A Journey to the Unknown

Trafficking from the fringes of Europe to the Middle East

Documentary & Fact-Check
Joint Report
2020
Acknowledgments

This documentation report has been created to provide a legal, social, and political context to the documentary film “She is not for Sale,” a production of the IUNW, thanks to the generous support of the Geneva-based Euro-Med monitor that crowdfunded for this production in London and Geneva.

We would like to thank the brave journalists behind this project, who still live and work in the Middle East, and have decided to take a stand against slavery in defense of human dignity. We would like to express our awe for the survivors, who made their testimony in this film part of their healing process. We would like to thank the people who put together this documentation file, endowing this project with their integrity and institutional credibility. And we would like to thank the multitude of people that continue to stand up for human dignity and take the prohibition of slavery seriously.

International United Nations Watch
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Professor Giovanna Campani is one of the first European scholars to work on female migration in general and trafficking in particular in Southern Europe, conducting the first field research on the subject on behalf of the IOM in Italy (1996). Professor of Ethnology at the University of Florence, Campani obtained a second chair, Gender Anthropology in 2005. She holds a PhD in Ethnology, an MA in Philosophy, and an MA in Sociology. She is a prolific author and has extensive research experience in migration, ethnic, cultural, and gender studies. Her books have been translated from Italian into English, French, German, Spanish, Catalan, and Swedish.

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Introduction

By Dr Theologia Iliadou

This research and documentation file contextualises and documents the 50-minute documentary “She is not for sale.” This shocking investigation dives into the world of sex trafficking from the poorest country in Europe, Moldova, to one of the richest per capita countries in the world, namely the United Arab Emirates (UAE), where over 90% of the population are foreign born.

The film was produced over the course of two years (2018-2019) in the UK, Belgium, the Netherlands, Romania, Moldova, Poland and Dubai (UAE) by the established filmmaker Mohamed Dawood. This IUNW production deals with the organisational structure of a specific human trafficking flow, offering a closeup view on the subjugation of women and the politics of gender-based violence. Using secret filming, interviews, and expert analysis, this documentary unveils a world in which women seeking employment in the service sector are lured under false pretenses and trafficked in the UAE’s sex industry, which makes part of a broader tourism and financial services sector.

Tracing victims as far as rehabilitations shelters in Romania and Moldova, where they are trying to put their lives back together, the film offers the viewer a glimpse into their personal stories as a window to a broader narrative. From the survivors, the film turns the viewers’ attention to the socioeconomic and political context of gender-based violence, its tolerance, institutionalisation, and ultimate social acceptance. In doing so, the filmmakers seek expert testimony from leading professionals working in trafficking prevention, advocacy, law enforcement, policy development and academia: Andrew Desmond, former detective with New Scotland Yard, London; Ana Revenco, President of anti-exploitation and abuse organisation “La Strada,” Moldova; Nancy Rivard, President of Airlines Ambassadors, USA; Patricia Le Cocq, spokesperson for the human rights organisation “Myria,” Belgium.

This documentation file provides a narrative context to the film.

In the first chapter, Maya Garner makes the case that the difference between the traditional slave trade and human trafficking is that the latter unfolds in the context of global prohibition, linked to an international human rights regime. However, the monitoring, prosecution and conviction record of UN member states depends on a broader cluster of national socioeconomic and political variables.
In Chapter 2, the founder of the Mediterranean Migration Observatory Martin Baldwin-Edwards outlines the interrelation between trafficking and migration regime, discussing available data sets with regards to the composition of trafficking flows (ethnicity, gender, age) and UAE policies to address them.

Chapter 3 is a closeup on the process of victimisation in Moldova, drawing on the meta-data of a help line that supports trafficking and domestic abuse victims, namely La Strada.

In Chapter 4, Professor Giovanna Campani of the University of Florence provides an overview of the evolution of the term “human trafficking” over the last three decades and discusses the interrelation between security and gender politics. In her analysis, she offers a comparative perspective, discussing the case studies of trafficking from Moldova to the UAE and from Nigeria to Italy.
Chapter 1: Law and Order, Slavery & Human Trafficking

By Maya Garner

The “She is not for sale” documentary provides a glimpse into the world of sex trafficking and forced prostitution in the Middle East, particularly the UAE, a hotspot of international business interests in the Middle East and North Africa. The film looks at how trafficking is organised, who is behind this vastly profitable organised trade, and who suffers at their hands.

The process of the film is political in its own right. It was filmed by a crew of journalists residing in the Middle East, looking to unveil an inconvenient truth in their own immediate environment, and travelling for the purpose to the place where silent and often socially invisible women living in servitude come from. Using secret filming, interviews, and expert analysis, they reveal the process of how women buy into the hope of escaping poverty and abusive relationships, finding themselves trapped into a deeper web of economic and psychological entrapment, consolidated by physical violence. This film and report were made possible thanks to the generous support of the Geneva-based Euro-Med monitor that crowdfunded for this production in London and Geneva, often looking to raise resource from exile communities from the Middle East. In sum, this film is not only about revealing a backstage story about a particular state but also about breaking the silence.

The narration of the film begins with “survivors” found in rehab shelters in Eastern Europe, where they are trying to put their lives back together. But other informants providing these stories with essential context: Andrew Desmond, a former detective with New Scotland Yard; Ana Revenco, President of the Anti-Trafficking advocacy organisation “La Strada”; Nancy Rivard, President of Airlines Ambassadors USA; Patricia Le Cocq, spokesperson for the Belgian human rights organisation “Myria.” That is a context of tolerance for the commodification and exploitation of human beings, particularly women, which suggests that human trafficking is not confined to organised crime circles but is the backstage of a formal economy, tolerated by law enforcement agencies, the police, and society at large.
Slavery and Human Trafficking

Slavery has laid the foundations of several Empires, from the Romans to the empires of the Netherlands, Portugal, Spain, Belgium, France, Britain, Germany, up to and including the United States during the centuries of its establishment and development. Across the world, the practice of treating the vanquished in human conflict as part of the spoils continues, and there are more people being increasingly enslaved today. However, modern human trafficking is different than the slave trade in that it unfolds in a global regime of Inalienable human rights, vested in international law rather than merely national constitutional law.

The international community has outlawed slavery. The illegal nature of human trafficking affords those dealing in human lives with a price premium without always guaranteeing victims with the full protection of the law. National regulatory regimes have different degrees of tolerance to trafficking, as well as its ensuing value chain: recruitment, transport, falsification of documents, exploitation, and money laundering of the proceeds.

For historical reasons and as a result of political struggles, Europe and the United States have since the end of the Second World War aspired to set the global standard for human dignity. Significantly, Europe and North America detect more victims of human trafficking and prosecute more traffickers than other global regions. The process of drafting the annual UN Global Report on Trafficking in Persons\(^1\) brings to the fore this divergence in comparative perspective, attempting to channel political efforts towards “incremental progress,” year by year.

Consistently, such reports suggest that trafficking in states of the Gulf Cooperation Council face a systemic challenge, which goes over and beyond “incremental” improvement and requires paradigmatic change. Significantly, it should be noted, human trafficking is a relationship of absolute subjugation in which an individual is objectified, put in a position of sexual servitude, or forced labour, or forced to fight in armed conflict, or sold for his/her organs. This absolute commodification of the human body cannot be challenged in legal terms alone. The common denominator between all different forms of human trafficking is a relationship of control. That control takes the form of economic, social, psychological, and physical power. The

idea that countries can radically transform a reality of slave trade by “cosmetic” top-down interventions alone has time and against proved illusory.

The United Nations Convention against Transnational Organized Crime defines trafficking in persons as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” Realistically speaking, this multi-faceted phenomenon of subjugation is a systemic phenomenon requiring, first and foremost, the empowerment of perspective victims. This requires an approach that pays close attention to the whole spectrum of vulnerability, from the victims’ psychological mindset, to his or her socioeconomic as well as the overall political context.

Personal vulnerability is usually associated with self-esteem and {the lack of} opportunity, and could be accentuated by psychological factors such as depression. Recruits with this psychological profile are more readily available in countries or regions that are poor and/or in conflict. In such environments, “victimhood” is endemic and, often, the prey becomes the predator, as the trafficked becomes the trafficker, perpetuating this “value chain.” Unlike the final “consumer” of human trafficking goods and services, the trafficker has often been trafficked.

For example, women are often driven to forced sexual slavery by other women, who deploy their traumatic experience in physical abuse and violence to the benefit of traffickers, creating sophisticated systems of control, through blackmail, the threat of humiliation, debt, and the strategic and often symbolic use of violence. In Europe, women make up a larger share of those convicted for human trafficking offences than for most other forms of crime. In this scheme, traffickers and trafficked share a common profile: they often from the same region, have similar families, perceptions of social roles, gender identity, and deal with the same political establishment and legal institutions.

This documentation file provides an insight into International Human Trafficking focusing on a specific case study, namely the trafficking of women for the purposes of sexual exploitation from the poorest country in Europe, Moldova, to the 23rd richest country in the world, the United Arab Emirates. This relationship between absolute poverty and vast wealth is not merely a story about organised crime on the margins of the economy. This is also a story on how local politics enable and facilitate transnational crime.
Trafficking from Moldova to the UAE

The film “She is not for Sale” sets a specific context of recruitment that is defined by poverty and a context of exploitation that is defined by a highly patriarchic society that is systemically reliant on foreign workers.

Emigration from Eastern Europe has transformed society, particularly in Moldova. Since 1997 Moldova has seen over one million people emigrating. Between the last two censuses - 2004 and 2014 - the population decreased from 3.3 million to 2.8 million and some 100,000 children have one or two parents working abroad. Per capita emigration from Moldova is the eleventh highest in the world. The push factors are clear: lack of decent job opportunities, absolute poverty, and the handing of a Romanian EU passport to over one million Moldovans. The desperation to escape poverty is relentless. An opinion poll in 2018 suggested that 56% of Moldovans were eager to leave the country.

Here is the testimony of a survivor, referring to the link between poverty and recruitment.

“There were constant lack of money lack of food and medicine. It was such hard time, there was no help from mom, family or anyone. They offered me to go to Dubai, UAE. They opened an official webpage of hotel with vacancies listed. He had an understanding that I my English language is not perfect but I can understand. ‘Here are three he said; there were three or four vacancies: where do want to go? Choose ‘, he said. It was a normal job, no sex service,' I am doing this just to help you.’”

And another testimony:

“Well, it happened nine years ago I was living alone without a husband and with two children. There was no work first of all; second, we needed money. That’s why I went as we needed money. Their costs will be deducted from salary. But in general, good salary and good condition. You will only pay for the ticket and for the visa.”

Moldova’s dependence on remittances is systemic, with remittance flows reaching a peak of 35% as share of GDP in 2006, falling to 16% in 2018. Within this enormous pool of individuals, thousands may be classified as trafficked or slave

2 https://www.zdg.md/editia-print/social/moldova-ramane-fara-cetateni
5 https://www.theglobaleconomy.com/Moldova/labor_force/
labour. This picture is further complicated by the fact that half the country is occupied by Russian mercenaries, who have established a non-state entity known as the “Republic of Transnistria,” solely recognized by Russia. That normative black hole is run by an oligarchic conglomerate, often in cooperation with organised crime, lying quite beyond the scope of international law. There, human trafficking cannot be effectively monitored, let alone prosecuted. That is in itself a systemic phenomenon, given the proliferation of non-states in Ukraine, Moldova, and Georgia.

In many respects, the United Arab Emirates (UAE) is the mirror image of Moldova. Immigration has been the primary driver of population growth since the 1990s, with immigrants making up the vast majority of the total population and 90% of both high skilled and low skilled labour. The fact that this is a country in which just under 10% of the population are “citizens” is reflected in its legal culture. In 1971 the UAE introduced a “temporary” guest worker program called the Kafala Sponsorship System, which is often linked to abusive labour practices.

According to successive Human Rights Watch reports, the Kafala system exposes migrant workers to exploitative working conditions, poor living accommodations, restrictions to collective bargaining, nonpayment of salaries. In September 2017, the UAE introduced a bill on domestic workers that guarantees some fundamental labour rights, such as a weekly rest day, 30 days of paid annual leave, sick leave, and 12 hours of rest a day. But the 2017 law does not prohibit employers from charging reimbursement for recruitment expenses and requires that workers who terminate employment compensate their employers. For more than a decade, this is the social and institutional backdrop of trade in female sex slaves from Moldova to the UAE.

Sexual abuse and violence are reported regularly, encouraged by the absolute control of Emirati “sponsors” over their employees. To its credit, the Philippine government has on occasion enforced temporary bans to prevent female workers


from being deployed in the UAE. But the issue at hand is not only the power of employers over their migrant employees. The country has also put in place a regime of patriarchic violence that permits domestic violence for the purposes of “chastising” a wife or children, so long as the assault does not exceed the limits of Islamic law. That often extends to the whole household, including “help” in the form of women and men who are completely indebted and subjugated.

The combination of a migration regime that creates conditions of absolute dependence, combined with widespread social tolerance for abuse towards women creates a unique trap in the local entertainment industry, especially in Dubai, where successive IOM and UNHCR\(^8\) reports confirm that thousands of women find themselves tricked into believing they are hired for domestic care or the broader service sector and instead find themselves forcibly prostituted. The legal tolerance towards sexual predators is not entirely unknown even to tourists,\(^9\) who have been known to be first raped and then charged with involvement in extramarital sex. In fact, a British charity has warned expatriates and tourists in the UAE not to report their rape, as they place themselves in graver danger, as the prescribed punishment for extramarital sex includes imprisonment, deportation, floggings and stoning.\(^10\)

The “She is not for sale” documentary focuses primarily on entrapment or how women looking for jobs in the service sector are trafficked under false pretenses and end up as slave sex workers.

A survivor explains:

> We went into an apartment, definitely not the dormitory promised; I followed there and has met by a girl. One guy entered my room, he was also an Arab, but he was very dark. He dragged me by hair a led me in another room to give me a little time to think over. He started speaking to me in Russian, he began explaining to me (that I just have to) pay back the debt and ‘no one will hold you here.’ I was so exhausted

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\(^10\) May Bulman, “UK charity warns tourists in Dubai not to report rape after woman who was ‘gang raped’ arrested,” Independent, November 17, 2016
but I knew I had a goal: to pay back as soon as possible so that I could return home freely. I want to clarify that if someone from clients calls to complain to our boss that the girl did not provide a certain service, then of course punishment would follow and not only physical punishment, but there was a moment when we were not given food. They would justify it saying we have to earn it.

And another testimony:

When I went there, all the conditions were different. Only then I learned that my acquaintance who was sending girls knew about everything. She knew! I learned about all of that after I arrived there. Under these circumstances, I worked in one place for about half a year, then I was resold to another owner and there was the same thing again. In one night, there could be 5-6 clients. I could be left without calling my children for 2 months, everything was difficult. There I stopped working and could be left hungry for a week. I was resold for the third time and the same things would start again. Everywhere the same things even underage girls would be brought.”

In a wider socioeconomic context where violence against women is socially acceptable and sexual violence tolerated, victims of sex trafficking face a considerable challenge. Their social status makes their recognition as “victims” the exception rather than the rule, as the web of entrapment engulfs them, leaving little room for psychological support, legal protection, and ultimately social and political solidarity. The traffickers control women as part of broader ecosystems of exploitation and oppression.

The following testimony is telling:

“The wife of an MP brought the visa, money for the taxi and everything. We went to the airport with my friend. Well, as I understood, my friend was collaborating with this wife of the MP so they provided me with the ticket and the visa. I went to Odessa, and from there to the airport to fly to Dubai. I saw the wife (of the MP) who brought me the printed visa, taxi cash and that’s it. When you leave or arrive, many people ask questions like ‘business or tourism?’ I was not asked any questions. I was given my Moldavan passport. This owner was collaborating with the police because she was sending girls to police. She had an insider there. The owner used to send girls to provide services to Dubai Police. They would say they were working to the police.”

Limiting access to food, limiting communication to loved ones, and using a combination of physical and sexual abuse are all extreme measures in a society where rule of law prevails. However, such measures are immeasurably more effective in a social context where women are depreciated, violence acceptable, and corruption prevalent. In such a socioeconomic context, violence is effective because it confirms the normative expectation of subjugation, making a mockery of international law. In such cases, victims may retreat into a hazy world of substance
abuse, or escape the vicious circle of exploitation by moving up the ladder from “victim” to partner, becoming part of the recruitment mechanism. The question for the rest of society and the international community at large is how to empower victims to challenge this “consensus of abuse” that makes a mockery of international law.
Chapter 2: Trafficking for Sexual and Labour Exploitation in the United Arab Emirates

By Martin Baldwin-Edwards

Patterns of Trafficking in the Middle East

The most thorough research on trafficking globally is probably that conducted by UNODC over the period 2010-2012 (UNODC 2016). Although there have been some changes since then, owing to improved controls over trafficking in Eastern Europe in particular, the information yielded is still of importance. Figure 1 shows the global patterns of trafficking to the Middle East detected by the UNODC team over that time frame.

Figure 1: Trafficking flows to the Middle East

The most significant number of trafficking victims (51%=420 persons) came from Asia. That is unsurprising, given the origin of most labour migrations to the GCC countries. The characteristics of those trafficked to the region are also detailed in the study. A disturbingly large proportion of those trafficked to the broad region (Middle East and Africa) were under 18 years of age, much more significant than elsewhere in the world.
The predominant forms of exploitation in the region were found to be sexual exploitation (53%) and labour exploitation (37%). Figure 3 shows these data in international comparison.

The final important piece of information yielded is the gender breakdown. The broad region received an unusually high proportion of trafficked males (45%) compared with the rest of the world. Although this can be partly explained by the fairly high proportion of labour exploitation, the figure also indicates a significant level of sexual exploitation of male children. Equally, labour exploitation is not confined to males, since many women and girls are also trafficked for this purpose.
The broad implication of this data is that trafficking to the Middle East involves a high proportion of children, that the form of exploitation is split between sexual exploitation and labour exploitation, and that the gender division is not clear-cut. In particular, a focus on sexual exploitation and women would be inappropriate, denying protection and remedy to boys trafficked for sexual exploitation and to both genders trafficked for labour exploitation. As we shall see below, this inappropriate policy choice has been the pattern across the region, and in the UAE specifically.

Looking at more recent data, the annual US Trafficking in Persons Report (US 2019) places the UAE in a fairly low risk category within the region, emphasising considerable progress made in dealing with trafficking for sexual exploitation. Saudi Arabia is considered to be far more problematic. Figure 5 shows the US State Department’s assessment of the regional situation. The aggregated regional statistics indicate variable results, aggravated by poor statistics, and with little attention paid to labour exploitation: 83 victims out of 2,675 in total in 2018. Even the total numbers of victims are low, for the entire region concerned, raising questions about the reporting and/or prosecution of trafficking crimes across the region.
Figure 5: Trafficked victims and convictions

Source: US (2019)

**Policies and Outcomes in the UAE**

The UAE was the first GCC country to adopt Anti-Trafficking legislation in 2006. Perversely, it was one of the last to ratify the relevant international protocols on trafficking (see Fig 6).
Figure 6: GCC ratifications of UN protocols and year of first national law

<table>
<thead>
<tr>
<th>Country</th>
<th>Ratification of the UN TOC Convention</th>
<th>Ratification of the UN Trafficking Protocol</th>
<th>National TIP Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain</td>
<td>2004</td>
<td>2004</td>
<td>No 1 of 2008</td>
</tr>
<tr>
<td>Kuwait</td>
<td>2006</td>
<td>2006</td>
<td>No 91 of 2013</td>
</tr>
<tr>
<td>Oman</td>
<td>2005</td>
<td>2005</td>
<td>No 126 of 2008</td>
</tr>
<tr>
<td>SA</td>
<td>2005</td>
<td>2007</td>
<td>No M/40 of 2009</td>
</tr>
<tr>
<td>Qatar</td>
<td>2008</td>
<td>2009</td>
<td>No 15 of 2011</td>
</tr>
<tr>
<td>UAE</td>
<td>2007</td>
<td>2009</td>
<td>No 51 of 2006</td>
</tr>
</tbody>
</table>

Source: Al-Shareef (2018)

Data on cases prosecuted and convictions are shown in Figure 7, below. The availability and quality of data is problematic – with no information at all on cases not prosecuted and no recent data on total convictions. It is also unclear that the conviction rates shown in Fig. 7 are meaningful, as they are probably merely annual data and not rates for actual prosecutions.

Figure 7: Statistical data on prosecuted cases, numbers of victims and traffickers, and convicted cases (annual)

<table>
<thead>
<tr>
<th>YEAR</th>
<th># of cases</th>
<th># victims</th>
<th># traffickers</th>
<th># convicted cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>10</td>
<td>==</td>
<td>==</td>
<td>5</td>
</tr>
<tr>
<td>2008</td>
<td>20</td>
<td>32</td>
<td>43</td>
<td>6</td>
</tr>
<tr>
<td>2009</td>
<td>43</td>
<td>86</td>
<td>125</td>
<td>35</td>
</tr>
<tr>
<td>2010</td>
<td>58</td>
<td>152</td>
<td>169</td>
<td>5</td>
</tr>
<tr>
<td>2011</td>
<td>37</td>
<td>51</td>
<td>111</td>
<td>19</td>
</tr>
<tr>
<td>2012</td>
<td>47</td>
<td>75</td>
<td>149</td>
<td>31</td>
</tr>
<tr>
<td>2013</td>
<td>19</td>
<td>24</td>
<td>50</td>
<td>12</td>
</tr>
<tr>
<td>2014</td>
<td>15</td>
<td>20</td>
<td>46</td>
<td>6</td>
</tr>
<tr>
<td>2015</td>
<td>17</td>
<td>24</td>
<td>54</td>
<td>==</td>
</tr>
<tr>
<td>2016</td>
<td>25</td>
<td>==</td>
<td>106</td>
<td>==</td>
</tr>
<tr>
<td>2017</td>
<td>16</td>
<td>==</td>
<td>48</td>
<td>==</td>
</tr>
<tr>
<td>2018</td>
<td>30</td>
<td>51</td>
<td>77</td>
<td>==</td>
</tr>
</tbody>
</table>

Sources: Al-Shareef (2018); US (2019); http://www.nccht.gov.ae/default.aspx?PageId=70
According to these data, the most significant number of victims was in 2010 with 152 persons, and the largest number of convicted cases was in 2009. (This may have changed for 2016-18, but there are no data available). These are very small numbers, in comparison with the migrant population in the UAE (estimated at 8.5 million for 2018) and also in proportion to the perceived scale of trafficking for sexual and labour exploitation.

**UAE policy initiatives and concerns over Anti-Trafficking measures**

As noted above, the UAE was the first GCC country and also the first Arab state to enact laws to combat human trafficking. Substantial funds were allocated from 2006 to address trafficking and related crimes, along with a clear admission of the phenomenon of trafficking within UAE jurisdiction. There were four foci chosen to combat trafficking – namely, legislation, law enforcement, victim support and bilateral agreements or international partnerships.

In 2015, the 2006 law was amended to include protection provisions and improve compliance with international standards. The 2015 amendment has been viewed by the international community as a significant step forward in addressing trafficking and is cited by the UAE government as evidence of a continuously developing approach, as opposed to a frozen law.

Under the initial 2006 law, the National Committee to Combat Human Trafficking (NCCHT) was established in 2007, tasked with coordinating state institutions and implementing policies to combat trafficking. It publishes annual reports, detailing its activities in policy development, training and implementation. (Regrettably, its latest statistics and its last report in English were in 2015.) The key state agencies involved in Anti-Trafficking policy are the Ministry of the Interior (police), the General Directorate of Residency and Foreigners Affairs (immigration officers) and state institutions supporting trafficking victims. There are also specialised control centres across the UAE police forces.

In Dubai, the Human Trafficking Crimes Control Centre was established by the police in 2009, with a wide range of tasks including studies and analyses of trafficking, public awareness raising, continuous training of police officers in the handling of trafficking cases, cooperation with regional and international agencies concerned with trafficking crimes, and support for victims of trafficking. Alongside this agency is the Dubai Police’s Organised Crime Department, with a specialised unit for investigation of trafficking cases. A department of the Ministry of Labour was
established in 2009, to combat human trafficking and labour exploitation: it employs 40 specialist officials charged with investigations, prevention and awareness. In 2015 (latest data), the unit made just under 79,000 inspections. It found 85 businesses in violation of work permit provisions, 52 companies exploiting people in dangerous occupations, two suspected cases of human trafficking referred to prosecutors (involving ten victims), and 1,021 companies with wage arrears concerning 48,850 workers.

Support for victims of trafficking is provided by three main organisations: The Dubai Foundation for Women and Children, EWWA (Shelter for Victims of Human Trafficking Abu Dhabi), and a non-government fund assisting with finance established by the NCCHT. The Dubai Foundation assisted 18 victims in 2015, of which 15 were from regions of Asia. Their ages ranged from six months to 45 years. Eight victims were recruited as housemaids. The forms of abuse were multiple, including financial abuse, sexual abuse and physical abuse. Previous years saw much larger numbers – e.g. 46 persons in 2010 – with a cumulative total of 217 since 2007. EWWA has three shelters for women and one for men. In 2015, it assisted 17 female victims of trafficking: none was a minor, and the majority (14) were from regions of Asia (NCCHT 2016).

Explaining the small numbers of identified trafficking victims

Despite serious attempts by the UAE authorities to address the phenomenon of trafficking and related crimes, the numbers of victims over the years are extremely small relative to both the actual size of the migrant population and also the scale of the problem as perceived by UNODC in its two extensive surveys of trafficking in the region. The issue of small numbers is endemic across the GCC and Middle East
and is not specific to the UAE. Moreover, certain victim sub-categories are almost entirely missing: specifically, child victims of sexual exploitation, victims of labour exploitation, and male victims generally (i.e. both child and adult victims of labour or sexual exploitation). These subcategories are also missing from the statistical summary data published, making it difficult to see what is actually happening. According to Al-Shareef (2018), in 2012, there were six child victims (aged 14-17) identified out of a total of 75 victims: all were trafficked for sexual exploitation. In 2010, there were 15 child victims (aged 13-17), out of a total of 152 victims. In more recent years, as the total number of victims has declined (see Fig. 7), the number of detected children has dropped almost to zero. For the crime of trafficking for labour exploitation, the numbers are even lower – zero over the period 2007-10 but with some cases since.

The legislation protecting sexual and labour exploitation of children is strong, and not considered to be a problem. However, in 2013 the UN Special Rapporteur on Trafficking in Persons commented on the small number of cases registered and prosecuted relative to the scale of trafficking (cited in Al-Shareef 2013: 194). She suggested that this was caused by the lack of effective witness protection programmes, making victims reluctant to report their cases to the authorities. The UNODC global studies comment on the very small numbers of cases involving labour exploitation and offer several reasons, including a widespread belief among officials and the public that trafficking occurs only in the case of sexual exploitation. There is a lack of recognition of the concept of labour exploitation and therefore, of trafficking for labour exploitation. In 2013, the Attorney General’s Office in Abu Dhabi noted the absence of clear precedents to interpret the concept of “forced labour”, while there has been observed a general tendency for the police to arrest offenders only in cases involving prostitution (Al-Shareef 2018: 191). Others have emphasised societal issues as an explanation for the lack of forced labour prosecutions. These include moral considerations, where sexual exploitation victims deserve attention and assistance: there is a dominant stereotype of the young migrant female, lured into work, and then subjected to extreme violence and abuse for financial gain (Al-Shareef: 192).

In line with this theory of societal norms, some earlier studies have noted the failure of the UAE authorities to address publicly the issue of trafficking of children for sexual exploitation “because of societal sensitivities and cultural perspectives” (Calandruccio 2005, cited in Al-Shareef (2018: 204). We may hypothesise that this reluctance to deal openly with child sexual abuse will be even stronger in the case of male children abuse that is almost entirely absent from prosecuted cases.

Thus, the UAE (in common with other countries) underestimates and fails to identify victims of child sexual abuse, and labour trafficking of adults and children. More generally, there is a reluctance for victims to report crimes to the authorities, despite serious and apparently genuine attempts by the UAE authorities to encourage this and to provide support. In terms of the apparent decline in the numbers of trafficking
victims since 2012 (see Fig. 7), in the context of proactive state policies of detection and enforcement, it seems likely that the scale of “stereotypical trafficking” has declined. That does not necessarily mean that total trafficking has declined: the categories of labour exploitation and child sexual exploitation may have experienced a surge in numbers, undetected by the authorities.

The role of the Kafala system in facilitating trafficking

All of the Gulf Cooperation Council countries, along with Jordan and Lebanon, implement a labour immigration management system known as Kafala or Sponsorship. This emerged in the 1950s as an easy way to manage large inflows of cheap, temporary labour. A migrant worker’s legal status is legally bound to sponsorship by an employer or sponsor (kafeel): the migrant cannot enter, change employment or leave the country without written permission from the sponsor. The sponsor has a legal duty to report to the authorities any change of circumstances and must guarantee that the migrant leaves the country on termination of employment. The power of a sponsor over an immigrant is such that it is often characterised as contemporary slavery: employers engage frequently in abusive practices, including confiscation of passports, withholding of wages, and the threat of arrest, detention or deportation should an immigrant complain.

In comparison with other GCC countries, the UAE is relatively progressive: for some time, it has been illegal for employers to confiscate passports (but they continue to do so, as the penalties are trivial), and the country’s Kafala laws were revised in 2017 to permit multiple job-holding, low-cost social insurance, and tighter regulation of recruitment procedures for domestic workers. In particular, the provisions for domestic workers (covering a wide range of actual professions including chauffeurs, private sailors, gardeners, teachers) changed the hiring process and also regulates contracts, rights and privileges, and prohibitions.
The rights of workers are clearly laid out and represent a significant step forward in the GCC region. Federal Law No. 10 of 2017 makes some attempt in Article 3 to prohibit racial discrimination and exploitation, although it is unclear how effective this will be in practice, especially as the provisions are directed to recruitment agencies rather than the employers:

2. The worker may only be recruited or hired in accordance with the conditions, regulations and procedures stipulated by this law, its implementing bylaws and ministerial decrees, as well as any other relevant legislations in force in the UAE, subject to compliance with the legal conditions required for the licensing of each occupation - if any.

In all cases, it is prohibited to recruit or employ any worker under the age of 18.

3. If the workers are recruited or assigned to temporary employment by a third party basis, the law prohibits the following:

   a. Discrimination among workers on the basis of race, color, gender, religion, political opinion, national or social origin.

   b. The worker’s verbal or physical sexual harassment.

   c. Forced labour or human trafficking as defined in national laws and ratified international conventions

4. It is prohibited to hire workers to perform tasks that are not covered by the provisions of this law without obtaining the concerned authorities’ approval.

Thus, this broad category of migrant workers (expatriates), covering some 20% of the workforce may be better protected against trafficking and labour exploitation than in the past. However, the other areas of migrant employment – the construction industry, in particular – are left with the traditional provisions of the Kafala system and remain vulnerable to exploitation.
International Agreements and their Relevance to Anti-Trafficking

As part of its efforts to promote international cooperation on human rights issues, the Ministry of Interior has signed agreements with more than 30 countries. The UAE has signed labour agreements with several countries to regulate the flow of workforce and deny unscrupulous private recruitment agencies the chance to cheat and traffic workers. The Ministry of Human Resources and Emiratisation has agreements with at least eighteen countries and protocols with three countries.

During 2015, the National Committee to Combat Human Trafficking signed a memorandum of understanding (MoU) with Indonesia on better cooperation and coordination on human trafficking issues. Similar MoUs were signed with Armenia in 2009, Azerbaijan in 2011 and Australia in 2013. Negotiations for MoUs have been completed with Thailand and India. (NCCHT 2016)

The UAE is the only GCC country with a short-stay visa waiver agreement with the Schengen system – a bilateral agreement allowing visa-free travel for both EU nationals and UAE nationals when visiting to carry out unpaid activities and no special provision for employed domestic helpers without UAE citizenship (meaning that they will have to apply for a normal Schengen short-stay visa). Given the clear limitations set out, it seems unlikely that there would be any trafficking implications attached to the visa-free status. Insofar as the EU’s willingness to grant this status to the UAE is concerned, the publication of the agreement in the Official Journal is dated 21 May 2015. That predates the improvement in labour protection undertaken by the UAE in 2017 and suggests that the EU decision to negotiate with the UAE was not contingent on significant achievements in countering trafficking. However, it may have been informed by the older legislation and ratifications of the UN protocols by the UAE – in the important context of promoting business travel between EU countries and Dubai, in particular. Travel for business negotiations is exempted from the Schengen prohibition on travelling for paid activities, according to a Joint Declaration appended to the agreement.
Chapter 3: Human Trafficking in Moldova

By La Strada Moldova

Overview

Moldova is primarily a source country for women, men and children trafficked for sexual and labour exploitation. Moldovan women are subjected to forced prostitution in Turkey, Russia, Cyprus, UAE, and other destinations. Moldovan men are increasingly exploited for employment in agriculture and construction in Ukraine and Russia. The women targeted for recruitment are often from the countryside and have already experienced some form of abuse domestically, by parents or partners.

In 2012, a new National Action Plan was put forward, and new leadership was appointed to Moldovan Anti-Trafficking investigation unit, which redirected resources away from less severe crimes to more complex human trafficking cases. This strategy primarily reflected the February 2012 recommendations of the Council of Europe Group of Experts on Action Against Trafficking in Human Beings (GRETA). The report recommended increased attention to vulnerable populations, additional resources for victim services and improved investigations for potential perpetrators. Consequently, a new investigative unit specialising on online recruitment and sexual exploitation of children was established in 2012 to curb child pornography, sex tourism and other forms of online sexual exploitation of children. Furthermore, the government signed a bilateral framework agreement with Israel, enhancing cooperation in labour disputes, transparency in recruitment and the protection of Moldovan workers in Israel.

La Strada’s work in Moldova

Since its foundation in March 2001, the NGO International Centre for Protection and Promotion of Women’s rights “La Strada” is one of the leading actors within the Moldovan Anti-Trafficking community. From a handful of defenders of women’s rights in those early days, La Strada soon acquired a staff of 16 persons and a team of 25 volunteers, all of whom eager to combat trafficking in human beings and to offer professional and sustainable support.

As an NGO, La Strada undertakes preventive, assistance, and advocacy work that aims at protecting the rights and legal interests of vulnerable social groups at all levels: individual, judicial and executive. For over a decade, the public information
activities of La Strada Moldova contribute to safe migration, the prevention of trafficking in human beings, the support of victims of Domestic Violence, and the fight against the sexual exploitation of children. La Strada has successfully built a reputation that balances between professional standards of social service with activist determination in advocacy.

The quality of this work has been recognised in Moldova and beyond. At a national level, La Strada is a member of the National Committee on combating trafficking in human beings and a member of the Coordinating Committee on preventing and combating Domestic Violence. At an international level, La Strada Moldova is a founding member of the La Strada Association, a member of ECPAT and GAATW and other international forums.

** Trafficking in human beings **

Pursuing its vision, La Strada Moldova works to contribute to a society in which human rights and equal opportunities for men and women are adequately upheld. Lately, the organisation has extended the scope of its work to also include Domestic Violence. Furthermore, La Strada is taking a series of preventive measure to disrupt the commercial sexual exploitation of children. The organisation carries out information, prevention and advocacy/lobbying activity aimed to contribute to the decrease and elimination of these phenomena.

The prevention and combating of trafficking in human beings continues to be the number one objective of the organisation's activity. It starts with counselling of people intending to go abroad via the Hot Line service on safe migration and the risk of becoming a victim of trafficking up to facilitating access of trafficked persons for protection and assistance. In its work in this area, La Strada Moldova organises awareness campaigns among the general public, peer-to-peer educational seminars for young people and training for different professional groups (teachers, social workers, police officers, border guards and local administration bodies), and conducts national and international conferences.

** Domestic Violence **

The results of an in-depth analysis of the phenomenon of trafficking in human beings, our experience, and the information gathered by trafficked persons suggest that Domestic Violence is a significant root cause for human trafficking. About 80% of interviewed female victims of trafficking from 2005 to 2010 confirm that they had experienced violence in their own family (physical, psychological and sexual). Given these experiences, many victims accept the perpetrators' offer in their hope of finding a refuge from the nightmare of violence, hoping for a better life.

Challenging family relations also have a negative influence on the rehabilitation and social reintegration of victims at they return to their country. Taking into account
existing work in the field, La Strada in 2008 conducted an assessment of how the immediate family context contributes to victimisation and, recovery. The objective was to frame a policy that would include the right stakeholders and would limit violence. To this end, on November 2, 2009, the Confident Telephone Number 08008 8008 hotlines was set in operation, as a service that offers psychological counselling to victims of Domestic Violence. The helpline also contributes to a more in-depth meta-data analysis of the profile of persons subject to Domestic Violence and their needs, which can inform policy development. In parallel, La Strada cooperates in the development of educational resources and activities targeting youth that promote a culture of non-violence.

**Sexual exploitation of children**

Addressing commercial sexual exploitation of children is a separate activity, which La Strada Moldova initiated following NGO reports that the percentage of minors affected by human trafficking surged from 10% in 1998-1999 to 20% in 2009. La Strada Moldova launched a dedicated social media campaign on the subject in 2010, drawing social attention to this form of child abuse. Several other activities followed to draw attention to on-line child abuse and the involvement of children and teenagers into commercial sexual exploitation, including tourists. That awareness campaign triggered numerous responses and fostered engagement. Since the struggle against commercial sexual exploitation of children has become a pillar of LS Moldova’s work.

La Strada perceives human trafficking as a violation of human rights that should be treated accordingly. Under the Law of the Republic of Moldova on the prevention and combat of trafficking in human beings, trafficking is defined as the recruitment, transport, transfer, hosting or receiving of persons by means of threat of force or use of force or other forms of coercion, kidnaping, abduction, fraud, deception, of abuse of authority or a situation of vulnerability, or by means of offering or receiving payments or benefits of any kind in order to obtain the consent of a person who has control over another person for the purpose of exploitation of the latter. The Republic of Moldova created a legal and institutional framework for prevention and combating trafficking, and these efforts are coordinated by the National Committee for Combating Trafficking in Human Beings.

The Republic of Moldova is legally committed to fulfilling a range of international obligations related to combating trafficking in human beings, by signing and ratifying many international conventions in this regard, including the Protocol to prevent, suppress and punish trafficking in persons, especially women and children (Palermo Protocol), the European Council Convention on combating trafficking in human
beings, and the UN Convention against transnational organised crime. This international normative framework provides the backdrop for Moldova’s national legal and institutional framework for preventing and combating trafficking in human beings. These efforts are coordinated by the National Committee for Combating Trafficking in Human Beings.

According to the data provided by the UNODC report for the Republic of Moldova, in recent years, the country has seen an overall decrease in human trafficking but not when it comes to trafficking children. In this regard, the Republic of Moldova continues its efforts in minimising the phenomenon, based on the expertise and professionalism of the main actors involved, efforts that have been appreciated in the latest GRETA Report and the Trafficking in Persons Report of the US Department of State. On May 22, 2018, the Government of the RM approved Decision no. 461 regarding the two-year National Strategy for Preventing and Combating Trafficking in Human Beings and its associated Action Plan (2018-2020).

**Human Trafficking in Moldova in Figures**

During September 2001 – September 2019, the Anti-Trafficking and Safe Migration Hot-Line registered and counseled 48,520 calls. These calls fall under the following four general categories:

- Prevention calls – calls made by people who intend to migrate for various reasons primarily work and seek information about safe (labour) migration procedure;

- SOS calls – calls made by persons who have suffered or are in an exploitative situation as well as from persons who report cases of exploitation/trafficking of their relatives or friends and seek assistance and support;

- Information and cooperation calls – calls made by various professionals groups – health, social care, education, law enforcement, NGOs and IAs, academia – seeking relevant data and/or support in capacity building or awareness efforts.

- **General information calls.**
Figure 1: Types of Intervention by the 0800 77777 Hotline

Over the last 18 years, the Hot-Line 0800 77777 has registered about 2640 presumed cases of trafficking in persons that represent the following exploitation forms:

- Labour exploitation *(526 cases)*
- Sexual exploitation *(383 cases)*
- Forced begging *(38 cases)*
- Combined *(26 cases)* – (sexual+labour, sexual+begging, labour+begging)

Other (missing allegedly exploited, stressed migrant, the implication in criminal activities, forced marriages, organs trafficking) including the exploitation of labor migrant - *(1667 cases)*

Figure 2. Human Trafficking from Moldova

The leading target group of trafficking networks are women.
Regarding destination countries for trafficking in persons from Moldova for various purposes in recent years:

- CIS countries primarily Russian Federation, Ukraine, Kazakhstan
- The Middle East primarily Turkey, United Arab Emirates, Israel, Lebanon, Qatar
- European Union mostly Italy, Cyprus, Greece, Poland, Germany, Spain
- RM and Far East countries – China, Thailand, Tunis.

**Figure 4. Distribution of trafficking victims per region of destination**
La Strada’s Experience of Trafficking in the Middle East

In her testimony in the 50-minute documentary “She is not for sale,” the Executive Director of the International Centre La Strada, Ana Revenco, notes that the UAE has been a major destination for trafficking victims for the last 15 years. That is particularly the case for Dubai, where women are lured with the promise of legitimate work in the tourist industry.

“Specifically, in Dubai, there was a statistical peak in the period between 2000 and 2011, with thirty victims found in Dubai, victims of human trafficking and sexual exploitations. Buying a system of justice, but we didn't explore that thing to buy is on our list of destination countries for trafficking from Moldova at least the last 15 years. It's an important Hub after some research and investigation. We finally managed to reach some of those rescued from the horrors of trafficking and forced prostitution in the UAE. They are Moldovan citizens who are tricked in various ways into coming to what they thought would be various genuine jobs inside the UAE. This woman was lured by someone. She should have been able to trust it was her own ex-husband who played the role of trafficker in her case, then ladies energy product of new cars for two of you guys.”

Traditionally, control over Moldovan women is founded on the exploitation of poverty, which facilitate vulnerability to psychological and physical subjugation. Often, in the case of human trafficking, the relationship begins with a debt owed to the trafficker for the transport and the issuing of documents for the victims. The relationship is then is cemented with humiliation and physical violence.

“If you tried to fight for your rights, you might have been warned that your dad going to find out, or reminded that that you owe someone or you may have even seen how another girl was punished because she refused to work. (That breeds) a lot of fear and the vulnerability is hidden, but It's a huge vulnerability.”

The main distinguishing feature of human trafficking in the Gulf appears to an environment of enabling institutional tolerance, which prevents victims from seeking the support of legal advocates, often revictimising survivors by treating them as criminals and failing to take the necessary steps to prosecute traffickers.

“It's easy by numbers to say that there is no such phenomena. No law. No phenomena. No application of the law, no figures or phenomena going to the police. You've been probably told from the very beginning 'don't even try because we are good with the authorities.' There are many Moldovan citizens who are still in jail because they are not recognised as trafficking victims. When we're in Dubai, victims whom we talk to will refuse to speak. They cannot escape.”
Chapter 4: Slavery, Trafficking and Women’s Migration in a Global Context

"Modern slavery has no place in the world, and I intend to ensure, through diplomatic engagement and increased action, that the United States government’s leadership in combating this global threat is sustained in the years to come." – US Secretary of State Michael R. Pompeo11

Modern day slavery concerns over 40 million people. These numbers show that slavery, which marked our past, has far from disappeared. Modern slavery is mainly linked to the illegal practice of the trafficking of persons, which is constructed in respect to migration and work, through a complex intersection of gender, race, nationality, class, age and sexuality. Even if linked to migration, trafficking does not necessarily entail transnational displacements: it can also be nationally produced. Moreover, the countries’ positions, as “receiving” and “sending” countries, vary according to national perspectives and may shift over the years.

Trafficking is a multi-dimensional issue. According to Wijers M. (1998)12 trafficking is a multifaceted challenge that should be addressed as a moral, criminal, migration, public order, labour and human rights issue. Trafficking concerns men, women and children. However, trafficking for sexual exploitation targets mainly women and, according to the International Labour Organization (ILO), the commercial sex industry absorbs just under half of all trafficked labour worldwide, while, according to the IOM, trafficking for prostitution accounts for 79% of the entire phenomenon. Construction, agriculture, domestic service, hazardous industries, armed conflict, and begging are some of the other frequent drivers of extreme, illegal exploitation. The relatively lower income and social position of women in society make their trafficking easier.

Trafficking cannot be separated from violence. It sometimes starts with an extreme form of violence: a kidnapping. More commonly, it begins with a broken agreement about a promised job, future work conditions or the actual destination. Even when victims know more or less their future job (i.e. prostitution), they ignore the harshness they will have to endure. Victims suffer a combination of threats, violence, forced labour, and effective imprisonment.

Trafficking in human beings has reached gigantic proportions worldwide. According to the latest report from the UN and the World Organization for Migration (IOM), it represents the third biggest global criminal world market after the traffic of weapons and drugs, with profits to the tune of $13bn a year. In the “She is not for Sale” documentary to which this report is attached, the approach is to examine trafficking first and foremost as a human rights violation, focusing the rights of the survivors.

The paper is divided into two parts: the first offers a broad overview of the phenomenon of trafficking. The second focuses on two specific cases of trafficking, from Moldova and Nigeria. Destination countries vary. Moldovan girls are trafficked to Western Europe and the Emirates in the Middle East; for Nigerian girls, the destinations are mainly Italy and Spain. Comparison of the two cases reveals the obstacles to effective intervention to disrupt trafficking, given the complexity of the phenomenon and the variety of the subjective experiences of the victims.

**Trafficking as modern slavery**

Trafficking in persons or human trafficking are umbrella definitions for a myriad of coercive and deceptive practices used to exploit men, women and children into forced commercial sex or compelled labour (TIP, Trafficking in Persons Report, 2012). That is a primary concern globally, as trafficking is an intolerable violation of human rights and as the modern form of slavery. It is considered to be at the core of some of the main issues societies face: migration, violence - mainly against women, organised crime in the globalised economy and gender inequality. It is also at the core of the debate concerning prostitution across feminist movements and different ideas and representations of sexuality.

Trafficking is linked to migration, work, gender, prostitution and sexual politics, according to national contexts. It is, moreover, a political problem that acquires specific connotations in the parts of the world that are differently positioned in the global order; for example, as “sending” or “receiving” countries. Moreover, the phenomenon of trafficking frequently changes in respect to the migration-work-gender nexus, which involves countries’ positions as “receiving” and “sending” countries, a position that may shift over time.
According to Patrick Taran (2015), President of the Global Migration Policy Associates\textsuperscript{13}, trafficking is the direct, “natural” and inevitable result of confronting global needs for mobility with dysfunctional control regimes. Globalisation, technological change and demography drive growing demand worldwide for labour and skills. Meanwhile, warfare and the absence of decent work drive an increasing displacement of people. Placing stronger barriers between inevitable people, supply and demand in a globalised economy create a market on an industrial scale to get people across those barriers\textsuperscript{14}. Taran’s stance joins the arguments of Van Liempt\textsuperscript{15} developed in 2006, concerning the necessity of understanding trafficking as a “normal” part of the existing migratory context, in a “holistic” perspective.

** Trafficking and the international agenda: the Palermo Protocol

Trafficking was introduced on the global political agenda in Vienna in 1996, under the auspices of the IOM and the participation of Members of the European Parliament. The focus was on “trafficking for sexual exploitation,” with a particular emphasis on female “victims” and the East-West trajectory. Trafficking was examined as the perverse effect of the fall of the Berlin Wall: women from Eastern European post-Communist countries (that were not yet part of the EU) and Balkan countries were trafficked to Western Europe. In the case of Albania, trafficking for sexual exploitation, combined with smuggling migrants through the Adriatic Sea, brought thousands towards Italy. As for the countries outside Europe, trafficking was a particular issue in the Dominican Republic and Brazil, respectively towards Spain and Portugal. Limited flows of trafficked Nigerian women started to arrive in Italy, Spain and France.

From the landmark Vienna conference onwards, trafficking became a serious concern of international organisations (IOM, UNICEF, UNICRI, ILO), and essential transnational NGOs (CARITAS, Médécins Sans Frontiers, Médécins Du Monde, Save the Children, TAMPEP and others), dealing either with human rights, migration, child protection and/or with prostitution. States, especially those receiving significant flows of immigrants, also started to react and implemented ad hoc policies.

Another milestone in raising awareness on trafficking at a global level was the 2000 Palermo United Nations Convention against Organised Crime\textsuperscript{16}: UN experts elaborated a legal definition of trafficking in human beings as a crime that consists

\textsuperscript{13} Panel 1: Presentation by Patrick Taran, President, Global Migration Policy Associates

Author Global Migration Policy Associates, Publisher Organization for Security and Co-operation in Europe

Date 7 July 2015

\textsuperscript{14} https://www.osce.org/secretariat/173961?download=true

\textsuperscript{15} Van Liempt Ilse (2006), Trafficking in human beings. Conceptual Dilemmas in Trafficking and Human rights, edited by C.Van Der Anke and J.Doomer, pp. 27-42 London Palgrave Macmillan

of “recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”. Article 3, paragraph (a) of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (U.N. Protocol 2000).

In that definition, the practices of trafficking\(^\text{17}\) are linked to the purpose of exploitation, which includes “the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, was adopted by General Assembly resolution 55/25. It entered into force on 25 December 2003. It is the first global legally binding instrument with an agreed definition on the trafficking of persons. This definition facilitates the streamlining of national legislation into a more efficient international cooperation framework that enables investigation and prosecution. An additional objective of the Protocol is to protect and assist the victims of trafficking with full respect for their human rights.

**Trafficking and smuggling: when slavery begins**

The Palermo Protocol makes a distinction between trafficking in human beings and “smuggling” of migrants that is defined in a separate Protocol against the Smuggling of Migrants by Land, Sea and Air\(^\text{18}\), adopted by General Assembly resolution 55/25 and brought into force on 28 January 2004. Confronted with this surging challenge of transnational organised crime – transportation of human beings often at high risk to the migrants and at great profit for the offenders – the Protocol aims at disrupting trafficking and promoting

\(^{17}\) "recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”, Article 3, paragraph (a) of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (U.N. Protocol 2000).

cooperation. For the first time, there was a transnational operative definition of trafficking.

The smuggling of migrants involves the procurement of illegal entry of a person into a state of which that person is not a national or resident. The relationship between the smuggler and smuggled persons generally ends once the destination is reached. To the contrary, human trafficking is the acquisition of people by improper means such as force, fraud or deception, to exploit them.

The passage from smuggling to trafficking is crossed when coercion and fraud are used, and the relationship between the trafficker and the trafficked person becomes a modern form of slavery. However, in practice, it is not always easy to disentangle trafficking and smuggling, the distinction is blurred in the life-experiences of the irregular migrants, enduring varying degrees of mistreatment, coercion and threats during the smuggling process. That is especially frequent since the start of the migration crisis in 2015-2016.

**Prevention, criminal prosecution, and victim protection: voluntary and forced prostitution**

As far as political action is concerned, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children points towards a “3P” paradigm: prevention, criminal prosecution, and victim protection for an appropriate response to human trafficking (TIP 2010).

The Palermo Protocols establish a precise list of the committed crimes (fraud, blackmail, intimidation, forgery of documents etc.) and a less accurate list of forms of exploitation in illegal/illicit circuits (forced labour, commercial sex, pornography and begging). However, the scoping of their definitions and recommendations had a criminological scope even if the Protocol is geared towards human rights protection. In fact, the criminological interpretation of the Palermo Protocol had a crucial impact on the implementation of the legislation, especially in EU countries, involving an increasing control of migration, the repression of irregular migrants’ work and the mistreatment and deportation of migrants to whom only rarely the status of the victim is granted.
The Palermo Protocols frame EU policy development, as evidenced by the European Union Council Framework Decision of July 19th 2002, linking trafficking with labour and sexual exploitation, and deprivation of fundamental rights (Article 1), insisting on the reinforcement of the criminal prosecution of traffickers and encouraging new criminal legislation in member states. Member states are invited to punish any form of recruitment, transportation, transfer or harbouring of a person who has been deprived of his/her fundamental rights. All criminal conduct that abuses the physical or mental vulnerability of a person will be punishable; the victim's consent is irrelevant. The focus is on the offender's conduct that can be interpreted as exploitation, involving the use of coercion, force or threats, including abduction; the use of deceit or fraud; the abuse of authority or influence or the exercise of pressure; the offer of payment.

We can ask if the definitions and the guidelines that have been established in Palermo still suffice for the present reality. The 3P paradigm is undermined by the “migratory crisis” we are experiencing, which sees the forced migration of hundreds of thousands of people who may be seen as “refugees” or “economic migrants,” fleeing countries where young people might live in extreme poverty and perilous circumstances, such as Moldova.

Questions about the adequacy of the definitions and guidelines can also be raised with respect to the distinction between voluntary and forced prostitution. As opposed to previous United Nations Documents on Trafficking, the Palermo Protocol clearly

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distinguishes between voluntary prostitution and forced prostitution, stating that involuntarily forced participation in prostitution would constitute trafficking.

Forced prostitution is considered a form of slavery. However, the document lacks conceptual clarity, making use of vague terms such as “exploitation of the prostitution of another” and “other forms of sexual exploitation,” without ever defining them. The meaning of these terms and others such as “abuse of power or a position of vulnerability” is currently the object of a heated debate (Munro 2008; Anderson and O’Connell Davidson, 2004). This ambiguity is problematic in the implementation of policies that should protect persons who decided to migrate because of their life conditions in the home country, in spite of restrictive European migratory laws, and then found themselves in situations of exploitation or semi-slavery.

**Trafficking in the existing migratory context**

Van Liempt (2006) argues that it would be necessary to develop a “holistic” perspective on trafficking, setting it in the context of global migratory flows and in a globalised economy. The present trend of restrictive migratory policies that criminalise migrants is fuelling trafficking, which is a significant albeit contested trend of globalisation. Kyle and Van Liempt had suggested similar theories even before the crisis of 2008. Ruggiero (but also John Salt) also theorised that globalisation encourages criminal organisations to expand their networks.

The same globalisation process encourages trafficking. According to Ruggiero (1997), globalisation and the opening of markets for goods, services and capital have facilitated the expansion of cross-border organised crime, which has found a new source of profit in trafficking. Based on his research on crime, Ruggiero (1997) states that the trafficking industry represents a growing area of the illicit economy in terms of profits generated, which benefit all levels of crime that are involved in the industry: agents, transporters, recruiters, guards, buyers, owners, forgers, clients.

In a study of trafficking as a specific form of international migration, Aronowitz states that trafficking in migrants wouldn’t have reached its present dimension if it wasn’t supported by powerful market forces (Aronowitz, 2001: 171). In fact, trafficking can be considered a “parallel” market, as relevant as dealing with drugs and arms. But it would be wrong to see it as distinct from the official or regular marketplace. On the contrary, the regularised market benefits from this sector, as it does from others informal sectors.
Along the same lines, Schloenhardt (1999) suggests that in the global world market, there exists continuity between sectors of the informal and criminal economy, which intermingle. National and transnational networks organising trafficking are not always acting outside "normal society" and may even be considered respectable in migration source countries. On this assumption, Ruggiero and Schloenhardt consider as inadequate the repressive strategy against trafficking, also if it is combined with prevention (through information campaigns) and protection of the victims. They argue that trafficking is fueled by the contradiction between global markets of consumerism and services, on the one hand, and a work force which is still "bordered" by restrictive migratory policies implemented by rich countries against migrants from developing countries. Less restrictive migratory policies would reduce trafficking. This opinion is echoed by Kyle and Koslowski (2001) who link the surge in trafficking of people with globalisation, migration, and transnational crime.20

To summarise, the specific forms of trafficking and smuggling vary according to migratory contexts, including the following factors:

- the international system where the relations between states or supra-national institutions, such as the EU, are shaped by unequal positions of power;
- the construction of European borders;
- the migratory policies of states or supranational institutions such as the EU;
- the complex interaction between push and pull factors;
- The globalisation process, as the role of the markets in the free movement of goods and capitals.
- The presence of mafias and other criminal organisations.

 Trafficking and smuggling are crimes, but, at the same time, they have become part of the present migratory system that is shaped by the restrictive migratory policies decided by the states, by global markets, and transnational criminal organisations. In this context, restrictive policies disrupt legal migration, while economic, political, and environmental factors push millions to migrate. We can wonder up to which point these same policies undermine the possibility of an “ordered migration,” which is wishful thinking, fueling a business of illegal migration in which criminal organisations play a pivotal role. This perverse circle produces new forms of slavery.

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**Trafficking in post-communist Eastern European countries**

In the second half of the nineties, the attention of the media, politicians and academic research focused mainly on trafficking for sexual exploitation. Moreover, it was primarily an Eastern European and Balkan issue (Central Eastern Europe and South-Eastern Europe). The fall of the Berlin Wall and the opening of the borders to Western Europe caused a noticeable increase in human trafficking in Central-Eastern Europe towards Western Europe (Surtees, 2008).

The leading causes of trafficking were found in the socio-economic changes that took place in these countries after the collapse of the communist regimes. The restructuring of national industries resulted in mass unemployment that particularly impacted women. In the meantime, the status of women changed: they were not potential workers anymore but had to find their way in a consumerist society that valued the body as an object of male desire. Moreover, the political transition benefited the development of organised crime networks – Russian, Ukrainian, Romanian, Bulgarian and Albanian – that were able to take advantage of the instability of the region. Many of these groups added human trafficking to their existing crime portfolios, often running women alongside traditional contraband, like drugs and arms.

During the nineties, the numbers of trafficked women from Eastern Europe and the Balkans towards Western Europe were extremely high: from Ukraine alone, there were 400,000 women trafficked to other countries (UNICRI, 1999). In South-Eastern Europe, human trafficking was abundant, especially in Moldova, Albania, Romania, and Bulgaria. Many trafficked women from these countries ended up in Italy.

The gender perspective was introduced by a few scholars who did new field work with trafficked women. In her pioneering work on trafficked women from Eastern Europe, El-Cherkeh (2004) develops a gender perspective, discussing the feminisation of migration, which is a core issue when it comes to trafficking. “There are two lines along which the feminisation of migration is usually investigated. First, by looking at women’s motivations to migrate and identifying a growing weight of motives, which are solely gender specific and not related to family reunification. Second, by calculating the increasing number of foreign-born women employed in EU countries. From this double perspective, female migration can be analysed in general economic terms by modelling supply and demand components.” (El-Checke, 2004: 12). El-Cherkeh argues that the migratory potential in the post-
The communist world was mainly represented by women, who wanted to migrate. In the EU, there was a growing demand for care work and sex work; restrictive migratory policies interfere in the matching of supply and demand, blocking the flow, often resulting in trafficking.

The EU enlargement to Bulgaria and Romania, consolidated in 2004, suppressed one of the preconditions that lead women to end up as slaves at the mercy of criminal groups: the clandestinity and the absence of documents. Migrants from Eastern Europe (namely Romania and Bulgaria) were no longer obliged to turn to informal, criminal and mafia-like networks to cross borders and gain access to a job or home, even if social and working conditions were not necessarily improved. Secondly, the economic conditions of at least some of the former communist countries (namely Poland) improved, allowing the decline of unemployment, especially female unemployment. Non-EU countries such as Moldova were not affected by these processes.

**Trafficking from Moldova**

Moldova is the poorest country in Europe: its GDP per capita is $5,000; the average monthly salary is 230 USD. “With independence, in 1991, factories closed and a strip of the country, known as Transnistria, east of the Dniester River, seceded. Transnistria was Moldova’s most industrialised part, and its most Russified. Moscow intervened to stop a civil war over the secession. Since 1992 Russian troops have watched over a “frozen conflict” that leaves Transnistria isolated, unrecognised by any nation, and Moldova sundered.”

Few opportunities exist within Moldova, which has led to mass migration. More than a quarter of the country’s small population of four million live abroad. “Of its four million people, more than six hundred thousand are working outside the country, more than a quarter of the economically-active population. Remittances account for an estimated third of the gross national product. These percentages are among the world’s highest, and the main reason is the economy.”

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21 It must be stressed that migration with consent does not mean ‘trafficking with consent’. ‘Trafficking with consent’ is a contradiction in terms, because no one ever consents to slavery-like, servitude or forced-labour conditions.

22 [https://www.newyorker.com/magazine/2008/05/05/the-countertraffickers](https://www.newyorker.com/magazine/2008/05/05/the-countertraffickers)
Moldovan women, especially from rural areas, are seeking an exit from desperate poverty, leaving many young women, but also men, susceptible to the false promises of recruiters who offer opportunities too good to reject: in Europe, Russia and the Middle East (United Arab Emirates). Moldova is a valuable source country for men, women, and children subjected to trafficking for sexual exploitation and forced labor, including forced begging (2018 Trafficking in persons, Moldova). Official complicity, that is to say, the complicity of corrupt institutions, in trafficking continues to be a significant problem in Moldova (2018 Trafficking in persons, Moldova).

Trafficking for sexual exploitation dominates the trade, but labor trafficking and forced begging are also standard practice. Moldovan women and girls as young as 13 are subjected to sex trafficking within Moldova, where they are placed in brothels, saunas, and massage parlors, and travel to other countries in Europe, particularly Italy and Cyprus, as well as Russia, Turkey, and the United Arab Emirates. Child sex tourism in Moldova remains a concern. Children, living on the street or in orphanages, remain vulnerable to exploitation. “With reference to external traffic for the purpose of labour exploitation, the principal sectors absorbing Moldovans are agriculture, construction and cleaning. The methods of control of the victims remained unchanged: fictitious financial debts, the withdrawal of identity documents, violence or the threat of violence” (2018 Trafficking in persons, Moldova).

However, few people in Moldova today can say that they weren’t warned. According to follow-up polling, internationally funded campaigns to heighten awareness of the dangers of being trafficked have succeeded in reaching nearly every Moldovan. In schools across Moldova, the I.O.M. has screened “Lilya 4-Ever,” a powerful 2002 film about the trafficking of a young girl from a post-Soviet industrial wasteland for prostitution in Sweden. The film, which is based on a real story and ends with the girl’s suicide, was also aired on national television. Still, the counterpropaganda—seductive media images of life abroad, but also hard evidence of the wealth to be earned there—is stronger.

Remittances from migrants sent through the country’s ubiquitous Western Union offices are estimated by the World Bank at more than a billion dollars annually, financing consumption that, by local standards, is stunning. One’s neighbor suddenly buys a car, a bigger house, better food, better clothes. The pull of emigration is particularly powerful for young people, and for parents struggling to feed their children.” Today, almost all trafficking victims from Moldova leave on their own free will. Eager to leave the country among the mass migration phenomenon, they are open to higher risks. Hope makes them naïve to the dangers

23 https://www.refworld.org/docid/5b3e0acea.html
24 https://www.refworld.org/docid/5b3e0acea.html
25 https://www.refworld.org/docid/5b3e0acea.html
26 https://www.newyorker.com/magazine/2008/05/05/the-countertraffickers
of trafficking - accepting to go, not only to Western Europe but also to the Middle East. Given that the Moldavian GDP is $5,000 per capita, compared to $67,000 in the UAE or $53,000 in Saudi Arabia, the temptation of a job offer in the Persian Gulf is tempting. According to End Slavery Now, another reason why women and girls would wish to leave is exasperation due to the widespread violence suffered in the domestic environment, even if this means risking ending up in the hands of new torturers.

**Trafficking towards the Emirates**

There is little research about trafficking towards the United Arab Emirates: who do not like adverse publicity with those who damage their image facing severe penalties. Moreover, in the UAE prostitution is prohibited by Sharia law: the penalty is a minimum of four years for women and as many for clients. Yet Dubai, the cradle of moderate Islam or the so-called "amusement park of the Arabian Peninsula" has become a new trafficking hub for women. They arrive from the Philippines, China and India. Still, the most popular girls come from CIS countries: Uzbekistan, Moldova, Russia, Kyrgyzstan, and then Ukraine, Kazakhstan, Armenia, Tajikistan, Belarus, Turkmenistan, Georgia and Azerbaijan.

According to the journalist Elisabetta Norzi, who has been living and working in Dubai for years, women enter the Emirates with a work invitation, a kind of visa with which the employer allows the aspiring foreign employee to reside in the UAE; girls are promised a salary of $1000-2000 a month. This document, unfortunately, is exploited by criminal organisations to attract young girls looking for a job and then forced into prostitution.

Malika Matchanova, who works for the IOM in Tashkent, speaks of fake passports and tourist visas. The starting point would be the airport of Tashkent, Uzbekistan, a few hours of flight from Dubai, even if they are not all Uzbeks. There is an agreement between the states of the former USSR which allows citizens to cross borders without a visa. The Italian journalist Marco Petrelli (2016) interviewed Juergen Gasiecki, an administrator of the country’s Orthodox church, who, together with his wife Lena, of Uzbek origin, has lived in the Emirates for ten years. There he tried to establish an NGO and a protected shelter for the victims, but the government has

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27 09 marzo 2011 Norzi E., A Dubai non si chiamano escort, si chiamano schiave, linkiesta.it
blocked him. He works in the shadows, but he is aware of the tragic reality that trafficked girls experience, many of whom go from prostitution to jail.

Since 2006 there has been a law against the trafficking of human beings (law number 51), but it is not stringently enforced and makes no reference to the victims. Traffickers face five years in prison and, in some cases, the death penalty; but only seven have ever been convicted and sentenced. On the contrary, it is almost impossible for a girl to receive protection from the Government: if they go to the police and report their entrapment, they are arrested as prostitutes. Thus, begins a long legal process that requires lawyers and protective custody in a government institution that is more like a prison than a shelter. “Our work” - explains Juergen to Marco Petrelli – “does not consist only in returning the girls to their countries of origin, but also in giving them support once at home. We collaborate with various Russian NGOs and with the Uzbek Oim”.

A few years ago, girls were recruited in big cities: Tashkent, Samarkand, Bukhara, but today they often come from small villages, of which less is known. "They are contacted by people they trust who promise them very high salaries," Juergen adds. These women barely survive in their villages. In Uzbekistan, they earn 50 dollars a month, when the cost of living today is about 100 dollars." Juergen and Lena help the girls in jail to flee, then find shelter, then contact the IOM in Tashkent:

"We work in collaboration with the Ministry of Foreign Affairs" - continues Malika – “and after verifying the identity of the girls, we send the birth certificate to the Uzbek Embassy in the Emirates, which proves the nationality of the girls: only in this way can they have a new document and go back. Once in Uzbekistan, we host them in our protected shelter where we provide medical assistance and psychological support. Here we also help them design a new one to reinsert themselves in their villages of origin if they wish, or to find a job “.

Marco Petrelli (2016) reports then the case of Dinara, 24 years old, born in Tashkent in Kazakhstan, where she worked as a waitress before the nightmare began: "One day I was at work - she says - and I didn't find my passport anymore; it disappeared. My employers then told me that they would help me to go to Dubai: a very rich city, where working in a restaurant I would have earned much more. They told me that they would have thought of everything, even to get me a new passport."

Dinara showed up at Tashkent airport one morning at dawn. She was given a one-way air ticket and a fake Kazakh passport. So she left, together with her employer, who accompanied her to Dubai. Once landed, she was handed over to other men. As soon as she arrived, she explains: “they took me to an apartment where many other girls lived. Here we were controlled by another woman. Nelya, this is the name of my exploiter, approached me and immediately told me: well, from today you will have to work as a prostitute. I told her that there had to be a misunderstanding that
my employers had given me a job as a waitress. And she revealed the truth to me: I had been sold by them, for $15,000.”

Dinara had no choice and started working as a prostitute. The clients chose her directly in the house where she lived with the other girls: “If I complained I was beaten, regularly, I still carry the scars of the barrel on my body”. At one point, she realised that those who did not rebel could stay out with customers for a whole night. That was the only chance to escape. One day an Indian customer requested it and Dinara told him everything: “I had nothing to lose. I was lucky, and I met a very good man: he immediately took me to his friend's house and I was hidden there for many months. Then with the help of the Orthodox Church of Abu Dhabi and the IOM in Uzbekistan, I managed to get my passport and go home”.

Most girls, however, cannot escape slavery. Like Nargiza, aged 19, also an Uzbek. Nargiza tried to ask for help from a German client who paid €5,000 to her owner for her freedom, but it did not work: Nargiza is still there in the evening, sitting at the counter in a nightclub in a well-known city hotel. Also often there are children, born in the Emirates, from violence or unprotected sex. Last year, Juergen and Lena assisted 13 such children, along with their mothers. Pregnancy outside marriage is illegal in the country, as is abortion. "I get two or three women a month on average: they tell me they are pregnant and don't know what to do," explains Dr Shashikala, who moved to Dubai five years ago from India and has a small doctor's office in Karama, a popular neighborhood of the city.

“The Government does not offer support of there are no gender associations that deal with these problems. We have a sort of private protected shelter, where we host women and children in financial difficulties, but it's just a drop in the sea. I guarantee them food and medical assistance throughout their pregnancy; otherwise I help them to collect the money for their return flight.”

**Migration and Trafficking from Nigeria: multiple causes**

The trafficking of Nigerian women to Europe, notably to Italy and Spain and, less frequently, France 28 is not a new phenomenon. The first Nigerian migrants arrived in Europe in the eighties in the wake of two events: the debt crisis that shook Nigeria starting in 1979 and the consequent

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28 Italy and Spain appear to be the primary destinations but can also be countries of transit from which victims are transported to other EU countries, particularly to the Nordic countries (278). According to the UNODC report 2014, in 2013, 13% of the victims detected and 8% of the trafficking suspects arrested in Spain were Nigerian citizens (279). Other destination countries include the United Kingdom, where 244 of the 2,340 potential victims referred to UK authorities in 2014 were from Nigeria, according to the National Crime Agency, a 31% increase compared to the previous year. Nigeria was placed amongst the top countries of origin for potential victims identified during the same year (281). Portugal, France and Norway have also been assessed as destination or transit hubs for Nigerian trafficked women. [https://coi.easo.europa.eu/administration/easo/PLib/BZ0415678ENN.pdf](https://coi.easo.europa.eu/administration/easo/PLib/BZ0415678ENN.pdf)
adjustment policies, imposed by the International Monetary Fund and the World Bank. The structural adjustment programme created a lethal mix of poverty and unemployment that created the optimum environment for traffickers (Aghatise, 2002).

In more recent years migration has been triggered by historically low oil prices, with deteriorating economic conditions in both rural and urban areas, such as the Niger Delta (Delta State, Edo State).

In these very regions where oil was first discovered in 1966, there have been severe human rights and social rights violations by both government and oil companies. There, the Nigerian mafia started trafficking large numbers of women from the large urban centers, particularly Lagos, to Europe. Aghatise (2002) notes that the women who were trafficked in the 1980s and 1990s were mainly married or separated women looking for a way to support their families. Later on, the trafficked women were mostly young girls with a more complex profile. About 80% of girls and women trafficked into Italy from Nigeria are from Edo State, especially Benin City. Part of this exodus is often attributed to land appropriation by oil companies.

Trafficked women belong mainly to the Edo people, which is curious because this ethnic group does not traditionally encourage prostitution (Aghatise, 2002). However, the traditional culture has undergone a profound transformation and there is a so-called “wealth syndrome” that involves extended family members – aunts and uncles – paying a role in their sale to Europe. Among the pull-factors is an imagined Western splendor and wealth exalted by the Nigerian media, including Nollywood, that often idolises the Beento (countrymen enriched in Italy) and the Italos (the “maman” or ex-prostitutes who come back enriched by Italy). Pop singers also contribute to this sense of false glamour, with a song that tells of the enormous earnings of a young woman who worked as a prostitute abroad and returned a hero to her country of origin.

Finally, Nigerian women often see the profiles of the emigrated compatriots on social media and aspire to their idealised wealth, cars, and elegant clothes. Internet is also a powerful recruitment instrument, together with more traditional recruitment through neighbours, family friends, and eventually “mamans” who convince the parents to send the daughters to Italy. However, even if the girls are often willing to go to Italy to be prostitutes, they are not aware of the conditions they will find upon arrival. Traffickers need some instruments of coercion. Girls and women trafficked from Nigeria are often made to undergo some rites in order not to reveal the identity of their traffickers and madams to the police and to pay their “debts” without creating problems.
Woodoo as a form of constraint

Once girls are prepared for departure, the traffickers, under the control of the “maman,” a former prostitute-criminal, has the victims carry out a woodo ritual, called juju, which subjects the girls psychologically and physically. During the juju, Mami Wata (Mother of Water) is evoked as a guarantor of a contractual relationship, depicted with the face of a woman with fair skin, almost white and with Indo-European traits. The cult of Mami Wata is linked to healing and salvific practices. It is considered as a carrier of beauty, a lover of well-being but also of contempt for emotional ties that afflict anyone who violates his prohibitions with illness and death. In the experience of trafficking, this ritual provides an essential bond with the woman’s torturers.

The juju ritual is based on the individuality of the victim and calls for the pursuit of wealth and prosperity. The desire for European material well-being means that even this ritual requires its followers to disrupt family ties and think only about individual welfare. Once the ritual has been carried out, the bodies of these women become real memorials of this contract which sanctions the repayment of a debt, of ties impossible to be severed. To conclude, women will find themselves in a servile condition with respect to the torturers and traffickers from the moment they make the pact.

If the Woodoo threat is not sufficient, traffickers do not hesitate to use physical violence and blackmail, including threats to family in Nigeria to perpetuate the status of the girls’ subjection. A specific role is played by the closeness of the torturer to the victim and the family of the girl, a relationship honed by the “maman” prostitutes. According to an article in the Journal of Law, Policy and Globalization in Nigeria, the trafficking of people across the border ranges from 600,000 to 800,000 woman per year, 80% of which are women and 50% of whom are minors. As for their entry into Italy, the number has increased exponentially since 2011. In 2014 there were 1,454 recorded arrivals, then 5,633 in 2015. Between 2015 and 2016 the number of Nigerian women arrivals almost doubled from 5.633 to 11.009.

The IOM estimates that at least 80% of these people are victims of trafficking for the purpose of sexual exploitation. The calculation of the number of victims, however, is problematic because there is no real data collection system. Most of the information comes from the police, immigration offices, border guards and the various non-governmental organisations active in Italy.
The journey

The journey almost always starts from Benin City, where there is an organisational infrastructure that facilitates the work of traffickers (means of transport, the possibility of finding false documents, etc.).

The route most used by traffickers covers the following stages: Kano, Ziden, Agadez, Gatron, Sabah, Brach, Tripoli or Zuwarah and has a duration varying from two weeks to a month. During the journey, the migrant women pass from one controller to another. As a rule, women begin to understand that the situation is different from that presented to them on the border with Libya when they are "offered" as a bargaining chip to the militias and the military who control the border. Once in Libya, for some women, the exploitation of prostitution begins under the control of their carers and other accomplices, such as drivers and brothel managers.

Staying in Libya represents one of the most painful parts of the journey. Taken and held at the "connection houses" or "ghettos," pending their departure for Europe, women suffer sexual violence, torture, kidnap and arrest. These are traumatic experiences often organised or tolerated by the traffickers, to weaken the victims' resistance, psychologically and physically. Some migrants carry the physical and psychological signs of such violence on their bodies. However, not all girls destined for prostitution in Europe suffer this type of treatment. Generally, the higher the debt, the more powerful the criminal organisation and the less risk the victim runs during the journey. The length of stay can also be an indicator of trafficking: the longer the period spent in Libya, the higher the chance that the person has already been exploited in that country.

Many migrants reported to the IOM that they had been arrested by the Libyan police and taken to jail (detention centers). Others worked at the homes of Libyan citizens as domestic helpers. In any case, sometimes it happens that the girls manage to free themselves from their controllers in Libya but then, without contacts or resources, they often fall prey to new criminal networks. All the women who lived through the prison experience declared that they had suffered sexual violence during their detention.

The IOM has also recently registered an increase in pregnant women. In many cases, this is due to violence, or to the fact that the traffickers are informed of the favorable treatment and/or the presence of a child often favors the legal stay of women in destination countries. It also happens that women declare that they are "engaged" or even married to one of their carers (often a trafficker himself) and set up a real family unit with the incoming child (which is a fiction). Upon arrival in Italy, migrants begin or continue to be forced into prostitution or begging. All women are controlled by their exploiters, sometimes personally, often by telephone.
The places of destination in Italy are mostly medium and large Italian cities (Parma, Turin, Rome, Naples, Palermo, Catania, Messina, Bari). Still, lately some migrants have told the IOM that they reach their compatriots in France, Spain, Austria and Germany, a sign that the intra-European trade is also increasing. Women who arrive in Italy, when a supervisory contact of their captors does not accompany them, they often have with them an Italian or another European phone number that they must call once they have found accommodation in a reception facility. In some cases, they have to call a contact in Libya or Nigeria, who will provide them with the number in Europe.29

New Slavery: poverty, violence on women and the anomic collapse of social and family structures

From the two cases we have analysed, trafficking from Moldova to the Emirates and from Nigeria to Italy, it appears that the phenomenon is strongly linked to high poverty and/or brutal changes in the social, economic and family structure of the two countries. In the case of Benin City in Nigeria, it is correct to talk of anomy: “a state or condition of individuals or society characterised by a breakdown or absence of social norms and values, as in the case of uprooted people.” (Durkheim).

This condition is confirmed by the role of the Madams, who even traffic members of their own family. That is an extreme case, but, apparently, even in Moldova, there are similar cases. The fact that both in Moldavia and Nigeria girls are more or less informed about what is going to happen to them indicates that the local context does not offer any viable opportunity for a better life in respect to the standards that a globalised media culture proposes. And this is the standard that the trafficked girls are seeking to meet.

The complicity of women in the trafficking process is well known for Nigerians but also occurs in Dubai. It indicates a structured system, with a clear division of labour between men and women, which shows growing levels of sophistication since the 1990s. The forms of control imposed on these new slaves who, ultimately, accepted this condition hoping to go through it and gain some advantage, vary from physical abuse to psychological submission.

29 https://www.thetimes.co.uk/article/nigerian-gangs-join-forces-with-mafia-to-run-vice-rings-in-sicily-0blsknrkf
https://www.newsweek.com/mafia-nigeria-migration-sex-work-trafficking-629627
Slavery is also a product of anomy in the receiving country. Italy, in spite of some good practices, is a country where the mafia is robust and where massive youth unemployment prevails. It should also be noted that the overall restrictive European migratory regime undermines the possibility of legal work migration and, ultimately, contributes to the growth of trafficking. Many Nigerian girls that enter assistance programs go back to prostitution because there is nothing for them to do, other than very poorly paid domestic help. Dubai is a mixture of tradition and hyper-modernity that creates various contradictions, between strong demand for work and conditions of legal subjugation. This combination of anomy fuels perverse situations such as trafficking and modern forms of slavery.

**Conclusion**

Human trafficking consists of the exploitation of local social, economic and political vulnerabilities experienced by susceptible groups facilitated through transnational ties and enabled by a security-based approach to the politicisation of population movements. Policy intervention needs to occur on three levels: local interventions targeting head-on vulnerabilities that drive population movements; a global response that targets economic inequalities; bilateral cooperation to disrupt trafficking channels. Finally, the gendered aspect of trafficking calls for a gendered understanding of the development of policy interventions at all levels.

The cross-cutting element in human-trafficking as a process is the exploitation of individuals that are prevented, due to structural conditionalities, from being able to exercise their fundamental human rights. In those terms, the success of intervention policies combatting human trafficking depends on their ability to strengthen the capacity of susceptible to trafficking population groups as well as victims to exercise their fundamental human rights as free agents. Whereas it makes political sense to discuss human rights in the context of democratisation, there is clearly a need to emphasise individual social, economic and political empowerment. However, in the context of a narrowly scoped securitised policy agenda, it is difficult to find a transnational framework of empowerment policy.

The case studies examined reveal the correlation between trafficking channels and existing regulated social, economic and political ties that fuel rather than combat trafficking. In this context, the European Union has the opportunity and the obligation to act as a catalyst for the social, political and economic development of Eastern Partnership Associated states, strengthening and stability of the region. That would require multilateral as well as bilateral policies initiatives.

The push and pull dynamics from weaker to politically and economically stronger states draws attention to the responsibility of the latter to combat exploitation. Under the current Anti-Trafficking policy framework, the criminalisation of trafficking gravitates towards the crossing of borders. A human rights-based approach in the regulation of the phenomenon shifts the power scales and adds pressure on
destination countries in the criminalisation of domestic demand. This policy trajectory applies pressure on destination countries and international bodies to combat the phenomenon and reconceptualise the notion of legal responsibility towards victims. Legally the focus must be on remittances and compensation to be added in victim support schemes, going beyond funds confiscated by traffickers.

In this context, the implementation of a regulatory approach that tackles demand as well as supply cannot be confined to the EU alone. As noted by the head of the Organisation for Economic Cooperation Angel Gurria in Paris on November 12, slavery “is about global values chains” and “we buy it.” In the context of the Paris Peace Forum and engaging on a panel on Child Labour and Forced Labour, Gurria recalled that during the G7 Biarritz Conference that trade conditionality penalises a country – that is a double-edge sword – but “when in doubt, I say go for regulation,” which requires enforcement and resistance to corruption. Given the EU’s commitment to human rights conditionality and Europe’s claim to being a normative superpower, it is clear that Brussels must exhibit leadership.

Finally, we need to draw attention to the gendered aspect of trafficking in human beings, which reflects a regime of social, political and economic inequalities that withhold from women access to resources and expose them to greater exploitation and abuse. As a crosscutting structural element in practice, this translates in the global development and tightening of policies, schemes and programs on social, economic and political issues such as tighter and more innovative regulation on gender-based violence, labor discrimination, access to education and political empowerment and representation. Besides, the empowerment of women will also be achieved with a call for a move from the victim-based and survivor discourse towards plaintiff legal language in the prosecution of traffickers and trafficking demand. This move broadens the legal actions that trafficked individuals can take in not only seeking justice but also being enabled to rebuild their lives.

Given the urgency of human-trafficking as a growing global phenomenon and the understanding of how existing global inequalities, structural dynamics and governance infrastructures have led to the growth and global establishment of this phenomenon the European Union is forced as a global trade and political player to take ownership and proactive action over the phenomenon by incorporating Anti-Trafficking legislation as well as victim centred initiatives as clauses in trade and cooperation agreements. Based on the factual evidence, these clauses need to be developed upon a reconceptualised Anti-Trafficking narrative of shared responsibility. In practice, the replacement of the policing approach that diminishes the role of developed and politically stable states in taking practical ownership of the regulation of the phenomenon as well as protection and rehabilitation, empowerment and re-integration of trafficked individuals, provides prospects for a power shift in the roots of the phenomenon.
It is also essential to recognise in this summary that Moldova made some efforts to fight human trafficking. Yet, what has been done is not enough given that it’s a country of source for human trafficking activities. The 2018 U.S State Department Report on human trafficking states that the Government of Moldova does not fully satisfy the minimum standards for the elimination of trafficking; however, the report admits that the State of Moldova is exerting efforts to comply with those standards. The government made substantial efforts by investigating and prosecuting more suspected traffickers including officials partaking in Trafficking. The Report also concedes that the government of Moldova did increase its budget for victims’ protection. As a result, Moldova State was upgraded to Tier 2, yet the government is still lagging in terms of meeting the minimum standards in several key issues.

Corruption, particularly in law enforcement and the judiciary hindered prosecutions and negatively impacted the outcomes; this includes cases against complicit officials. The victims continued to suffer intimidations from traffickers, and unfortunately, the authorities provided uneven protection during court proceedings. The Report stated that the government of Moldova did increase its enforcement efforts, yet it failed to apply articles 165 and 206 of the criminal code which incriminates traffickers. The law prescribed 12 years for adult trafficking and 8 to 12 years for child trafficking and up to 20 years in case of aggravating circumstances. Such penalties are sufficiently strict, and with regards to sex trafficking, the penalty is commensurate with those crimes such as rape. Article 168 in the criminal’s code does also criminalise forced labor and imposes penalties up to three-year imprisonment. Unfortunately, and always according to the State Department Report, the corruption in the judicial system was a real impediment to bring traffickers to justice. Courts often reversed convictions on without justifiable explanation even though comprehensive statistics on the rate of appeal were not available.

According to the Report, the authorities in Moldova conducted 185 trafficking investigations in the year 2017, compared to 151 investigations conducted in 2016. In 2017 the government referred 85 cases to court compared to 33 cases in 2016; the number convicted traffickers in 2017, and 2016 was 58 and 56 respectively. Out of 58 convicted traffickers, 52 received prison sentence, with one suspended. The average jail sentence was 8 to 13 years imprisonment.

Meanwhile, the country of destination, the UAE, was not in a better state compared to Moldova. Regulatory and awareness campaigns rarely suffice. The United States Department of State 2018 report confirmed that the Government of the United Arab Emirates (UAE) does not fully meet the minimum standards for the elimination of trafficking, thus remaining a Tier 2 country. The report maintained that the UAE was not transparent enough in its statistical reporting of victims. Significantly, the UAE made little effort to hold traffickers to account: “contraventions of Emirati labor laws containing indicators of trafficking, such as delayed wage payments, unpaid overtime, or passport confiscation, were rarely criminally prosecuted as cases of forced labor, despite widespread reports of the crime in the country; instead, these
crimes were treated as regulatory violations, typically resulting in fines or the cancellation of business licenses.”
Recommendations:

By Dr Theologia Iliadou

The EU Anti-Trafficking Coordinator (EU ATC) should assume responsibility for third countries that use the EU for the recruitment, transit, and money-laundering of human trafficking victims. To this end, the EU must set standards of normative and intelligence sharing cooperation. In addition, the EU should regularly report on the progress of partner third countries on their progress in dealing with human trafficking flows. Such reports should include consultation with key stakeholders, including structured interviews with survivors and debriefing with NGO advocates in source countries.

Currently, the UAE is the only Arab country granted visa-free entry to the Schengen zone. This privileged access should be revoked unless the EU can guarantee that the UAE meets the threshold of legal protection set by EU member states for victims of rape and trafficking. Gaining and retaining access to the Schengen zone should be linked to cooperation with Europol in combatting trafficking, as well as consular access and juridical collaboration for victims of gender based violence.

Europol member states should move to consolidate pan-European databases on human trafficking routes, victim profiles, and money laundering practices. EU member states should set minimum thresholds of cooperation with prosecutors and law enforcement agencies. Failure to cooperate with EU agencies in cases of human trafficking and money laundering should carry the threat of direct economic sanctions.

The UAE’s Kafala system (Sponsorship) cannot be reformed; it must be abolished. The EU must demand on behalf of its citizens a system that guarantees individual working rights and affords women with protection against gender-based violence. Much like the labelling of products, the EU should develop obligatory warning/labelling systems for the service sector.

The European Union should work with source, transit, and destination countries to define credible rehabilitation trajectories for survivors of human trafficking. In this scheme, the EU must ensure that the cost of rehabilitation penalises transit and destination countries proportionately, creating an economic incentive to prosecute companies and individuals, raising protection standards.
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