

## Background Brief: Who are Human Traffickers?

### Human Trafficking: Defining the Phenomenon

Human trafficking is a human rights violation that involves the practice of holding another person in compelled service by force, fraud, or coercion. Traffickers profit from this practice by controlling their victims and exploiting them for labor and/or sex.

Under U.S. law, human trafficking is defined as “sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age,” or “the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”<sup>1</sup>

Human trafficking can involve transnational recruitment of victims who are then transported across borders into another country where they are exploited for labor and/or sex. Human trafficking can also occur domestically, where little or no transportation is involved in recruitment and exploitation of victims.

### The Business of Trafficking

Human trafficking is the second largest criminal enterprise in the world, earning exploiters more than \$150 billion each year, according to a report released by the International Labor Organization in May 2014. With the potential of high monetary rewards with very low risk of punishment, the business of human trafficking has been steadily growing. Profits from human trafficking have more than tripled over the past decade alone.

Traffickers range from small-time, solo operators to loose networks of criminals, to highly sophisticated criminal organizations that operate internationally.<sup>2</sup>

According to trafficking expert Louise Shelley, “Traffickers choose to trade in humans ... because there are low start-up costs, minimal risks, high profits and large demand. For organized crime groups, human beings have one added advantage over drugs: they can be sold repeatedly.”<sup>3</sup>

### The Exploiters

The exploiters of human trafficking include a wide range of criminals and criminal enterprises that organize, implement, and profit from trafficking human beings. Traffickers often rely on enablers in order to conduct their business: individuals and entities – both legal and illegal – that provide goods and services to exploiters, which make human trafficking possible and profitable.

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<sup>1</sup> 22 U.S.C. § 7102(9).

<sup>2</sup> Organization for Security and Co-operation in Europe, *Analysing the Business Model of Trafficking in Human Beings to Better Prevent the Crime*, September 30, 2010, p. 21.

<sup>3</sup> Louise Shelley, “Human Trafficking: A Global Perspective,” p. 3.

According to the Organization for the Security and Cooperation in Europe (OSCE), trafficking can best be thought of “as a process rather than a single offence, a process involving different stages or nodes through which victims pass and involving different persons at each stage of the process.”

The different actions described below are performed by both single individuals and by multiple people, depending on whether the trafficker is a solo operator or part of a more complex criminal organization.

1. **RECRUITMENT/ABDUCTION.** Victims are recruited into slavery by fraud, force or coercion. Exploiters often lure victims with the promise of a better life – for example with guarantees of employment, education or travel. For recruitment purposes, exploiters often use employment and travel agencies, or family and friendship connections. Other exploiters use force or coercion, abducting victims directly or threatening victims or their families with harm if they do not comply.
2. **TRANSFER AND TRANSPORTATION TO A POINT OF EXPLOITATION.** Once a victim is recruited or abducted, they are often transferred from the point of recruitment or abduction to a destination where they will be exploited for labor or sex. This movement can be across town, within a country’s borders, or across borders, and can take place by land, sea or air. In some instances, victims are also transported as cargo -- typically by truck or boat. While the term “trafficking” suggests movement, a victim can be trafficked into forced labor without even leaving his or her own home.
3. **EXPLOITATION.** Finally, victims arrive at the location where their exploitation will take place, whether it is for commercial sex or labor. The exploitation of human beings can take place in any market where there is demand for commercial sex or cheap labor: victims are often exploited in the agricultural industry, private households, beauty parlors, nail salons, cleaning companies, restaurants, and beyond.

## Case Examples

The following descriptions of recent human trafficking cases provide an overview of how human trafficking takes place in the United States. These cases portray a range of different kinds of exploiters, from solo operators to more organized criminal networks. The cases also demonstrate the wide range of industries where exploitation takes place. Some of these victims were subjected to force and coercion, while others were lured through fraud and false promises. In some cases victims were recruited and transported from abroad, while in others the victims were recruited domestically:

- A family in New Jersey recruited more than 20 girls and young women – between the ages of 10 and 17 – from Togo and Ghana to braid hair for up to 14 hours a day for no pay at salons in Newark and East Orange. The exploiters found their victims by identifying families seeking to send their daughters to the United States for school or jobs. The victims’ passports were taken and they were beaten or threatened if they did not return home immediately after work.<sup>4</sup>
- A group of 17 exploiters based in Ohio and Pennsylvania lured women and girls – one victim was 12 years old -- with promises of love and wealth, and then trapped them and forced them to become prostitutes in a multi-state prostitution ring based at truck stops.<sup>5</sup>
- A couple in Texas lured a widowed mother of six children, from Nigeria to work in their home. Once she arrived, they confiscated her identification documents and restricted her movement, holding her in domestic servitude for eight years. The victim worked seven days a week, for approximately 16 hours a day for virtually no pay.<sup>6</sup>

<sup>4</sup> U.S. Department of Homeland Security: US. Immigration and Customs Enforcement. <http://www.ice.gov/news/releases/1009/100920newark.htm>

<sup>5</sup> United Nations Office of Drugs and Crime, Human Trafficking Case Law Database: [https://www.unodc.org/cld/case-law-doc/traffickingpersonscrimetype/usa/2011/united\\_states\\_v\\_robinson\\_.html](https://www.unodc.org/cld/case-law-doc/traffickingpersonscrimetype/usa/2011/united_states_v_robinson_.html)

- A group of eight traffickers lured women and girls from Honduras and El Salvador to the United States on false promises, and then compelled them to work in restaurants, bars, and cantinas to pay off smuggling debts. The traffickers threatened to harm victims' families back at home if they attempted to escape.<sup>7</sup>
- Traffickers hired smugglers to bring a group of victims to the US from Mexico to work on farms in Colorado. When victims arrived, they were told they owed debts of \$1,300 each for their transportation costs. The victims were housed in a facility infested with insects, and with undrinkable water and inadequate showers. Victims were forced to work more than 16 hours a day for six to seven days per week.<sup>8</sup>

## The Enablers

Enablers are the entities and individuals who knowingly or unknowingly provide goods and services – some of them through criminal activities – so that trafficking can take place.

Both legal and illegal activities can enable human trafficking. It is not only bribe taking officials who enable the business of human trafficking, but also actors in the transportation, hospitality, advertising, and financial sectors whose services are often used by perpetrators. Some of these businesses know their services are being used in criminal activities and others do not. Legal businesses being exploited by traffickers are in a particularly good position to identify trafficking and aid in its disruption.

Finally, consumers can also be enablers -- by underwriting the system of human slavery through purchases of goods and services produced by supply chains that included the labor of victims of human trafficking.

## Human Rights First's Campaign

Human Rights First's anti-trafficking campaign aims to disrupt the business of trafficking for sex and labor by helping policy makers and law enforcement shut down or disrupt trafficking networks: the organized crime networks, gangs and individual criminals who profit by enslaving other human beings and those who enable or facilitate this crime.

Human Rights First is currently developing a policy agenda for disrupting the business of human trafficking -- addressing both exploiters and enablers. This paper will be updated in the coming months with a series of policy recommendations.

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<sup>6</sup> U.S. Department of Justice: <http://www.justice.gov/opa/pr/2010/June/10-crt-661.html>

<sup>7</sup> United Nations Office of Drugs and Crime, Human Trafficking Case Law Database: [http://ungift.org/cld/case-law-doc/traffickingpersonscrimetype/usa/2003/united\\_states\\_v.\\_armando\\_soto-huato.html?tmpl=old](http://ungift.org/cld/case-law-doc/traffickingpersonscrimetype/usa/2003/united_states_v._armando_soto-huato.html?tmpl=old)

<sup>8</sup> United Nations Office of Drugs and Crime, Human Trafficking Case Law Database: [http://www.unodc.org/cld/case-law-doc/traffickingpersonscrimetype/usa/2007/john\\_doe\\_v.\\_moises\\_rodriguez\\_.html](http://www.unodc.org/cld/case-law-doc/traffickingpersonscrimetype/usa/2007/john_doe_v._moises_rodriguez_.html)