

# HUMAN TRAFFICKING 101

---

## WHAT IS HUMAN TRAFFICKING?

---

### Summary

Human trafficking, also known as *trafficking in persons*, is modern-day slavery. It is the third largest and fastest growing criminal industry in the world, victimizing millions of people and reaping billions in profits. Trafficking is considered one of the most urgent human rights issues in the world today.

Human trafficking may take many forms, including trafficking:

- in the sex industry
- into forced labor in factories, restaurants, or agricultural work
- into domestic servitude as a servant, housekeeper, or nanny
- as a bride
- of organs

Traffickers use a variety of techniques to control their victims. A hallmark of the criminal industry is the sophisticated use of psychological and financial control mechanisms, often minimizing or precluding the need for physical violence or confinement.

Victims of trafficking often come from vulnerable populations, including migrants, oppressed or marginalized groups, runaways or displaced persons, and the poor.

Traffickers may be individuals, families, or more organized groups of criminals, and are facilitated by other 'indirect' beneficiaries, such as advertising, distribution, or retail companies or consumers (who may include you).

Trafficking occurs in almost every country in the world, though some countries are primarily sites of origin, transit, destination, and/or internal trafficking.

---

### Legal Definitions of Trafficking in Persons

Trafficking in persons is broadly defined as modern-day slavery, but different countries and laws provide variations on the exact definition. Listed below are two of the most commonly used and influential definitions. Note that the U.N. definition is broader than the U.S. definition, as it includes organ trafficking and an expanded list of 'means', such as abuse of a position of vulnerability. Both definitions do **not** require sex trafficking of children to include any force or coercion, recognizing that children cannot meaningfully consent to sexual exploitation. They are also both inclusive of transnational and internal trafficking in persons.

-----

"Trafficking in persons" shall mean 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs;

The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) [see above] of this article;

-----

*Trafficking Victims Protection Act (TVPA) of 2000, [United States federal law; the definition below is of 'severe forms of trafficking in persons', for which there are criminal penalties in the United States]*

- 1) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion or in which the person induced to perform such an act is under 18, or
- 2) The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion, for the purpose of subjecting that person to involuntary servitude, peonage, debt bondage, or slavery.

---

## **WHO ARE THE VICTIMS OF HUMAN TRAFFICKING?**

---

### **Summary**

Victims of trafficking often come from vulnerable populations, including undocumented migrants, runaways and at-risk youth, oppressed or marginalized groups, and the poor. Traffickers specifically target individuals in these populations because they are often easiest to recruit and control and are least likely to be protected by law enforcement.

The needs of survivors of trafficking are among the most complex of crime victims, often requiring a multidisciplinary approach to address severe trauma and medical needs, immigration and other legal issues, safety concerns, multicultural barriers, and financial hardship.

#### *Undocumented Immigrants*

Undocumented immigrants are highly vulnerable to being trafficked due to a combination of factors, including lack of legal status and protections, limited language skills and employment options, poverty and immigration-related debts, and social isolation. They are often victimized by traffickers from a similar ethnic or national background, on whom they may be dependent for employment or support in the foreign country.

#### *Runaways and At-Risk Youth*

Runaways and at-risk youth are targeted by pimps and traffickers for exploitation in

the commercial sex industry as well as for begging. Pimps and sex traffickers are skilled at manipulating child victims, maintaining control and often their loyalty through a combination of affection and violence.

---

## Testimonies

When I was fourteen, a man came to my parents' house in Veracruz, Mexico and asked me if I was interested in making money in the United States. He said I could make many times as much money doing the same things that I was doing in Mexico. At the time, I was working in a hotel cleaning rooms and I also helped around my house by watching my brothers and sisters. He said I would be in good hands, and would meet many other Mexican girls who had taken advantage of this great opportunity. My parents didn't want me to go, but I persuaded them.

A week later, I was smuggled into the United States through Texas to Orlando, Florida. It was then the men told me that my employment would consist of having sex with men for money. I had never had sex before, and I had never imagined selling my body.

And so my nightmare began. Because I was a virgin, the men decided to initiate me by raping me again and again, to teach me how to have sex. Over the next three months, I was taken to a different trailer every 15 days. Every night I had to sleep in the same bed in which I had been forced to service customers all day.

I couldn't do anything to stop it. I wasn't allowed to go outside without a guard. Many of the bosses had guns. I was constantly afraid. One of the bosses carried me off to a hotel one night, where he raped me. I could do nothing to stop him.

Because I was so young, I was always in demand with the customers. It was awful. Although the men were supposed to wear condoms, some didn't, so eventually I became pregnant and was forced to have an abortion. They sent me back to the brothel almost immediately.

I cannot forget what has happened. I can't put it behind me. I find it nearly impossible to trust people. I still feel shame. I was a decent girl in Mexico. I used to go to church with my family. I only wish none of this had ever happened.

### **- Rosa, Age 14, trafficked in Florida, originally from Mexico**

-----

Who are we and why do we enter prostitution? Statistically, the average age that we enter prostitution is 13 years old, so we're getting younger and younger. Eighty to ninety percent of us have been sexually abused as children, and therefore, struggling with many issues around sexuality, boundaries, shame and self-worth. Many of us are runaways, throw-aways, and often the street feels safer than home ever did.

Most of us never expected to be involved in the life, but because of our age, the abuse we already experienced and the pervasive messages about our sexuality and worth as young women that we receive every day in the media. We were vulnerable to a smooth-talking recruiter, who promised us the world, or at least a new pair of sneakers and jeans which at the time felt like the whole world to us.

Nationally we represent all ethnicities, but in New York City we are more likely to be young women of color; therefore we often don't fit into people's idea of exploited youth.

Unlike the 11-year old lured away from her safe and loving suburban home, and sold in Las Vegas by a man twice her age, we are often involved in the foster care system, do not appear to have many people care about us, are often being exploited in the same neighborhoods that we grew up in by a man who is barely out of his teens.

Because of the things we've experienced, we often don't react with joy when law enforcement tries to intervene, but rather fear and hostility. It is hard to fit us in a nice little victim box, and much easier for society to look at us with scorn, and disgust, and to simply assume we're out there because we like it.

So what's it really like for us? The pimps tell us about the sneakers and jeans they'll buy us, but they never tell us that we'll never see any of the money we make. They don't tell us what will happen when we don't make the quota they have set for us that night, the beatings, the physical torture we'll receive if we break one of the ever-changing complex set of pimp rules. Looking at another pimp, for example, can earn a severe beating, so we learn very quickly to look down at all times to protect ourselves no matter what, to be loyal or faithful to the man that scares us the most.

It feels like there's no safe place for us, because out on the streets we take our lives into our hands every night. Every time we get into a car or go to a motel room, we never know if we'll come back. We know girls who didn't.

We learn quickly what it's like to be kidnapped or raped, even though society feels like we can't be raped, it hurts and it frightens us just as much as it hurts regular girls, except we learn to get used to it, and expect another beating afterwards when we come home because now our pimp wants the money that we didn't see.

We people going to work in the morning as we're ending our night, and we see the scorn in their faces, and sometimes we wonder what it would be like to live like them, but quickly we put it out of our minds because it seems like a world we'll never know.

How does it affect us? Seventy to eighty percent of us are diagnosed with post traumatic stress disorder even though we can't articulate or understand why we feel so numb to the pain we experience. We have nightmares in the daytime and terrors in the night. Many of us have STD, some of us can no longer have children. Some of us are infected with HIV or AIDS.

Many of us have physical scars, but all of us have scars that no one will ever see. We know how society feels about us, and we begin to internalize the stigma and we always carry around a sense of shame and self-loathing for the things that we've done.

So, what do we need to get out of it? The first thing that we need is the understanding that we are not child prostitutes or teen prostitutes, but we are sexually exploited youth. This is not a choice we've made, it's something that has been done to us, but we are the victims and we should be treated as such. We don't need to be judged or stigmatized or made to feel any worse than we already feel about ourselves.

We often come into contact with people or professionals and workers in emergency rooms and shelters and programs that should be able to help us, but because either they don't recognize the signs of what's going on, or they have their own preconceived notions about the type of people that we are, we don't receive the services or the intervention that we need.

We need support to leave, it's hard to do it alone, and we need people to understand our fears are real. The people who hurt us are dangerous and we often genuinely are in fear of our lives. We need protection from these people, and sometimes we even need to be protected from our own choices, because we've been so dependent and brainwashed by these people, that sometimes we really do believe that this is our only option.

We need a safe place to go, a residential facility that's designed just for us, where we're treated from our emotional and physical injuries that we've suffered and where we can begin to heal from our past. We need options, and alternatives, job training, access to education, assistance with basic life skills that often we've been denied. We need funding for programs and services that have been designed just for us because our needs are so unique and we can't be fitted into a lot of traditional programs.

Most of all, we need to stop turning a blind eye for what is happening in the streets of our city every night, to recognize this as a growing phenomenon, and to hear our voices from the shadows, and to take action to stop the continued sexual exploitation of New York City's youth.

- **Testimony of Rachel Lloyd, a survivor of child sex trafficking, and founder of GEMS in New York City. Here she describes the experience of children trafficked into prostitution to the New York City Council.**

---

## WHO ARE THE TRAFFICKERS?

---

### Summary

Traffickers profit from consumer demand for cheap labor and goods and for sex by exploiting vulnerable populations for slave-like labor or sexual exploitation. They may operate as individuals, families, or more organized groups of criminals, and are facilitated by other 'indirect' beneficiaries, such as advertising, distribution, or retail companies and consumers. Both women and men act as traffickers in labor and sex trafficking operations.

Trafficking in persons is the fastest growing criminal industry in the world for two primary reasons: 1. High profits can be made quickly, with little or no start-up capital, and profits can be derived over a long period of time from the same victims (unlike drugs, which are quickly used up), and 2. Despite its criminal nature, the risk of prosecution is usually negligible. The low start-up capital required is attractive to many non-professional as well as professional criminals, who see the opportunity created by the demand and have access to vulnerable people to exploit.

Despite the widespread impression that traffickers usually operate through large organized crime groups, the influence of these groups is often restricted to limited geographic areas and to certain roles within the trafficking networks. Much human trafficking occurs through *decentralized criminal networks*, or small groups of criminals that specialize in certain areas of a network, such as recruitment, transportation, or operating the 'retail' end. The groups may have formal or informal partnerships, but no overarching hierarchy that coordinates their activities.

Large organized crime groups do control large sectors of trafficking in certain geographic areas, including Russia, Eastern Europe and the FSU, Japan, Hong Kong and Colombia. These crime groups often wield significant political power through corruption and extortion, and are known for their use of extreme violence..

### Examples of a Decentralized Sex Trafficking Network in the U.S.

*The Korean brothels in the United States are set-up and run in an extremely stereotyped manner, but have no overarching coordination or hierarchy. A shared understanding of how to operate the brothels, high degree of rotation through the networks, and informal ties between transporters and owners have all contributed to the relative uniformity of their networks.*

*The three actors described below operate independently, but belong to the same general network of groups that do business together.*

**Broker-**> Arranges for the smuggling of women into the country.

**Taxi Service-**> Monitors the needs of the different brothels and transports women between them, filling the positions.

**Brothel Operator-**> Manages a brothel, including hiring, firing, and controlling the women. May or not be the owner, or may own the brothel and a few others.

The **examples** below are different typical configurations of a sex trafficking network in the United States, based on the operations of the Korean massage parlor networks.

**Brokers-> Brothel Operator**

In New York City and L.A., Korean brokers who have smuggled women illegally into the United States sell the women to a Korean massage parlor operator. The brothel operator buys the value of their smuggling debt, and will require the women to either pay it off, work it off, or a combination of both. The brothel operator has no formal ties with the brokers, but does business with them when new employees are required. The connection between the broker and the brothel operator may have been facilitated by a Korean taxi service that monitors openings in the brothels.

**Recruiters-> Brothel Operator**

In Flushings, NY, an area in Queens with a large Korean community, recruiters will go to legitimate Korean massage establishments for women, and may say that the women can make much more money at another job doing the same thing. The recruiter will arrange for the transportation of the women to a Korean massage parlor in another state. When the women arrives, she discovers from the brothel operator that she must pay back the value of the transportation, the lodging and food, and will only receive tips, forcing her to provide sex to customers to make enough money to pay off the debt.

An alternate arrangement may involve a recent Korean immigrant arriving in New York or L.A., with thousands of dollars of debt to pay off. A Korean taxi service driver will advise her that the fastest way to pay off the debt is to work at a massage parlor. For a fee, he brings her to a massage parlor, where the woman is pressured strongly to provide commercial sex to the customers or risk being fired. The Korean taxi services monitor the needs of various brothel operators, and transport women between them. They are well known in the networks for taking advantage of the women through fraud and exorbitant charges.

**Brothel Operator-> Brothel Operator**

Brothel operators who are not happy with a woman may try to sell her to another operator, hoping to recover his or her debt payment. The woman is then transported to the new location and comes under control of the new business owner.

**Examples of a Labor Trafficking Case with Domestic Servitude**

Many trafficked persons in the United States are victims of domestic servitude, where they are forced to become a servant or to work under slave-like conditions in a private home. Some **examples** below illustrate some typical cases:

**Labor trafficking by a diplomat or wealthy foreign national**

Wealthy foreign nationals working at the IMF, World Bank, or as a diplomat in the United States may bring over servants from their home country. The servants in some cases receive no pay and are abused physically, emotionally, and sexually. Similar cases have also occurred with U.S. citizens in foreign service, who have brought back servants from abroad. In both cases the victims are dependent on the trafficker for their legal status in the country. Diplomatic immunity also has been an obstacle to bringing justice in these cases, as has poor regulation and oversight of the use of certain visas by U.S. citizens in foreign service to keep servants in the U.S.

**Differences between Human Trafficking and Smuggling**

<b>TRAFFICKING</b>	<b>SMUGGLING</b>
Must Contain an Element of Force, Fraud, or Coercion (actual, perceived or implied), unless under 18 years of age involved in commercial sex acts.	The person being smuggled is generally cooperating.
Forced Labor and/or Exploitation.	There is no actual or implied coercion.
Persons trafficked are victims.	Persons smuggled are violating the law.

	They are not victims.
Enslaved, subjected to limited movement or isolation, or had documents confiscated.	Persons are free to leave, change jobs, etc.
Need not involve the actual movement of the victim.	Facilitates the illegal entry of person(s) from one country into another.
No requirement to cross an international border.	Smuggling always crosses an international border.
Person must be involved in labor/services or commercial sex acts, i.e., must be "working".	Person must only be in country or attempting entry illegally.

In some cases it may be difficult to quickly ascertain whether a case is one of human smuggling or trafficking. As will be illustrated in the scenarios below, the distinction between smuggling and trafficking are often very subtle, but **key components that will always distinguish trafficking from smuggling are the elements of fraud, force, or coercion. However, under U.S. law, if the person is under 18 and induced to perform a commercial sex act, then it is considered trafficking, regardless of whether or not fraud, force, or coercion is involved.**