). In-country, this funding has resulted in the identification of fewer than 1,000 victims in accordance with federal guidelines. Doubtless, many more have been identified and serviced by social service agencies without meeting federal guidelines for certification.

¹⁵ The “victim-centric” model identifies the trafficked person primarily as a victim rather than as a perpetrator of crimes such as prostitution or illegal entry.

¹⁶ Perhaps these recommendations don’t filter “up” because, in Paulo Friere’s words, “a change in objective reality would threaten the individual or class interests of the perceiver” (Friere 2000: 52).

But even if they are triple, or quadruple, the official number, the heartfelt efforts of governmental and non-governmental organizations within the United States merely scratch the surface of a problem that is currently estimated to be overwhelming. The limited success of the U.S.-based approaches to combat human trafficking provides the anti-trafficking community with the opportunity to reassess its foundational assumptions in order to develop more effective and result-generating solutions.

The suggestions found within In Modern Bondage reflect the solutions imagined by the U.N. and implemented by the United States. The United States' laudable first steps towards eradicating trafficking might be taken more as a cautionary tale than as a role model. While the moral of this tale is far from clear, Ann Jordan of Human Rights First has taken a step toward a reassessment of human trafficking by suggesting that its magnitude has been exaggerated (Shapiro 2004).



The publication of In Modern Bondage by the International Human Rights Institute has made a vital contribution to the small but growing body of research on human trafficking. It also illustrates several critical issues currently faced by those working to understand and end human trafficking in its many forms. Confusion regarding the nature of the problem and the difficulty of conducting research on the topic conspire against researchers in their attempts to develop reliable assessments of its magnitude and responsible approaches to its eradication (most of which focus on law and enforcement). Furthermore, since there is so little research documenting the relationship between human trafficking for the purpose of commercial sexual exploitation and various forms of commercial sexual exploitation, researchers should be on the lookout for opportunities to shed any additional light on the subject. While In Modern Bondage misses the opportunity to critically engage these issues, and would have benefited from more rigorous editing, it lays a strong foundation for further research in the region.

References

Bales, Kevin. 2005. Understanding Global Slavery: A Reader. Berkeley: University of California Press.

Bell, Ernest A. 1910. Fighting the Traffic in Young Girls: or War on the White Slave Trade. Nashville, TN: The Southwestern Company.

Brennan, Denise. 2005. "Methodological Challenges in research with trafficked Persons: Tales from the Field." *International Migration*. Vol. 43 (1/2).

First World Congress against Commercial Sexual Exploitation of Children, Stockholm, 1996

Free the Slaves and UC-Berkeley. 2004. Hidden Slaves: Forced Labour in the United States. Berkeley: University of California Press.

Friere, Paulo. 2000. Pedagogy of the Oppressed. New York: Continuum.

- Huda, Sigma. 2004. *Integration of the Human Rights of Women and the Gender Perspective: Report of the Special Rapporteur on trafficking in persons, especially women and children*. U.N. Economic and Social Council. E/CN.4/2005/71, 22 December 2004. Website: <http://daccessdds.un.org/doc/U.N.DOC/GEN/G04/169/28/PDF/G0416928.pdf?OpenElement>
- International Office of Migration. 2005. *Exploratory Assessment of Trafficking in Persons in the Caribbean Region*. http://www.iom.int//DOCUMENTS/PUBLICATION/iom_caribbean_research_2005.pdf
- Kelly, Liz. 2005. "‘You Can Find Anything You Want’: A critical Reflection on research on Trafficking in persons within and into Europe." *International Migration*, Vol. 43 (1/2).
- Laczko, Frank and Marco A. Gramegna. 2003. "Developing Better Indicators of Human Trafficking." *Brown Journal of World Affairs*. Summer/fall 2003, Vol. X, Issue 1.
- Shapiro, Nina. 2004. "The New Abolitionists." *Seattle Weekly*. (August 25-31). Website: http://www.seattleweekly.com/features/0434/040825_news_slavery.php.
- United Nations. 2001. *Protocol to Prevent, Suppress and Punish Trafficking in persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*. G.A. res, 55/25, annex II, 55U.N. GAO Supp. (no 49) at 60, U.N. Doc A/45/48 (Vol. I). Website: <http://www.ohchr.org/english/law/protocoltraffic.htm>.
- United Nations Education Scientific and Cultural Organization (UNESCO). 2005. UNESCO Trafficking Statistics Database. Website: <http://www.unescobkk.org/index.php?id=1022>.
- United States’ Department of State: Office to Monitor and Combat Trafficking in Persons. 2005. *Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons Report*, Website: www.state.gov/g/tip/rls/tiprpt/2005/.
- _____. 2004. *Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons Report*, Website: www.state.gov/g/tip/rls/tiprpt/2004/.

Austin Choi-Fitzpatrick, holds an M.A. in Human Rights from the Graduate School of International Studies at the University of Denver. He is a human rights advocate and educator working on issues of human trafficking, modern slavery and human rights education. He is an Outreach Coordinator for both San Diego Youth and Community Services (San Diego) and Free the Slaves (Washington, DC) and is a lecturer at San Diego State University. One of his recent projects involved the creation and implementation of a grassroots educational campaign serving undocumented migrant workers.

© 2006, Graduate School of International Studies, University of Denver.