A Cross-National Evaluation of the Sources of Anti-Trafficking Enforcement: what makes countries so different?

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The current limitations in the human trafficking research:

- Quantitative research is rare in this field: most studies cover just one or a few countries

- Mixed and contradictory conclusions

- So far what global analysis presents thin theoretical models, heavy in a multitude of theoretically under-justified variables

Focus:

- Theorizing what concepts of human trafficking overlaps with anti-trafficking enforcement for the purposes of identifying the best measurement of the competing global indicators

- Explain the variation in anti-trafficking enforcement across the globe

- Offer some recommendations to the policymakers responsible for construction of global measure of anti-trafficking enforcement
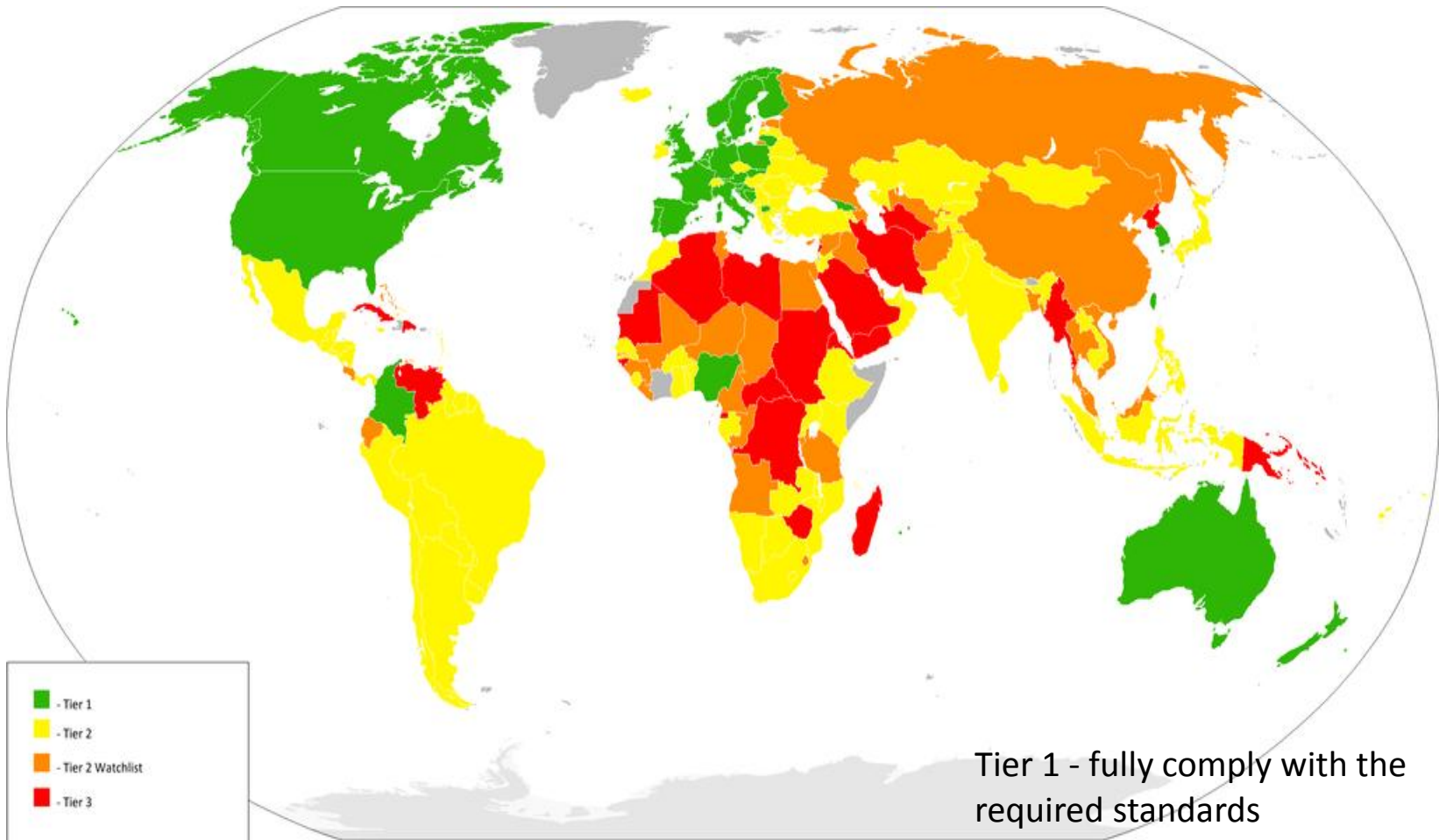
The slavery of our times

In a protocol supplementing the United Nations Convention Against Transnational Organized Crime, trafficking has been defined 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. Exploitation shall include, at a minimum, 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."[1]

How do countries respond to Human Trafficking problem?

[1]United Nations Convention Against Transnational Organized Crime and the Protocols Thereto, https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf

# Legislative framework in different countries to combat human trafficking

Legend:
- Tier 1
- Tier 2
- Tier 2 Watchlist
- Tier 3

Tier 1 - fully comply with the required standards
Tier 2 - countries making consistent efforts
Tier 2,5 – watch listed
Tier 3 - countries with no efforts to combat human trafficking

Cross-national evaluation of the sources of anti-trafficking enforcement

I. *The Trafficking in Persons Report (TIP)*, US Department of State – the Tier scale
II. *The German Institute for Economic Research (DIW-Berlin)* – the 3P Anti-trafficking Policy Index
III. *The Woman Stats Database* – the Trafficking scale

This research aims not only to compare the measures, but also evaluate them according to their level of external validity in relation to the concepts of human trafficking.
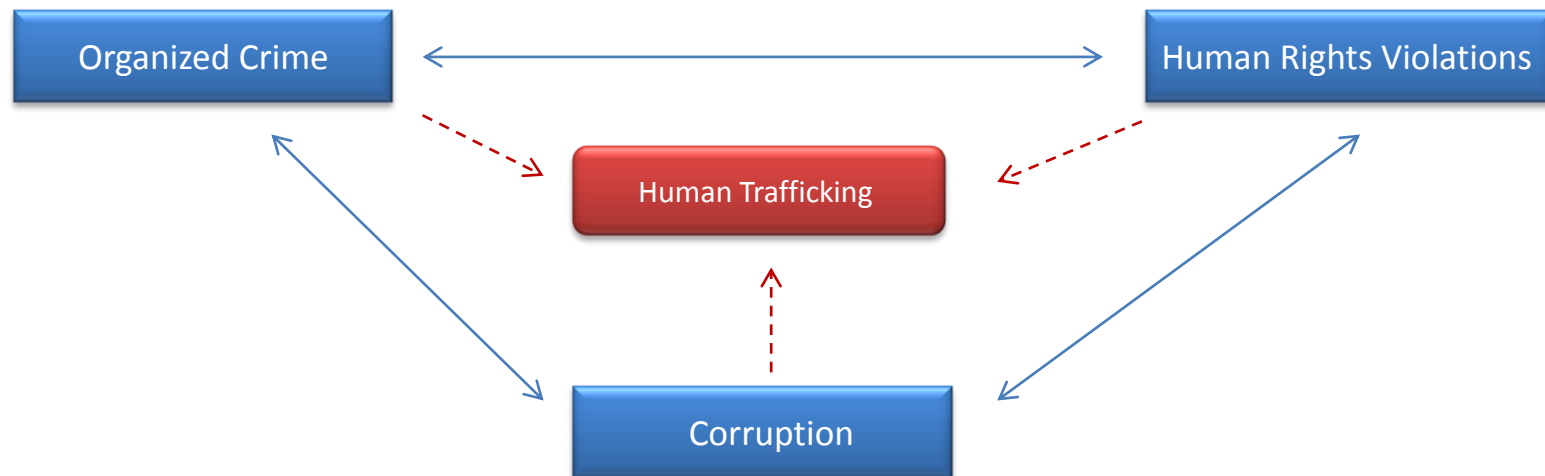
Theoretical nexus of anti-trafficking enforcement

Correlations of different measures on anti-trafficking enforcement with concepts of crime, corruption and human rights violations
(number of countries are in parentheses)

	Measures on anti-trafficking enforcement		
	Tier 2012	3P Anti-trafficking Policy Index 2011	Trafficking scale 2011
The Composite Organized Crime Index (COCI) 2007	-0.56 ***(52)	-0.39*** (52)	-0.49*** (52)
The Corruption Perceptions Index (CPI) 2010	0.56*** (159)	0.42*** (159)	0.53*** (159)
The Political Terror Scale (PTS) 2010	-0.49*** (159)	-0.34*** (159)	-0.45*** (159)
The Physical Integrity Rights Index (PIRI) 2010	0.46*** (160)	0.34*** (160)	0.44*** (160)

The Spearman rank-order correlation coefficients have been used here. Correlation is significant at the 0.01 level (2-tailed)

Methodology of Tier

Tier rankings reflect an assessment of the following:

- enactment of laws prohibiting severe forms of trafficking in persons;

- criminal penalties prescribed for human trafficking offenses with a maximum of at least four years' deprivation of liberty, or a more severe penalty;

- implementation of human trafficking laws through prosecution of the prevalent forms of trafficking in the country;

- proactive victim identification measures;

- government funding and partnerships with NGOs to provide victims protection;

- the extent to which a government ensures the safe, humane, and to the extent possible, voluntary repatriation   and reintegration of victims; and

- governmental measures to prevent human trafficking.

Developmental framework

World Systems Theory (Wallerstein 1974)

The fact that Third World societies are powerless and disadvantaged due to their weak, subordinate position in the world system has been discussed by Wallerstein (1979), Bornschier and Chase-Dunn (1985), Bunker (1985), and other world system theorists. With relation to human trafficking it means that such weak states will have among other things ineffective or non-existing anti-trafficking law enforcement, inadequate sanctions against traffickers, and human rights violations.
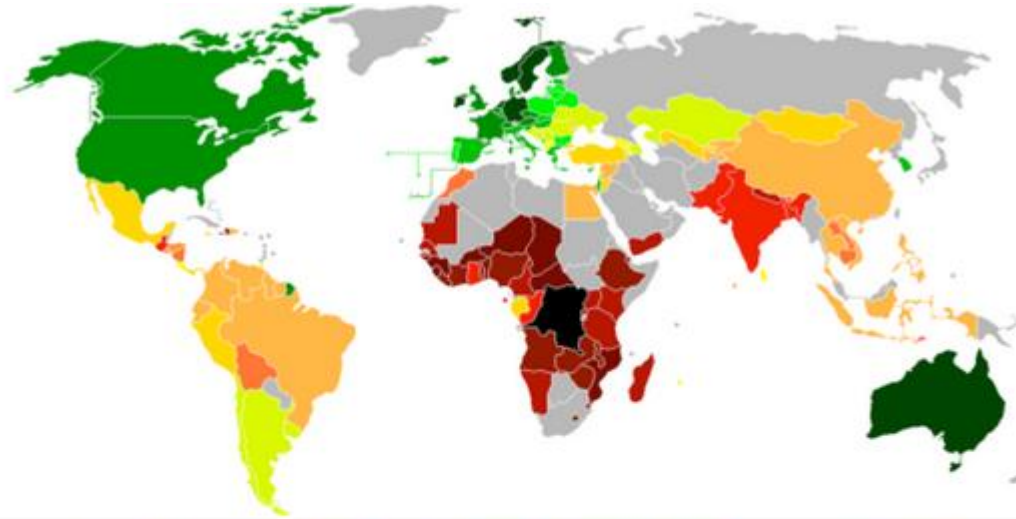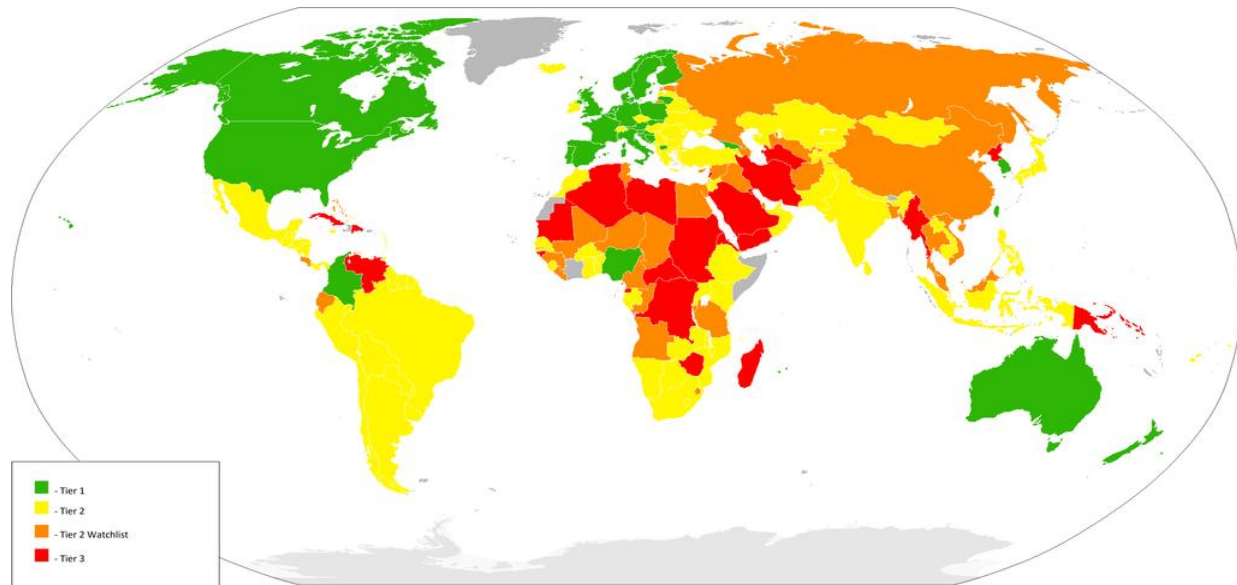
Development hypothesis: **Countries experiencing lower levels of socio-economic inequality will have higher anti-trafficking enforcement**
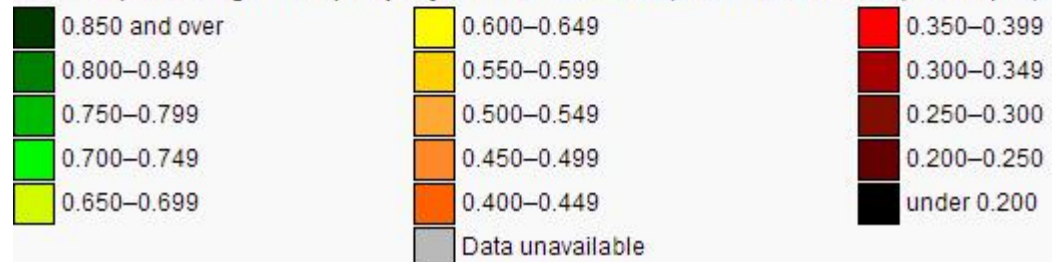
Measures of development:

- Inequality-adjusted Human Development Index (IHDI)
- Gini index, UN World Institute for Development Economics Research
- Gini index, World Bank
- Gini index, CIA

	Tier 2012
IHDI	0.64 ***
Gini index, UN WIDER	0.39***
Gini index, WB	0.28***
Gini index, CIA	0.29***

World map indicating the inequality-adjusted Human Development Index in 2012 (2013 report).

0.850 and over	0.600–0.649	0.350–0.399
0.800–0.849	0.550–0.599	0.300–0.349
0.750–0.799	0.500–0.549	0.250–0.300
0.700–0.749	0.450–0.499	0.200–0.250
0.650–0.699	0.400–0.449	under 0.200
	Data unavailable	

Cultural framework

Social Modernization Theory (Inglehart and Norris 2003; Inglehart and Welzel 2005; Welzel Forthcoming)
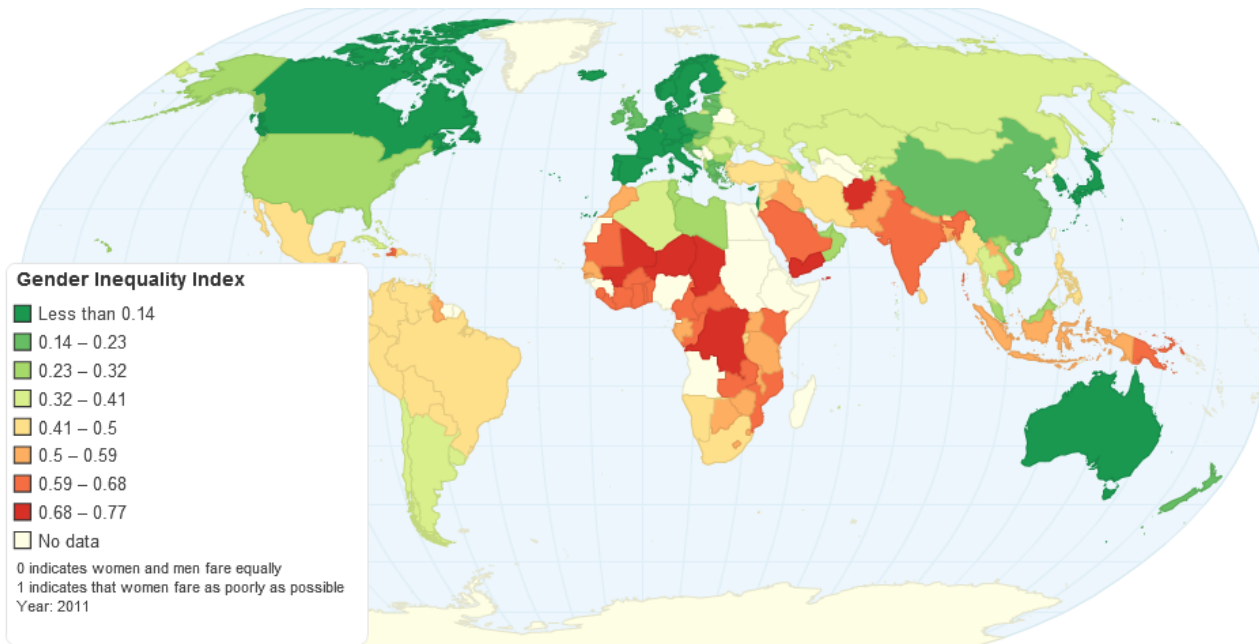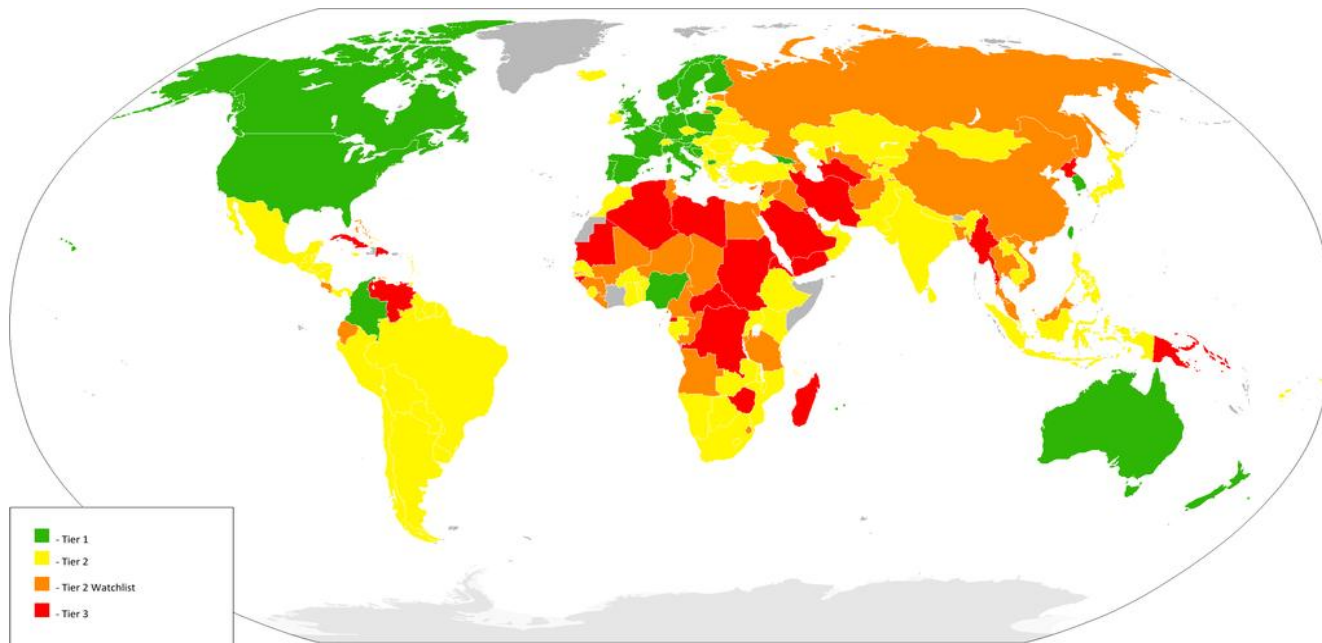
According to the social modernization theory (Inglehart and Norris 2003; Inglehart and Welzel 2005; Welzel 2013) traditional values and practices are linked to authoritarian, hierarchical approaches to social organization and individual choice. This has severe, negative implications for the equal value of human life. Traditional values and practices that construct some groups as inferior to others support human trafficking.

Patriarchal values and norms reinforce the idea that women are subordinate to men. The position of women in the family and society makes them especially vulnerable to being trafficked.

Cultural hypothesis: **Less traditional countries with high levels of gender equality will have higher anti-trafficking enforcement**

Measures of culture:

- Gender Inequality Index (GII), the UN Development Programme
- The Global Gender Gap Index, the World Economic Forum
- Muslim percentage of total population, Pew Research Center
- Patrilocality Scale
- Shares in parliament, female-male ratio

	Tier 2012
GII	0.50***
Gender Gap Index	0.45***
Muslims	-0.29 ***
Patrilocality	0.32***
Parliament	0.41***

- Tier 1
- Tier 2
- Tier 2 Watchlist
- Tier 3

Gender Inequality Index

- Less than 0.14
- 0.14 – 0.23
- 0.23 – 0.32
- 0.32 – 0.41
- 0.41 – 0.5
- 0.5 – 0.59
- 0.59 – 0.68
- 0.68 – 0.77
- No data

0 indicates women and men fare equally
1 indicates that women fare as poorly as possible
Year: 2011

Global influences framework

Constructivist Theory of International Relations (Finnemore, 1996)

States actions are based on socially constructed norms, ideas and beliefs rather than on the neorealist concepts of anarchy, sovereignty and security (Finnemore, 1996).

International Non-Governmental Organizations (INGOs) can both "influence state policies and bypass states altogether in seeking solutions to world-culturally defined problems" (Boli and Thomas, 1997).

Global influences hypothesis: **Countries with stronger ties to the global community will have higher anti-trafficking enforcement**

Measures of global influences:

- Country memberships in INGOs, the World Association of Non-Governmental Organizations
- Country ratifications of International Human Rights Treaties, the University of Minnesota Human Rights Library
- Country ratifications of "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children", UN

	Tier 2012
INGOs	0.24 ***
International Human Rights Treaties	0.52***
Human Trafficking Protocol	0.19***
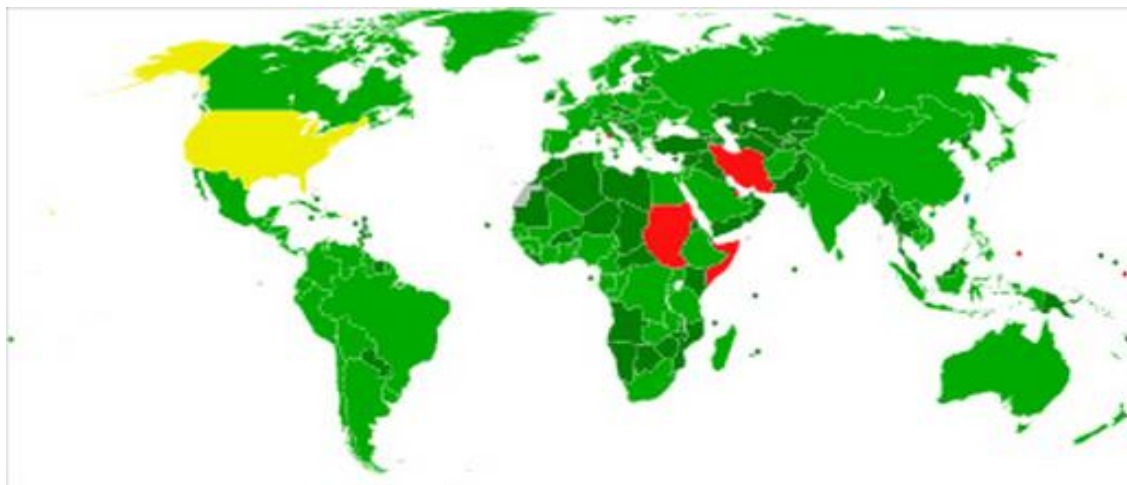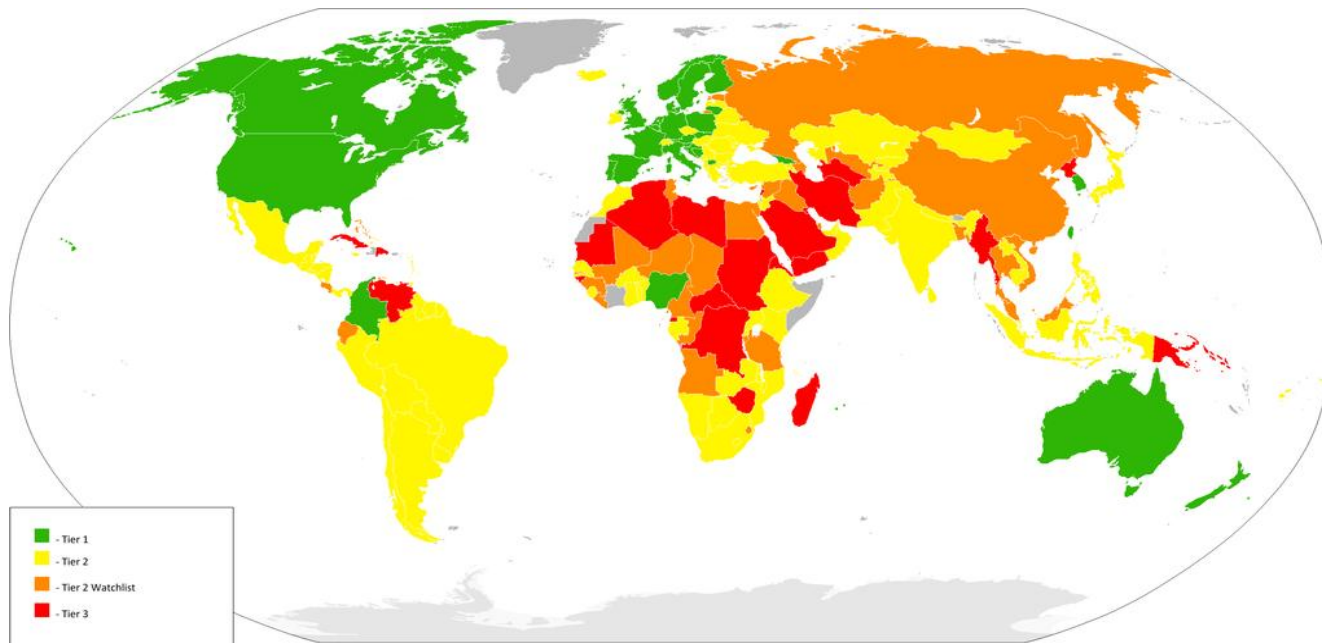
Participation in the CEDAW

Signed and ratified Only signed

Acceded or succeeded Non-signatory

Unrecognized state, abiding by treaty

Political institutions framework

Institutional Theory (Scott, 2004); Human Empowerment Theory (Welzel 2013)

The lack of supportive institutions and a weak rule of law may present the ideal circumstances for trafficking syndicates to get organized in source countries. According to Inglehart and Welzel human empowerment is a process that emancipates people from external authority (Inglehart & Welzel, 2005). Human trafficking can be viewed as disempowering process and it can be embedded in human empowerment theory as an inverse process.

Political institutions hypothesis: **Countries that succeed in having effective political institutions and active civil society will have higher anti-trafficking enforcement**

Measures of political institutions:

- Rule of law, World Bank
- Institutional democracy indicator, Polity IV Project
- Political rights and civil liberties index, Freedom House
- Democracy, the Democracy-Dictatorship dataset

	Tier 2012
Rule of law	0.59 ***
Institutional democracy indicator	0.56***
Political rights and civil liberties index	0.63***
Democracy-Dictatorship	0.45***

Tier 1
Tier 2
Tier 2 Watchlist
Tier 3

Free (90) Partly Free (58) Not Free (47)
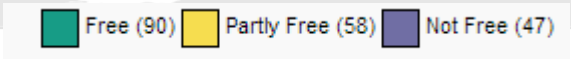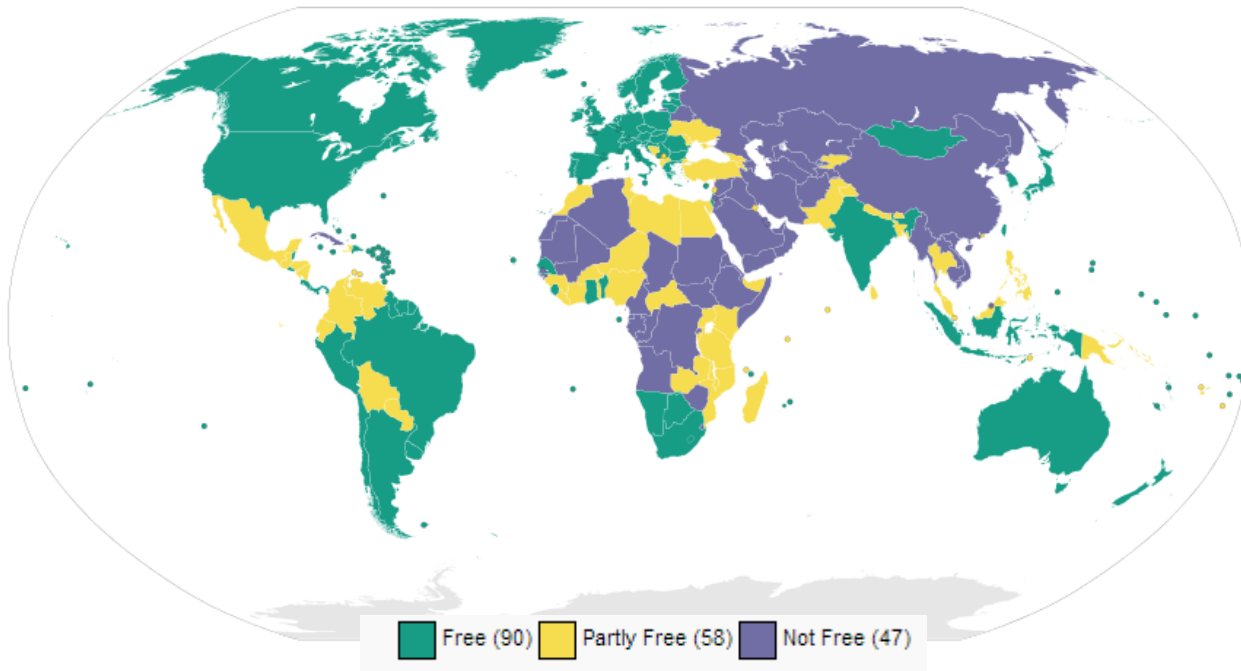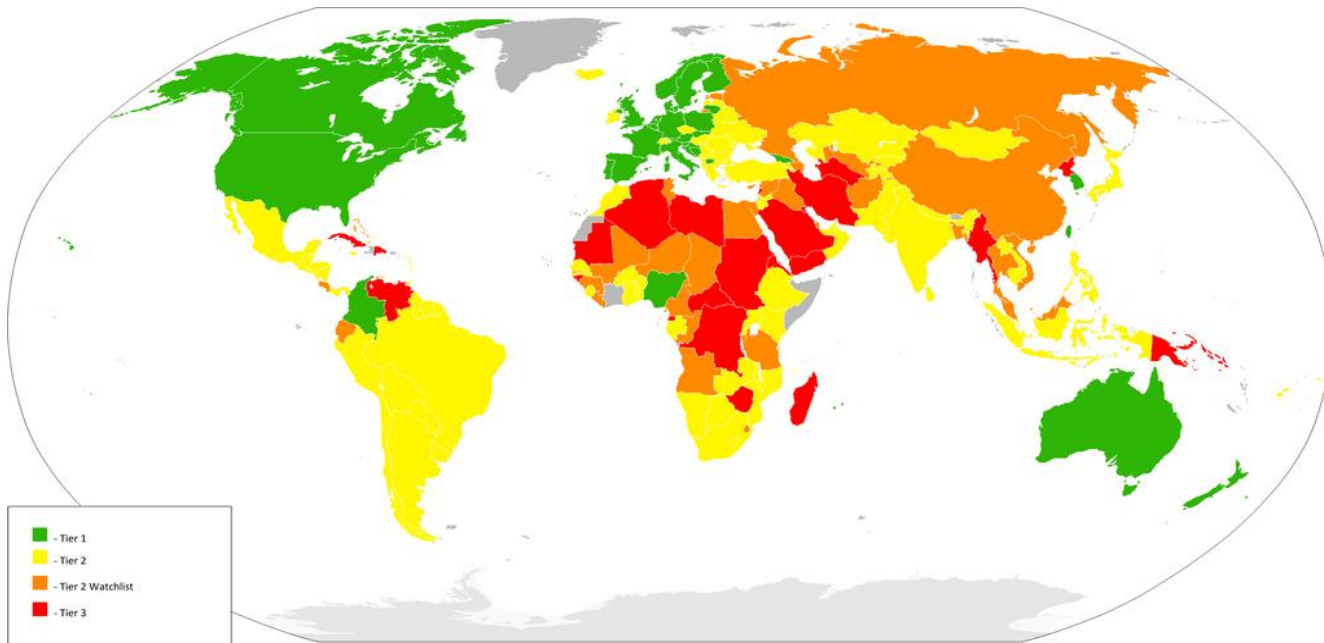
Demographic framework

The theory of youth bulge has been strongly connected to violence research (Fox and Hoelscher 2010; Goldstone 2002; Elbadawi and Sambanis 2000; Mesquida and Wiener 1996; Neapolitan 1997; Neumayer 2003). According to Easterlin's relative cohort size theory, there is a linkage between the increasing proportion of young adults and adverse economic and social conditions which force youth cohorts often move into the illegal and illicit economy (Macunovich 2000).

Demographic hypothesis: **Countries with smaller proportions of youth bulges and smaller population ratios of man to women will have higher anti-trafficking enforcement**

Demographic measures:

- Youth bulge rates, surplus of men and fertility rates, the International Demographic Statistics dataset

	Tier 2012
Youth bulge rates	-0.47 ***
Surplus of men	0.08
Fertility rates	-0.39***

- Tier 1
- Tier 2
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Years

- 14 - 20
- 20 - 25
- 25 - 30
- 30 - 35
- 35 - 40
- 40+
- No Data

Global Median Age

Source: CIA World Factbook
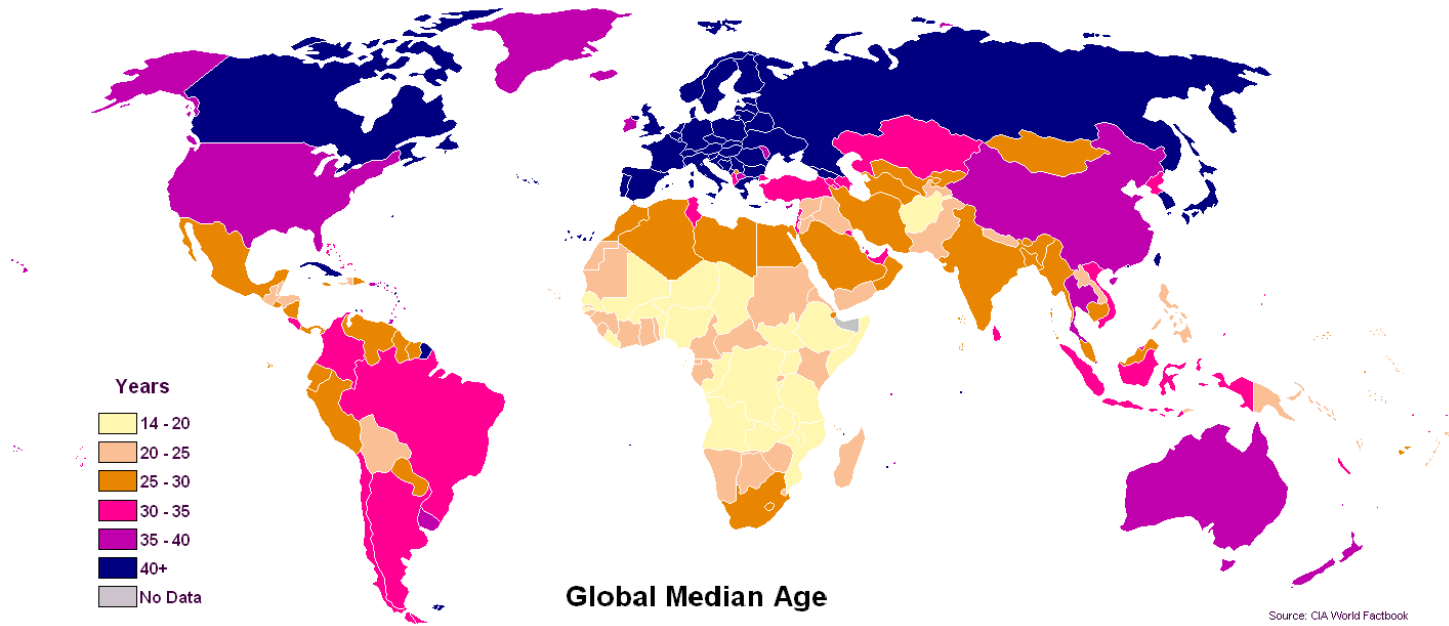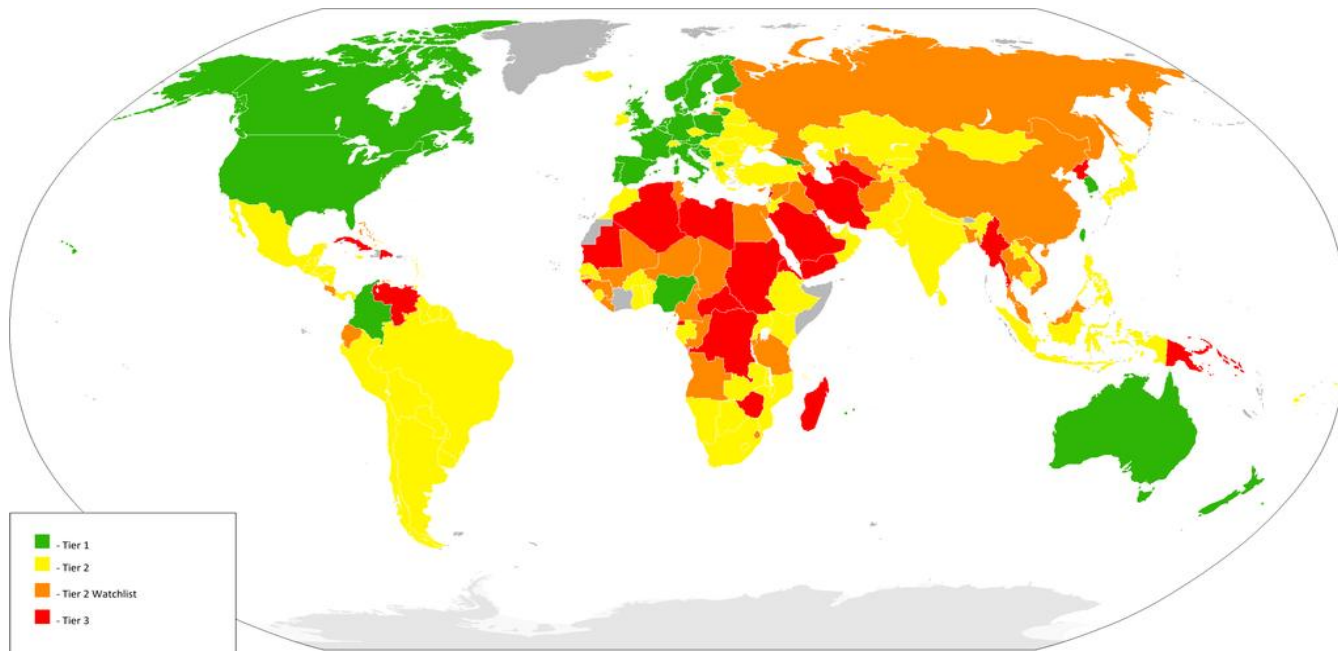
Tier profiles

		Fully comply	Consistent efforts	Watch listed	No efforts
		Mean	Mean	Mean	Mean
Development	Gini WIDER (2004-2006)	67,72	57,05	56,31	54,99
	HDI inequality adjusted	0,77	0,52	0,43	0,24
Culture	Muslim percentage of total population	0,05	0,25	0,45	0,50
	Gender Inequality Index (GII)	0,82	0,58	0,55	0,46
	Patrilocality Scale	1,67	0,77	0,53	0,44
	Shares in parliament, female-male ratio	0,39	0,24	0,23	0,18
Global	INGOs	24,87	30,83	7,32	5,00
	International Human Rights Treaties	51,93	37,77	31,65	27,44
	Protocol against Trafficking	0,90	0,87	0,76	0,63
Political Institutions	Political rights and civil liberties index	0,94	0,67	0,52	0,28
Demography	Youth bulge rates	0,13	0,18	0,19	0,19
	Fertility rates	1,70	2,76	3,21	3,34

Ordinal logistic regression (Tier is the dependent variable)

	Model 1		Model 2	
	B (SE)	Odds Ratio	B (SE)	Odds Ratio
HDI inequality adjusted	6.05 (1.12)***	424.11		
International Human Rights Treaties	insign.			
Political rights and civil liberties index	3.72 (0.91)***	41.26	5.04 (0.84)***	154.47
Shares in parliament, female-male ratio	2.02 (0.91)*	7.54	2.18 (0.87)*	8.85
Youth bulge rates			-14.74 (5.71)*	3.97
Population size, log	insign.		insign.	
Log-Likelihood Final	260.85		290.97	
Nagelkerke R-square	0.61		0.51	
McFadden R-square	0.33		0.26	
N	162		162	

Model 1 Estimated Classification Probability for the Predicted Category

Model 2 Estimated Classification Probability for the Predicted Category

Model 1 Estimated Classification Probability for the Predicted Category

Model 2 Estimated Classification Probability for the Predicted Category

Sudan

Cuba

No efforts to combat human trafficking

Watch listed countries

Countries making consistent efforts

Countries fully comply with the required standards

rev tier 2012
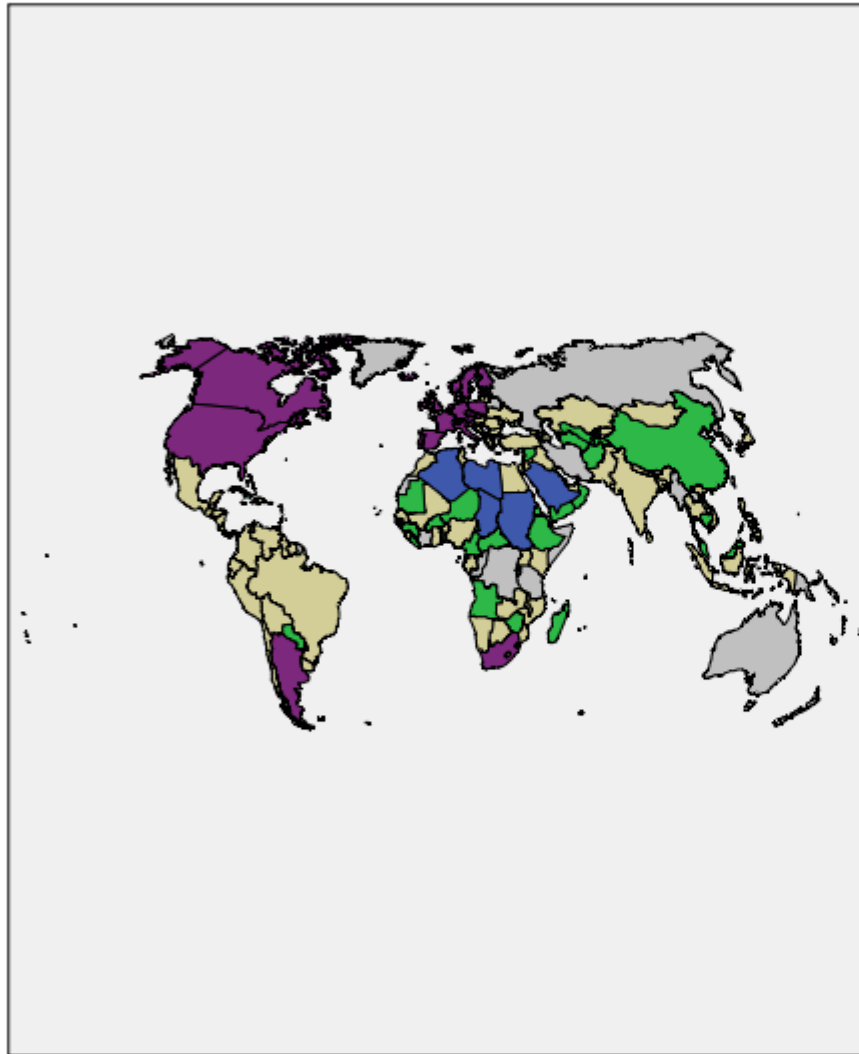
Actual tiers 2012
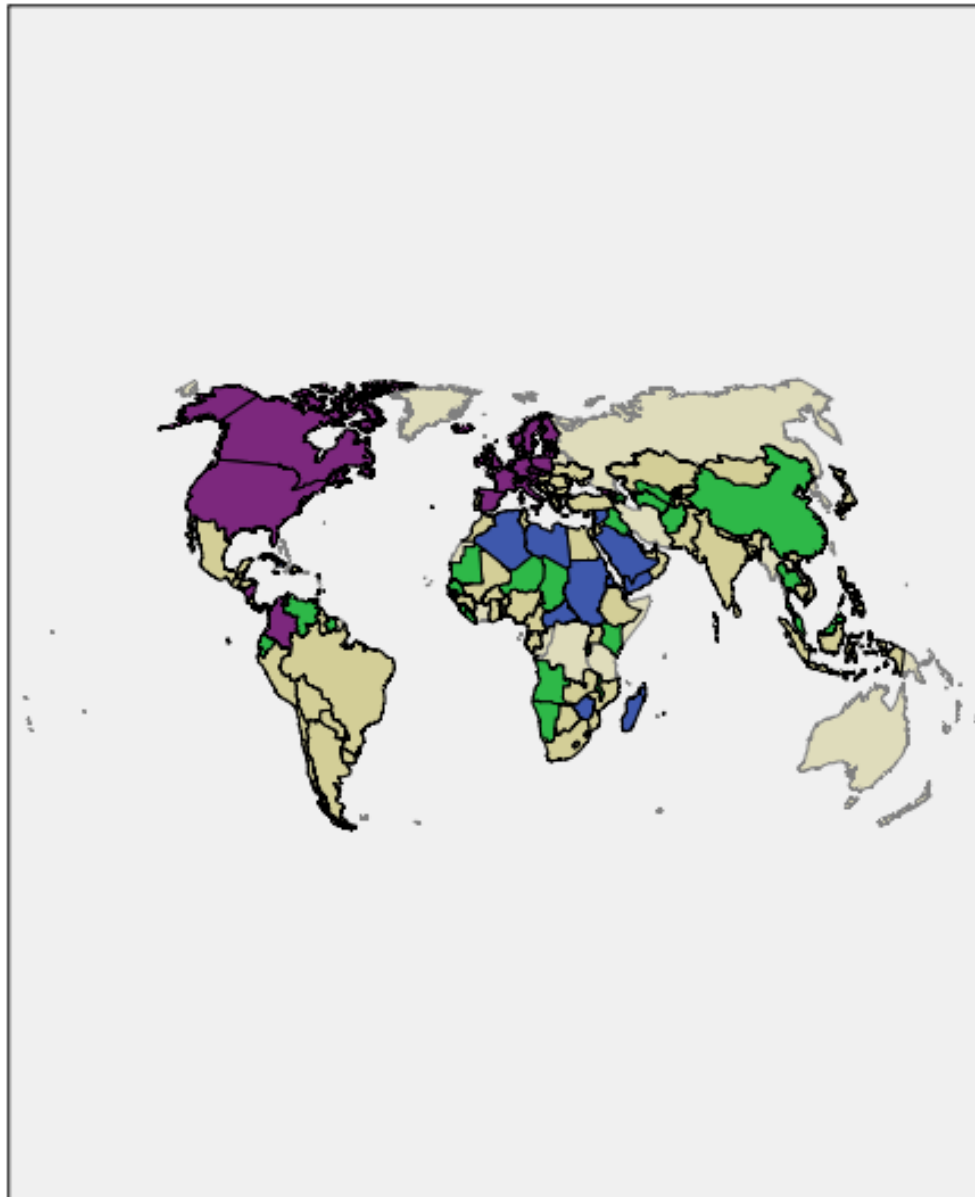
Mode (rev tier 2012)

- No efforts to combat human trafficking
- Watch listed countries
- Countries making consistent efforts
- Countries fully comply with the required standards

	Frequency
Countries with no efforts to combat human trafficking	16
Watch listed countries	34
Countries making consistent efforts	82
Fully comply with the required standards	30

Model 1 Predicted Response Category

Mode (Model 1 Predicted Response Category)

- ■ No efforts to combat human trafficking
- ■ Watch listed countries
- ■ Countries making consistent efforts
- ■ Countries fully comply with the required standards

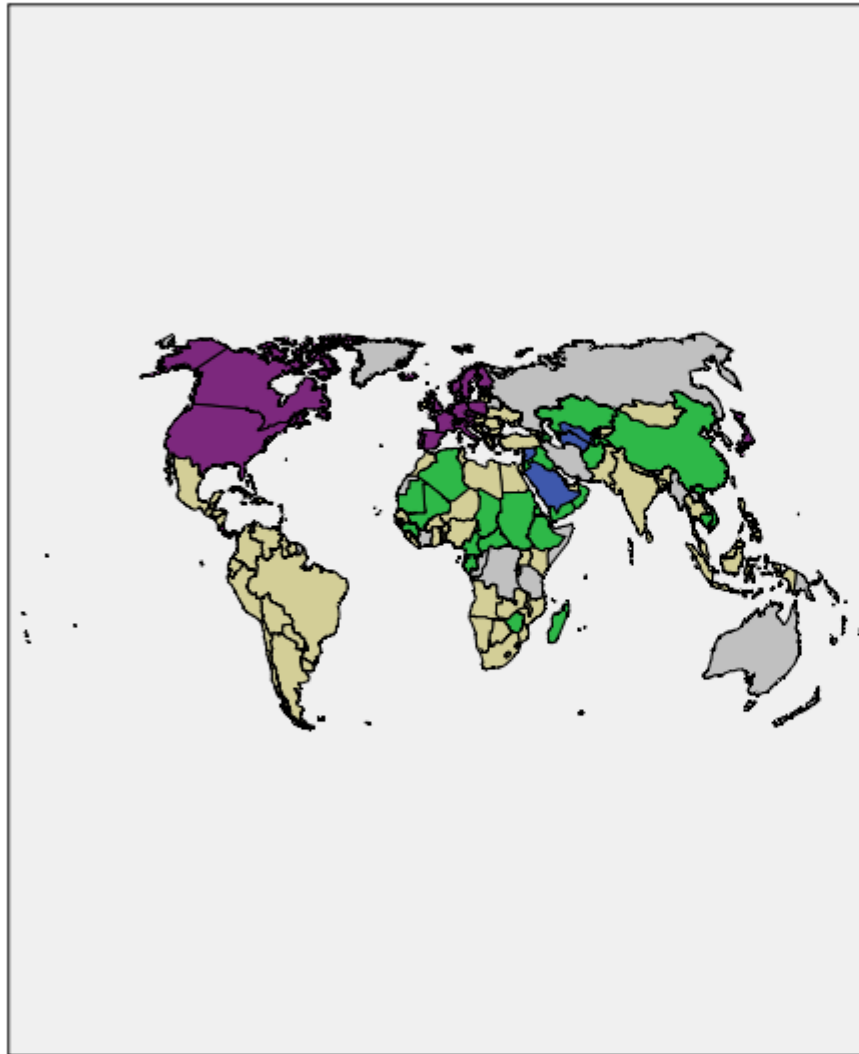|	Frequency
Countries with no efforts to combat human trafficking	10
Watch listed countries	34
Countries making consistent efforts	88
Fully comply with the required standards	28

Model 2 Predicted Response Category

Mode (Model 2 Predicted Response Category)

- ■ No efforts to combat human trafficking
- ■ Watch listed countries
- ■ Countries making consistent efforts
- ■ Countries fully comply with the required standards

	Frequency
Countries with no efforts to combat human trafficking	6
Watch listed countries	36
Countries making consistent efforts	94
Fully comply with the required standards	24

Empirical puzzle - Colombia

Fully comply with the required standards:

+

- The Government of Colombia maintained strong law enforcement actions against transnational sex trafficking offenders, continued to partner with international organizations on prevention efforts, and reactivated its inactive trafficking hotline.

- Colombia prohibits all forms of trafficking with minimum punishments of 13 to 23 years' imprisonment.

- In 2011, Colombian authorities reported 72 open investigations of trafficking cases; 56 new trafficking prosecutions, and convictions were obtained in 16 transnational sex trafficking cases during the year.

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- Efforts to investigate internal trafficking cases and forced labor crimes remained weak, however, with no reported convictions for these offenses.

- Authorities did not make effective use of procedures to proactively identify trafficking victims among vulnerable populations, and the victim protection decree remained pending.

Empirical puzzle - Mauritius

Fully comply with the required standards:

+

- In 2011, the government investigated 14 cases of child trafficking and convicted six trafficking offenders;

- The government augmented its funding for victim services;

- The Combating of Trafficking in Persons Act of 2009 prohibits all forms of trafficking of adults and children and prescribes penalties

- of up to 15 years' imprisonment for convicted offenders. The Judicial Provisions Act of 2008 increased the maximum prescribed punishment for child trafficking offenses to 30 years' imprisonment.

-

- The Mauritius police force maintained its anti-trafficking training programs for police officers and continued its awareness campaigns in schools and villages.

- The government's efforts to communicate with and coordinate among all relevant ministries, however, remained lacking, leading to inconsistent provision of protective and investigative services to trafficking victims. The government made no effort to investigate or address the forced prostitution of women.

Empirical puzzle - Nicaragua

Fully comply with the required standards:

+

- The Government of Nicaragua increased number of investigations, prosecutions, and convictions of traffickers.
- Authorities opened a shelter for human trafficking victims, despite limited resources.
- The government maintained anti-trafficking prevention efforts in partnership with civil society organizations.
- Nicaragua criminalizes all forms of human trafficking through Article 182 of its penal code, which prohibits trafficking in persons for the purposes of slavery, sexual exploitation, and adoption, prescribing penalties of 10 to 14 years' imprisonment.
- Police investigated 26 potential trafficking cases, and judicial authorities initiated 21 prosecutions.
- Nicaraguan authorities collaborated with the governments of neighboring countries to investigate jointly trafficking cases and repatriate returning trafficking victims from abroad.

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- Although authorities held quarterly working meetings to develop and track case data, a lack of centralized data often resulted in conflicting data on law enforcement efforts.
- There is no trafficking-specific legal alternative to the removal of foreign victims to countries where they may face hardship or retribution.

Empirical puzzle - Nigeria

Countries making consistent efforts:

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- The Government of Nigeria sustained modest efforts to prevent human trafficking through campaigns to raise awareness and educate the public about the dangers of trafficking.
- The 2003 Trafficking in Persons Law Enforcement and Administration Act, prohibits all forms of human trafficking.
- The law prescribed penalties of five years' imprisonment or a fine not to exceed the equivalent of $645 or both for labor trafficking offenses and penalties of 10 to 15 years' imprisonment for sex trafficking offenses and a fine of the equivalent of $1,250, or both.

-

- Roughly a third of convicted traffickers received fines instead of prison time, and despite identifying 386 labor trafficking victims the government prosecuted only two forced labor cases.
- The National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP) did not increase its funding for protective services and its victim shelters offered limited reintegration services.
- Despite documentation of Nigerians trafficking victims identified in countries around the world, the government inconsistently employed measures to provide services to repatriated victims.

Empirical puzzle - Portugal

Countries making consistent efforts:

+

- The Government of Portugal took important steps to improve its capacity to proactively identify trafficking victims and conducted multiple anti-trafficking awareness programs.

- Portugal prohibits both forced labor and forced prostitution through Article 160 of its penal code, which prescribes penalties of three to 12 years' imprisonment.

-

- Article 160 includes an overly broad definition of trafficking that encompasses exploitative, non-coerced activity, resulting in government trafficking data that likely includes charges under pimping and pandering statutes as well as low-level labor violations.

- As a result, the number of convictions reported by the government significantly outnumbers the number of identified victims.

- The Government of Portugal did not provide evidence that the majority of convicted trafficking offenders received prison sentences or were held accountable during the reporting period.

Empirical puzzle - Switzerland

Countries making consistent efforts:

+

- The Swiss government took strong and diverse efforts to prevent trafficking during the reporting period, including funding a campaign against child sex tourism.

- Swiss efforts to protect trafficking victims improved with the introduction of measures to better protect witnesses; these measures were taken, in part, to lay the groundwork for Switzerland to ratify the Council of Europe Convention on Action against Trafficking in Human Beings.

-

- Switzerland prohibits trafficking for most forms of sexual and labor exploitation through articles 182 and 195 of the Swiss penal code, which prescribe penalties of up to 20 years' imprisonment.

- Swiss law does not, however, expressly prohibit the prostitution of children aged 16 and 17 under all circumstances throughout the country, leaving these children vulnerable to sex trafficking when a third party profits from a child in prostitution.

- Switzerland does not prohibit all forms of trafficking.

- In addition, improvements are needed in accountability for convicted traffickers; suspended sentences continue to be the norm.

Expected outcome

- Larger, more systematic cross-national analysis
- Theorizing what categories of human trafficking overlaps with anti-trafficking enforcement for the purposes of identifying an external validity test to show that Tier is the best of the competing global indicators
- Theorizing the categorical drivers of countries' adoption of anti-trafficking enforcement
- Explain the variation in anti-trafficking enforcement across the globe

Further research

- Panel data analysis
- Explain the variation in anti-trafficking enforcement across countries with high risk context

Thank you for attention!