

**CASES OF FORCED LABOR AND POLICY RESPONSES REGARDING HUMAN TRAFFICKING
LEGISLATION AT MEGA SPORTING EVENTS**

By

Kayla Anderson

Submitted to the graduate degree program in Global and International Studies and the Graduate Faculty of the University of Kansas in partial fulfillment of the requirements for the degree of Master of Arts.

Chairperson: Dr. Hannah Britton

Committee Member: Dr. Mariya Omelicheva

Committee Member: Dr. Mehrangiz Najafizadeh

Date Defended: May 27th, 2015

The Thesis Committee for Kayla Anderson
certifies that this is the approved version of the following thesis:

**CASES OF FORCED LABOR AND POLICY RESPONSES REGARDING HUMAN TRAFFICKING
LEGISLATION AT MEGA SPORTING EVENTS**

Chairperson: Dr. Hannah Britton

Date approved: May 27th, 2015

Abstract

International mega sporting events require large construction and infrastructure projects to be completed in short amounts of time. Unfortunately, labor trafficking has become a means to complete these projects for the Olympic Games and World Cup. My research question asks whether or not certain types of governments (1) condone labor trafficking in order to appear developed by producing ostentatious mega sporting events or (2) use these international sporting events to strengthen their human rights platform. The importance of this topic stems from reports published by Human Rights Watch and several other NGOs. These organizations have found incidences of labor trafficking and severe exploitation of construction workers at Olympic and World Cup venue sites. There is also an overwhelming lack of research focused solely on labor trafficking at mega sporting events. In this thesis, I conduct a comparative case study analysis examining the rhetoric of the Brazilian, Russian, and Chinese legislation and compare it against investigative reports by NGOs at the 2008 Beijing Summer Olympics, the 2014 Sochi Winter Olympics, and the 2014 Brazilian World Cup. This paper does not have available empirical data to analyze; however, it represents an analysis of contrasting narratives and relies on information from human rights organizations, journal articles, newspaper reports, and legal documents from each country. I find that authoritarian governments condone human trafficking in order to appear more developed, while democratic countries use mega-sporting events to strengthen human rights in their country.

Acknowledgements

I would like to acknowledge and give my sincere gratitude to my thesis advisor, Dr. Hannah Britton, for her guidance and support throughout the entire thesis process. Her brilliance and expertise in human trafficking triggered my own passion for human trafficking, and I am forever grateful for helping me find an issue that I will forever dedicate my life fighting. I sincerely could not have done this paper without her motivation and enthusiasm. I do not think I could have found a better match for an advisor and mentor during my time as a student at the University of Kansas. I would also like to thank the rest of my thesis committee Dr. Mariya Omelicheva and Dr. Mehrangiz Najafizadeh for taking the time to read and give me feedback on my work.

And of course, I could not have finished this paper without the support from my family. For the countless times they motivated me to just keep writing and have a positive attitude during this process. Not to mention, they've had to endure my countless and endless rants about the world's problems I've learned as a student of Global and International Studies. I am grateful for their continual support for my education and allowing me to choose a field I am extremely passionate about.

Table of Contents:

Abstract.....	iii
Acknowledgements.....	iv
Table of Contents.....	v
List of Abbreviations.....	vi
Chapter 1: Introduction.....	1
Chapter 2: Results and Analysis.....	24
Case Study 1 – 2008 Beijing Summer Olympics.....	24
Case Study 2 – 2014 Sochi Winter Olympics.....	44
Case Study 3 – 2014 Brazilian World Cup.....	64
Chapter 3: Conclusion.....	81
Bibliography.....	89

List of Abbreviations

ACFTU	All-China Federation of Trade Unions
BOCOG	Beijing Organizing Committee for the Olympic Games
BWI	Building and Wood Workers International
CASS	Chinese Academy of Social Sciences
CDDPH	Special Commission of the Council for Defense of Human Rights
CNI	National Confederation of Industry
COMMIT	Cooperation against Trafficking in Persons in the Greater Mekong Sub-region
CONATRAE.....	National Commission for the Eradication of Slave Labor
CPB	Brazilian Penal Code
FIFA	Fédération Internationale de Football Association
GEFM	Special Mobile Inspection Group- GEFM
GERTRAF	Executive Group for the Repression of Forced Labor
HRW	Human Rights Watch
ILO	International Labor Organization
IOC	International Olympic Committee
IOM	International Organization for Migration
NOC	National Olympic Committee
NPC	National People’s Congress
MPS	Ministry of Public Service
OCOG	Organizing Committee for the Olympic Games
RWB	Reporters without Borders
UNCTOC	United Nations Convention against Transnational Organized Crime
UN.GIFT	United Nations Global Initiative to Fight Human Trafficking
TVPA	Victims of Trafficking and Violence Protection Act of 2000

Cases of Forced Labor and Government Rhetoric regarding Human Trafficking Legislation at Mega Sporting Events

Chapter 1: Introduction

Every year, countries around the world compete against each other for the opportunity to host mega sporting events. They envision the perks of hosting events like the World Cup or Olympic Games and immediately create candidature files to send off to the International Olympic Committee (IOC) and Fédération Internationale de Football Association (FIFA) for review. The perceived direct and indirect economic benefits of hosting mega sporting events sound appealing, but they may in fact be detrimental to the nation's economy based on the proven ill effects of past events. However, national governments continue to seek nominations for the chance to be on the global stage and to generate a greater sense of national pride, to increase tourism, and to prove to the world how impressive their hosting abilities are. In only seven years, organizing committees tackle the almost impossible task of preparing for the World Cup and the Olympic Games. A substantial amount of time and energy goes toward the development of their cities. There is no difference among less-developed countries versus modern developed countries; each will spend millions of dollars upgrading everything from telecommunications, to transportation, to accommodation infrastructure in order to impress spectators from around the globe.

One aspect of mega sporting events no one seems to question is the preparations. Spectators and the media always place their concern on how the actual event plays out, but rarely do they question the ethics of how the infrastructure and sporting venues are

constructed. They should. Based on numerous reports from nongovernmental organizations including Human Rights Watch, incidences of labor trafficking and severe labor exploitation often occur during the construction phase of mega sporting events. The victims of labor trafficking are often unseen and unheard, and this is compounded when events occur in highly censored, authoritarian countries. For these very reasons, this topic is not garnering enough attention for solutions to be made.

Mega sporting events occur in every region of the globe, and they are hosted by democratic and non-democratic countries alike. Traditionally, the Olympic Games in the past century took place mostly in democratic versus non-democratic countries where the importance of human rights was protected, at least in theory. However, a surprisingly new trend points to the fact that the number of non-democratic host nations is on the rise. The People's Republic of China was awarded the 2008 Beijing Summer Olympics. The Russian Federation hosted the 2014 Sochi Winter Olympics and is currently preparing for the 2018 World Cup. The small yet extremely wealthy Middle Eastern country, Qatar, is slated to host the 2022 World Cup. Authoritarian Beijing, China and Almaty, Kazakhstan are also the only two remaining bidders for the 2022 Winter Olympics. Many human rights organizations and Western nations criticize the IOC and FIFA for allowing international mega sporting events to take place in authoritarian nations often known for their repressive and highly censored regimes. These criticisms emerged after allegations of child labor and labor exploitation of domestic and foreign migrant workers at the Beijing Summer Olympics and Sochi Winter Olympics.

Until October 2014, the IOC and FIFA did not specify any clauses regarding human rights in the contracts for host countries. In fact, the IOC continually asserted that the Olympic Games should not be used as a human rights platform and that protests and demonstrations should be held far from the premises of the Games themselves. The Olympic Charter specifically encourages the IOC to “act against any form of discrimination affecting the Olympic Movement” and “to promote the positive legacy from the Olympic Games to the host cities and host countries” (International Olympic Committee, 2014, pp. 16-17). This being said, the IOC publicly condemns negative social, political, or environmental effects the Olympic Games may cause. On October 21st 2014, IOC President Thomas Bach announced a new clause on human rights protection in the contract for future host cities. This new addition requires the host city, the National Olympic Committee (NOC), and the Organizing Committee for the Olympic Games (OCOG) to “take all necessary measures to ensure that development projects necessary for the organization of the Games comply with local, regional, and national legislations, and international agreements and protocols, applicable in the host country with regard to planning, construction, protection of the environment, health, safety, and labor laws” (Human Rights Watch, 2014, para. 7). Director of Global Initiatives at Human Rights Watch, Minky Worden, stated: “For years, repressive governments have brazenly broken the Olympic Charter and the promises they made to host the Olympics. This reform should give teeth to the lofty Olympic language that sport can be ‘a force for good’” (Human Rights Watch, 2014, para. 3). Unfortunately, the FIFA organization has not followed the IOC’s model of placing human rights clauses in host’s contracts.

Nonetheless, the Olympic Charter's promise of human dignity and non-discrimination did not stop previous host countries from eradicating human rights violations in their countries. How should we expect repressive host countries to uphold clauses in the Olympic Charter if they continue to suppress their own citizens through censorship and restrictions on civil liberties? Based on my examination of the Olympic Games and World Cup in both democratic and authoritarian regimes, it is my conclusion that (1) authoritarian governments are more likely to be complicit if not condone human trafficking in order to appear developed by producing expensive and ostentatious sporting events and (2) democracies are more likely to use mega sporting events to strengthen their human rights platform.

Interventions

The purpose of this paper is to contribute three interventions toward human trafficking research. First, the United States focuses most empirical research and funding on the sexual exploitation of women and children. There are minimal contributions toward collecting primary data in relation to labor trafficking. Secondly, labor trafficking occurs in all countries despite their form of government and largely goes unseen. Labor trafficking expands across all borders in developing and modern nations alike. Thirdly, labor trafficking exists at mega sporting events. Once again, the majority of the media and human trafficking researcher's attention emphasizes the occurrence of sex trafficking during mega sporting events.

Labor trafficking research is globally understudied, and the lack of empirical research inhibits further prevention of the issue. This paper will be an analysis of contrasting narratives. It will examine policy responses of the Brazilian, Russian, and Chinese governments and

compare it against investigative reports by NGOs at the 2008 Beijing Summer Olympics, the 2014 Sochi Winter Olympics and the 2014 Brazilian World Cup. Although this paper does not have consistent empirical data to analyze, there is something very important to be said about labor trafficking at mega sporting events because it is completely “under the radar” and involves an extremely vulnerable and hidden population.

Human Trafficking Definitions

A number of researchers agree that there is no universal definition of human trafficking (Chew, 1999; Derks, 2000; Oxman-Martinez, Martinez, & Hanley, 2001). However, the human trafficking definition most widely used as part of international law originates from the United Nations Convention against Transnational Organized Crime (UNTOC) of 2000. The *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* is the first international legal definition used to outline the components of human trafficking. Two other supplementary protocols shape international definitions on smuggling migrants and trafficking of firearms associated with organized crime including the *Protocol against the Smuggling of Migrants by Land, Sea and Air* and the *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition*. The creation of these Protocols illustrates the international community’s response to the increasing global phenomenon of human trafficking associated with organized crime in the 1990s. The three Protocols are used proactively as legal instruments to bring awareness to human trafficking and as a means to prevent and prosecute human trafficking around the globe. In 2007, the UNODC continued their support for anti-trafficking initiatives by launching the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT).

One of the main focuses of these Protocols is to differentiate between human smuggling and human trafficking. Human trafficking as defined in the Protocols as follows:

The recruitment, transportation, transfer, harboring or receipt of persons, by means of 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 (UNODC, 2004, pp. 42-43).

The Protocols also define the 'smuggling of migrants' as "the procurement in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident" (UNODC, 2004, p. 54). Although human smuggling is seen as a voluntary process by migrants, the end game can ultimately be exploitative and result in conditions similar to trafficking. The *Protocol against the Smuggling of Migrants by Land, Sea and Air* seeks to protect the basic rights of illegal migrants as well as prevent the exploitation that is often associated with smuggling. As a whole, both Protocols attempt to eradicate trafficking and smuggling due to their similar processes and association with organized crime groups.

The term human trafficking is also often used synonymously with forced labor, which is best defined by the ILO Forced Labor Convention, 1930 (No. 29), Article 2.1, as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily" (International Labor Organization, 2014, para. 4). This section of the definition is important for its use of the term "menace," in which employers threaten penalty against the employee and the worker is therefore afraid to leave

their position or is fearful of the threats against her/his family. In 1957, a later ILO Convention added that “forced labor can never be used as a means of political coercion or education or as punishment for expressing political views or for participating in strike action, of labor discipline, of racial, social, national or religious discrimination or for mobilizing labor for economic development purposes” (International Labor Organization, 2014, para. 5). Figure One demonstrates the forms of coercion that place people into situations of forced labor according to the ILO.

Figure 1 Forms of Coercion	
Birth/descent into “slave” or bonded status	Physical confinement in the work location
Physical abduction or kidnapping	Deception or false promises about types and terms of work
Sale of a person into the ownership of another	Withholding or non-payment of wages
Physical confinement in the work location	Retention of identity documents or other valuable personal possessions
Psychological compulsion, i.e. an order to work, backed up by a threat of penalty	Induced indebtedness (by falsification of accounts, inflated prices, reduced value of goods, etc.)

Source: ILO, “Combating Forced Labor: A Handbook for Employers and Business” pg. 21.

The ILO compartmentalizes forced labor into eight forms including: slavery, farm and rural debt bondage, bonded labor, people trafficking, abuse of domestic workers, prison labor, compulsory work, and military labor. These categories demonstrate how relevant forced labor continues to be throughout the world and how it has evolved to include more forms through time. Each of these forms of slavery demonstrates the complexity of defining and creating legal framework because of the similarities these forms of slavery share. Kevin Bales defines the

“new form of slavery” as a situation in which someone has complete control of a person for economic exploitation by violence or the threat of violence. In other words, slavery and forced labor treats people as “completely disposable tools for making money” (Bales, 1999, p. 4). The terms human trafficking, debt bondage, contemporary forms of slavery, and forced labor are all interrelated but not identical from a legal standpoint. However, the ILO conveys that most situations of slavery or human trafficking are covered by the ILO’s definition of forced labor (International Labor Organization, 2014). The ILO associates human trafficking and forced labor together stating: “Trafficking in human beings can begin with the contacting of an employment agency offering work abroad. Once transported to the destination country, employment conditions are changed, documents withheld, and coercion is applied. The result is forced labor” (International Labor Organization, 2008, p. 26). It is important to understand the forms of forced labor because legal frameworks from differing countries may or may not include each of these forms into anti-slavery or anti-trafficking legislation that the ILO has indicated.

Globalization Effects on Human Trafficking

Slavery expert, Kevin Bales, contributes the rise of modern slavery to three distinct factors: population growth, economic change, and corruption (Bales, 1999). Bales contends that the world market could not keep up with significant population growth thus creating millions of poor and vulnerable people. Economic globalization, in part, allowed small and big corporations alike to generate higher profits by using sources of cheap labor from around the world (Bales, 1999). Globalization enables economies to prosper through greater commercial exchanges, easier travel between borders, and the abundance of telecommunication devices, all of which therefore encourages population mobility and increases organized crime

opportunities (Williams, 1994;Zhang S., 1997;Zhang & Chin, 2002). Kevin Bales (1999) asserts, “The third factor is the chaos of greed, violence, and corruption created by this economic change in many developing countries, change that is destroying the social rules and traditional bonds of responsibility that might have protected potential slaves” (p. 232). The same greed and corruption is occurring at the developmental stages at mega sporting events. The grandiosity of infrastructure and venues, tight budgets, and the lack of sufficient skilled workers entice states and corporations to cut corners and become involved in labor trafficking. Globalization ultimately increases the ease, the scale, and the speed in which labor trafficking occurs at mega sporting events. Corporations inadvertently may become no better than the typical organized crime group, who profit from the use of unskilled and vulnerable workers. Labor trafficking may be difficult to detect, but it is always there. Mega sporting events merely expand the scale in which labor trafficking takes place.

Transnational organized criminals are major beneficiaries of the spread of globalization. Trafficking and smuggling have become a lucrative business opportunity for members of organized crime, especially as the combination of lax border controls, weak legislation, corrupt law enforcement, and the increase in demand for goods and services perpetuate the situation. Organized crime groups often entice immigrants for labor in order to achieve high profitability. These profits are then “shared by official or quasi-official organizations, criminal groups or all three” (Bruckert, 2002, para. 22). The structure of organized crime is similar to modern corporations, and characteristically they can be hierarchical, centralized, and bureaucratic (Abadinsky, 1990;Cressey, 1969). According to Sheldon Zhang (2002), “there is a clear division of labor and chain of command; tasks and responsibilities are assigned according to members’

skills and abilities; rules and regulations govern members' activities; and membership is restricted" (p. 740). Sophisticated crime groups tend to also have plentiful resources and "political connections to corrupt the legal and political systems at the highest levels" (Kyle & Koslowski, 2001, p. 308).

Organized crime has become so advanced in trafficking techniques that it has become increasingly difficult for border control and law enforcement to differentiate between migrant workers who arrive through completely legal contracts and those who arrive through the force, fraud, or coercion of recruiters. One crucial role of the organized crime hierarchy is the responsibility of the intermediaries who aid in the employment of migrant workers. These intermediaries facilitate the relationship between the migrant worker and their future employers, but usually under false pretenses. As soon as the migrants agree to fraudulent promises, the intermediaries withhold personal documents, wages, and virtually control the workers every move. According to the ILO,

Migrant workers are brought illegally to work on a construction site, without knowing the working conditions or terms of payment. There, they discover that they are forced to live together in a remote place provided by the employer (to avoid police controls) and told that they will be paid only at the end of the construction. A few days before the end, when the work is done and wages are due, the owner may call a law enforcement officer to inform him of the presence of irregular migrants. The workers are then deported and the employer does not need to pay them. All due wages (minus the bribe) increase the profits made, thanks to the work of the abused migrants (International Labor Organization, 2014, p. 20).

It is estimated that nearly 500,000 persons enter the European Union illegally every year, and around half of those persons are assisted by organized criminal groups according to Europol (Bruggeman, 2002).

The large-scale projects involved in preparation for mega sporting events require remarkable human and physical resources from the host cities. A temporary demand for skilled laborers, specifically construction workers, is associated with every mega sporting event. Construction workers are considered one of the most mobile groups of labor and also one of the largest industries associated with labor trafficking. There is no one profile of a labor trafficking victim, because it affects people of all ages, gender, ethnicity, religion, sexual orientation, and socio-economic status. However, depending on the geographic location, there are certain traits that labor trafficking victims at mega sporting events appear to possess. Table One depicts general characteristics of labor trafficking victims at mega sporting events according to the China, Russia, and Brazil cases developed in this thesis.

Table One: Profiles of Labor Trafficking Victims in China, Russia, and Brazil

	Country of Origin	Gender	Level of Education/Skill	Economic Status	Citizenship Status
China	Domestic migrants from rural areas	Male	Unskilled	Living in poverty; trying to support family	Chinese nationals
Russia	Predominately from CIS states	Male	Unskilled	Living in poverty; trying to support family	Irregular migrants; Few have Russian work permits
Brazil	Predominately from Haiti, Senegal, Nigeria, Ghana, Argentina, and Uruguay	Male	Unskilled	Living in poverty; trying to support family	Former slaves; prisoners; irregular foreign migrants

It is evident there are many push factors that make construction workers vulnerable to labor trafficking. In all three geographic areas, construction workers are mainly unskilled and do not have any formal education. They are predominately young to middle-aged males, desperate for a decent paying job to take care of their families back home. In both Russia and Brazil, trafficking victims are mainly foreign nationals; while in China they are Chinese nationals coming from rural areas. It is almost expected for countries to be wary of foreign nationals, especially in the case of national security. Yet in the case of China, most workers are predominately Chinese nationals. It appears that city-dwellers in Chinese society shun the less educated rural Chinese and call them uncultured. Prior to the beginning of the Olympic Games in 2008, a two month shut down occurred in Beijing, and the remaining domestic migrant workers were swept out of the city in order for the city to appear “more civilized” (Broudehoux, 2007). These actions made by local officials in Beijing and the known treatment of rural migrants at the Beijing Olympics raise questions about the amount of state complicity of labor trafficking at this sporting event.

Anti-Trafficking International Policies

As mentioned above, the international community is driven to eliminate organized crime groups due to their unfavorable treatment of human beings and their disrespect for international and domestic law. The United Nations Convention against Transnational Organized Crime (UNTOC) is a monumental legal instrument for criminalizing organized crime groups and outlining how to eradicate human trafficking and smuggling. As of 2015, 185 parties accepted the United Nations Convention against Transnational Organized Crime; 166 parties approved the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons,

Especially Women and Children; and 141 parties ratified the United Nations Protocol against the Smuggling of Migrants by Land, Sea and Air (UNODC, 2015). The following is a list of relevant conventions that have also prompted effective international cooperation on the topic of forced labor and human trafficking.

- Convention on the Rights of the Child, adopted by the General Assembly in its resolution 44/25 of 20 November 1989
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, adopted by the General Assembly in its resolution 54/263 of 25 May 2000
- Convention concerning Forced or Compulsory Labor, 1930 (Convention No. 29), of the International Labor Organization Convention
- Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly in its resolution 34/180 of 18 December 1979 (article 6 refers to traffic in women and exploitation of prostitution of women)

The enforcement of anti-trafficking laws is more efficient when incorporated into regional and state legislation. The following regional and domestic legislation are equally important for the emergence of anti-trafficking preventive efforts, protection services, and the criminalization of human trafficking in their respective regions.

- The European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)
- The Council of Europe Convention on Action against Trafficking in Human Beings (2008)
- The United States Victims of Trafficking and Violence Protection Act (2000)

These legislative frameworks complement the already existing international agreements against human trafficking, but they are modified to fit the needs of the specific nation or region. The effectiveness of implementation and enforcement of this legislation depends on a variety of factors:

training law enforcement officers, particularly at the local level, to identify victims of forced labor operations; improving cooperation and information sharing between federal and state agencies charged with combating forced labor; revising procedures for the handling of survivors; and finding more effective measures for providing survivors with protection, benefits, and compensation (Bales, Fletcher, & Stover, 2004, p. 25).

Methodological Challenges to Human Trafficking Research

Since human trafficking has become an international priority, the number of studies and publications on the topic are growing exponentially. However, in recent decades human trafficking research has been based on limited data and questionable methodologies (Tyldum & Brunovskis, 2005), which is why many researchers are calling for the improvement of human trafficking research methods (Kelly L., 2002;Laczko, 2003). Sound methodical research is a critical step for NGOs and government agencies to receive funding and to evaluate the success of anti-trafficking initiatives (Farrell, McDevitt, & Fahy , 2010). One reason for the lack of data on human trafficking is that it is difficult to research a hidden, undocumented, and nomadic population. A hidden population “is a group of individuals for whom the size and boundaries are unknown, and for whom no sampling frame exists” (Tyldum & Brunovskis, 2005, p. 18).

The challenges human trafficking researchers must confront are interminable due to the fact that drawing sound generalizations are difficult to make. Human trafficking is a phenomenon that can occur within any race, gender, religion or nation. Unfortunately, no country is free from the perils of human trafficking, as Denise Brennen asserts:

They speak different languages, have different socioeconomic backgrounds, varying education and work histories, as well as differences in age, sex and race/ethnicity. They also have different experiences entering and exiting their trafficking experiences, including experiences of transit. The length of time they were held in servitude varies

from weeks to years, and while some experience psychological coercion others also undergo physical brutality (Brennan, 2005, p. 38).

Not all human trafficking is researched equitably. The media and current human trafficking literature emphasizes sexual exploitation of women and children rather than addressing the lack of empirical research on labor trafficking (Zhang S. , 2012). Interestingly, the ILO estimates that there are nearly 20.9 million people in forced labor worldwide (International Labour Organization, 2012). An estimated 18.7 million victims are exploited by private individuals or enterprises and over 2 million by the state or rebel groups (International Labour Organization, 2012). Of those victims exploited by individuals or enterprises, only 4.5 million are victims of forced sexual exploitation (International Labour Organization, 2012). That means that nearly 14.2 million people are vulnerable to forced labor excluding sexual exploitation (International Labour Organization, 2012). Although these numbers do not report a clear number of situations surmounting to labor trafficking, it indicates that NGOs and governments are not doing enough to end conditions of forced labor. These statistics also signify why there should be equal focus on conducting empirical research on labor trafficking.

Due to the risky environment of human trafficking, ethnographic studies are unreasonable methods to collect data. The ILO points out that in the case of forced labor “reliable and widely accepted national estimates based on specialized data collection instruments, directly surveying the victims themselves, have yet to be developed” (International Labour Organization, 2005, p. 13) One source widely used by researchers is the International Organization for Migration (IOM) database: “The primary data collected from assisted victims includes the socioeconomic profile of victims; the profile of traffickers;

trafficking routes; patterns of exploitation and abuse; nature of assistance provided; and instances of re-trafficking” (International Organization for Migration, 2009, p. 11). However, gathering primary data is tricky. Interviews with ex-captives can “replicate features of the human trafficking experience, particularly if victims feel coerced to provide information or believe their safety and security is dependent on their successful cooperation with police” (Farrell, McDevitt, & Fahy , 2010, p. 207). The collection of primary data is invaluable, but it is more likely researchers must base their research on secondary data due to money and time. Furthermore, secondary sources can help offer a wider perspective on human trafficking as a whole.

One of the most widely known reports used for human trafficking research and country analysis is the Trafficking in Persons (TIP) Report that the U.S State Department produces annually. It is considered to be “the world’s most comprehensive resource of governmental anti-trafficking efforts and is a reflection of the U.S Government’s commitment to global leadership on this key human rights and law enforcement issue” (U.S State Department, 2013, para. 1). The TIP Report is used as a diplomatic tool to promote dialogue among foreign nations and to initiate anti-trafficking programs within their countries. According to the U.S State Department, the report is used to identify what resources and help are needed in each country by international organizations, foreign governments, and nongovernmental organizations (U.S State Department, 2013). The report itself focuses on the four Ps: prevention, protection, prosecution, and partnerships as a way to organize the information it receives. The TIER ranking system is used as a tool to categorize countries based on how compliant they are with the

Victims of Trafficking and Violence Protection Act of 2000 (TVPA). Table Two represents the standards of each TIER and demonstrates how each country is ranked accordingly.

Table Two: TIER Placements

TIER Ranking	TIER Standards
Tier 1	<ul style="list-style-type: none"> • Countries whose governments fully comply with the TVPA's minimum standards.
Tier 2	<ul style="list-style-type: none"> • Countries whose governments do not fully comply with the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards.
Tier 2 Watch list	<ul style="list-style-type: none"> • Countries whose governments do not fully comply with the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards AND: a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or c) The determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year.

Tier 3	<ul style="list-style-type: none"> • Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so.
--------	---

Source: Trafficking in Persons Report 2013: Tier Placements – U.S. State Department Website

The TIP Report has evolved significantly since its debut in 2001. Earlier versions did not distinguish between migrant smuggling and human trafficking (Gallagher, 2011). The earlier reports also focused heavily on only cross-border trafficking and especially sex trafficking (Gallagher, 2011). However, it later broadened to include domestic trafficking and discussed forms of extreme labor exploitation. The type of severe labor exploitation under human trafficking include forced labor, bonded labor, debt bondage, forced marriage, forced begging, exploitative adoption, child sex tourism, child soldiering, sex trafficking, and organ removal (U.S State Department, 2013). The methodological approach in gathering data for the TIP Report lacks transparency and is often criticized by scholars (Gallagher, 2011;Woodtich, 2011). Data is often collected by government officials, US embassies, online news, and academic sources. Aside from its lack of methodological transparency, it has also been criticized for its inability in changing policy and inadequate use of sanctions (United Naitons Office on Drugs and Crime, 2012). Nonetheless, while the TIP Report continues to evolve, it is the most comprehensive annual report published on the human trafficking.

Case Selection

The selection of cases for this research was broken down into several criteria. First, I based the criteria on finding sporting events in the past decade, in hopes that there would be scholarly analysis of the sporting events. The dissolution of the Soviet Union during the 1990s is

known to have increased transnational organized crime in certain regions in Eastern Europe and South East Asia; therefore, I chose to research mega sporting events after 1990. The majority of Olympic Games prior to the collapse of the Soviet Union took place in democratic host cities including non-Western Asian countries Japan and South Korea. The same can be said for the FIFA World Cup, with Italy, the United States, France, South Korea, Japan, and Germany hosting the cup since 1990. Recently, FIFA and IOC has committed to extending host bids to non-Western nations, which gave variance to the sporting events I could examine.

Secondly, I was interested in researching mega sporting events that were known for high levels of human trafficking. I also wanted to examine sporting events that were hosted on separate continents, within differing government structures, and through contrasting cultural practices. The three cases I selected were the 2008 Beijing Summer Olympics, the 2014 Sochi Winter Olympics, and the 2014 Brazilian World Cup. Table Three demonstrates several differences and similarities among all three case study countries in order to show that not all non-democratic countries possess the same characteristics. China was an obvious selection due to its unfavorable human rights reputation, its location, and its status as a communist country. China also sports an enormous migration flow throughout the country, and there are considerable restrictions on civil liberties within its borders. The Russian Olympics were chosen because Russia represents the geographic area in which human trafficking is widely known to exist after the Soviet Union collapsed and because it is known for restrictions on civil liberties. Russia also has a large migrant population, which is important given the large presence of xenophobia in the country. Lastly, Brazil was chosen because of its known human trafficking

problem, but also because it differed from China and Russia in the sense that it is a democratic and South American nation.

Table Three: Similarities and Differences amongst China, Brazil, and Russia

	Government Type	Allows labor unions	Economic model	Level of corruption	Freedom of Speech/Press
Russia	Semi-Authoritarian	Yes	Globally integrated market economy	High	Not Free
China	Authoritarian	State sponsored	Socialist Market Economy	High	Not Free
Brazil	Democratic	Yes	Free market	Moderate	Partly Free

Sources: FreedomHouse, Transparency International, Human Rights Watch

Data Selection

I used case study research methodology to develop the argument of this paper due to the limitations of human trafficking research. I chose this methodology because my research explores specific events over time through in-depth data collection. It was my intent to use purposive sampling to guide my quantitative research in order to focus on particular characteristics of each mega sporting event I covered. My main focus was to find cases of labor trafficking in the construction industry in preparation to mega sporting events in China, Brazil and Russia. The data selection for my case studies rely significantly on investigative journalism and reports from human rights organizations in addition to legal documents from China, Brazil, and Russia.

Human rights and labor rights nongovernmental organizations conduct the most extensive reports and research on the topic of forced labor and human trafficking. I chose to search reports and publications from major international NGOs including Human Rights Watch, Amnesty International, and country-specific human trafficking and labor rights organizations. Human Rights Watch provided the largest amount of literature over this topic. The two main documents I used from HRW were “One Year in My Blood,” and “Race from the Bottom,” which documents the treatment of construction workers in Beijing and Sochi prior to the Olympic Games. I used these reports because they have information including surveys and interviews from exploited workers. The Olympic campaign, PlayFair, is also an operation focusing on labor exploitation in the supply chain and construction industry pertaining to the Olympic Games. The published reports contain specific numbers of labor trafficking incidences from the 2008 Beijing and 2012 London Olympics, which proved to be extremely helpful in my research.

A large proportion of my research came from the UN tripartite- the International Labor Organization. The ILO is the top source for research concerning forced labor as well as the best place to find legislation regarding labor rights. I used the *2012 Global Estimate on Forced Labor Report* to understand more about the global phenomenon of forced labor and the trends that the ILO found. The ILO had other publications regarding labor law in China, the construction industry in Russia, and Brazilian initiatives to end slavery, which I used to derive background information about my case study countries. For each case, I also searched the internet for newspaper articles from the time each country received their official bid until the end of the sporting event. The majority of newspaper articles were from international sources such as *BBC*, *The Guardian UK*, *Al Jazeera*, and *The New York Times*. News articles provided by Human

Rights Watch were a significant source because of the continual weekly updates on the situation in Beijing and Sochi. There are several academic research papers regarding these sporting events that speak directly of the use of migrant workers for these construction sites, mega sporting events, and human trafficking in these specific countries. All of the documents I used were in English.

It was necessary to use human rights resources because of the strong censorship regulations China and Russia place on their media. Because of this, government information is not readily available, especially not in English. The level of government corruption was also a concern when trying to access information regarding plans of the Olympics and World Cup of each country. All three of the countries rank high in government corruption according to Transparency International. I tried searching for these types of committee reports; however, most of these were not made public. Overall most governmental documents are censored, and I assume most of these were written favorably in order to not harm the national image. Therefore, I chose investigative journalism and reports published by human rights groups and newspapers as my best opportunity to find the truth behind these borders, recognizing these organizations have their own agenda.

Conclusion

The following chapters describe how democratic and non-democratic countries respond to hosting mega sporting events and more specifically – how they enforce national legislation on human trafficking and labor laws. Throughout the case studies, you will see how Brazil specifically implements anti-trafficking legislation and initiatives in response to hosting the

2014 World Cup. I believe this is because Brazil continues to strive to create a democratic environment within its borders through open and free elections, guarantees of freedom of expression, belief, association, and assembly and attempting to increase governmental transparency. On the other hand, China and Russia fail to uphold anti-trafficking and labor laws during the 2008 Beijing Olympics and 2014 Sochi Olympics. There appears to be major discrepancies amongst non-democratic and democratic nations on how they prepare for the influx of construction workers and making sure they do not fall victim to human trafficking or forced labor. Other discrepancies appear even between non-democratic countries. The treatment of construction workers in Beijing appear to be state sponsored, compared to the Russian case study where the trafficking seems to occur because of a lack of oversight. The Russian Federation may not have necessarily condoned labor trafficking; however, they neglected to address this issue by being more concerned with the safety of the Games. Through my research, it is my assertion that labor trafficking largely goes unseen and underreported in preparation for mega sporting events and that more authoritarian governments neglect to address the issue or perpetuate labor trafficking even further. However, both democratic and non-democratic nations are driven by their own motivations, whether that is to appear more developed or to demonstrate strengths in their human rights performance, in order to gain acceptance by the international community.

Chapter 2: Results and Analysis

Case Study 1: 2008 Beijing Summer Olympics

The Chinese economy developed exponentially in the seven years of preparation leading up to the Beijing Olympics, attracting a substantial number of domestic and transnational companies the opportunity to invest in constructing 19 new and renovating 13 existing Olympic structures (Ong, 2004). The construction industry surged in response to the infrastructure plans set forth by the Beijing Organizing Committee for the Olympic Games (BOCOG). Rural migrants travelled to the city of Beijing for job opportunities in a mass exodus to accommodate for the large shortage of construction workers. Unfortunately, many of these workers were unaware of the working conditions they would endure, and it gave employment recruiters a higher opportunity to traffic these workers into situations of forced labor and unfair working conditions.

Although China previously passed the *Labor Law of the People's Republic of China* in January 1995, many employers continued to violate the statutes meant to protect workers, and there was a lack of enforcement of these rules by the judicial system. The Chinese public's discontent rose from the streets by media reports of employer abuse and their inability to change these unethical employment practices. The National People's Congress (NPC) passed new legislation on January 1st, 2008, after "officials and state media found widespread use of slave labor in as many as 8,000 brick kilns and small coal mines," and "freed nearly 600 workers, many of them children, held against their will in factories owned or operated by well-connected businessmen and local officials" (Kahn & Barboza, 2007, para. 7).

State media declared the new *Employment Contract Law* a huge milestone for President Hu Jintao and lauded his efforts to increase labor protections to China's millions of workers. However, the timing of the passage of this law must be put into perspective. The majority of Olympic venues and infrastructure were completed by the time the legislation passed. From the time China received the Olympic bid in 2001 until the Opening Games in August 2008, construction began in the second of the three-phased plan the BOCOG implemented. From mid-2003 to mid-2006, the majority of facility construction would be completed (Ong, 2004). This means that 31 venues in Beijing and 6 outside of city would be nearly complete in a three-year span. This tight time frame fostered a growing demand for cheap labor. Unethical employment practices ensued, with employers' failing to give employment contracts, extending work hours, delaying payments, and, in some instances, placing workers in situations of forced labor (Human Rights Watch, 2008). Although the NPC passed the *Employment Contract Law* in January 2008 to improve labor conditions for millions of workers in China, these laws were ultimately passed too late based on testimonies describing forced labor from both domestic and migrant workers constructing grand infrastructure for the 2008 Beijing Olympics (Human Rights Watch, 2008).

This chapter begins by exploring China's background on human rights policy as well as its censorship and corruption patterns. It also investigates why national image became a huge factor in revamping the entire city and placing such high stakes on the infrastructure for the Olympics. Next, I look specifically at Chinese human trafficking and labor laws and the government's efforts on protecting its citizens, including migrants. Subsequently, I relay information on the construction plans themselves and the workforce recruited to help

complete the projects. Lastly, I focus intently on the testimonies of labor conditions of workers at the venue sites and also in factories Olympic merchandise was produced.

Human Rights Background

In the 1990s, China's stance on human rights argued that, "a country's human rights situation could not be evaluated according to a preconceived model or the conditions of another country or region" (Sceats & Breslin, 2012, p. 14). In September 1999, Tang Jiaxuan, Minister for Foreign Affairs of China, also contended that sovereignty was ultimately the basis and precondition for all rights while addressing the UN General Assembly (Sceats & Breslin, 2012). There are some scholars who contend that the Chinese government heavily promotes social and economic rights over civil and political rights (Sceats & Breslin, 2012). Chinese efforts on human rights evoke strong international criticism and subsequently have caused China to become extremely defensive and sensitive regarding their domestic human rights record. In 2012, China implemented a national human rights action plan in the hopes of achieving a more universal human rights concept and the advancement of human rights. While it appears that the ratification of core international human rights treaties by China is intended to seek legitimization from Western counterparts, China's main goal may be to avoid international interference by having their domestic human rights record off UN agendas (Sceats & Breslin, 2012).

China's one party authoritarian regime, nevertheless, undermines human rights' agendas by strict restrictions placed on the basic rights of its citizens. There are severe limitations on forms of expression, on the existence of human rights organizations, and on the ability to create independent labor unions outside the All-China Federation of Trade Unions

(ACFTU). Furthermore “reeducation through labor” is a common form of state-sponsored labor used throughout the country, which is a practice the government allegedly gain profits (U.S State Department, 2012, para. 3). According to HRW’s *2014 World Report on China*, human rights activists “often face imprisonment, detention, torture, commitment to psychiatric facilities, house arrest, and intimidation” (Human Rights Watch, 2014, para. 7). Civil activists work in precarious environments within Chinese borders and are closely monitored by law enforcement. HRW and Reporters without Borders (RWB) report there were substantial human rights violations against human rights activists and journalists prior to the Olympic Games (Human Rights Watch, 2008) (Reporters Without Borders, 2008, p. 76). These activists reported how the Olympics in Beijing produced numerous inhumane labor conditions (Human Rights Watch, 2008).

The Chinese government implements censorship of different media platforms in order to keep a stable society (Xu, 2014). Domestic censorship in China was reportedly very high in the years and months leading to the Olympic Games, with hundreds of cases of harassment, attacks, and threats on journalists (Committee to Protect Journalists, 2008). The Central Propaganda Department in China is in charge of all news outlets, and journalists are unable to write about the military, ethnic conflict, religion, and the internal workings of the party and government (Committee to Protect Journalists, 2008). The Committee to Protect Journalists also reported that 26 journalists were in prison and sentenced with vague anti-state charges (Committee to Protect Journalists, 2008). Although the Chinese government created temporary regulations to allow foreign correspondents to cover the Olympics by travelling anywhere without government permission and to interview anyone who consented, more than 230 cases

of harassment, obstruction, and detention were reported (Committee to Protect Journalists, 2008).

Public officials and government workers also have high corruption rates and reportedly facilitate different kinds of human trafficking including involuntary servitude and sex trafficking (U.S State Department, 2008). The 2008 TIP report also suggests that the Chinese government made weak attempts to investigate or punish government officials for their involvement in human trafficking cases (U.S State Department, 2008). Although these are well known issues in Chinese society, reporters are not allowed to make anti-state remarks without fear of being placed in labor camps or prison for punishment.

National Image

Any country hosting the Olympic Games or the World Cup is grounds for bragging rights. Which host country can build the most significant infrastructures? How can one make the opening and closing ceremonies bigger and better than the previous games? Or how can China present the urban landscape of Beijing as one of the best cities in the world? The 2008 Beijing Summer Olympics is reputable of having one of the most lavish Olympics ever, costing over \$40 billion U.S dollars. However, the Chinese government financed only half of the entire project, seeking financial support from corporations and private donations. The Olympics are seen as an attempt to demonstrate how China transformed from a post-socialist country to a successful capitalist powerhouse.

The city of Beijing had a specific image it wanted to conjure that focused on civility. The goal encouraged “locals to conform to the image of China as a friendly, enduring civilization embracing modernity, an image that is relentlessly constructed in Olympic slogans, logos, and

other elements of Olympic branding” (Broudehoux, 2007, p. 390). However, based on investigative reports by human rights organizations, the spectacular image that China boasted is mocked by the extensive labor exploitation used for the construction of venues and for slave labor in factories creating Olympic merchandise (Human Rights Watch, 2014). This idea is introduced by Broudehoux (2007) in an article on the Chinese Olympic image: “The ideological construction of the migrant as uncivilized, dangerous, and pathological has helped naturalize their exploitation and devalue their labor, thereby justifying their further abuse and legitimating their exclusion from full citizenship rights” (Broudehoux, 2007, p. 390). The Chinese government’s “civility” efforts are said to target migrant workers who took to Beijing to complete labor projects for the Olympics (Broudehoux, 2007, p. 390). According to the Beijing Municipal Bureau of Statistics, at the end of 2008 nearly one in four residents, out of a population of 16.95 million, was a migrant worker (AFP, 2009).

Chinese Migrant System

Internal migration from rural to urban areas is extensive in China. According to national statistics, in 2009 China had more than 229.8 million total rural migrant workers (International Labor Organization, 2009). Nearly 60% of these rural workers participated in the country’s manufacturing and construction sectors (International Labor Organization, 2009). It should be noted that most of these workers are categorized as internal migrants and are considered “floating migrants” as they are Chinese citizens who move between different provinces to find work. The Beijing Olympics represented an event that would garner millions of jobs for construction workers in the city.

Chinese migrant workers become second-class citizens through the implementation of the hukou system. The Communist Party started this system in the 1950s as a means to limit the amount of movement between the rural and urban areas. The government believed that this system would maintain social stability, and it established that migrant workers who did register could send remittances back to their families in rural areas and increase development in those areas. According to the hukou system, any person who moves away from where they are originally registered must acquire approval from authorities: however, approval is hardly ever granted. In the central Chaoyang district of Beijing, the number of Chinese migrant workers is more than double the amount of registered urban residents in the district (Human Rights Watch, 2006). Unfortunately, this “internal passport system” allows exploitation to thrive because migrants are not granted social services such as health insurance or basic education compared to those who are registered. There was a brief breakthrough for migrants, however, when the ACFTU admitted them for the first time in 2003 (PlayFair, 2008).

Chinese Human Trafficking and Labor Law

In the past 20 years, Chinese laws on human trafficking and labor have evolved markedly, but they still require revision in order to meet the standards of the Palermo Protocols. The following five notable laws were passed prior to August 2008, and they describe China’s definitions of human trafficking and forced labor and the criminal offenses associated with these issues:

- *Law of the People’s Republic of China on the Protection of Rights and Interests of Women, 1992*
- *Labor Law of the People’s Republic of China, 1994*

- *Criminal Law of the People's Republic of China, 1997*
- *Provisions on the Prohibition of Using Child Labor, 2002*
- *Labor Contract of Law of the People's Republic of China, 2008.*

Article 36 of the *Law of the People's Republic of China on the Protection of Rights and Interests of Women* states, "it is prohibited to abduct and sell or kidnap a woman. It is prohibited to buy abduct or kidnap women" (National People's Congress, 1992, para. 1). Article 37 also states, "It is prohibited to organize, coerce, lure, keep, or introduce women to work as prostitutes, or hire to keep women to engage in obscene activities with others" (National People's Congress, 1992, para. 2). Although this was China's initial step in providing legislation regarding women's rights and interests, the legislation was vague, and there was no mention of the term "human trafficking" in any instance. Three years later in 1997, the *Criminal Law of the People's Republic of China* passed and contains a more updated version of criminal acts regarding human trafficking. Article 240 specifically defines trafficking women or children as "abducting, kidnapping, buying, selling, transporting, or transshipping women or children" (National People's Congress, 1997, para. 9). It notes that those who participate in the abduction or trafficking of women and children will be sentenced to 5-10 years in prison plus a fine. There are also cases of trafficking that traffickers could be sentenced anywhere from excess of 10 years to the death penalty depending on the severity of the case. Please note that these articles only refer to trafficking of women and children, and in no instance are men mentioned. However, Article 244 states, "Persons of employing units who are directly responsible for forcing workers to labor by restricting their physical freedom in violation of labor management laws and regulations are to be sentenced to three years or fewer in prison or put under criminal

detention, in addition to fine, or are to be fined” (National People's Congress, 1997, para. 13).

This is the only article in China’s Criminal Law legislation that refers to cases of forced labor, but there is also further discussion on organizing, forcing, seducing, harboring, or introducing prostitution in Article 358.

Compared to the Palermo Protocol, the Chinese definition of human trafficking neglects to include any clauses on the instances of exploitation, conditions analogous to slavery, or forced labor. In 2002, however, China amended existing legislation on child labor which includes Article 15 that “prohibits an employer to recruit minors under the age of sixteen, with exception made for institutions of literature, art, physical culture, and special crafts which may recruit minors through investigation and approval of the government authorities, and must guarantee the minors’ rights to compulsory education” (Zhang L. , 2007, p. 67). After years of criticism from the U.S TIP reports, the *China National Plan of Action on Combating Trafficking in Women and Children* was implemented on December 13th, 2007, in order to prevent and combat trafficking of women and children and provide resources to trafficking victims. However, this plan focuses solely on the eradication of sex trafficking of women and children. It does not include plans to eliminate labor trafficking.

The NPC’s passage of the 2008 *Labor Contract Law of the People’s Republic of China* is considered a foundational piece of legislation in terms of labor law. One of the most significant amendments to the existing labor legislation include: “specific penalties for not signing employment contracts with employees, limits on the use of fixed-term contracts to increase job security of employees; specific employee consultation procedures in order to adopt company rules, policies, and regulations, and greater protection for employees who are hired through

employment service agencies” (Baker and McKenzie International, 2013, p. 4). The provisions that include information on working hours, contract content, social insurance, at will termination, and annual leave are important aspects of this law because they are directly applicable to the testimonies by workers at Olympic venues I will discuss later in this chapter (Baker and McKenzie International, 2013).

Based on the U.S State Department TIP reports from 2003 until 2009, China does not fully comply with the minimum standards for the elimination of trafficking. Chinese definitions of trafficking do not match the U.S and the UN definitions, which contributes to its weakened ratings from the U.S State Department. Its ratings dropped from TIER 2 in 2003 and 2004 to TIER 2 Watch List from 2005 to 2009. According to the TIP report, China’s downgrade was attributed to “its failure to provide evidence of increasing efforts to combat trafficking, specifically its inadequate protection for trafficking victims, particularly foreign women and P.R.C. women identified from Taiwan” (U.S State Department, 2005, p. 83). The 2005 report also mentioned that the government should also “vigorously investigate allegations of coercive labor practices, including alleged situations of involuntary servitude and forced labor” (U.S State Department, 2005, p. 84). Since China does not report cases of forced labor and involuntary servitude as cases of human trafficking, the TIP reports do not provide substantial information specifically on these issues.

The early 2000s marked a high level involvement of the PRC into human trafficking issues affecting the country. The 2003 TIP report acknowledged that “Chinese senior officials expressed their determination to combat trafficking, and policies are in place to do so. Although the implementation of those policies is uneven, the PRC’s continued high-level engagement on

fighting trafficking is vital to address the worldwide problem” (U.S State Department, 2003, p. 47). The PRC established the Ministry of Public Security (MPS) as the official governmental agency in charge of anti-trafficking efforts. From 2001 to 2003, “the Chinese Government investigated 20,360 cases in which 43,215 women and children were rescued and 22,018 traffickers arrested” (U.S State Department , 2004, p. 92). One interesting note that differs from U.S and UN definitions is that the P.R.C government “considers fraudulent adoptions to be a form of trafficking in persons crimes” (U.S State Department, 2006, p. 92). The MPS also reports cases of smuggling into these numbers, which makes it difficult to identify the real amount of trafficking cases in China.

While China succeeded in many instances on efforts to eradicate human trafficking from 2001 to 2004, the lack of accessing information on China’s anti-trafficking efforts made it difficult for the U.S State Department to analyze evidence of increased efforts from 2005-2008 (U.S State Department, 2006, p. 91). The 2006 TIP report mentions that although China did not provide numbers on convictions, “given the nature of the criminal system in China most cases likely resulted in convictions with substantial sentences or execution” (U.S State Department, 2006, p. 92). During this time frame, there are two notable actions made by the Chinese government that should be noted. In 2005, China signed the Cooperation against Trafficking in Persons in the Greater Mekong Sub-region (COMMIT) Memorandum of Understanding alongside Laos, Vietnam, Myanmar, Cambodia, and Thailand. This memorandum creates dialogue amongst neighboring countries on the issue of human trafficking and helps bring support to anti-trafficking efforts regionally. Additionally in 2007, the Ministry of Labor

increased the number of labor inspectors to help address coercive labor practices (U.S State Department, 2007).

2008 Beijing Construction Plans

The IOC officially granted China the honor of hosting the summer Olympics in 2001 and preparations for venues and infrastructure began immediately after. The BOCOG headed by Beijing's mayor Liu Qi, was comprised of officials from Beijing's municipal government, the Chinese Olympic Committee, and the State Sports General Association of China (People's Daily, 2001). The BOGOC implemented a three-phase plan with the goal of Olympic venues to be finished in seven years. The plan consisted of construction plans for both Olympic venues, where the actual sporting events would take place and new infrastructure projects to improve transportation and communication issues. Infrastructure included work on several railways, airports, and roads to improve transportation to and from Beijing. The majority of the venues were controlled by the Beijing city government and governments of its districts, but other Olympic venues were managed and were under the jurisdiction of the central State Administration for Sports and several universities (Ong, 2004).

By the end of 2003, it was estimated that construction of new facilities for the Games venues would cost US\$1.39 billion (Ong, 2004). The BOCOG cut US\$180 million from its budget in 2003 due to changes in venue planning (Business Daily Update, 2003). According to a *New York Times* article on Olympic construction in China, "the construction budget was originally set at \$500 million and was lowered to \$325 million and was reduced even further to \$290 million" (Lubow, 2006, p. 8). In the end, the construction projects were finished by thousands of migrant

workers, but a construction budget that was nearly cut in half gives room to imagine exploited and forced labor practices.

Labor Conditions of Workers Building Olympic Venues

There are several degrees of Chinese labor exploitation in regards to the Beijing Olympics that demonstrate how deeply rooted discrimination is against migrant workers. *One Year in My Blood*, published in 2008 by Human Rights Watch, is the account of exploited migrant workers in Beijing and an examination of how Chinese policy has severe policy gaps in protecting workers. This report details the exploitation of workers by conducting interviews with migrant workers at nine building sites, analyzing studies by international organizations and media, and looking specifically at Chinese government studies that are not available in English.¹

The report details the employment conditions of migrant construction workers throughout building sites in Beijing. The most prevailing issue that places a significant burden on workers is the widespread problem of unpaid wages. According to Chinese Labor Law, wages are to be paid monthly and on time. The Chinese Academy of Social Sciences (CASS) conducted a nationwide survey in July 2007 that found only 31 percent of migrant workers received their salaries monthly (Human Rights Watch, 2008). In one interview, the workers said they agreed to verbal or written contracts that stipulated they would receive 40 to 60 Yuan (US\$5.30 to US\$8) per day (Human Rights Watch, 2008). However, a large percentage of these workers were denied their wages by their employers and denied overtime pay, which is to be paid if workers work more than 8 hours a day or 44 hours a week (Human Rights Watch, 2008). Between 2005

¹ Human Rights Watch also concludes that the access to Olympic sites was strictly prohibited in Beijing, which made on-site research nearly impossible.

and 2006, the Legal Aid Station for Migrant Workers in Beijing recorded 882 complaint cases issued by migrant workers who sought to claim their unpaid wages (Qun, 2006). According to the Aid Station, a staggering 5.63 million Yuan (USD \$902,562) were owed to nearly 1,782 workers (Qun, 2006). Even though workers often demand to be paid, they are met by a large range of excuses that their employers create in order to continue to withhold their wages. Out of all of the interviews conducted by Human Rights Watch, more than half of the workers had at one point not received their promised wages.

The Chinese government estimated that a staggering \$12.1 billion dollars was not paid to migrant workers' wages in just 2003 alone (Broudehoux, 2007). In 2004, Vice Premier Peiyan also revealed that \$43 billion U.S dollars remained unpaid to migrant workers across thousands of projects invested by the government or real estate developers (Broudehoux, 2007). In a more recent analysis of unpaid wages to migrant workers, in 2007 more than \$24.8 billion U.S dollars were owed and \$9.2 billion of this held by State owned construction enterprises (Cockrell, 2008). In January 2006, the Beijing city government fined 12 unidentified companies contracted to build Olympic-related projects for withholding wages. China's State Council also concluded that migrant construction workers are increasingly targeted and cheated of their wages as well as falling subject to illegal deductions by employers (China's State Council, 2006).

Not only are wages delayed, but they are often significantly less than the agreed upon amount. The wages workers receive are often intended to support their families back home, and unpaid and shortened wages place already impoverished families at even more risk for not being able to buy food and necessities. In 2006, over 160 workers at one Olympic building site found that their employer had paid them less than 50 percent of Beijing's minimum wage

(Human Rights Watch, 2008). One worker said, “We workers ended up with less than 20 Yuan (US\$2.67) per day, and on top of that we’d be deducted eight Yuan (US\$1.07) per day for living costs; how are workers supposed to survive [on such low wages]” (Human Rights Watch, 2008, p. 24). Migrant construction workers work on average 10 hours a day and 27 days a month, according to the Chinese Academy of Social Sciences (China Daily, 2007). Furthermore, after working 50.5 hour weeks, workers are denied overtime wages, and 76 percent of migrant workers report not receiving overtime for working public holidays (China's State Council, 2006). One common trend also reported within the Beijing construction industry forces migrants to work up to 17 hours on sites. Long hours accompanied by unpaid wages places migrants in a miserable position, where recreational and leisure time is impossible.

The lack of employment contracts place migrant workers in an even more vulnerable position because they are rarely able to seek help if exploited. Human Right Watch reports that in a 2007 survey, “53 percent of surveyed workers did not have labor contracts, 41 percent of those who had contracts did not have copies of the document and only 17 percent of those with contracts actually understood the rights and obligations embodied in the contract” (China Daily, 2007, p. 2). When asked about contracts, one migrant worker said, “Most of us signed contracts with the company, but didn’t get a copy, [our employer] didn’t give us a copy or after [our employer] said that he had to take [the contract] away to be sealed and signed...[but] never gave them to us” (Human Rights Watch, 2008, p. 18). Unfortunately for the workers who did receive copies of their contracts, they did not understand the rights and obligations of the contract. Other contracts were not legally valid or written, and therefore workers were not able to seek legal help for contract violations (Human Rights Watch, 2008). An article by the

Shanghai Daily further explained this issue stating: “With an oversupply of labor, most [migrant construction] workers give up their legal right [to a legally-binding contract] to gain a job [and] because of this intense competition, many employers take advantage of their construction workers and withhold payment through nonexistent or faulty contracts” (Human Rights Watch, 2008, p. 19).

Workers are often placed in dormitory-styled facilities near construction sites, and, according to the HRW report, workers complained of unhealthy living conditions. At times up to 20 men had to share ten beds in nine building sites in Beijing. (Human Rights Watch, 2008). Buildings were unheated during the winter, and there was limited access to bathrooms and showers. The quality and quantity of food was also not enough to sustain workers through the long hours and hard labor performed. Employers continually denied migrant workers access to medical insurance, and workers were forced to pay for these expenses from their pay (Human Rights Watch, 2008).

PlayFair Investigation

Workers who produce Olympic merchandise in factories also reported unfair labor practice. The 2008 Play Fair campaign focused mostly on the sportswear sector and the labor conditions behind these products in the winter of 2006 and 2007. Olympic licensing and marketing provides significant profits to companies who are granted these licenses to produce merchandise. In some cases, it is an opportunity for the development of small business and growth in host countries; however, in the case of the 2008 Olympics, several factories that demonstrated low costs were also found to be using child labor. A report produced by Play Fair investigated four manufacturers: the Lekit Stationary Company Ltd., Yue Wing Cheong Light

Products Co. Ltd, Eagle Leather Products Company Ltd., and Mainland Headwear Holdings Limited. The organization found severe labor violations in these companies, as outlined below.

According to Play Fair investigations, Lekit Stationary Company employed children, and it also hid evidence of this hiring practice by not keeping records of these children's employment. PlayFair found that Lekit employed over 20 children under 16 years of age, which violates Article 15 of the *PRC Labor Law* (PlayFair, 2008). The use of child labor without governmental consent could cost an employer nearly \$660 USD per child worker per month (Zhang L. , 2007). With the use of undercover investigators, PlayFair found that children as young as twelve were working the same amount of hours as adult workers as well as overtime and getting paid less because employers are not required to pay children the same as adults. Children are paid three yuan/hour compared to 3.12 yuan/hour for adults in the case of overtime (PlayFair, 2008). The majority of the workers at the three other companies were over the age of 16. However, Mainland Headwear Holdings hired children who used fake identity cards to show they were older in order to work (PlayFair, 2008).

In three other companies, PlayFair found excessive working hours, forced overtime, wages below the legal minimum, unreasonable fines and deductions non-payment of social security, no contracts or employment records, hazardous working conditions, no legal maternity leave, no union representation, deceiving labor inspectors, difficulty resigning, dubious hiring practices, and substandard food and accommodation (PlayFair, 2008). Table Two is a comparison of company's wage rates and legal government standards that were found in the Yue Wing Cheong Light Products Company. Table Four shows specifically how Yue Wing Cheong Light Products Company cheated workers out of almost 65% of what they should earn a

month. Even when workers want to leave these companies, they find themselves unable to do so because the companies hold their paychecks. One worker at Mainland Headwear Holdings stated, “I have worked here for three years, and I handed in my resignation letter four or five months ago, but it was never accepted. So, I had no choice but to walk off the job in January 2007, and lose one month’s salary plus the 100 yuan deposit” (PlayFair, 2008, p. 27). In response to the PlayFair report, the BOGOC launched an investigation that would terminate Le Kit Stationery Co.’s Olympic licensing as well as suspend approval of all Olympic products designing of the three other companies. Although BOGOC finally made the effort to inspect these companies, it should be pointed out that this is only a small sample of companies out of the 60 who maintain Olympic licensing in China.

Table Four. Chinese standard wages compared to YWC’s Pay System

	YWC’s Pay System	Yuan	Legal Minimum Wage	Yuan
Basic Wage	25 yuan/day x 30 days =	750	8 hrs/day x 21.75 days	700
Overtime Pay rate on weekdays	5 hrs/day x 22 days = 110 hrs = (Additional 0.7 yuan per hr)	77	5 hours/day x 22 days = 110 hrs @ 6.03 yuan/hr	663
Overtime pay rate on weekends	Total Weekend OT = 72 hours =	50.4	13 hours/day x 8 days = 104 hrs @ 8.04 yuan/hr	836
Bonus	Attendance bonus	50		
Charges for Food	Food	-120		

Rent Charged	Dorm space	-10		
Utility Charged	Water and Electricity	-15		
Insurance	Medical Insurance	-4		
Total Wages		778.4		2,199

Source: PlayFair 2008 –No medal for the Olympics on Labour Rights, p. 18

Conclusion

In response to hosting the Olympic Games, the Chinese government failed to create preventive measures or use the term labor trafficking in any Chinese legislation before the start of the Beijing Olympics. It appears that Chinese government was much more concerned with the grandeur of the event and the prestige it would bring the country than with implementing new plans or legislation to keep labor trafficking at bay. For an example, Article 244 of the Chinese Criminal Code is the only instance in which forced labor is mentioned, but, once again, it is not nearly as comprehensive as the Palermo Protocols. While the 2008 Labor Law is a significant piece of labor legislation for Chinese workers, this was not implemented until the majority of construction for the Olympic Games was finished. This timetable alludes to the idea that the Chinese government acknowledged the profitability of migrant workers and the possible use of forced labor for the construction of these projects. It is my assertion that the Chinese government made sure to pass the newly reformed labor legislation right before the Olympic Games commenced but late enough that companies were able to exploit workers to keep on schedule and to save money. This way, the international community would recognize the Chinese government’s labor right initiatives and cast a shadow over the human rights

violations that occurred. After reviewing this case study, it my conclusion that forced labor at the 2008 Beijing Summer Olympics may have been a state sponsored initiative.

Case Study 2: 2014 Sochi Winter Olympics

Sochi, Russia, a city of 400,000 near the Krasnaya Polyana Mountains and the Black Sea Coast, won the right to host the 2014 Winter Olympics in 2007. The Russian government's goal was to transform the Sochi region into a "modern, world class, year-round destination for sport, tourism, elite alpine sports and competition infrastructure – a complete winter sports center that would benefit athletes from the entire Middle East and central Asian region" (Sochi 2014 Organizing Committee, 2007, p. 2). Sochi became a 'single-city solution' to host the Games in a condensed area that sported only a 40 minute trip from the coastal cluster to the mountain cluster and a ten minute walk between the venues within the coastal cluster. The Olympic planning committee and government focused on the idea of convenience for spectators of the Games, mostly in part because roughly only 10-15% of infrastructure existed in Sochi. Nearly 96,000 workers migrated to the region to take part in one of Russia's largest construction projects in history. Approximately 16,000 were migrant workers from the former Soviet countries of Uzbekistan, Tajikistan, and Kazakhstan. Unfortunately, extreme labor exploitation plagued migrant workers. Many were cheated out of pay, had their passports confiscated, and were forced to work over 12 hour days with only one day off each month (Human Rights Watch, 2014). The employment conditions of these workers were in direct violation of the *Labor Code of the Russian Federation* passed in December 2001 and under the Russian Criminal Code Article 127.1 and 127.2.

Corporations failed to abide by labor and human trafficking laws in the seven years leading up to the 2014 Winter Olympics, despite the Russian Federation's existing labor and human trafficking legislation. The beginning of this chapter explores the Russian Federation's

human rights background and how President Putin continues to shape Russia's human rights platform. Secondly, I will focus on the importance of the Sochi Olympics in creating a positive national image for the country. Thirdly, I will explore the role migrant workers played in the construction of the Olympic Village and venues. Next, I will take a look specifically at existing human trafficking and labor laws in the Russian Federation and how these were implemented during the seven-year span. I will then look at the enormity of the construction plans and how time and money played a factor in labor conditions. Lastly, I concentrate on the testimonies brought forth by workers regarding the conditions of their employment with construction companies and how mistreatment was a norm for thousands of migrant workers in Sochi.

Human Rights Background

The Russian Federation's perception of their country's own human rights record is a stark contradiction to reality, especially in the treatment of Russian citizens versus non-citizens. According to the Sochi Organizing Committee Candidature File, "the Russian Federation provides all Russians with a stable political and economic environment in order to improve and enhance their quality of life. The government is based on free and open elections, freedom of expression and a constitutionally guaranteed balance of power" (Sochi 2014 Organizing Committee, 2007, p. 31). However, the U.S State Department published the *2013 Russia Human Rights Report* and describes the most significant human rights problems in Russia as restrictions of civil liberties; government discrimination against racial, ethnic, religious, and sexual minorities; administration of justice; limitations on workers' rights; trafficking in persons; and allegations of torture and excessive force by law enforcement officials (U.S State Department,

2013). A large proportion of these violations are actions by the Russian government itself, which demonstrates clear discrepancies between Russian laws and the actions of the state. These moves by President Putin reveal a deterioration in civil liberties for native Russians as well as their foreign counterparts. The ability for NGOs and human rights activists to work is compromised by the actions of the Russian government. Journalists and activists alike are experiencing the effects of stricter freedom of expression and press. The Russian government directly and non-directly controls all national television networks, radio, print outlets, and most media advertisement increasing the amount of Kremlin propaganda (Freedom House, 2015). Despite the constitutional right for freedom of speech and press, there continues to be a rise in the detainment of individuals who criticize the government (U.S State Department, 2013, pp. 19-25). These growing human rights violations by the Russian government are a source of mounting public discontent and criticism from Western nations and human rights organizations and their ability to host the Olympic Games.

Russia's human rights performance painted above excludes the treatment of foreigners within the country. President Vladimir Putin continues to radically shape Russia's human rights by implementing "a series of initiatives designed to close down civil society and eliminate any and all potential threats to his grip on power, driven by the fear that the democratic spirit of the Arab awakening would creep toward Russia" (Freedom House, 2013, p. 3). The term "Putinism" has been coined to describe these ongoing actions by Putin. President Putin also created legislation in order to: "increase criminal penalties for opposition protesters, censor and control the internet, taint nongovernmental organizations (NGOs) that receive overseas funding as "foreign agents," prohibit U.S. funding of Russian NGOs involved in "political

activities,” drastically expand the definition of treason, and recriminalize libel and slander” (Freedom House, 2013, p. 4). The Russian Federation also forced the USAID, the National Democratic Institute and the International Republican Institute out of Russia (Freedom House, 2013, p. 4). These actions demonstrate the ongoing changes President Putin continues to make in order to expel Western and foreign perspectives to maintain strict control of the country.

National Image

President Vladimir Putin recognized that hosting a mega sporting event could gain Russia prestige and power within the international community. The 2014 Sochi Winter Olympics, therefore, gave Putin an opportunity to “demonstrate Russia’s importance in both international and domestic contexts” (Gorenburg, 2014, p. 1). From a domestic standpoint, Putin saw the Games as a chance to rally Russians together to promote a positive national identity and create patriotism throughout the country. The opening ceremony captures this idea as organizers “chose to focus on Russia’s contributions to world culture through literature, music, and dance” (Gorenburg, 2014, p. 3). Ultimately, stability and growth of the Russian Federation are the two themes of the opening ceremony. On an international level, hosting the Olympic Games is a way of bringing Russia back to the international mainstream. In an interview by President Putin he says, “We need to feel inspired to rise to the challenge of successfully implementing large-scale projects. The Sochi Olympics are essential to the narrative of Russia’s normalization through national revival, as in the famous metaphor of ‘getting back on one’s feet’” (Makarychev & Yatsyk, 2014, para. 6). Overall, the successful planning and implementation of the Olympic Games increased Putin’s popularity amongst

Russians, reestablished Russia as a dominant power in the international community, and intensified Russian nationalism (Gorenburg, 2014).

Migrants

The announcement of Russia winning the 2014 Winter Olympic bid allowed the creation of thousands of jobs and the attraction of migrants into Russia from around the region. Migrant workers usually enter Russia from former Soviet states of Belarus, Kyrgyzstan, Tajikistan, Uzbekistan, Ukraine, and Moldova because Russia allows these workers to enter and work in the country without a visa. Estimates of the number of migrant workers in Sochi vary considerably due to the number of illegal migrants entering the country. The Federal Migration Service estimates that in Sochi alone, there would be nearly 200,000 migrants working on Olympic infrastructure projects by 2012 (Human Rights Watch, 2014). These numbers changed however to specify that there were 70,000 workers all together on Olympic construction, with 16,000 being foreign workers (Human Rights Watch, 2014). However, the data provided by the company Olympstroy states that there were “only 12,959 workers from other Russian regions and 7,339 foreigners working at the Olympic facilities in 2011” (Zhemukhov, 2014, p. 9).

Since the collapse of the Soviet Union, the Russian “shadow economy”, or informal economy, has reportedly grown to 60-80% in the construction and tourism sectors (Tiurukanova, 2006). The Federal State Statistics Services estimates that the Russian shadow economy is twice the size of developed countries and at least 10 million people work in this shadow economy (Tiurukanova, 2006). The competition between the formal and informal economies contributes to the demand of cheap unskilled workers because the shadow

economy profits considerably more with the use of informal labor. This may account for the discrepancy in the number of migrant workers from Olympstroy and the Federal Migration Services if the informal economy is involved. Additionally, small businesses become involved in the shadow economy because of their inability to compete with larger corporations.

Tiurukanova concludes that nearly “75 percent of illegal migrants are paid cash ‘under the table’ and 80 percent have no written contract with their employers, creating easy conditions for employers to exploit conditions frequently bordering on slavery” (Tiurukanova, 2006, p. 58).

Tiurukanova also estimates that nearly 10-30% of illegal immigrants in Russia faced some form of human trafficking related exploitation in 2006, which puts the real number at around one million migrants affected (Tiurukanova, 2006). This makes trafficking for labor exploitation the most common type of human trafficking in Russia (Tiurukanova, 2006).

Russian Human Trafficking and Labor Laws

The topic of human trafficking was virtually non-existent in the Russian Federation until 1997, when the not-for-profit organization, Global Survival Network, presented a report on human trafficking at a conference in Russia (Tiurukanova, 2006). The report sparked the interests of Russian NGOs and women’s organizations, who responded by becoming active in anti-trafficking initiatives around the country. Women’s crisis centers undertook creating preventative measures and making services available to trafficking victims in lieu of the Russian government’s absence on anti-trafficking initiatives. Russian social scientists Elena Tiurukanova and Natalia Khodyreva were pioneers in the fight against human trafficking in Russia and attempted to “expose the problem, educate the public and put pressure on the parliament, the

State Duma, to pass anti-trafficking legislation” (Buckley, 2013, p. 11). In addition to Tiurukanova and Khodyreva, international pressure, mostly from the U.S and Germany, grew for the Russian Duma to take action against human trafficking. In response to this pressure, the Duma created a working group in order to develop and draft a law against human trafficking. Despite their best efforts, this law never made it through the Russian Duma.

In 2000, the Russian government signed the UN Convention against Transnational Organized Crime and its two Protocols on Trafficking and Migrant Smuggling. This marked the initial involvement of the Russian government on recognizing human trafficking as a national issue. Table Five displays the major legislative changes and conventions adopted by the Russian Federation in effort to curtail human trafficking in the country. In 2003, President Putin implemented Russia’s first domestic human trafficking laws under the Russian Criminal Code Article 127.1² and 127.2. The latter references slave labor, which is defined as “the use of the labor of any person over whom power similar to the right of ownership is exercised, if such person, for reasons beyond his control, is unable to refuse to perform such labor or services” (U.S State Department, 2013, para. 5). Violators of this crime can be punishable for three to ten years depending on the use of threat or force (UNODC, 2004).

Table Five: Human Trafficking Legislation and Conventions Applicable by the Russian Federation

International Conventions	Regional Legislation	Russian Federal Legislation
---------------------------	----------------------	-----------------------------

² Article 127.1 states “Trafficking in Human Beings, that is, a human being’s purchase and sale or his/her recruiting, transportation, transfer, harboring, or receiving for the purpose of his/her exploitation – shall be punishable by imprisonment for a term of up to five years.”

1949 – UN Convention for the Suppression of Traffic Persons and of the Exploitation of Prostitution of Others	CIS Convention on Human Rights and Basic Freedoms	The Russian Federation Constitution
1926 – Slavery Convention, with 1953 amendments	Agreement of CIS Countries on combating Transnational Organized Crime	The Russian Federal Criminal Code
1956 – UN Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery	Agreement of CIS countries on combating Illegal Migration	The Federal Law on state protection of victims, witnesses and other participants in criminal court proceedings
1989 – UN Convention on the Rights of the Child		The Russian Federation Labor Code
2000 – Palermo Protocols		
1959 – ILO Convention No. 105 Concerning the Abolition of Forced Labor		

Source: UN/IOM Working Group on “Trafficking in Human Beings”; Report conducted by E.V Tiurukanova and the Institute for Urban Economics

Aside from specific human trafficking laws, the *Russian Labor Code* is the general legal instrument applicable to all employees working in Russia. Passed in 2001, the legislation regulates the relationship between employee and employer through an employment contract. This contract is given to both parties and must provide the following: “exact place of work”, “exact work to be performed”, “first day of employment”, “provisions regarding labor remuneration”, “working hours and off hours”, and “compensation for hard labor and work with harmful and/or dangerous working conditions” (Rodl & Partner, 2009, p. 3). The employment contract is a vital legal instrument for employees to protect themselves from

unfavorable working conditions.³ Foreign nationals who wish to work in Russia are also expected to obtain a work permit based on the annual quota system. Overall, the *Russian Labor Code* presents a structured and comprehensive framework used to protect employees from conditions of forced labor.

Prior to 2007, anti-trafficking efforts showed a promising future in Russia; however, the Russian government’s involvement in these diminished significantly after receiving the host bid for the 2014 Winter Olympics. The lack of support from the government is seen through the U.S State Department’s TIP rankings for Russia from 2007 to 2014 and is demonstrated in Table Six. The U.S State Department granted Russia consecutive waivers in 2011 and 2012, but it downgraded it in 2013 because the Russian did not draft a written national plan to combat human trafficking (U.S State Department, 2013). The TVPA allows only a maximum of two consecutive waivers and, as of 2013, Russia did not meet the conditions to receive another waiver and was placed as a Tier 3* ranking (U.S State Department, 2013). A Tier 3* ranking specifically acknowledges that a country does not comply with minimum TVPA standards nor is it making any effort to do so.

Table Six: U.S State Department’s Tier Rankings for the Russian Federation from 2007-2013

TIER Rankings for Russia from 2007-2013	
2007	TIER 2

³ A more comprehensive guidance on the Russian Labor Law can be found at this link: http://www.hill-international.ru/fileadmin/users/Russia/Leitfaden_russisches_arbeitsrecht_2009_eng.pdf.

2008	TIER 2 Watch List
2009	TIER 2 Watch List
2010	TIER 2 Watch List
2011	TIER 2 Watch List
2012	TIER 2 Watch List
2013	TIER 3*

Source: U.S State Department TIP Reports 2007-2013

Although the TIP Report negatively casts Russia as a country not doing enough to combat human trafficking, there are a couple initiatives to be discussed. In 2007, the Russian Government created a sub-department within the Department for Combatting Organized Crime and Terrorism within the Ministry of Internal Affairs. The group is specialized in human trafficking issues and serves to conduct investigations on these matters and, more importantly, collect data on these cases. The creation of the Russian National Contact Point for Europol allowed cooperation between the Russian government and the European Police Office, which also allowed the exchange of data amongst law enforcement agencies (Mukomel, 2013). Lastly, from 2011-2013, President Medvedev signed the Programme of Cooperation between Member States of the Commonwealth of Independent States against Trafficking in Persons. This is designed for joint cooperation between law enforcement offices in CIS states and Russia to diminish the ability for trafficking to occur so easily on joint borders.

Human trafficking prevention efforts are abysmal in Russia due to the lack of funding and the mistrust between NGOs and the Russian government. The Russian Federation currently lacks a national trafficking plan to help guide law enforcement, labor inspectors, and health officials in the identification of victims. Federal and local budgets also do not include any funding for anti-trafficking initiatives or victim protection services (U.S State Department, 2014). Without funding, NGOs are unable to support sustainable services to trafficking victims. There is also a distrust between these organizations and law enforcement officials because of allegations of corruption in law enforcement. Russian law enforcement has been characterized as a “model of predatory policing, enriching themselves and the institution as a whole rather than protecting the public” (McCarthy, 2010, p. 9). Corruption may be in the form of bribery or involvement in the falsification of travel documents; or they may benefit from the traffickers services depending on the kind of trafficking involved. The Russian public and NGOs base their perception off these corruption allegations and unfortunately it creates less of an opportunity for joint cooperation to occur between the two parties.

Construction

To put perspective on the amount of labor needed to complete Olympic infrastructure and construction projects on time, it is important to give an overview of the construction project itself. Construction for the 2014 Sochi Winter Olympics ended as “the largest construction project in Russia’s history”⁴ according to Ruslan Aliev, president of the Sochi 2014 Organizing Committee (Rocco, 2013). The Russian Deputy Prime Minister Dmitry Kozak stated

⁴ As found on Russian website: http://www.gazeta.ru/sport/2012/10/06/a_4803493.shtml

in 2007 that 400 venues would be constructed for the Games (Human Rights Watch, 2009) as well as 230 construction projects that would involve sporting venues, hotels, roads, transportation infrastructure, energy plants, and other facilities as part of the Olympic program (Human Rights Watch, 2014). In an interview in February 2013 with IOC Executive Director Gublert Felli, President Putin stated that nearly 800 facilities were actually in the works in Sochi, 13 of those being purely Olympic sports facilities (Russian Presidential Executive Office, 2014). The contrast in initial estimates of construction projects compared to the numbers President Putin claims demonstrates once again how important national image is for the Russian Federation. The increase in infrastructure and construction projects alludes to President Putin's goal of creating a mega sporting event in which the international community would recognize Russia's strengths and overall power as a country. However, the escalation in the amount of projects may have actually become a contributing factor for poorer conditions for workers, as time and money became an issue.

Labor Conditions

Human Rights Watch published a report in February 2013, "Race to the Bottom," that explores the employment of migrant workers at Olympic construction sites. It specifically looks at five separate venues where reports of exploitation occurred, including the Olympic Media Center Site, the Accommodations for Media Representative Site, the Main Olympic Village, the Central Olympic Stadium, and the "Zolotoi Kolos" health resort. It should be noted that out of the 66 migrant workers interviewed, a number of the workers requested not to name their employers or sites where they worked. The investigative findings from the HRW report are comparable to the infractions seen during the preparations for the Beijing Olympics. The abuses

of migrant workers include: “non-payment of wages or excessive delays in payment of wages; illegal deductions in wages; withholding of identity documents; non-provision of employment contracts or failure to respect terms of a contract; excessive working hours and working extra hours without payment of overtime” (Human Rights Watch, 2014, p. 21).

The first major complaint associated with working conditions at the Sochi construction sites is attributed to the non-payment and delay of wages. According to HRW, Sochi low-skilled workers in the construction industry earned between 55-80 rubles (US\$1.80 to \$2.60) per hour, establishing a monthly wage of US \$455-\$605. These monthly wages are above the federal minimum wage; however, “workers stated that some employers failed to pay full wages or failed to pay some workers at all” (Human Rights Watch, 2014, p. 4). These are the reported conditions from four workers from three different brigades working on the Olympic Media Center. Construction companies promise workers anywhere from 18,500-24,000 rubles per month, and, as one worker said, “I have no written contract. I worked for 70 full days without pay. We worked from 8 a.m. to 8 p.m. with no days off” (Human Rights Watch, 2014, p. 23). In some cases, workers would receive a month or two of full pay, and then their payments would suddenly stop, and they would work for days without pay. Unfortunately, most of these workers only had verbal contracts with their employers and could not hold employers accountable for the exploitation. According to HRW, the company SU-45, a subcontractor on the Main Media Center, denies any violations that occurred and concluded that all their workers had been paid their full salary of \$18,500 rubles on time according to their employment contracts (Human Rights Watch, 2014). Employees interviewed working for the

companies SU-45, MonArch, Novil Gorod, and Engeocom acknowledge that wages had been withheld infinitely or delayed or they received some sort of illegal deductions of wages.

The second major complaint explored by Human Rights Watch is the lack of employment contracts given to workers in Sochi. Construction companies gave employment contracts to the majority of migrant workers interviewed; however, seven of them did not sign a contract prior to working. HRW reports that companies did not give a copy of their contract to workers and or could not read it prior to signing. Several migrant workers did not even understand it because it was written in Russian and no translation had been offered (Human Rights Watch, 2014). Employers did not necessarily abide by the terms of these contracts for workers who did receive a contract. One migrant worker, Ruziboi Aliev, who worked on the Main Media Center from October 2011 to February 2012, complains that “the terms outlined in the contract did not correspond to the actual wages, working hours, and other conditions of the job” (Human Rights Watch, 2014, p. 36). His contract states he would work eight-hour days from Monday to Friday, with Saturday and Sunday off. It also indicates he would receive paid vacation days; however, Aliev states that he worked 12 hour shifts and received 5 days off in the four months of his employment (Human Rights Watch, 2014).

The third complaint received by Human Rights Watch, and perhaps the most significant in terms of the possibility of labor trafficking in Sochi, is the confiscation and withholding of identity documents. Several migrant workers, who travelled from CIS states to Sochi, acknowledge the confiscation and withholding of identity documents. Two construction workers from Ukraine, Maxim and Yaroslav, state: “We have no contracts and no work permits. They’ve taken away our passports. They promised to help us with the work permits, but we got

nothing. All I have in the way of an official document is a pass to enter the construction site. We came here from over 2,000 kilometers away and ended up in a complete mess” (Human Rights Watch, 2014, p. 37). The interview states how Maxim and Yaroslav felt trapped in their employment situation and had very few options to resolve their problems with their employer. Six migrant workers from Uzbekistan, Serbia, and Kyrgyzstan describe how they also felt trapped without their passport because they were not paid their wages and wanted to leave, but they couldn’t without their identity documents (Human Rights Watch, 2014). Kayrat, from Kyrgyzstan, who worked for Engeocom, explains how “they keep the original work permit themselves and give us a copy. They are afraid that the worker will go to a different place to work” (Human Rights Watch, 2014, p. 38). The company Engeocom, when approached by the HRW, states that they did not withhold any of their workers’ passports or other documents and that they adhered to Russian law (Human Rights Watch, 2014).

All migrant workers interviewed by HRW express how they worked long hours and had few days off (Human Rights Watch, 2014). The HRW report states that construction sites implement two 12-hour shifts, one from 8am to 8pm and the other from 8pm to 8am. Workers typically work seven days with a day off every two weeks (Human Rights Watch, 2014). In a limited amount of cases, workers went months without any days off. Those who worked for the company Engeocom at the Central Stadium followed this routine, while those employed by Novil Gorod mostly worked 12 hour shifts with the occasional 14 hour shifts and no consistent schedule for days off (Human Rights Watch, 2014). Oybek from Kyrgyzstan describes his day off: “On your day off, you don’t go anywhere. You catch up on sleep. All day you sleep. Otherwise, it’s not possible to work these hours” (Human Rights Watch, 2014, p. 5). On top of the long

hours, accommodations provided by the employer are largely overcrowded and unhygienic. One worker employed by Engeocom describes his accommodations: “In this house there are about 200 people. Fourteen men live in one six by six room [36 square-meters]. It’s like being in barracks” (Human Rights Watch, 2014, p. 6). For those working for SU-45, many complain that despite the fact that housing and meals were supposed to be free, the company withheld 6,150 rubles (\$196), or a week and a half’s pay for room and food (Human Rights Watch, 2014).

Lastly, migrant workers who protest the abuse are retaliated against. There are several examples of migrant workers organizing demonstrations in order to report the exploitive work they endure. In October 2010, 50 Uzbekistani migrant workers held a demonstration in Sochi over wages. Prior to this, they had written several complaints to the Russian labor inspectorate; however, after the protest, Novil Gorod sent dozens of workers back home and threatened to denounce workers to the Federal Migration Service (Human Rights Watch, 2014). This retaliation is especially worrisome for workers whose legal documents are confiscated earlier by Novil Gorod, because they could be fined or expelled for violation of migration laws (Human Rights Watch, 2014). Another protest by 11 Serbian workers took place against Novil Gorod in December 2011, protesting wage debts. Radmilo Petrovic, one of the protesters, states: “After we stopped working that’s when the real problems began. They threatened that we would be denied access to the mess hall and denied vouchers for getting meals there. Since we weren’t getting much money at all, this was a serious threat to us” (Human Rights Watch, 2014, p. 45). In a case regarding workers employed by SU-45, a group of workers tried to speak to company management about their wage issues. One worker named Omurbek states that “officials refuse to speak to them and the employer asked the brigade of 24 workers to leave their jobs because

of their insistent demands to be paid for the work they had already performed and their reluctance to continue working without receiving wages” (Human Rights Watch, 2014, p. 46).

These interviews represent only a fraction of migrant workers’ experiences at Sochi infrastructure sites. Contradictory to the investigation by HRW, Olympstroy states that “its department of inspection control had conducted more than 1,300 inspections in 2011, and 2012 and that the most common violations related to failure to use protective equipment and other occupational safety concerns” (Human Rights Watch, 2014, p. 6). However, Sasas Simic, president of Serbia’s Independence construction workers union states, “I think it is all about corruption, negligence, and laziness. I urge the government to initiate criminal charges against those who are illegally taking away passports. No one has the right to do that. It is virtually human trafficking and forced labor” (Glavonjic & Arnautovic, 2014, para. 19).

Conclusion

There appears to be three main factors in the past decade which contribute to exploitation and trafficking of migrant workers in Russia – corruption, inadequate interest by the government to make trafficking in persons a national issue, and the restriction on civil liberties. Allegations of government corruption and embezzlement plague the Sochi image. Transparency International cited that the Russian construction industry is “the world’s most corrupt, and points to the prevalence of bribery, bid rigging, and bill padding” in relation to Olympic construction (Surowiecki, 2014, para. 2). Construction companies look for shortcuts to be made and, more often than not, labor trafficking becomes a solution to constraints of time and money. Companies and recruiters confiscate passports and identity documents in order to

keep control and to not allow migrant workers to leave their company or even the country. The International Olympic Committee eventually placed pressure on the Russian government to investigate claims of unpaid wages to workers at Olympic venues and infrastructure. This resulted in the government paying US\$8.3 million in wage arrears to former workers. However, the Migration and Law Network reports that nearly 700 workers still did not receive compensation (Human Rights Watch, 2014). There are many accounts of these kinds of actions by construction companies in Sochi and, unfortunately, foreign workers are unable to seek help from law enforcement. Arbitrary detentions and expulsions from Russia, without compensation, became widespread due to anti-immigration reforms and xenophobic sentiments throughout Russia at this time. Overall, the lack of labor inspections paired with government and corporate corruption allows foreign and domestic workers to become easily exploited and trafficked in certain circumstances.

The Russian government fails on most accounts to initiate anti-trafficking efforts on a national level. Law enforcement's lax implementation of Article 127.1 and 127.2 and the Russian Labor Code contribute to the problem significantly. This problem relates back to the level of corruption in the Russian police and also the lack of funding given by the Russian government. The Russian Duma has not appropriated any amount of funding in several years to human trafficking preventative efforts or protection services for victims. In addition, there is currently no national plan to combat trafficking for the future. It seems as though human trafficking initiatives declined sharply after President Putin learned of winning the host bid for the 2014 Winter Olympics.

Lastly, anti-trafficking efforts in Russia continue to fail because of the lack of democratic characteristics the Russian government possesses. Civil liberties are restricted heavily on Russian citizens and especially those voicing concerns over human rights propaganda. Censorship of the media and internet is intended to keep a stable nation and to keep Russian society in place. However, censorship also creates barriers for human trafficking initiatives because activists and NGOs are unable to promote their research and data to the public for further action to be taken. Cooperation between NGOs, individual activists, trade unions, and the Russian government does not exist to progress anti trafficking efforts and this seems to be the case in non-democratic governments. Russia, as an authoritarian and highly nationalistic government, seeks to promote initiatives that are in the best interest of gaining political and economic power and a strong national image. Unfortunately, human trafficking will more than likely cease to exist as long as there are mega sporting events to prepare for in the Russian Federation.

It is my conclusion that the Russian Federation became engulfed with safety concerns of the actual Olympic Games, and it focused less on the treatment of construction workers. It cannot be known for certain whether or not President Putin knew about labor trafficking at the Olympic sites; however, he made it clear that his number one priority was to keep Sochi protected from Islamic militants from the Northern Caucasus. The Russian Federation's main goal is to appear stronger and united through the Olympics in order to increase the amount of soft power⁵ the country holds. It is my assessment that keeping the Games free from terrorist

⁵ Soft power refers to the concept in which a country is able to persuade other countries without force or coercion.

attacks and keeping spectators and the athletes safe would bring more international praise than acknowledging and finding a solution issue of labor trafficking. However, labor trafficking occurred at the Sochi Olympics, and, while the Russian Federation encircled the Olympic facilities with thousands of policeman and soldiers to protect the Games, they also could have contributed these kinds of resources to prevent labor trafficking at the Olympic venues.

Case Study 3: 2014 Brazilian World Cup

The Brazilian government had unprecedented goals in mind when they decided to host both the 2014 World Cup and 2016 Summer Olympics. As one of the world's fastest growing economies, Brazil implemented a plan that would rebuild infrastructure and transportation in twelve selected host cities. Although the construction plans created thousands of temporary jobs, there was a severe labor shortage for skilled workers for the construction of World Cup venues and infrastructure projects. These shortages led to construction falling behind schedule and the endangerment of workers. Historically, slavery has played a major role in Brazil's economy, so the country's human rights practices were the subject of concern for many NGOs and human rights organizations. With recognition of human rights abuses at other mega sporting events globally, the Brazilian government made a pro-active choice to develop stronger labor regulations and to implement safe and effective working conditions for both domestic and migrant workers.

This chapter captures a brief history of Brazil's slavery problem and human rights standards as well as the government's attempt to grow economically and on global scale by hosting two of the largest international sporting events. This chapter will follow the same path of analysis as the Chinese and Russian cases. I will begin with a discussion of the use of migrant workers and native Brazilians in the construction of the sporting venues. Next, I will focus on the enormity of the construction plans for the World Cup venues and the labor conditions of construction workers at these sites. Lastly, I will discuss Brazilian laws regarding human trafficking and labor codes and the substantial efforts made by the Brazilian government to curtail slavery-like conditions within the country.

Human Rights

As one of the strongest democracies in the region, Brazil is seen as a leader in promoting the advancement of human rights in South America. This is a stark contrast to the military dictatorship that occurred in the country from 1964-1985. The 1989 Brazilian Constitution consequently ended the military dictatorship and paved the way for the country to return to a democratic state. The constitution's preamble specifically institutes democracy as a way to "ensure the exercise of social and individual rights, liberty, security, well-being, development, equality and justice as supreme values of a fraternal, pluralist and unprejudiced society, founded on social harmony and committed, in the internal and international orders, to the peaceful settlement of disputes, promulgate under the protection of God (Chamber of Deputies, 2008, p. 11)." The transition from a dictatorship to a democracy allowed fair presidential elections, universal suffrage, and institutional stability compared to two prior decades of violence and turmoil. While Brazil continues to suffer from forced labor, exploitive working conditions, poor conditions in prisons, police brutality, and sex trafficking, the Brazilian government has worked diligently to prosecute and create legislation to fix these issues.

Brazil's complicated past with issues of corruption is a cause for concern for some; however, the Brazilian federal government continues to move toward a free and democratic state. One way to curb government corruption in Brazil is through free and fair elections at all levels of the government. This solution paired with constitutional freedoms of expression, press, religion, and other civil liberties allows citizens in Brazil to better thrive in this open environment, compared to the reign of the preceding military dictatorship. The federal government also often seeks cooperation with domestic and international NGOs to create

national strategies to address human rights issues (U.S State Department, 2013). Brazil is an active member in the U.N. Human Rights Council and has supported numerous resolutions to end severe international human rights violations (Human Rights Watch, 2014).

Brazil's social and economic history reflects a long and harsh era of slavery and oppression for nearly five centuries, when the demand for indigenous labor increased due to the sugar and mining industries. Bandeiras, groups of a few hundred men who explored forests and fields for gold, precious stones and metals, facilitated the use of indigenous peoples and sold them for slave labor. The use of African slaves became a more popular route of forced labor and hundreds of thousands of Africans from Central Africa faced harsh labor conditions alongside the indigenous population in Brazil. The Brazilian government abolished slavery in 1888; however, remnants of the past can still be seen throughout all of Brazil as the need for cheap labor continues. Jobs in deforestation, agriculture, and infrastructure sectors facilitate the use of slave labor in modern-day Brazil. When Brazil received bids from FIFA and the IOC to host the 2014 World Cup and the 2016 Summer Olympics, detailed plans on the need for better infrastructure and facilities became the priority for the Brazilian government. With the extremely rapid development required of mega sporting events, the demand for cheap labor inevitably follows, and this was no exception in the case of Brazil. However, unlike the cases of China and Russia, the government of Brazil chose a different path to strengthen their labor laws and fight human trafficking.

National Image

Brazil's interest in hosting the 2014 World Cup demonstrated the country's excitement in the promotion of sports culture throughout the country. FIFA acknowledges that national

sentiment stating, “As the only nation to have participated in every FIFA World Cup and a five-time winner of the competition, it is evident that Brazil has the richest tradition of footballing excellence in the world” (FIFA, 2007, p. 17). In a country where football is the most popular sport and form of entertainment (FIFA, 2007), the assumption was that the general public would be enthused by the decision to host World Cup games in eight cities in Brazil. FIFA went as far as saying that, “The FIFA World Cup in Brazil will bring long-lasting changes for the benefit of the entire country. Both the football community and the population as a whole will gain considerably from the hosting the 2014 FIFA World Cup in Brazil in terms of the economy, transport, communication, public services, and facilities, safety and the enhancement of sporting facilities” (FIFA, 2007, p. 9). However, many NGOs and Brazilian citizens were quick to criticize the effect the World Cup had on social projects in their host cities. In 2013, over one million Brazilian demonstrators complained about the demolition of shantytowns, displacement and relocation of thousands of persons, and the suppression of labor and civil rights (Chen, 2014).

On global political scale, Brazil’s soft power and successful implementation of the World Cup and the 2016 Olympic Games, “symbolize Brazil’s rise and is an important part of strategy to advance Brazil’s global status” (Castro, 2013, p. 29). With President Luiz Inacio Lula da Silva’s effort to make Brazil an emerging economy and advance the country’s presence in the world; Brazil is “projecting itself as a modern nation welcoming foreign visitors and offering them culture and products ‘made in Brazil’ in cities with new infrastructure” (Gomes & Wroblewski, 2014, p. 4). The Brazilian government garnered numerous compliments for the outcome of the World Cup. Thomas Bach, president of the International Olympic Committee, stated “I think the

world has seen the organization skills of Brazil in this World Cup. Many were surprised but you could see how well this went” (Longman, 2014, p. 14).

Construction Workers

The demand for construction workers increased dramatically in urban host cities, especially as tight deadlines were imposed for the completion of construction projects for the World Cup. According to Brazil’s National Confederation of Industry (CNI), the majority of the workforce employed for the World Cup would be unskilled and semi-skilled workers, but, more importantly, the urban areas in Brazil lacked qualified workers for 89% of Brazil’s construction companies (Oliveira, 2012). The lack of workers attracted the migration of rural workers to urban host cities for work. Internal migration came mostly from the Northeastern part of Brazil to more economically advanced regions of Brazil. In 2013, it was estimated that there were nearly 2.5 million formal workers in the civil construction in Brazil and nearly 1.5 million informal workers (Cottle & Rombaldi, 2013, p. 12). Informal migrants in Brazil hail mostly from Haiti but also Senegal, Nigeria, Ghana, Argentina, and Uruguay (Building and Wood Worker's International, 2015).

Due to the lack of workers and the poor planning and implementation by organizers, the state government of Mato Grosso funded a “program to provide vocational training in construction skills and other services to freed slave laborers in partnership with civil society and the private sector and was the only state to do so” (U.S State Department, 2014, para. 16). Brazil’s National Council of Justice reportedly helped more than 2,200 prisoners, with 59 of them working on twelve World Cup sites (Associated Press, 2012). In addition, 25 former slaves

participated in the vocational program. One prisoner, Francisco das Chagas Queiroz, explained the benefits of the program:

This is the best thing that has ever happened to me. This type of work gives us dignity; it gives us something to look forward to in the future. If we do a good job here, maybe the company will want to stay with us after we are set free. Our life is getting better because of this chance. I'll be able to say that I was part of this World Cup, I'll be proud to say that I was part of it. This will be part of history (Associated Press, 2012, para. 6).

The program also offered training programs and classes for prisoners to create opportunities for themselves after they are released from prison. Former slaves also experienced positive benefits by the Labor Ministry. Nivaldo Inacio da Silva along with a dozen other ex-slaves obtained better labor conditions when rescued by authorities and enrolled in programs working at World Cup venues. Silva now works at Arena Pantanal as a bricklayer and received proper training and appropriate housing and food. Silva described his experience saying, "My life is completely different now. A lot has changed. Now I'm making some good money, I'm really happy. I'm helping build one of these stadiums and hopefully one day I'll be able to show it to my children" (Associated Press, 2012, para. 17). Construction companies are happy to accept these types of workers not only because of the industry is having troubles attracting workers, but also these workers will be able to continue working in the industry beyond projects for the mega-sporting events are completed. As one state labor official said, "It's an exchange. The company gets labor, and society gets productive people" (Winter, 2012, para. 22).

The Brazilian government does not provide a substantial amount of assistance to victims of forced labor due to the lack of funding. The program for prisoners and ex-slave laborers mentioned above is the first of its kind in all of Brazil, but it shows a unique solution to

providing reentry assistance and the lack of workers in the state of Mato Grosso. Aside from this program, the Brazilian government provides victims of forced labor with unpaid wages plus three months' salary at minimum wage (U.S State Department, 2013). In 2012, nearly \$4.4 million was due back to the rescued workers by employers (U.S State Department, 2013). Overall, the effort to provide assistance to trafficking victims is limited, largely in part to the significant amount of funding appropriated toward prevention efforts.

Brazil's Trafficking and Labor Legislation

Brazil is one of the leading source, destination, and transit countries for human trafficking in South America (U.S State Department, 2014, p. 106). The term *trabalho escravo*, or slave labor, "is defined as forced labor or labor performed during exhausting work days or in degrading working conditions" according to Brazilian law (U.S State Department, 2013, p. 103). While the largest proportion of *trabalho escravo* is seen in rural areas in agriculture and deforestation sectors, the construction industry is a popular spot for slave-like conditions in the urban setting. In fact, in 2013 the construction sector held the highest number of official findings of slave labor (Hope for Children Organization Australia, 2014).

Similar to the Chinese case study, labor trafficking is not always included in specific anti-trafficking legislation. Section 231 of the Brazilian Penal Code prohibits forms of sex trafficking, but labor trafficking is not included in this section. Article 149 of the Brazilian Penal Code, (CPB) however, defines a broader conception of forced labor than established by the ILO labor standards (International Labor Organization, 2010). "Work analogous to slavery" is a concept of forced labor that includes debt-bondage, document retention, physical isolation, overt surveillance, as well as degrading conditions related to susceptibility to illness, sanitation

conditions, nutrition, inadequate compensation, unpaid wages, abuse, and violence (International Labor Organization, 2010). Violation of Article 149 is punishable with two to eight years of imprisonment. This statute details the criminalization of forced labor and also encompasses degrading work conditions as a part of forced labor – something that the Palermo Protocol or the U.S TVPA does not consider as human trafficking. This is important to note because it goes above and beyond the international standard for criminalizing forced labor, but it also acts as a prevention factor by criminalizing degrading work conditions. The U.S. TIP Report acknowledges this difference and specifically includes cases of trabalho escravo into the report on Brazil. The CPB offers other statutes related to forced labor such as Article 197⁶, Article 203⁷, and Article 206⁸. Additionally, in 2013, Brazil implemented a constitutional amendment that “entitles the country’s estimated 6.5 million domestic workers to overtime pay, unemployment insurance, pensions, a maximum 8-hour workday, and a 44-hour work week” (Human Rights Watch, 2015, p. 2). A year later, the federal government passed a constitutional amendment that allows the Government to confiscate property of a person or property owner if they illegally exploit workers. For seven consecutive years, the U.S. TIP Report marked Brazil as a TIER 2 country based on their anti-trafficking legislation and eradication

⁶ **Article 197 of the CPB:** condemns the illegal containment that restricts the freedom of the workers

⁷ **Article 203 of the CPB:** altered by **law 9.777/98**: prescribes a sentence of one to two years detention plus a fine, aside from the sentence corresponding to violence, for those who “frustrate, by means of fraud or violence, rights assured by labor legislation.” This article complements article 149, by punishing the practice of debt servitude (or truck system), when it establishes that the same punishment applies to those who: “force or coerce someone into using merchandise from a certain establishment, to prevent the disconnection of service that stems from debt”; “prevents someone from leaving a service of any kind, through coercion or through means of retention of personal or contractual documents.”

⁸ **Article 206 and article 207 of the CPB that**, respectively, punish recruiting for emigration and for internal migration. Article 207 was modified by **law 9.777/98** and punishes the recruiting of workers outside the working grounds by means of fraud or charging a fee of any quantity from the worker or when the workers’ return to the recruiting site is not assured.

efforts (U.S State Department, 2013). Although Brazil is not yet a TIER 1 rating, major efforts have been made by the Brazilian government and are acknowledged by organizations like the ILO. Beginning in 1995, Brazil created its first inter-ministerial body for the purposes of the eradication of forced labor consisting of the Executive Group for the Repression of Forced Labor (GERTRAF) and the Special Mobile Inspection Group (GEFM) (International Labor Organization, 2010). This group consisted of highly specialized and trained labor inspectors and police officers. In 2000, Brazil became a signatory of the Palermo Protocols, once more continuing its anti-trafficking initiatives. Cooperation between the Brazilian government and the ILO emerged in 2001 and positively affected the goals of the government and produced a project called “Combating Forced Labor in Brazil” (International Labor Organization, 2010). In the following year, the Special Commission of the Council for Defense of human rights (CDDPH) produced the First National Plan for the Eradication of Slave Labor. This plan would later become a model for other organizations and nations with similar anti-trafficking initiatives (International Labor Organization, 2009). A few months later in July of 2003, the National Commission for the Eradication of Slave Labor (CONATRAE) replaced GERTRAE as the main governmental body in charge of implementing eradication efforts for forced labor (International Labor Organization, 2010). The creation of CONATRAE was one of seventy-six measures of the 1st National Plan for the Eradication of Slave Labor.

Brazil continued to place anti-trafficking initiatives high on their national agenda in the following years. In 2004, the Brazilian government implemented the Employer Offender Registry, a ‘dirty list’ that publicly lists any companies who have profited from slave labor. Companies on this list have two years to eliminate forced labor from their business practices.

More importantly, the companies are unable to obtain credit from the Brazilian government or private banks during this time (Kelly A. , 2013). In July 2014, the Ministry of Labor published their biannual update to the public listing of employers who had workers subjected to conditions analogous to slavery. Out of the 609 names of employers recorded on the list, 7 percent of these employers were in the construction industry (Labor, 2014). OAS SA, a Brazilian construction firm and builder of two World Cup stadiums, was reported on the list (Brasileiro, 2014). The implementation of this list is a monumental step in eliminating poor business practices from corporations by publically humiliating businesses. In addition to the registry, the National Pact for the Eradication of Slave Labor was launched in 2005. This Pact joined companies together to address the issue of slavery within their businesses. As of 2013, 380 companies had joined the Pact, which accounts for nearly 30%of Brazil's gross national product (Hope for Children Organization Australia, 2014).

In response to winning the 2014 World Cup bid, the Brazilian government not only continued anti-trafficking initiatives but also strengthened them in the seven years leading up to the Cup. The issue of maintaining a reputable human rights record was a grave concern for Brazilian citizens. In 2008, CONATRAE issued the Second Plan for the Eradication of Slave Labor, which “emphasized the continuity between ongoing actions, the progress made and the creation of new strategies to combat slave labor, highlighting what still remains to be done to completely eradicate the problem in Brazil” (International Labor Organization, 2009, p. 4). In accordance with the World Cup and the Olympic Games, the creation of the National Articulation of Popular Committees organized congressional chambers into specialized groups to discuss social and constitutional issues affected by the sporting events (Gomes & Wroblewski,

2014).⁹ The formation of the Chamber of Education, Social Action and Labor of the World Cup was one of these congressional groups. Its purpose was to “promote actions involving accessibility, assist the homeless, protect human rights, and combat the exploitation of children and youth people” (Gomes & Wroblewski, 2014, p. 6). As a result of this group, the Ministry of Labor and Employment held eight workshops in Brazilian Cities on Employment and Decent Work in 2014. Their workshops were “aimed at alerting companies, directly or indirectly, associated with the World Cup on how to promote the best labor practices” (Gomes & Wroblewski, 2014, p. 7). In addition, members of the judicial system attended these workshops in order to spread information on mega sporting event supply chains.

The Brazilian government’s continued dedication toward improving working conditions proved resilient in the final years before the World Cup. In 2013, the federal government contributed \$2.9 million to implementation of a third national plan. This outlined the initiatives to revise the penal code, set up new control posts in 10 border towns, create 16 new anti-trafficking offices with 400 trained personnel to investigate and assist victims (U.S State Department, 2013). The Ministry of Labor also filed a civil action against the federal government to allow labor inspectors to ban or halt construction that are “in situations of serious and imminent risk to the health and physical integrity of workers” (Carstensen, 2013, para. 1). Overall, anti-trafficking efforts and legislation in Brazil strengthened considerably from 2007 to 2014.

⁹According to Gomes and Wroblewski, the federal government created two groups: GECOPA (Grupo Executivo da Copa do Mundo), which includes the Office of the Chief of Staff and the Ministries of Justice, Tourism and Cities; and the GCCOPA, a supervisory group which included the Secretariat of Human Rights of the Presidency, and the Ministry of Labour and Employment.

Construction Plans

After winning the right to host the 2014 World Cup and the 2016 Summer Olympics, the Brazilian government placed sports development as a priority. The infrastructure plans for the World Cup included 13 airports, 7 ports, and 37 transport projects as well as the construction or refurbishment of 12 stadiums. These projects were expected to recharge the recent poor growth of the construction industry, as growth was only at 4.2 percent and 2.2 percent in 2011 and 2012 respectively (Business Monitor International , 2012). It was also projected that 710,000 permanent and temporary jobs would be created due to these construction projects (Brazil Ministry of Sport, 2014). The total costs of the World Cup stadia alone were estimated at US\$1.1 billion in 2007, but this number has reached almost US\$3.68 billion; a 335% increase (Reuters, 2012). The overall cost of construction projects for the 2014 World Cup increased to nearly US\$25.6 billion according to the Ministry of Sport (Brazil Ministry of Sport, 2014). The projects and venues were in the twelve host cities which include: Belo Horizonte, Brasilia, Cuiaba, Curitiba, Fortaleza, Manaus, Natal, Porto Alegre, Recife, Rio de Janerio, Salvador, and Sao Paulo.

Labor Conditions

While there are those workers who have reaped the benefits from working for the construction industry on World Cup sites, a number of workers were being treated and forced into conditions analogous to slavery. Similar to the Russian and Chinese cases, migrant workers fell vulnerable in several situations in Brazil in an attempt to join the surge in construction jobs in the urban setting. In December 2013, reports of delays in World Cup stadiums surfaced, and construction firms began recruiting Haitian workers as a means to stay on track financially.

According to a report in the *International Business Times*, the construction firm Mendes Junior Engenharia SA, a firm building 12 World Cup Stadiums, brought in more than 100 Haitians to work at the Arena da Baixada site in precarious conditions, such as intolerable heat (Mallen, 2014). A workers' union Sintracon informed Spanish newspaper El Pais that nearly 15 Haitians came in every week to "denounce low wages, lack of safety and the precariousness of accommodations" (Mallen, 2014, para. 4). President of Sintracon, Domingos Davide, said "urban construction in Brazil is going through a 'subcontracting fever.' Businessmen start a small company, get carried away and then they cannot finish their contracts, or pay their workers" (Mallen, 2014, para. 5). Another investigation by *Sunday Mirror*, alludes to the use of Haitians for slave labor. The investigation reports that nearly 5,000 Haitians arrived to work on the stadium in Manaus and were denied their pay for weeks of work. Priest Felimon Rodriguez acknowledged the vulnerability of Haitian workers and how they often fall prey to rogue recruitment companies. Priest Rodriguez confirmed, "A firm turned up at one shelter and recruited 18 Haitians to work at the stadium. They worked a whole month only to find there was no pay for them. So they left the city" (Roper, 2014, para. 12). The construction firm, Andrade Guterrez, is a company who outsources to other companies and in turn those companies hire "recruitment firms" (Roper, 2014). Haitian Jean Clifford confirmed these reports stating the following:

[I was] offered work as a builder's assistant on 900 reals a month. They told me I would get work insurance and pension. I was made to carry heavy building materials from the ground to the top tier. I would start at 7am and work without a break until 5pm. I'm used to hard work but that was exhausting. We didn't even get a day off. They wanted us working non-stop because they were so far behind schedule. They'd complain if we needed to drink water or go to the toilet. When they Brazilian workers went on strike over their working conditions, the Haitians were made to work even harder. They kept shouting 'quicker, quicker!' threatening us with the sack. We were treated like slaves. I

was told to run up and down carrying heavy materials. I could easily have fallen. I didn't want to lose my job so I did what they said, even though I was risking my life (Roper, 2014, para. 17-22).

Other Haitians reported similar treatment, working for several weeks without pay. Godheil Chatelain was promised £2 per meter building a road around Arena Amazonia: "They thought I'd just keep working for no money, but I insisted on being paid. So they sacked me" (Roper, 2014, para. 25). Companies who hire outsource employers like Andrade Gutierrez spoke out and refuted any knowledge of mistreatment or delays of payments to employees. Whether or not investigations by the company will be carried out, Godheil states, "The people making money from the stadium know we need to find work and they think they can get away with it. The Haitians are suffering in silence to build their stadium which will advertise how great Manaus is to the world. I hope the opposite happens: that it will reveal how badly Manaus treats its immigrant workers" (Roper, 2014, para. 27).

In September 2013, BBC News reported that 111 men were forced to work in slave-like conditions at the expansion of Sao Paulo's international airport, a part of the pre World Cup infrastructure renovations. The construction company, OAS, allegedly forced each worker to pay US\$250 in order to work and then forced workers into living conditions in which water, refrigerators, or stoves were not provided. Additionally, out of the 111 workers, six were ethnic Pankaruru Indians who were reportedly lured into promises of employment. However, they were not immediately employed and were found in conditions analogous to slavery (BBC News, 2013). The article does not go into detail about what they were initially promised. OAS was eventually placed on the Labor Ministry's 'dirty list' for the slave like treatment of workers in the southeastern state of Minas Gerais (Brasileiro, 2014).

Due to continuous reports of worker maltreatment and instances of forced labor, a number of workers' trade unions and thousands of workers participated in strikes across construction sites in Brazil. Building and Wood Workers International (BWI) launched the "Campaign for Decent Work Towards and Beyond 2014" that involved 17 trade unions, 6 federations, and 2 confederations in April 2011 (Cottle & Rombaldi, 2013). The goal of the campaign was to create better working conditions for the nearly 30,000 construction workers at World Cup stadiums. Following the launch of this campaign, BWI, the Ministries of the Presidency and Labor and Employment and the biggest construction companies in Brazil signed a tripartite agreement, protecting millions of workers in the construction industry until 2016. The agreement focuses on three main topics: recruitment and selection of employees, vocational training and health and safety at work (BWI, 2011). The subject of recruitment is critical because this agreement highlights how to eradicate illegal and dangerous forms of employment. It also outlines how the Brazilian government should:

create conditions for the use of SINE (National Employment System), oversee the recruitment, selection, mediation, hiring of workers and their transportation; the companies should offer jobs through the SINE and give preference to hiring local workers; and finally, the unions should give information about the recruitment, selection and hiring of workers, and promote campaigns to combat irregular recruitment (BWI, 2011, para. 3).

According to BWI affiliate FENATRACOP¹⁰, nearly 150,000 Brazilian workers went on strike in the construction industry in the first three months of 2012 (BWI, 2012). In regards to construction at World Cup venues, a reported 20 strikes had taken place from February 2011 to April 2012. The partnership with trade unions, especially BWI, allowed Brazilian construction

¹⁰ Federação Nacional dos Trabalhadores nas Indústrias da Construção Pesada

workers to gain better working conditions. An 18% increase in base salaries and increases in food stamps are just a few of the ways going on strike benefited these workers (BWI, 2012). Additionally, a national unified agenda created by trade unions, confederations, and federations working to promote labor conditions established “national standards for important workers claims such as minimum wage, family health care, overtime payment, five days off for every 60 worked, health and safety and others” (BWI, 2012, para. 5). Lastly, in October 2012, the host city of Curitiba hosted more than 40 trade union leaders meeting to discuss “people impacted by preparations of the mega sports events” (BWI, 2012, para. 1). There were representatives at this meeting from several trade unions, the ILO, the Brazilian Labor Ministry, several NGOs, the Play Fair campaign, and the National and Local Popular Committees. Overall, the Brazilian government could not have succeeded in labor trafficking eradication efforts without the guidance and presence of trade unions working diligently throughout the country.

Conclusion

While the preventive efforts by the Brazilian government did not fully prevent labor trafficking from happening during preparations for the World Cup; the government should be commended on their efforts to do so. The Brazilian government chose to strengthen and improve existing human trafficking and labor laws as a way to curtail labor trafficking in the construction industry leading up to the World Cup. As the leading democratic nation in South America, Brazil chose to improve their human rights platform in response to hosting mega sporting events, instead of taking advantage and profiting from vulnerable workers. Advances in legislation allowed Brazil to become a leading nation in anti-trafficking efforts. The government’s broad definition of ‘conditions analogous to slavery’ goes above and beyond

even the Palermo Code's definition of labor trafficking. This definition is a significant addition to the Brazilian Penal Code because it allows for exploitative situations to be stopped and criminalized before advancing to cases of forced labor.

The Brazilian government optimized their anti-trafficking and forced labor eradication efforts by partnering with NGOs, trade unions, and the ILO. This is by far the most significant difference between the three case studies. The implementation of a sound and comprehensive national plan was the first major step in the cooperation between the Brazilian government and the ILO. Not only did this cultivate a strong relationship with one of the most powerful labor organizations in the world, but it allowed the international community to see how serious the Brazilian government was in tackling their trafficking and labor issues within their country. Secondly, the Brazilian government's collaboration with BWI and other regional trade unions has proven to be instrumental in addressing the concerns of labor conditions and implementing better working conditions for construction workers at World Cup venues. Trade unions were a significant resource for the Brazilian government, because of the substantial knowledge and support these trade unions have. For an example, BWI conceived of their 'Decent Work' campaign through the aid of other social campaigns directed at past mega sporting events around the world. The collaboration between social organizations, trade unions, and the Brazilian government demonstrates the beauty of democratic institutions and their willingness to work with the constituents of their country. A full democracy promotes freedom of speech and association, and it appears that allowing these conditions to flourish helps in the eradication of labor trafficking.

Chapter 3: Conclusion

This paper examined the rhetoric of Brazilian, Russian, and Chinese human trafficking and labor legislation in response to hosting mega sporting events. There appears to be a clear pattern that emerges from the results chapter, which concludes authoritarian governments appear more likely to be complicit in labor trafficking in order to appear developed by producing ostentatious sporting events. On the other hand, democracies appear to use mega sporting events as an excuse to strengthen their human rights platform. This chapter attempts to explain the characteristics of both types of government and how this affects their response to the issue of labor trafficking in relation to mega sporting events. I will also focus a portion of this chapter on the IOC and FIFA and the responsibility these organizations must take to ensure countries construct mega sporting event venues and infrastructure in an ethical way. I will then conclude with a few final comments about the issue of labor trafficking at mega sporting events in general.

Democratic countries possess certain qualities that enable them to lower the cases of labor trafficking from society. Brazil is an interesting example because of its history with slave labor; however, their history should show the international community that it is possible to create successful legislation and anti-trafficking efforts in any region. The Brazilian government went above and beyond in their attempt to eradicate labor trafficking in preparation for the World Cup. As mentioned above, democratic countries may also use mega sporting events to promote human rights. They may incorporate anti-trafficking initiatives into their Olympic or World Cup plans from the beginning, and these efforts do not lessen when construction plans begin. The Brazilian government has made the effort to take a stance within its country that

labor trafficking will not be tolerated and that corporations and traffickers will be prosecuted if caught. In order to do this, the Brazilian government set a strong legal foundation that is in alignment with international standards and in some cases even stricter. Creating this environment within Brazil has allowed anti-trafficking dialogue to spread throughout Brazilian society, and it has created a social norm that labor trafficking is not acceptable in Brazil.

As a democratic country, Brazil allows various parties within and outside of the country to be a part of anti-trafficking activity. Democratic countries tend to have expansive civil liberties that include the freedom of press and speech. This is important for anti-trafficking efforts to thrive because journalists and activists are able to alert the public on the conditions in which labor trafficking occur and also what individuals or companies use trafficked persons. This allows the public to make ethical decisions on their consumption habits and to publicly shame companies that use slave labor. The level of corruption in the government does not hinder anti-trafficking initiatives either in democratic countries. Of course there may be outliers to this assertion, but, in general, corruption is not as large of a problem as in authoritarian countries. The cooperation between governments, trade unions, and NGOs in democratic countries allow joint collaboration to occur. For an example, the Brazilian government connected with international and domestic NGOs, like the ILO, for assistance with creating plans of action. This was also the case with trade unions. Democratic governments allow independent trade unions to exist, which once again allows anti-trafficking endeavors to flourish. Overall, democratic governments enlist the help of their citizens, NGOs, trade unions, and the international community to eradicate labor trafficking because they know how valuable these resources are in fighting trafficking from occurring in their country.

Even though China and Russia operate differently as two authoritarian governments, their governments share similar responses to the way they deal with human trafficking in their respective countries. Several trends emerged while researching each mega sporting event that seems to be primarily associated with authoritarian regimes. Censorship of the realities of labor trafficking at these sporting events and the restrictions of the freedom of speech and press imply the disregard authoritarian countries have for improving human trafficking efforts. Prior to both the Beijing and Sochi Olympics, Chinese and Russian governments cracked down on freedom of press in an attempt to disable journalists from spreading news about the downfalls, especially the treatment of construction workers at mega sporting event sites. These actions by both the Russian and Chinese governments display the blatant attempt to cover up the mistreatment of these workers from their own citizens and the international community. Journalists and activists alike were placed in prison or even labor camps, as in the case China, because of their attempt to bring stories out into the open against their governments.

The issue of government and corporate corruption is another issue that impedes anti-trafficking initiatives in authoritarian countries. For an example, the Russian police force is known for notoriously high levels of corruption and their involvement in perpetuating human trafficking. Human trafficking legislation becomes useless if countries do not have trustworthy law enforcement agents to enforce these laws. China also shares this problem with corruption in public officials. Corporate corruption is another significant aspect of the labor trafficking process. Human Rights Watch reported numerous alleged cases of labor trafficking as well as extreme cases of exploitation. It appears that there is a severe lack of labor inspection in the construction industry in both China and Russia based on these incidences. Without proper

oversight, labor trafficking will continue to run rampant in these industries known for their involvement in the shadow economy.

Lastly, authoritarian governments fail to develop close relationships with NGOs and independent trade unions to fight against labor trafficking. Based on the cases mentioned in the previous chapter, Russia and China did not reach out to anti-trafficking organizations in their respective countries in order to control the level of trafficking in preparation for the Olympic Games. NGOs fighting human trafficking could barely exist themselves because of the lack of funding they received from their governments. In Russia, it was reported that President Putin expelled many western NGOs from the country, because he believes “Western special services continue their attempts at using public, nongovernmental and politicized organizations to pursue their own objectives, primarily to discredit the authorities and destabilize the internal situation in Russia” (Pettersen, 2015). This action by President Putin once again perpetuates the issue of human trafficking because the Russian government is already contributing to anti-trafficking initiatives minimally. In China, the Chinese government appears to have had limited interaction with trafficking NGOs from 2001-2008. It is difficult to assess the level of cooperation with human trafficking NGOs because China only acknowledged sex trafficking as human trafficking. The China case study also acknowledges that China prohibits the creation of trade unions aside from the ACFTU. This strongly inhibits labor trafficking initiatives in the country, especially if the Chinese government condones labor camps or if there is government corruption involved in labor trafficking cases.

One cannot concretely assert that the Russian government condoned labor trafficking at the 2014 Sochi Olympics; however, recent events question the country's motivations and attempts to find a solution to their trafficking problem. A new law signed by President Putin on July 11th, 2013 contradicts Russian Constitutional Act regarding labor standards and is alarming for human trafficking and migrant rights activists. According to the Russian Federal Law "On the Preparation and Staging of the 2018 FIFA World Cup and the 2017 FIFA Confederations Cup in the Russian Federation and the Amendment of Certain Russian Federal Legislation Acts" or otherwise known as FZ-108, this law eliminates the need to obtain work permits for migrants to work in Russia. Article 11 gives full discretion to the employer to force their employees to work during weekends, holidays, and on an unlimited basis if needed and workers will not be given overtime pay for this. According to labor rights researchers at BWI, "Employers are free from obligation to inform state migration service, state employment service and tax authorities on migrant workers employment and arrival, employment contract termination (Andreyev, Bolsheva, Gerasimova, 2014)." Without the requirement of work permits or the notification of migrant workers coming into or leaving the country, employers have an enormous opportunity for labor exploitation and abuses as a consequence of this law.

The passage of this law is surprising not only because it contradicts Russia's standing labor laws, but it also facilitates illegal migration that Russia has previously tried to eliminate. Not only does this complicate border and immigration control, but, in theory, it could end up being a substantial national security issue to Russia because of the lax protocols needed to report migrant workers in and out of the country. The contradiction between constitutional law and the newly activated federal law regarding World Cup migrant workers is causing an even

larger obstacle for human trafficking activists. With the current anti-immigration sentiment that has encompassed the country, the international community must keep a close eye on the continued lack of enforcement regarding labor rights and standards and to protect migrant workers from exploitation in the name of preparing for international sporting events.

Responsibility of IOC and FIFA

The role of the IOC is to “supervise, support and monitor the organization of the Games; ensure that they run smoothly; and make sure that the rules of the Olympic Charter are respected” (International Olympic Committee, 2015). It is my assertion that the IOC has failed to monitor human rights violations occurring in host cities and holding these countries responsible for these violations. In September 2012, IOC President Jacques Rogge stated, “The position of the International Olympic Committee on human rights is a very clear one: Whenever these human rights touch an issue of the Games’ organization, we ask the local government to remedy and to find solutions to improve that” (Human Rights Watch, 2012). In 2009, the Olympic Congress recommended the need for intervention by the IOC in the event of serious abuse such as, “Abuse of migrant workers at Olympic venue construction sites; child labor, and improper restrictions on the media’s freedom to cover the Games, including cultural aspects” (IOC, 2009, p. 32). After Human Rights Watch reported allegations of forced labor and the exploitation of migrant workers at the Sochi Olympics, the Sport and Rights Alliance (SRA) sent a letter to the IOC recommending that “labor and human rights standards be included in the 2024 Olympic Host City contract” (Play the Game, 2015). It took the IOC six years after the Beijing Olympics to acknowledge the need for more expansive clauses of human rights in their contracts. Although this a tremendous step forward, it will take considerable effort to enforce

these standards and to gather enough resources to monitor construction in these cities.

However, it sends the message to potential host countries that human rights will be considered into the next Olympic bid. Perhaps, this will force countries to find solutions to human rights and labor violations within their country before hosting a mega sporting event.

How can we expect countries to uphold strong ethics if governing bodies such as FIFA are potentially guilty for corruption charges? In May 2015, fourteen FIFA officials were under investigation for alleged use of bribery, money laundering, and fraud related to the 2018 and 2022 World Cups in Russia and Qatar. On top of these allegations, FIFA has not followed the recent decisions made by the IOC. FIFA has been criticized for not speaking out strongly enough about labor rights for the 2018 Russian World Cup and especially the 2022 World Cup in Qatar. According to an article on the International Trade Union Confederation website, FIFA President Sepp Blatter's stated "FIFA cannot interfere with the labor rights of any country. Governments should stand up to the commercial interests who make huge gains out of the World Cup at great cost to local workers and the community. FIFA itself needs to take responsibility to ensure that that the people who deliver the preparation for the facilities and services are protected, not exploited" (International Trade Union Confederation, 2013). While non-democratic host countries have the opportunity to produce illuminating and successful events, this should also be a time where human trafficking initiatives can thrive, like in the case of the 2012 London Olympics and the 2014 Brazilian World Cup. Since so many countries look at human trafficking differently, FIFA and the IOC should have their own localized norm for other countries to follow in regards to labor rights. If they enforce contracts that heavily support anti-trafficking

measures and labor rights, then countries will have a basis on which to follow. Overall, FIFA needs to implement labor and human rights into host city contracts similar to the IOC.

Although the Sochi and Beijing Olympics brought attention to the exploitation and incidences of forced labor in preparation for the Olympics, there needs to be a greater push for investigations into labor trafficking at future host sites. The preceding chapter acknowledges that without the backing and support of the federal government, human trafficking and labor legislation is almost useless. Federal governments must learn how to allocate funding and to create national plans to eradicate human trafficking from their countries. They also equally need the support from local and state law enforcement as well as NGOs and trade unions. Most importantly, if countries decide to host mega sporting events, they should model national human trafficking legislation after the Palermo Protocols. This would create an international norm for what is expected of countries that host these sporting events and allow the international community to become a watchdog. However, the international community's attention in the past has focused solely on the events or the poor construction of venues rather than the trafficking of low skilled workers to complete these construction projects. Why did the media focus on the safety for spectators at these poorly constructed venues but not question why they were poorly constructed in the first place? In reality, the international community is also complicit in this situation for not questioning it. Democratic countries or other international entities may criticize Russia or China for the use of forced labor; however, if they are not willing to help find a solution or place restrictions of some sort on these host countries, then they are knowingly allowing labor trafficking to occur and are also part of problem.

Bibliography

- Abadinsky, H. (1990). *Organized Crime*. Chicago: Nelson-Hall.
- AFP. (2009, January 27). *Beijing's Population at Nearly 17 Million in 2008*. Retrieved from The China Post: <http://www.chinapost.com.tw/china/local-news/beijing/2009/01/27/193705/Beijings-population.htm>
- Anderson, B., & O'Connell Davidson, J. (2003). Is trafficking in human beings demand driven? A multi-country pilot study. *International Organization for Migration*.
- Andreyev, V., Bolsheva, A., & Gerasimova, E. (2014). *EURO 2012 and World Cup 2018: Threats to Labour rights and Trade Union Strategies*. Global Labour University .
- Associated Press. (2012, February 22). Labor slaves, prisoners helping WC prep. *ESPN*.
- Baker and McKenzie International. (2013). *China Employment Law Guide*. Geneva: Baker and McKenzie.
- Bales, K. (1999). *Disposable People: New Slavery in the Global Economy*. Berkeley: University of California Press.
- Bales, K., Fletcher, L., & Stover, E. (2004). *Hidden Slaves: Forced Labor in the United States*. Berkeley: Free the Slaves & Human Rights Center, University of California, Berkeley.
- BBC News. (2013, September 26). Brazil World Cup workers 'face slave-like conditions'. *BBC News*.
- Brasileiro, A. (2014, July 4). *World Cup stadium builder added to Brazil's slave labour "dirty list"*. Retrieved October 17, 2014, from <http://www.trust.org/item/20140704074731-3ih6d/>
- Brazil Ministry of Sport. (2014, April 11). *Tire suas dúvidas sobre os investimentos do país para a Copa*. Retrieved from Portal da Copa: <http://www.copa2014.gov.br/pt-br/noticia/tire-suas-duvidas-sobre-os-investimentos-do-pais-para-a-copa>
- Brennan, D. (2005). Methodological Challenges in Research with Trafficked Persons: Tales from the Field. *International Migration*, 5-6.
- Broudehoux, A.-M. (2007). Spectacular Beijing: The Conspicuous Construction of an Olympic Metropolis. *Journal of Urban Affairs*, 383-399.
- Bruckert, C. (2002). *Trafficking in Human Beings and Organized Crime: A Literature Review*. Ottawa: Royal Canadian Mounted Police.
- Bruggeman, W. (2002). Illegal immigration and trafficking in human beings seen as a security problem for Europe. *Combating Trafficking in Human Beings: Global Challenges for the 21st Century*. Brussels.
- Buckley, M. (2013, September 8). *Human Trafficking In and Out of Russia*. Retrieved from Fair Observer: <http://www.fairobserver.com/region/europe/human-trafficking-and-out-russia/>

- Building and Wood Worker's International. (2015, March 12). *STICC fights for the rights of migrant workers in Brazil*. Retrieved from <http://www.bwint.org/default.asp?Index=6118&Language=EN>
- Business Daily Update. (2003, July 1). Beijing Cut Olympics Construction Budget by US\$180M. *Business Daily Update*.
- Building and Wood Worker's International. (2011, September 19). Brazil: tripartite agreement sets new rules for the construction sector.
- Building and Wood Worker's International. (2012, April 19). Brazil: 150,000 construction workers on strike in the first three months.
- Building and Wood Worker's International. (2012, October 2). World Cup Campaign in Curitiba.
- Business Monitor International . (2012). Brazil Infrastructure Report Q1 2013. *Business Monitor International* .
- Carstensen, L. (2013 йил 16-December). Civil action asks Justice ensure political independence of auditors work. *Reporter Brasil*.
- Castro, A. S. (2013). *2014 FIFA World Cup and 2016 Olympic Games: Brazil's Strategy 'To Win Hearts and Minds' Through Sports and Football*. Los Angeles: Public Diplomacy Magazine.
- Chamber of Deputies. (2008). *Constitution of the Federative Republic of Brazil: a constitutional text*. Brasilia: Chamber of Deputies.
- Chen, M. (2014 йил 2-March). The Actual Brazil World Cup Scandal Isn't About Thongs. *In These Times*.
- Chew, L. (1999). Global Trafficking in Women: Some Issues and Strategies. *Women's Studies Quarterly 1 and 2*, 11-17.
- China Daily. (2007, July 9). Construction Workers Alienated. *China Daily*.
- China's State Council. (2006). *China Migrant Worker Investigation and Research Report*. China's State Council.
- Clawson, H., Dutch, N., & Cummings, M. (2006). *Law Enforcement Response to Human Trafficking and the Implications for Victims: Current Practices and Lessons Learned*. Washington D.C: ICF International.
- Cockrell, C. (2008, August 14). The second class workers behind China's urban construction boom. *Berkeley News*.
- Committee to Protect Journalists. (2008). *Falling Short: Olympic Promises go Unfulfilled As China Falts on Press Freedom*. New York: Committee to Protect Journalists.
- Cottle, E., & Rombaldi, M. (2013). *Lessons from South Africa's FIFA World Cup, Brazil and its Legacy for Labour*. Third World Centre.
- Cressey, D. R. (1969). *Theft of the Nation: The Structure and Operations of Organized Crime in America*. New York: Harper and Row.

- Derks, A. (2000). *Combating Trafficking in South Asisa. A Review of Policy and Programme Responses*. Geneve: Organisation Internationale pour les Migrations.
- Farrell, A., McDevitt, J., & Fahy, S. (2010). Where are all the victims? Understanding the determinants of official identification of human trafficking incidents. *Criminology and Public Policy*, 203.
- FIFA. (2007). *Brazil Bid: Inspection Report for the 2014 FIFA World Cup*. Switzerland : Federation Internationale de Football Association .
- Freedom House. (2013). *Contending with Putin's Russia: A Call for American Leadership*. Freedom House.
- Freedom House. (2015). *Russia*. Freedom House.
- Gallagher, A. T. (2011). Improving the effectiveness of the international law of human trafficking: A vision for the future of the US trafficking in persons report. *Human Rights Review*, 381-400.
- Glavonjic, Z., & Arnautovic, M. (2014, January 23). *Deported Serb Workers Tell Horror Stories of Sochi Olympic Construction Work*. Retrieved from Radio Free Europe Radio Liberty: <http://www.rferl.org/content/serb-workers-sochi-olympic/25240405.html>
- Gomes, M., & Wroblewski, S. (2014). *Mega-sporting events in Brazil: Human rights risk areas*. Reporter Brasil.
- Gorenburg, D. (2014). *The Sochi Olympics and Russian National Identity*. Washington D.C: PONARS Eurasia .
- Hope for Children Organization Australia. (2014). *The Global Slavery Index*. Australia: Hope for Children Organization.
- Human Rights Watch. (2006). *China Migrant Worker Investigation and Research Report*. Human Rights Watch.
- Human Rights Watch. (2008). *"One Year of My Blood"*. New York: Human rights Watch.
- Human Rights Watch. (2009). *"Are You Happy to Cheat Us? Exploitation of Migrant Construction Workers in Russia"*. New York City: Human Rights Watch.
- Human Rights Watch. (2012 йил 11-October). *Russia: IOC Should Address Deteriorating Rights Climate*. Retrieved 2015 йил 10-May from <http://www.hrw.org/news/2012/10/11/russia-ioc-should-address-deteriorating-rights-climate>
- Human Rights Watch. (2014). *2014 World Report on China*. United States of America: Human Rights Watch.
- Human Rights Watch. (2014, October 22). *Olympics: Host City Contracts Will Include Rights Protections*. Retrieved from Human Rights Watch: <http://www.hrw.org/news/2014/10/22/olympics-host-city-contracts-will-include-rights-protections>
- Human Rights Watch. (2014). *Race to the Bottom: Exploitation of Migrant Workers Ahead of Russia's 2014 Winter Olympic Games in Sochi*. Washington D.C: Human rights Watch.

- Human Rights Watch. (2014, February 12). *Russia: IOC Acts on Sochi Abuses*. Retrieved from Human Rights Watch: <http://www.hrw.org/news/2014/02/11/russia-ioc-acts-sochi-abuses>
- Human Rights Watch. (2014). *World Report*. United States of America: Human Rights Watch.
- Human Rights Watch. (2015). *World Report 2015: Brazil*. New York : Human Rights Watch.
- International Labor Organization. (2008). *Combating Forced Labor: A Handbook for Employers and Business*. Geneva: International Labor Organizatoin.
- International Labor Organization. (2009). *Fighting Forced Labour: The Example of Brazil*. Geneva: International Labour Organization.
- International Labor Organization. (2009). *Labour Migration*. Retrieved from International Labor Organization: <http://www.ilo.org/beijing/areas-of-work/labour-migration/lang--en/index.htm>
- International Labor Organization. (2010). *The Good Practices of Labor Inspection in Brazil: The Eradication of Labour Analogous to Slavery*. Brasilia: International Labor Organization.
- International Labor Organization. (2014). *International Labor Standards on Forced Labor*. Retrieved from International Labor Organization: <http://ilo.org/global/standards/subjects-covered-by-international-labour-standards/forced-labour/lang--en/index.htm>
- International Labor Organization. (2014). *Profits and Poverty: The Economics of Forced Labor*. Geneva: International Labor Office.
- International Labor Organization. (2014, March 10). *The Meanings of Forced Labor*. Retrieved from International Labor Organization : http://www.ilo.org/global/topics/forced-labour/news/WCMS_237569/lang--en/index.htm
- International Labour Organization. (2005). *ILO Minimum Estimate of Forced Labour in the World*. Geneva: International Labour Office.
- International Labour Organization. (2012). *ILO 2012 Global estimate of forced labour: Executive summary*. Retrieved March 23, 2015, from International Labour Organization: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_181953.pdf
- International Olympic Committee. (2014). *Olympic Charter*. Lausanne: International Olympic Committee.
- International Olympic Committee. (2015). *What is the role of the International Olympic Committee (IOC) in organising the Olympic Games?* Retrieved May 8, 2015, from <http://registration.olympic.org/en/faq/detail/id/10>
- International Organization for Migration. (2009). *Human Trafficking: New Directions for Research*. Geneva: IOM.
- International Olympic Committee. (2009). *XIII Olympic Congress Follow-Up*. Copenhagen: IOC.

- International Trade Union Confederation. (2013 йил 9-October). *New "FIFA" Laws Strip World Cup Workers' Rights in Russia*. Retrieved 2015 йил 10-May from <http://www.ituc-csi.org/new-fifa-laws-strip-world-cup>
- Kahn, J., & Barboza, D. (2007, June 30). China Passes a Sweeping Labor Law. *The New York Times*.
- Kelly, A. (2013, July 7). Brazil's 'dirty list' names and shames companies involved in slave labor.
- Kelly, L. (2002). *Journeys of Jeopardy: A Review of Research on Trafficking in Women and Children in Europe*. London: University of North London.
- Kyle, D., & Koslowski, R. (2001). *Global Human Smuggling: Comparative Perspectives*. Baltimore: Johns Hopkins University Press.
- Labor, B. M. (2014, July 1). *Ordinance of the MTE creates business register and fined people for exploitation of slave labor*. Retrieved October 17, 2014, from http://portal.mte.gov.br/trab_escravo/portaria-do-mte-cria-cadastro-de-empresas-e-pessoas-autuadas-por-exploracao-do-trabalho-escravo.htm
- Laczko, F. (2003). Developing better indicators of human trafficking. *Brown Journal of World Affairs*.
- Longman, J. (2014 йил 13-July). Success for Brazil, Just Not on the Field. *The New York Times*, p. D1.
- Lubow, A. (2006, May 21). *The China Syndrome*. Retrieved from The New York Times: <http://www.nytimes.com/2006/05/21/magazine/21beijing.html?pagewanted=all>
- Makarychev, A., & Yatsyk, A. (2014, February 3). Sochi Olympics -- the dangers of rebranding. *openDemocracy*.
- Mallen, P. R. (2014, February 4). Migrant Workers From Haiti Building 2014 World Cup Stadiums In Brazil Denounce Inhumane Conditions. *International Business Times*.
- McCarthy, L. A. (2010). *Beyond Corruption: An Assessment of Russian Law Enforcement's Fight Against Human Trafficking*. Madison: World Affairs Institute.
- Mukomel, V. (2013). *Combatting Human Trafficking: The Russian Federation*. CARIM East.
- National People's Congress. (1992, April 3). *Law of the People's Republic of China on the Protection of Rights and Interests of Women*. Retrieved from <http://www.china.org.cn/english/government/207405.htm>
- National People's Congress. (1997, March 14). *Criminal Law of People's Republic of China*. Retrieved from <http://www.oecd.org/site/adboecdanti-corruptioninitiative/46814270.pdf>
- Oliveira, N. (2012, October 1). Brazil: Construction workers needed, no experience required. *Infosurhoy*.
- Ong, R. (2004). New Beijing, Great Olympics: Beijing and its Unfolding Olympic Legacy. *Stanford Journal of East Asian Affairs*, 35-48.
- Oxman-Martinez, J., Martinez, A., & Hanley, J. (2001). Human Trafficking: Canadian Government Policy and Practice. *Refugee, Canada's Periodical on Refugees*, 19-23.

- People's Daily. (2001, December 13). Beijing Launches Organizing Committee Promises Open and Frugal games. *People's Daily*.
- Petterson, T. (2015, March 27). Putin: Western governments use NGOs to destabilize Russia.
- Play the Game. (2015, February 25). *Coalition urges the IOC to include labor and human rights*. Retrieved May 8, 2015, from http://www.playthegame.org/news/news-articles/2015/0018_coalition-urges-the-ioc-to-include-labour-and-human-rights/
- PlayFair. (2008). *No Medal for the Olympics on Labor Rights*. PlayFair.
- Qun, L. (2006). *"Whoe Infringe Their Rights? Protecting the Rights of China's Migrant Workers: Case and Analyses"*. Beijing: Law Press.
- Reporters Without Borders. (2008). *2008 Annual Reprot - Asia-Pacific*. Paris: Reporters Without Borders.
- Reuters. (2012, April 3). Soccer-Brazil World Cup stadiums on track, but costs soar. *Reuters*.
- Rocco, P. (2013). free from ill treatment, as well as to ensure basic labor rights protections. *Human Trafficking Center*.
- Rodl & Partner. (2009, March 24). *Guidance to the Russian Labor Law*. Retrieved from http://www.hill-international.ru/fileadmin/users/Russia/Leitfaden_russisches_arbeitsrecht_2009_eng.pdf
- Roper, M. (2014, February 2). England's World Cup stadium being built by Haitian 'slaves' earning just £5 a day - if they're lucky. *Sunday Mirror*.
- Russian Presidential Executive Office. (2014, February 6). Meeting with International Olympic Committee Leaders. Sochi, Russia.
- SBS. (2014, October 25). *IOC praised for human rights stance, focus turns to FIFA*. Retrieved from SBS: <http://www.sbs.com.au/news/article/2014/10/25/ioc-praised-human-rights-stance-focus-turns-fifa>
- Sceats, S., & Breslin, S. (2012). *China and the International Human Rights System*. London: The Royal Institute of International Affairs .
- Sochi 2014 Organizing Committee. (2007). *Sochi 2014: Candidate City: Gateway to the Future*. Moscow.
- Surowiecki, J. (2014, February 10). The Sochi Effect. *The New Yorker*.
- Tiurukanova, E. (2006). *Human Trafficking in the Russian Federation: Inventory and Analysis of the Current Situation and Responses*. 2006: UNICEF;ILO;CIDA.
- Transparency International. (2014). *Corruption by Country*. Retrieved from http://www.transparency.org/country/#BRA_Overview
- Tyldum, G., & Brunovskis, A. (2005). Describing the Unobserved: Methodological Challenges in Empirical Studies on Human Trafficking. *Data and Research on Human Trafficking: A Global Survey*, 17.
- U.S State Department. (2003). *Trafficking in Persons Report*. Washington D.C.: U.S State Department.
- U.S State Department. (2004). *Trafficking in Persons* . Washington D.C: U.S U.S State Department.

U.S State Department. (2005). *Trafficking in Persons Report*. Washington D.C: U.S State Department.

U.S State Department. (2006). *Trafficking in Persons Report*. Washington D.C.: U.S State Department.

U.S State Department. (2007). *Trafficking in Persons Report*. Washington D.C.: U.S State Department.

U.S State Department. (2008). *Trafficking In Persons Report*. Washington D.C: U.S State Department.

U.S State Department. (2012). *Trafficking in Persons Report*. Washington D.C: U.S State Department.

U.S State Department. (2013). *Country Reports on Human Rights Practices in 2013*. Retrieved from <http://www.state.gov/documents/organization/220636.pdf>

U.S State Department. (2013). Trafficking of Persons Report. Washington D.C. Retrieved from U.S Department of State: <http://www.state.gov/j/tip/rls/tiprpt/>

U.S State Department. (2013). *Russia 2013 Human Rights Report*. Washington D.C: U.S State Department.

U.S State Department. (2013). *Trafficking in Persons Report*. Washington D.C: U.S State Department.

U.S State Department. (2014). *Trafficking in Persons Report*. Washington D.C: U.S State Department.

United Nations Office on Drugs and Crime. (2012). *Global Report on Trafficking in Persons*. Vienna: United Nations.

UNODC. (2004). *The Criminal Code of the Russian Federation*. Retrieved from United Nations Office on Drugs and Crime: <https://www.unodc.org/tldb/showDocument.do?documentUId=8546&node=docs&cmd=add&pageNum=2&country=RUS>

UNODC. (2004). *United Nations Convention Against Transnational Organized Crime and the Protocols Thereto*. New York: United Nations.

UNODC. (2015). *Signatories to the United Nations Convention against Transnational Crime and its Protocols*. Retrieved March 23, 2015, from <http://www.unodc.org/unodc/en/treaties/CTOC/signatures.html>

Williams, P. (1994). Trafficking in women and children: a market perspective . 145-170.

Winter, B. (2012, February 21). Former "slaves" build Brazil World Cup stadium. *Reuters*.

Women's Commission for Refugee Women and Children. (2007). *The U.S Response to Human Trafficking: An Unbalanced Approach*. New York: Women's Commission for Refugee Women and Children.

Woodtich, A. (2011). The efficiency of the trafficking in person report: A review of the evidence . *Criminal Justice Policy Review*, 471-493.

Worden, M. (2015, January 18). Human Rights and the 2022 Olympics. *The New York Times*.

Xu, B. (2014, September 25). Media Censorship in China. *Council on Foreign Relations*.

- Zhang, L. (2007, August). *Children's Rights: China*. Retrieved from The Law Library of Congress: <http://www.loc.gov/law/help/child-rights/pdfs/Children's%20Rights-China.pdf>
- Zhang, S. (1997). Task force orientation and dyadic relations in organized Chinese alien smuggling. *Journal of Contemporary Criminal Justice*, 320-330.
- Zhang, S. (2012). Measuring labor trafficking: a research note. *Crime Law Social Change*, 469-482.
- Zhang, S., & Chin, K.-I. (2002). Enter the Dragon: Inside Chinese Human Smuggling Organizations. *Criminology*, 737-768.
- Zhang, S., & Chin, K.-L. (2002). Enter the Dragon: Inside Chinese Human Smuggling Organizations. *Criminology*, 739-742.
- Zhemukhov, S. (2014). Migrant Workers and the Sochi Olympics. *Russian Analytical Digest*, 8-12.