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THE EFFECTS OF DEVELOPMENT ON POLICIES
IN THE PREVENTION OF INTERNATIONAL HUMAN TRAFFICKING

by

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A thesis submitted in partial fulfillment of the requirements
for the Honors in the Major Program in Political Science
in the College of Sciences
and in the Burnett Honors College
at the University of Central Florida
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ABSTRACT

Governments and leaders across the globe almost universally agree that human trafficking is a modern atrocity that has harshly negative effects for individuals, communities, entire states and the international community. Nevertheless, they are not in agreement on how best to investigate cases and provide aid to victims. Many states lack the resources to effectively create and implement policies. Governments must act to protect their citizens and people within their borders. Policies are necessary to correctly identify victims, investigate accusations, bring cases to trial and prevent vulnerable populations from becoming victimized through awareness.

This thesis asserts that there is a link between the development level of a state and its ability to limit the grotesque crimes of trafficking that occur within its borders. Using the United Nation's annual report which details the development ranking of individual states, it is possible to comparatively analyze the ability of these states to comply with international standards established by the United States of America in the protection of victims of human trafficking. Special attention is paid to the challenges that societies face when there are drastic changes to states' economic activity or political stability and how these affect the frequency of trafficking occurrences and a government's ability to respond.

DEDICATIONS

For the children, women and men across the globe who do not share the enjoyment of a free life,

For Houman Sadri, Anca Turcu and Chiara Mazzucchelli for trusting and guiding me,

For Nancy Marshall for keeping me grounded,

And, for my family that supports me every step of the way.

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CHAPTER ONE: INTRODUCTION

Despite international efforts to clearly define and prevent the trafficking of people, difficulties in policymaking and implementation still persist for the majority of sovereign states in the modern day. Understanding what causes policies to be effective or to fail in the prevention of human trafficking requires an understanding of what trafficking is, why and how it occurs, and what portions of a state's population are most susceptible to fall victim in the first place. Many causes are rooted in economic development, however many other factors, such as a negative self-perception of a victim's own socio-economic status, or the social development of a particular state, affect the likelihood of free men, women and children being reduced to forced laborers. Governments face issues when trying to identify victims, to offer them protection and when trying to give assistance. Others still do not offer legal or recovery services to those in need or incriminate them wrongfully. This thesis addresses the question whether or not the human development attainment of a particular state affects its ability and effectiveness in creating anti-trafficking policies that meet international standards. Because of the fluidity and ever-evolving nature of this modern-day human trade, research and policy alike must remain sensitive to changing adaptations to regulations.

Research Design

This thesis focuses primarily on a comparison of the results from two separate annual political studies. One is the annual Human Development Report published by the United Nations Development Programme. This includes the Human Development Index (HDI) which includes facts, figures and statistical data across a variety of variables in determining states' developmental levels. The Trafficking in Persons Report (TIP) is published by the United States

Department of State, and categorizes states into Tier rankings. These rankings signify a level of compliance, or lack of compliance, with the Trafficking Victims Protection Act (TVPA) of 2000 and its subsequent updates. Better tier rankings do not signify the elimination of trafficking occurrences statewide. The TIP also includes individualized Country Narratives. Within these small reports on each state, the State Department justifies its ranking decision based upon any significant changes made to a state's existing policies, the creation of new anti-trafficking policies and their overall effectiveness.

The Tier Ranks of the TIP are cross referenced with findings and statistics from the Human Development Report for 2013 from the United Nations Development Programme and various other journal articles on the development of the cases. States are also given a numerical rank by the UN in the Human Development Index. An HDI rank closer to one (1) correlates to higher GDP per capita, higher average educational attainment, and greater access to institutions, such as health care. This thesis will not use the HDI adjusted for income inequality, although it does recognize the effect that income inequality, or other individual factors, can have as an intervening variable that makes trafficking more likely to occur in places where income inequality is high. All states fall between 1 and 186 on the HDI. The HDI also further categorizes states for easier grouping as Very High, High, Medium or Low, depending on the similarities of the current situation in states.

In addition, states in the TIP fall into one of three tiers. Tier 1 states fully comply with the TVPA of 2000. Tier 2 states do not, but are making efforts to do so. For the purposes of this

study, the ranks of Tier 2 and Tier 2 Watch List will be treated equally. Finally, Tier 3 states do not comply and are making no observable effort.

This study recognizes the developmental level of states as the independent variable and compliance with anti-trafficking standards as the dependent variable. Therefore, I hypothesize that states with higher levels of developmental attainment will be more likely to comply with international measures that can be used to impede trafficking within its borders. States whose development is considered Very High by the HDI are expected to fully comply with the TVPA, giving them a Tier 1 rank. States that are ranked High or Medium developmentally could also be ranked Tier 1, but, as development levels decrease, should be expected to be ranked Tier 2. States with Low development are the most likely to be Tier 3 states. I expect a pattern behavior from states with lower development that displays insufficient management of state capabilities, and negatively affects their level of conformity.

Case Selection

Crossing the four categories from the HDI and the three ranking from the TIP gives us a possible twelve case studies, if one case per each category is selected. However, because there is no instance of a Very High development state from the HDI that is a Tier 3 state, nor is there a Low development state that is Tier 1, only ten are examined. Examining multiple cases that are ranked similarly by the HDI and TIP is beyond the scope of this project, as states that are categorized with numerically close HDI scores or identical tier rankings would not provide a comparison to determine the validity of the hypothesis. Thus, case studies have been selected based on their potential efficacy in displaying how varying levels of development, as determined by HDI, correlate with standards of trafficking prevention.

The United States is used as a benchmark. While it still has large numbers of trafficking victims within its borders, it is an example of a global power that works to combat trafficking and provides data that is among the most current in the world. Many states in Western Europe behave the same way, and would indeed provide similar results. Armenia was chosen because of the interesting situation of its history. Although it is a former Soviet Republic, and despite facing social difficulties, it remains a Tier 1 state due to its governmental efforts. Nicaragua is similar. As the Tier 1 state with the lowest HDI, the state is able to achieve the same rank as other developed states without the same resources.

Switzerland is by all definitions a modern and industrialized state with a developed economy and high quality of life. Still, due largely to issue saliency, the state is ranked Tier 2 by the DOS; this case was selected because it is an unexpected situation. Brazil and India were selected because they represent cases in which economic improvement and change are propelling dramatic shifts in other factors of human development. Pakistan represents a case of a state with low political strength and cohesion that somewhat is still making observable efforts to combat trafficking.

Russia and China are similar to Brazil and India, and were selected to represent cases in which the developmental status is changing for the citizens. The governments have similarly abysmal human rights records and will give interesting insight into how growing states may respond to trafficking. Finally, Yemen was selected as a case representing a weak state with little legitimacy. It will display further how a failure to organize and manage policy or resources will affect the prevention of trafficking.

Scope and Limits

This research encounters the scientific limitations that are inherently involved in the study of human trafficking. The clandestine nature of this social phenomenon does not lend itself easily to accurate analysis. Much of the data that are collected is qualitative and changes based on the particular situations of those who are asked to share their stories, if they are even willing and able to tell. In addition, there is nothing obligating states to provide correct and current information to NGOs or other governments. They have various reasons for not wanting to make such statistics public, or they lack the ability to efficiently do so. Therefore, this thesis gathers and makes use of informational that is readily available, knowing that many victims go unaccounted for, and embarrassed governments may block the efforts of NGOs, or even their own investigative agencies, from reporting the true nature of human trafficking.

The study is regionally focused and does not include any cases from the African continent or Australia and the Oceania. African states constitute more than three fourths of the 46 states that make up the Low developed states according to the HDI for 2013. Therefore, the state governments likely have many major social and criminal issues that are interrelated with each other and with low political efficacy. For this reason, their data on trafficking statistics are even more likely to be unreliable or not available, as the states do not have the institutional resources to accurately keep or report records.

Problems of Information Validation

Each case study will display how states do or do not meet the minimum standards and criteria for governments in their attempts to eliminate trafficking as described in Section 108 of the TVPA. However, it must be noted that the U.S. Department of State does not include many

citations for the claims made by the Trafficking in Persons reports. Validation of assertions is often difficult. In many cases, individual country profiles may mention noted observations of non-governmental organizations that are active in the country, either independent or government-sponsored. For various reasons the DOS is not forthcoming with releasing the specific names or actions of many these NGOs.

Despite these inaccuracies, this thesis will focus on validating instead the development situations in each case study, in so far as they may affect the state's ability or inability to comply. For the means of this thesis, the U.N. Development Programme will be used as an international authority on the state of development in the cases. Claims made by the U.N. are validated by other sources, when possible. The State Department and its annual TIP is herein regarded as the international leader in giving an accurate assessment of the current conditions inside of states, as well as compiling data on the number of prosecutions and convictions that occur as a direct result of government policy and action.

Human Development Index

Annually, the United Nations Development Programme releases a report on the changing levels of development across the world. The aptly named Human Development Report gives a glimpse into the quality of life for the populations for different states, including economic factors, and beyond. It discusses the general state of human development across the globe and summarizes significant changes to select areas of the world. The Human Development Index is a numerical representation the developmental status of these states. The HDI ranks states based upon several factors, and groups them into one of four categories based on this numerical value: Very High, High, Medium or Low. The index not only looks at GDP per capita, but also takes

life expectancy and educational attainment into account (Mukherjee and Krieckhaus 2011, 164). Separate lists are included detailing the impact that other variables, such as income inequality, have on the rankings.

Because it is a multifaceted system for giving each state a rank, the Human Development Index allows for a more comprehensive view of the state's actual well-being or its issues. Researchers should not, however, use only the rank and category to make specific observations about a state included in the HDI without investigating the causal factors. Therefore, in conjunction with other data or reports, the HDI can help raise warning flags that political scientists can follow to investigate scenarios which may have significance or help predict behaviors.

TIP 2013

An important international tool for gaging the evolution of the trading of humans from year to year is the United States Department of State's Trafficking in Persons Report (TIP). It is not only useful for the reporting of empirical data, as the report also helps keep focus on countries where policy may be lacking in efforts to protect current victims or prevent future occurrences. The TIP gives national breakdowns by listing how well individual state policies or actions manage the prevention of trafficking against the backdrop of the Trafficking Victims Protection Act of 2000, or TVPA, of the United States. Beyond these projections, the TIP for 2013 puts spotlights on victim identification, errors in collaborative efforts and increasing awareness.

The TVPA

Signed by President Clinton in 2000, the TVPA provides not only a clearer definition for human trafficking, but also guidelines for how government should develop policies to convict and punish criminals who practice it. The TVPA defines trafficking as a federal crime, which makes the minimum sentences for convictions harsher or non-negotiable. It defines more explicitly that if the victims of the trafficking crime are under the age of 14, that criminals can face life in prison, and if the victims are between 14 and 18, that a minimum conviction of 20 years should be sentenced (Okech, Morreau, and Benson 2012, 493). Congress is able to better allocate funds to programs to help train law-enforcement as a result of the policy (Okech, Morreau, and Benson 2012, 494). However, the act is criticized for what some consider to be shortcomings in the humanitarian aid that it offers to victims, signifying that it is not perfect. Nevertheless, states are analyzed in the TIP using guidelines from the TVPA.

Section 108 of the original TVPA of 2000 lists categories for compliance with which sovereign states should seek to comply (*Victims of Trafficking and Violence Protection Act of 2000* 2000). It calls upon states to first and foremost ensure that they have labeled trafficking as a criminal offense, and take steps thereafter to ensure justice comes to victims and perpetrators. Beyond this, it calls them to educate their populations, especially those that may be at a particular risk to become victimized. If victims committed illegal acts as a result of their trafficking experience, they should not face punishment or incarceration. Governments should seek to cooperate fully with other states in the investigation of trafficking and share information as it becomes available. States should work to extradite those who are convicted in a timely fashion. In addition, sentencing should resemble that of other heinous crimes, such as rape.

Monitoring immigration and emigration is essential, as is the protection of the victims' basic rights. Finally, the government must make efforts to investigate and bring any government officials who may be involved with trafficking crimes to justice.

Findings from TIP 2013

Among a plethora of inaccurate records and ever-changing notions of understanding of the global trafficking problem, the United States Department of State releases the annual TIP which seeks to provide clarity and accurate accounts of international statistics, data, goals, policies and efforts. The State Department estimates in 2013 that there may be over 27 million people currently held in some kind of trafficking situation, even though only 40,000 were identified in 2012 (United States Department of State 2013, 7). This means that the vast majority of victims are still unrecognized or their whereabouts are completely unknown.

Victim Identification

The TIP makes the case that victim identification needs to become the number one priority moving forward into researching trafficking and slavery, and how to create effective policy (United States Department of State 2013, 8). Proper identification is essential for providing appropriate services to victims, their families and their extended social circles or communities who may also be in danger. Misidentification or misunderstanding can lead to persecution, punishment or further endangerment of the victim's life (United States Department of State 2013, 9).

Victim protection

Most labor which trafficking victims are forced to perform is itself illegal. When a prostitute is questioned by law enforcement about her knowledge of a trafficker, she risks self-

identifying herself as a criminal. Sometimes, the risk and cost of being charged with a crime outweighs the potential, and seemingly unlikely, chance of ridding themselves of their pimp, employer or trafficker (United States Department of State 2013, 8). This is in line with the notion that captors have a psychological hold on their victims and promote an idea that people outside of the situation will not accept victims, believe their stories, help them or care about them (MacKinnon 2011, 286). Issues that accompany self-identification plague researchers' ability to make sense of the effectiveness of programs by means of empirical data. As of now, it is more likely that a story or a victim's account will have a larger impact on policy than research alone (Tyldum 2010, 2).

The role of policy

Policies must provide equal protection under the law for all people. More should be done to prevent potential trafficking situations and victims on more applicable levels. No good comes to a high-risk community that receives recognition and attention from lawmakers if the police on the streets do not recognize the crimes being committed or recognize victims or suspicious situations. Units that specialize in trafficking cannot possibly handle every case. Still, there remains a high burden of proof placed upon victims. This holds especially true for males, including those who may have been sexually exploited.

Disservices to male victims and stigmatization

The notion that trafficking is completely a sexually driven phenomenon feeds into the misconception that it is an issue that negatively affects only women who are exploited by men. In reality, many of the children, meaning persons under the age of 18, that are exploited across the world, especially those used for sex, are male (Jones 2010, 1144). Young male victims may

become subjected to child pornography production. It may be that a majority of children forced to perform recorded sexual acts are male and not female (Jones 2010, 149). In some areas, and more likely in states with blatant laws against homosexual acts, including Afghanistan and Sri Lanka, young boys are likely to be used for sexual exploitation (United States Department of State 2013, 35).

Many adult male workers eventually find themselves trapped in a labor farm situation. The lives of these estimated two million victims in the U.S. (Jones 2010, 1156) may include living in controlled quarters without access to fresh water, and, in extreme cases, men are subjected to other kinds of torture (Jones 2010, 1155).

Men and boys are less likely to receive the same legal or protective benefits as females, even though they may have been subjugated to very similar situations. Domestically, we see a negative stigma against male victims of sexual abuse. Their stories of guilt and the large length of time many of them hold onto their secrets is amazing. Males continue to be largely overlooked in academic research and analysis (Jones 2010, 1146), which in turn leads to a correlation in lack of policies which will protect them.

The burden of proof may be even higher for male victims when compared to their female counterparts (United States Department of State 2013, 10). Because some societies and researchers do not want to accept that trafficking is, on the whole, gender-blind and accept that males are also systematically targeted, these needy people are marginalized. Policies must seek to better treat all victims as equals and cannot discriminate because of gender, or because of

objective opinions about the severity of what one person has experienced in comparison to another.

Tier Placement System

For the purpose of categorizing states into groups to assess their efforts to create and implement policies to help trafficking victims, the U.S. Department of State gives one of four tier rankings. While the TIP does not include much in the way of empirical data, as far as giving a quantity to the number of victims that each state is suspected of hosting, it does detail trends occurring with policy, or lack thereof, in the state's battle against the crime. These ranks are primarily meant as a simplistic method of comparing a state's actions and intentions with what is expected thereof in the TVPA.

A high tier ranking does not signify that the state has perfected its policies or has in any way won its struggle to remove human trafficking from within its borders. These tiers include Tier 1, Tier 2, Tier 2 Watch List and Tier 3, with Tier 1 signifying a minimum compliance with the guidelines provided in the TVPA (United States Department of State 2013, 41). Tier 2 states still do not comply with the TVPA but are making "significant efforts" to meet them (United States Department of State 2013, 44). States on the Watch List have a significant "absolute number" of victims, and do not somehow express that they are making "increasing efforts" to combat trafficking. The TIP adds that "the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take *additional steps over the next year.*" Tier 3 countries do not adhere to TVPA and are not perceived as taking steps to create policy to address concerns or observable problems.

Uses for TIP

The Trafficking in Persons Tier Rankings help not only to paint a more complete picture of the trafficking situation for victims in a particular state, but help in summarizing some data. In the cases of many Tier 1 states, it can detail policies that were implemented or amended, what the changes are expected to do, how many convictions were handed out and how many services – such as visas for victims – were given out by the government. These narratives better establish the circumstances and status of states, including labeling them as a “country of origin, transit or destination,” or a combination of any of the three (United States Department of State 2013, 46) . This in turn can help solidify the TIP’s decision on whether or not to place a state in Tier 2 or Tier 3. Tier 3 states do face penalties, in that the U.S. government can justify holding back certain kinds of non-humanitarian aid, funding for cultural exchanges or could choose not to support a state’s application for assistance from international financial institutions, including the World Bank and International Monetary Fund (United States Department of State 2013, 47).

Definitions and Roadblocks

The process of identifying and classifying victims encounters several roadblocks, as does the inability of the international community to agree on a definition. States, for example, may define the age their citizens enter into adulthood differently. These differences could qualify a person for aid and assistance by one policy or program and not through another. This has led to a plethora of problems for governments, international organizations and researchers, and accounts for inconsistent international records.

Problems in Data Collection

Estimates on the exact numbers of trafficked persons worldwide at any given time vary for these issues of inconsistency. Academic guesses include anywhere from four million to

twenty-seven million trafficked people across the globe (Alvarez and Alessi 2012, 144) (Avdan 2012, 171) (Pati 2012, 139) (United States Department of State 2013, 7). In a given year, between 600,000 and 800,000 people cross international borders against their will, and around 14,500 to 17,500 people cross American borders alone (Jones 2010, 1148).

Historically, the act of labeling trafficked persons as victims has been complicated, with input from many different institutions. Allocating resources and assistance from research findings which influence policy is easier in theory than in execution. Inefficiencies exist because of the lack of standardization of a definition of the problem. Trafficking is dynamic. It continues to grow and intelligently adapt to the attempts to limit the reach of its practitioners. Research in human trafficking often fails to meet what would be standards for quantifying and effectively studying the actual dangers of other aspects of social science.

Problems in Policy Creation

In 2000, the United States defined trafficking in the Victims of Trafficking and Violence Protection Act (TVPA) as, “the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjugation to involuntary solitude, peonage, debt bondage, or slavery” (Wheaton, Schauer, and Galli 2010, 115). It is closely related to the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime,” which states that it does not change the severity of the crime if the victim agrees willingly to participate in being trafficked (Parrenas, Hwang, and Lee 2012, 1015).

The piece of American legislation has the goal of defining slavery more accurately and applicably to modern day situations. Simultaneously, it seeks to make the penalties for those who engage in trafficking activities more harsh. It asserts that the U.S. is in agreement with the rest of the international community that trafficking itself is a “grave violation” of human rights, of which the victims are primarily women and children. Trafficking is labeled a “transnational crime with national implications” (*Victims of Trafficking and Violence Protection Act of 2000* 2000). The TVPA emphasizes the importance of better defining and identifying victims, international cooperation, providing victim services and properly punishing offenders.

Significance of Research

The significance of studying the prevention of human trafficking lies in the problems it creates for societies and for security in international relations. Although there are legal implications for the perpetrators in many states, criminalization, conviction and punishment are not standard. Trafficking crimes have deep-reaching consequences and effects on communities; especially on the afflicted families. These problems for stricken areas represent the most basic arguments for more efforts and resources to be spent to attempt to rectify trafficking crimes as much as possible.

Moral Obligation

Governments have a moral obligation to protect their citizens and ensure their safety against traffickers. In addition, states must work together to discover how international criminals are circumventing laws to make the transport of people across national borders a viable and economically beneficial business. Within individual states and between members of inter-governmental organizations, discrepancies remain. Policies that provide practical knowledge to

law enforcement on training in proper identification of a potential trafficking victim may be completely absent. Prevention requires a comprehension of the origin, destination, socio-economic status, lifestyle and motivation of all actors involved in trafficking cycles..

Health Concerns

More specifically, for the victims, there are health implications. In the sex industry, many could be exposed to a range of mild to serious STDs when they are exploited sexually. Others involved in forced labor may work in unsafe conditions, or be overworked to the point of physical exhaustion and bodily harm. Sex workers will possibly be introduced to drugs by their traffickers. They can develop dependencies either on drugs or on what they perceive to be the protection of their pimp. Mental health of victims is a major concern for those involved in the recovery process, and survivors may develop conditions such as post-traumatic stress disorder (PTSD) (MacKinnon 2011, 286). Beyond creating an environment of fear for families and communities, not paying heed to victims' mental and physical health can create huge problems with collecting useful data in an ethical manner.

Economic Indicators and Security Threats

Despite government policies, there is still a large market for human trafficking which introduces economic and security aspects. The fact that trafficking occurs in an area may be indicative of deeper economic issues that may be occurring. Despite risks, traffickers continue to find ways to exploit large sums of people. The moral dilemma also falls on the consumer, who has to choose not to purchase or use a good that is made or service that is provided by a victim of trafficking, even if offered at a much lower cost (Wheaton, Schauer, and Galli 2010, 131).

Trafficking on a global scale is a relatively new problem and has opened a Pandora's Box of security issues for international relations. Organized crime networks have international outreach and can shift their operations to another location when they notice that conditions in their current location may be changing in such a way to make their dealings more difficult. This creates a local crime spike and results in organizations looking to have their affairs go more viral (Avdan 2012, 173). Corrupt governments, politicians, bureaucrats and diplomats can make tracking illegal migration and trafficking more difficult or near impossible (Pati 2012, 145).

Since there is not a global consensus on what trafficking is, many states group trafficking with smuggling and illegal immigration issues. The apparent global inability to perfectly control borders, which is indeed a security concern, and therefore the inability to combat coerced migration of victims, is a leading cause of international trafficking in the first place (Pati 2012, 138). Beyond this, when one state does not comply with recommendations made by international organizations or reports, and does not follow through on any established anti-trafficking, migration control or border control policies, it can have harmful effects on neighboring states. While states have actively made it harder for legal migration to take place, their efforts to help curb trafficking through migration have not had widespread effects (Gueraldi 2013, 166). Uncompromising migration policies, or states that do not make efforts to provide some services or protection to victims, put other states at risk (Avdan 2012, 174). If poverty stricken people are unable to find economic opportunities which they deem worth of their time and efforts in their current location, and are not easily granted access to another market, they may resort to finding illegal ways to migrate.

Human Development as Causal Factor

Among the largest of the contributing factors to human trafficking is the relationship it has with human development in regions across the globe. Human development, especially economic development, may prompt a trafficking occurrence. In areas with fewer economic opportunities, people may be more desperate to find work. The search for employment together with the will to improve social standing through better work and wages both affect people's ability to make rational decisions. A person can find him or herself working a combination of sex and manual labor with large sums of debt owed to a trafficker.

The link to human development is not concrete, but many argue that by first tackling the social issues associated with developing areas, trafficking can be better curbed or prevented. It is questionable if trafficking is directly linked to a lack of development and severe poverty. According to the UNODC in 2006, nine of out the ten states ranked highest for human trafficking occurrences had at least medium levels and rankings for their development. These states have populations with moderate incomes, as opposed to very low income, levels. Simply put: Not all were very under-developed states as may be the assumption (Danailova-Trainor and Laczko 2010, 50).

Dangers of Poor Self-Perception

Most at risk, therefore, are not necessarily those who live in poverty, but instead those who perceive themselves to be poor when compared to others in their state (Danailova-Trainor and Laczko 2010, 48). When desperate for work and surrounded by a quickly developing economy, those who think they have fallen through the cracks and are deprived of luxuries enjoyed by many fellow countrymen and women, may have their judgment clouded. They are

likely to take risks with their current living conditions and work situation in order to improve their socio-economic standing. Studies show that 60% of adult women trafficked were promised some kind of job. Over half of men who are trafficked globally are lured in with similar ploys. Most of the rest, around 36% of women are enticed with other false claims which promise education, vacations or marriages (which offers a chance for legal citizenship to a particular state) (Danailova-Trainor and Laczko 2010, 49).

Globalization

Trafficking is definitely the “dark side” of globalization, in that a more interconnected world allows some illegal activity more avenues to use to make crimes easier and more economically viable (Avdan 2012, 171). Developing states understand the necessity for policies that will promote growth, perhaps by opening their markets to foreign investment, travel and export-orientated industrialization (Pati 2012, 141).

People have a greater ability to migrate across the globe for several reasons, including economic opportunities. This happens in legitimate and mutually beneficial situations as well as dangerous and illegal ones. The pushes and pulls of migration include poverty, growing rich-poor divides, underemployment, repression and uncontrollable events, like environmental disasters – remembering that the latter is increasingly a result of climate change from unsustainable growth and lifestyles (Avdan 2012, 147). In addition, the effects of tight regulation on visas and borders have inexact and somewhat unpredictable consequences on trafficking. These conditions contribute to an ambitious mentality of migrants who are willing to accept situations that are much less than ideal and perhaps even unsafe.

A Focus on Global Development

The MDGs, which were universally accepted by the General Council in 2000, are significant as the first global effort for poverty reduction that included a workable timeline (Kwon and Kim 2014, 353). They include both international recommendations and local strategies to help put quantify acceptable levels of improvement in human development. Eight goals are presented as interconnected areas of progress that are meant to supplement one another (Kwon and Kim 2014, 355). If rectified, these areas including general poverty, hunger, mortality rates, education attainment, gender inequality and environmental improvement have a larger chance of improving the overall quality of life for human beings worldwide (Lomazzi, Borisch, and Laaser 2014). Therefore, of special interest to the reduction of human trafficking should be attaining expected changes in development particular to MDGs 1, 2, 3 and 8, which respectfully are eradicating extreme poverty and hunger, achieving universal primary education, promoting gender equality and empowering women and developing a global partnership for development (Lomazzi, Borisch, and Laaser 2014).

While changes have come to many areas of the world, others are still left behind and are not expected to meet the goals. Change also has not occurred proportionally; China and India are credited with making strides in lifting people out of poverty (Kwon and Kim 2014, 354). Many states in Sub-Saharan Africa are not expected to contribute much to the improvement of these international statistics. The international global economic crisis, the negative effects of which hit largely in 2008, definitely have hindered efforts to reach these MDGs (Lomazzi, Borisch, and Laaser 2014).

Still, states must establish expectations that will reduce corruption as a way to meet not only the poverty goal, but other developmental goals, as well. All too often, priorities are held up in special interests, which in many states is either power holding or market expansion (Kwon and Kim 2014, 356). Governments must be held accountable by the international community, and more effort should be spent to find creative ways to withhold aid from states that are not complying with developmental expectations (Kwon and Kim 2014, 356). The TIP Tier system attempts this, so that repercussions do not adversely affect the individual people who rely on such support.

CHAPTER 2: TIER 1 STATES

In order to comply with the guidelines in the Trafficking Victims Protection Act, states need functioning political and legal institutions that are effective in their ability to research social problems and criminal activity. In line with my hypothesis, they are expected to have stable governments, and are more likely to be among the states ranked Very High or High by the United Nations Development Programme.

United States of America

The United States of America is ranked number three on the Human Development Index for 2013. This overall summation made by the Human Development Report of the United States' achievements and capabilities is determined by a high level of educational availability for its people, high GDP per capita, generally adequate access to domestic institutions, such as health care, high political and economic stability and relatively high gender equality.

Development Level and Trafficking Summary

While it should be noted that the U.S. does fall down to rank 13 when the HDI is adjusted for income inequality, it represents an important case of highly developed state (Malik 2013, 152). It serves as the global hegemon and has strong enough institutions with influential global outreach and is able to provide the credible report used as a means of attaining understanding of trafficking situations worldwide.

However, critics of the American approach to combating trafficking stems from a national focus on crimes involving prostitution ("Counteracting the Bias: The Department of Labor's Unique Opportunity to Combat Human Trafficking" 2013, 1013). Many trafficking cases still go uninvestigated in the U.S., and are therefore unresolved ("Counteracting the Bias:

The Department of Labor’s Unique Opportunity to Combat Human Trafficking” 2013, 1015). As a result, foreign nationals who are working inside of the U.S., either legally or illegally, are at special risk of being trafficked (“Counteracting the Bias: The Department of Labor’s Unique Opportunity to Combat Human Trafficking” 2013, 1014). While the TVPA has been reauthorized several times to help better allocate funds and requires NGOs to report their findings and actions to receive money, Obama’s administration has continued an era of focusing on sex commercialization (“Counteracting the Bias: The Department of Labor’s Unique Opportunity to Combat Human Trafficking” 2013, 1018).

Findings from TIP

The U.S. has a relatively high number of cases that it investigates and consistently follows through on prosecutions and convictions. There are several agencies, such as the Federal Bureau of Investigation or Immigration and Customs Enforcement, among others, within the federal government that are tasked with investigation, depending on various circumstances (United States Department of State 2013, 382). If cases are made federal, they eventually will fall to the Department of Justice and one of the Attorney Offices for prosecution. Each department in the fiscal year 2012 was responsible for investigating several dozens or hundreds of cases, ranging in numbers from 95 to about 700, depending on the agency (United States Department of State 2013, 382).

The Department of Justice is responsible for prosecuting, and in 2012 their efforts lead to a grand total of 128 prosecutions of 200 defendants (United States Department of State 2013, 383). This led to a total of 138 convictions, around 60 percent of which were in sex trafficking cases, and the remaining were for crimes of labor trafficking and exploitation (United States

Department of State 2013, 383). Prison terms varied based on severity, from nine years to life in jail, which is in line with the requirements listed in the TVPA (United States Department of State 2013, 383).

Anti-slavery laws that are in line with TVPA have been adopted across all 50 states in the U.S; the TIP cites Puerto Rico as being the only territory that has not updated legislation to reflect modern protections (United States Department of State 2013, 383). The federal government offers victims protection based on the situation of individuals, as is recommended in the TVPA. For example, special visa categories grant victims the ability to stay in the United States, especially if returning to their homeland will put them into harm's way. T-nonimmigrant status, a special kind of visa for residency allowance for trafficking victims in the U.S., may require that the victim work with law enforcement, unless there is "trauma" that prevents him or her from doing so (United States Department of State 2013, 384) (Okech, Morreau, and Benson 2012, 493). It can be extended to family members and provides a pathway toward eventual citizenship.

Heightening awareness has long been a practice in place by the U.S. government. Advertisements warning about the dangers of trafficking have existed since just before the turn of the twentieth century (United States Department of State 2013, 9). In the modern age, the United States works closely with non-governmental organizations to provide preventative measures and practices, according to the TIP. Not only are modern outreach programs used to promote awareness to at-risk groups, but the U.S. also has the ability to reach out internationally through its embassies. Projects that are funded by the U.S. government release information in a

plethora of ways, and phone hotlines also receive thousands of calls every year (United States Department of State 2013, 386). While efforts are made to ensure that sexual orientation does not play a role in determining whether services are provided, the country profile in the TIP mentions NGO reports of oversights in the cases of “young boys and transgender youth” that may not be granted with appropriate housing situations (United States Department of State 2013, 385).

The TIP includes reports from victims that include instances where labor recruiters, who perhaps initially offered help with the acquisition of legal working allowances, blackmail their victims and threaten to report them for being illegal (United States Department of State 2013, 385). This coercion includes may include large debts or indentured servitude. While this practice is prohibited and monitored by the Department of Labor, the department is limited in how much action it can take to limit sex trafficking. Therefore, the DOL works to prevent labor trafficking by investigating claims that are more specific to labor exploitation (“Counteracting the Bias: The Department of Labor’s Unique Opportunity to Combat Human Trafficking” 2013, 1022).

The United States continues to ensure it follows leads on government, military, law enforcement and diplomatic officials becoming involved in trafficking crimes, and has protocols in place to recognize these cases (United States Department of State 2013, 385). The Department of Defense cited five instances of crimes and took action against military personnel who were users of commercial sex while overseas (United States Department of State 2013, 382). Training in the State Department is meant to deter Americans overseas from becoming

consumers of commercial sex acts, and the Department of Labor investigates specific domestic industries that are more likely to naturally be breeding grounds for trafficking, including agriculture and hospitality (United States Department of State 2013, 386).

Armenia

The Republic of Armenia has been independent since 1991 when it declared itself sovereign, toward the end of the Soviet Union. It is currently ranked at 87, placing it in the category of High development, but it is the third lowest HDI ranked state that is also Tier 1. Most of the population is educated through secondary school, however there is a sharp divide between the percentage of the population that has access to a secondary and a tertiary education (Malik 2013, 171).

Development Level and Trafficking Summary

While only one percent lives on less than \$1.25 per day, about a third of the people live below the national poverty line (Malik 2013, 160) (*BTI 2014 Armenia Country Report* 2014). Studies suggest that while economic conditions are indeed improving for many across Eastern Europe and Commonwealth States, many children live in poverty, which may also increase their general risk of being subjected to trafficking as the state develops (Lata and Stepanyan 2013, 407).

According to the BTI report for Armenia, the government is still dealing with complications from political scandal in 2008, involving protests from the opposition after an election (*BTI 2014 Armenia Country Report* 2014). Therefore, healthy democracy is slow to continue developing in the state, and elections are regularly contested and questioned, lessening the government's legitimacy. The state struggles with low participation of women in the labor

force, high national debt and relatively low GDP per capita (Malik 2013, 163). However, the government is making efforts to open the economy to freer markets. About 80% of the economy is based in the free market, and Armenia has made strides to become one of the most open markets of the former-Soviet states (*BTI 2014 Armenia Country Report 2014*).

Findings from TIP

The TIP for 2013 places Armenia into the Tier 1 category for its compliance with the minimum requirements. It has made slow, albeit steady, progress from its Tier 2 Watch List placement just seven years ago (United States Department of State 2013, 75). There are guidelines and minimum sentences which mandate that convicted criminals must serve five to fifteen years. In 2013, there were 18 accused brought to trial in Armenia. Courts convicted eight offenders, and the maximum prison sentence handed out was 11 years (United States Department of State 2013, 76).

The TIP reports that Armenia's government works closely with NGOs who are dedicated to victim identification and training border personnel, law enforcement and other government officials. It is also hailed for its willingness to accept help from and cooperate with other governments. The number of documented occurrences is small when compared to other states, but the government has provided shelter for "certified" victims (United States Department of State 2013, 76).

Armenia does require that victims work with law enforcement, and NGOs have reported that the government does not do enough to protect them thereafter. However, it does not often prosecute victims for crimes done as a result of any involuntary servitude (United States Department of State 2013, 76).

Public awareness has been a focal point of the Armenian government. The TIP mentions a program through a government agency that allocated funds toward rewards for winners of contests in which participants had to create materials for an awareness campaign (United States Department of State 2013, 76).

Nicaragua

The Republic of Nicaragua is the only Tier 1 state ranked below the High development group, and sits at spot 129. Only a third of the population over 25 years old has completed at least a secondary education, and less than one fifth has any tertiary enrollment (Malik 2013, 172). Nicaragua faces reports of government corruption, especially with in the judicial system (*BTI 2014 Nicaragua Country Report 2014*).

Development Level and Trafficking Summary

According to the HDI statistics, less than half of the women in the working age population participate in the labor force, and inequality is rampant, as with most of the states that have similar HDI scores. Although the population has civil rights in name and in official proclamation, the people are stunted from being able to express rights due to, what is in many cases, extreme poverty (*BTI 2014 Nicaragua Country Report 2014*). Estimates vary, but as many as 46 to 60 percent of the population lives below standards of national poverty (*BTI 2014 Nicaragua Country Report 2014*) (HDI).

Findings from TIP

Nicaragua has been placed as a Tier 1 state since last year, after a history of placements in Tier 2 and on the Watch List (United States Department of State 2013, 282). Laws in the country have made all forms of trafficking criminal offenses. Although the examples of investigation mainly come from sex trafficking cases, it is worth noting in the TIP that the

definitions of punishable offenses extend past just sex crimes. Therefore, the sentencing guidelines are not exclusive to just convictions in trafficking for sexual purposes, which helps to protect the rights of a large number victims. Sentences themselves range from 10 to 14 years in jail for those found guilty, although during the reporting period many sentences were tougher, ranging from seven to thirty years in prison (United States Department of State 2013, 282). Another legal definition protects those who were forced into “slavery, forced labor, servitude, participation,” and sentencing ranges from five to eight years. In the reporting year, the government tried 57 cases, resulting in 35 convictions, more than in 2011 (United States Department of State 2013, 282). However, the government did not report any cases involving government officials, which leaves room for improvement for the investigating agencies.

It appears, though, that Nicaragua’s rank is largely attributed to its ability to investigate, try and convict criminals. Many of its issues in other areas can be attributed to budgetary and financial restrictions. According to the TIP, the government does not indicate that it is working to safeguard the populations in Nicaragua deemed to be most at risk of being trafficked; noting that the situation is worse in regions with more autonomy (United States Department of State 2013, 282). While victims are identified using criteria set forth in government policy, some of them may not receive benefits or services. NGOs within the state have reported that, while government officials refer victims to particular shelters for specialized assistance, these shelters report a lack of funding toward their operations (United States Department of State 2013, 282).

Lack of Case for Low Development

There is no case study for a state that is ranked Tier 1 that falls underneath the threshold of Low development by the Human Development Index. Through observation and because of

transparent governments, it is clear that the cases in this chapter are able to meet the instructions of the TVPA and address concerns through policy. They achieve this by creating definitions that are able to protect victims of trafficking specifically, but without rigid requirements. These policies give groups, such as NGOs working in the country, the ability to better identify victims, administer aid and request financial help.

CHAPTER 3: TIER 2 STATES

Switzerland

Development Level and Trafficking Summary

The Swiss Confederation is a modern, developed state and is ranked ninth by the U.N.

Development Programme. Inequality does not drastically affect Switzerland's score on the Human Development Index, and its educational attainment is on par with the rest of Western Europe, although the percent of the population that reaches any tertiary education is only slightly above half (Malik 2013, 152). Equality for women is high, and Switzerland scores well, in that it has adequate participation of women in the work force, relative to other states with similar development.

Findings from TIP

Despite this, Switzerland fell from Tier 1 to Tier 2 in the TIP in 2010. The primary reason that the state is not ranked Tier 1 appears to be the inability, or oversight, of the government to pass legislation that recognizes and criminalizes all forms of trafficking equally. Specifically, it does not distinguish crimes against victims who are 16 or 17 when a "third party" profits from the situation as trafficking cases (United States Department of State 2013, 350). While the government is working to rectify this policy mistake, it would appear that it is not a priority, as it is also unable, or does not volunteer, to provide the international community with all available information. The TIP claims that the Swiss government failed to provide current reports on how many investigations were conducted during the reporting cycle. However, the government did indeed prosecute and convict criminals, and those convicted were sentenced to longer terms than what Switzerland has been historically known to give (United States Department of State 2013, 350).

Switzerland has had success in the identification of victims and has also been effective in providing them with proper services. The Swiss Victims Assistance Law permits victims access to shelter and different forms of aid, including medical care and psychological assistance (United States Department of State 2013, 351). However, Switzerland appears to have been penalized with a Tier 2 ranking in part because it falls behind expectations for a state of such high development, in terms of how willing it is to permit victims with living permits via visas.

In addition, the government did not succeed in creating new and effective public service announcements to spread awareness, despite plans (United States Department of State 2013, 351). However, it has implemented a plan of national action, which calls specifically upon the restriction of child prostitution and other kinds of forced labor. The TIP reports that, while the government did work closely with NGOs and provided large portions of their funding, it did not report the conviction of any citizens for the use of children for commercial sex (United States Department of State 2013, 351). This indicates that Switzerland is possibly not investigating the actions of its nationals in commercial sex operations, and therefore failing to meet other standards of the TVPA.

Brazil

The swift development of the Federative Republic of Brazil is a topic of interest in international relations, as the state evolves more and more into a true regional leader. While stuck in the shadow of the immense economic boom of China, Brazil has still found ways to impress the world with huge improvements to its technology and manufacturing sectors.

Development Level and Trafficking Summary

The state ranks 85 on the HDI, within the highly developed states and ahead of both China and India. Brazilian tourists are more and more commonplace traveling within the U.S. and across Western Europe, and the state is set to host the World Cup in June of 2014 and the upcoming Summer Olympic Games in 2016.

With this growth come domestic challenges and hardships for many of the people. Income inequality is a major social issue, one that Brazil shares with China (Malik 2013, 165). Very different from China, however, is Brazil's commitment to developing free and open democratic processes, including the expansion of civil rights. In its recent history, Brazil's President Rousseff was very open and transparent in front of international media about investigating allegations of corruption and eradicating those guilty thereof (*BTI 2014 Brazil Country Report 2014*).

While urban areas may be modernizing, many areas, and their inhabitants, are left in stagnant rural societies. Statistics show that trends point toward improving conditions for poor populations, but areas that have not experienced industrial booms are currently experiencing the plight of socioeconomic inequality (*BTI 2014 Brazil Country Report 2014*). These people recognize the vast changes coming to Brazil, and in an effort to be a part of it, may be led with false pretenses into dangerous sex or labor trafficking situations.

Findings from TIP

Brazilian law pays special attention to *trabalho escravo*, or slave labor, that is defined as work done with "exhausting" work periods or in inhumane conditions (United States Department of State 2013, 103). Of special interest to NGOs in Brazil is the fact that much of this slave labor

occurs with people originating from the rural areas of Brazil, and relates to labor that commits deforestation and with construction labor (United States Department of State 2013, 103).

Women have become indentured through debts they incur while seeking better wage conditions in Brazilian urban areas, or Spain and Portugal (Gueraldi 2013, 173).

A rudimentary problem with Brazil's policies lies in its description of human trafficking. The government has not establish definitions that seek to eradicate all types of trafficking (United States Department of State 2013, 104). Therefore, the TIP places Brazil on Tier 2 because the lack of adequate understanding of the unique issues facing the state, which translates to poor management of efforts and resources. During this influx of national and international migration, with rural areas of Brazil acting as the source, the government must do more to avoid marginalizing populations whose cases do not involve much movement from one location to another (Gueraldi 2013, 169). Brazilian law still requires that movement of the victim be a part of the criminal act in order for a case to be labeled as trafficking (United States Department of State 2013, 104).

Brazil's sentencing for those convicted of trafficking humans is along the same severity as other crimes of similar gravity, but inconsistent records come out of the state in this report year as to exactly how many cases were investigated or convicted. Sentence terms are indeed smaller than in other states, and the TIP mentions a high likelihood that a criminal could be released from their sentence via an appeal court or by paying a fine. Cases of *trabalho escravo* did receive a lot of attention from the government, as the Ministry of Labor investigated more than 500 cases which lead to 39 sentences, although some may have been acquitted, and others

were sentenced inconsistently (United States Department of State 2013, 104–105). While no government officials were under investigation for having partaken in sex trafficking, three members of the state’s legislature are under investigation for having ties to slave labor.

Brazil’s protection plans are riddled with complications that are compounded by a lack of resources. While the country has social shelters and aid centers, they are not necessarily for the exclusive support of victims of human trafficking. NGOs across Brazil note that these centers and programs are severely underfunded (United States Department of State 2013, 105). While there are no statistics on the number of trafficked people that were supported in the report year, the Ministry of Labor indicated that it helped free 2,560 laborers (United States Department of State 2013, 105). The federal government also discriminates between the people it identifies as slave laborers and those who are trafficked via movement, namely that when liberated, slave laborers may be entitled to money in retribution (United States Department of State 2013, 105–106). Few people are routinely offered assistance finding adequate shelter or housing, but the TIP indicates that those who commit illegal acts as a direct result of trafficking do have protection from law enforcement in Brazil.

Brazil is in the middle of reforming trafficking policies by means of an anti-trafficking plan that began in 2012. The plan does seek to make data collection a priority, as well as offering trafficking training for officials, including those in the military, and specific shelters. The Ministry of Labor has worked to identify companies and other actors who participate in slave labor practices, trying to ensure they face investigation or sanctions, such as limited access to credit (United States Department of State 2013, 106).

India

Along with Brazil, Russia and China, the Republic of India is another special case in international relations when examining rapid modernization, industrialization and development. Against a backdrop of many serious social issues, India faces a massive domestic threat from trafficking domestically. The vast majority, about 90 percent of trafficking involving Indian people, happens within its borders (United States Department of State 2013, 195). A cultural caste system combined with rapid urban development that includes industries such as textiles and construction provide a dangerous recipe for exploitation.

Development Level and Trafficking Summary

The state, ranked 136, battles low women participation in the work force, high adolescent pregnancy which leads to problems in overpopulation, and a developmental stage where about a third of the people live on less than \$1.25 per day (Malik 2013, 161). There is inadequate access to health care, with less than one physician per 1,000 people (Malik 2013, 168). Less than 40 percent of the people over the age of 25 have completed at least a secondary school education (Malik 2013, 172). This constitutes a group of people as large as 65 million who are in some kind of trafficking situation (United States Department of State 2013, 195). People who find themselves at an economic or cultural disadvantage are at a massive risk to fall victim to some kinds of forced labor under false promises.

Findings from TIP

A major reason that India falls into the Tier 2 category is its rampant problems with government corruption and how this translates to increased trafficking activity. The TIP indicates that many government officials or law enforcement personnel may be involved in some kind of trafficking. Complicity for these individuals is almost nonexistent, which slows or halts

the investigation process (United States Department of State 2013, 195). There is a lack of data given to the international community that reports the number of investigated cases or people convicted in the past year (United States Department of State 2013, 196). This would account for the lack of available information for measuring the effectiveness of the state's actions.

Thankfully, for the cases that are tried, the sentences do indeed match the austerity of similar crimes. However, an amended part of India's penal code does not include provisions to protect victims under the age of 18 from trafficking (United States Department of State 2013, 196). The existing Immoral Traffic Prevention Act is flawed, in that it is often employed to prosecute trafficking victims, rather than perpetrators or consumers. Beyond issues in prosecution and conviction, those who are sentenced may be able to post bail or pay bribes to avoid serving jail time (United States Department of State 2013, 196).

Another massive violation that India commits is its inability to protect victims from legal punishment after they are identified. Due to a general distrust of the police and the legal system, many victims turn to NGOs for help, services and shelter (United States Department of State 2013, 197). Fostering cooperation between NGOs and the government and local law enforcement agencies is likely India's best solution in the short term. Currently, these organizations are providing the majority of entitlement and medical resources for victims once they are rescued, according to the TIP. However, a lack of government oversight on some NGO programs has allowed traffickers to again take advantage of the situation. Reports say that private shelters may also house illegal activity, such as sexual abuses and further exploitation. Facing a lack of financial support, other shelters encounter overcrowding. Finally, in an obvious

violation of TVPA, India does not provide support for male victims of human trafficking (United States Department of State 2013, 197).

While the government relies heavily on the work that NGOs do with a complete lack of adequate funds and means, it is trying to comply with TVPA. For now, there remains the fact that the highest performing areas are those with a strong NGO presence that has partnerships with the local government and police (United States Department of State 2013, 198). Recent attempts that the government has made to propagate awareness of human trafficking through viral marketing techniques or public relations appear to have been largely organized by local governments.

Pakistan

The Islamic Republic of Pakistan represents a case in this study of a state with relatively low political and social order, and cultural influences on trafficking that very foreign from a Western perspective. At rank number 146, Pakistan is categorized by the index as having low development.

Development Level and Trafficking Summary

Only 31 percent of the people over the age of 25 have completed a secondary school education, making education a large social divider, and despite a GDP that is larger than many countries categorized similarly, the per capita intake is low (Malik 2013, 164). The state has a higher percentage of women in parliament than does the U.S., but according to the HDI only 20 percent of women available to take part in the work force actually do so.

Frequent occurrences of trafficking in Pakistan include the selling of young girls, boys and women sold into sexual slavery, who are exploited for their ability to beg or work in

manufacturing. As is typical of countries where homosexual acts are illegal, boys are often the targets of sexual exploitation (United States Department of State 2013, 290). Because the acts are taboo, there is a larger underground market for consumers looking to remain anonymous from their society and from law enforcement. Marriages to young women are often used as covers for trafficking transactions, sometimes across international borders (United States Department of State 2013, 290). These groups of male consumers of sex trafficking will indeed marry the women for a period of time, but these are merely business deals.

Findings from TIP

Due to a huge amount of political corruption and a lack of attention paid to trafficking as an issue, progress in Pakistan has remained stagnant. The government claims to make efforts, but results are hard to see. Firstly, there is no policy that declares all trafficking as an illegal practice (United States Department of State 2013, 290). Therefore, there are separate sentences for separate crimes, depending on certain circumstances. The penalties for those convicted of crimes range from a mere fine to life imprisonment (United States Department of State 2013, 291). Pakistan's data is unreliable, because the government does not provide information on the specific number of prosecutions, but uses statistics that say how many times a provision was violated in a prosecution; the issue being that one case may violate several law provisions (United States Department of State 2013, 291). Finally, the political influence of corrupt officials greatly affect the government's ability to bring criminals who hold public office to justice. Complicity in human trafficking in Pakistan is low, according to the TIP, due to police bribery. Finally, Pakistan did not list any convictions of government officials during the reporting period.

Besides this, Pakistan is still unable to accurately identify victims. Without solid definitions on what constitutes trafficking and how to handle prosecuting the offenders, the state has a poor record of protecting victims, many of whom are held accountable for illegal actions they committed while in a trafficking situation (United States Department of State 2013, 292). The government also penalizes returning Pakistani victims for having illegally traveled outside of the country (United States Department of State 2013, 291). This displays a poor understanding of how to best serve and aid victims after their unfortunate ordeals. It also shows that Pakistan is not effectively working with other governments to share information and establish international norms for the proper return of its displaced people.

Prevention policies appear destined to fail due to a complete lack of an understanding of the problem and resources. The TIP reports an advertisement campaign at major airports and border crossings (United States Department of State 2013, 292). However, financial resources would likely be better used in the identification of victims. Since these girls and young women are subjugated to marriages used to cover up ulterior motives, the Pakistani government needs to address the dangers that the cultural norm of older men marrying younger women can pose to the freedom of female victims (United States Department of State 2013, 292).

CHAPTER 4: TIER 3 STATES

Categorized by a lack of government action toward the prevention of occurrence, prosecution of perpetrators and protection of victims, many Tier 3 states have been given multiple warnings from the United States Department of State before being demoted. Nevertheless, these countries have not properly allocated resources to align government policy with the social problems that development, or lack of development, has caused for their people.

Lack of Case for Very High Development

There is not an instance of a Tier 3 state, as per the TIP of 2013, being simultaneously ranked as very highly developed by the UNDP. The major complaints listed in the TIP made by citizens of the states or observing NGOs include: lack of policy that explicitly outlaws all forms of trafficking, including those that do not involve movement and those that involve children, preventing the criminalization of the actions of victims as a result of having been trafficked, and the use of government resources to build and maintain shelters, through which NGOs and agencies can best administer aid.

Russia

The Russian Federation is notoriously known for having an abysmal history with human rights that is precluded by violations and unfair practices, such as genocide and unjust imprisonment, which plagued the history of the Soviet Union. In the past three years, Russia has been the spotlight of controversy regarding the imprisonment of political opponents to Putin's government and an increasing institutionalization of homophobia. According to the HDI, which ranks Russia at 55, the issue of income inequality does not affect Russia's development ranking as much as other states, such as the U.S. and Switzerland (Malik 2013, 162).

Development Level and Trafficking Summary

Although Russia has the largest economy of the states in its HDI category, its GDP per capita is only half of many of the states that are ranked above it (Malik 2013, 162). While the people are generally well-educated, according to the HDI, social issues are observable, such as elevated crime, homicide, distrust in the government and an unusually high suicide rate among males (*BTI 2014 Russia Country Report 2014*). These lay a framework for higher rates of labor trafficking within the state. Developmental growth attributed to Vladimir Putin, who was appointed in 1999 and has since become synonymous with international fear over a Second Cold War, is also riddled with accusations of oppression of free speech, expression and NGO activity and reporting (*BTI 2014 Russia Country Report 2014*). Free elections do occur in Russia, but figures are widely believed to be adjusted, and there continues to be a disturbingly low level of separation of powers (*BTI 2014 Russia Country Report 2014*).

Of particular interest is development that occurred over the past five years, especially in conjunction with preparation of infrastructure needed for the Winter Olympics in Sochi. The TIP of 2013 makes reference to findings released in reports on Sochi and exploitative labor practices that occurred, mostly in construction (Human Rights Watch 2013). Typical complaints included the plight of low-skill migrant workers who forwent pay and economic opportunities back home in search of work in Sochi. Besides issues in extremely low wages, many did not receive their pay for months, if at all. This form of trafficking holds victims not by physical force, but through coercion and fear that by leaving the city and returning home to complete other work they will never be compensated.

Findings from TIP

This report year is the first that lists Russia as a Tier 3 state, commenting that the State Department gave Russia a waiver in the previous report on the condition that it could release a plan to address recommendations to begin complying with TVPA. Since it has failed to do so in the calendar year, it has fallen one Tier.

According to the report, Russia fails to address a lack of investigation into claims of trafficking within its borders, which translates to a comparatively low amount of cases going to trial. While the number of investigations and convictions did increase, they are not proportional to the trafficking problem that Russia faces (United States Department of State 2013, 310). Policies do not have an explicit or unitary definition that protects victims of trafficking, as descriptions for other crimes are included in these same sections of the penal codes. Specifically, sex trafficking is separated from other crimes, which may be labeled as forced labor (United States Department of State 2013, 311). While penalties are congruent with those for crimes of similar stature, Russia continues to fail to properly investigate allegations of trafficking.

The TIP reports that Russia did not indict anyone after two high profile cases of trafficking came to light, including one instance involving about 170 victims originating from Vietnam (United States Department of State 2013, 311). In another case, Russia did not investigate media reports of a labor camps specializing in the production of timber which were run by North Korean nationals. The report says that Russia did not report any cases of complicity among government or law enforcement officials from 2008 to 2011, although it did prosecute at least three officials in the report year.

The government fails to manage resources in such a way so that it may provide the international community with data on how many victims it aids and what plans for improvement of services are. While facilities and shelters exist, the TIP reports that many turn away victims if they are not a resident of the region in which the shelter itself is located (United States Department of State 2013, 312). Russia also lacks a plan to improve its methods of identifying victims. Law enforcement and other officials are not routinely trained in identification.

Finally, Russia does not regularly offer relocation assistance to victims who are foreign nationals. There is no established process by which these victims can gain temporary, let alone permanent, residency within Russia. Protections were only offered on a “case-by-case” basis to those who cooperated with officials (United States Department of State 2013, 312). There is also no established protocol to prevent legal actions against victims who have committed some kind of crime while being trafficked. The TIP reports that Russia did not prepare materials to promote awareness of the dangers of becoming a forced labor victim, but did work to make pamphlets discussing trafficking which were distributed to community centers across the country.

Russia suffers from poor information gathering and sharing, and even NGOs within the state are unable to give updated estimates on the afflicted or aided populations. While shelters do exist, they are few and far between, and no programs exist to explicitly offer services to trafficking victims, while they may benefit from other programs meant to help victims of other serious crimes (United States Department of State 2013, 312).

China

The People’s Republic of China is often made into a case study and is useful to discuss both issues associated with development and human rights. Since the economic reforms

allowing more liberalization in 1978, China's economy has grown tremendously, placing it currently only behind the United States, and significantly ahead of Japan and Germany.

Development Level and Trafficking Summary

Despite this growth, China still only ranks 101 on the HDI, placing it firmly in the medium bracket of development. Labor participation is high; however, income inequality plagues China, and its GDP per capita amounts only to \$7,800, despite huge influxes of wealth (Malik 2013, 163). The amount of people living on less than \$1.25 per day remains over ten percent (Malik 2013, 160). Given China's large population, this is a large percentage, signaling that China's growth is not sustainable.

Education attainment continues to grow. Although only about 60 percent of people have attained at least a secondary education, the enrollment in secondary education is at 80 percent (Malik 2013, 171). China is an outlier in its category as far as some aspects of gender equality is concerned. Women are expected to find work to help support the family, even if it involves their absence from home for long periods of time (Danailova-Trainor and Laczko 2010, 52). It also demonstrates low fertility of women under the age of twenty, along with high women participation in the work force according to the HDI.

China battles internal issues associated with a transition to a controlled market economy. While it does not appear to be falling into the same pits that lead to the dissolution of the Soviet Union, it experiences high government inefficiency and high corruption (*BTI 2014 China Country Report* 2014). Despite growth, China still is rated abysmally low as far as its rights of expression, assembly and political freedom extended to citizens (*BTI 2014 China Country*

Report 2014). There continues to be a lack of civil rights, and corruption in the judiciary carries over into the problems that China has implementing any future anti-trafficking policies.

China is also a special case because of the influences that its culture has on certain aspects of familial life and society. One-child policies were established in 1979 (Tucker and Van Hook 2013, 209), and were a solution to the projection that continued population growth in China negatively affect the state's ability to grow economically (Shen, Antonopoulos, and Papanicolaou 2012, 35). Chinese parents have shown preference toward having male children over females, which has skewed China's sex ratio (Tucker and Van Hook 2013, 210). While this is not the case with Chinese parents universally, male children have been preferred over females for reasons of aiding with familial needs, to perpetuate the family's surname and to eventually care for the parents in their old age (Tucker and Van Hook 2013, 211). In addition, a long history with an acceptance of human trafficking and forced labor made a resurgence in the 1980s (Shen, Antonopoulos, and Papanicolaou 2012, 32). Because of other cultural constraints, these acceptances may cause whole communities to cover-up cases of forced marriage or illegal adoption (Shen, Antonopoulos, and Papanicolaou 2012, 40).

Findings from TIP

Influxes of people leave rural areas and move to cities looking for work. It is very hard, if not impossible, for these people to obtain legal residency in an urban area. People may fall victim to potential scams and trafficking traps which stem from difficulties associated with getting proper residency and work allowance. This contributes to a huge internal social problem that may include as many as 236 million trafficking victims (United States Department of State 2013, 129). Men and women who arrive in cities may be held hostage by others withholding

official travel documents, such as passports, or withholding of wages. According to the TIP, unregistered persons may also face threats or debt bondage from their employers. Beyond this, Chinese people are also vulnerable to similar ploys that may victimize them in other countries outside China itself. Victims from China have been reported on all inhabited continents in the world (United States Department of State 2013, 129).

The TIP for 2013 is the first to place China on Tier 3 after the state was placed on the Watch List of Tier 2 for nine consecutive years and failed to deliver on the conditions of its waivers (United States Department of State 2013, 129). Due to the government implemented population control that limits the amount of children a couple can have, the proportion of males to females has become uneven. The current ratio stands somewhere at 118 males per 100 females (United States Department of State 2013, 129), while others still say that it is currently less and has been showing signs of equalizing gradually overtime (Shen, Antonopoulos, and Papanicolaou 2012, 210). The cultural preference toward male children has created difficulties for the men later in life, and has led to a larger market for sex commercialization. These girls and women come not only from China's rural areas, but there is a large market for women coming into China from states to its southeast.

Its policies do not reflect modern standards listed in the TVPA, specifically in the flawed definition of trafficking in the prohibition of "abducting and trafficking women and children" in its criminal code, which makes no mention of male victim protection (United States Department of State 2013, 130). Punishments range in severity from five-year incarceration to death, which is on par with punishments for similar crimes (United States Department of State 2013, 130).

There are other aspects of trafficking that are not explicitly covered in China's criminal codes, including the criminalization of coercion and extortion. China also is criticized for its use of *laojiao*, or camps to which people can be sentenced for "re-education" through forced labor (United States Department of State 2013, 129). The government though, since the release of the report, has made efforts to change its legal policy regarding these camps (Minter 2014). While it is unclear what sentencing will replace them, the government sanctioned forced labor by means of these correctional facilities is set to be eradicated.

While the government reported that it arrested nearly 80,000 suspects from 10,000 crime rings, the TIP is skeptical of the accuracy of this claim (United States Department of State 2013, 130). China is credited with cooperating with regional partners and with the U.S. to help investigate crimes in China and involving Chinese nationals. However, in instances where arrests were made, many of the conviction results were not reported by the government.

Because the Chinese government is less than willing to offer statistics and data, the TIP is unable to report how many victims it identified or assisted in the report year. The government does have 1,400 shelters set up nationwide, five of which are specifically for the assistance of victims of trafficking (United States Department of State 2013, 130). China also has national phone hotlines that refer victims to areas where they can receive services. However, the TIP claims that China deported North Korean victims back to their homeland, where charges awaited them that were possibly punishable by death.

However, the TIP does remark that prevention strategies have been growing. Not only does it claim that the government is unveiling an eight-year plan to revamp anti-trafficking

policies and protocols, but it also is recommitting itself to international cooperation, which will hopefully translate to more accurate data reporting (United States Department of State 2013, 131). In addition, the state is placing more emphasis on internal issues by shining a spotlight on trafficking as a social issue that is not limited to the victimization of women and children.

Recently, China has put heavier importance on public awareness. Using social media and the internet, the government has put advertisements in front of the urban population in an effort to bring their attention to the crippling social issues that trafficking is causing inside of China (United States Department of State 2013, 131). However, the government has yet to address how the one-child policy has affected trends toward higher demand of commercialized sex. China must be pragmatic and recognize that it is in a unique situation because of the gender proportion of its people, and because of the high level of industrialization and modernization that is bringing large numbers of people to urban hubs of economic activity.

Yemen

The Republic of Yemen provides a case for a state that faces a severely underdeveloped economy and high government corruption. In 2011, after more than 30 years of rule, President Salih resigned, allowing Yemen a new opportunity to tackle social issues (*BTI 2014 Yemen Country Report 2014*). A weak state, the Yemeni government does not have a complete monopoly on the legitimate use of force, and Yemen is therefore ridden with corruption, ineffective leadership and subpar civil rights (*BTI 2014 Yemen Country Report 2014*).

Development Level and Trafficking Summary

Despite changes and promises for the future, Yemen will not attain any of the Millennium Development Goals by 2015 (*BTI 2014 Yemen Country Report 2014*). It constitutes

one of the poorest states in the Middle East, with a GDP per capita of only \$2,060 (Malik 2013, 164). Malnourishment in children is very high and access to physicians is low (Malik 2013, 168). As many as ten million go without sufficient food and even more go without water (Rabu and Hadi 2013); this constitutes about a half of the Yemeni people.

According to the Human Development Report, literacy in Yemen stands at about 60 percent, and about 40 percent of children drop out of primary school before completion and do not move on to secondary learning (Malik 2013, 172). The population is very young and growing; 66 percent of females are pregnant before the age of 20 years old (Malik 2013, 172). Educational growth in Yemen is held at the mercy of forced marriages for girls and militant groups, both official and otherwise, for boys (Rabu and Hadi 2013). By employing children in cities to do tasks such as guarding streets, the military directly undermines the education system of the state as a whole.

Findings from TIP

The ranking of Yemen has steadily declined since 2006. Since 2011, Yemen has been classified as a Tier 3 state for its noncompliance with regulations and standards in the TVPA and a lack of significant effort to rectify its shortcomings.

Yemen struggles foremost with child labor. Nearly one million child workers work under forced conditions somewhere in the state (United States Department of State 2013, 395). In addition, the TIP reports that traditional, chattel slavery, meaning the owning of people as commercial property, may still exist (United States Department of State 2013, 396). Yemeni children, particularly boys, are employed to smuggle illegal items into Saudi Arabia and others are employed as children soldiers. Rebel forces and official government military forces alike

stand accused of coercing children under the age of 18 into their ranks, but TIP does claim that in 2012 the number of children in the official armed forces did diminish (United States Department of State 2013, 396). Girls, on the other hand, may be subjected to sexual exploitation for commercial purposes in either Saudi Arabia or Yemen itself. Often, women and girls can be exploited for temporary marriages. The TIP claims that many Yemeni women will travel to Saudi Arabia under the impression that the marriage was sincere, but many are abandoned in Saudi Arabia thereafter (United States Department of State 2013, 396).

Yemen does not explicitly criminalize all form of trafficking (United States Department of State 2013, 396). Definitions in policies are broad and group other crimes in with offences related to trafficking, but does little address them specifically. The penal code's definition only mandates that a ten-year sentence for someone guilty of "buy[ing], sell[ing]... or deal[ing] in human beings; and anyone who brings into the country or exports from it a human with the intent of taking advantage of him" (United States Department of State 2013, 396). Despite the fact that similar punishments are bestowed upon those who commit comparable offences, the definition focusing on the physical movement of people for a trafficking conviction to result is not in line with modern policy standards.

Yemen does not have an established protocol that attempts to recognize and identify trafficking victims. However, as a result of these investigations, victims are regularly arrested and charged with crimes, such as prostitution (United States Department of State 2013, 396). International organizations in Yemen are active in identifying victims where the government

fails to do so. Shelters that exist in the country do not offer services to victims of trafficking, forced labor or forced prostitution.

While Yemen did not work to reduce any forms of trafficking during the report year, it did take steps to limit the recruitment of children into any armed militias. The state was placed in the Tier 3 rank after it failed to meet expectations it set forth in plans in 2008 and 2009 (United States Department of State 2013, 396). Still, the military is working from the top officers down to eliminate the problem of the recruitment of children. However, without a birth registration system for its children, Yemen leaves them in danger of becoming victims.

CHAPTER 5: CONCLUSIONS AND RECOMMENDATIONS

Neither human trafficking nor exploitation are new phenomena. We have the benefit in policy creation that all parties should be in agreement that this is a problem worth solving. As can be observed from looking at case studies, however, not all states have the same ability or organization to be able to be effective in the fight against the trafficking of people against their will.

The TIP makes recommendations for each state, but as with many other things in the report, they are largely broad generalizations. All states are asked to continue to find ways to make the public aware of trafficking, and all are expected to continue to train law enforcement to recognize warning signs. However, other patterns do emerge, as there are recommendations that repeat for nearly all states and ones that are intrinsic to the state of each country's development.

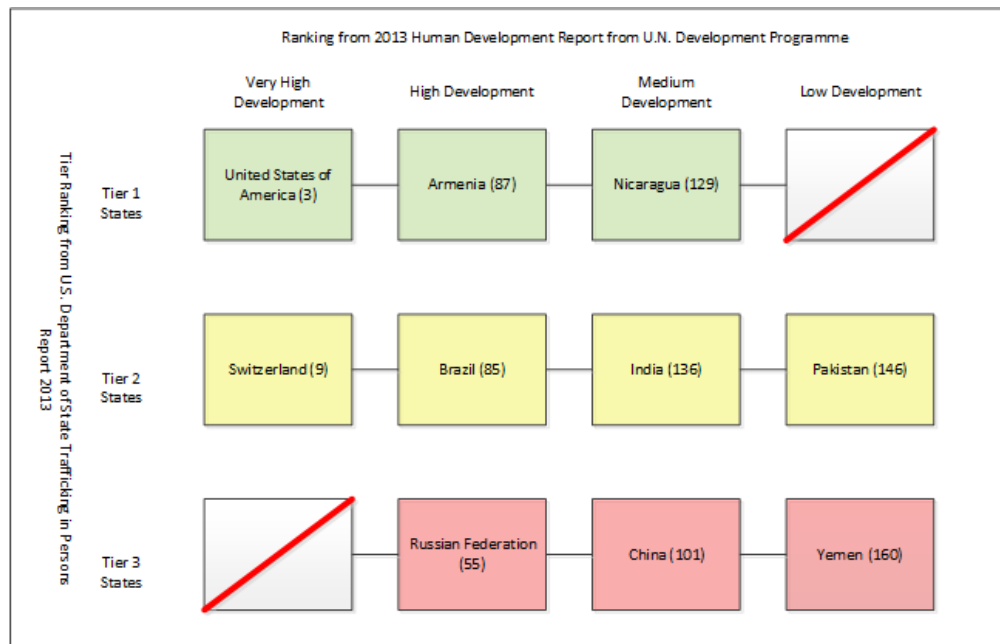


Figure 1: Chart displaying cases selected for study.

Commonalities Based on Development

The United States and Switzerland, states that are in the Very High developmental category, have been given recommendations to make sure they continue to properly identify victims and give special attention to certain portions of the population that can more easily fall into trafficking traps. For the U.S., this involves Native Americans, specifically. The TIP recognizes that until “prostitution for all persons under 18 years old” is criminalized by the Swiss government, it leaves them at a higher risk. Because these states do have the resource capacity to provide aid to victims, identification needs to be a high priority. Without efficient methods of accurately recognizing victims, these states’ support systems and funds are wasted.

Among other recommendations for the states that fall in the High developmental bracket – Armenia, Brazil and Russia – are the requests that the states continue to fund NGO activities and operations. These governments do have the ability to prioritize policy to create a system to protect their citizens. However, due to the nature of trafficking, it is not practical for government agencies to be directly in control of the entirety of the identification and rehabilitation process. By funding and working with NGOs that are able to operate shelters, Armenia can ensure it remains in the Tier 1 bracket, and Brazil and Russia will be taking steps to improve their anti-trafficking efforts.

Our cases for states that are considered to be in the Medium developmental bracket, Nicaragua, India and China are all states that are in periods of transition, especially the latter two. Their common shortcomings are in the legal areas of prosecution and conviction of offenders. India and China in particular have huge portions of their populations who are in trafficking situations which appear to be the result of rapid economic development and industrialization. In

addition, all three states have issues in particular with prosecuting government officials who commit crimes or inhibit the investigations of others.

Finally, the states that are ranked in the Low developmental group have similar recommendations to the Medium group. Pakistan and Yemen both have failed to draft and pass policies that properly define and identify instances of human trafficking. They have not displayed that they manage their resources to give any kind of priority to investigating, let alone convicting, accused traffickers. Yemen in particular has social issues to solve, and must end the institutionalization of using children as soldiers. In addition, Yemen must find a way to punish those who perpetuate traditional slavery much more harshly.

Analysis of Trafficking and Development

There is a strong connection between the ability of a state to manage its resources well to gain or maintain economic and political stability, and its effectiveness in anti-trafficking policy creation and execution. The observable pattern behavior of these states indicates that there is a relationship between a state's development level, especially changes in development that occur within a single generation, and its ability to effectively create policy, investigate allegations, provide aid and work with various agencies and NGOs. While very few would disagree that states do have an obligation to protect all people within their borders and aid their own nationals abroad, it is painfully obvious that the issue's saliency is not the same in every state.

As expected in my hypothesis, states that display strong development and organization are better equipped to comply with what should be considered bare minimum international norms to prevent trafficking. However, I recognize that there is not enough included within this comparison of states' development and their compliance abilities to assert that there is a simple

and concrete correlation. There are indeed several variables that lie beyond the scope of this study, and it may be that one of the individual factors that make up our working definition of development is more causal than others.

While there are pattern behaviors, the research is limited by inaccurate reporting by governments themselves. A common theme in the TIP Reports is the absence of records for the report year by a large number of states. Even the Department of State, seen as an international authority on the effectiveness of anti-trafficking policies, is not forthcoming with all of its findings, and instead must make rather broad generalizations on each state's condition. This research question is therefore ongoing and is not completely answered.

This study provides further warning signs that a severe lack of attention and priority is given to national issues in human trafficking by many governments. As an economy transitions away from the production of traditional or agricultural goods, the government which seeks to aid in the development of the state may inadvertently (likely in the case of Switzerland), or purposefully (likely in the cases of India, Russia and China), ignore trafficking problems. States must learn to balance policies in the regulation of migration, especially if their state's economy is transitioning and their markets more open to globalization.

In sum, policies will have little chance of succeeding in helping the trafficking situation in a state if the government does not work to ensure a better living situation and quality of life for the populations that are at risk. As has been asserted in other research, this thesis recommends that governments that are in situations of poor developmental health could begin

this process by ensuring that plans are established to meet the UN Millennium Development Goals by their target date next year in 2015 (Danailova-Trainor and Laczko 2010, 54).

It should not be assumed that development is an instant remedy for preventing trafficking, made evident by the cases of the states that are ranked with Very High or High levels of development by the UNDP. However, the side effects of uncontrolled growth can lead to deprivation for portions of the population. The plight of these people varies across the globe in levels of severity, but effectively puts them all at risk of becoming trafficking victims. There is still a lack of quantitative research in this area. Again, the governments that are facing the toughest of circumstances do not have the resource capacity to provide scholars with appropriate or accurate data. However, if the international focus shifts to international efforts to meet MDGs, many of the leading causes of international human trafficking could be prevented. Development should not occur without careful planning and observation. There are many unintended consequences that developmental policies have on the choices that individuals make, which can increase their susceptibility. As the deadline for the attainment of the MDGs approaches, this project recommends, along with other research into developmental goals, that states must begin to look into the future, which should focus on the expansion of human rights, democratic institutions and more effective and fair governance (Lomazzi, Borisch, and Laaser 2014).

The clandestine nature of human trafficking as a practice does not allow for the matter to be cleaned up with any blanket policy. Each case is unique and presents difficulties that are particular to each state. Trafficking, like most other forms of crime, follows patterns, but these qualitative findings will continue to be ineffective in the fight against global trafficking.

Research must be double faceted: simultaneously able to collect and analyze data, from which political scientists can diagram correlations, while being sensitive and paying attention to the individual stories of victims. Without improvements in the fulfillment of quantitative data, the study of human trafficking will unfortunately continue to be more based in general observations and less in scientific and replicable methods when compared to other areas of political and social science.

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