

An uncertainty of terms

Definitional and methodological concerns in human trafficking

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Left: Photo by author.

Trafficking in persons is exploitative, can cause immense harm - often to society's most vulnerable - and needs to be eliminated. Less clear cut, however, are the ways in which trafficking is defined in practice, and even less agreement exists on the best ways to measure and estimate these largely clandestine activities. This article looks at current best practice; it investigates the available methodologies and the many difficulties associated with getting a clear picture of the existing human trafficking landscape.

What is trafficking in persons?

Broadly, trafficking is the exploitation of people, most often for sexual exploitation or forced labour. The different elements are captured within the UN 'Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children',¹ adopted in 2000 and implemented by the United Nations Office on Drugs and Crime (UNODC). The Protocol defines trafficking as: "[...] the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. [...]" (Article 3).

While some may associate trafficking with movement – as suggested by the terms 'transportation' and 'harbouring' in the above definition – it is not necessary for a person to have been moved to another location for trafficking to have taken place. According to the 2018 UNODC 'Report on Trafficking in Persons',² the highest numbers of trafficking victims are detected in the countries in which they are citizens, a departure from the reported cases in previous editions. In order to better understand the problem, some analyses have attempted to classify states into source, transit and destination countries, which may be useful to sketch out the routes for transnational forms of human trafficking, but may present a misleading picture when the highest numbers of trafficking victims are local.

Reporting shows that men and women are generally trafficked for different forms of exploitation, with women and girls more likely to be sexually exploited, and men and boys being forced for their labour. This does not mean that there are not also cases where the opposite is true – where men and boys are sexually exploited and women are in forced labour – however, available statistics show that these numbers are smaller.³ While to some degree generalisations are required to convey an overarching picture of the scope of a problem, they must be used with caution as they may not be representative

of the issues present at a certain location, and because policy and resources become directed towards these areas of concern at the expense of others.

There are other aspects which make identifying trafficking problematic, as actions or activities that may initially have been voluntary, can later be driven by force or coercion, making them examples of trafficking in persons. Take the distinction between smuggling and transnational trafficking, for example. While there is a clear difference between the two at a conceptual level – smuggling is voluntary, and trafficking is either forced or the result of some coercion or deception – in practice these are not as easily distinguishable, and the threshold between the two is not always clear. Despite this, how these individuals are defined (as a victim of trafficking, or as an individual who used the services of a smuggler) if they are discovered by authorities, can have enormous consequences on the types of assistance available to them.

Like most criminal activities, trafficking happens largely behind closed doors with perpetrators going to great lengths to hide their activities. Victims tend to not to come forward, out of fear or shame, or perhaps due to having normalised their experiences. This means that it is often very difficult to fully grasp the extent of human trafficking.

Why is reporting on human trafficking so important?

There are a series of global efforts against human trafficking. To take just one example, combatting trafficking falls under three sections of the 'Agenda 2030 Sustainable Development Goals (SDGs)':⁴

5.2 (Gender Equality) Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation

8.7 (Decent Work and Economic Growth) Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst

forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms

16.2 (Peace, Justice and Strong Institutions) End abuse, exploitation, trafficking and all forms of violence against and torture of children

While this is just one example, these efforts to eradicate trafficking in persons generate a demand for a clearer picture of the current trafficking landscape including better statistics; these goals require adequate reporting to track the progress that each country is making towards them. For this reason, statistics on human trafficking are at the heart of one of the Sustainable Development Indicators, with indicator 16.2.2 requiring states to provide the "number of victims of human trafficking per 100,000 population, by sex, age and form of exploitation". A great amount of time and energy has gone into improving the reporting around trafficking in persons in recent years.

What methodologies can be used in order to understand human trafficking?

The most significant issue of reporting is trying to better understand this elusive number of cases that go unreported. This problem is exacerbated by two particular concerns; firstly, obtaining adequate data, and secondly, developing suitable methodologies with which to use this data to better understand the current rates of trafficking across the globe, including the impact of regional differences.

There are a number of forms of data that report cases of trafficking in persons. Perhaps an obvious example are the cases that come before the courts. These can be problematic as a data source though, as their focus is on the specific perpetrators rather than capturing data about the victims. Police reporting offers a slightly better set of figures as they include cases that have not made it to court, and those that remain unsolved; but once again their focus tends to be on the perpetrators. This means that our main sources of information on victims are the organisations who provide them with assistance. Obtaining information from these organisations also comes with a set of inbuilt complications. Who obtains assistance and what sorts of assistance are available very much depend on the political climate and a whole range of other uncontrolled factors, such cultural norms. Legislation may also focus on particular victims such as women and children, and those who have been trafficked internationally, meaning that others may very well be falling through the cracks. Therefore, cases that accept or receive assistance may not be representative.

Different countries also recognise different forms of trafficking in their reporting. Generally included are the categories of forced labour and sexual exploitation, but other forms of trafficking such as exploitative begging, illegal

adoption, organ removal or forced marriage may often not be included in the statistics submitted. Furthermore, each state has its own identification and referral mechanisms, which can impact on the cases that are picked up by courts, police and these assistance organisations. In many locations, assistance is more readily available for those who have been sexually exploited, which means that other examples such as debt bondage, which is often considered the most common form of trafficking, does not necessarily show up often enough in certain types of reporting.

There have been initiatives to help generate other data sources around trafficking in persons. Some organisations have circulated household surveys to gain insights into cases that may not have been reported through other channels. For instance, the Walk Free Foundation has used figures from household surveys to produce their 'Global Slavery Index', which estimated that on "any given day in 2016, an estimated 24.9 million men, women, and children were living in modern slavery in Asia and the Pacific."⁵ Unfortunately, the significant costs of these methods can make them highly prohibitive, and without an adequate sample size, their results can be misleading. They are also relying on honest responses and adequate understanding by primary respondents.

Even when useful data exists there can be issues with access, and there have been recent attempts at making these sources more readily available. The most notable of these is the Counter Trafficking Data Collaborative (CTDC),⁶ launched in late 2017, that compiles this data to make it more accessible for analysis and visualisation. They provide case management data for analysis that has been anonymised and can be downloaded by anyone, but also offer a range of visualisation methods on their website, though one must keep in mind the concerns with regard to reporting discussed above. For example, in recent years there has been an increase in the number of detected victims in Asia, but we cannot be sure how much these increases are due to a greater number of incidences, or just improved reporting techniques, as a number of states in the region have been improving their capacity to report on these cases.

Using these less-than-perfect available data sources, researchers have been trying to calculate the full extent of human trafficking. Some have used capture-recapture analysis, which has its origins in establishing the number of animals in a particular population, but there are a number of limitations with its use in human populations, meaning that it is a less than ideal method for establishing the number of trafficking victims. More recently, trials of a different statistical technique, Multiple Systems Estimation (MSE), have been used to get a clearer indication of this illusive number of trafficking victims. This uses the information that we have on victims that have been detected and has recently been tested in four different European countries, but is still limited by the need for adequate levels of reporting.

Trafficking in persons is a complicated though largely hidden social issue that is both difficult to define and to measure, though a great deal of effort goes into improving our capacity to do so. These are certainly not wasted efforts as reliable reporting and analysis are important steps in combatting human trafficking.

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Notes

- <https://tinyurl.com/UNppspt>
- United Nations Office on Drugs and Crime (UNODC). 2018. *Global Report on Trafficking in Persons 2018*. New York: UN, pp.32-33; <https://tinyurl.com/UNgrtp2018>
- Idem.
- <https://sustainabledevelopment.un.org>
- Walk Free. 2018. 'Global Slavery Index: Asia and the Pacific'; <https://tinyurl.com/WFgsi2019>
- <https://www.ctdatacollaborative.org>