

# **Ending Human Trafficking**

## A Stakeholder's Challenge

The paper analyzes the concepts, theories, causes, and methods of human trafficking as culled from various contemporary policy capacity literature which tackle human trafficking as thematic consideration and topical affair. It posits the question of the what, why, and how of human trafficking and attempts to answer these questions using an integrative review approach of literature. A critical component of the paper is its analysis and discussion on the current and prevailing stakeholder institutions, actors and agents engage in human trafficking and the corresponding challenges, opportunities and directions it needs to do to stop human trafficking

Humans are born free, free to love, and free to choose their own destiny. No fellow human beings have the right to put the existence, hopes, and dreams of other human beings in a quandary and oblivious situation. No human being possesses the license to make the lives of another human being with lack of dignity but full of misery. In such scenarios where man end up as prisoners and slaves, leaving scars and wounds not only to the physical bodies but even to the spirit, that humanity realizes and actualizes the need to liberate and emancipate the victim's tired bodies and weary souls which fall prey as victims of modern day slavery, otherwise known as human trafficking. Human trafficking involves the recruitment, harboring, transportation, provisions or, obtaining of a person for the purposes of forced labor or services through means of force, fraud, or coercion (Cantrell 2013).

Human trafficking (HT) is a revival of some sort of modern day slavery which creates a master and servant, master and slave, lord and serf arrangements in which a heavily indebted person or individual are forced, coerced and compelled to be placed at the whims and caprices of their masters or lords as a payment for freedom and liberty during the slavery regimes which is supposed to be put to an end and abolish already by modern day societies, nation-states and international community. The United States simply defines trafficking in persons as 'the use of force, fraud, or coercion to compel a person to provide labor, services or commercial sex. This includes elements of recruiting, harboring, transportation, providing or obtaining a person for the purpose of exploitation (as cited in Van Der Wilt 2014, 69).

Unlike illegal recruitment which the Migrant Workers and Overseas Filipinos Act (1995) define as, " any act of canvassing, enlisting, contracting, transporting, utilizing, hiring, procuring workers and includes referring,, contact services, promising, or advertising for employment abroad, whether for profit or not, undertaken by a non-license or non-holder of authority under the Labor Code of the Philippines (POEA.gov.ph 1995), human trafficking employs the use of force and coercion which illegal recruitment may not necessarily assume such characteristics. Another distinction lies on the locus of operation or activity in which, while illegal recruitment presupposes the transfer and movement of the person unlawfully and illegally abroad, overseas and foreign land to consummate such crime, human trafficking, on the other hand, can occur just within a country, nation or state to constitute and qualify as a crime.

Article 3, paragraph (a) of the United Nations Protocol to Prevent, Suppress and Punish Trafficking Persons, Especially Women and Children defines human trafficking as, “The recruitment, transportation, transfer, harbouring or receipt of persons by means of the threat or use of force or other forms of coercion, or abduction, or 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” (UNODC 2014)

But with the resurfacing and resurgence of human trafficking as the new and modern version of slavery, societies and governments face a daunting task not only to search for the root causes of human trafficking but to stop and end it. The new order of slavery in the guise of human trafficking foments a trafficker and victim relationship in which the latter is regarded as an object and not as a subject, a commodity and not a person and a thing and not a human being. It drags the victims to an unending cycle of toil, drudgery and hardship thorough several tools and forms which makes freedom an impossibility. The necessity and urgency to stop the endless cycle of human trafficking becomes increasingly important with its alarming widespread increase and far-reaching implications worldwide. In fact, more than twice as many people are in bondage in a world today that were taken from Africa during the entire 350 years of the Atlantic slave trade (Bales and Soodalter 2013, 3).

The responsibility to stop human trafficking falls on the shoulder of responsibilities on the various actor and stakeholders such as national government agencies, local governments, non-government organizations, law enforcement agencies and the citizenry. A sense of communal courage to propagate a high level of awareness and utmost zeal and dedication and not merely on rhetoric and melodramatic solutions are needed to combat human trafficking and it begins with the strong political will of the actors, agents and stakeholders responsible for its curtailment couple with concrete actions and responses, plans and projects and programs and policies that it is hoped that human trafficking and its vestiges can be stop. For example, an effective criminal justice system which focuses on financial intelligence and investigation, a strong law enforcement of anti-human trafficking laws, and an efficient administration of criminal justice system through high prosecution rates of human traffickers would likely generate a significant impact in the battle against human trafficking of persons and can be worthy of replication and emulation as a policy both in theory and practice.

This in turn leads to the emergence of the two schools of thought in dealing with human trafficking and the recurring tensions and debates, which pervade the pivotal question on which approach or paradigm is effective in curtailing the occurrence of human trafficking—the law enforcement centered approach versus the human rights centered approach. With the former focusing more on the arrest and prosecution of traffickers and the latter concentrating more on the needs and welfare of the victims. The paramount objective to provide a convergence and harmony between these two compelling yet distinct approaches remains a daunting challenge among various stakeholders and institutions particularly on which priorities and goals needs to be carefully weighed and pursued.

In this regard, using a synthesis integrative review, the article focuses on the relevant actors, stakeholders, and agents of anti-human trafficking and their vital role in combating human trafficking. The paper contains the following content and structure: first, a passing review of some current literature on the definitional concepts of human trafficking and explanations on why it occurs; second, an analysis and discussion of the different actors, stakeholders and agents in human trafficking and their significant tasks, functions and responsibilities in the conduct of stopping human trafficking and synthesizes some probable and potential actions and responses, plans and projects, programs and policies which these actors, stakeholders, and agents formulate and initiate, adopt and implement, enact and enforce to prevent the proliferation and perpetuation of human trafficking in community and society. Finally, the paper concludes on prevailing lessons learned, future opportunities and prospective researches as a matter of implication.

## **WHAT IS HUMAN TRAFFICKING?**

Human trafficking is such a complex term that a single definition is not enough to gain a fuller grasp and understanding of the concepts, paradigms, and perspective assigned to it. With the current and recent issues on, trends in, and challenges with human trafficking, it is even more excruciatingly difficult to identify the primary convergence on what is human trafficking and how it can be differentiated from slavery, human smuggling, sex trafficking, and labor trafficking. These section attempts to clarify the blurred lines and perceived boundaries

of human trafficking as it interrelates with human smuggling, sex trafficking and labor trafficking as well as slavery itself and hope that this terminologies are not interchangeably used as not to sow confusion and misconception with regards to human trafficking.

The United Nations Office on Drugs and Crime (UNODC) lays down the three elements of human trafficking. The first element is the act of trafficking, which is the recruitment, transportation, transfer, harboring, or receipt of persons. The second, the means of trafficking, is the threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim. The third, the purpose of trafficking, is exploitation. This includes, at a minimum, sexual exploitation, including the exploitation of the prostitution of others, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs (UNODC 2004, 42).

Similarly, Tyldum (2013, 107) views human trafficking, in line with this definition, as consisting of three main elements. First, there needs to be an element of action or mobility (recruitment, transportation, harboring, or receipt), secondly a means-element (including coercion, fraud and deception) and finally, an intention to exploit. It is noted that Tyldum (2013) emphasizes the word “mobility” which equates with “action” as acts which constitute human trafficking which is not that emphasized in the UNODC (2004) definition of human trafficking.

Mishra (2013, 1) seeks to widen and broaden the definition of human trafficking through specific acts which includes organ donation and makes the perspective on human trafficking evolve into a more people-centered definition when she asserts that:

In broader terms, HT is perceived as a situation where one or more person holds possession of another person for compelled service, The service can be ether debt, bondage, slavery, forced labor, sexual exploitation, servitude, forced entertainment, or for medical favors like organ transplant.... Simplistically, HT can be defined as the acquisition of people by improper means such as force, fraud, or deception, with the aim of exploiting them.

Neumann (2015, 40), on her part, clarifies that not all human trafficking activity may not necessarily be illegal and unlawful, but it is the illegal and unlawful side of human trafficking which constitute

crime against persons and the state. She went on offering examples of legal human trafficking activities such as mining, house-cleaning, agriculture, or dressmaking as differentiated from illegal human trafficking activities which include prostitution, pick pocketing, or drug running, regarded as crimes against the state and interlocked with other crimes.

These various definitions simply touch on the constitutive elements of human trafficking as to action, manner, and objectives. The first element is composed of a series of specific act or activities which are sequential and chronological in nature; it is a series of steps which presupposes the consummation of human trafficking as crime in which without one step will render human trafficking inconsequential and irrelevant as a crime. There are arguments and contestations raised on whether an act without transportation would constitute human trafficking is one of the interesting topics for debates on human trafficking.

The second element refers to the manner or method employed and used by the human traffickers in the commission of human trafficking. In order for human trafficking to be considered as illegal and unlawful, the use of illegal and unlawful means must be established as the methods used to achieve its ends. In other words, if the manner, method, and means opted to be utilized involves force, coercion, intimidation, torture, violence and other ways that vitiate the free will of a human being with an intent to exploit, this would constitute an act of human trafficking. However, human trafficking is circumvented with regard to the element of manner and method when there is an absence of coercive and oppressive measures and when there is a voluntary choice and free exercise of will of the person to be recruited, transported, transferred and received. This, however, may not apply for children who still lack discernment, intelligence and freedom to decide on their own, which essentially makes them vulnerable to manipulation, exploitation and coercion and easy targets of human traffickers even in the absence of their consent.

The last element is the very end and objective of human trafficking itself, which is an intent and motive to abuse and exploit the persons to be trafficked. Among the three elements, this is the most difficult to establish because of its subjective nature. For example, victims can deny that there is exploitation going on as result of fear or even attachment borne out of human trafficking-victim relationships. Exploitation is even more difficult to prove, when the element of manner and method

comes in the disguise of a lawful and legal means of carrying out human trafficking activity with perks and promises of lucrative salary, nice housing accommodation and transportation allowances.

This brings us to the question on whether the three elements are to be considered as separate and independent acts in order to qualify as human trafficking or the three elements of must be regarded as one single acts to constitute human trafficking? Because of the case is the latter, then it will really be difficult to prove human trafficking, punish and prosecute the offenders of such crime and provide justice and human rights for its intended victims. This leads to the two competing yet complementary theories and approaches in human trafficking literature namely- the law enforcement centered and the human rights focused.

Mishra (2013, 4) offers two perspectives in combating human trafficking, namely, law enforcement problem which is accused oriented and human rights centric, which is victim oriented when she opines that:

For long we have been trying to combat HT from a law and order perspective. Law enforcement agencies and other stakeholders feel that HT can be tackled only by stringent law enforcement. This particular of thought, that is more dominant, presumes that trafficking is a legal problem and is more or less existence and perpetuation is because of poor law enforcement. Consequently the focus is on punishing the trafficker and prosecution is the matter of concern.

The law enforcement-centered paradigm centers its approach on the formulation, implementation, and enforcement of programs, projects, policies, and laws to punish, prosecute, and apprehend perpetrators of human trafficking. It focuses on the preventive and corrective measures that need to be done to arrest the proliferation of human trafficking in terms of the role of institutional stakeholders such as the national government agencies, local government units, non-government organizations, law enforcement agencies in curbing human trafficking to punish and prosecute human trafficking offenders. It adopts a public policy-oriented approach in dealing with the human trafficking issues that stresses institutional restructuring and policy reforms on the area of law enforcement, policing and criminal justice system.

The overly law enforcement and prosecution centric approaches can actually do harm on the victim for it lose sight of what is truly essential and important in human trafficking- the welfare of the victim itself. D'Adamo (2016, 111) notes this when she declares that, "...Prosecution ask us to focus our time, attention, and resource on the trafficker or other third parties, and the victim becomes more little more than a tool for that purpose. And while the trafficker may receive a long prison sentence, this outcome does nothing to help the person victimized find housing or stable employment, or reunite with their children." A law enforcement or prosecution centered approach, to be truly successful, requires a balancing act between punishing the offenders and incentivizing the victims through welfare based-approaches such as education, livelihood, employment and other social welfare and social protection which they urgently need to start a new life.

On the other hand, the human rights-focused paradigm enunciates that the paramount concern are the human trafficking victims themselves through the protection of their constitutional rights, the promotion of their welfare and the promotion of their life and dignity. It veers away from the public-policy oriented vantage points then draws the attention of the various stakeholders and institutions towards the human trafficking victims. The human rights centered approach values the life and dignity of the victim and emphasizes the victim's human rights and welfare which involves individual's recovery, rehabilitation and integration to society. There is a parallel school of thought, fast gaining popularity, believing HT is a gross violation of human rights, and the victim suffering should be provided proper protection. Their concentration is rescue and rehabilitation of the victim with not much concern for prosecution (Mishra, 2013).

But human rights-based approach on human trafficking also requires an active engagement and participation of victims or person trafficked in order to build capacities for policy-making with regards to ending human trafficking. In this concept, victims are viewed as active progenitors and partners of policy learning and policy-development and not merely as passive victims to seek and have a crack on their own redemption. Within a human rights-based approach, human beings are seen as active actors seeking to change their situation, rather than as powerless pawns or victims in need of rescue. Interventions should aim at giving people power, capacity, capability and access they need to change their situation, to speak up for their own rights, and



in the case of trafficked persons, to take back control of their lives (empowerment) (Wijers and Chew 2010, 10).

Wijers and Chew (2010, 10) further enunciate the cogent role of persons trafficked or victimized in the context of participatory policy-making and policy-implementation when they opine that, “ a human rights based approach also implies respecting the a number of principles related to the process of policy-making, that is the system which policies , programs and measures are developed, implemented and evaluated. A cross-cutting principle is participation.” This reinforces the value of human trafficking survivor’s participation in redesigning, reconfiguring and realizing their own individual rehabilitation plan as relevant partners and stakeholders in policy-capacity and policy-reforms in the fight against human trafficking. Victims are not merely regarded as powerless, helpless individuals neither as objects nor commodities but as empowered and engaged individuals pursuing ways and means of capable of recovery and rehabilitation through their own set of knowledge and action.

In some cases, just like in the United States, sex workers resist the labels as victims as they oppose the linkage between sex work and human trafficking. With regard to anti-trafficking policies, the Obama State Department had then indicated an openness to policy change but has also left a great deal of the Bush approach intact. The administration has publicly rejected an absolute link between trafficking and sex work, stating that, ‘prostitution by willing adult is not human trafficking, regardless of whether it is legalized, decriminalized, or criminalized (Lerum et al. 2012, 100). The absence of knowledge therefore is an essential precondition in order to be labeled as victim, and the possession of knowledge extinguishes the label of victim to a person.

Gallagher (2013) vividly depicts the various human rights-related issues inflicted against victims of human trafficking as a result and implication of over-emphasis on law enforcement approach directed against the accused while under emphasizing the adherence to human rights security and concern of the victims when she narrates that:

....include detention of trafficked persons in immigration or shelter facilities; prosecution of trafficked persons for status-related offenses including illegal entry, illegal stay, and illegal work; denial of exit or entry visas or permits; raids, rescues, and ‘crackdowns” without full consideration and

protection for the rights of the individuals involved; forced repatriation, of victims in danger of reprisal and re-trafficking ; conditional provision of support and assistance; denial of right to a remedy; and violations of the rights of persons suspected or convicted of involvement in trafficking and related offenses, including unfair trials and inappropriate sentencing (501-502).

Although the law enforcement approach and human rights diverge in focus and locus of subjects, with the former more preoccupied on the punishment and prosecution of the accused and the latter more interested with the plight and condition of the victims, there is a point of convergence in which both paradigms or perspectives in combating human trafficking can co-exist and complement each other. A balancing act between law enforcement approach and human rights-centered approach lies on the enactment and legislation of a human trafficking law which would narrow the gap between the two especially in the elevation of victim's human rights through adaptation and institutionalization which is often and neglected and ignored because of the over-emphasis on law enforcement in the punishment and prosecution of the accused while overlooking the protection and promotion of the human rights of the victims. Cho (2015) observes this oversight of victim's human rights as a result of weak law enforcement and points out how such weak enforcement actually motivates human traffickers to commit the crime even more when he posits that:

This problem implies that the human rights dimension of anti-trafficking has not been sufficiently emphasized and, thus, it is necessary to address the problem of human trafficking through the victims' perspectives. In addition to that, the recent decline in enforcement efforts points out that there is a policy gap between the adoption of anti-trafficking legislation and the actual realization of the written policy. Indeed, weak enforcement is a fundamental problem with the increased prevalence of human trafficking because negligence in enforcing anti-trafficking measures decreases costs and risks to human traffickers, which, in turn, increases their incentives to commit the crime of human trafficking (94).

A collaborative action and response among stakeholders in fighting human trafficking, such as law enforcement agencies, local government units, non-government organizations and citizenry, must be reached in the search for a common nexus in which law enforcement and human rights approach reaches an equilibrium through the creation of alliances and networks. Through partnerships and coalition frameworks to fight human trafficking that mutual sharing of technology, community interaction, intelligence exchanges, human rights discourses and policy-innovations takes place along the continuum and broaden the network base and shrinking the time, place and opportunity of the human traffickers to operate at will. In this way, it becomes important to situate response models outside the limited realm of the criminal justice system by developing cross-sector collaborations whereby government, non-government, and law enforcement agencies collaborate to develop and implement localized protocols to respond to human trafficking (Kaye et al. 2014, 38).

Finally, developing and conceptualizing one common definitions and paradigms on anti-human trafficking are still subject for contentious debates. For example, Wijers (2014, as cited in Bhabha 2015, 8-9) “recalls the heated debate between two groups: one, led by the Coalition Against Trafficking in Women, that considered all prostitution to be a violation of women’s human rights and therefore trafficking per se, and another, which include the Global Alliance Against Traffic in Women, that considered coercive and forced labour, rather than sex work per se, to be the target. Eventually the latter perspective succeeded in excluding sex work per se from the scope of exploitation (except for children), and in embedding the notion that force, coercion or deceit were necessary means.

Gallagher (2015, 18) on her part, although acknowledges the universally international definition of human trafficking as a “major breakthrough,” also posits a definitional challenge on the ambiguities and vagueness of human trafficking, when she asserts that, “despite widespread acceptance of the Protocol’s rather competed definition, its parameters have proven fluid and continue to be contested. This is causing significant problems at the national level where criminal justice agencies in particular are still struggling to draw an appropriate line between the crime of ‘trafficking’ and other forms of exploitation.”

Potishwaran (2015, 40), in addition, recognizes the fluidity of the international definition of human trafficking which makes it susceptible to debates and discourse. Potishwaran (2015) states that, “

In its most general terms, all three elements of the Protocol's definition of trafficking, the actions, the means, and the purpose, are relatively broad and open-ended. Experts disagree over whether the action element requires cross border movement or movement of some sort or if merely harbouring is sufficient for purposes of Article 3" (40).

All the above-mentioned discourse hurls definitional challenges on human trafficking as a universal and international paradigm, which opens further clarification and crystallization of the boundaries, terrains and parameters of human trafficking both in theory and praxis. As long as the definitions of human trafficking remain ambiguous and vague, debates and questions on its definitions from both theoretical and conceptual perspective would continue to persist and linger knowing every debate begins with a subject matter.

As to the investment resources needed to curb human trafficking, Dottridge (2014, 2) offers some figures when he narrates that, "... (O) n the funding front, in September 2013 three private foundations announced the establishment of the new Freedom Fund to support efforts to eradicate what they label as modern slavery (including human trafficking), allocating USD 30 million to the fund themselves and suggesting the Fund should attract (from others) and spend USD 100 million by 2020.

However, there is a variety in how financial funds and resources allocated for fighting human trafficking are spent as what Sharapov (2014, 14) notes when he studied on government's anti-trafficking spending in United Kingdom and Ukraine. Sharapov explains that, "In the UK, the money appears to be spent on crime prevention and border management by way of shutting and offshoring the UK border, rescuing genuine victims, and allocating development aid to run anti-trafficking projects in countries of origin. Anti-trafficking funding in Ukraine is not only restricted in terms of allocation funds , but also in its scope with focus on awareness-raising , victim care and assistance , and training of frontline professionals.

Nwogu (2014, 12) while studying on where does the money of anti-human trafficking efforts goes in Nigeria concludes that, "anti-trafficking funding has neither been sufficient to meet the scale of the problem nor relevant to the specific needs of groups at risk of trafficking, or of returnee trafficked persons. More so, the focus of funding has not sufficiently addressed the issue of promoting positive migration, protecting the rights of potential migrants and migrant workers, and ensuring the positive development outcome of migration at all."

These country-specific examples of anti-human trafficking money spending goes to show that interests and priorities in spending the money depend on the respective issues and challenges which a nation, state or country faces with developed countries more preoccupied with border control and management and developing countries focusing more on migration issues and concerns. But one thing is certain, funding and resource allocation for anti-human trafficking campaign must be freed from the hurry and strife of corruption, thus the need for tighter and stricter monitoring, auditing and evaluating on whether it is effectively and honestly utilized especially on the part of non-profit and civil society organizations.

However, there are unintended consequences that tighter and stricter anti-human trafficking laws had created, and these have profound impacts on certain groups of persons and individuals as what Dottridge (2015, 11-13) identifies, which includes a) the group of trafficked persons consisting of both adults and children recruited for a variety of forms of exploitation, b) the economic migrants, comprising the much larger number of migrants who travel away from home in order to make a living, and c) the sex workers who are working in their own countries or abroad. These affected group of persons and individuals suffers from various unintended consequences of anti-human trafficking measures such as violation of human rights, discrimination, prejudice and lack of protection as result of law enforcement and state centric approaches employed by the government and the state which undermines its own accountability in curbing human trafficking among its constituents and within its territory. Consequently, Dottridge (2015, 21-22) prescribes policy-capacity solutions in dealing with the shortcomings of anti-human trafficking measures and efforts for better monitoring, implementation and evaluation of its programs and projects, namely, 1) use an evidence-based approach, 2) base policies on evidence collected from trafficked persons and other migrants who have experienced abuse, 3) national human rights institutions should collect information in proactive way about the impact of anti-trafficking measures and assess whether they conform to the principle of proportionality, 4) end the practice of making the assistance to trafficked persons conditional or their agreeing to cooperate with law enforcement officials, 5) monitor the implementation by law enforcement agencies and immigration services of laws concerning temporary or permanent rights to remain in a country for foreigners who have been trafficked, 6) repeal all

legislation or regulations which allow for the detention of people who have been trafficked, 7) governments should ensure that there are no obstacles to trafficked persons applying for asylum, 8) hold governments accountable and require them to review their procedures both for carrying out risk and security assessments prior to repatriation and for repatriating individuals, 9) inform foreign citizens who are believed to have been trafficked systematically about the possibilities of getting assistance once they return to their home country, and 10) governments should eliminate any obstacles which inhibit migrant workers from exercising their right to freedom of association and to join or to form trade unions.

## **WHY DOES HUMAN TRAFFICKING OCCUR?**

Human trafficking happens not by accident, but occurs due to a combination of economic, social, political, environmental, and cultural factors. A person is vulnerable to human trafficking due to poverty, injustice, corruption, disasters, genocide, politicide, or even climate change displacement. These varieties of host factors pushes a poor, hopeless, desperate and oppressed individuals to take chances of grabbing offered jobs and employment without consideration on the dangers that lurks upon its acceptance. These factors compel innocent and clueless individuals to satisfy the demands knowingly and unknowingly set by human traffickers as bait for possible abuse and exploitation. This section inquires on the diverse and multiple theories which explain why human trafficking occurs and hopes to rationalize such theories and causes of human trafficking through relevant discourses offered by various authors and literatures in the field of human trafficking.

The first theory which espouses the occurrence of human trafficking is known as the “supply and demand theory.” Just like in the law of economics, there can be no supply without a demand of goods, products and services. The same principle applies in human trafficking at least according to the proponents of the supply and demand paradigm. Fisher (2009, 131-132) presents the wide arrays of human trafficking potentialities when she likens human trafficking as one that resembles victims as one huge market supply lured by growing list of job prospects in a global setting that can eventually serve as a tool and platform to satisfy the demand for abuse and

exploitation by scrupulous human traffickers. Such growing list ranges from nannies, maids, housekeepers, landscaping workers, nail salons, restaurants, industrial cleaning services, magazine salesperson to pimp-controlled prostitution truck shops, internet escort-based services and motorcycle gangs as potential victims or house potential victims of human trafficking.

This kilometric lists of workers eventually transformed into potential human trafficking victims is enough to surmise that human trafficking is a complex problem which yields uncertainty and unpredictability as even jobs which are ordinarily regular and ordinary are prospective human trafficking hotbeds and havens for illegal and unlawful activities of human traffickers, targeting innocent individuals whose only dream is to land a decent work to support and help their respective families and loved ones.

One way to curtail the massive demand opportunities, which human traffickers offer to potential human trafficking victims, is to cut the source of supply, but it could only be possible if the point of origin or home country eases out the pressures of human trafficking through incentives, enablers and motivations, which would convince their citizens to stay home and forego moving or migrating to another foreign country which promises false hopes and dreams and avoid the nightmarish experience of falling prey as a victim of greedy and avaricious human traffickers. The details on the how business functions reveal the industry's vulnerable points, namely the drivers of profits and the market force of demand. Analyzing these forces allows us to derive the best tactics to treat the infection. To ensure that the business of sex trafficking is eradicated in the long term, the conditions in the "host organism," that first gave rise to infection – namely poverty and economic globalization – must also be addressed (Kara 2010, 6).

This leads to another significant theory which tackles on the root causes on why human trafficking happens, the push and pull factor theory. Mishra (2013, 6) spots the contributory roles of these causal factors in human trafficking when she echoes that the pull factors are basically original-based factors while pull factors are essentially the factors at place of destination. Meaning, the push factors are the points of origin and pull factors the point of destination. Between these two factors, the pull factors are generally considered as the main enabler and facilitator of human trafficking for it is being regarded as well as "corollary vices of development with globalization."

The push and pull factor theory emphasizes the locus or place as the primary factor in the occurrence of human trafficking. This theory refers to the point of origin and the ruralness of place which diminishes the capacity to acquire better employment opportunities as well as a decent way of life and enhances the longing of an individual to work or live elsewhere. A typical rural place lacks infrastructure, investments, jobs, social goods and services which renders an individual rethink its option of finding a better place which lures him or her of promises of a lucrative work, decent house, health and medical insurance, provision of quality goods and services which is far cry from the accustomed life that a traditional rural place in the village folks and provinces offers.

A rural environment or setting makes an individual explore, expand, and experiment broader and wider horizons and sets off to a place to a land of dreams, milk and honey and escape the routinely boring existence one experiences in his or her old town. The thrills and frills of settling down in a place far and away from home make human trafficking even more appealing and convincing on potential human trafficking victims.

On the other hand, pull factors hand connote that the point of destination serve as a main catalyst for pulling and influencing an individual to become potential victim of trafficking. The advent of globalization and the rise of internet technology such as social media exacerbate the nearness and proximity of individuals to human traffickers as it makes communication between the two instantaneous, interactive at times discreet without the knowledge and consent of families and loved ones. With the rise consumerism and excessive materialism, one's drive for contentment and satisfaction becomes limitless which prompts and egg on an individual to seek for greener pasture and prosperous material possessions and rewards.

This paves the way to the assumption that human trafficking is borne out of personal human tendencies that are irreversible and contradictory to his or her good nature. Greed, avarice, lust, selfishness, corruption, gluttony, excessive materialism, ignorance, indifference, and shamelessness are just some of the human vices that perpetuate human trafficking and are waiting to happen. Neumann (2015, 50-51) captures how personal lifestyles and vices lead to the sufferings of human trafficking victims when she illustrates realistically the current personal trends as impetus for human sufferings:

Furthermore, we must accept that our personal choices as consumers have global impact with serious repercussions.



Drug cartels exist because people consume drugs. Slavery exists because people want cheap clothes, cheap handbags, cheap labor in mines or homes and cheap prostitutes. The entire illicit trade in tobacco products exist because people want to smoke and either do not want to or cannot pay full price for the taxes on legal cigarettes. So many greatest harms and the deepest sufferings in the world are consequences of our avaricious or intemperate desires.

Human trafficking transpires because of individuals' lifestyles consumption and patronage of goods and products, practices that are brought about by excessive materialism and uncontrollable human passions and desires. When remain unchecked and unabated, these result into habitual vices and addictions which unconsciously inflict physical and moral injuries to human trafficking victims for it assures the continuous demand for human trafficking victims. The moderation and regulation of individual's excessive habits, tastes, desires, wants and materialism in personal daily living is basic contribution to the prevention of human trafficking. A closer examination and introspection of personal habits and lifestyles eases out the pressures of human trafficking and limits the opportunities of human traffickers to exploit potential victims as a consequence of growing demand.

Byun (2014, 15) shares similar concurring views and insights on how an individual person's uncontrollable and insidious passions and desires promote the flourish of human trafficking specifically sex trafficking and makes human trafficker blinded by their own personal self-aggrandizement and selfishness when he recalls that lust and greed is what triggers the demand of sex trafficking industry. The lust of the flesh which enslaves the customers to their own passions and desires for the flesh and the greed for money and wealth, ultimately reduces, dehumanizes and degrades a human being to a mere object, commodity and property which can be sold and be bought to satisfy one's appetite for lust and craving for wealth and power.

Lust and greed cut both ways for consumers and traffickers alike. Lust, on the part of the consumers, for as long as there are clients and customers who avail and patronize sex workers to satisfy their worldly desires, or a drug user whose addiction forces him or her to buy the substance to pacify and appease its deviant behavior, or a regular consumer who habitually pirated compact discs, bags, shoes and other products which human traffickers commonly manufacture in their

sweatshops. Greed, on the part of the human traffickers, distorts their perception of human dignity and corrupts their very own souls in the process. When greed seeps through the human psyche, it corrupts the heart and poisons the mind, disabling and preventing the person to truly see the value of human life and dignity.

While there are personal causes for the proliferation of human trafficking, there are also institutional causes which foment it largely pointing to government corruption as the main cause. Corruption is difficult to uproot especially when its systemic and endemic to the system wherein both the government and the traffickers enjoys a long standing connivance and collaboration to carry out human trafficking activities making the victim much even more powerless and vulnerable for abuse and exploitation. None of this activity can function without the complicity of law enforcement and the corruption of officials in source, transit, and destination of countries. In all regions, the crime groups are able to function effectively because they cultivate loose links to law enforcement , embassy personnel, and other officials such as border guards who can assist their trade (Shelley 2010, 6).

The necessity of formulating and implementing an effective anti-corruption program as a precondition for preventing and stopping human trafficking in local, national and international contexts is important to continue the gains and advances made in the fight against human trafficking. Corruption, along with poverty, loss of livelihood, underdevelopment, and lack of job opportunities are high on the list of causes on why human trafficking occurs most especially when massive and high scale corruption occurs in the local government levels such as municipalities, cities and provinces which are front liners to the delivery of basic goods and services to the citizenry. Unfortunately, until government corruption is restrained, the work done to prevent, protect, and rehabilitate trafficked persons by dedicated government officials, government employees, and NGOs will be circumvented by corrupt officials and their trafficking counterparts (Guth 2010, 164).

## **HOW HUMAN TRAFFICKING HAPPENS?**

Human trafficking does not occur in a vacuum. There are ways and means, manners and methods, and strategies and approaches that human traffickers employ in luring, attracting and enticing potential victims in so many ways to propel their thriving illegal activities and

unlawful business. This section analyzes the different methods and manners that human traffickers use to recruit prospective victims taking the cue from scholars and authors in human trafficking. It is hope that the attempt to discover and unravel the strategies that human traffickers utilize to carry out such illegal activity in order to devise a counter-response and counter-strategy on the part of the stakeholders and to propagate a high level of awareness on the part of the potential victims and their families to detect right away the red flags, indicators and sings of potential human trafficking.

Hepburn and Simon (2013, 3) express their concern over the recurring patterns of methods and means which human traffickers use to entice their potential victims through a series of activities intended to exploit the vulnerabilities of the victims thereby making them eventually defenseless and powerless against the machinations of human traffickers when they found out that:

There are common methods used by traffickers, regardless, of the type of trafficking, such as false job offers that lure potential victims and exorbitant fees charged for recruitment, visas, travel, housing, food, and the use of tools. These practices keep victims in an endless cycle of debt. Along these same lines, traffickers often charged victims fines for alleged poor behavior or not meeting certain work quotas. As debts rise exponentially, victims often go unpaid or underpaid. In order to control and limit the movement of the victims, traffickers frequently withhold victims' visas and other identifying documentation, isolate the victims, and threaten deportation. Threaten to harm the victims or their families, and physically harm the victims.

This pattern of human trafficking method is commonly observed among and is applicable to laborers or workers to whom traffickers promise the lure of an attractive and lucrative job as an opportunity for greener pastures but instead ending up as nightmarish dream of making their lives in miserable and deplorable condition. The vicious cycle of human trafficking begins and ends with an empty promises and empty lives. This also elucidates that human traffickers possess similar pattern of inducing their potential victims with fraudulent perks and keeping the victims in a hopeless situation to depend their survival on them through deceitful, threatening, coercive and forcible

means in which the victims is cornered in a no way out situation and the only way to survive is to cooperate with traffickers to serve the latter's whims and caprices

This pattern of human trafficking recruitment is a departure from what Kara (2010, 8) observes with regard to the ways and means utilized by sex traffickers to its intended victims when he retorts that "acquisition of sex slaves primarily occurs in one of five ways: deceit, sale by family, abduction, seduction or romance, or recruitment by former slaves. Each of these means was utilized in almost every country I visited; however, local factors promoted certain means over others."

It is noted that sex trafficking, as one major component of human trafficking, involves the cooperation and collusion of their family members, such as parents, uncles, aunts and even grandparents, who force their sons and daughters, nieces or nephews, grandsons and granddaughters to prostitution and sex slavery due to poverty, economic hardships and loss of livelihood. They are engaging in a flesh trade or mail order bride schemes in which the victims are commoditized involving an exchange of money between the traffickers and the victim's relatives or family members. In this case, there is an obtainment of implied consent and approval of the victim which may not be present in other human trafficking activities in which the victim's relatives or family members are taken out of the loop on the details of recruitment and does not award its consent and permission that the victim especially if their minors would be trafficked.

Seduction is another method which differentiates sex trafficking from human trafficking because in the latter, the human trafficker uses another person to seduce the potential victim to fall in love, get married and live in another place and once the victim bites the dust of seduction by settling in a place distant and far away from their families and relatives that human trafficker enters the prey and catch the victim in a defenseless and helpless situation. This is common among mail order brides and online marriages. This is one method through which people and communities acquire greater knowledge and awareness, that the person whom they met online or the internet is actually an accomplice and could end up marrying a human trafficker.

Another method which distinguishes sex trafficking from human trafficking is when a former slave is acting as a recruiter. A laborer victim of human trafficking normally does not end up being a recruiter of potential victims because he or she knows the sufferings, hardships and turmoil one victim endures and overcomes just to survive the

nightmarish experiences of being a trafficked person. But with regard to sex trafficking, there are incidences in which the trafficked persons emerge as recruiter of trafficking victims probably owing to the mind conditioning, psychological warfare and emotional blackmailing which human traffickers perpetrate on former sex slaves.

Mishra (2015, 4-5) offers a theoretical explanation to the methods used by human traffickers to negate its victim as controlled objects through mind conditioning, psychological warfare and emotional blackmail when she asserts that:

Traffickers used the following different methods to control victims 1) sacrifice syndrome- glorify their victimization as a social sacrifice for their family, 2) use of internal and external stigma. Internal stigma- the psychological impression inculcated by the victim of being crap, desecrated, and wasted, dishonored, disgraced, oddity in community and so on. External is the way community or society treats them once they try to reintegrate. 3) fear psyche, victims are threatened of dire consequences such as inflicting harm to family members and children who are sometime kept in captive and, 4) Stockholm syndrome- this feeling of oneness with the trafficker comes to the rescue of trafficker when the enforcing agencies or intervening agencies try to establish the crime.

These means of controlling human trafficking victims are excruciatingly damaging to the person because what it actually target is to destroy the will, weaken the spirit, degrade the dignity, and manipulate the behavior of the victim, denying him or her a second chance at life and take a crack at redeeming the lost dignity and battered soul. This makes human trafficking an inflicted wound that takes time to heal, a social cancer which needs cure not only from the patient who is the victim, but more importantly from the physician which is the society.

The human trafficking victims cannot heal the trauma, stigma, fear, and anxiety on their own but requires relevant and timely interventions, remedies, solutions and prescriptions from various stakeholders of society in ending human trafficking which includes national and local governments, non-government organizations, private corporations, law enforcement agencies, international non-

government organizations as well as the international communities. This will now be the subsequent topic of the paper, stakeholders' challenges and opportunities in combating human trafficking.

## COMBATING HUMAN TRAFFICKING: INSTITUTIONAL DYNAMICS AND POLICY CHALLENGES

Human trafficking is a complex problem which requires the participation, cooperation, collaborative efforts and exercise of commitment from various stakeholders and institutions. There are researches and studies on the identification and analysis of various stakeholders involve in anti-human trafficking movements like that of Rijken (2013, 21-22) that enunciates cooperation as an integrated approach among identified stakeholders fighting the epidemic proportion of human trafficking such as local government units which includes municipalities, labor inspectorates or its equivalents, internal revenue service, chambers of commerce, trade unions, civil society and individuals, police and prosecution services.

Guth (2010, 153-156) on his part, discusses the various stakeholders, agencies, and institutions that are responsible for curbing human trafficking in the Philippines and partitioned the roles, stakeholder's functions and responsibilities into prevention, prosecution and rehabilitation domains. For the prosecution aspects the stakeholders are the local government units, Department of Interior and Local Government, Philippine Overseas and Employment Agency, Department of Labor and Employment, and the National Commission on the Role of the Filipino Women. With regard to the protection of trafficked persons, the stakeholders responsible are the Philippine National Police, Bureau of Immigration, Department of Justice, and the Department of Foreign Affairs. In the context of rehabilitation, the stakeholders responsible include the Department of Social Welfare and Development. The non-government organizations help and assist in the prevention, protection and rehabilitation of trafficked persons or individuals. Guth (2010) questions the stakeholders' response, particularly that of the government's and also implies the necessity of formulating and implementing an effective anti-corruption program to curb

corruption viewed as the leading cause and enabler of human trafficking in the Philippines.

Finally, Mishra (2013, 4-6) offers fresh perspectives, such as law enforcement problem and human rights violations, as two contending yet complementary paradigms in human trafficking which stakeholders, agents and institutions of anti-human trafficking initiatives needs to find the required convergence. She also traces the causal factors of human trafficking, such as push and pull factors, -which also reinforce and complement each other- in which the stakeholders seek to uproot by curtailing the supply and demand chain of human trafficking.

These researches evidently tackle the functionality and criticality of stakeholders in anti-human trafficking initiatives, with Rijken (2013) injecting the cooperation integrated approach, Guth (2010) stressing the need to formulate and implement an anti-corruption program to consequently prevent human trafficking and Mishra (2013) theorizing on paradigms useful in addressing the human trafficking issues, trends and challenges. Taking the cue from this trifecta of literature, this section attempts to the furthering of the stakeholder's roles, functions and responsibilities in the prevention, protection, prosecution and partnership paradigms of human trafficking through a synthesis of best practices and good governance models in terms of programs, projects, initiatives, activities, policies and laws in the prevention of human trafficking in person.

It is hoped that the consolidation of the following best practices and good governance framework may serve as stakeholders' blue print in stopping human trafficking within the range and scope of their responsibilities of the following relevant stakeholders in human trafficking. The tools now available to deal with trafficking are considerable. They include strong international and national legal frameworks, dedicated criminal justice institutions, powerful oversight and reporting mechanisms, and a vigorous civil society. These must all be directed toward exposing exploitation in migration and securing a stronger, more effective response (Gallagher 2015, 69)

## **THE UNITED NATIONS OFFICE ON DRUGS AND CRIME**

The United Nations Office on Drugs and Crime (UNODC) is a global leader in the fight against illicit drugs and international crime. Established in 1997 through a merger of the United Nations

Drug Control Programme and the Centre for International Crime Prevention, the UNODC operates in all regions of the world through an extensive network of field offices. UNODC relies on voluntary contributions, mainly from governments, for 90 per cent of its budget. As the only United Nations entity focusing on the criminal justice element of these crimes, the work that UNODC does to combat human trafficking and the smuggling of migrants is underpinned by the United Nations Convention on Transnational Organized Crime and its protocols on trafficking in persons and migrant smuggling (UNODC, 2017).

The UNODC (2014, 52-53) Report on Trafficking in Persons cites three important responses to fighting trafficking in persons, namely: legislation, criminal justice, confiscation of assets of human trafficker and compensation of human trafficking victims. The UNODC notes that there are already the presence of legislation in most of the countries, such legislation fell short of giving full protection to trafficked persons with some human trafficking laws inconsistent and incompatible with United Nations Convention on Transnational Organized Crimes and its Protocols owing to cultural factors and the lack of political will of some states to legislate and implement the criminalization of human trafficking laws in the country. The UNODC Report (2014) also notes that:

Combining the population size of the country with the status - lack or partiality - of the legislation shows that about one third of the world's population - some 2 billion people - live in a situation where trafficking is not criminalized as required by the UN Trafficking in Persons Protocol. This situation combined with a very low number of convictions makes trafficking in persons a crime of vast impunity (52).

This is also applies with the criminal justice response concern with what the UNODC (2014) termed as “impunity is rife,” which suggests that, “the data on investigations, prosecutions and convictions collected for the 2010-2012 period shows that the number of convictions for the crime of trafficking in persons remains very low. About 15 per cent of the 128 countries covered by the data collection for this Report did not record a single conviction during the reporting period.”

This indicate the failure of some states to prosecute and convict human traffickers to a crime of impunity due to the absence of legislation



that stringently apply the full force of law to human trafficking related criminal offense with some countries providing light punishment and shorter period of imprisonment or may even categorize it as bailable offense, in worst cases leads to exoneration and acquittal because of the vast financial and political connections human traffickers enjoys from some law enforcement agencies, politicians and prosecutors.

Given the weak criminal justice responses, the UNODC (2014) recommends the confiscation of assets of human traffickers to diminish their capacity to influence, coerce, rent-seek and peddle with anti-human trafficking authorities and cut the financial sources of trafficking persons, disrupt or paralyze the human trafficking illegal activities and deter criminals from accumulating more wealth that can otherwise be invested in a legal business to optimize their source of income and profits. The proceeds of such illegal activities then may be re-assign and re-align to the assistance and compensation of human trafficking victims instead. Hence, the UNODC (2014, 53) suggests that the criminal justice must focus on the financial dimension of investigation to derail human traffickers' wealth and influence when it states that:

Although confiscated assets seem to provide a logical and appropriate source for such compensation, very few countries seem to have sufficient resources to implement the idea. Low numbers of convictions combined with limited use of financial investigations hinder efficient confiscation of assets in human trafficking cases. In order to have efficient and functional compensation schemes based on confiscated assets; countries need to improve their criminal justice responses, particularly by focusing more on financial investigations.

In the battle against human trafficking, states and international communities must run after the money trail and sources, as to from whom, from where, and how human traffickers get their funds and finances in running their illegal business. Freezing their bank accounts, forfeiting and foreclosing their assets and investments, monitoring and tracing their money laundering activities and eventually seizing and taking over their business which is a product of their human trafficking activities are some of the interventions and remedies that countries may consider in crushing the financial aspects of human traffickers.

In a more far-reaching implication, the international community, through the United Nations resolution imposes economic embargo, political sanctions or diplomatic protests on countries which are downgraded as Tier 3 in Trafficking in Person (TIP) Tier level terms of human trafficking. But this requires a thorough collaboration and partnerships with other states especially if the ill-gotten wealth acquired from human trafficking are deposited in foreign banks which freezing the assets presents jurisdictional and sovereignty issues.

## **THE NATIONAL GOVERNMENTS**

The state or nation's government plays a crucial role in stopping the proliferation of human trafficking. Through its various branches, agencies, instrumentalities and subsidiaries such as the executive, legislative and judicial departments, it is actually the primary source of programs, projects, laws, policies, and landmark decisions which prevents the human trafficking from happening. The executive department, through the President/Prime Minister and his or her cabinet secretaries or ministers, needs to decide and prioritize human trafficking as a priority program or topmost agenda of the government. Human trafficking programs and priorities is an executive branch decision and an executive prerogative as what Risley (2015, 225) notes when she declares that:

The parallels and interconnections between the war on trafficking and the war on terror thus extend beyond the realm of discourse and nationalist ideology to actual policy instruments. Government officials define the parameters of trafficking and terrorism, link these threats to ongoing efforts to control borders and immigrant populations, identify/apprehend traffickers and terrorists, scrutinize foreign governments, punish perceived "rogue" states, and export criminal justice norms and practices to other countries, often in ways that privilege unilateralism and/or executive branch prerogatives.

The political will and steadfast commitment to plan, formulate, and implement the projects and programs, measures, and approaches to stop human trafficking rests on the seriousness of the head of the

government or the state to end it. The national government's oversight and disregard of human trafficking as an emerging social epidemic breeds and produces the mushrooming of human trafficking criminal groups which operate with impunity and merciless victimizing of innocent persons especially women and children. Unless the executive department certify human trafficking as a priority and urgent plans, programs and projects as its centerpiece, human trafficking will continue to abound owing to the lack of executive decisions and directives to protect the persons, prevent the occurrence, prosecute and punish the human traffickers as substantial political initiatives of the main implementing and executing domain of the government.

The legislative department, on its part, is mainly responsible for the formulation, enactment and promulgation of anti-human trafficking laws which serve as legal basis or mandate in the prevention, protection, prosecution and punishing of human traffickers which needs to be in accordance with the international treaties, conventions and protocols which tackles human trafficking as a crime such as the United Nations Convention on Transnational Organized Crimes and its Protocols. There are already several countries which have anti-human trafficking legislation already, but the challenge lies on the compatibilities and consistencies of these domestic anti-human trafficking laws to international laws, conventions and protocols which tackle human trafficking. Winterdyk and Perrin (2011, 13) sees the need to strike a balance between local, national and global perspectives to provide harmony and reconciliation of an effective anti-human trafficking legislation when they argue that:

Similarly, as reflected above, there is a transparent need for a careful analysis in how to formulate effective legislation and plans of action that result in productive investigation and efficient and effective prosecution of all cases. Such an analysis not only needs to take place at a local and national level but also needs to be scrutinized with the larger global context in which trafficking expresses itself. However, a clearer understanding of the nature, extent, and circumstances of human trafficking in the context of the region, country, or continent in question is necessary to develop the capacity and legislation to effectively address trafficking.

Amahazion (2015, 183), on his part, clearly sees the need to balance government rhetorical and foundation principles on human trafficking with that of strict law enforcement and implementation of human trafficking laws when he points out the value of government effectiveness in curbing human trafficking through the passage of human rights principles and promulgation of international cultural norms supportive of human rights rhetoric. He further contends that the state needs to continuously build its capacities and reinforces its internal resources as one single and coherent mechanisms towards capacity-enhancements in anti- human trafficking enforcement.

If Amahazion zeroes in on the national government's propensity to be rhetorical, Vance (2011, 942) laments the tendency of the national governments to be melodramatic when she argues that the state's unwillingness and indecisive efforts to fight human trafficking and its capacity to utilize melodrama and generate sensational profile but superficial human rights rhetoric, creates a favorable condition for transnational trafficking which consequently weakens and undermines its capability to enact and promulgate laws which are necessary, beneficial, and crucial to government effectiveness and credibility in its fight against human trafficking.

Melodramatic implies the depiction of human trafficking as theater, movie, or a world of make believe with the utilization of popular celebrity actors and actresses as the narrators of based on the story or narrative accounts of human trafficking victims while veering away from the real issue of human trafficking. While the intention of such melodramatic documentaries and video stories is to propagate awareness on the perils of human trafficking, it is devoid of clarity, content and substance as it focuses more on the celebrity or the person victim and not to the institutional interventional effectiveness. Melodramatic approach is more person-oriented rather than institutional -oriented which undermines government effectiveness in combating human trafficking in the process while enhances the sensationalization of media at the expense of human trafficking victims.

The transition to melodramatic approach to institutional -centered approach in fighting human trafficking provides a clear appreciation of human trafficking without gimmicks or hypes, for instance, featuring and the causes, challenges and problems as well as rationalizing the best practices or good governance models or paradigms which governments all over the world employ in combating human trafficking is useful in

providing a much in-depth national and global perspectives on human trafficking based on the interviews and narratives on anti- human trafficking experts, academics, government leaders, policy-makers and other epistemic actors agents and institutions all over the world.

An anti-human trafficking law alone is not sufficient to stop human trafficking, but providing teeth and muscle to the law through the clear translation, application, and actualization of its provisions by law enforcement agencies and the capacity of the courts of law to prosecute and punish human trafficking offenders may just be one of the key element in the ending human trafficking. But as long as there are few or none at all human traffickers, are caught, punished and prosecuted or for as long as human trafficking is decriminalized, human trafficking would continue to abound and occur in given society. Kumar (2013, 128) gave some recommendations in battling human trafficking in Punjab, India when he proposes that:

Hence, in addition to this, policymakers need to establish a Special Police Force, trained in dealing with human trafficking including the rescue of trafficked persons and the identification and arrest of traffickers. Such a police force must have national and international cooperation to dismantle the trafficking network. Policy-makers should also think of the formation of fast track courts which may take even sue motto action against the culprits. Free legal aid facility should be given to the victims and their rehabilitation should be ensured. This can ensure fast justice to the victims and could be an effective deterrent mechanism for the menace.

Perhaps the creation of special courts which specifically try, hear, prosecute, and punish anti-human trafficking cases, the formation of special police force or law enforcement agencies which particularly pursue, apprehend, and arrest human trafficking criminals and syndicates and the provision for an anti-human trafficking agency- a national coordinating center against human trafficking headed by a anti-human trafficking czar- are some of the challenges and opportunities which national governments can adopt as counter-measure against human trafficking. These entail the allocation of huge amount of budget, physical and technological infrastructure as well as the institutionalization of these innovative and transformational agencies of the government in the national structure of leadership.

The judiciary and other courts of law, on their part, need to adjudicate or render landmark decisions and judicial precedents which render the imprisonment of major and big-time human trafficker criminals to establish the seriousness of the government to bring to justice those persons and group of persons largely responsible for human trafficking activities. By putting these felonious human traffickers to prison bars, the government is sending a powerful statement that it is serious in its fight against human trafficking and sends warning signals to human trafficking perpetrators that it will to suffer similar fate if it does not stop from its illegal activities, thereby restoring the people's faith to the criminal justice system. Pedrasa ([abs-cbnnews.com](http://abs-cbnnews.com), 2013) identifies the weakness of the judiciary and criminal justice system in the prosecution of human trafficking criminals in the Philippines based on the United States State Department report when he reported that:

The problem can be blamed, however, in the underlying weaknesses at the judicial level that stymied efforts to hold trafficking offenders accountable, and the overall number of prosecutions and convictions remained disproportionately low for the size of the problem. While amendments were made to the anti-trafficking law, the excessive length of trials and lack of public prosecutors dedicated to trafficking cases continue to limit progress. It added, the government should conduct immediate and rigorous investigations of complaints of trafficking complicity by government officials, and ensure accountability for leaders that fail to address trafficking-related corruption within their areas of jurisdiction.

Finally, Grubb and Bennett (2012, 497-498) come up with some recommendations which can prove to be beneficial in combating the human trafficking problem in unified approach in a national context namely: 1) promote mandatory training initiatives among all states that require all certified law enforcement agencies to receive human trafficking training that would address awareness, identification of indicators, victim assistance protocols, and investigative procedures; in essence, to ensure a proactive training itinerary throughout the country, 2) encourage the use of written protocols, procedures, and / or policies for the handling of human trafficking offenses and victim assistance requirements for all law enforcement agencies to ensure

victims are treated appropriately and have access to resources and 3) develop better communication pathways between state and federal agencies that enable all agencies to participate in information sharing and financial resources regarding human trafficking offenses and anti-trafficking efforts.

## **THE LOCAL GOVERNMENTS**

Local governments are the frontliners and the first responders to anti-human trafficking activities and initiatives. Hence, local governments are seen as a barrier, constraint and blocker of human trafficking or the other way around, it can also be an enabler, motivator and facilitator of human trafficking itself. Human trafficking usually happens in poverty stricken communities located in poor municipalities, town, cities, states and provinces which human traffickers pounce on and seize the opportunity to lure, attract and recruit potential human trafficking victims.

Local governments becomes the enablers of human trafficking when there is a high-level of corruption that results to the deprivation of basic social services to their constituents such as housing, livelihood, education, health, sanitation, and employment and livelihood. The loss of opportunities to better life compels a person to become easy prey for human traffickers as the latter set out bait in which the potential victims can be an easy catch. When there is no food in the table to fill in the empty stomach, a decent shelter to seek refuge in times of hot or cold spell, no classrooms or books which provides enlightenment, no jobs to provide dignity in work and no hope and faith to muster enough spirit to stay on, the potential victim yields to the empty promises and sullen pressures of human traffickers as the only option left to build their homes and live better lives only to find out in the end that they made a wrong decision.

Local governments are the barriers to human trafficking when there is low level of corruption or none at all, and the local government leaders, such as the mayors and governors practice the tenets of good governance anchored on accountability, transparency, participatory and consensual leadership, stakeholdership and deliberative approaches in governance. A father, mother, brother, sister or any family members would prefer to stay in their respective families, localities and communities when there is local government effectiveness and

legitimacy which impels the efficient delivery of basic goods and services in terms of promoting the common good and general welfare of its constituents. There are no reasons to leave and depart their loved ones if there is freedom from wants and needs which their local government can provide and offer and essentially diminishing and easing the pressures of human trafficking. Bales (2007, 278) reveals some strategies and activities to ease out human trafficking pressures which reducing graft and corruption tops when he stresses that:

Likewise, some of the most obvious strategies for slowing trafficking would, on the basis of this analysis, include those activities known to reduce push-factors: 1.) measures to reduce governmental corruption in both origin and destination countries, 2.) population control measures, especially poverty reduction and increasing educational opportunities and, 3.) tackling international inequalities in wealth, especially at the sharpest end, so that people have basic means of subsistence and social guarantees.

Just like the national government, although in a devolved and decentralized manner, local governments can put up a specialized law enforcement agencies, local council boards, and local coordinating councils that specifically deal and address the challenges of human trafficking. A local watchdog organizations sanctioned and supported by the local governments is also a welcome opportunity to provide the community and civilian and support in the campaign against human trafficking. In addition, the creation of anti-graft and corruption oversight council is necessary to check, audit and prosecute public officials who commits rampant graft and corruption since human trafficking is tied up with the issue of graft and corruption with the latter seem as one potent enabler of human trafficking.

More importantly, the law enforcers in the local setting-the police officers-must be properly educated and trained in the handling of investigation and prosecution of human traffickers. The law enforcers need not be swayed by bribery and corruption and tainted by misfits and scalawags, rather it needs to approach human trafficking as one noble mission to save and rescue the innocent lives to fall into the trapping and musings of human trafficking. The duty to serve and protect the person, family and community against the danger of human trafficking begins with the proper awareness and recognition of the causes, effects



and repercussion of human trafficking and it is the law enforcers that must acquire the ascendancy of such awareness and education so that it can be pass on to their localities and communities. Farrel et al. (2015, 329) prescribe the theoretical training and updating of police officers in human trafficking investigations to improve government efficiency when they state that:

To increase rates of human trafficking investigations and subsequent prosecutions, we suggest that law enforcement be given the time, funding, and training needed to establish a wide base of experience and knowledge from which they can draw upon for future human trafficking investigations. By supporting police to develop a new human trafficking schema, we might see important shifts in the ways law enforcement approaches and prioritizes suspected cases of human trafficking. As police officers acquire new tools to successfully investigate human trafficking cases, their dependency and reliance on existing but inadequate theories could be significantly reduced.

Discipline comes from the top. The law enforcement agencies, or the police officers in the local government setting, must acquire first an increased awareness of and education on human trafficking to provide the necessary orientation and training as well to the local communities on how to spot and detect early on potential human trafficking activities and initiatives to make the community be more vigilant and be a partner in reporting incidences and occurrence of human trafficking.

## **THE CIVIL SOCIETY ORGANIZATIONS AND PRIVATE SECTORS**

The civilian component and community support play an important integral part in the stoppage of human trafficking. Civil society organizations, non-government organizations, non-profit organizations and private corporations provide a solid backbone in the fight against human trafficking primarily because it could be their community members who are the ones to be directly affected and involved as human trafficking victims. It is possible that human trafficking victims

can be a neighbor, laborer, family member, student and a friend and it belongs into a community and civil society in which people live.

With the growing concern on the spread of human trafficking activities all over the world and an increasing awareness on the impact of human trafficking to humanity, sees also the resurgence and emergence of non-profit sectors joining in the fight against human trafficking. Some of this organizations are the International Justice Mission which works to protect the poor from the violence of the developing world; Free The Slaves which campaigns against modern slavery around the world; Airline Ambassadors International which offers a human trafficking awareness program to educate airport staff about the human trafficking problem; Polaris which works to combat and prevent modern-day slavery and human trafficking. Lake (2015) narrates the commitment of Polaris in combating human trafficking through big data solution when she reports that:

But the people engaged in this battle aren't armed with guns and tanks -- instead their strength is the telephone, and all the information it can provide, to fight for freedom. This is the home of Polaris, the non-profit company that runs the U.S.'s Human Trafficking Resource Center hotline. Since 2007, its employees have answered more than 85,000 calls for help. This year alone, callers have reported 1,345 cases of human trafficking across the country, from California to Colorado, Ohio to Oregon.

Technology, such as big data and cloud computing, are instrumentally productive in preventing human trafficking for it can generate multitude and instantaneous data real time which consequently prevents outright human trafficking from happening and apprehending human traffickers thorough detection of location and places in which human trafficking conversations, interactions, wheeling and dealing and reporting which transpires online and on the phone. The community needs more human trafficking resource centers as part of an institutionalization and adaptation process of civil society restructuring and transformational abilities in winning the war against HT and putting behind bars sex predators, pedophiles, and pimps just like the Polaris Model.

While the Polaris organization uses big data technology as method of fighting human trafficking, both Mentari, a New-York

based non-profit organization dedicated to provide training and economic empowerment support to survivors of human trafficking and Safe Horizon, a New York based victim assistance organization that touches the lives of more than 250,000 affected by crime and abuse each year employs human trafficking victim centered approaches in stamping out human trafficking such as counseling, education, recovery and rehabilitation services. Vega and Woworuntu (2015) a human trafficking survivor, founder of Mentari and Senior Director of Safe Horizon's anti-trafficking programme respectively shares what their organizations do in combating the implications of human trafficking to its victims:

While preventing modern slavery is a pressing, long-term goal, we must also do a better job of assisting victims of this horrendous crime. Our organizations provide services that assist and empower survivors of human trafficking to rebuild their lives. Once a person escapes a trafficking situation, they may receive immediate crisis services like shelter, medical care and counseling, but they also need language skills, long-term trauma counseling, education, career coaching and job training to truly get back on their feet.

These two different methods of Polaris, Mentari and Safe Horizon in dealing with human trafficking solutions typifies the two dominant perspective on human trafficking as earlier espouse by Mishra (2015) in which Polaris is more law enforcement centered which focuses on punishing the trafficker and prosecution is a matter concern while Mentari and Safe Horizon is more human rights victim oriented whose concentration is rescue and rehabilitation of the victim with not so much concern with the prosecution. While civil society groups and nonprofit organizations may have differing perspectives on and responses to preventing human trafficking, both requires collaboration, complementation and cooperative enterprise as joint partnership in putting an end to human trafficking. Cantrell (2013, 10) finds the convergence of law enforcement and human rights victim perspective and approaches as a joint collaborative exercise when he pronounces that:

Trafficking victims often do not see themselves as victims and may blame themselves for their situation. Discovery of this

crime is therefore difficult because victims rarely self-report to law enforcement and the time and resources required to uncover the violations can be immense. Because of these facts, law enforcement training to recognize the signs of human trafficking and collaboration with the NGOs working with the victims of human trafficking is extremely important.

Belles (2015, 12-13) on her part, enunciates that it need not be a member of civil society organization or a nonprofit sector to make a difference in the fight against human trafficking, that in our simple and basic level as a member of a community or a citizen can partake in the fight against human trafficking which can happen right in our own backyard when she exclaims that:

But most of us can tell about human trafficking, sit with a victim and listen to him or her, guide victims to services to help in their recovery, work to improve legislation, call the authorities when we see something that looks suspiciously like human trafficking, and network with anti-trafficking organizations and agencies. By doing these things, we can take stand and might even save the lives in our community.

Fisher (2009) sounds the clarion call for better public awareness and education on human trafficking among citizens plays a cogent role in stamping out human trafficking and it requires the proper cognizance of National Human Trafficking Awareness Day when she implores that:

Public awareness, education and the establishment of protocols in all service agencies are crucial. Recommendations for awareness include training the general public, law enforcement, health providers, service providers, and other outreach services regarding immigrants, housing opportunities, victim compensation funds, and legal protections, as well as furthering the research on the subject. Please join me in annually recognizing January 11th as National Human Trafficking Awareness Day.

January 11 is a remembrance of the human trafficking awareness day which makes people grounded on the perspective about the gift of

freedom, the value of liberty, and the love for humanity. It is a day to remember those who fell victim to human trafficking, who disappear in the dark, perish in the sea, fading in the human memory, but it also a day to celebrate human trafficking victim survivors who brave the odds, overcome adversity, triumph over human evils and move forward with renewed freedom and passion for life. More importantly, the day marks that human trafficking must stop and cease to exist through communal prayer and solidarity that never again it must happen in the community.

Finally, the private sector play an important role in curbing human trafficking through the integration of anti-human trafficking activities, initiatives and programs in their corporate social responsibility agenda and advocacy. Corporate governance mission and vision statements, which reflect and concretize actions and responses against human trafficking in which the private company or private corporations undertake can be spelled out in put into actions through adequate financial assistance to human trafficking victims, providing financial funds, subsidies and infrastructures on nonprofit organizations which fights human trafficking, lending their technical, technological and manpower services to civil and society organizations as well as corporate sponsorships for human trafficking awareness programs such seminars, education, training and conferences or even marathon or walkathon events to stimulate an increased level of awareness and consciousness on human trafficking. States should take action vis-à-vis corporations to oblige corporations to adopt preventive policies for Trafficked Human Beings and vis-à-vis corporations that do not take their responsibility and obligations seriously. As such, the corporate responsibility to respect human rights in the context of Trafficked Human Being is translated into a legal obligation (Jägers et al. 2014, 72).

## CONCLUSIONS

Human trafficking is the modern-day slavery which engulfs and encompasses virtually every locality, nation, region, and continent. It is a crime against humanity of epidemic proportions but which is still unknown to many lurks and lingers in our backyards, neighborhoods, schools, workplaces, airports, harbors and seaports and in other places where a vulnerable and hopeless victim is waiting to be lured by a

scrupulous human trafficker toward enslavement and imprisonment not only of the physical bodies but the tired and weary souls as well.

Human trafficking is the new social cancer which remains incurable and unhealed unless the stakeholder institutions, agencies, and actors task to end it begin to respond with concrete actions, programs, projects, policies and laws devoid of motherhood statements, perspectives, rhetoric and melodramatic elements which further compound the woes of stopping human trafficking through too much analysis, reflection and theatrics but actually lack the enforcement and implementation of such anti-human trafficking approaches, measures, initiatives and activities.

The paper had attempted, as a dimension of human trafficking literature, to analytically dissect the whats, whys, and hows of human trafficking with an intent to enhance the policy-making and policy-implementation of stakeholders in anti-human trafficking initiatives. Between the policy-capacity dimension and policy-implementation of human trafficking, the latter is of critical importance because perspectives, ideas, insights and paradigms will remain empty and useless if not put into practice, if not tested and applied or not enforced and implemented.

Hence, the paper challenges the various stakeholders of anti-human trafficking efforts such as the national government, local government, law enforcement agencies, civil society and the citizenry that this is an opportune time to act together to stop human trafficking for the salvation of human lives and the redemption of humanity. Through an engage and active collaboration, network, cooperation, partnership and coalition-building among various stakeholders that human trafficking can be stopped.

As a result, the paper discovers some policy-directions and opportunities that various institutions and stakeholders can formulate and implement to curb human trafficking, such as the confiscation of assets of human traffickers, freezing their bank accounts, forfeiting and foreclosing their assets and investments, monitoring and tracing their money laundering activities and eventually seizing and taking over their business which is a product of their human trafficking activities, creation of special courts which specifically try, hear, prosecute and punish anti-human trafficking cases,, a formation of special police force or law enforcement agencies which particularly pursue, apprehend and arrest human trafficking criminals and syndicates and the provision for an anti-human trafficking agency, proper education and specialized

training of law enforcers responsible for apprehension and prosecution of human traffickers, institutionalization of a anti-human trafficking resource center at the community, local national and international level and the incorporation of anti-human trafficking projects and programs within the corporate governance framework and structure.

In the end, the paper realizes that future researches and studies must be done on how the interface of media, civil society and policy-making can create a positive impact in the fight against human trafficking. The paper also suggests further studies on the existing debate and discourse dichotomy between law enforcement centered paradigm and human rights centered paradigm and how policy convergence can be achieve as a result of such dichotomy. Furthermore, prospective research that can tackle the capacity-development programs, projects, and initiatives of various civil society organizations within the local, national regional and international periphery in battling human trafficking is a scholarly pursuit worthy of research and investigation for policy researchers and development scholars alike.

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