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Special Issue-Life after Trafficking

Editorial: Moving Forward—Life after trafficking

Consuming Life after Anti-Trafficking

Vulnerable *Here* or *There*? Examining the vulnerability of victims of human trafficking before and after return

Dilemmas in Rescue and Reintegration: A critical assessment of India's policies for children trafficked for labour exploitation

At Home: Family reintegration of trafficked Indonesian men

From Passive Victims to Partners in Their Own Reintegration: Civil society's role in empowering returned Thai fishermen

Life after Trafficking in Azerbaijan: Reintegration experiences of survivors

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'There are no Victims Here': Ethnography of a reintegration shelter for survivors of trafficking in Bangladesh

Short articles section

The New Life: Construction sites and mine fields

Trafficked Women in Denmark—Falling through the cracks

Life after Trafficking: A gap in the UK's modern slavery efforts

In Their Own Words...

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ANTI-TRAFFICKING REVIEW

Special Issue

LIFE AFTER TRAFFICKING

Issue 10 April 2018

The Anti-Trafficking Review (ISSN 2286-7511) is published by the Global Alliance Against Traffic in Women (GAATW), a network of over 80 NGOs worldwide focused on advancing the human rights of migrants and trafficked persons.

The *Anti-Trafficking Review* promotes a human rights-based approach to anti-trafficking. It explores trafficking in its broader context including gender analyses and intersections with labour and migration. It offers an outlet and space for dialogue between academics, practitioners, trafficked persons and advocates seeking to communicate new ideas and findings to those working for and with trafficked persons. The *Review* is primarily an e-journal, published biannually. The journal presents rigorously considered, peer-reviewed material in clear English. Each issue relates to an emerging or overlooked theme in the field of anti-trafficking.

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Global Alliance against Traffic in Women

Editorial: Moving Forward—Life after trafficking

Denise Brennan and Sine Plambech

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Spectacular stories of life *in* trafficking saturate the media, politicians' speeches, and non-governmental organisations' fundraising campaigns. With so much focus on stories of brutality, or of dramatic escapes and rescues, there has been little attention to what happens *after* trafficking. This special issue of the *Anti-Trafficking Review* shines a light on trafficking outcomes—both for those who have been labelled by state actors or the NGO sector as trafficked, as well as those whose exploitation garnered no legal protections or service provision. The volume puts centre stage the challenges and successes after trafficking that largely have unfolded off stage. It points to contradictions, slippages, missed opportunities, and failings. It introduces cases of life after trafficking in countries with robust anti-trafficking legal and care regimes, as well as in countries that offer little or no assistance. Regardless of the context, this special issue shows that by taking back control of one's life, and tending to ordinary tasks and chores of resettlement—what Brennan terms 'everyday lifework'—formerly trafficked persons move beyond the extraordinary cruelty of forced labour.¹ As some trafficking survivors insist, and as the title of Brennan's book *Life Interrupted* emphasises, trafficking is a particular bracketed time in people's lives, an interruption of sorts.² What they do after, on their own terms, and under their own control, is *their* life. This volume examines this time, their time, as they move forward with their lives.

¹ D Brennan, *Life Interrupted: Trafficking into forced labor in the United States*, Duke University Press, Durham, 2014.

² *Ibid.*

Survivor Expertise

Survivors must take the lead—they are the true anti-trafficking experts who should be guiding anti-trafficking policies and programmes around the globe. They have not been quiet. Trafficking survivors are quick to point out that they are more than their experiences in forced labour. At the press conference of the findings and recommendations of the first US Advisory Council on Human Trafficking comprised entirely of trafficking survivors, a Council member reminded the crowded room, ‘What makes us experts is [...] not the telling of our stories. ... [W]e bring perspective and knowledge and expertise ... that literally has nothing to do with our personal trauma stories.’³

This issue represents a small step towards listening to survivors and crafting post-trafficking programmes and policies built around their knowledge and recommendations. Let’s pause here: fighting trafficking has caused so many harms—for example, through raids and rescues, deportations, loss of income, continuous debt, and housing programmes that require going to religious services—that we have to call for policies and programmes that do no harm.⁴ Survivors themselves are well-versed in the harms unleashed in the name of helping.⁵ The articles here attend to survivors’ experiences and strategies, and the shortcomings—and successes—of forms of assistance.

Labour Purgatory: Exploited but not trafficked

Although some cases of exploitation are so extreme that they easily fall on one end of a continuum of exploitation, many others are not so clear-cut. Rather, migrants might find themselves working in situations that are *almost* trafficking; they experience abuse, just not *enough* to qualify as ‘trafficked’.⁶ In many low-wage worksites where migrant labour predominates, exploitation is the norm. Migrants find themselves in a ‘labor purgatory’.⁷

³ Panel Discussion on Annual Report, US Department of State, 18 October 2016, <https://2009-2017.state.gov/j/tip/rls/rm/2016/264049.htm>; see also: D Brennan, ‘Fighting Human Trafficking Today: Moral panics, zombie data, and the seduction of rescue’, *Wake Forest Law Review*, vol. 52, issue 2, 2017, pp. 477–496.

⁴ Global Alliance Against Traffic in Women, *Collateral Damage – The impact of anti-trafficking measures on human rights around the world*, GAATW, Bangkok, 2007.

⁵ A Pai, L Murthy, M S Seshu and R Shukla, *RAIDED: How anti-trafficking strategies increase sex workers’ vulnerability to exploitative practices*, SANGRAM, Sangli, 2018.

⁶ Brennan, *Life Interrupted*.

⁷ *Ibid.*

Yet even those labelled trafficked—and who receive benefits related to this designation—might not see themselves as exploited. Anti-trafficking legal frameworks, policies, and programmes might reflect political imperatives more than migrant workers' actual experiences. This was the case of a group of Dominican women working in Argentina, for example, whom the Argentine government had labelled 'trafficked' and returned to the island with the International Organization for Migration's (IOM) assistance. Their stories of working in the Argentine economy as it was in a free fall varied considerably. All had been paid poorly and, in some instances, not at all. One woman told of not being paid by a restaurant owner after washing dishes for a week. Although she was clearly exploited, the restaurant owner had not taken her passport or threatened her or her family back home. She was able to walk away, albeit without her earnings, and find another job. In sharp contrast, another woman who was forced to work in brothels in the Argentine countryside describes years of brutality and rape. Yet, both shared the same 'trafficking' designation that translated into an airplane trip back home on IOM's dime, and access to social services provided by the Dominican government.⁸ Who gets helped hinges on how we measure harms against workers. As Anderson and O'Connell Davidson observe, there is no 'universal yardstick against which "exploitation" can be measured'.⁹

Politics also play a critical role. Political scandal in the Dominican Embassy in Argentina and the threat of economic sanctions through the US State Department's annual *Trafficking in Persons* (TIP) Report are likely explanations why a diverse group of Dominican migrants were all labelled 'trafficked'.¹⁰ The long reach of the US TIP Report induces governments to craft hasty, ill-conceived, and destructive anti-trafficking programmes. As a kind of 'global

⁸ D Brennan, 'Trafficking, Scandal, and Abuse of Migrant Workers in Argentina and the United States', *The Annals of the American Academy of Political and Social Science*, vol. 653, issue 1, 2014, pp. 107–123.

⁹ B Anderson and J O'Connell Davidson, *Is Trafficking in Human Beings Demand Driven? A multi-country pilot study*, International Organization for Migration, Geneva, 2003, p. 8.

¹⁰ A high-profile corruption case in the Dominican embassy in Argentina (where a Dominican official was accused of trafficking Dominican women into the country and of owning a brothel) resulted in Dominican and Argentine officials scrambling to clean things up. See: M Carbajal, 'Fin de la Pesadilla Argentina', *Página 12*, 9 May 2002; M Carbajal, 'Una Trama Sinistra Que Sale a La Luz', *Página 12*, 10 May 2002; M Carbajal, 'Una testigo protegida involucra al Embajador Dominicano en un escándalo', *Página 12*, 9 June 2002; DR1 Daily News, 'Prostitution Scandal in Argentina', *DR1.com*, 26 June 2002. Moreover, at the time of the scandal, the Dominican Republic was ranked in the lowest tier, Tier 3, in the 2003 TIP Report.

sheriff’, the US government is notable for its outsized role in inflicting damage.¹¹ These kinds of pressures through the US State Department or international donors work in different ways in each national context but are also reported throughout the world.¹²

Trafficking Assistance in an Anti-Migrant Era

One of the reasons why so few people have been designated trafficked and provided with assistance is the lack of political will to tackle the widespread exploitation that undergirds industries like agriculture and domestic work. There are many stakeholders who benefit from normalising migrant exploitation; sometimes entire industries rely on low-wages. Designating a worker as trafficked calls attention to abusive labour conditions that often grow out of migrants’ legal status. It carries an indictment both of particular working conditions for individuals as well as of industries that depend on and cultivate migrant exploitation. Acknowledging trafficking makes visible capitalism run amuck and the link between migrants’ legal status and exploitation.

While trafficked people are seen as worthy of assistance, undocumented migrants have been violently incarcerated and deported. Yet, as Plambech and others point to in their work, the line between virtuous ‘victims’ deserving of protection and deportable, ‘criminal’, unauthorised border crossers is often murky.¹³ Even on the same worksite, migrant workers might experience a range of threats and abuse. Those working under coercive conditions may labour side by side with workers who have a marginal ability to leave. It thus becomes even more difficult

¹¹ J A Chuang, ‘The United States as Global Sheriff: Using unilateral sanctions to combat human trafficking’, *Michigan Journal of International Law*, vol. 27, issue 2, 2006, pp. 437–94.

¹² *Ibid.*; GAATW, 2007.

¹³ S Plambech, ‘Between “Victims” and “Criminals”’: Rescue, deportation, and everyday violence among Nigerian migrants’, *Social Politics: International studies in gender, state and society*, vol. 21, issue 3, 2014, pp. 382–402; W Chapkis, ‘Soft Glove, Punishing Fist: The Trafficking Victims Protection Act of 2000’ in E Bernstein and L Schaffner (eds.), *Regulating Sex: The politics of intimacy and identity*, Routledge, New York, 2005; J Chacon, ‘Tensions and Trade-offs: Protecting trafficking victims in the era of immigration enforcement’, *University of Pennsylvania Law Review*, vol. 158, issue 6, 2010, pp. 1609–53.

to measure exploitation across industries and nations.¹⁴ The result? What counts as trafficking varies wildly and many exploited individuals are left without any assistance.¹⁵

Assistance takes many forms. It could mean staying in the country where one was trafficked or being returned home forcibly or voluntarily. Even when trafficked persons are offered legal protections, these can be difficult to access. For example, legislation in Europe and the United States clearly stipulates that trafficked persons have the right to receive (temporary) residence and work permits, but the overly bureaucratic procedures of determining who is a victim make them difficult to obtain. The numbers say it all. In the United States, for example, fewer than 10,000 T visas, which allow trafficking survivors to remain in the country, have been issued in the 18 years that they have been available, even though the *Trafficking Victims Protection Act* of 2000 allows for 5000 to be issued annually.¹⁶ Similarly in the EU, a little over half of identified victims of trafficking from non-EU countries were granted residence permits in 2011–2012.¹⁷ In the UK, in 2015, the decision whether a person was trafficked and could access rights and entitlements was positive in above 80 per cent of cases of EU nationals, who have the legal right to be in the country, and below 50 per cent for non-EU nationals.¹⁸ What this data points to is that while governments in affluent countries profess a determination to combat trafficking and protect victims, they are not so eager to allow non-residents to remain in their countries.

The alternative to staying in the country of exploitation is a return to one's home country, or the country where one holds legal status. Returns—either forced or voluntary—can be fraught for the returnees, their families and communities, and

¹⁴ S E Merry, 'Measuring the World: Indicators, human rights, and global governance', *Current Anthropology*, vol. 52, no. S3, 2011, pp. S83–S95.

¹⁵ D Feingold, 'Trafficking in Numbers: The social construction of human trafficking data' in P Andreas and K M Greenhill (eds.), *Sex, Drugs, and Body Counts: The politics of numbers in global crime and conflict*, Cornell University Press, Ithaca, 2005, pp. 46–74.

¹⁶ Brennan, 2017.

¹⁷ European Commission, *Communication from the Commission to the Council and the European Parliament on the application of Directive 2004/81 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities*, European Commission, Brussels, 17 October 2014.

¹⁸ P Burland, 'Smoke But No Fire: How not to read UK government trafficking statistics', *OpenDemocracy*, 28 April 2017, retrieved 3 April 2018, <https://www.opendemocracy.net/beyondslavery/patrick-burland/smoke-but-no-fire-how-not-to-read-uk-government-trafficking-statistics>.

those overseeing their resettlement. Returns may deliver people to a ‘home’ that feels unwelcoming. Family reunifications can be difficult, anxiety-filled and disappointing both for the family members left behind and the migrants/trafficked persons.

Trafficked persons can have difficulty trusting others again, as well as regaining trust of loved ones.¹⁹ Not being able to tell friends and family about what they endured can be isolating and stressful. Typical stressors include returning or reunifying without money while still confronting debt burdens either to family members, loan sharks, or banks. Many are ashamed to reunite with no money or other material goods. Among the returnees Plambech met in Lagos, Nigeria, some decided not to return to their rural communities, but to stay in Lagos or Abuja to avoid familial pressure and possible stigma.²⁰ Reconnecting with children who have grown in returnees’ absence can be particularly challenging. Children may live with dread and worry that their parent might leave again. They have reason to worry. When speaking with Dominican returnees in their home communities throughout the island, Brennan saw their children’s faces drop when their mothers raised the possibility of seeking work overseas again.²¹ Yet, anti-trafficking programmes are premised on an assumption of sedentariness—that returned migrants will stay in their home communities. Returns do not necessarily ‘heal the social body’ by repairing those who were ‘uprooted’, but rather re-illuminate the factors that led to out-migration in the first place.²²

Post-trafficking programmes that offer reintegration funds are more impressive on paper than in reality. Often paid out long after returnees have resettled and have bills due, reintegration funds do not stretch far enough to cover their many costs. There are also competing pressures—and actors—pushing survivors on how their funds should be spent. They must weigh whether to focus on their own household, such as investing in their children’s education or a family business, or helping parents and other family members. Of course, debt threatens all these forward-thinking mobility strategies.²³

¹⁹ E V Daniel and J C Knudsen (eds.), *Mistrusting Refugees*, University of California Press, Berkeley, 1996.

²⁰ Plambech, 2014.

²¹ D Brennan, ‘Trafficking, Scandal, and Abuse of Migrant Workers in Argentina and the United States’.

²² M Eastmond, ‘Stories as Lived Experience: Narratives in forced migration research’, *Journal of Refugee Studies*, vol. 20, issue 2, 2007, pp. 248–264.

²³ See: E Paasche, S Plambech and M L Skilbrei, *Assistert retur til Nigeria*, University of Oslo, Oslo, 2016; A Lisborg and S Plambech, *Going Back—Moving on: A synthesis report of the trends and experiences of returned trafficking victims in Thailand and the Philippines*, ILO, Bangkok, 2009.

There is pressure on survivors to present themselves as ‘good victims’, worthy of reintegration assistance. Elena Shih found that survivors receiving reintegration aid in Thailand, for example, felt compelled to perform their gratitude for being ‘rescued’ and assisted.²⁴ Similarly, Plambech observed that Nigerian women receiving reintegration assistance were on their best behaviour by frequently visiting NGOs and showing off their neatly kept accounting books in the hopes that more financial assistance would be forthcoming.²⁵ In this way, being slotted in the category of ‘trafficking victim’ can lead to benefits. But it also requires constant vigilance to keep up particular appearances and to fulfilling particular expectations.

What Does Success Look Like?

It’s an open secret in anti-trafficking circles that despite all the attention to trafficking in the media, politicians’ speeches, and NGO fundraising, very little money is actually spent on victim assistance.²⁶ Nor are existing assistance programmes monitored and evaluated in a robust way.²⁷ In one study by a Danish consulting firm that evaluates the IOM’s role in Danish returns operations, only one woman was interviewed.²⁸ Shoddy research, unsurprisingly, leads to shoddy caregiving. A mismatch between migrants’ and trafficked persons’ needs and what governments and NGOs offer is inevitable.

For all the attention to trafficking, trafficked people face life after trafficking by and large on their own. They struggle to gain an economic footing while also coping with memories of past abuses and present-day debts. At the same time, survivors insist that they are not held back by or defined by their past. But willing themselves forward is not enough. We need more robust policies and programmes that support trafficking survivors over a longer period of time—and with fewer strings attached.

²⁴ E Shih, ‘Freedom Markets: Consumption and commerce across human-trafficking rescue in Thailand’, *Positions*, vol. 25, issue 4, 2017, pp. 769–94.

²⁵ Plambech, 2014.

²⁶ M Dottridge, ‘Editorial: How is the money to combat human trafficking spent?’, *Anti-Trafficking Review*, issue 3, 2014, pp. 3–14.

²⁷ B Harkins, ‘Constraints to a Robust Evidence Base for Anti-Trafficking Interventions’, *Anti-Trafficking Review*, issue 8, 2017, pp. 113–130.

²⁸ Justitsministeriet, *Evaluering af Program for Forberedt Hjemsendelse af Sårbare Udlandinge*, Copenhagen, October 2012.

While reading Brennan's book on life after trafficking in the United States, her students wrestled with what success after trafficking might look like. They concluded that finally being able to travel to see family would for many be a major turning point. Saving money and putting future plans into place is another milestone. Managing family demands to send remittances is critical to moving forward financially—and to resetting family dynamics of obligation, debt, and, possibly, guilt. Deciding what forms of social assistance to seek—and when—puts survivors in charge of their lives. This is not easy when governments prioritise arrests, prosecutions and 'rehabilitation' into low-wage jobs, as the 'solution' to trafficking. Finally, the students concluded that days that are unremarkable in their predictability, safety, and calm signal that survivors have truly turned a corner. We agree. Daily life, free of abuse, threat and fear characterises moving forward after trafficking.

This Special Issue

The authors in this issue offer perspectives on life after trafficking that are not often portrayed in the media or politicians' speeches. The first two articles explore life after trafficking in relation to political and commercial economies of humanitarian anti-trafficking efforts.

First, Henriksen presents an ethnographic examination of anti-trafficking consumption in New York City, in which consumers purchase products made by former victims of human trafficking in a bid to support their lives after trafficking. The paper explores how life after trafficking, as a specific representation, emerges in the form of a business opportunity within the 'anti-trafficking industrial complex', as market-based NGOs brand a commodity-centred strategy and anti-trafficking *investments* as the most viable route to combat human trafficking. Thus, life after trafficking unfolds as a discourse that supports market-based anti-trafficking work, 'ethical' consumer identities and a growing role for businesses in the anti-trafficking landscape.

Next, Paasche, Skilbrei and Plambech illustrate the ways in which life after trafficking is determined by the anti-immigrant politics sweeping across most of Europe. The authors examine the linkage between humanitarian anti-trafficking interventions and anti-immigration policies through the case of Norway's return of Nigerian migrants with the designation 'trafficked'. The paper argues that programmes designed to help returnees actually render them more vulnerable, and concludes that policies for returning migrants require a coordinated effort to assist in the reintegration of migrants.

The next group of papers present empirical realities, struggles and uncertainties in life after trafficking in a range of geographical and social contexts. A common theme in these papers is the lack of appropriate and comprehensive support for survivors after trafficking, as they struggle with family reunification, legal recognition and compensation, and long-term assistance.

Donger and Bhabha target the legal framework in India for rescuing and protecting children who are considered trafficked between states for exploitative labour. The Government of India has developed an extensive legal and policy framework to address the rescue and reintegration of victims of child labour and child trafficking. However, the authors argue that these efforts lack a consideration of the structural vulnerabilities that led to the exploitation in the first place. Rather than simply returning children to their families, which often means a return to the status quo preceding the child's trafficking, the paper presents the case for preventative approaches that link child protection with poverty reduction measures.

Surtees delivers a much-needed perspective on male victims of trafficking, through an examination of Indonesian labour migrants and their reintegration into their families and communities after being trafficked. Similar to the returned Nigerian migrants, the Indonesian men face social tensions as a result of broken relationships and the social stigma of 'failed' migration. As Surtees illustrates, the economic costs of failed migration—not being able to repay debt as well as the loss of expected income from migration—were often entangled with and exacerbated by the social costs of not fulfilling family members' expectations. Through the analytical emphasis on family relations in life after trafficking, this paper points to the importance of the social context into which victims return.

Writing from the perspective of a service providing NGO, Rousseau provides a critical assessment of the efforts to assist victims of trafficking in the Thai fishing industry and to prosecute the people benefitting from their exploitation. As the paper elucidates, trafficking cases are rarely legally recognised as such, which prevents victims from being properly compensated and assisted. A lack of compensation means that the debt incurred by the fishermen's migration or legal proceedings goes unpaid, thus complicating their reintegration. Rousseau proposes a two-fold strategy for implementing more victim-centred approaches to anti-trafficking assistance which involves enhanced collaboration between civil society and survivors.

Through analysis of a survey among women survivors of trafficking in Azerbaijan, McCarthy's paper highlights the interplay between short-term and long-term assistance strategies in improving life after trafficking. The paper sheds light on the complex challenges faced by survivors. For instance, a major barrier for the women's well-being in life after trafficking is the societal stigmatisation of women engaging in sex work as unworthy and a 'stain' on the family's honour. The paper suggests that successful reintegration pivots both on short-term factors such as healthcare and psychological assistance and long-term factors such as housing, job opportunities and social networks. Societal perceptions of women's role in general and of women who were trafficked in particular shape their resettlement and opportunities for mobility.

Juabsamai and Taylor bring their experience as social workers assisting trafficked persons in New York City to understand how trauma affects family reunification. Finding similar struggles in studies of family separation in migration scholarship, the authors explore how entire families experience the suffering trafficking survivors endure. The article suggests innovative approaches to support victims and their families in rebuilding family cohesion.

The paper by Bose concludes the issue with an ethnographic investigation of a reintegration programme for women survivors of trafficking in Bangladesh. Through data collected as a volunteer at a reintegration shelter, Bose illustrates how life after trafficking is governed and disciplined by gendered and class-based discourses that shape an ideal survivor subjectivity. Thus, adding to the critical literature on dominant 'victim narratives' in anti-trafficking campaigns, Bose argues that life after trafficking is structured by the cultivation of a discursive and disciplining category of 'the trafficking survivor'.

The short articles section in this special issue presents two pieces from anti-trafficking advocates, an interview with a counsellor, and a collection of statements from survivors on their challenges, hopes and experiences in life after trafficking. The interview with Sara Donath, former counsellor at the Swiss organisation Fachstelle Frauenhandel und Frauenmigration (FIZ – Advocacy and Support for Migrant Women and Victims of Trafficking) and the paper by Kira West, head of the Danish organisation Reden International (The Nest), both share insights into the various forms of assistance they believe trafficking survivors need. Sara Donath refers to the multiple challenges survivors face as 'construction sites' that they must tend to in order to build their future. Simultaneously rebuilding social networks and family relations, and taking care of their mental and physical health, survivors must also find work. They do all this while walking through what she calls 'mine fields', which refers to the complicated and arduous process of being identified as a victim and prosecuting the perpetrators. West considers similar

challenges, but emphasises the role of legislative and policy frameworks in creating this minefield. Correlating with the theme in Paasche, Skilbrei and Plambeck's paper, West argues that the anti-immigration political environment in Denmark increases the vulnerability of victims and counteracts assistance programmes. Similarly, in her paper, Roberts argues that despite the official adoption of the Modern Slavery Act in 2015, the majority of victims of trafficking in the UK are not provided adequate aid and protection. She posits that the simultaneous attempt to curb immigration and combat trafficking and exploitation creates a situation where the question of an 'ideal life' after trafficking is rendered irrelevant, since the challenge for most trafficked persons is merely continued survival. Thus, these short articles buttress the empirical findings presented throughout the papers of this issue and emphasise, yet again, how life after trafficking is oftentimes contingent on contemporary migration policies and legal statutes.

Finally, this special issue concludes with the voices of survivors themselves and their experiences resuming their lives after trafficking. Dogged by debt, torn by family obligations and expectations, and in pursuit of residence permits and decent jobs, these survivors nonetheless move forward with their lives.

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workers. She is the director of several award-winning films on issues of migration, sex work and trafficking and is a frequent writer in international media on these issues. She is leading the project 'Women, Sex and Migration – Seeing sex work migration and human trafficking from the Global South'. Email: spl@diis.dk

Thematic Articles: Life after Trafficking

Consuming Life after Anti-Trafficking

Sofie Henriksen

Abstract

The rise of transnational, market-based anti-trafficking organisations has expanded the anti-trafficking domain to include Western corporations and consumers. In an effort to improve living conditions for survivors of trafficking, these organisations sell commodities produced by former victims or women at risk of human trafficking and brand them as symbols of a new and better life after *anti-trafficking*. Thus, life after anti-trafficking is not isolated to the locations of the trafficking victims, but occurs in distant areas and among diverse groups of people. This article investigates how representations of life after anti-trafficking engage consumers, corporations and NGO workers in New York City through the sale and purchase of ‘slave-free’ products made by Southeast Asian women deemed ‘survivors of trafficking’. The ethnographic data illustrates how life after anti-trafficking unfolds in the context of US corporate and consumer culture and intersects with capitalist discourses of freedom, consumer ethics and politics of market-based aid. Consequently, life after anti-trafficking creates new consumer identities, anti-trafficking aid strategies and business opportunities detached from the actual victims of human trafficking.

Keywords: life after anti-trafficking, market-based anti-trafficking, United States, ethical consumption, slavery, sex work

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Introduction

‘Are you familiar with Kanwi Community?’¹ asked Carrie, my 22-year-old co-worker, to a potential customer who had approached the small booth where we were selling colourful purses, tote bags, t-shirts and jewellery in a corner of the annual Christmas market at Union Square in Manhattan. The middle-aged woman, who had stopped to look at the display of Christmas ornaments, was not. ‘We are a non-profit which creates economic opportunities for survivors or women at risk of human trafficking. These were handmade by women in Cambodia who have been rescued from human trafficking,’ Carrie explained, smiling and pointing to the ornaments. ‘The profits from the sales go directly back to them.’ The woman, carrying shopping bags in her hands, took a look around the booth and replied ‘oh wow, that’s great’. After looking at different items she decided to purchase a couple of Christmas ornaments and three colourful bracelets. The bracelets, she told us, were for her niece. ‘Do you have something with the story on it?’ she asked. ‘I need something to tie it to the cause. She is really into causes.’²

The woman in the field note excerpt was not the only consumer at the market requesting a concrete connection between her purchase and the cause of human trafficking. In fact, she exemplifies a broader trend: the fight against trafficking has emerged as a new consumer interest that includes Western consumers in the diverse and expanding group of anti-trafficking stakeholders. The growing tendency of global anti-trafficking initiatives to rely on consumers and corporations to support women who have been ‘rescued’³ from human trafficking highlights how life after anti-trafficking emerges and unfolds in sites far away from the people considered victims of trafficking. Thus, by selling and purchasing handbags and t-shirts, NGO workers and consumers shape and participate in life after anti-trafficking. The excerpt also illustrates how market and consumer-based anti-trafficking efforts intersect with a larger contemporary consumer movement committed to *consuming for a cause*,⁴ often referred to as ethical consumption. At this intersection, representations of life after anti-trafficking become causes through which consumers can identify as being ethical.

¹ Name of the organisation has been changed.

² Field notes, 18 November 2016.

³ I placed *rescued* in quotation marks to indicate my awareness of the various and critical perspectives on trafficking and anti-trafficking efforts which complicate the notion of rescue. Hereafter, I will not use quotation marks.

⁴ L A Richey and S Ponte, *Brand Aid: Shopping well to save the world*, University of Minnesota Press, Minnesota, 2011.

But what makes consumers engage in life after anti-trafficking? And how does life after anti-trafficking emerge as a business opportunity for corporations and people otherwise unrelated to the cause of human trafficking? This article uses ethnographic data collected among sellers and buyers of anti-trafficking commodities in New York City to elucidate how life after anti-trafficking forms and takes place in the growing sector of market-based anti-trafficking NGOs. By analysing the practices and perceptions of life after anti-trafficking in this setting, the article shows how the turn to a market-based anti-trafficking strategy creates business opportunities beyond the actual location of the trafficking victims, ethical consumer identities and a new form of anti-trafficking work that combines aid and trade, both in practice and discourse.

Life after Anti-Trafficking

Both contemporary and early struggles against human trafficking have commonly been understood as humanitarian causes striving to save exceptional lives.⁵ In the US, a diverse coalition, termed ‘new abolitionists’, has been dominant in defining trafficking largely as an issue of female sexual slavery.⁶ The common ground for these new abolitionists, which include left-wing feminists and evangelical Christians, is an anti-prostitution stance that combines religious condemnation of sex outside of marriage and feminist arguments that commercial sex is always a form of patriarchal violence against women.⁷ The linkages of religious conservative sexual morals and a feminist language of female victimhood were influential in the formulation of a political anti-trafficking framework in 2000 and the political efforts following, which have been called ‘a moral crusade against prostitution’.⁸ Thus,

⁵ M Ticktin, *Casualties of Care: Immigration and the politics of humanitarianism in France*, University of California Press, Berkeley & Los Angeles, 2011, pp. 18, 170; on exceptionalism and exclusion in trafficking law and representations, see: W Chapkis, ‘Trafficking, Migration, and the Law’, *Gender & Society*, vol. 17, issue 6, 2003, pp. 923–937; E O’Brien, ‘Ideal Victims in Trafficking Awareness Campaigns’ in K Carrington, M Ball, E O’Brien and J Tauri (eds.), *Crime, Justice and Social Democracy: International perspectives*, Palgrave Macmillan, Basingstoke, 2013, pp. 315–325.

⁶ E Bernstein, ‘The Sexual Politics of the “New Abolitionism”’, *Differences: A Journal of Feminist Cultural Studies*, vol. 18, issue 3, 2007, pp. 128–151.

⁷ A W Peters, ‘“Things that Involve Sex are Just Different”: US anti-trafficking law and policy on the books, in their minds, and in action’, *Anthropological Quarterly*, vol. 86, issue 1, 2013, pp. 230–1.

⁸ R Weitzer, ‘The Social Construction of Sex Trafficking: Ideology and institutionalization of a moral crusade’, *Politics & Society*, vol. 35, no. 3, 2007, pp. 447–475.

anti-trafficking policies have placed particular emphasis on trafficking into sexual labour and singled it out as a particularly severe form of suffering compared to other forms of labour exploitation. This focus has enlivened moral panics about female sexuality and imbued the issue of trafficking with a sense of urgency that requires immediate (and even militarised)⁹ humanitarian action. Consequently, US anti-trafficking efforts have largely focused on police operations to raid sex industry sites and rescue the women there.¹⁰

However, scholars of trafficking, sex work and migration have emphasised the importance of looking beyond moral panics and the urge to rescue women, and document the long-term realities of life *after* trafficking.¹¹ Some of these realities have been revealed through ethnographic studies of NGOs working within what sociologist Elena Shih has critically termed *the anti-trafficking rehabilitation complex*.¹² This term refers to the growing number of NGOs with a ‘rehabilitation through labour’ approach to anti-trafficking, in which vocational training, low-wage employment and commodity production for a Western consumer market is deployed as a ‘victim repair’ strategy for rescued female sex workers. Shih’s work shows that despite allegedly being rescued from ‘sex slavery’, many women found working conditions at the NGOs oppressive and did not experience the purported freedom that anti-trafficking organisations proclaimed to provide. Shih argues that rather than increasing the long-term economic prospects of sex workers, the rehabilitation programmes and their representations of life after anti-trafficking only generate income for NGOs. This argument is echoed by Claudia Cojocar’s concept of *secondary exploitation*, which emphasises how misleading representations of sex workers and trafficking victims are ‘repackaged for consumption’ by various actors.¹³ Following these insights, I argue in this paper that life after anti-trafficking exists both as a lived experience for

⁹ E Bernstein, ‘Militarized Humanitarianism Meets Carceral Feminism: The politics of sex, rights, and freedom in contemporary antitrafficking campaigns’, *Signs*, vol. 36, no. 1, 2010, pp. 45–71.

¹⁰ G Soderlund, ‘Running from the Rescuers: New US crusades against sex trafficking and the rhetoric of abolition’, *NWSA Journal*, vol. 17, issue 3, 2005, pp. 64–87.

¹¹ S Plambech, ‘Between “Victims” and “Criminals”: Rescue, deportation, and everyday violence among Nigerian migrants’, *Social Politics*, vol. 21, 2014; D Brennan, ‘Life Beyond Trafficking’, *Contexts*, vol. 13, 2014.

¹² E Shih, ‘The Anti-Trafficking Rehabilitation Complex’, *Contexts*, vol. 13, 2014.

¹³ C Cojocar, ‘My Experience is Mine to Tell: Challenging the abolitionist victimhood framework’, *Anti-Trafficking Review*, issue 7, 2016, pp. 12–38. See also: A I Fukushima and J Hua, ‘Calling the Consumer Activist, Consuming the Trafficking Subject’ in L Cucklanz and H McIntosh (eds.), *Documenting Gendered Violence*, Bloomsbury Academic & Professional, 2015, p. 57.

rescued victims of trafficking—actual or labelled—and as a specific but possibly very different representation of a new, successful and empowered life path, which adds value to the commodities produced. In this way, the representation of life after anti-trafficking becomes a consumable product itself. It is this representation, sold by market-based anti-trafficking organisations to Western consumers, I refer to and examine in this article as life after anti-trafficking. I use the term life after *anti*-trafficking rather than life after trafficking to emphasise how the representation frames the anti-trafficking programme as having an essential role in shaping victims' new and successful life ventures. As I will illustrate, this framing is crucial to the success of the representation as a commodity.

Shopping for a Better World

The representation of life after anti-trafficking has travelled remarkably well and increasingly been integrated into contemporary trends of ethical consumption and cause-related marketing. Although expressing social and political values through consumption dates back to campaigns to boycott slave-grown sugar in the early nineteenth century,¹⁴ the market for specifically labelled 'ethical' commodities has spiked in recent decades with the development and popularity of certifications such as Fairtrade, which is branded as a sustainable alternative to conventional trade systems.¹⁵ Consumption of Fairtrade labelled goods that guarantee fair production conditions relies on the idea that fairer trading relations will increase the niceness of global capitalism and alleviate the harmful effects of traditional consumption.¹⁶ However, consumption is increasingly applied as a solution to issues unrelated to consumption, exemplified by cases of cause-related marketing, in which portions of the sales profit from shoes goes to alleviate poverty, or profits from iPods are used to fight HIV and AIDS. Thus, consumers are offered the chance to engage in humanitarian causes through shopping, or what has been termed 'shopping for a better world'.¹⁷ Scholars claim that this development correlates with a recent shift from *conscious* consumption to *compassionate* consumption, which relies less on information and labels and more on celebrity mediation and

¹⁴ A Berlan, 'Good Chocolate? An examination of ethical consumption in cocoa' in J Carrier and P Luetchford (eds.), *Ethical Consumption: Social value and economic practice*, Berghahn Books, New York & Oxford, 2012, pp. 43–59.

¹⁵ J G Carrier, 'Introduction' in J Carrier and P Luetchford, 2012, p. 2.

¹⁶ M K Goodman, 'Reading Fair Trade: Political ecological imaginary and the moral economy of Fair Trade Foods', *Political Geography*, vol. 23, issue 7, 2004, pp. 891–915.

¹⁷ Richey and Ponte, p. 9.

emotional appeals.¹⁸ Thus, the category of ethical consumption has grown to incorporate various meanings, aims and moralities of ‘doing good’, in effect making everyday consumption practices an arena for forming and displaying ‘moral selves’¹⁹ or engaging in what has critically been termed ‘low-cost heroism’.²⁰ That is, ethical consumption in this form allows consumers to perform moral, heroic acts simply by continuing their everyday consumption patterns. However, as I discuss below, compassionate and ethical consumption presents considerable dilemmas and ambiguities for consumers to navigate.

The Politics of Market-based Anti-Trafficking

As the introductory excerpt illustrates, human trafficking has been added to the line of causes that engage compassionate Western consumers. Through market-based anti-trafficking campaigns, they are offered the chance to ‘fight human trafficking’ by purchasing goods produced by former victims of trafficking in non-Western countries. The goods offered by the organisations include pyjamas, purses, denim wear, jewellery, tea, and soap branded as ‘slave-free’. While the emergence of these so-called *Rescue Brands*²¹ has spurred academic and public criticism for exploiting human trafficking as a marketing tool,²² they have continued to attract consumer support and popularity. Market-based anti-trafficking occupies a space between Fairtrade and compassionate consumption. On the one hand, purchasing anti-trafficking products is marketed as a sustainable and ethical alternative to traditional consumption and thus, similar to the Fairtrade movement; market-based anti-trafficking relies on the idea that consuming in ‘nicer’ ways will solve the problems caused by global consumption. Market-based anti-trafficking thus treats trafficking as a problem related to capitalist market mechanisms, yet proposes a market solution, which indicates the movement’s paradoxical stance as both ‘in and against the market’.²³ On the other hand, market-based anti-trafficking

¹⁸ *Ibid.*, p. 126.

¹⁹ C Dolan, ‘Market Affections: Moral encounters with Kenyan Fairtrade Flowers’, *Ethnos*, vol. 72, issue 2, 2007, pp. 239–261; L M Vramo, ‘“Trade, not Aid”: Imagining ethical economy’ in J Carrier and P Luetchford, 2012, pp. 81–98.

²⁰ Richey and Ponte, p. 82.

²¹ S Miller, ‘Buy These Pajamas & Rescue a Prostitute; Or, Why Rescue Brands Are Dumb’, *Jezebel*, 2 March 2015, retrieved 26 December 2017, <https://jezebel.com/buy-these-pajamas-rescue-a-prostitute-or-why-rescue-1688197906>.

²² A E Moore and M Mendes, ‘“Unraveling”: Anti-Trafficking NGOs and the garment industry’, *TruthOut*, 29 August 2014, retrieved 14 April 2016, <http://www.truth-out.org/opinion/item/25657-unraveling-anti-trafficking-ngos-and-the-garment-industry>; Fukushima and Hua, p. 48.

²³ Goodman, pp. 892–3.

resembles the tendency of compassionate consumption by applying consumption as a solution to trafficking even when the commodities sold have nothing to do with trafficking. That is, instead of improving an existing market exchange, market-based anti-trafficking seeks to establish new and rather unrelated markets for slave-free soap, jeans and purses. These campaigns do not advocate for the establishment of fair labour and trade conditions for the work people are already doing, but for the rescue and removal of people from sex industries. Thus, they appeal to consumers' sense of compassion rather than fairness.

The inclusion of consumers in the fight against trafficking reflects the contemporary political landscape of anti-trafficking, which by the Obama administration was called a whole-of-society-effort requiring law enforcement, NGOs, the private sector and consumers to act.²⁴ US anti-trafficking efforts have therefore been expanded to include civil vigilante rescue operations,²⁵ Internet surveillance technologies,²⁶ corporate partnerships,²⁷ and consumer activism. Thus, market-based anti-trafficking emerges in a humanitarian landscape of shifting relationships between state, market and civil society, in which consumers and corporations rather than states become responsible for global aid.²⁸ Sociologist Elizabeth Bernstein utilises the concept of *global corporate governance* to describe the increasingly dominant position of corporate actors in the field of social and humanitarian work through which for-profit interests and social justice goals are merged and market-based aid is justified as a result of a *redemptive capitalism*.²⁹

The flourishing of anti-trafficking consumer movements, which aim to support the new life ventures of trafficking victims, indicates that life after anti-trafficking increasingly unfolds across multiple and disparate domains. In this article, I will discuss how it emerges in the domain of New York consumers.

²⁴ S Coppedge and A Pope, 'How the Obama Administration Fought Human Trafficking', CNN, 18 January 2017, retrieved 1 December 2017, <http://edition.cnn.com/2017/01/18/opinions/human-trafficking-progress-obama/index.html>.

²⁵ E Shih, 'Not in My "Backyard Abolitionism": Vigilante rescue against American sex trafficking', *Sociological Perspectives*, vol. 59, issue 1, 2016, pp. 66–90.

²⁶ J L Musto and D Boyd, 'The Trafficking-Technology Nexus', *Social Politics*, vol. 21, issue 3, 2014, pp. 461–483.

²⁷ E Bernstein, 'Redemptive Capitalism and Sexual Investability' in A S Orloff, R Ray and E Savci (eds.), *Perverse Politics? Feminism, Anti-Imperialism, Multiplicity (Political Power and Social Theory, vol. 30)*, Emerald Group Publishing Ltd., 2016, pp. 45–80.

²⁸ Dolan, p. 240–1.

²⁹ Bernstein, 'Redemptive Capitalism'.

Methodology and Ethnographic Context

In the fall of 2016, I worked as a sales intern and conducted four months of ethnographic fieldwork at the anti-trafficking organisation Kanwi in New York City. Kanwi was founded by three American women, who decided to work to create economic opportunities for survivors and women at risk of human trafficking, after they had witnessed young women being sold to sexual labour in Cambodia during a school trip. The organisation now operates in two Southeast Asian sites, where they train women who are former victims or at risk of human trafficking to manufacture products.³⁰ The training includes what they call 'life skills' such as reading, writing, math, financial planning, and emotional and mental health development facilitated by social workers and art therapists. Additionally, the work in Southeast Asia consists of training local NGOs with production facilities to employ more women who are victims or at risk of trafficking. Kanwi's headquarters are located on the 12th floor of a building in an affluent area of Manhattan. The organisation has a wide reach with a number of interns and volunteers, in addition to eight full-time staff members, a board of directors, a board of advisors, a young professionals board and a number of celebrity ambassadors. In the US, Kanwi sells the products made by the women in their programmes at markets, fairs and online. Their work in the US is aimed at engaging retailers and consumers in the anti-trafficking movement by advocating for slave-free consumption and clean supply chains.³¹ I collected data at Kanwi's office in New York, where I participated in various sales events, staff meetings, conferences, and volunteer trainings. I also conducted interviews with employees and consumers of Kanwi. By being included in the staff team but simultaneously questioning and sharing my reflections on their work approach, I was positioned as both a participant and critical observer. On several occasions, I shared my critical thoughts with employees on aspects of their work, both in order to hear their responses, and also to reciprocate the trust and sincerity I was experiencing from them. I have pseudonymised the organisation to permit a discussion of these critical reflections without jeopardising the organisation's future financing opportunities.

Overall, Kanwi seeks to provide women with production skills and market access and create a specific US consumer demand in order to end trafficking. The approach relies on the assumption that if women are equipped with skills to

³⁰ When asked what qualified as 'at risk', the co-founder explained that Kanwi define certain local areas as at risk and thus every woman who lives in that area is deemed at risk.

³¹ In the case of Kanwi's anti-trafficking work, clean supply chains describe business operations in which no level of supply relies on or involves labour exploitation or forced labour.

produce, and if consumers demand their products, the women will be at less risk of having to do sexual labour and thus become victims of trafficking. Thus, in the genealogy of anti-trafficking, Kanwi represents a ‘traditional’ abolitionist movement with its emphasis on the harms of commercial sex, but also takes a contemporary whole-of-society-approach and emphasis on production and labour rights inspired by ethical trade movements, such as the anti-sweatshop movement. Kanwi bridges their engagement in these distinct movements by branding their products as slave-free—a rhetoric used in both movements through the term ‘modern day slavery’.

However, despite their reliance on production labour and consumer awareness as an effective anti-trafficking solution, only 13 per cent of the organisation’s total income in 2016 came from sales of anti-trafficking commodities. Most funding came from more traditional sources such as individual and corporate donations. Yet, as I will show in the following section, an important part of Kanwi’s work consisted precisely of distinguishing themselves from traditional humanitarian aid.



Products presented at a sales event in the Kanwi office. The products include wallets of varying sizes, patterns and colours, handbags, clutch purses, laptop cases, necklaces, bracelets, tote bags, t-shirts, scarves, ornaments and ties. The prices range from USD 8 for bracelets to USD 78 for bags. A team in New York, consisting of professional designers and warehouse representatives, designs the products and reviews samples before items are approved for production.

From Rescue to Rehabilitation

In many ways, Kanwi resembles traditional anti-trafficking approaches with their use of victim narratives featuring young women and girls tricked or forced into sex work by male traffickers. These narratives follow ‘true victimhood scripts’ as defined by discourses of *sexual humanitarianism*,³² emphasising individual, exceptional and gendered suffering. However, in presentations of their work, Kanwi also emphasises poverty and global economic structures, rather than merely ‘evil men’, as the primary drivers of trafficking. Therefore, their target is to secure a stable and independent income for the women in their lives after trafficking. Employees at Kanwi would often state that Kanwi does not do ‘the rescuing’ but is there ‘in the aftermath’ to rehabilitate. They considered this focus on life after trafficking a sustainable alternative to traditional humanitarian aid and a response to the criticism of anti-trafficking organisations that focus merely on the rescue of victims and not on creating sustainable livelihoods for the women afterwards.³³ A young employee, Carrie, who had been working with Kanwi as a volunteer in college and was now a full-time sales manager, explained that: ‘Kanwi creates a market place and job-creation....It is not necessarily a hand-out, not creating this dependent kind of relationship where the women are just given things....What Kanwi does is very much empowerment in that these women are given opportunities and then they take those opportunities and they expand them on their own.’

Carrie’s quote illustrates a variant of what anthropologists have identified as a traditional Western belief in the capitalist market as liberating by the transformational force of money.³⁴ Empowerment in Kanwi’s work is equated with having access to a commodity market.³⁵ Furthermore, the opposition against hand-outs expressed by Carrie draws parallels to development approaches

³² N Mai, ‘Embodied Cosmopolitanisms: The subjective mobility of migrants working in the global sex industry’, *Gender, Place and Culture*, vol. 20, issue 1, 2013, pp. 107–124.

³³ See, for example: C Vance, ‘Melodramatic Narratives of Sex Trafficking and their Consequences for Law and Policy’, *History of the Present*, vol. 2, no. 2, 2012, p. 211.

³⁴ M Bloch and M J Parry, *Money and the Morality of Exchange*, Cambridge University Press, New York, 1989.

³⁵ For a critical discussion of the presentation of ‘female empowerment’ as a depoliticised economic issue in contemporary development discourse, see: K Cronin-Furman, N Gowrinathan and R Zakaria, *Emissaries of Empowerment*, The Colin Powell School for Civic and Global Leadership, 2017. For a similar critique written by female sex workers, see: Empower Foundation, *Hit & Run: The impact of anti-trafficking policy and practice on sex worker’s human rights in Thailand*, Empower Foundation, Chiang Mai, 2012, chapter 5.

under the slogan ‘Trade Not Aid’, first coined at the UN Conference on Trade and Development in 1964. The slogan was used to argue for better trade conditions for developing countries instead of humanitarian aid. In line with this slogan, development initiatives reliant on ‘giving’ have been perceived to create social obligations and dependencies in contrast to initiatives focusing on trade relations, which is assumed to bring about individual and lasting development.³⁶ This perception has long been articulated as the development cliché of ‘teaching a man to fish’ as opposed to feeding him fish³⁷—providing people the production tools to engage in trade relations is considered more valuable than simply providing aid.

The anti-trafficking work of Kanwi aligns to this idea in their focus on providing the women with production skills to enter a market and thereby secure a livelihood by producing consumer goods. Kanwi subscribes to economic development discourses and the idea that a successful and empowered life after trafficking cannot rely on aid, but must include the entrance into a formal capitalist economy of commodity production. Their approach illustrates a shift from *rescue* to *rehabilitation*, or in other words, a shift from humanitarian responses to market-based development strategies focused on production skills. The women in the Kanwi programmes are employed by local NGOs that Kanwi collaborates with and from whom it purchases products. According to an employee at Kanwi, the women are paid four times more per hour than the minimum wage in the local areas, although this is not confirmed in any of the organisation’s reports. Profits from sales in the US are reinvested in the programmes to continue and expand the efforts to provide women with production skills. However, as anthropologist James Ferguson points out, this ‘productionist’ approach relies on the assumption that there is a demand for the skills that are taught.³⁸ But do we really need more trained female garment workers? Are the women in Kanwi’s programmes secured of a long-term income and economic empowerment simply by having production skills? Creating more trained workers seems counterproductive in a contemporary global economy, which according to Ferguson, is challenged by a massive oversupply of labour that cannot be absorbed by production industries.

³⁶ R L Stirrat and H Henkel, ‘The Development Gift: The problem of reciprocity in the NGO world’, *The Annals of the American Academy of Political and Social Science*, vol. 554, 1997, p. 73.

³⁷ The slogan reads: ‘Give a man a fish, and you feed him for a day. Teach a man to fish, and you feed him for a lifetime.’ J Ferguson, ‘Give a Man a Fish: From patriarchal productionism to the revalorization of distribution’ in J Ferguson, *Give a Man A Fish*, Duke University Press, Durham, 2015.

³⁸ *Ibid.*, p. 36.

Based on this reflection, I asked different members of the Kanwi staff what happened to the women who were not hired by NGOs after completing their training programmes or if the NGOs did not receive enough product orders to employ the women anymore. I was hoping to obtain a deeper understanding than what I had learned from the statistics and success stories from Kanwi's reports. How many livelihoods are sustained by the product sales? What happens if people stop buying the products? Can the women use their skills in other jobs? The responses I received were aligned strictly to the official statements. The co-founder, Erin, explained that the women either started up their own businesses or were hired to train other women in the programmes. These responses could reflect either that the employees in New York did not know exactly what happened to the women or that they did not want to share specific details, which is neither unlikely nor unreasonable given the fear of bad publicity from journalists or researchers experienced by organisations that rely on public funding. This fear required me to continuously balance my critical inquiries to sustain my access to and the trust of my interlocutors.

Despite framing their approach as economically sustainable, a large part of Kanwi's efforts consisted of actively creating a corporate and consumer demand for the commodities. Thus, as I will discuss in the next section, the rehabilitation strategy of Kanwi required market-oriented anti-trafficking work.

Making the Anti-Trafficking Business Case

Kanwi sought to create a corporate demand of the anti-trafficking commodities by establishing partnerships with social media celebrities and multinational retailers. At team meetings, Kanwi employees discussed marketing strategies based on how to 'drive traffic' to their social media pages to 'hit the right trends' and to be mentioned by the right bloggers. Furthermore, this strategy included reaching out to corporations to get them involved in Kanwi's work. For this purpose, Erin, the co-founder of Kanwi, and I attended a conference at New York University, at which I assisted her in hosting a discussion workshop focusing on how to 'make the business case' for anti-trafficking commodities. The participants discussed ways to convince businesses that clean supply chains and slave-free production was not only the right thing to do, but also a way to make profit. The theme of the discussion aligned with the notion of a redemptive capitalism—a capitalism that is good for all.³⁹ However, rather than capitalism

³⁹ Also articulated as 'just capitalism', see Richey and Ponte, p. 11.

conforming to humanitarian ideals, the participants of the workshop argued it had to be the other way around. Kelly, a young fashion designer, argued that in order to persuade businesses to join the fight against trafficking, the quality of the products had to improve. She stressed the importance of building a quality brand able to ‘compete on regular market terms’ since the market for ethical products with a unique and heart-warming story behind it had become too saturated. Thus, even non-profit anti-trafficking NGOs are required to compete on market terms and must appeal to businesses not in terms of the humanitarian reasons to engage in anti-trafficking work but in terms of the market value of such work. In this way, market logic is used to justify anti-trafficking as a business opportunity.

The economic justification is also found in Kanwi’s language of investments. Kanwi’s promotional material features an encouragement to ‘invest in her’, and Carrie explained to me that Kanwi’s work was about ‘investing in people’. This reflection mirrors a growing language of investing in social problems,⁴⁰ but demonstrates an interesting contrast in the case of anti-trafficking—between *investing* in her and *buying* her. Since trafficking is commonly recognised as the commodification, buying and selling of people,⁴¹ arguing for the turn to a capitalist market for solutions might seem conflicting. However, the use of a language of investments points to specific moral distinctions within practices and logics of trade. Trade is considered morally bad if it consists of *buying bodies*, but morally good if it means *investing in people*. As an economic concept, investing refers to the purchase of goods that are not consumed immediately but will create wealth and profit in the future. Thus, investments are at the core of capitalism as they are directed towards a continuous accumulation of profit rather than the consumption of objects for their use-value.⁴² In this sense, the term might provoke stereotypical images of Wall Street capital investors not usually associated with altruistic or humanitarian motives. However, in the case of Kanwi, a language of investments is invoked as a morally good opposition to the immoral trade in bodies in cases of human trafficking. Michelle Murphy, a Professor of Women Studies, argues that the idea of investing in women as a key to eradicating poverty rests on the framing of human productivity and abilities

⁴⁰ L. King and E. Gish King, ‘Marketizing Social Change: Social shareholder activism and responsible investing’, *Sociological Perspectives*, vol. 58, no. 4, 2015, pp. 711–730.

⁴¹ See, for example: <http://www.traffick911.com/what-is-trafficking/>. Similarly, trafficking is commonly referred to as the illicit trade in people: ‘UNODC on Human Trafficking and Migrant Smuggling’, United Nations Office on Drugs and Crime, retrieved 29 June 2017, <https://www.unodc.org/unodc/human-trafficking/>.

⁴² L. Boltanski and E. Chiapello, *The New Spirit of Capitalism*, Verso Books, 2005, pp. 5–6.

to produce profits as *human capital*, famously conceptualised by neoliberal economists in the 1960s. It has been argued by economists that investing in women and girls (i.e. their education and health resources) yields the highest rate of return of all possible investments in the developing world.⁴³ Thus, when speaking of *investing in* rather than *buying* people, the idea of viewing people as sources of capital is morally legitimised. Through this moral distinction between good and bad trade, Kanwi was able to legitimately position anti-trafficking in cost/benefit calculations and make the business case for anti-trafficking as a good investment. The approach of Kanwi thus relies on the argument that anti-trafficking work can create positive outcomes for not only the rescued victim but also businesses and investors. By emphasising the mutual benefits of abolishing trafficking, Kanwi further distinguishes their approach from gift-like aid work, since it is framed as involving equal, independent and mutually benefitting actors. This framing shows how the representation of life after anti-trafficking is built upon and sold through normative ideas of economic independence as empowerment and freedom.

These examples show how life after anti-trafficking unfolds in a corporate setting, creating new ways of doing anti-trafficking work that follow corporate structures. Thus, the conditions for the actual life after anti-trafficking are largely created in locations and situations completely detached from the people living in situations defined as such. This raises questions for the purported independence and individual empowerment provided by this type of anti-trafficking work. The idea of economic independence is further challenged by the need for a constant consumer demand which, as I will discuss in the following section, depends on the conversion of unethical to ethical consumers.

Creating the Anti-Trafficking Consumer

A large part of my time with Kanwi was spent attending sales events in which I and one or two other employees sold anti-trafficking commodities. The sales events ranged from a 'taco night' at a Long Island restaurant to a champagne cruise on a 168-foot luxury yacht, where Kanwi sold goods while cruising the Hudson River. Between these events were art shows, street parties, fashion shows, church fairs, Christmas markets, a lunch event at The 5th Avenue Plaza Hotel and private 'bag parties' hosted by consumers or employees. Thus, the group of people purchasing

⁴³ M Murphy, 'The Girl: Mergers of feminism and finance in neoliberal times', *Gender, Justice, and Neoliberal Transformations*, Special issue of the *Scholar and Feminist Online*, 2013.

Kanwi products was diverse in many aspects, yet most were white or Asian-American women in their 20s or 30s. Most of the consumers described themselves as socially conscious, although few were specifically interested in human trafficking. How, then, did anti-trafficking emerge as a consumer interest for these people?

Among the Kanwi employees, and even among consumers themselves, it was widely assumed that consumers were generally self-centred and driven by economic rationality. Since ‘ethical’ bags and t-shirts are more expensive than similar items from common department stores like H&M, shopping ethically requires a rejection of the rationality assumed to be inherent in consumption, or what one consumer, Irene, called ‘the capitalist ethos’ of the US consumer culture: ‘I mean we are a calculus society you know...whether one is ethical or not you will buy the cheaper one even if you believe that it is wrong to have sweatshops or whatever it is.’ This was a recurring notion often linked specifically to US consumers, who were described by a Kanwi employee as always just looking for the best deal. Therefore, creating a consumer demand for the anti-trafficking goods required the conversion of what were considered self-centred, unethical consumers to altruistic, ethical consumers. This involved what Carrie called the ‘educational aspect’ of Kanwi’s work, which involved teaching consumers about the effects of their consumption in the entire supply chain. However, the *ethicalisation* of consumers involved more than providing information about supply chains. When asked to describe an ethical consumer, the employees emphasised notions of care and awareness. The graphic designer, Lisa, described an ethical consumer as: ‘Anyone who can hear our stories and cares, like they just care about others outside of themselves and maybe someone they have never seen before, they might not ever meet, but they relate to that person in some way.... There are people who care and people who are like “aw I am not interested in like helping others”.’ Thus, the conversion of consumers involved a movement from rational and indifferent ones to those with educated, caring and altruistic concerns.

Kanwi sought to facilitate this movement by articulating consumption as both the cause of and solution to trafficking. Erin, the co-founder, expressed this link by stating that: ‘Trafficking thrives on the demand for cheap products. When we look at the demand side [of trafficking], we have to talk about globalisation. Consumers are demanding cheaper products.’ Conversely, Lisa described consumers as the most crucial link to solving global issues such as human trafficking: ‘Consumerism is so huge, I think we have the power to keep a business going and to shut it down, so it is all up to the consumer.’ These links between consumption and trafficking draw on familiar connections made between consumption, labour exploitation and slavery in anti-sweat shop movements. The links support the argument that the growth of ethical

consumption is contingent on a discursive production of certain ‘moral risks’ in consumption.⁴⁴ Thus, Kanwi sought to engage consumers in anti-trafficking by emphasising both the moral risks and possibilities of consumption. In this logic, consumers had two options. By practising what was associated with traditional consumption (such as buying the cheapest option), one could be a potential driver of human trafficking and thus an unethical consumer. By contrast, when shopping in accordance with ‘ethical’ standards (exhibiting awareness, compassion and altruism), one could be an ally in the fight against trafficking and thus an ethical consumer. This dichotomy shows how life after anti-trafficking emerges as a discursive definition of good and bad consumers, which leaves room for new consumer identities and practices, as I discuss in the following section.

Consuming Life after Anti-Trafficking

During an interview with Laura, a 35-year old woman living in New York City who had purchased several Kanwi products, she stated that she thought of herself as an ethical consumer all of the time unless she ‘was cheating’. When asked what she meant by cheating, she explained: ‘I usually do not buy Driscoll’s [US company that sells fresh berries] and usually I will just forego raspberries if there is not another option, but then one time I was making a cake, I needed raspberries, so I just chose to do it anyway...then I feel like “ugh I am not really being an ethical consumer at this point”.’

The indication that being an ethical consumer involves the occasional ‘cheating’, i.e. choosing an ‘unethical’ product (and subsequently feeling guilty about it), was supported by other consumers who expressed that since being an ethical consumer required extensive research on every purchase, the completely ethical consumer ‘is a philosophy’. Thus, the ideal of an ethical consumer is perceived as abstract and unattainable. These views support the argument that ethical consumption has become a highly mutable vessel for diverse interpretations of ‘doing good’,⁴⁵ in effect making everyday acts like buying raspberries a choice

⁴⁴ C Barnett, P Clove, N Clarke and A Malpass, *Globalizing Responsibility: The political rationalities of ethical consumption*, Wiley-Blackwell, West Sussex, 2011, p. 108.

⁴⁵ See, for example, Vramo, p. 96, for a discussion of how consumers add individual ideas of ‘being good’ to their ethical purchases, which then become ‘vehicles that can take us to who we want to be’.

between being a good or bad consumer, and indeed a good or bad citizen.⁴⁶ However, this choice was even further complicated by the growing complexity of shopping ethically in a market where corporations can be both ethical and unethical at the same time. For example, Laura shared her ambivalence about supporting Native American protesters in North Dakota with supplies through an Amazon fundraising ‘wish list’ coordinated by activists and protesters,⁴⁷ because Amazon at the time was affiliated with President Trump’s businesses, of which she was a strong opponent. Consequently, Laura was forced to prioritise her ethical concerns since either one would compromise the other. Thus, consumers face a landscape of ethical consumption in which they must navigate between conflicting and ambiguous ethical causes and choose not only *if* but *who* to save and support through ethical purchases.⁴⁸

In this complex field of ethical consumption, purchasing anti-trafficking products was presented as an easy choice to make, which consumers rarely questioned. Nearly all consumers uncritically accepted that purchasing a Kanwi handbag was an active step towards ending human trafficking and thus an ethical purchase. This perception, I argue, relied on two related and overlapping discourses. First, Kanwi’s emphasis on sexual exploitation rather than other forms of labour exploitation caters to the moral panics about female sexuality mentioned in previous sections and supports the notion that sexual labour is always forced. In Kanwi’s annual report, the story of Maya, a woman in Kanwi’s programme, describes her new life as being ‘free from the bondage of prostitution’, which illustrates the equation of sexual labour with captivity and coercion. This conflation in turn supports the framing of commodity production as the equivalent to freedom. For example, the New York Times journalist Nicholas Kristof has strongly emphasised the freedom and power that wage labour in garment production provides as opposed to sex work,⁴⁹ which

⁴⁶ Literature on *citizen-consumers* describes how citizenship is increasingly expressed through consumption practices. For a brief review, see: R Mukherjee and S Banet-Weiser, *Commodity Activism: Cultural resistance in neoliberal times*, New York University Press, New York, 2012, p. 5.

⁴⁷ The Amazon wish list let supporters of the Native American protesters see what items and supplies were needed (such as clean water, shelters and tools) and allowed a coordinated shipment and distribution of support items, <https://www.amazon.com/gp/registry/wishlist/18FR1AGDPWZLC>.

⁴⁸ See also: A Major, “‘Not Made By Slaves’: The ambivalent origins of ethical consumption”, *openDemocracy*, 30 April 2015, retrieved 28 December 2017, <https://www.opendemocracy.net/beyondslavery/andrea-major/%27not-made-by-slaves%27-ambivalent-origins-of-ethical-consumption>.

⁴⁹ N D Kristof, ‘Inviting All Democrats’, *New York Times*, 14 January 2004, retrieved 15 July 2017, <http://www.nytimes.com/2004/01/14/opinion/inviting-all-democrats.html?mcubz=3>.

contrasts the common denunciation of low-wage factory work. This statement reveals the peculiarity of combining anti-trafficking efforts with ethical consumption, as ethical consumption movements have traditionally protested against women having to work in these sectors in the first place.⁵⁰ However, compared to sex work, the production of consumer goods comes to be perceived as *free* (i.e. of own free will) labour supported by a Western vision of freedom as the participation in and expansion of a capitalist consumption market.⁵¹ This representation reproduces discourses of differentiation in which stereotypical notions of victimised women from the Global South in turn define and reassert Western consumers as free and empowered.⁵² Thus, many consumers concluded that only now—in life after anti-trafficking—were the women *business women*. A female consumer at a Kanwi sales event explained to her boyfriend: ‘This is made by women who were rescued from human trafficking, and now they do this instead, and all the profits go right back to them. Now they are business women!’ Thus, when engaging in sex work the women were characterised as victims, whereas engaging in low wage production labour cast them as empowered business women.

The second discourse informing consumers’ perception of Kanwi products as ethical is the re-branding of trafficking as modern-day slavery. The reliance on slavery rhetoric has been criticised for de-politicising the issue and overlooking the economic and political structures permitting the exploitation of people.⁵³ Similarly, when better consumption choices are framed as solutions to slavery, the political structures of global labour exploitation, often reproduced by the same companies that engage in market-based anti-trafficking campaigns, are overlooked.⁵⁴ Thus, conflating trafficking with slavery simplifies both the problem and the solution, such that purchasing a Kanwi product is perceived to be an active fight against human trafficking. Additionally, notions of slavery invoke powerful moral responses and have remarkable popular appeal as an issue that we can all agree is serious and must be condemned.⁵⁵ Consequently, by labelling Kanwi products slave-free, they are presented as unquestionably

⁵⁰ Bernstein, ‘Sexual Politics’, p. 141.

⁵¹ Bernstein, ‘Militarized Humanitarianism’, p. 64.

⁵² Fukushima and Hua, p. 47.

⁵³ J A Chuang, ‘The Challenges and Perils of Reframing Trafficking as “Modern-Day Slavery”’, *Anti Trafficking Review*, issue 5, 2015; J O’Connell Davidson, ‘New slavery, Old Binaries: Human trafficking and the borders of “freedom”’, *Global Networks*, vol. 10, issue 2, 2010.

⁵⁴ Bernstein, ‘Redemptive Capitalism’; Fukushima and Hua, p. 60.

⁵⁵ B Anderson, *Troubling Trafficking: Why I am worried about motherhood and apple pie but don’t endorse slavery*, DIIS Brief, Danish Institute for International Studies, 2007.

ethical products from which consumers, when faced with the multiple dilemmas of being an ethical consumer, might find solace. By purchasing Kanwi products, consumers were able to identify as ethical consumers engaging in the indisputably ethical cause of fighting slavery. In this way, life after anti-trafficking emerges among Western consumers not merely as a consumable product, but also as a site of production for new ethical consumer identities.

Conclusion

I introduced this article with the argument that through the emergence of transnational, market-based anti-trafficking organisations, life after anti-trafficking increasingly plays out in sites removed from the trafficking victims. That is, when anti-trafficking efforts rely on the sale of commodities to create new livelihoods for victims, life after anti-trafficking becomes a consumable product and a business opportunity among corporations and consumers in the US. Consequently, anti-trafficking efforts intersect with contemporary consumer movements and political developments of global corporate governance.

Through ethnographic examination of a market-based anti-trafficking organisation, this article has discussed the movement in anti-trafficking efforts from a humanitarian focus on rescue to an emphasis on rehabilitation inspired by market-led development strategies. Practically, this movement involves the presentation of anti-trafficking as a business opportunity and a good investment in order to engage corporations in the fight against trafficking. Rhetorically, the movement relies on Western capitalist discourses of freedom as economic independence, the investability of female human capital and entrance into the capitalist labour market as the most sustainable route to empowerment. However, as this article points out, these discourses, through which the representation of life after anti-trafficking is sold, do not necessarily reflect the actual life after anti-trafficking, since merely advancing production skills does not guarantee economic stability or empowerment. Rather, these representations sustain new market-based ways of doing anti-trafficking work and profitable business opportunities not merely (if indeed at all) for the trafficking victims.

Despite presenting a market-based approach as more sustainable than humanitarian aid, Kanwi was required to spend most of their time creating a consumer demand for the commodities, which relied on creating ethical anti-trafficking consumers. By articulating notions of harmful consumption, consumer responsibility and individual consumer power in relation to trafficking, Kanwi sought to convert 'unethical' consumers to conscious, caring and altruistic consumers. This shows how representations of life after anti-trafficking

are translated in a consumer setting to a definition of good and bad consumers, which leaves room for consumers to form new identities through their shopping habits. In a complex and elusive landscape of ethical consumption, in which purchases can be both ethical and unethical and define consumers as either good or bad citizens, the anti-trafficking commodities sold by Kanwi proved ideal for the purpose. Supported by rhetorics of slavery and discursive distinctions between sex work as forced and low-wage production labour as free, the Kanwi product was perceived as an unquestionably ethical purchase. Thus, life after anti-trafficking emerges as a site for consumers to form empowered, ethical and humanitarian identities in which they become bearers of increasing humanitarian responsibilities.

Studying how life after anti-trafficking unfolds in corporate and consumer settings elucidates how the emergence and success of market-based anti-trafficking programmes is bound up with capitalist discourses of freedom and empowerment, politics of global corporate governance and changing moralities and responsibilities within consumption practices. This context thereby permits a broader understanding of how moral and political economies not directly linked to trafficking inform and buttress contemporary anti-trafficking interventions and thus affect lives after anti-trafficking. As the actual conditions for victims of trafficking are increasingly contingent upon the participation of consumers in life after anti-trafficking, this emerging circuit of commerce becomes a crucial site to examine.

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Vulnerable *Here* or *There*? Examining the vulnerability of victims of human trafficking before and after return

Erlend Paasche, May-Len Skilbrei and Sine Plambech

Abstract

This article deals with how return programmes for rejected asylum seekers and irregular migrants construct and create vulnerabilities. Few studies have explored the role of assistance provided through such programmes for the sex worker returnees and victims of trafficking who return through them. Even fewer holistically examine a return programme through data elicited in both destination and origin locations, before and after return. That is what we aim to do in this article. We first look at the legal-bureaucratic construction of vulnerability in a host state, Norway, and the systemic logic of its efforts to return victims of trafficking. We then look at how returnees narrate their experiences of and perspectives on vulnerability upon return to their country of origin, Nigeria. This study, together with the broader research within this field, indicates that flaws in programme implementation can in fact exacerbate vulnerabilities rather than help returnees overcome them.

Keywords: human trafficking, vulnerability, return, reintegration, IOM, Nigeria

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Introduction

Migration control is framed as both tough and kind. On the one hand, European governments have shifted migration policies in a stricter direction to ensure that they appear to be ‘tough on migrants’, with the stated intention of deterring migrants from travelling to a particular country and making them leave if they fail to secure a residency permit.¹ Norway, a member of the Schengen free travel area and Dublin Regulation, exemplifies this.² A restrictive turn in Norwegian asylum policy has emerged since the turn of the millennium and across four governments, evident in the steep increase in deportations.³

On the other hand, the return of rejected asylum seekers and irregular migrants is also framed in the humanitarian language of migration management and humanitarian assistance—of helping migrants to ‘come home’. Labelled ‘Assisted Voluntary Return and Reintegration programmes’ (AVRRs), such programmes incentivise return while presenting it as ‘voluntary’. This serves to make them acceptable for domestic electorates as well as states of origin. Funded by host states, AVRRs are typically implemented by the International Organization for Migration (IOM)—whose recent promotion in 2016 to become the UN Migration Agency is at least partly the result of its dominance of the return industry. Critics often point out that the alternative to ‘voluntary’ return, deportation, means that AVRRs cannot be meaningfully described as voluntary.⁴ The relationship between the threat of deportations and AVRRs hence constitutes a carrot and stick strategy.

In 2016, IOM offered return assistance to more than 98,000 migrants worldwide. This is the highest number of ‘AVRR beneficiaries’, as the agency describes them, during the past 15 years. It constitutes an increase of 40 per cent from 2015, which already marked a significant increase in comparison to

¹ N Sigona, ‘The Contested Politics of Naming in Europe’s “Refugee Crisis”’, *Ethnic and Racial Studies*, vol. 41, issue 3, 2018, pp. 456–60; K F Aas, ‘Bordered Penalty: Precarious membership and abnormal justice’, *Punishment & Society*, vol. 16, issue 5, 2014, pp. 520–41.

² The Schengen agreement establishes a border-free zone between its 26 member states and a joint responsibility for the protection of the zone’s outer border. The Dublin Regulation establishes a ‘burden sharing’ principle among its member states and regulates their obligations towards asylum seekers.

³ Aas, 2014.

⁴ F Webber, ‘How Voluntary are Voluntary Returns?’, *Race & Class*, vol. 52, issue 4, 2011, pp. 98–107. In Norway, the government changed the term to ‘assisted return’ in June 2014.

previous years.⁵ AVRRs come in many varieties. They may include plane tickets, financial support, counselling and information by the IOM or staff at the asylum reception centre, and in-kind assistance to set up a small business in the country of origin. Other types of support, like support for housing, medical assistance and education, are comparatively rare. The scope and type of assistance available in AVRRs vary significantly across funding states and depend on programme design and eligibility criteria. Efforts to make AVRRs increasingly sophisticated and targeted can be seen as a neoliberal tactic to make responsible unruly migrants and entice them into collaboration by formulating their problems, and therefore their solution, as individual.⁶

Yet, despite the massive investments in AVRRs, we know little about how they affect reintegration.⁷ The scholarly work produced on the impact of AVRRs on reintegration outcomes is very limited.⁸ Migration scholarship demonstrates that returnees face several problems after return across multiple assistance programmes. This is not least true for victims of trafficking.⁹ Synthesising the knowledge within this field, an International Labour Organization (ILO) report points out that, in general, ‘returning home carries with it a complex set of difficulties for victims of trafficking. Many face the same pressures upon return that had prompted their departure.’¹⁰ A study among female sex workers deported from Europe to Benin City, concluded that, ‘Whereas in Europe,

⁵ International Organization for Migration, *Assisted Voluntary Return and Reintegration, 2016 Key Highlights*, IOM, Oslo, 2017.

⁶ R Andrijasevic and W Walters, ‘The International Organization for Migration and the International Government of Borders’, *Environment and Planning D: Society and Space*, vol. 28, issue 6, 2010, pp. 977–99.

⁷ E Paasche, *Why Assisted Return Programmes must be Evaluated*, Peace Research Institute Oslo (PRIO) Policy Brief 08/2014.

⁸ K Koser and K Kuschminder, *Comparative Research on the Assisted Voluntary Return and Reintegration of Migrants*, IOM, Geneva, 2015.

⁹ V Nikolic-Ristanovic, ‘What Victims Went Through and How They Survived’ in L Bjerkan (ed.), *A Life of One’s Own: Rehabilitation of victims of trafficking for sexual exploitation*, Fafo, Oslo, 2005; A Brunovskis and R Surtees, *Leaving the Past Behind? When victims of trafficking decline assistance*, Fafo, Oslo, 2007; J Pennington and B Balaram, *Homecoming: Return and reintegration of irregular migrants from Nigeria*, Institute for Public Policy Research, London, 2013; S Plambech, “‘God Brought You Home’—Deportation as moral governance in the lives of Nigerian sex worker migrants”, *Journal of Ethnic and Migration Studies*, vol. 43, issue 13, 2017, pp. 2211–27.

¹⁰ A Lisborg and S Plambech, *Going Back—Moving on: A synthesis report of the trends and experiences of returned trafficking victims in Thailand and the Philippines*, ILO, Bangkok, 2009.

the women were vulnerable to deportation, back in Benin the women were vulnerable *because* of deportation.¹¹

The focus in this article is on differentiations made in how assisted return is spoken about and practised, particularly with regard to how the term ‘vulnerable’ is made operational. Scholarship in the field of trafficking has demonstrated how the designation of migrant sex workers as vulnerable *per se* has served as a lever for punitive approaches to sex work and ‘armed love’ towards victims of trafficking, to use Ticktin’s term.¹² This mandates that scholars empirically investigate how it is put to use.

Few studies explore the role of AVRRs in the return and reintegration process of sex worker returnees and victims of trafficking, and even fewer holistically examine a return programme through data elicited both in origin and destination locations, before and after return.¹³ This is what we attempt to do in this article. Following a brief note on methods, we look at how the label ‘vulnerable’ is applied to victims of trafficking in Norway in the context of recruitment into a needs-based return programme.¹⁴ We then look at how returned Nigerian victims of trafficking narrate their experience of and perspectives on vulnerability.

¹¹ S Plambech, ‘Between “Victims” and “Criminals”: Rescue, deportation and everyday violence among Nigerian migrants’, *Social Politics*, vol. 21, issue 3, 2014, p. 395.

¹² S A FitzGerald, ‘Vulnerable Geographies: Human trafficking, immigration and border control in the UK and beyond’, *Gender, Place & Culture*, vol. 23, issue 2, 2016, pp. 181–97; P Kotiswaran, ‘Vulnerability in Domestic Discourses on Trafficking: Reflections on the Indian Experience’, *Feminist Legal Studies*, vol. 20, issue 3, 2012, pp. 245–62; M Ticktin, *Casualties of Care: Immigration and the politics of humanitarianism in France*, University of California Press, Berkeley, 2011.

¹³ For an exception, see: S Plambech, *Points of Departure. Migration control and anti-trafficking in the lives of Nigerian sex worker migrants after deportation from Europe*, Ph.D. dissertation, Department of Anthropology, University of Copenhagen, 2014, covering Denmark and Nigeria.

¹⁴ Points in this section, while revised and shortened, are also presented in E Paasche and M L Skilbrei, ‘Gendered Vulnerability and Return Migration’, *Temida* vol. 30, issue 2, 2017, pp. 149–66.

Background

Some AVRRs in Norway are country-specific, but most returnees make use of a universally available programme called ‘Financial Support for Return’ (FSR). Another programme of special interest in this article is entitled ‘Information, Return and Reintegration for Vulnerable Migrants in Norway’, also referred to as the ‘Vulnerable Groups Project’ (VG). The VG programme differs from the FSR programme by being comparatively more generous, as outlined in table 1 below. It is also designed to offer follow-up counselling and monitoring in the country of origin for the duration of one year. Similar programmes for migrants deemed vulnerable also exist elsewhere in Europe. Although only approximately three per cent of those who received support through an AVRR from the IOM in 2016 were designated migrants in vulnerable situations, numbers alone do not detract from their importance. In IOM’s wording, ‘specific and tailored assistance is particularly critical for returning migrants in vulnerable situations...’.¹⁵

Table 1. The assistance on offer in the FSR and VG programmes

Programme/aid components	Financial Support to Return (FSR)	Vulnerable Groups (VG)
Flights to country of origin, free of charge	Yes	Yes
Consulting with IOM pre-return	Yes	Yes
Cash grant	Yes. Up to 2,600 USD for adults upon arrival and 1,300 USD per child.	Yes. 1,000 USD upon arrival.
In-kind assistance (i.e. non-cash)	No	Yes. 4,500 USD for housing, medicine, health services, education, or starting a business.
Follow-up counselling and monitoring by IOM in the country of origin post-return	No	Yes. Duration of one year.

¹⁵ IOM, 2017, p. 11.

In Norway, one form of vulnerability that has been especially relevant in the context of assisted return relates to being trafficked.¹⁶ Nigerians represented by far the largest national group of ‘possible victims of human trafficking’ in Norway in 2016.¹⁷ At the same time, the rejection rate for Nigerian asylum seekers was 94 per cent that year, and has been high since 2010.¹⁸

Being a victim of trafficking does not necessarily warrant asylum or a residence permit on humanitarian grounds. The immigration authority in Norway clearly states in a legal memo on asylum practices for Nigerian applicants that having been trafficked does not in itself constitute grounds for protection and that ‘an individual assessment must be made of the risks an applicant faces upon return’.¹⁹ Yet, Norway is legally obliged to protect victims, for instance through the UN Trafficking Protocol and the *Council of Europe Convention on Action against Trafficking in Human Beings*. The latter specifies in article 16.2 that the return of victims ‘shall preferably be voluntary’ and that it ‘shall be with due regard for the rights, safety and dignity of that person...’. It is a challenge, then, that Nigerians consistently rank at the top of statistics on deportations and expulsions from Norway. GRETA, the monitoring body for the Convention, has criticised Norway for not doing enough to prevent victims being returned unscreened and in breach of the principles of the Convention.²⁰

Norway’s international obligations hence give impetus to providing victims of trafficking with additional assistance and monitoring upon return; so does the cost-efficiency of effectuating return rather than covering the costs of catering to the basic needs of socioeconomically disadvantaged migrants. As Norway’s minister of migration and integration, Sylvi Listhaug, expressed in a personal tweet regarding the costs of AVRRs: ‘We’ll pay them a little extra, but save the state money because it costs a lot to have people at the asylum centre.’²¹ The

¹⁶ E Paasche, S Plambech and M L Skilbrei, *Assistert retur til Nigeria*, University of Oslo, Oslo 2016.

¹⁷ KOM, *Rapport fra Koordineringsenheten for Ofre for Menneskehandel*, KOM, Oslo, 2017.

¹⁸ E Paasche, S Plambech and M L Skilbrei, 2016.

¹⁹ Utlendingsdirektoratet, *Memo on Practices and Procedures*, Document PN 2011-002, 2017a, authors’ translation.

²⁰ GRETA, *Report Concerning the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Norway, Second evaluation round*, Council of Europe, Strasbourg, 2017, pp. 32–3.

²¹ See: R Seales, ‘Migrants in Germany: Should they be paid to go home?’, *BBC*, 15 December 2017, retrieved 5 January 2018, <http://www.bbc.com/news/world-europe-42235232>. BBC’s translation.

Norwegian government has identified the low uptake of victims of trafficking in the VG programme as a problem.²² While victims of trafficking who are rejected asylum seekers rarely are sufficiently vulnerable to fulfil the eligibility criteria for asylum, they may well be sufficiently vulnerable to qualify for the VG support.

Methods

This article is based on research that the authors conducted with funding from the Norwegian immigration authorities in 2015 and 2016. The primary objective of the research was to assess the effects and efficiency of the FSR and VG programmes for Nigerian nationals, and to identify room for improvements. An ongoing and larger research project, Transnationalism from above and below: Migration management and how migrants manage (MIGMA), has enabled us to deepen our analysis of those data.

In Norway, data consists of 32 interviews with individuals who, in a professional capacity, inform rejected asylum seekers and irregular migrants from Nigeria about their legal obligation to return, as well as the options of assisted and forced return available to them. These professionals were IOM staff members, personnel at asylum reception centres and social workers in public and private outreach organisations. We also interviewed two Nigerian prospective returnees and fifteen Nigerian nationals who had applied for asylum, five men and ten women. Of these, four awaited an asylum decision at the time of the interview, while the rest were rejected asylum seekers who contemplated or had applied for assisted return. All were adults, and several of the women had accompanying children and/or had a status as a victim of trafficking. We recruited interviewees through networks established from previous research, NGOs and migrant-centred organisations, and through five asylum reception centres. The interviews with Nigerian migrants were conducted in English without the use of an interpreter, lasted between 30 and 90 minutes, and took place at the interviewees' residence, in the offices of a civil society organisation offering assistance to migrants, or in a reception centre. A methodological challenge that arose during interviews with the migrants in Norway concerned the sensitivity of the issue of return. Asylum migrants interviewed by a Northern researcher at a Northern location can be expected to both feel morally obliged and consider it in their interest to provide a coherent asylum narrative, adjusting their narrative to

²² Norwegian Ministry of Justice and Public Security, *Governmental Action Plan against Human Trafficking*, 2016, p. 15.

legal-bureaucratic imperatives.²³ They hence have strategic reasons to overcommunicate their inability to return. Those who had already signed up for assisted return, either through the FSR or VG programmes, were more eager to talk of their future lives after return.

In Nigeria, the fieldwork lasted for one month.²⁴ While we did some key informant interviews in Abuja and Lagos, we focused data gathering in Benin City in Edo State, as it is known to be a major sending region for irregular migrants and victims of trafficking to Europe. We interviewed sixteen Nigerians who had returned from Norway. Among these, twelve had returned through the universal FSR programme (nine telephone interviews and three interviews face to face) and four had returned through the VG programme (three telephone interviews and one face to face).

Despite the low representation of VG returnees in the collected data, the narratives of these four women are strikingly similar. Discussions of post-return vulnerabilities moreover draw on two useful data sources. Firstly, we conducted eighteen interviews with female sex workers who had returned from other European countries. Whether they were deported or had returned through AVRrs was often hard to elicit from interview data, and did not appear relevant to the majority. We recruited these interviewees through local NGOs. Both the NGOs and the interviewee received NGN 8,000 (then equivalent to approximately EUR 40) as compensation for allocating staff time to aid recruitment, offering facilities as a venue for the interview, and the interviewees' transportation costs and loss of income from being absent from their work place. While a commercial interest can be problematic in terms of research ethics, we considered it appropriate, as the interviewees were asked to talk about deeply personal experiences of hardship and loss. A token of appreciation is expected as standard practice for journalists and academics who come to Benin City to interview victims of trafficking.²⁵

²³ M Eastmond, 'Stories as Lived Experience: Narratives in forced migration research', *Journal of Refugee Studies*, vol. 20, issue 2, 2007, pp. 248–64.

²⁴ Fieldworks in Norway and Nigeria were conducted by May-Len Skilbrei and Erlend Paasche respectively.

²⁵ Mostly, people in Benin City refer to anyone who has returned unwillingly as 'deported'. S Plambech, 'Between "Victims" and "Criminals"'.

Secondly, we conducted 26 key informant interviews with representatives from organisations and agencies working to facilitate the return and reintegration of victims of trafficking in Nigeria. These were professionals in local NGOs, federal agencies like The National Agency for the Prohibition of Trafficking in Persons (NAPTIP), international agencies like the IOM and United Nations Office on Drugs and Crime (UNODC), and migration attachés at European embassies from states with high levels of Nigerian victims. On top of this, the article also draws on research by the authors on Nigerian migrant sex workers, on the reintegration of victims of trafficking in Nigeria and elsewhere, and on AVRRs more broadly.²⁶

Pre-return: The legal-bureaucratic construction of vulnerability in Norway

Rejected asylum seekers and irregular migrants are at the margins of the host state. They typically receive very limited welfare and face poor future prospects following a failed investment of time and money in asylum migration. A great number have little to return to at origin locations but disappointed and indebted sending households. It is hence not straightforward how one goes about applying the label of ‘vulnerable’ on a select group of rejected asylum seekers. While a definition of vulnerability may seem useful for determining who should access additional assistance, the need for clear definitional criteria must be balanced against the need for flexibly accommodating individual needs on a case-by-case basis. Yet, some vulnerabilities are more flexibly accommodated than others.

Our data indicates that conceptual blind spots among immigration authorities, frontline personnel and migrants themselves produce a gendered hierarchy of vulnerabilities. The vulnerability of female victims of trafficking for the purpose of prostitution, we argue, appears on top of this hierarchy. Both

²⁶ See, for instance: M L Skilbrei and M Tveit, *Facing Return: Perceptions of repatriation among Nigerian women in prostitution in Norway*, Fafo, Oslo, 2007; S Plambech, *Points of Departure*; S Plambech, ‘Sex, Deportation and Rescue: Economies of migration among Nigerian sex workers’, *Feminist Economics*, vol. 23, issue 3, 2016, pp. 134–59; A Strand, S K N Bendixsen, H Lidén, E Paasche and L Aalen, *Programmes for Assisted Return to Afghanistan, Iraqi Kurdistan, Ethiopia and Kosovo: A comparative evaluation of effectiveness and outcomes*, Chr. Michelsen Institute, Bergen, 2016; E Paasche, *Why Assisted Return*; Lisborg and Plambech, 2009.

FSR and VG support must be applied for by the prospective returnee, and eligibility is determined by the IOM in collaboration with the Norwegian Directorate of Immigration (UDI). Nonetheless, social workers and other professionals can directly recommend individual migrants for particular consideration, or indirectly present their case in such a way that vulnerability is emphasised, and allows migrants to do so too.

UDI lists some forms of vulnerability on its website. These include being a victim of violence, force or exploitation; having special health needs; and being single and above the age of 60. While this list offers a roadmap for the IOM, its staff members described the evaluation of vulnerability as complex. One individual may be disadvantaged in multiple ways, and it is the sum of these challenges that must be assessed holistically to determine eligibility. At the time of the interview with IOM staff members in 2015, the VG programme had almost exclusively been used by female victims of trafficking for the purpose of prostitution. Victims of trafficking for other purposes are not offered assistance to the same degree.²⁷

Low uptake in the VG programme has both normative and institutional reasons. When asked directly, most professionals emphasised their sensitivity to the vulnerability of female victims of trafficking for prostitution. Some reflected that they did not associate masculinity with vulnerability. Others noted, when asked to reflect on alternative forms of vulnerability, that they had unconsciously associated the VG programme only with victims of trafficking for prostitution—who are overwhelmingly female as per available statistics. In general, trafficking is most commonly associated with female and minor victims. One reason might be that many male victims of trafficking are reluctant to self-identify.²⁸ A review of trafficking policies in Norway has demonstrated that while the exploitation of men and labour exploitation more often appears the target of policies on paper, little has happened in terms of concrete steps.²⁹ Social workers employed in public and private organisations that do outreach among sex workers are especially sensitive to this channel to extra reintegration assistance. Others, such as the quarter of identified victims of trafficking for other purposes in Norway,³⁰ consequently lack access not only to similar support while

²⁷ M L Skilbrei, 'Moving Beyond Assumptions? The framing of anti-trafficking efforts in Norway' in R Sollund (ed.), *Transnational Migration, Gender and Rights*, Emerald Insight Publishing, 2012, pp. 211–27; KOM, 2017.

²⁸ R Surtees, 'Trafficked Men as Unwilling Victims', *St Antony's International Review*, vol. 4, no. 1, 2008, pp. 16–36.

²⁹ M L Skilbrei, 2012.

³⁰ *Ibid.*

in Norway but also upon their return to their country of origin. Lack of self-identification as a victim thus exacerbates the shortcomings in current institutionalised responses that are more likely to discover and identify trafficking cases involving females than males. Nigerian migrants and professionals might likewise not contest such gendered practices.

In informing migrants about the VG programme, asylum reception staff and social workers alike are faced with a dilemma: to inform about a generous programme available to a select few or keep things simple and merely encourage migrants to contact the IOM for further information. Most asylum seekers, including many rejected ones, are unwilling to talk with asylum reception staff and social workers about return for fear of jeopardising their claim for protection. While not disputing that migrants should be aware of their options, many professionals found it most sensible to first encourage contact with the IOM, so the migrant could ask for more information from the agency directly. As one specialised return counsellor put it: ‘It takes a lot to even get them to meet with the IOM.’ Offering information on the intricacies of differentiated assistance components is thus less of a priority. There is also a perceived risk that unrealistic expectations of eligibility for an exclusive VG programme could cause disappointment and make applicants think twice about returning.

The downside of this approach is that it leaves migrants heavily dependent on the IOM, a stakeholder contracted by the Norwegian state and under pressure to produce high return rates, to offer accurate and unbiased information to migrants. A small-n study on assisted return in Norway found that even migrants who had enlisted with one of IOM’s return programmes did not seem properly informed about the VG programme.³¹

Finally, for reasons that will be made clearer in the next section, it is not a foregone conclusion that all prospective returnees actually prefer the VG support over the FSR support. While the VG support is more generous in the value of assistance on offer, migrants may have their own reasons to prefer a simple and one-off cash grant. As a representative of an organisation that works with rejected asylum seekers and irregular migrants noted: ‘What we see, and this is not only the case for Nigerians, also for other groups, is that...it is easier to choose the cash benefit.’ IOM staff members emphasised that they inform returnees about their options, but leave it to the migrant to decide what is preferable. In the words of one interviewee: ‘We do not want to pressure

³¹ C Øien and S Bendixsen, *Det Riktige Valget? Motivasjon og beslutningsprosess når avviste asylsøkere velger retur*, Fafo, Oslo, 2012.

someone into that programme, they have the option of choosing a normal track with the cash benefit, if that is what they want.' Migrants may, in other words, follow a logic that differs from that of the state.

Post-return: The vulnerabilities of victims of trafficking back in Nigeria

We have already touched briefly upon the spatiotemporal complexity of channelling migrants into the categories of 'vulnerable' and 'non-vulnerable'. Caseworkers in Norway need to project vulnerability temporally into the future and spatially from Norway to Nigeria. Yet, they also need to conceive of that post-return vulnerability in Nigeria as *temporary*. The underlying logic of the VG programme is that migrants can and should overcome their vulnerability, turning it into a phase to pass through.

In the following discussion on post-return vulnerabilities, we question the premise that VG assistance will help VG returnees overcome their vulnerability. Firstly, we identify serious problems in IOM's delivery of that assistance. Secondly, we argue that the social embeddedness of vulnerability— isolation and stigmatisation—makes it difficult to overcome vulnerability through assistance. Finally, since post-return vulnerability is largely attributable to a failed migration, its main cause becomes the return itself.

During interviews in Nigeria with victims of trafficking who had returned from Europe and Norway, administrative delays on IOM's part came up often. Previous research on this matter, in Nigeria and elsewhere, likewise shows post-return service delivery to be greatly complicated by verification procedures and anti-corruption controls.³²

Three VG returnees stated that it was difficult for them not to know exactly when the assistance would be forthcoming from the IOM. Consider how one of them described her major challenges after coming back, turning IOM's performance 'here' and 'there' into emblematic symbols of Europe and Nigeria.

³² For a general discussion, see: E Paasche, *Corruption and Migrant Returns: Managing risk in assisted return programmes*, U4 Brief 2018:1, U4, Chr. Michelsen Institute, Bergen, 2018. For examples, see: A Strand *et al.*, *Programmes for Assisted Return*, 2016; S Plambech, *Points of Departure*, 2014, pp. 30–1.

Things work there, they don't work here. It was hard for me to find a place that I could rent for my business. I did eventually find a venue for rent, but then the IOM didn't give me the money in time. I had to wait for two weeks from the moment I asked for it from the IOM. That was too long [for the landlord]. Someone else got it.

Two VG returnees from Norway reported that assistance was not forthcoming until they managed to get the IOM's office in Norway to put pressure on the IOM's office in Nigeria.³³ The same informant as above also said she had relied on IOM's office in Norway for support.

The last instalment of the money [cash grant] was supposed to be paid on Friday, but on Monday I had to call IOM in Norway to ask for it. IOM in Norway had to contact IOM in Nigeria. Then they paid the next day. If I wouldn't have called, who knows how long I would have had to wait.

The second VG returnee saw frustrating delays as unprofessional and disrespectful. Instalments would come weeks or months after the agreed date and although she established multiple bank accounts, none of them seemed to work for the IOM. She instead had to make repeated, costly visits to the IOM's office to complain, urge them to speed up their services, threaten to report the delays to the IOM's office in Norway or international media, and collect cheques that were long overdue. As a direct consequence of the delays, she noted, the business had failed because she could not buy the goods she needed in time for the high season when there was profit to be made, and her children were no longer in school because she had not been able to pay school fees on time. While she held that the local IOM office was keen to exert what it calls 'controlling and monitoring', taking photos of her in front of her residence and asking her to fill out forms, it was fundamentally unhelpful.

A returnee is a condemned person in Nigeria, not just by the people and the community, but by the IOM itself. If you're a returnee, it's like you're nothing... I cry a lot. I shed tears a lot, when someone looks down on me.

³³ In our correspondence with the IOM's office in Nigeria, we had to do the same to access the relevant contact information needed to conduct the evaluation—including not only the contact information of FSR and VG returnees but also the contact information of the local IOM office.

The same informant reported that IOM's procedures made things difficult for her. For instance, a valuable household item that she had purchased through the IOM as in-kind assistance was not purchased in her name but in IOM's name, meaning that she could not document her ownership over it. Another household item that was purchased through the IOM as in-kind assistance was excessively expensive, she said, because the IOM insisted on buying it in a place where prices were high. She expressed surprise that IOM can cover medical bills as part of its reintegration assistance, and stated that if she had heard of it, she could have made good use of it. At the time of interview, she was considering selling her business, engaging in prostitution again, and remigrating to Europe. In her opinion, this was common for returnees. Those who said they did not want to go back to Europe often expressed pride in it during interviews, implying that it is something unusual. 'I've decided to stay here because I'm strong,' Extant studies confirm that many aspire for remigration.³⁴

Two of the four VG interviewees contrast their positive impression of IOM in Norway with a negative impression of IOM in Nigeria. The latter rarely came across in interviews as service-minded. Interviews with FSR returnees who struggled disproportionately to obtain a simple cash grant, seem to corroborate the impression of a sluggish organisation that is not eager to cater to the needs of returnees.³⁵

One VG interviewee complained that the information she had received from IOM Oslo, which she described as key to the decision to sign up for VG return, was false.

One of the reasons that motivated my return was the financial assistance.... It was only when I landed here I realised that this was not going to be cash in hand.... The rest of the money, they said, I would get when I would come up with an action plan [business plan]. I have written an action plan and sent it to IOM's office here a month ago, and I have still not heard anything from them.... I wake up in the morning and do nothing.

³⁴ S Plambeck, *Points of Departure*, p. 46; E Ratia and C Notermans, "I was Crying, I did not Come Back with Anything": Women's experiences of deportation from Europe to Nigeria', *African Diaspora*, vol. 5, issue 2, 2013, p. 159; J Pennington and B Balaram, p. 23.

³⁵ E Paasche, S Plambeck and M L Skilbrei, 2016.

While this in theory could be attributable to anything from poor listening skills to wilfully inaccurate information from IOM in Norway, it is clear that she would have preferred cash over the in-kind type of assistance and that she was surprised by the in-kind nature of the assistance.

Moving on from what appears as weaknesses in programme implementation, we also see the social embeddedness of post-return vulnerabilities as a second reason to question the relevance of VG support to overcome them.³⁶ A number of studies describe the stigmatisation, socioeconomic marginalisation and alienation of returned sex workers in Benin City.³⁷ Consistent with such observations, returnees in our study describe the devaluation of social capital upon return. As one deportee from Europe noted:

When I was deported I was empty-handed. In 2014, I came back. I cried. I'm even ashamed of going to my village. Most of them know that I went to Europe.... I was ashamed to tell my mother [that I'm back].... Until now I haven't told my mother.

Some interviewees from Europe stressed how hard it was to avoid rumours and ostracisation upon their 'homecoming'. 'I don't think you can keep such things secret. If a person is [returned] a few days ago, you can hear people talking about it.' Correspondingly, several were very careful with whom they shared their experiences. 'I tell [my younger siblings] my whole story, the full experience. They will keep it as a secret. They will not tell others. We need to help ourselves.'

A general theme in interviews with victims coming back from Norway and other European states without acquiring the expected wealth, was the relative lack of family support and condemnation from dear ones. This appears to constitute an urgent and consequential vulnerability. Livelihood opportunities are scarce and patronage is a key principle of social organisation. NGO staff workers described family reunification as vital for reintegration but also as a major challenge. NGOs reported making routine risk assessments of families before advising for or against family reunification.

³⁶ See: R Ruben, M van Houte and T Davids, 'What Determines the Embeddedness of Forced-Return Migrants? Rethinking the role of pre- and post-return assistance', *International Migration Review*, vol. 43, issue 4, 2009, pp. 908–37.

³⁷ S Plambech, 'Between "Victims" and "Criminals"', E Ratia and C Notermans, 2013, pp. 155, 157; J Pennington and B Balaram, pp. 4, 26, 37; M L Skilbrei and M Tveit, 2007, p. 56.

Decisions to migrate and investments in migration were often made at the household level.³⁸ It frequently involved heavy debts that were now next to impossible to pay. Return spells the end of remittances, both a substantial contribution to the household economy and a source of social pride, and turns returnees into economic burdens instead of breadwinners.³⁹ The visibility of some vastly enriched migrant-sending households continues to motivate migration, although the economic and social costs of failure have become more readily observable in Benin City lately.

Families were not uniformly dismissive. As one returnee from Europe said, 'My family was happy to see me. When I told her what I'd been through, my mother said that she did not care about the other, successful girls.' Another returnee described mixed feelings.

When I came back they told me that they were hungry. They needed the money. They were happy to see me initially, but expected me to bring more money, that things would be different for the family. But there was no money.

The expectation to extend patronage upon return is so powerful that several returnees, from Norway and other European countries, reported that their businesses failed because they had felt compelled to take the money needed to maintain the business in order to give it to kin and friends as gifts. This, of course, undermined the longevity of their business. Key informants saw this as a serious operational challenge.

Finally, the overall impression from the interview data suggests that non-migrants tend to attribute the failure to thrive in Europe not to systemic factors, like restrictive immigration policies, but rather to individual personality and moral shortcomings. While the stigma of returning as a female victim of trafficking for prostitution is complex, the individualisation of failure adds to that stigma and undermines returnees' support networks. Those networks are almost certainly more important for returnees' wellbeing in the long term than the limited VG support.

³⁸ M L Skilbrei and M Tveit, 'Mission Impossible? Voluntary and dignified repatriation of Nigerian victims of trafficking', in TD Truong and D Gasper (eds.), *Transnational Migration and Human Security. Hexagon Series on Human and Environmental Security and Peace*, vol. 6, Springer, Berlin, Heidelberg, 2011, pp. 135–45, p. 138; See also: E Paasche, S Plambech and M L Skilbrei, 2016.

³⁹ S Plambech, 2016, p. 149.

Conclusion: Return to vulnerability

Vulnerability is determined for prospective returnees while they are still in Norway but projected across time—into the future—and space—into Nigeria. Data in Norway and Nigeria traverses time and space, but also analytical levels, from host state to community of origin. Some observations hold true across all of these. Vulnerability is feminised by the Norwegian host state as well as in Benin City, where the plethora of NGOs did not include a single NGO working with male victims of trafficking.

Other observations arise precisely because of our transnational methodology. It seems quite possible to be vulnerable ‘there’ for other reasons than ‘here’, for instance. While being a (female) victim of trafficking greatly increases eligibility for VG support in Norway, the vulnerability of a VG returnee in Benin City has less to do with that essentialised identity than it has to do with its practical outcomes. In other words, what material resources does the returnee bring back to the sending household? Failure to live up to expectations of patronage upon return is a major cause of vulnerability, as is ostracisation and undermined support networks. Ironically, while the VG programme makes the returnee responsible for her own welfare, the local community makes her responsible for her lack of welfare. While the category of ‘victims of trafficking’ is not associated with agency in Norway, returned victims of trafficking are generally held individually accountable for their situation of vulnerability—which is rarely a passing phase.

Post-return narratives of administrative delays and bureaucratic obstacles give reason for concern. This study, together with the broader research within this field, indicates that poor service delivery can in fact exacerbate vulnerabilities rather than help returnees overcome them. On the other hand, it is clear that there is a need for reintegration assistance. Our article hence raises important questions concerning the type, scope and modalities of assistance. We do not aim to resolve these questions here, but we hope our exposition can fuel debate and further research.

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Dilemmas in Rescue and Reintegration: A critical assessment of India's policies for children trafficked for labour exploitation

Elizabeth Donger and Jacqueline Bhabha

Abstract

This paper provides a comprehensive analysis of the Indian government's efforts to combat pervasive child trafficking for labour exploitation through rescue and reintegration of affected children. It evaluates the extensive policy and legal frameworks against on-the-ground realities in the states of Bihar and Rajasthan, using empirical findings from a qualitative study carried out by the FXB Center for Health & Human Rights at Harvard University. The results demonstrate that current practices fail to adhere to human rights norms or protect rescued children from risk of future exploitation. They underscore important challenges in the rescue and reintegration of trafficked children, and call into question the singular focus on this category of post-harm response over preventative interventions. The findings point to a critical need for future research, sustained multi-stakeholder discussion and concrete reforms.

Keywords: prevention, rescue, reintegration, trafficking, child labour, India, exploitation

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Introduction

The trafficking of children for labour exploitation is a gross violation of rights that both results from and contributes to structural poverty and inequality. From a protection standpoint, the prevailing model of response to this problem is ‘rescue and reintegration’: remove children from harm, then support their recovery and social and economic inclusion. In India, pervasive trafficking for labour exploitation has attracted considerable public concern and academic analysis. However, state interventions to rescue and reintegrate children trafficked for labour exploitation have not been carefully evaluated. This gap is significant because the quality and course of a child’s life after trafficking, while determined partly by complex individual, family and community factors, also depends upon the effectiveness of the systems mandated to provide the child with services and support.

This paper evaluates the existing legal and policy frameworks for rescue and reintegration against the realities of their implementation in one substantial child labour trafficking context: rural children trafficked from the impoverished eastern state of Bihar a thousand kilometres to the west—Jaipur—the thriving capital of India’s largest state, Rajasthan. The analysis is based on empirical findings from a qualitative study conducted by the FXB Center for Health & Human Rights at Harvard University (Harvard FXB) with relevant duty bearers in the rescue and reintegration process. The results reveal startling inconsistencies between legal and policy commitments and implementation. The underlying structural factors causing children’s abuse are not sufficiently addressed. Victims, if they do not fall through the cracks entirely, receive a series of poorly executed, disjointed and fragmented services.

This paper argues that the substantial challenges associated with addressing trafficked children’s complex vulnerabilities post-harm underscore a need for interventions targeting these vulnerabilities before harm occurs: prioritising prevention. In the absence of comprehensive and holistic solutions, however, at least those adopted should minimise harm and maximise protective outcomes. The analysis advanced in this paper highlights several key challenges to the current prevailing model and suggests concrete priorities for reforms to ensure efforts are more effective, better coordinated and longer lasting.

Context

International law defines child trafficking as the act of recruitment, transportation, transfer, harbouring or receipt of a child, either within or outside a country, for the purpose of exploitation.¹ Labour exploitation is one pervasive manifestation of trafficking. Child labour is defined by international law as work that is unacceptable for children, because the child is too young to enter employment, or the work concerned is hazardous or another so-called ‘Worst Form of Child Labour’.² Whether all child labour amounts to exploitation, the necessary second element of child trafficking as just defined, is a matter of some debate and influenced by divergent national legal and cultural contexts.³

In India, the recruitment of children for unquestionably exploitative work is a widely acknowledged problem.⁴ Children are trafficked because of complex push-and-pull factors including structural poverty, climate change and human rights violations on the one hand and the promise of improved opportunities and a better life on the other. Recruitment happens through strangers, middlemen familiar to communities, or relatives. The process can involve forcible kidnapping, but more frequently involves pressure and/or deception, including false promises around conditions of work and pay. Typically, parents are the targets, for they hand over the children to the recruiters, sometimes in return for a small lump sum intended as part credit against the child’s future wages. On occasion, however, children themselves voluntarily leave in search of work and end up in situations of exploitation at destination.

Children’s employment circumstances are varied and include carpet making,⁵ garment factories,⁶ brick kilns, tea stalls, and the domestic sphere. Many of these children work long hours in conditions that pose severe health hazards.

¹ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, 15 November 2000, (Trafficking Protocol), Article 3.

² International Labour Organization (ILO), *Minimum Age Convention*, C138, 26 June 1973; ILO, *Worst Forms of Child Labour Convention*, C182, 17 June 1999.

³ M Liebel, ‘Do Children Have a Right to Work? Working children’s movements in the struggle for social justice’ in K Hanson and O Nieuwenhuys (eds.), *Reconceptualizing Children’s Rights in International Development*, Cambridge University Press, Cambridge, 2013, pp. 225–249.

⁴ P M Nair, *Trafficking in Women and Children in India*, Orient Longman, New Delhi, 2005, pp. 131–139.

⁵ T Chubayanger, *Migrant and Trafficked Children in Hazardous Employment: The case of Nagaland*, Noida, 2013, <http://www.vvgnli.gov.in/sites/default/files/2013-103.pdf>.

⁶ Global March Against Child Labour, *Dirty Cotton: A research on child labour, slavery, trafficking and exploitation in cotton and cotton seed farming in India*, New Delhi, 2012.

Often restricted to the confines of the workplace, they may be isolated from basic protective structures like family, education or welfare provision. As a result, they are highly vulnerable to physical, emotional and sexual abuse.

Statistics on the magnitude of this problem are scarce, variable and unreliable. Some experts now consider largely meaningless the sizeable figures customarily cited as proxies for the seriousness of the problem.⁷ Quantitative data are largely collected from sporadic studies and surveys, and extrapolated based on approximations. The International Labour Organization estimates that over 5.7 million 5–17-year-olds in India are engaged in child labour,⁸ an unknown portion of whom are trafficked. By contrast, figures released for 2015 by the National Crime Records Bureau report only 3,490 cases of child trafficking covering all forms of exploitation.⁹

Over decades, the Government of India has developed an extensive legal and policy framework to address the intertwined issues of child labour and child trafficking. Most notably, this includes *The Child Labour (Prohibition and Regulation) Act, 1986*, and its 2016 Amendment. The 2016 amendment, while continuing the previous prohibition on work by children below 14 years of age and work in certain hazardous occupations for all children under 18, introduces some far-reaching exceptions. Children below 14 are now allowed to work in the domestic sphere or family businesses, contexts affording considerable leeway for exploitation. Other relevant elements of the Indian legal framework are *The Juvenile Justice (Care and Protection of Children) Act, 2000*, and *The Right of Children to Free and Compulsory Education Act, 2009* (providing all children aged 6 to 14 years with free and compulsory education).

The country's flagship National Child Labour Project (NCLP) was created in 1988 to 'suitably rehabilitate children withdrawn from employment'.¹⁰ Other programmes were subsequently created to provide complementary services to

⁷ S Yea and B Gerasimov (eds.), 'Where's the Evidence?', *Anti-Trafficking Review*, issue 8, April 2017; National Commission for the Protection of Child Rights, 'Right to Education and Total Abolition of Child Labour: Freedom and dignity for all children', Briefing Papers, 2008, p. 1, <http://ncpcr.gov.in/showfile.php?lid=138>.

⁸ S Khan and S Lyon, *Measuring Children's Work in South Asia: Perspectives from national household surveys*, International Labour Organization, 2015, p. 81.

⁹ National Crime Records Bureau, *Crime in India: 2015*, Ministry of Home Affairs, p. 217, http://ncrb.nic.in/StatPublications/CII/CII2015/FILES/Statistics-2015_rev1_1.pdf.

¹⁰ Ministry of Labour & Employment, Government of India, *National Policy on Child Labour – 1987*.

children not covered by the NCLP. In September 2006, the Ministry of Home Affairs established the Anti Human Trafficking Units (AHTUs) to facilitate interagency coordination for rescue and reintegration efforts, monitor interventions, and collect and analyse relevant data.¹¹

In 2008, the Ministry of Labour and Employment published the first consolidated rescue and reintegration guidelines for children trafficked for labour. *The Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked & Migrant Child Labour* (The Protocol) was intended to provide ‘clearly laid out mechanisms and supporting instructions, which could be relied upon by various stakeholders for taking all the necessary steps’.¹² This document, which does not reference the AHTUs, has since been supplemented by local and state government action plans.¹³

Field Research Methodology

The analysis presented here is based on field research conducted by the Harvard FXB Center between 2014 and 2015.¹⁴ FXB India Suraksha, a registered Indian NGO, conducted the research in the source state of Bihar, the transit city of New Delhi, and the destination state of Rajasthan.¹⁵

¹¹ As of August 2012, there were AHTUs in 225 of India’s 640 districts. See: Ministry of Home Affairs, Government of India, *Human Trafficking in Assam*, 12 August 2015, <http://mha1.nic.in/par2013/par2015-pdfs/rs-120815/2594.pdf>; United Nations Office on Drugs and Crime (UNODC), *Current Status of Victim Service Providers and Criminal Justice Actors in India*, 2013, pp. 29–30.

¹² Ministry of Labour and Employment, Government of India, *Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked and Migrant Child Labour*, 2008, p. 8, <http://pblabour.gov.in/Pdfs/protocol.pdf>.

¹³ UNODC, p. 84.

¹⁴ The Principal Investigator of this study was Jacqueline Bhabha, Director of Research at the Harvard FXB Center. The research team consisted of Angela Duger, a Research Associate at the Harvard FXB Center, and Satya Prakash, Senior Programme Manager at FXB India Suraksha based in New Delhi.

¹⁵ According to the UNODC, ‘The State of Bihar is a source area for trafficking of children for forced labour. Thousands of children are trafficked every year to work in towns or cities in various unorganised sectors of work.’ Child trafficking is also ‘a serious issue’ in Rajasthan, which is ‘a source of child labour...but also a destination state for child labour as a large number of children from West Bengal, Bihar, Uttar Pradesh, Delhi and Jharkhand come to Rajasthan for work’. See: UNODC, pp. 72, 141.

The study involved extensive, semi-structured interviews with 49 key informants from the Department of Labour (8), other federal and state government representatives (8), the Child Welfare Committees (CWCs) in both destination and home states of trafficked children (5), law enforcement (10), and non-profit organisations (18). The study was originally planned to include interviews with trafficked children to better understand their perspectives on the recruitment, rescue and reintegration process, but the Harvard Institutional Review Board ruled this out due to ethical concerns about the risk of re-traumatisation or retaliatory action by parents. As a result, no direct information was collected from the trafficked children themselves. A standardised questionnaire was developed and partially adapted for each subgroup, reflecting specific responsibilities for and expertise on the rescue and reintegration process. Informants were interviewed in Hindi and/or English in private, secure locations outside the workplace. The identities and employment positions of respondents were anonymised.

Rescue Operations

The Protocol provides general guidelines for planning and execution of raids in ‘an effective, child friendly manner [that is] less traumatic for the child’,¹⁶ as well as immediate post-rescue steps. The Harvard FXB survey shows that rescue operations in Bihar and Rajasthan are largely successful in physically removing a limited number of children from exploitative work environments following raids on their workplaces. However, operations are carried out inconsistently by poorly trained staff, unsupported by centralised intelligence systems, and often expose children to additional trauma and risk. There are significant gaps in the content and implementation of policies for planning and executing raids.

According to the Protocol, rescue teams should include: an official from the Department of Labour, representatives of the CWCs, a local non-profit, a doctor, and a female police officer or volunteer.¹⁷ These individuals must receive training on relevant laws, their individual responsibilities, and trauma prevention strategies. However, research participants reported that, in reality, teams are often too small to cope with the numbers of children needing rescue. Police officers, doctors, and female witnesses only sporadically take part. The AHTUs, whose core mandate is to coordinate rescue and post-rescue procedures, scarcely participate in the process.

¹⁶ *Protocol on Prevention, Rescue, Repatriation and Rehabilitation*, p. 25.

¹⁷ *Ibid.*, p. 24.

In the absence of a clear allocation of responsibility between the different entities listed in the Protocol, rescue operations in practice rely heavily on non-profit organisations. While several organisations, such as Bachpan Bachao Andolan, have considerable expertise in conducting raids, key informant data suggests this overreliance leads to ad hoc and under-resourced raids directed by inexperienced or poorly supported workers, a situation that can and does inflict additional trauma on vulnerable children. One respondent noted that NGOs sometimes proceed with a rescue on their own: ‘Most of the time, when we don’t take immediate action the child could be sent somewhere else. So we don’t inform anyone. My first priority is to rescue the child, and then inform others.’ Non-profit participants reported suffering threats, stone attacks, and beatings in retaliation for their actions. These risks of reprisal are exacerbated by the non-involvement of law enforcement in raids.

The Protocol states that details of the rescue and the identities of rescued children must remain strictly confidential, and should not be disclosed to outside parties, including the media.¹⁸ Yet privacy breaches concerning occurrences and information leaks before, during and after raids are frequent. Respondents stated that employers are often alerted to impending raids, and that unsuccessful rescue operations can increase the risk of employers retaliating against children. Basic precautions to protect children’s identities are often neglected. One government official stated that rescue team members directly solicit media involvement so ‘the public could understand that this type of activity is a crime and punishable offence’. Publicity generates risks of retaliation against rescued children, increased social stigma and difficulty in reintegration. Moreover, widespread sensationalised media coverage of raids plays an important role in simplifying the complex underlying social and economic problems that perpetuate this problem.¹⁹

Following rescue, children should be taken to ‘drop-in centers or temporary shelter homes under the control of Social Welfare Department’ until arrangements for more permanent accommodation are made. They should be accompanied to the CWC as soon as possible after their rescue to make a statement about their experience. The CWC serves as ‘guardian of the rescued

¹⁸ *Ibid.*, pp. 23, 26.

¹⁹ See, for example, K A Appiah and M Bunzl (eds.), *Buying Freedom: The ethics and economics of slave redemption*, Princeton University, Princeton, 2007, p. 9; M Ditmore, *The Use of Raids to Fight Trafficking in Persons*, Sex Workers Project, 2009, <http://sexworkersproject.org/downloads/swp-2009-raids-and-trafficking-report.pdf>; Global Alliance Against Traffic in Women, *Collateral Damage: The impact of anti-trafficking measures on human rights around the world*, Bangkok, 2007.

child...empowered to plan the rehabilitation plan'.²⁰ Immediate care and support are also of critical importance as a prelude to more sustained rehabilitation and reintegration into a rights-respecting childhood. In practice, while basic food and shelter are generally provided immediately following rescue, care is often insufficient. Several NGO participants reported that rescued children are sometimes transferred to a police station, an inappropriate and potentially re-traumatising environment. According to 45 of 49 participants, the care of children trafficked from different states is inhibited by the simple lack of an interpreter competent in the relevant local languages. This striking failure has wide implications for the effectiveness of service delivery and likelihood of ensuing criminal prosecution.

Criminal proceedings are also meant to be initiated at the immediate post-rescue stage, an important element in curtailing demand for exploitative child labour. Labour department officials are required to file a First Information Report (FIR), starting an investigation and potential prosecution of a crime.²¹ In practice, respondents stated that FIRs are not always filed and that there is confusion and disagreement about who has this responsibility. The resulting consensus is that employers are 'rarely' or 'never' arrested, and unlikely to be convicted. Official figures for 2015 show that nationwide only 55 cases of child trafficking for any purpose (1.09 per cent) resulted in convictions out of 5,026 under investigation.²²

Reintegration

Following their rescue, the children face extensive challenges in successfully reintegrating into society. While the concept has no universally accepted definition, 'reintegration' is broadly understood in the literature to encompass a long-term, holistic process. Surtees defines it as:

A process of recovery and economic and social inclusion...[which] includes settlement in a stable and safe environment, access to a reasonable standard of living, mental and physical wellbeing, and opportunities for personal, social and economic development, and access to social and emotional support.²³

²⁰ *Protocol on Prevention, Rescue, Repatriation and Rehabilitation*, p. 30.

²¹ *Ibid.*, p. 21.

²² National Crime Records Bureau, pp. 217–221.

²³ R Surtees, *Monitoring Anti-Trafficking Re/integration Programs: A manual*, Nexus Institute, Washington DC, 2010, p. 24.

Existing reintegration strategy in India focuses primarily on the provision of ‘educational rehabilitation for the child and economic rehabilitation for the family’.²⁴ The Harvard FXB study demonstrates, however, that current reintegration strategies in Bihar and Rajasthan fail to respect trafficked children and their families’ fundamental needs and rights, including protection, adequate standards of living, health care, and education.

Indian anti-trafficking practitioners treat reintegration as a fixed, short-term process. Ninety-six per cent of respondents interviewed stated that individual children’s cases are closed within only four months of rescue, with no subsequent follow-up or monitoring of the consequences of return. Both short- and long-term reintegration plans for rescued children and their families are rarely prepared or implemented. Rather, existing reintegration efforts amount to the simple tracing of and immediate return of rescued children to their families, leaving them exposed to the same structural vulnerabilities that led to their being originally trafficked.

Regarding accommodation, the CWC has an obligation to allocate appropriate housing to rescued children. The Protocol requires a home verification report to determine whether it is safe for the child to be sent back home to his or her family. If not, the CWC can recommend family-based alternative care, or residential hostels provided by the government or non-profits.²⁵ In practice, children are always returned to their families except in cases where the family cannot be located. Respondents agreed that thorough family assessments, exploring the original drivers of the child’s trafficking and measures that could alleviate risks of re-trafficking, never happen.

This serious protection failure is due in part to the logistical difficulties of home assessment. Approximately, four-fifths of child workers in India are from low-caste families in remote and hard-to-reach rural areas,²⁶ and trafficked children sometimes come from families that are themselves migratory, struggling to survive. The challenges facing CWCs seeking to conduct home visits are therefore substantial and require staffing, training and transport resources that are generally unavailable at present. There is no clearly defined responsible party for arranging and funding the transfer of rescued children back to their home state. In the case of long-distance returns, as from Rajasthan to Bihar, groups

²⁴ *Protocol on Prevention, Rescue, Repatriation and Rehabilitation*, p. 35.

²⁵ *Ibid.*

²⁶ United States Department of Labor, *2013 Findings on the Worst Forms of Child Labor: India*, 2014, p. 1.

of rescued children are sent by train to large regional railway hubs accompanied on an ad hoc basis by either a government official or NGO worker. Once traced, the family is told to come and collect the child from the regional hub.

Resources to strengthen a child's integration back into the family, to support parents' mentorship and acceptance of returned children are also lacking. As a result, reintegration is generally reduced to simple return to the status quo preceding the child's trafficking. Alternative accommodation options are also limited, underfunded, and not subject to adequate monitoring and evaluation. It is not surprising, given this reality, that reports of assault, neglect and re-trafficking in these environments are not uncommon.²⁷

The NCLP schools are designed to provide rescued children with non-formal educational services that help them catch up on missed years. In these 'bridge schools', pupils are taught a highly condensed syllabus before being mainstreamed into a formal institution, or returned to some form of self-employment. NCLP schools also serve as the principal vehicle for provision of vocational training and regular health check-ups, which are conducted on a largely ad hoc basis.²⁸

According to the study results, rescued children are not consistently enrolled in bridge school programmes after their return home. One CWC official stated that 'only the parents of the child have a role in school enrolment'. Participants listed several barriers to enrolment, most prominently the lack of available participating schools in the district, the failure of schools to deliver the promised daily stipend to formerly trafficked children, and the child's simple refusal to attend. Research shows that family mentorship and support are critical in school attendance in India.²⁹ However, parents are not provided with financial, logistical and emotional services that would make it possible for them to play this role. Other reports show that the NCLP is significantly underfunded³⁰—it operates in only about a third of India's 676 districts³¹ and its teaching staff is poorly

²⁷ See: Aangan India, *Changing Spaces*; US Department of State, *Trafficking in Persons Report 2013 – India*; A Kannampilly, '“Culture of Abuse” at India's Children's Care Homes', *The National*, 15 July 2012, <https://www.thenational.ae/world/asia/culture-of-abuse-at-india-s-children-s-care-homes-1.457713>.

²⁸ A K Satpathy *et al.*, *Rehabilitation of Child Labour in India: Lessons learnt from the evaluation of NCLPs*, V.V. Giri National Labour Institute, 2010, p. 5.

²⁹ O Kelly, J Bhabha and A Krishna, 'Champions: Exploring the determinants of adolescent girls' empowerment', *Human Rights Quarterly*, vol. 37, no. 4, 2015.

³⁰ M Yamini *et al.*, *Human Rights and Budgets in India*, 2009, p. 365.

³¹ Ministry of Labour and Employment, *Annual Report of the Ministry of Labour and Employment 2012–2013*, 2013.

remunerated and often under-qualified.³² Quality education that delivers valuable learning skills and tools to progress to higher education is critical, acting as a self-reinforcing mechanism to promote families' investment in getting their children to go to school.³³ Inadequate bridge schools produce the opposite result.

Even when they are successfully enrolled in bridge schools, returned children face difficulties integrating into formal schools because the coordination between the two systems is extremely poor. This serious problem is partly exacerbated by the fact that bridge school programmes are run by the Ministry of Labour and Employment, while the Ministry of Education organises formal schooling.³⁴ The failure to invest in robust teaching facilities in bridge schools and to ensure smooth transition opportunities into mainstream formal education is a critical issue in the reintegration context.

Indian reintegration policy seeks to support the social and economic viability of children and their families through a lump sum compensation scheme. The Supreme Court determined in the case of *M C Mehta versus State of Tamil Nadu* that offending employers must by law deposit INR 20,000 per rescued child into a special welfare fund.³⁵ It also directed that one adult member of the child's family should be offered employment or, failing that, the state should contribute an additional INR 5,000 to the welfare fund.³⁶

Respondents in the study were uniformly aware that rescued children ought to receive these sums but they acknowledged that, in practice, children rarely receive any compensation at all. This confirms other reports that compensation rarely reaches the intended beneficiaries.³⁷ As an NGO representative commented,

³² B Zutshi, *Seeking to Bridge the Divide: Linking formal and non-formal education in Uttar Pradesh India*, UNESCO International Bureau of Education, 2004, p. 8,

³³ A Banerjee and E Duflo, 'Top of the Class' in *Poor Economics: A radical rethinking of the way to fight global poverty*, Public Affairs, New York, 2011, pp. 71–101.

³⁴ Notably, the one district where the NCLP is run by the Department of Education is Andhra Pradesh, where existing best practices have been identified and significant gains have been made in eliminating child labour. See: M Weiner, N Burra and A Bajpai, *Born Unfree: Child labour, education, and the state in India*, Oxford University Press, Oxford, 2007, p. Lvii.

³⁵ *M C Mehta v. State of Tamil Nadu & Ors* (1996), RD-SC 1576, http://ncpcr.gov.in/show_img.php?fid=520.

³⁶ *Protocol on Prevention, Rescue, Repatriation and Rehabilitation*, p. 32.

³⁷ See, for example, A Banerji, 'NCLP teachers without salary for past 21 months', *The India Tribune*, 28 March 2015, <http://www.tribuneindia.com/news/jalandhar/ncpl-teachers-without-salary-for-past-21-months/59857.html>; Human Rights Watch, *Small Change: Bonded child labour in India's silk industry*, January 2003, <http://www.hrw.org/reports/2003/india/>.

‘There is no chance of financial help or compensation. It is believed that child’s freedom is itself a compensation.’ Importantly, respondents did not list the lack of resources as the principal reason why children are not compensated. They pointed to noncompliance by employers or technical and administrative failures. Policy frameworks do not provide clear, standardised guidelines on how cash transfers are meant to work. Neither the Protocol nor the *M C Mehta* judgment details where the welfare fund for receipt of the money should be set up, how interstate coordination should be achieved, or what kind of access families will have to this money.

Families need structured and ongoing support to mitigate the risk that a child will be re-trafficked for economic reasons. The research suggests that cash transfers are most effective in impacting child labour when integrated with other investments in health, education facilities or afterschool education—part of a radical, sustained poverty-alleviation strategy.³⁸ Lump sum compensation does little to address the structural factors that lead households to use child labour as a coping strategy.³⁹

Finally, the acute mental and physical health needs of rescued children are acknowledged as an afterthought, without concrete policy initiatives to ensure delivery of suitable and sustained services. Although study participants stated that a counsellor is supposed to accompany children immediately following rescue, no other concrete measures were mentioned that address the physical, mental, and psychological needs of these vulnerable individuals or those of their families.

³⁸ J de Hoop and F Rosati, ‘Cash Transfers and Child Labor’, World Bank Policy Research Working Paper No. 6826, 1 March 2014, p. 30, <http://elibrary.worldbank.org/doi/abs/10.1596/1813-9450-6826>.

³⁹ *Ibid.*, p. 23.

Implications for Improved Responses to Child Labour Trafficking

An Increased Focus on Prevention

This study of the system in place for protecting and supporting children trafficked for labour between Bihar and Rajasthan clearly demonstrates that current efforts do not engage with the broader structural drivers of this problem, including the vulnerability of the family as a whole. The precise long-term effects of these failures have yet to be studied in detail. However, participating CWC members stated that many children are rescued more than once, confirming the widely acknowledged fact that re-trafficking is a widespread problem.⁴⁰ For many of these children and their families, child labour may still appear the best of a set of limited options.

The recruitment of children for the purpose of labour exploitation is in a sense epiphenomenal: the result of a radically deficient approach to harm prevention, and of multiple, critical protection failures across the home, community, school, health, law enforcement, welfare system, and economy. Current legal and policy frameworks for rescue and reintegration are intended to address some of these same protection failures for children who have already been trafficked. This reactive approach must be complemented by preventative interventions that address the factors widely known to render children vulnerable to future victimisation.

A preventative approach to child trafficking would link top-down coordination of child protection inputs to carefully targeted and sustained poverty reduction measures. Norm change within communities where children have historically been trafficked will only happen when viable alternative survival strategies are evident. To this end, greater investment in quality public education, a sector that in 2016–17 received only 3.65 per cent of India's GDP, is a particularly pressing priority. Low investment in education, health and social welfare also leads to

⁴⁰ The National Commission for the Protection of Child Rights has estimated that of the children who are trafficked in India, 92 per cent have not been rescued, 6 per cent have been rescued once, and 2 per cent have been rescued twice. See: Committed Action for Relief and Education (CARE) & Child Rights and You (CRY), *Developing a New Perspective on Child Labour: Exploring the aftermath of Mumbai raids conducted from 2008 onwards*, 2014, p. 3, <http://www.cry.org/resources/pdf/CRY-CARE-report-on-Child-Labour-2014.pdf>.

under-utilisation of existing funds, as effective implementing governance systems are not established. For example, official data show that between 21 and 41 per cent of funds allocated for elementary education went unutilised between 2011 and 2016.⁴¹

A preventative approach would also complement these more traditional development efforts with targeted community-level initiatives to build alliances between families, local government bodies and service providers, ranging from healthcare workers to the police. These are the actors best positioned to identify and assist minors at particular risk of trafficking and their families, offering them relevant information on risks as well as concrete supports. Community-level prevention programmes would help children and families capitalise on programmes and services already established to assist them and designed to target the vulnerabilities that lead to trafficking. They would also strengthen the workings of the programmes themselves by increasing accountability and identifying areas for improvement.

One such programme is run by the non-profit Aangan in Bihar and five other states in India. Introduced in 2014, it provides a year-long training to a cohort of local women as community-level child protection volunteers. The women become respected and knowledgeable point persons for children's issues within their communities, a front line for pre-empting and addressing harm. They regularly collect information on the ongoing needs of children within their community, entering the data into a mobile app, that is then used to identify vulnerable children. The collected information not only drives timely interventions for children and families but also strengthens policymaking at the local level. The child protection volunteers develop working relationships with local officials and service providers, and together improve the services delivered to their communities.

In general, prevention remains an under-funded and under-researched area: robust evidence on the efficacy and impact of community-level preventative initiatives is necessary to secure long-term investment by governments and donors.

⁴¹ Comptroller and Auditor General (CAG), *Report on Implementation of Right of Children to Free and Compulsory Education Act, 2009*, Indian Government Ministry of Human Resource Development, 21 July 2017.

Strengthening Existing Remedial Approaches

The grim reality of pervasive child labour trafficking in India requires remedial interventions that support victims and their families, and prevent repeated situations of exploitation. The Harvard FXB study identifies several challenges to the rescue and reintegration model established in India for this purpose.⁴²

Critical failures in cross-stakeholder coordination and communication mean that actors do not work together to implement the child's rescue and reintegration plan in a holistic manner. Correcting this problem is no simple task. Rescue and reintegration involve multiple actors that are separated by distance, rigid departmental mandates and, often, language barriers. There is no established protocol for regular communication between relevant partners, responsibilities are not clearly assigned, and effective monitoring of services is lacking. Networking links between employees of the implicated agencies are non-existent. As a result, government stakeholders routinely evade responsibility, deflecting blame for protection failures.

Poor information sharing between agencies involved in rescue and reintegration is exacerbated by a lack of reliable data and a centralised database. There is no formal mechanism to enable a CWC member in Bihar to get information about a child rescued from Jaipur. A centralised intelligence system that includes both police and non-police monitoring information and details of available regional resources is essential to rescue and reintegration success. Development of a secure shared database with varying levels of access for different stakeholders that collates case information is an urgent priority, and an initiative that could be spearheaded by concerned NGO partners. The Harvard FXB team received several requests for such facilities from interested stakeholders.

Essential though it is, a centralised database will not solve the existing challenges concerning information sharing and collaboration without a network of trained and skilfully supervised staff dedicated to overseeing the multifaceted intervention process and encouraging norm change at the grass-roots level. No such network is in place at the moment: the AHTUs established to address child

⁴² The FXB Centre has developed a detailed set of policy recommendations resulting from this analysis that can be found at the FXB website. See: E Donger and J Bhabha, *Is This Protection? Analyzing India's approach to the rescue and reintegration of children trafficked for labour exploitation*, The FXB Center for Health and Human Rights at Harvard University, 2016, <https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2016/03/Is-this-Protection-Final.pdf>.

labour trafficking lack the guidelines, resources, and external supervision or monitoring required to fulfil this role.

An identified office holder accountable for the coordination and oversight of the entire rescue and reintegration processes should supervise training programmes for all key stakeholders on their respective roles and responsibilities and on the challenges facing child victims of trafficking. The process would include instruction in child rights principles and involve clear lines of collaboration and coordination with all relevant stakeholders, regular information exchange and trainings. The ability to secure adequate, long-term funding and technical support programmes, guaranteed by dedicated line items in state government budgets, would be a critical component of the leadership role required. A collective effort to review improvements on the ground, with periodic high-profile meetings and reward ceremonies, might also assist the process of strengthening the anti-trafficking programme.

Another crucial issue identified by the Harvard FXB study is a lack of standardised training programmes for implementing partners. Anti-trafficking personnel lack a thorough and reliable grasp of children's rights and of relevant policies and regulations, and they frequently fail to take advantage of resources that could be utilised to promote more effective interventions. Networking opportunities between employees of the implicated agencies are also non-existent.

Financial issues also plague the rescue and reintegration model. The Harvard FXB study highlighted the existence of considerable financial resources for rescue and reintegration that are being ineffectively allocated. Central among these are stipends payable to formerly trafficked children. These funds remain unused largely due to lack of clear guidelines for their disbursement. As a result, some valuable opportunities for protection and sustainable reintegration are squandered.

At the same time, it is clear that a greater allocation of consistent funding streams to support rescue and reintegration services is needed. Current structural limitations often leave rescue and reintegration actors with impossible choices. Return home may not be in the long-term best interests of the child, yet alternatives such as foster care, orphanages, hostels or kinship care may also present significant risks to the child. Among the many programmes that require such funding are the following: (i) the complex and costly services needed to support bridge schools; (ii) income generation and family-strengthening projects for children's relatives, and (iii) alternative accommodation options for children whose best interests would be served by outside family care.

Because of the enduring organisational and structural challenges, a sizeable share of current rescue and reintegration work is outsourced to the non-profit sector.⁴³ NGOs have flexible mandates and in-depth knowledge of local communities that enable them to operate effectively in areas where government presence is limited and to provide services inadequately covered by existing policy.⁴⁴ These programmes are also almost entirely outside the reach of public control or oversight.⁴⁵ Many are chronically underfunded, dependent on external support for their survival and, as a result, precariously positioned to provide consistent service over time.⁴⁶ These vulnerabilities frequently result in inadequate staff training and high turnover, which in turn lead to low quality services, and compromise the ability to provide long-term sustainable solutions.

Despite the vibrancy and flexibility of the non-profit child protection sector, it is clearly a poor substitute for legally mandated government services, provided the latter are appropriately funded and supported. As the UN Special Rapporteur on the sale of children, child prostitution and child pornography has noted, ‘States bear the primary responsibility in the design and implementation of programmes, policies and services to ensure the right to care, recovery and reintegration of children, including their timely identification as victims.’⁴⁷

Government-NGO partnerships should be created and maintained through a standardised process that better synchronises non-profit efforts with existing initiatives, ensures long-term funding and rigorous ongoing training, monitoring and evaluation. This process should begin with careful evaluation of successful partnerships leading to effective scaling. The bridge-school model spearheaded by the MV Foundation, and widely replicated by the Andhra Pradesh government in its ‘Back to School Project’ is a case in point.⁴⁸

⁴³ Dr A K Vaddiraju, *Sisyphbean Efforts? State policy and child labour in Karnataka*, Cambridge Scholars Publishing, Cambridge, 2013, p. 5.

⁴⁴ J Clark, ‘The State, Popular Participation, and the Voluntary Sector’, *World Development*, vol. 23, issue 4, 1995, pp. 593–601; B Ghosh, ‘NGOs, Civil Society and Social Reconstruction in Contemporary India’, *Journal of Developing Societies*, vol. 25, issue 2, 2010, pp. 229–252.

⁴⁵ S Hameed *et al.*, *Human Trafficking in India: Dynamics, current efforts and intervention opportunities for the Asia Foundation*, The Asia Foundation, 2010, p. 40.

⁴⁶ *Ibid.*, p. 41.

⁴⁷ UN Human Rights Council, *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography*, Maud de Boer-Buquicchio, A/70/222, 70th Session GA, 2015, p. 7.

⁴⁸ *Ibid.*, p. 11.

Conclusion

Several recent developments in Indian law impact protections for children trafficked for labour. In addition to the aforementioned amendment to the country's child labour law, which dramatically expands the scope of legal work for children under 14, the Ministry of Women and Child Development proposed a new anti-trafficking bill in June 2016. This Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, still in draft form at the time of writing this article, has been applauded for strengthening criminal investigation and prosecution processes. However, like its predecessors, it fails to provide clear guidelines on what 'rehabilitation' of victims must include and who is responsible for providing it.

The evidence presented here on rescue and reintegration in India indicates that reforms are needed to improve the policy itself; to strengthen the implementation of the policy; and to direct efforts as early as possible to prevent victimisation of trafficked children before harm occurs. Current efforts, despite their scale and complexity, have failed to protect the rights of vulnerable children or address the endemic causes of their abuse. The strategic and fiscal costs associated with the ambitious process outlined here, significant though they are, are far outweighed by the enormous costs of continued inaction, and the human and social toll of current failures in rescue and reintegration policy.

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At Home: Family reintegration of trafficked Indonesian men

Rebecca Surtees

Abstract

Large numbers of Indonesian men migrate each year for work in construction, in factories and in agriculture, on plantations and on fishing boats. Many of them end up exploited in ways that constitute human trafficking, suffering violence, deprivation, restricted freedom and severe exploitation as well as long periods of separation from their families. This article explores the challenges faced by forty-nine Indonesian men reintegrating into their families and communities after having been trafficked. While many problems with the family were caused by economics, tensions also resulted from long separations, fractured relationships, and frustration and blame over ‘failed’ migration and unfulfilled expectations. Tensions were sometimes exacerbated when men faced recrimination and blame in their communities after return. Understanding the nature of and reasons for the problems that men faced after trafficking is vital in considering how trafficked men and their families can be supported to recover and reintegrate after trafficking.

Keywords: human trafficking, men, reintegration, Indonesia, family, community

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Introduction

Male migration is an important economic strategy in Indonesia. Men migrate for work both within the country as well as abroad, often irregularly to neighbouring countries like Malaysia to work in construction and on plantations. Migration for some labour sectors, like fishing and factory work, involves formal, regular migration channels and often more distant destinations.

Indonesian men's experiences of migration are diverse. Although not inevitable, these migration patterns may lead to exploitation, abuse and even human trafficking.¹ Many find work and return home with money; many others are unpaid or underpaid, poorly treated and exploited.² The extent to which these latter instances rise to the level of human trafficking remains unclear. Moreover, migrants may experience both success and exploitation along the same migration trajectory.³ Nonetheless, what is increasingly clear is that some (and arguably many) Indonesian men are trafficked for different forms of labour.⁴

¹ Indonesia's anti-trafficking law prohibits all forms of human trafficking, including for labour exploitation. Republic of Indonesia (2007), *Law on the Eradication of the Criminal Act of Trafficking in Persons, Number 21, Year 2007*, Article 1.

² M Eilenberg, 'Territorial Sovereignty and Trafficking in the Indonesia-Malaysia Borderlands' in M Ford, L Lyons and W van Schendel (eds.), *Labour Migration and Human Trafficking in Southeast Asia: Critical perspectives*, Routledge, London, 2012, p. 121; O Pye, R Daud, Y Harmono and Tatat, 'Precarious Lives: Transnational biographies of migrant oil palm workers', *Asia Pacific Viewpoint*, vol. 53, issue 3, 2012, pp. 338–340; IOM, *Labour Migration from Indonesia: An overview of Indonesian migration to selected destinations in Asia and the Middle East*, IOM, Jakarta, 2010, p. 47.

³ M Ford and L Lyons, 'Labor Migration, Trafficking and Border Controls' in T Wilson and H Donnan (eds.), *A Companion to Border Studies*, Wiley-Blackwell Publishing, Chichester, 2012, pp. 439–440.

⁴ R Fuchs, *Human Trafficking of Legal and Illegal Migrant Workers in Taiwan*, Hope Workers' Center, Taiwan, 2011; IOM, *Report on Human Trafficking, Forced Labour and Fisheries Crime in the Indonesian Fishing Industry*, IOM, Jakarta, 2016; J Joudo Larsen, H Andreovski and S Lyneham, 'Experiences of Trafficked Persons: An Indonesian sample', *Trends & Issues in Crime and Criminal Justice*, no. 449, 2013; S Lyneham and J Joudo Larsen, 'Exploitation of Indonesian Trafficked Men, Women and Children and Implications for Support', *Trends & Issues in Crime and Criminal Justice*, no. 450, 2013; C Stringer, G Simmons, D Coulston and DH Whittaker, 'Not in New Zealand's Waters, Surely? Linking labour issues to GPNs', *Journal of Economic Geography*, vol. 14, 2014, pp. 745–748; R Surtees, *Our Lives: Vulnerability and resilience among Indonesian trafficking victims*, NEXUS Institute, Washington, DC, 2017; R Surtees, LS Johnson, T Zulbahary and SD Caya, *Going Home: Challenges in the reintegration of trafficking victims in Indonesia*, NEXUS Institute, Washington, DC, 2016.

They are trafficked for work in construction, in factories and in agriculture, on plantations and on fishing boats, suffering violence, deprivation, restricted freedom and severe exploitation. They also suffer separation from their families, whom they are unable to contact. These situations last for months and even years and returning home marks a turning point in these men's lives. And yet being 'at home' is not uncomplicated.

This article explores the experiences and challenges faced by forty-nine Indonesian men as they reintegrated into their families and communities after having been trafficked. Many tensions within the family were caused by economics, linked to migration debt and having returned without money. But tensions were also the result of long separations that fractured family relationships, as well as frustration and blame over 'failed' migration and unfulfilled expectations. Tensions were sometimes compounded by recrimination and stigma coming from friends and neighbours within the community.

While family was an important source of support for many men after trafficking, the family environment also involved vulnerabilities and tensions that inhibited or undermined recovery and reintegration. Moreover, expectations around men's roles—as husbands, fathers and sons—meant that experiences of reintegration differed, in some ways, from the experiences of trafficked women.

Experiences of long-term reintegration, particularly men's experiences, are largely missing from research on human trafficking in Indonesia⁵ (and indeed more widely), and yet understanding these experiences is key to our ability to design and implement tailored and effective reintegration programmes and policies. Also missing is an understanding of the nature of and reasons for tensions within men's families and communities after trafficking and over the course of their post-trafficking lives. These experiences need to be better understood to ensure more effective identification and assistance of Indonesian men and the support needed to recover and reintegrate after trafficking. This is particularly pressing when support provided by the family may be the only assistance available to trafficked men in their lives after trafficking, and when community dynamics may, in some cases, undermine their reintegration.

⁵ S Lyncham, 'Recovery, Return and Reintegration of Indonesian Victims of Human Trafficking', *Trends & Issues in Crime and Criminal Justice*, no. 483, 2014; R Surtees, 'Being Home: Exploring family reintegration among trafficked Indonesian domestic workers' in R Piotrowicz, C Rijken and BH Uhl (eds.), *Routledge Handbook of Human Trafficking*, Florence, 2017; R Surtees, *Moving On: Family and community reintegration among Indonesian trafficking victims*, NEXUS Institute, Washington, DC, 2017; R Surtees, *Our Lives*; R Surtees et al., *Going Home*.

Research Approach and Data Collection

This paper is based on in-depth interviews with forty-nine trafficked men conducted between September 2014 and April 2016.⁶ Twenty-four of these men were interviewed a second time, between six to nine months after their first interview. The research team also maintained informal contact with seven of the men between interviews (e.g. in-person meetings, text messages and Facebook) and with three men beyond the end of the project. Interviews were conducted in Bahasa Indonesia by two Indonesian researchers, using standardised questionnaires and tailoring lines of inquiry to individual experiences, before being transcribed and translated into English. All interviews and field notes were cleaned, coded and entered into the qualitative data analysis software NVivo 10. Data was analysed following the principles of thematic analysis.⁷

Research was conducted in the communities where men were integrating or reintegrating. We selected villages where we had a working relationship with authorities or civil society. Potential respondents were first approached by NGO staff, a community leader or a migrant worker activist, who explained the study and provided a written project description. Respondents were then given time to decide whether to participate in the research. Interviews were conducted in a location chosen by the respondent and began with a detailed process of seeking informed consent. Following the interview, the researcher provided each respondent with referral information, explaining assistance options and how to access them. We reimbursed transportation and meal costs and provided a small gift⁸ in recognition of the respondent's contribution to the research. Researchers contacted respondents after several months to be re-interviewed and, if they agreed, the above process was repeated.

We also conducted interviews with 144 key informants, primarily government and NGO service providers (social workers, social assistants, psychologists, lawyers, paralegals and medical personnel) but also administrators, policy makers, law enforcement, migrant worker activists and village leaders.

⁶ Data was collected for NEXUS Institute's research on reintegration in Indonesia, funded by the US Department of State. The research team included myself, Thaufiek Zulbahary, Suarni Daeng Caya, Laura S. Johnson and Pattarin Wimolpitayara. The project was overseen by Stephen Warnath. Thanks to Stephen Warnath, Laura S. Johnson and Thaufiek Zulbahary who reviewed and provided feedback on this article.

⁷ J Aronson, 'A Pragmatic View of Thematic Analysis', *The Qualitative Report*, vol. 2, issue 1, 1994; V Braun and V Clarke, 'Using Thematic Analysis in Psychology', *Qualitative Research in Psychology*, vol. 3, 2006.

⁸ *Sembako* (*sembilan bahan pokok*) or the nine necessities for daily life (rice, sugar, fuel, salt, salted fish, cooking oil, coffee, eggs and flour).

About Our Respondents

The men—all adult at the time of interview—ranged in age from 16 to 49 when trafficked. Almost half were between 18 and 29 years old; 20 men were 30 to 39 years old and four were between 40 and 49 years old. One had been trafficked for construction work at the age of 16, but interviewed when adult.

Most men were married (29 of 49) and had one or two children; four had three or more children. One man was divorced with children. A significant minority were unmarried (19 of 49) and without children.

Trafficked men's family situations changed after trafficking. Twenty-six (of 29) married men remained married after trafficking but a handful reported severe marital problems verging on divorce. Two men divorced their wives after returning home.

Eleven (of 19) unmarried men were still unmarried when interviewed. Eight of them married after trafficking. Not all of these marriages lasted: one man divorced his wife within two years; another married and divorced three times in the years after his return; and one married upon his return, divorced his wife within months and remarried.

Most men (35) were ethnically Javanese, eleven were Sundanese and three were Bugis.⁹ They originated from West Java (n=27), Jakarta (n=1), Central Java (n=15), South Sulawesi (n=3), East Java (n=1) and Lampung (n=2). Most returned home after trafficking; however, some lived in new locations—staying temporarily in Jakarta or other towns while working, or integrating in Jakarta or a new village.

Men had been trafficked for fishing (32), plantation work (8), factory work (4), construction (3) and commercial cleaning (2). Recruitment was most commonly through formal migration channels. Most often, recruiters contacted men in their home communities and facilitated their contact with recruitment agencies. They signed contracts with promised monthly wages of between USD 100 and USD

⁹ Javanese and Sundanese are the two largest ethnic groups, comprising 40% and 15% of the population respectively, with strong cultural similarities. A Anata *et al.*, *Changing Ethnic Composition: Indonesia 2000–2010*, International Union for the Scientific Study of Population, Paris, 2013, pp. 7–14; R Hefner, 'Java's Five Regional Cultures' in E Oey (ed.), *Java*, Periplus Editions, Indonesia, 1997. Bugis comprise the largest ethnic group in South Sulawesi.

600, well above Indonesia's minimum wage.¹⁰ They paid high recruitment fees, ranging from USD 100 to USD 1,360—often borrowing money to fund their migration.¹¹ A minority of men (n=10) migrated irregularly, for example, to nearby Malaysia, but nonetheless incurred debt to recruiters and agencies and for transportation.

Living conditions while trafficked, regardless of the form of exploitation, were inadequate and substandard. Men trafficked for construction and plantation work generally lived at the worksite. Sleeping quarters were crowded, uncomfortable and often without beds. Living conditions on fishing vessels were unhygienic and confined, with shared beds and bedclothes. Trafficked men generally received insufficient and poor-quality food and limited access to drinking water. Those trafficked on fishing boats worked from ten to twenty-four hours each day; one third of these men worked over twenty hours each day. Men trafficked for factory work, construction and palm oil plantations worked shifts of twelve hours, with one man working up to twenty hours each day in a factory. They seldom had protective equipment or suitable clothing, in spite of working in hazardous conditions and intense climates. Rest was limited and often came during brief intervals with regular interruptions. Most trafficking victims did not have any holidays or days off. Violence (physical and psychological) was common.¹² Two men reported sexual violence.¹³

¹⁰ Indonesian men recruited onto fishing vessels in New Zealand were promised salaries of USD 200 to USD 500 per month. G Simmons and C Stringer, 'New Zealand's Fisheries Management System: Forced labour an ignored or overlooked dimension?', *Marine Policy*, vol. 50, 2014, p. 76.

¹¹ Indonesian male migrants generally pay recruitment fees up front (borrowing money at high interest rates); women usually have their salary deducted once abroad. J Lindquist, 'Labour Recruitment, Circuits of Capital and Gendered Mobility: Reconceptualizing the Indonesian migration industry', *Pacific Affairs*, vol. 83, 2010, pp. 125–128. See also Fuchs, p. 8; IOM, *Report on Human Trafficking, Forced Labour and Fisheries Crime in the Indonesian Fishing Industry*, p. 62; Stringer *et al.*, 'Not in New Zealand's waters, surely?'.

¹² See also Lyneham and Larsen, p. 2; Simmons and Stringer, pp. 76–77; Stringer *et al.*, 'Not in New Zealand's waters, surely?'; Surtees, *Our Lives*.

¹³ Sexual violence against trafficked men has also been documented in other research. See Global Freedom Center, *Overlooked: Sexual violence in labor trafficking*, Global Freedom Center, California, 2012; L Kiss *et al.*, 'Health of Men, Women, and Children in Post-Trafficking Services in Cambodia, Thailand, and Vietnam: An observational cross-sectional study', *Lancet Global Health*, vol. 3, 2015; Stringer *et al.*, 'Not in New Zealand's waters, surely?'; Surtees, *Our Lives*; R Surtees, *In African Waters: The trafficking of Cambodian fishers in South Africa*, NEXUS Institute and IOM, Washington, DC and Geneva, 2014.

Men trafficked for fishing were exploited in Trinidad and Tobago (9), South Africa (7), Taiwan (5), Ghana (5), South Korea (4), Mauritius (1) and Uruguay (1). Men trafficked for construction were exploited in Singapore (2) and Malaysia (1); for plantation work in Malaysia (7) and Indonesia (1), for factory work in Malaysia (2) and Taiwan (2) and for commercial cleaning in Singapore (1) and Malaysia (1). Some men were exploited in multiple destinations.

Returning Home

Family is the central structure of Sundanese and Javanese societies. Family members owe each other attention, care and various other mandatory obligations; neglecting familial obligations is a serious social infraction.¹⁴ For most men, family obligations—as fathers, husbands and sons—led them to migrate for work,¹⁵ and family was their primary source of support during reintegration after trafficking.¹⁶ Men’s family situations, therefore, had significant implications for reintegration outcomes and, in many cases, accounted for at least some (if not many) of the ‘ups and downs’ experienced during their post-trafficking lives.

The men we interviewed reintegrated into different family and household constellations. Residence patterns among Sundanese and Javanese are largely governed by choice and are often determined by availability of housing and income.¹⁷ Married men often returned to live with their wives and children (n=12). Some of the married respondents (n=17), though, lived in extended family settings, with parents or parents-in-law. Some men shared their own homes with parents or parents-in-law, but more commonly, they lived in their parents’ or parents-in-law’s houses, which, arguably, left them more open to criticism from parents and in-laws on whom they depended.

¹⁴ H Geertz, *The Javanese Family: A study of kinship and socialization*, The Free Press, Glencoe, 1961; Koentjaraningrat (ed.), *Villages in Indonesia*, Cornell University Press, New York, 1967.

¹⁵ Indonesian men’s position as primary breadwinner and head of the household was entrenched in the 1974 Marriage Law. Republic of Indonesia (1974) *Law on Marriage, Number 1, Year 1974*, paragraph 31.

¹⁶ Indonesia’s anti-trafficking law provides for temporary shelter, medical and social rehabilitation, return assistance and social reintegration. However, trafficked men received either short-term assistance or no assistance at all, with limited assistance available in home villages. Surtees *et al.*, *Going Home*.

¹⁷ L Dube, ‘Kinship and Gender in South and Southeast Asia: Patterns and contrasts’, *9th J.P. Naik Memorial Lecture*, 1994.

Nineteen respondents were unmarried and had no children when trafficked. Of these, ten returned to live with their parents, five were living in temporary housing and four were living with siblings or extended family members.

The following sections explore the interplay of economic issues and relationships within the family after return from trafficking. These tensions, often coterminous and mutually reinforcing, were sometimes exacerbated by gossip and recriminations in the community. And while ‘failed’ migrants may face similar issues after return, some of the specific features of human trafficking further complicated men’s lives and relationships once home, including the impact of exploitation and the damage of long separations without contact.

Coming home without money, coping with migration debt

The need for money/income is the main driver for most Indonesian men who migrate for work (including those who end up trafficked)—for example, to build or repair a home, buy land, pay school fees for children and to cover daily living needs.¹⁸ Yet most of our respondents were unable to remit or return with money, contrasting with many male migrants who succeeded to varying degrees. Moreover, most had also incurred substantial migration debt, paying recruitment fees as high as IDR 15 million (USD 1,360).¹⁹ This was a source of considerable stress for all men. For married men with children, as household heads and primary breadwinners, economic considerations were particularly prominent. A man’s responsibility to support his wife and children—and ‘failure’ of trafficked men to do so—was a central tension in their lives and families after trafficking. Wives also suffered as a result; consistent with other research on Indonesian migrants which found that predictability and regularity of remittances influenced stress levels and mental well-being of carers left behind.²⁰

¹⁸ G Hugo, ‘International Labor Migration and the Family: Some observations from Indonesia’, *Asian and Pacific Migration Journal*, vol. 4, issue 2-3, 1995, pp. 290–292; Surtees, *Our Lives*.

¹⁹ The exchange rate (1 USD = 11,000 IDR) is the average exchange rate from 2010–2017.

²⁰ E Graham, LP Jordan and BSA Yeoh, ‘Parental Migration and the Mental Health of Those who Stay Behind to Care for Children in South-East Asia’, *Social Science & Medicine*, vol. 132, 2015, pp. 225–235.

Wives often went into debt to care for children in the absence of remittances. As one man explained: ‘My wife gave me a list containing notes about the debts. [She said], “This is the amount during the months you left” ... All the needs were written down by my wife. ... The total was IDR 4.5 million (USD 409).’ They also struggled to care for their families once home. One man described how tension with his wife was a direct function of whether he provided money for his family: ‘If I don’t have money [my wife] will be angry at me. [She says], “We need to buy rice. What can we eat tomorrow?” ... [If I don’t work] she will be angry. But if I have money, she will not be angry at me.’

Financial problems also impacted men’s relations with parents and parents-in-law. One man’s parents had sold their land to cover his migration debt and when he came home without money, they refused to see him.

Failed migration meant that the man’s parents (or parents-in-law) had to support him and, commonly, also his family. One man, in debt to his parents for migration costs, was living in their home with his wife and their son, and the environment was tense: ‘My mother makes a fuss if my boy watches the TV, like, “Buy your own TV”. She often tries to kick me out of the house.’ He went on to explain that money was a constant issue in the household: ‘On Sundays, talk about the debt to my parents always came up ... How could I pay it off quickly? Saving IDR 100,000 (USD 9) already took ten days so it was a slow process ... We argued constantly.’ He spoke of worsening relations with his mother over time because of his debt:

[Family relations] are worse now. ... At first my mother understood this unfortunate event. But now she always demands that the debt be paid. And she always tries to kick us out of the house. So, it’s always in my thoughts. I couldn’t help but think how a parent could do that to her son, daughter-in-law and grandson. I seem calm but I’m under pressure.

Some economic problems (and, thus, family tension) endured for years, as one man explained: ‘Harmony is possible only if there is enough to cover for one’s family needs. ... When my children asked for money, [my wife] yelled and asked them to go to me for the money. It was understandable considering I didn’t provide for my family.’

Economic issues were also a source of tension for unmarried men, particularly those whose families needed support. Some unmarried men, though, faced less pressure and were cared for by parents. One father migrated shortly after his son’s return, to support him while he recovered from his exploitation.

Economic considerations prevented some men from returning home. Some worked temporarily in Jakarta or other districts to earn money to send home or with which to return to their families. By contrast, and with few exceptions, Indonesian women trafficked for labour (domestic work), returned to their families, even without money or in debt.²¹

Some men could not return home because they were unable to repay their migration debt, as one explained: 'I do not have the courage to go home because I have debt. I have debt to my relative for IDR 30 million (USD 2,727). ... My family cries each time I call. They want to see me but I do not want to go home because I cannot face my relative. I am ashamed.'

That being said, money was not always a source of conflict, even in dire economic situations. One man described family support in spite of a weak family economy:

Alhamdulillah [thank God] there's no problem ... [My wife] worries about what to eat the next day when we're short on cash. Sometimes she borrows money if I haven't gotten any job. [My wife and parents-in-law], we stick together whether there is something to eat or there isn't. No, they never [get angry].

Reactions and relationships within the family. Reuniting with wives, children and extended family

While, on the surface, much tension was about money, it was often as much about having 'failed' (as husband, father, son). Economic problems served to highlight unfulfilled expectations, which led, at times, to disappointment, blame and recrimination. Trafficking separations also created emotional distance between men and their families. Even in generally happy family settings, there was strain and tension. Feelings of relief, gratitude and happiness at return often gave way in the face of these pressures.

The impact of trafficking—being stressed, traumatised, physically unwell—meant that men acted and reacted in ways that upset family members, creating further distance and amplifying resentment. One man described being stressed after his return: 'My feeling was like getting fed-up. Annoyed. Wanting to get angry but at whom, I asked. I was confused.'

²¹ Surtees, 'Being Home'.

At the same time, many men often kept some (or most) details of their exploitation secret, as one explained: ‘I didn’t tell [my wife]. I don’t want to make my wife sad. ... [I did not tell her] the terrible things I experienced in the deep sea.’ Not knowing about men’s exploitation meant families did not understand their difficult or erratic behaviours, leading to feelings of frustration, disappointment and anger.

The following sections explore the tensions in men’s family relationships with wives, children and parents, tensions that stand in sharp contrast to the Javanese ideal of family, which offers *tentrem* (peace), *bangat* (emotional warmth) and *kasih sayang* (unconditional love and giving).²²

Relationships with wives

Reuniting with their wives was an important moment for most married men. Wives too were happy and grateful at their husbands’ return. One man explained how his wife supported and encouraged him over the two and half years that he had been home: ‘She often comforts me by saying not to think too much about the debt, take care of my own health. Debt will be settled eventually, she said.’

Nonetheless, problems emerged in marriages after trafficking. Some were ‘minor’, predictable and manageable tensions. Very commonly, though, tensions were deep-seated and intractable. Marital problems were, on the surface, a function of men’s inability to support their families. But closer examination suggests that this was as much about the toll that trafficking separation took on their wives and marital relationships. Lack of communication while away was a source of considerable stress and resentment. One man described his wife’s loneliness while he was away: ‘My wife did not communicate with me for a year. In the meantime, life was going on ... she could not send messages because I was on the sea. So she entertained herself not with me, but with the children only.’ Another man explained that his marriage had been happy, but lack of contact while trafficked, amplified by no remittances, meant that it was now on the verge of collapse: ‘[After my return], I kept working and tried to provide for the family but my wife felt that it wasn’t enough. We often argued. She felt that during my three years away I never gave her updates or money. My family even thought I was dead since they never heard from me for two and a half years.’

²² M Subandi, ‘Family Expressed Emotion in a Javanese Cultural Context’, *Culture, Medicine and Psychiatry*, vol. 35, issue 3, 2011.

This is consistent with research on migration from Indonesia, which found stay-behind adults faced health issues, including psychosocial distress.²³ Another study, which included Indonesia, found that absence without contact, especially when prolonged and seemingly without reason, breached transnational family relations and negatively impacted the psychological well-being of stay-behind carers.²⁴ Infrequent contact with the migrant husband and not receiving remittances was commonly associated with mental health disorders among stay-behind mothers.²⁵

Marital problems increased relative to the period of separation and level of contact while away. One man, whose wife was supportive, was away only for a few months. By contrast, lack of contact for years damaged and even destroyed marriages. One man explained how, when his friend managed to call home while trafficked, his wife demanded a divorce:

[He was] bones only, he was so tiny when he [was] pulled out of the float. He cried a lot in my lap, 'Please tell the captain, I want to go home.' ... He had a chance to make a phone call and what he heard over the phone [from his wife] was, 'I want to divorce.' [He was] already neglected over there, no salary, even fighting over food. He got a phone call from his wife, asking to divorce.

Another source of tension was men's failure, as one man found in his wife's reaction and blame: '[I said] "I am a failed person. When I fail, you should support me. Let's do it together. One of us fails it means all of us fail." ... Then she said, "The one who failed is you, right?"' He expressed disappointment at her lack of support when he 'failed': 'When I was successful ... we went through it together. Why, when I am down, I am alone?'

Some wives worried that their husbands had spent money frivolously or had relationships with other women while abroad. One man described a troubled relationship with his wife over many months because of this concern: 'There were many quarrels with my wife ... I returned home without any money. She

²³ Y Lu, 'Household Migration, Social Support, and Psychosocial Health: The perspective from migrant-sending areas', *Social Science & Medicine*, vol. 74, 2012.

²⁴ E Graham *et al.*, 'Transnational Families and the Family Nexus: Perspectives of Indonesian and Filipino children left behind by migrant parent(s)', *Environment and Planning*, vol. 44, issue 4, 2012.

²⁵ Graham, Jordan and Yeoh, 'Parental Migration and the Mental Health of Those who Stay Behind to Care for Children in South-East Asia'.

thought ... that I was having fun abroad.’ Although he explained what happened, she vacillated between acceptance and recrimination: ‘I told her everything, but that’s my wife. At times she would understand. At other times, she would remember the neighbours saying things about me. ... It’s difficult for her to trust me one hundred per cent.’

Such tensions were often triggered or exacerbated by blame and recrimination from neighbours. Men faced accusations of not working hard, having affairs and/or wasting their salary, which in turn led to doubt in the minds of family members, as one man explained:

‘[The neighbours] didn’t say it directly to me. They said it to my wife, “Ah, your husband must have become a drunkard abroad, a womaniser, that’s why he returned without any money.” So automatically my wife had the same opinion. Finally, I was to blame. Even though I had explained, I was to blame.’

Another source of community criticism was when men had spent time ‘in prison’ (i.e. in detention as irregular migrants abroad). One man described facing insults and blame from neighbours, making him feel ashamed in front of his wife: ‘[After trafficking] the hardest challenge was the insults of people, neighbours. ... My wife cried after going to the store. ... They said, “Why did you go away? You did not get any money and you were in prison.” I was ashamed. Everyone knew ... it was a burden to me, to my family. What did I do there that I went to prison?’

Not all community reactions were negative, as one man explained: ‘[My friends and neighbours] welcomed me well ... “Are you well?” “Thank God, I am well.” “It’s good we could meet again.”’ To some extent acceptance without censure may be a function of neighbours’ knowledge of the ‘real situation’ when abroad, as the same man observed: ‘The majority in this village ... even though they do not go abroad, they know because they sailed also. Most of the people here already understood.’

Relationships with children

A father’s responsibility to support his child(ren) is a central contributor, if not primary catalyst, in the decision to migrate for a large number of men, including those who are trafficked. One man explained his motivation: ‘When my children wanted to enrol in school, this made me have to go fishing.’

Most children of trafficked fathers (n=28) lived with their mothers in their fathers' absence.²⁶ In contrast to trafficked mothers, returning men were seemingly less likely to be blamed and rejected by their children, and spoke less often about damage to their relationship with children left behind.²⁷ Men's migration absence was often seen as part of their 'normal' role as the family breadwinner, further normalised by the prominence of labour migration as a household strategy.²⁸ One man described how his daughter was initially shy with him but quickly things returned to 'normal'. By contrast, children of trafficked mothers experienced their mother's absence, in many cases, as abandonment and neglect.²⁹

Nonetheless, children were affected by their father's absence. Staying in touch with children is one means by which migrant parents maintain and preserve their parental role.³⁰ And recent migration research has identified a range of negative impacts for families left behind when regular communication is not maintained,³¹ including, in one study in Indonesia, a deficit in children's subjective well-being.³² Most trafficked men struggled to maintain contact with their children, with limited

²⁶ Mothers were principal carers for most children with migrant fathers; carers of children of migrant mothers made greater use of non-parental care. Graham *et al.*, 'Transnational Families and the Family Nexus'.

²⁷ Surtees, 'Being Home'. See also A Brunovskis and R Surtees, *No Place like Home? Challenges in family reintegration after trafficking*, Fafo and NEXUS Institute, Oslo and Washington, DC, 2012; and P Hondagneu-Sotila and E Avila, "'I'm Here, But I'm There": The meanings of Latina transnational motherhood', *Gender and Society*, vol. 11, no. 5, 1997, pp. 548–571.

²⁸ See, for example, E Avila, *Transnational Motherhood and Fatherhood: Gendered challenges and coping*, University of Southern California, Los Angeles, 2008.

²⁹ This is consistent with research on transnational parenthood, in which women migrants are more likely to be treated as 'bad mothers' and fathers as 'heroes'. See Avila, pp. 75–78 and pp. 128–130; and Hondagneu-Sotila and Avila.

³⁰ Avila, *Transnational Motherhood and Fatherhood*; A Brunovskis and R Surtees, 'Coming Home: Challenges in family reintegration for trafficked women', *Qualitative Social Work*, 2012; Hondagneu-Sotila and Avila, 'I'm Here, But I'm There'.

³¹ K Haagsman and V Mazzucato, 'The Quality of Parent-child Relationships in Transnational Families: Angolan and Nigerian migrant parents in the Netherlands', *Journal of Ethnic and Migration Studies*, vol. 40, no. 11, 2014; A Fresnoza-Flot, 'Migration Status and Transnational Mothering: The case of Filipino migrants in France', *Global Networks*, vol. 9, no. 2, 2009; RS Parrenas, 'Long Distance Intimacy: Class, gender and intergenerational relations between mothers and children in Filipino transnational families', *Global Networks*, vol. 5, no. 4, 2005; M Madianou and D Miller, 'Mobile Phone Parenting: Reconfiguring relationships between Filipina migrant mothers and their left-behind children', *New Media & Society*, vol. 13, no. 3, 2011.

³² Graham *et al.*, 'Transnational Families and the Family Nexus'.

or no access to means of communication.³³ Remittances from a migrant father—evidence that he is fulfilling his paternal role—may aid in soothing the parent/child relationship while he is away. Not being able to remit money because of trafficking meant ‘failing’ in his paternal role.

Some children were disappointed by their father’s ‘failure’, as one man explained: ‘My life is destroyed. ... [My family is] disappointed. My family is almost broken ... it disappointed my eldest son. ... Until now I do not work.’ Men, in turn, were stressed about being unable to support their children, as one explained: ‘When I came home, I worried much, especially about all the debts ... I came home in failure twice and the second time I brought so much burden. ... I worry so much about my family, my children, my house.’

Some men spoke about being traumatised by their exploitation, inhibiting their ability to behave and interact with these children in healthy ways.³⁴ One man described being emotional and easily angered, which took a toll on his children: ‘[I was] unstable and shaken. I thought a lot about the costs and the unfortunate events when I was there. I have never experienced something like that before. I didn’t know what to feel, actually. I didn’t know where to look for help. ... The kids were in shock. I got angry easily.’

Problems emerged in some fathers’ relationships with their children because of what the children were told about them in their absence—most commonly that they had not provided for their families. One man described a broken relationship

³³ Nonetheless, prevailing gender norms suggest that expectations of contact from mothers are higher than from fathers. Mothers retain responsibility for nurturing the family despite their breadwinner role overseas. Left-behind children describe greater feelings of abandonment when mothers are not present compared with fathers. See, for example, Graham *et al.* ‘Transnational Families and the Family Nexus’. One study in Mexico found that migrant mother-child relationships depend on the mothers’ ability to ‘demonstrate emotional intimacy from a distance’; migrant father-child relations correlate with fathers’ ability to provide economically. J Dreby, ‘Honor and Virtue: Mexican parenting in the transnational context’, *Gender & Society*, vol. 20, no. 1, 2006, p. 56. Another study concluded that Filipino transnational fathering practices tended not to include transnational communication with children. RS Parrenas, ‘Transnational Fathering: Gendered conflicts, distant disciplining and emotional gaps’, *Journal of Ethnic and Migration Studies*, vol. 34, no. 7, 2008, p. 1068.

³⁴ Male labour trafficking was ‘associated with symptoms of depression, anxiety and post-traumatic stress disorder’. N Pocock, L Kiss, S Oram and C Zimmerman, ‘Labour Trafficking among Men and Boys from the Greater Mekong Subregion: Exploitation, violence, occupational health risks and injuries’, *PLoS ONE*, vol. 11, no. 12, 2016, p. 3.

with his children because of rumours that he was irresponsible and had not sent money home to raise them: 'There was a time when my relationship with my children was broken. ... They only heard one side of the story from their family or the community surrounding them ... that I am the kind of person who does not take responsibility, or I am a bad person.' This man's wife became ill while he was trafficked and died shortly after his return. The children were raised by his wife's family who continued to speak badly of him. While he eventually repaired his relationship with one son, his oldest son continues to blame him for what he perceives as neglect and abandonment: 'When there is someone talking about it, my second child would even defend me. ... But my first child would not say anything. He would be listening only, and finally it would be negative. Sometimes when he met me he would be angry.'

Relationships with parents and parents-in-law

Filial responsibility is critical to both Javanese and Sundanese. Children are expected to pay deference and respect to their parents and provide support and assistance, particularly in old age.³⁵ One man broke down in tears over his failure to help his parents: 'I was migrating because I wanted to seek money for my parents' medication, for my parents ...'

Men were both positively and negatively received in their families after return. One man described a warm and uncomplicated homecoming: '[My family] was welcoming. After all, I am their child. Being able to come home safely made them happy. ... I have a poor family but they all live in harmony. That is enough for us. Everybody wants to have many things but we are grateful for our lives and family.'

But others also spoke about their parents' profound sadness and distress when they returned home ill, thin, depressed and stressed. Said one man (married and with children): 'When I told [my parents], they cried. They have a son but their son was beaten by other people.' Said one (young and unmarried) man of his father's reaction: 'Sometimes my father looks so sad looking at me, as I went home skinny ... somehow my parents felt uncertain, they despaired and sometimes they cried.'

³⁵ N Mulder, *Inside Indonesian Society: Cultural change in Java*, Pepin Press, Netherlands, 1996, p. 112; A Wilcox-Palmer, 'Situradja: A village in Highland Priangan' in Koentjaraningrat (ed.), *Villages in Indonesia*, Cornell University Press, New York, 1967, p. 299–325.

Married men had less leeway when it came to parental support; they were expected to return to work and care for their families. By contrast, a number of unmarried men described periods of rest and recovery in their parents' homes and an easy reception from parents and siblings. Said one unmarried man: 'My mother said, "Luckily you came home safely. The most important thing is that you are healthy, that's all." ... My brother was nice to me. ... [My sister said], "Thank God you are fine. It was not a big deal if you did not get your payment. The important thing is your health."'"

Whether married or unmarried, most men described feeling ashamed about their 'failed' migration and returning without money. One man also described feelings of guilt about relying on his parents: 'In the first months, my family helped me. Frankly, I felt sorry because we became a burden to my parents.'

Men were also concerned about how their parents perceived them. One worried that his mother thought that he had been frivolous with his earnings abroad: 'I mostly worried when I met my mother because I did not bring anything home ... I was afraid that she wouldn't believe me and think that I spent my money on something not useful.' In some cases, 'failure' seemed to have lessened men in the eyes of their parents, as one explained: '[My] parents now see me as incapable, undeserving. I no longer feel part of the family.'

A complicating feature was that some men behaved negatively, due to stress and trauma, even when encouraged by parents, as one man explained: 'After that negative experience I feel that I got irritated easily. Whenever somebody said something, I'd get upset and emotional. Everything people did was wrong.'

Some parents thought their son was a criminal (equating detention of irregular migrants with their having committed a crime), which, as one man explained, led to being rejected by his family: 'I only met my wife because my family was indifferent. They knew I came from prison. Only my wife still accepted me ... even my own biological parents did not want to accept me at all. ... And other relatives did not comfort me. They stayed away from me.'

Men also navigated differing relations with parents-in-law. Some were supportive, like those of one man who made no issue of his 'failed' migration: 'We have been married for sixteen years; my parents-in-law never intervened with us ... "it's up to

you, take care of your business.” By contrast, another man, whose wife was working abroad, explained that his parents-in-law were unhappy with him as he had ‘failed’ at his migration, while their daughter was now supporting him and their family.

Conclusion

Human trafficking took a substantial toll on the lives of the interviewed men and their families. They struggled not only with financial issues, but also with fractures in their relationships with wives, children and extended family. Moreover, facing blame and criticism from neighbours and friends amplified already strained family relationships. Some men’s families were shaken by human trafficking; other families were destroyed.

Supporting trafficked men’s recovery and reintegration requires a better understanding of the family and community environment to which they return, in all of its complexity and messiness. It requires thinking beyond the immediacy of economics to disentangle the dynamics at play in men’s lives, families and communities. It also requires thinking about how trafficking has profoundly affected not only trafficked men but also their wives, children and extended family. This understanding can be a first step in helping men and their families to develop tools and strategies to cope with what are often stressed and anxious behaviours exhibited by trafficked men during reintegration, and also to work to restore the family relationships that have been damaged by trafficking separations and unfulfilled expectations.

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From Passive Victims to Partners in Their Own Reintegration: Civil society's role in empowering returned Thai fishermen

David Rousseau

Abstract

Despite the significant international attention to human trafficking in the fishing industry in Southeast Asia, victims continue to experience poor outcomes after their return to Thailand. The Labour Rights Promotion Network (LPN) has assisted many returned fishermen in the difficult journey that begins after their rescue and repatriation. In this paper, we argue that the poor outcomes are the product of systemic failures in the aftercare processes, which are not sufficiently victim-centred and discourage trafficked fishermen's participation in prosecutions. This is the case in the criminal justice system, where flaws in victim identification and evidence collection can undermine trafficked persons' rights and make it extremely difficult for them to obtain compensation—a significant factor in their recovery and reintegration. This same cycle of disenfranchisement is pervasive in reintegration services at large in Thailand, many of which are overly paternalistic and neglect survivors' individual needs and interests. Civil society organisations can remediate these problems by supporting the government in its efforts to strengthen prosecutions and make the criminal justice system more victim-friendly. More broadly, civil society can contribute to a victim-centred approach that places aftercare in a larger perspective—one that extends beyond the purview of the criminal justice system. This paper will examine two emerging models in post-trafficking service provision: Unconditional Cash Transfers (UCTs) and volunteer social networks, which recognise victim empowerment not just as a means towards better law enforcement, but as an end in itself.

Keywords: human trafficking, fishing, reintegration, criminal law, civil society, Thailand, Unconditional Cash Transfers, volunteer social networks

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Introduction

The year 2015 marked a turning point in the fight against human trafficking in the Thai fishing industry. A rescue operation of stranded Burmese, Thai, Cambodian, and Lao fishermen in Indonesian waters brought international attention to human trafficking in Southeast Asia. The rescue operations were the culmination of a series of exposés published by four Associated Press (AP) reporters,¹ which chronicled how the Thai fishing industry was exploiting workers in slave-like conditions to supply seafood to American supermarkets and restaurants. The series documented how thousands of impoverished labourers were lured into captivity, locked in cages, beaten, subjected to sleep deprivation, and forced to perform dangerous work to catch and process seafood. The impact of this report cannot be overstated. Due to the efforts of the International Organization for Migration and the Indonesian government, more than 2,000 captives were released from a 'slave island' in Indonesia, a scale not seen before in human trafficking cases. It led to the arrests of a dozen people, the seizure of ships worth millions of dollars, the introduction of legislation in the US Congress to create greater transparency for food suppliers, as well as a threat from the European Union (EU) to completely ban Thai fish imports.²

While the renewed international pressure and attention forced the Royal Thai Government (RTG) to enact important reforms to address human trafficking in the seafood industry, this was not the end of the story for the almost 1,500 Thai fishermen who returned home from Indonesia after years, sometimes even decades, of abuse. This paper examines the enormous challenges trafficked fishermen face after their rescue, drawing on the frontline anti-trafficking work conducted by the Labour Rights Promotion Network Foundation (LPN), a Thai labour rights NGO based in the port city of Samut Sakhon. LPN played an integral part in the 2015 rescue operations and provided direct assistance (food, shelter, legal services, healthcare) to the approximately 300 trafficked Thai fishermen it helped repatriate

¹ The Associated Press, 'Seafood from Slaves. An AP investigation helps free slaves in the 21st century', *Associated Press*, retrieved 11 June 2017, <https://www.ap.org/explore/seafood-from-slaves/>.

² A Nelsen, 'EU Threatens Thailand with Trade Ban over Illegal Fishing', *The Guardian*, 21 April 2015, retrieved 11 November 2017, <https://www.theguardian.com/environment/2015/apr/21/eu-threatens-thailand-with-trade-ban-over-illegal-fishing>.

from Indonesia. The paper builds on this case study, using data collected through semi-structured interviews with LPN staff and service beneficiaries, as well as trafficking case statistics compiled by LPN and the RTG between 2014 and 2016.

Expanding on this data and secondary research, this paper argues that Thailand's post-trafficking aftercare system undermines trafficked fishermen's reintegration prospects, primarily through its failure to provide victims with access to financial compensation for the losses and damages they suffered during their trafficking ordeal. The article is divided into three sections. The first examines how obstacles to providing legal redress to victims through successful prosecutions are exacerbated by victim assistance programmes that discourage trafficked persons' participation in the judicial process. The second section explores how the RTG and civil society can address these challenges by developing criminal justice interventions that marry the desired goals of prosecution and conviction with the needs and rights of victims. The third and final section considers the limitations of these interventions by arguing that the criminal justice system was designed to prosecute and punish criminals, not to protect victims. The paper contends that civil society is better placed to develop innovative integration models that place victims' needs and interests at the very centre of the aftercare system. Unconditional Cash Transfer (UCT) programmes and volunteer social networks will be showcased as two effective grassroots approaches that empower survivors from the bottom-up.

Trafficking in Persons Prosecutions in Thailand

Human trafficking can be a complex transnational crime that overlaps with other criminal activities, involves many different actors, and poses inherent challenges to mounting a successful prosecution. These challenges are compounded when applied to less developed criminal justice systems whose legal frameworks and mechanisms do not properly protect victims' rights and do not adequately address the specific hurdles that victims face in building their case. Successful prosecutions for human trafficking remain particularly challenging in Thailand. Only fifty-seven of the 1,476 Thai fishermen rescued from Indonesia in 2015³ pursued a trafficking case against their exploiters, and of these, not one obtained a successful conviction. While government reforms have addressed many flaws in

³ The Royal Thai Government, *Combating Forced Labor and Trafficking in Persons & Enhancing Supply Chain Transparency in the Fishery Sector: Thailand's progress January 2015–March 2016*, p. 7, retrieved 2 June 2017, http://ccpl.mol.go.th/download/article/article_20160607165509.pdf.

the legal system that posed obstacles to a successful prosecution, for instance, by improving identification of victims and streamlining the evidence collection process, the poor application of procedures continues to disadvantage victims. In its current form, the prosecution system is not victim-friendly and often 'leads to poor quality, unfair and unsafe prosecutions that do not respect basic criminal justice standards'.⁴ Our first-hand experience working with the Thai fishermen rescued in Indonesia has allowed us to identify critical areas where the criminal justice system continues to produce poor prosecution rates and discourages victims' participation, robbing them of the justice they so desperately need and rightfully deserve.

Obstacles to Effective Prosecution

The failures of trafficking in persons (TIP) prosecutions seem to occur downstream in the lead-up to prosecution, beginning with victim identification. Despite the implementation of important reforms in the past years, only forty-three TIP cases involving workers in the fishing sector were under investigation in 2016.⁵ This number is extremely low compared to the estimated scale of the problem, especially given that there are approximately 145,000 workers in the Thai seafood industry.⁶ In our view, the misidentification of trafficked fishermen can be attributed in part to the inherent difficulties of recognising the act, means, and purpose of human trafficking. The definition put forward in the United Nations Trafficking Protocol, which serves as the basis for the definition of human trafficking in Thailand's *Anti-Trafficking Act B.E. 2551* (2008), describes trafficking as the recruitment, transportation, harbouring, or receipt of persons by means of threat, force, or other forms of coercion, with the purpose of exploitation.⁷ While the development

⁴ A Gallagher, 'Editorial: The Problems and Prospects of 'Trafficking Prosecutions: Ending impunity and securing justice'', *Anti-Trafficking Review*, issue 6, 2016, p. 3.

⁵ The Royal Thai Government, *Thailand's Country Report on Anti-Human Trafficking Response*, 2017, p. 41, https://www.jica.go.jp/project/thailand/016/materials/ku57pq00001yw2db-att/thailands_country_report_01.pdf.

⁶ According to the Thai government as reported in: D Irvine, 'Seafood from Slavery: Can Thailand tackle the crisis in its fishing industry?', *CNN*, <http://www.cnn.com/2015/05/11/asia/freedom-project-thailand-fishing-slave-ships/index.html>.

⁷ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000, (Trafficking Protocol), Article 3(a).

of an international legal definition was a ‘genuine breakthrough’⁸ in that it helped establish a binding normative framework for trafficking cases, key elements of the Trafficking Protocol’s definition have been criticised for being relatively broad and open-ended. Essential terms and concepts such as the ‘abuse of a position of vulnerability’, ‘consent,’ or ‘exploitation’ are vague and undefined, resulting in fluid parameters that leave room for interpretations of human trafficking that can either be too expansive or too narrow. These definitional ambiguities ‘cause significant problems at the national level where criminal justice agencies in particular struggle to draw an appropriate line between the crime of “trafficking” and other forms of exploitation’⁹ such as prostitution or forced begging. These inherent challenges are exacerbated when law enforcement officials or first responders are not properly trained, or identification procedures are not standardised or consistently applied. The 2017 US State Department *Trafficking in Persons* (TIP) Report on Thailand describes how officials continue to fail to recognise non-physical indicators of trafficking such as debt bondage or deception.¹⁰ One NGO worker quoted in a recent study explained, ‘We (NGOs) don’t have a clear idea about how the police decide who is a victim and who is not. ... It is not a transparent process and the police do not always explain why cases are accepted as victims of human trafficking or not.’¹¹

The complex nature of the activities associated with human trafficking also makes trafficking cases inherently difficult to prove. The people involved in human trafficking conduct a sophisticated and complex web of operations involving multiple levels of intermediaries (e.g. labour brokers, middlemen, employment agencies, or recruiters) who may operate in relative legality, making links between the accused and the victim extremely hard to follow and even harder to substantiate. What is more, trafficking in the fishing sector may occur under the jurisdiction of several countries and fall under the purview of a myriad of different national agencies, such as the Navy, police, Department of Fisheries, and Ministry of Labour. In Thailand, the close partnerships required to build evidence for a successful case are hindered by weak interagency coordination

⁸ A T Gallagher, ‘Two Cheers for the Trafficking Protocol’, *Anti-Trafficking Review*, issue 4, 2015, pp. 14–32, www.antitraffickingreview.org.

⁹ *Ibid.*

¹⁰ US Department of State, *Trafficking in Persons Report*, 2017, p. 389, <https://www.state.gov/documents/organization/271339.pdf>.

¹¹ C Robinson, C Thame and C Branchini, ‘*Anti-Human Trafficking in Thailand: A stakeholder analysis of Thai government efforts, the U.S. TIP report and rankings, and recommendations for action*’, Johns Hopkins Bloomberg School of Public Health, 30 June 2016, p. 84.

and poor cooperation between the prosecution and law enforcement. The ability of most governments to gather evidence is also seriously compromised by overreliance on trafficked persons' testimonies. Survivors may be unable to recall specific facts or events due to trauma or the sheer long-term nature of their ordeal. They may also be unwilling to cooperate due to intimidation from their traffickers, a problem that corruption and poor witness protection may accentuate.

Case Study

Somchai (not his real name), now twenty-one years old, is a living example of the failures of the victim identification process. Trafficked on a fishing boat at the age of fourteen, he was made to work eighteen-hour days in difficult and often dangerous conditions, continuously fixing nets, pulling in and sorting fish, and moving them below deck. He remembers working without sleep for three days at a time and being caged like an animal. He reports watching as crew members were savagely beaten until dead or unconscious, and their bodies thrown into the sea. As he got older in this brutal culture, he was forced to fight to survive. Somchai eventually escaped from his boat during a port inspection in Ambon Island (Indonesia) and was found by LPN during one of its initial rescue operations in 2014. After being repatriated in a Royal Thai Army plane, Somchai immediately went through the government's trafficking victim identification process. After it came to light that he initially joined the boat willingly, and seeing that he had no obvious signs of abuse, the multidisciplinary team tasked with victim identification ruled that he was not a victim of trafficking. As a result, LPN could not help Somchai mount a trafficking case against his employer or labour broker. Instead, it was forced to make a complaint for unpaid wages to the Ministry of Labour. At the labour court mediation, the government mediator, along with the employer, barred LPN from accompanying Somchai during the proceedings. Somchai was then convinced to settle for compensation of THB 50,000 (around USD 1,450) for three years of exploitation.¹²

¹² The Labour Rights Promotion Network Foundation, *The 2015 Annual Progress Report for UN-ACT*, 2016, p. 5.

Paternalistic Victim Assistance Programmes

In LPN's experience, the Thai criminal justice system's deficiencies are further exacerbated by low rates of victim participation in the judicial process. Government victim assistance programmes often fail to properly consider victims' individual needs and interests, undermining their ability and willingness to effectively cooperate in prosecutions. The disregard for victims is first apparent during initial identification, when victims may be pressured into acting as witnesses without due consideration of their physical or mental state. Law enforcement officials tasked with identification often disregard factors such as gender, immigration status, fear of reprisals, trauma, language barriers, and cultural background, which may all constitute significant barriers to victims' cooperation. Moreover, in the name of witness protection, government-run shelters restrict a trafficked person's freedom, mobility, and employment opportunities. Shelters can be overly paternalistic and may dissuade victims from cooperating with law enforcement if they believe long stays will cause them to forego livelihood opportunities.¹³

Assistance programmes that are not well adapted to victims' needs or interests undermine the criminal justice system's ability to deliver redress for victims. Trafficked persons who are not properly supported and protected are less likely to report the crime and contribute to investigations by identifying and testifying against the offenders. As a consequence, 'criminal justice systems lose important evidence and are unable to enforce criminal law against traffickers'.¹⁴ This leads to a self-perpetuating cycle whereby victims' lack of participation in the judicial process renders TIP prosecutions even less effective, providing even greater disincentives for trafficked persons to come forward and cooperate. The numbers, including the RTG's anti-trafficking response for 2016, point to serious challenges in retaining victims as witnesses in prosecutions. While 824 trafficking victims were identified in 2016 across all sectors and nationalities, only 142 witnesses who are victims of human trafficking were under the protection of the Ministry of Social Development and Human Security that same year.¹⁵

¹³ US Department of State, 2017, p. 388.

¹⁴ A Pedra Jorge-Birol, 'Empowering Victims of Human Trafficking: The role of support, assistance and protection policies', *HUMSEC Journal*, issue 2, 2008, pp. 163, 166.

¹⁵ The Royal Thai Government, 2017, p. 72, 57.

Why Compensation Matters

Because of the inherent challenges in mounting a successful trafficking case, the legal system has been unable to provide rescued fishermen with the compensation they deserve. In our experience, returned fishermen's inability to obtain compensation poses a significant obstacle to their reintegration. 'For victims of trafficking, access to financial compensation is crucial. It helps them to rebuild their lives and prevent falling back into the hands of the traffickers. It can also go some way to making up for the pain and financial losses they have suffered.'¹⁶ One recent study on the reintegration of trafficked persons in the Greater Mekong Subregion found that 'economic empowerment' was often the primary need identified by trafficked persons because of the debt they incur during migration and the difficulties they face finding work after returning home.¹⁷ By providing survivors with the financial means to support themselves and their families without having to pursue risky job opportunities, compensation also 'counters the contributing vulnerability factors of poverty and deprivation in human trafficking'.¹⁸

Unfortunately, LPN's own experience working with the group of around 300 Thai fishermen rescued from Indonesia illustrates the difficulties victims face in obtaining adequate compensation. Just thirty-nine¹⁹ of these men were officially recognised as victims of human trafficking in the period from August 2014 to August 2015. Not one has obtained a conviction or received subsequent compensation under human trafficking laws so far. Identified victims are entitled to financial assistance through the Anti-Trafficking in Persons Fund, which was established by the RTG in 2008 and covers expenses such as medical costs, repatriation, legal fees, a living allowance, etc. However, compensation under criminal laws is only awarded following a successful conviction.²⁰ In the absence of such a conviction, compensation claims can only be made through the Court

¹⁶ P Nestorova, 'Slavery: The case for compensation', *The Guardian*, 11 April 2013, <https://www.theguardian.com/global-development-professionals-network/2013/apr/11/slavery-compensation-trafficking-victims>.

¹⁷ R Surtees, *Supporting the Reintegration of Trafficked Persons: A guidebook for the Greater Mekong Sub-region*, Nexus Institute, UN-ACT and World Vision, Bangkok, 2017, p. 51.

¹⁸ K Baer, 'Just Deserts: Victim compensation', *The Trafficking Research Project*, 5 July 2013, <https://thetraffickingresearchproject.wordpress.com/2013/07/05/just-deserts-victim-compensation/>.

¹⁹ LPN, 2016, p. 26.

²⁰ The Royal Thai Government, 2017, p. 97.

of First Instance in Civil Prosecution. This option presents a major disadvantage since victims have to pay a court fee equal to 2.5% of the claim (but not exceeding THB 200,000).²¹ Under these circumstances, initiating a complaint for unpaid wages through the labour court remains the most effective means for trafficked fishermen to obtain any type of financial redress. Each one of the 300 fishermen assisted by LPN originally approached the organisation to help them claim unpaid wages. A total of 217 pursued a wage complaint case with the Department of Labour Protection and Welfare between 2014 and 2016,²² while the rest settled with their employer out of court with LPN and the Ministry's help. However, only about half of these 217 returned fishermen received their unpaid wages from the labour court. The rest are still in process, years after the fact. For those who did receive their back wages, it was usually just a small fraction of the amount they were owed. Most never signed contracts and were not aware of the terms of their work agreement, making it easy for their employers to cheat them out of years of salary. While successful criminal and civil prosecutions would have had the potential to award these victims with larger sums of money, it should be noted that compensation in the Thai justice system is typically limited to actual damages (e.g. lost and unpaid wages and medical expenses) and may be difficult to obtain in practice. It is interesting to note that for a comparable number of claimants, the sum awarded to victims through the wage complaint system in 2016 was more than twice as high as the compensation that was disbursed through section 35 of the Anti-Trafficking in Persons Act.²³

²¹ Bangkok International Associates, 'Civil Litigation', *Business and Legal Guide*, <http://www.bia.co.th/030.html>.

²² LPN Statistics, 2014–2017.

²³ The Royal Thai Government, 2017, p. 98.

Strengthening Prosecutions and Incentivising Victim Participation

In order to improve access to justice and compensation for trafficked fishermen and facilitate their long-term reintegration, the RTG and civil society must work together to strengthen the criminal justice process and make it more victim-centred. The *Human Trafficking Criminal Procedure Act*, B.E. 2559 (2016), which introduces an inquisitorial system in TIP cases to make the court ‘actively involved in proof taking by investigating the facts of the case’,²⁴ has been lauded as an important step in this direction. However, significant gaps remain between government reforms and their implementation. Corruption, official complicity, or poor application of laws and procedures can limit and even undermine the effectiveness of new measures, particularly with regard to victim identification and evidence collection. Effective action is also hindered by the compartmentalisation that exists between prosecutors, police, and social service agencies. Brian Brislin, the Regional Legal Expert on Human Trafficking of the United Nations Office on Drugs and Crime, went so far as to describe the ‘inability of all parties in the anti-trafficking community to come together and create a comprehensive, truly multi-sector strategy’²⁵ as the number one barrier to an effective anti-trafficking response in Thailand.

The Organization for Security and Co-operation in Europe (OSCE) has developed a comprehensive, multi-stakeholder strategy to combat trafficking, dubbed the ‘National Referral Mechanism’ (NRM) that addresses the problem of interagency cooperation. The NRMs are designed to formalise cooperation among government agencies and non-governmental organisations dealing with trafficked persons ‘to ensure that the human rights of trafficked persons are respected and to provide an effective way to refer victims of trafficking to services’.²⁶ The OSCE offers an innovative approach to interagency cooperation that should be adopted by all anti-trafficking stakeholders in Thailand. A national multi-stakeholder approach is sorely needed to outline the respective roles and responsibilities of both state and non-state actors and clarify the nature and format of their collaboration. As it stands, civil society organisations

²⁴ ‘Difference between adversarial and inquisitorial system’, *Business Law*, <http://mercantilelaws.blogspot.com/2012/07/difference-between-adversarial-and.html>.

²⁵ J Padunchewit, ‘Crafting Strategic Communication to Combat Trafficking of Women and Children in Thailand: The case of the Asia Foundation’, *NIDA Case Research Journal*, vol. 2, no. 1, 2010, p. 9.

²⁶ OSCE/ODIHR, *National Referral Mechanisms: Joining efforts to protect the rights of trafficked persons. A practical handbook*, Warsaw, 2004, p. 15.

involved in anti-trafficking can be fractious and disorganised, with conflicting styles and priorities that can impede effective collaboration with the government. As per the OSCE's recommendation, an initial country assessment should be conducted to 'determine which agencies and civil society organizations are the key stakeholders in anti-trafficking activities, which of them should participate in an NRM, what structure might be most effective...and what issues require most attention'.²⁷ Only when all agencies and stakeholders that deal with human trafficking are coordinated in their efforts can some of the most serious obstacles to interagency cooperation be addressed.

Incentivising Survivors' Collaboration

State and civil society stakeholders can also help strengthen the criminal justice system by placing greater emphasis on trafficked persons' individual needs and interests throughout the aftercare process. Research shows that countries with the most comprehensive measures for assisting victims (e.g. Belgium, Italy, the Netherlands, United States) fare better in prosecuting and convicting traffickers for various crimes.²⁸ One model developed by the Council of Europe Convention on Action against Trafficking in Human Beings serves as a good example of how government protection and assistance measures can respect victims' needs while encouraging their participation in the criminal justice proceedings. Article 13 of the Convention recommends that countries 'introduce a recovery and reflection period of at least thirty days' to 'give the individual a chance to recover and to escape the influence of traffickers and/or to make an informed decision on co-operating with the authorities'.²⁹ A key stipulation attached to the 'recovery and reflection' period is that assistance not be made conditional on victims' willingness to act as witnesses. This human rights-centred approach has shown to be effective in the countries where it has been implemented. In Belgium and The Netherlands, victims who are granted the reflection period were more likely to press charges against their traffickers.³⁰ The OSCE further builds on the Convention's model by recommending that assistance be extended to 'presumed' victims that may not have been formally identified as soon as the 'the competent authorities have the slightest indication

²⁷ *Ibid.*

²⁸ E Pearson, *Human Traffic, Human Rights: Redefining victim protection*, Anti-Slavery International, London, 2002, p. 2.

²⁹ Council of Europe, 'Council of Europe Convention on Action against Trafficking in Human Beings', *Council of Europe Treaty Series – No. 197*, Warsaw, 2005, p. 7, <https://rm.coe.int/168008371d>.

³⁰ A Pedra Jorge-Birol, p. 171.

that she or he has been subject to the crime of trafficking’.³¹ Introducing the concept of ‘presumed victims’ to the aftercare system is essential to making prosecutions more effective and victim-friendly. Not only does this concept provide better protection of probable victims who may be reluctant to be identified, it allows the criminal justice system to retain potential witnesses that would have otherwise been unable to cooperate in prosecutions.

While interventions that make the criminal justice system more effective, efficient, and victim-friendly provide an important way forward, the government and civil society must also work together to address the economic disincentives that discourage victims from cooperating in prosecutions. One way to encourage trafficked persons’ participation in the legal process is through financial assistance. Significant legal compensation can create an especially powerful incentive for victims given the economic pressures they face after their trafficking ordeal. Recent reforms by the RTG have already taken important steps in this direction. An October 2015 amendment to the Anti-Money Laundering Act enables the Anti-Money Laundering Office to freeze assets with a court order during trafficking investigations and to allocate a portion of seized assets to victim compensation. The amendment addresses what was previously a major flaw in the victim compensation scheme: offenders’ inability to pay or unwillingness to comply with the court order effectively denied victims their compensation. More recently, the *Human Trafficking Criminal Procedure Act*, B.E. 2559 (2016) has authorised Thai courts ‘to increase restitution for victims as appropriate in a form of punitive damages’ in ‘cases of wrongdoings that involve cruelty, detention, imprisonment, physical abuse, or persecution that are deemed inhumane and serious’.³² The RTG has also taken steps to improve employment and earning opportunities for victims staying in government shelters. According to the RTG’s report on its anti-trafficking response for the year 2016, employment opportunities were provided to 196 out of 561 victims both inside and outside shelters, a 350.1 per cent increase compared to 2015.³³ However, it should be noted that significant gaps remain between the positive measures described above and their implementation. Traffickers can hide away their assets or transfer them to friends or relatives before seizure, limiting the

³¹ The Organization for Security and Co-operation in Europe, ‘Trafficking in Human Beings: Identification of potential and presumed victims’, *SPMU Publication Series Vol. 10*, Vienna, June 2011, p. 50, <http://www.osce.org/secretariat/78849?download=true>.

³² Liberty Asia, *Legal Gap Analysis of Thailand’s Anti-Trafficking Legislation*, June 2017, p. 11, <http://un-act.org/publication/view/legal-analysis-human-trafficking-thailand/>.

³³ The Royal Thai Government, 2017, p. 75.

effectiveness of the recent amendment to the Anti-Money Laundering Act. And despite positive changes, LPN has seen how the government's economic assistance and empowerment programmes remain overly paternalistic and continue to undermine victims' rights.

Towards More Empowering Forms of Assistance

Despite the implementation of victim-centred criminal justice reforms 'that marry the desired goals of policing and punishment of traffickers with the needs and rights of trafficking victims',³⁴ the judicial system is limited in its ability to provide victims with interventions centred in their needs. The fact remains that the government privileges a criminal justice approach to human trafficking that places more emphasis on prosecuting perpetrators and securing convictions than on supporting victims' rights. The RTG has been under considerable pressure to whet the United States TIP Report appetite for prosecutions numbers and avoid the political embarrassment and potential economic sanctions associated with a downgrade in its ranking. As a result, from the '3Ps' (prevention, protection, prosecution), prosecutions have tended to receive the most attention. We have seen how this approach not only diverts attention away from victims' rights but may also violate their rights in the process and discourage them from even participating in prosecutions. More fundamentally, however, the disregard for crime victims has its origins in the criminal justice system itself, 'since it was established in order to control crime, but not necessarily to support crime victims'.³⁵ While the judicial system has the potential to further victims' interests by convicting their abusers and awarding them compensation, this has proved elusive in practice. It can therefore be said that the disregard for victims is inevitable in the criminal justice system. Because civil society organisations are non-state actors that are not driven by the imperative to prosecute, they are better placed to provide grassroots interventions that empower survivors and facilitate their long-term reintegration. Civil society can use its close interactions with the individuals and communities affected by human trafficking to develop innovative reintegration models that place victim empowerment at the core of the aftercare system.

³⁴ A Pedra Jorge-Birol, p. 176.

³⁵ *Ibid.*, p. 169.

Unconditional Cash Transfers

One way the government or civil society actors can support trafficked persons is by empowering them financially immediately after their rescue. Unconditional Cash Transfers (UCTs) offer financial support to victims and allow them to meet their individual needs. The premise is fairly straightforward: provide recipients with a series of cash transfers and leave the management of those funds entirely up to them. Until recently, the mainstream development and aid organisations were sceptical about this approach, expressing concerns that recipients might waste their transfers on non-essential items like alcohol. However, recent studies conducted around the world have shown that these concerns are largely unfounded. Recipients of cash grants tend to invest their money wisely or spend it on such basic items as food and better shelter.³⁶ The Issara Institute, a Bangkok-based migrant rights NGO, provided UCTs to 174 victims of human trafficking in a pilot project from 2015 to 2016. Fifty-four of the participants were former fishermen who had been rescued from Indonesia. The evaluation of the pilot found no negative effects at the individual, household, or community level and confirmed the hypothesis that trafficked persons could manage cash grants responsibly. The findings of the study also indicated that UCTs could help address some of the inherent challenges associated with administering economic assistance programmes. Providing individualised support is costly and complex, as different individuals may have different needs at different stages of their recovery. UCTs resolve this problem by making beneficiaries responsible for meeting their own needs. They are therefore an attractive reintegration model in that they empower victims from the bottom-up while enhancing the effectiveness and efficiency of service provision.³⁷

Volunteer Network Groups

While we believe UCTs offer a promising model for economic empowerment, it is important for service providers to develop programmes that empower trafficked persons beyond the economic sphere. Trafficking survivors are ‘forced physically and mentally to do things against their will and have to stand the use of force,

³⁶ C Blattman and P Niehaus, ‘Show Them the Money—Why giving cash helps alleviate poverty’, *Foreign Affairs, The Council of Foreign Relations*, May/June 2014, pp. 117–126, http://www.relooney.com/NS3040/000_New_1908.pdf.

³⁷ Issara Institute and A Lisborg, *Towards Demand-Driven, Empowering Assistance for Trafficked Persons*, Research Brief, May 2017, retrieved 11 November 2017, https://docs.wixstatic.com/ugd/5bf36e_f6df2997d6734cd1a35e74167adf182a.pdf.

coercion, abuse, or even torture'. As a result, many feel 'degraded in their identity'.³⁸ Victim assistance programmes must therefore address the psychological factors of agency and self-worth. While recent government improvements in the shelter conditions have addressed some of these needs by developing empowering activities for victims, these programmes are often imposed in a top-down manner. In our view, trafficked persons need 'to become independent and self-sufficient and be actively involved in their recovery and reintegration'.³⁹ Over the past few years, LPN has developed volunteer networks of rescued fishermen, many of whom were trafficked and experienced abuse. One example, the Thai and Migrants Fishers Union Group (TMFG), operates under a rather straightforward premise. While the network's organisational structure has been laid out by LPN, the TMFG is entirely autonomous. Members field calls involving labour rights complaints in the fishing sector, which can range from issues such as wage violations to cases of human trafficking. When a potential case has been identified, the group informs the authorities and helps the victims file a civil or criminal complaint to the relevant government agencies. The TMFG then accompanies victims throughout the process, gathering evidence to support their case and assisting them with vocational training and reintegration. Volunteer networks can be a particularly useful tool for reintegration because they empower survivors by turning them from passive victims to partners in their own reintegration, engaging in activities that they consider important and valuable. As Somsak, who works both as LPN's cook and as a TMFG member, explained, 'I like the work that I do. I can help other former fishermen during their prosecutions and that makes me feel proud'.⁴⁰

The volunteer network model also contributes to a two-way exchange of information that can provide a better understanding of the needs of survivors, while helping to inform best practices. The TMFG is made up of former trafficking victims who share similar socio-economic backgrounds with those they assist. They have a holistic understanding of the factors that expose people to exploitative working conditions, the ordeal they experience, and the specific challenges they face in reintegrating. The TMFG engages in direct communication with the communities it supports through in-person workshops and training activities as well as through social media. One TMFG member, Surichai, has as

³⁸ S Devine, *Psychosocial and Mental Health Service Provision for Survivors of Trafficking. Baseline research in the Greater Mekong Subregion and Indonesia*, International Organization for Migration, Bangkok, 2009, p. v, <https://publications.iom.int/system/files/pdf/psychosocialandmentalhealtheng.pdf>.

³⁹ R Surtees, *Re/integration of Trafficked Persons: Supporting economic empowerment*, issue paper 4, Nexus Institute, Washington DC, 2012, p. 23.

⁴⁰ Interview LPN, 22 June 2017.

many as 400,000 followers on Facebook. He posts regular videos on Facebook Live with useful information for migrant workers: a single post can generate up to a half a million views. This grassroots understanding of the issues and challenges victims face serves as an excellent tool for informing policy. As Sompong, the Executive Director of LPN, emphasised, “The ultimate objective is for the group to become visible to the public and speak for itself. These fishermen can bring about change from the bottom-up by using their knowledge to improve justice for abused fishermen, promote more just operating practices in the fishing sector, and help shape fishing-related policies at the government level.”⁴¹ One major advantage of LPN’s volunteer network model is that it is cost-effective, easy to implement, and can be easily replicated. Provided the question of funding is addressed, they can sprout out organically wherever a civil society organisation is providing assistance to a population of returned fishermen. And since they are almost entirely self-sufficient, they place little stress on an organisation’s operations. One criticism that can be levelled at this model is that the high turnover associated with volunteerism might undermine the group’s ability to deliver a consistent and coherent approach to service provision. However, we have not found this to be the case. While volunteers may come and go, senior TMFG staff receive a salary and ensure continuity in operations and strategic direction. LPN has already helped develop twenty such groups of volunteer migrant networks across Thailand and the number is on the rise.

Conclusion

Trafficked fishermen in Thailand continue to experience significant challenges in their long road to recovery and reintegration. Despite important government reforms, successful prosecutions under human trafficking laws remain extremely rare. The vast majority of trafficked persons are never properly identified, and those that are face serious obstacles to building enough evidence to mount a case. What is more, we have seen how the process of prosecutions can actually bring further harm. Too often, survivors escape exploitation at the hands of traffickers only to be disenfranchised by the very criminal justice system and aftercare programmes that are meant to protect them. Civil society must therefore work together with the government to develop victim-centred approaches that balance the human rights of victims with the interests of

⁴¹ Interview LPN, 7 July 2017.

effective prosecution. Several good practices in place in Europe such as the recovery and reflection period and the National Referral Mechanism offer effective models that could be implemented in Thailand. Such initiatives have been shown to strengthen TIP prosecutions by encouraging survivors' participation in the judicial process. However, it should be noted that criminal justice approaches to human trafficking are inherently limited in their ability to deliver positive outcomes for victims. The criminal justice system was created to punish and convict, not to provide victims with services centred in their needs. The persistence of woefully inadequate compensation schemes and overly paternalistic assistance programmes in the Thai judicial system attests to this reality. If the reintegration of trafficked persons is to be successful, then the needs of survivors should be placed in a broader perspective that extends beyond the criminal justice system. Because the primary goal of civil society organisations is to protect victims rather than punish perpetrators, they are best positioned to develop innovative bottom-up models that empower trafficked persons. UCTs and volunteer social networks present effective approaches that can be used by both the Thai government and civil society to make victim assistance programmes more efficient, effective, and victim-friendly.

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Life after Trafficking in Azerbaijan: Reintegration experiences of survivors

Lauren A. McCarthy¹

Abstract

Assisting survivors of trafficking is considered one of the pillars of a human rights-based response. Shelter, medical, psychological and legal assistance in the short term and job placement, accommodation and reunification with family and community in the long term are critical steps for helping them recover and feel in control of their lives and futures. This paper examines survivors' experiences of trafficking and recovery in the Azerbaijani context, using questionnaire responses from 22 women who were trafficked for sexual exploitation between 2006 and 2009 and who were assisted upon their return. It finds that while Azerbaijan has been quite successful at short-term assistance, there are still significant gaps in longer-term assistance, especially with regard to job placement and family reunification. Survivors point to these gaps as significant impediments to full reintegration into society. Looking at their experiences can provide insights into improvements in assistance programmes that can be implemented in both Azerbaijan and elsewhere.

Keywords: trafficking assistance, reunification, rehabilitation, reintegration, Azerbaijan

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Introduction

In both national and international law, states have committed to assisting victims of trafficking, yet this promise has been unevenly carried out in practice. Key forms of assistance include shelter, medical, psychological and legal assistance as well as help finding jobs, permanent accommodations and reunification with family and community. Each type of assistance can play a role in helping to re-establish personal autonomy, giving survivors a chance to actively participate in shaping their post-trafficking life and future.² However, the process of re-integration and recovery is a long one, with most trafficked persons requiring support for at least one to two years and facing many setbacks along the way.³ The physical and psychological impacts of human trafficking can continue beyond the immediate post-trafficking stage and often require ongoing treatment. Return and reintegration is also complicated by the fact that many survivors return to similar economic and familial situations that pushed them into trafficking in the first place.⁴

Reintegration is a deeply personal process, with each survivor experiencing it differently depending on the context of the family and the community (gender attitudes, stigma) as well as the structural conditions of the area (employment opportunities, education, service availability). This paper examines survivors' experiences of trafficking and recovery in the Azerbaijani context, using questionnaire responses of 22 women who were trafficked for sexual exploitation between 2006 and 2009 and who were assisted upon their return. This study finds that while the assistance provided to survivors was the strongest in meeting their immediate post-trafficking needs, the assistance they most desire is that which is most difficult to provide and requires the most resources. Nearly all of the 22 survivors were provided psychological, medical and legal assistance, and temporary accommodation in a shelter. However, fewer benefitted from long-term assistance, such as help with job opportunities, permanent housing or reunification with their families.

² R Surtees and F de Kerchove, 'Who Funds Re/integration? Ensuring sustainable services for trafficking victims', *Anti Trafficking Review*, issue 3, 2014; A Lisborg and S Plambech, *Going Back – Moving On: A synthesis report of the trends and experiences of returned trafficking victims in Thailand and the Philippines*, International Labour Organization, Bangkok, 2009.

³ R Surtees, *Re/integration of Trafficked Persons: Handling 'difficult' cases*, King Baudouin Foundation (KBF), Brussels and NEXUS Institute, Vienna, 2008.

⁴ Lisborg and Plambech.

This study is important to broaden the existing literature on trafficking assistance beyond the context of Eastern Europe, Asia and the United States.⁵ Though much of the trafficking experience and recovery process is similar across contexts, there are also different cultural aspects, both societal and religious, to the types of vulnerabilities and reintegration processes that exist in Azerbaijan. Here, the secular Soviet legacy combines with a post-Soviet resurgence in Islamic practices (over 95 per cent of Azerbaijan's population identifies as Muslim) and the forces of globalisation and Westernisation.⁶ Azerbaijani victims of trafficking must navigate a predominantly patriarchal societal context in which women, although highly educated, often have lower status than men and where economic opportunities are limited.⁷ Looking at their experiences can provide insight more broadly into what survivors need and the difficulties of providing it, even when the laws on the books promise generous benefits.

The Azerbaijani Context

Azerbaijan is a signatory to all major international conventions that deal with human trafficking. The government signed the UN Trafficking Protocol in 2000 and ratified it in May 2003, and in June 2010, ratified the *Council of Europe Convention on Action against Trafficking in Human Beings*. On paper, Azerbaijan has pursued one of the most comprehensive approaches to human trafficking in the post-Soviet region. The anti-trafficking law, signed in 2005, created a National Coordinator on Anti-Trafficking Activities, a National Referral Mechanism and a Department for the Fight against Human Trafficking in the Ministry of Internal Affairs to collate and store all information on human trafficking victims and coordinate anti-trafficking prosecutions and assistance provision. There is a National

⁵ On Eastern Europe, see: R Surtees, *Listening to Victims: Experiences of identification, return and assistance in South-Eastern Europe*, International Centre for Migration Policy Development, Vienna, 2007; R Surtees, *Re/integration of Trafficked Persons: Handling 'difficult' cases*; R Surtees, *Re/integration of Trafficked Persons – How can our work be more effective?* KBF, Brussels and NEXUS Institute, Vienna, 2008. On Asia, see: Lisborg and Plambech; R Surtees, *After Trafficking: Experiences and challenges in the (re)integration of trafficked persons in the Greater Mekong Sub-region*, UNIAP/NEXUS Institute, Bangkok, 2013. On the United States, see: D Brennan, *Life Interrupted: Trafficking into forced labor in the United States*, Duke University Press, 2014.

⁶ M Najfizadeh, 'Gender and Ideology: Social change and Islam in post-Soviet Azerbaijan', *Third World Studies*, vol. 29, issue 1, 2012, pp. 81–101.

⁷ United Nations Development Programme, *Azerbaijan Human Development Report 2007: Gender attitudes in Azerbaijan: Trends and challenges*, UNDP Azerbaijan, Baku, 2007; F Heyat, 'Globalization and Changing Gender Norms in Azerbaijan', *International Feminist Journal of Politics*, vol. 8, issue 3, 2007, pp. 394–412.

Action Plan that has been updated every three years since 2004. Since October 2007, the Ministry of Internal Affairs has operated a 24-hour toll-free national hotline for victims and potential victims of trafficking. A state-run and funded shelter was opened in 2006;⁸ however, victims must be cooperating with law enforcement to receive assistance there and the criminal process must already be underway. Consequently, most women prefer to receive assistance at one of the three NGO-run shelters, including Clean World, which is where most of the women in this survey had received assistance.

The structural conditions and community context that survivors return to also has an impact on their life after trafficking. In Azerbaijan, two factors are particularly salient—gender attitudes and a lack of employment opportunities for women. According to the 2015 UNDP *Human Development Report*, Azerbaijan ranks the worst of the post-Soviet countries in gender inequality.⁹ Though a gender equality law was signed in 2006, women in Azerbaijan still occupy a subordinate position to men in the workplace and in private and public life. In 2009, *The Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) Review Committee noted ‘deep-rooted patriarchal attitudes subordinating women and the strong stereotypes regarding their roles and responsibilities in the family and society...and are a root cause of women’s disadvantaged position in political life, the labour market, education and other areas’.¹⁰ They reached a similar conclusion in the 2015 review.¹¹ There is a high tolerance of violence against women (by both men and women), high rates of underage marriage for women and strict attitudes towards sexual honour and purity.¹²

⁸ Azerbaijan Government, *Responses to the list of issues and questions with regard to the consideration of the fourth periodic report*, Committee on the Elimination of Discrimination against Women, Pre-session Working Group, Forty-fourth session, 20 July–7 August 2009, CEDAW/C/AZE/Q/4/Add.1.

⁹ United Nations Development Programme, *Human Development Report*, <http://hdr.undp.org/en/countries/profiles/AZE>.

¹⁰ CEDAW Committee, *Concluding Observations of the Committee on the Elimination of Discrimination against Women*, Forty-fourth session, 20 July–7 August 2009, CEDAW/C/AZE/CO/4.

¹¹ CEDAW Committee, *Concluding Observations on the fifth periodic report of Azerbaijan*, Sixtieth session, 16 February–6 March 2015, CEDAW/C/AZE/CO/5.

¹² S Wilson, ‘Majoritarian Values and Women’s Rights: Police and judicial behavior in Tajikistan and Azerbaijan’, *Post Soviet Affairs*, vol. 33, issue 4, 2017, pp. 298–312; R Rosenberg, *Domestic Violence in Europe and Eurasia*, USAID, Washington DC, 2006; UNICEF, *Early Marriages: Violation of the human rights of children*, UNICEF Azerbaijan, Baku, 2010; G Ragifgizi, ‘Curbing Child Marriage in Azerbaijan’, *Institute for War and Peace Reporting*, CRS Issue 600, 18 July 2011; G Mammadova and K Dadashova, *Gender Association “Symmetry” NGO Shadow Report: Women Position in Labor Market (Article 11 of CEDAW) and Violence Against Women (General Recommendation 19)*, Azerbaijan, 2009; UNDP, *Gender Attitudes*.

Life after trafficking can also be impacted by attitudes towards and opportunities for women in the labour market. Though the proportion of women in the labour market has increased since the 1990s,¹³ there is still a significant gap between men's and women's wages. Traditional gender roles of the man as breadwinner and the woman as responsible for the home persist, as do beliefs that there are spheres of work that are appropriate for each gender, relegating women to lower paying jobs such as teaching or nursing. Though many Azerbaijani men migrate out of the country for work, there is significant stigma attached to a woman's decision to seek work abroad. They are viewed as abandoning their roles as wives and mothers, at high risk for their morals to be compromised, and vulnerable to exploitation, including being forced into criminal activities.¹⁴

Data

The data for this paper comprises responses of former victims of trafficking to questionnaires administered in 2011 in the context of an International Organization for Migration (IOM) report to assess the sustainability of reintegration and the risks of re-trafficking in Azerbaijan. I was the author of the (unpublished) report, but did not participate in the data gathering process. In Azerbaijan, the IOM works with the government and NGO partners to facilitate victims' return and reintegration. Respondents were 22 women who were trafficked either out of or into Azerbaijan between the years 2006 to 2009 and who met the IOM's criteria for identifying victims of trafficking.¹⁵ During that period, a total of 120 people received assistance. The ones who participated in the survey were those for whom contact information was still available. Nine had been trafficked to Turkey, five to the United Arab Emirates (Dubai) and one each to Iran and Georgia.¹⁶ There were six cases of domestic trafficking and two cases where victims were brought into Azerbaijan from Uzbekistan. Those who consented to participate were interviewed in Azerbaijani by a representative of the NGO Clean World and the interviews were translated into English. The Uzbek citizens trafficked into Azerbaijan were interviewed in Russian by an NGO in Uzbekistan.¹⁷ The surveys consisted of both open and close-ended questions focusing on survivors' personal histories,

¹³ M Sabi, 'The Impact of Economic and Political Transformation on Women: The case of Azerbaijan', *Central Asian Survey*, vol. 18, issue 1, 1999, pp. 111–120.

¹⁴ UNDP, *Gender Attitudes*.

¹⁵ See: *The IOM Handbook on Direct Assistance for Victims of Trafficking*, International Organization for Migration, Geneva, 2007.

¹⁶ Two respondents had been trafficked to multiple countries.

¹⁷ All survey responses were anonymised before they were given to the author for analysis.

recollections of their trafficking experiences, their current situations and their plans for the future.

There are some limitations to this data. First, the respondents represent a convenience sample and are not necessarily representative of the entire population of trafficking survivors in Azerbaijan, nor the population of those assisted.¹⁸ Studies have suggested that trafficking of men into labour exploitation is a significant problem, but there are no males in this group.¹⁹ Second, those who receive assistance may be qualitatively different from those who do not seek assistance or refuse assistance.²⁰ Furthermore, survivors who still maintained contact with NGOs between two to five years after their trafficking situation might also be different from those with whom the NGOs lost touch. When assistance providers interview survivors, it may also skew their opinions towards the positive, feeling some obligation to those who have helped them. Finally, there was no opportunity for follow-up after the initial interviews were conducted to update the study to the present day, so it is possible that some circumstances may have changed. Drawing generalisable statements about any group of survivors is difficult. That said, research that focuses on survivors' voices allows us to hear what is working and what is not and to use that information to develop recommendations for improved assistance programmes. It can also complement the sorts of quantitative data that many assistance organisations and governments present (number of people assisted, types of assistance received, etc.) to give a fuller picture of life after trafficking.

¹⁸ On the difficulty of obtaining a representative sample of trafficking survivors for study, see: R Surtees and S Craggs, *Beneath the Surface: Methodological issues in research and data collection with assisted trafficking victims*, International Organization for Migration, Geneva, 2010.

¹⁹ US Department of State, *2017 Trafficking in Persons Report*, Washington DC.

²⁰ A Brunovskis and R Surtees, *Leaving the Past Behind? When victims of trafficking decline assistance*, Fafo, Oslo, 2007.

Victim Assistance

The survey asked the women to specify the types of assistance that they had received after their return to their home countries:

Type of assistance	Number of victims receiving ²¹
Personal safety	6
Psychological counselling	13
Shelter	11
Medical ²²	10
Legal consultation	13
Return home	2
Meeting at airport	3
Job placement	8
Job counselling	3
Other	8

Other types of assistance included helping them return to and reconcile with their families and helping them manage problems with their children, including finding schools. One received assistance in getting released from prison, where she was being held for theft, which her trafficker had forced her to commit.

Short-Term Assistance

Physical and mental health

Most trafficking victims experience physical and sexual violence, making medical and psychological assistance critical at both the immediate post-trafficking stage as well as at later stages of recovery.²³ Longer duration in trafficking and increased

²¹ Most survivors received several types of assistance. One did not receive assistance, one did not specify the type.

²² It is unclear from the surveys what type of medical assistance was provided.

²³ C Zimmerman, *Stolen Smiles: The physical and psychological health consequences of women and adolescents trafficked in Europe*, The London School of Hygiene & Tropical Medicine, London, 2006; M Farley (ed.), *Prostitution, Trafficking, and Traumatic Stress*, Routledge, New York, 2004; A Tsutsumi *et al.*, 'Mental Health of Female Survivors of Human Trafficking in Nepal', *Social Science & Medicine*, vol. 66, 2008, pp. 1841–7.

severity of injuries and sexual violence sustained during trafficking have been associated with worse mental health outcomes, independent of pre-trafficking experiences of physical or sexual violence.²⁴ In the study population, ten survivors said they had received medical assistance. Two who had returned pregnant specified that the assistance organisations had helped them to give birth. Another who returned addicted to drugs received treatment for her addiction. Thirteen of the survivors reported receiving psychological assistance, which seems to have been quite effective. When asked to be more specific about how the assistance they received has helped them, many of the answers focused on the power of the psychological aid to help them feel better about themselves and their lives and see potential for the future. In their own words: ‘Psychological aid was vital for me. It helped me to recover after all the depressive things that happened to me.’ ‘Though it was so hard for me, I learned to believe in myself and to continue to live.’

Accommodation and physical security

In the immediate post-trafficking situation, victims require physical safety both for a sense of security and to protect them from their traffickers. This can take place in a shelter or by helping arrange the victim’s return and/or meeting her at the airport so that she is not intercepted by her traffickers.²⁵ A large number of them noted that the Ministry of Internal Affairs’ Department on Human Trafficking had helped them and/or referred them to places where they could access assistance. Nine survivors, almost half the study population, had dealt with the department. This indicates that having a dedicated branch of the police can be an important way to assist trafficking victims if the officers are trained in dealing sensitively with victims and focus on fulfilling their mandate.

Women who do not have adequate options for shelter can become vulnerable to re-trafficking. In the immediate post-trafficking stage, housing assistance is usually provided by shelters and eleven of the survivors in the study reported having been at one. In Azerbaijan, the main NGO shelter, Clean World, and the Ministry of Internal Affairs’ shelter are both in the capital city, Baku, which means that survivors are often living apart from their families when they first return. Many

²⁴ M Hossain *et al.*, ‘The Relationship of Trauma to Mental Disorders among Trafficked and Sexually Exploited Girls and Women’, *American Journal of Public Health*, vol. 100, issue 12, 2010, pp. 2442–9; N Ostrovski *et al.*, ‘Women in Post-Trafficking Services in Moldova: Diagnostic interviews over two time periods to assess returning women’s mental health’, *BMC Public Health*, vol. 11, 2010, p. 232.

²⁵ A Jobe, *The Causes and Consequences of Re-trafficking: Evidence from the IOM Human Trafficking Database*, 2010, IOM, Geneva.

women are reluctant to stay in shelters far from home, especially if there are no provisions for their dependents.²⁶

Long-Term Assistance

Housing

At best, shelters can provide a temporary living situation, which according to Azerbaijan's law is 30 days.²⁷ Stays at NGO shelters vary and are largely dependent on funding. A permanent living situation can help survivors feel rooted in their communities, secure in their future and eliminate worry about the disruptive effects of frequent moves. The post-trafficking living situations of the interviewees varied. Most were living with their own families and children or with relatives (13/22). Three were living alone in apartments, two at the shelter, two with friends, one rented a room from an elderly woman and one lived with a romantic partner. The women who chose to go back to live with their relatives all described it as a difficult process, often requiring intensive reconciliation efforts.

Economic security

Economic empowerment and long-term or permanent employment opportunities are critical for survivors to be able to successfully reintegrate into society. A steady job with sufficient income to support the survivor and/or her dependents can ameliorate the need to migrate abroad unsafely. However, there are a number of difficulties associated with this form of assistance. Returning survivors want to start earning money right away to support themselves. Family may also pressure them to earn money quickly, especially if the trafficking was the result of failed economic migration and the family was expecting support.²⁸ However, the trauma experienced by trafficking victims can create difficulties in concentration and low self-esteem, making it unlikely that they will be able to hold down a job immediately.²⁹ Of the survey respondents, eight of the women received job placement assistance and three received job counselling. Four mentioned that they

²⁶ R Surtees, *Re/integration of Trafficked Persons: Handling 'difficult' cases*.

²⁷ Law of the Republic of Azerbaijan on Trafficking in Persons (2005).

²⁸ A Brunovskis and R Surtees, 'Coming Home: Challenges in family reintegration for trafficked women', *Qualitative Social Work*, vol. 12, issue 4, 2012, pp. 454–472.

²⁹ S Warnath, *Examining the Intersection between Trafficking in Persons and Domestic Violence*, USAID, Washington DC, 2007.

had enrolled in courses to increase their qualifications or to learn new skills, such as English or computer literacy.

The women in the survey have had varying levels of success in finding steady jobs. Of the 22, only nine reported a full-time remunerated position while nine others reported having no paying job. Two had part-time work and two had occasional work. Looking more closely at these answers shows that of the women who answered that they did not currently have paying jobs, four had chosen to stay at home to raise their children and four work in the sex trade. Those who do sex work appear not to consider their work a ‘paying job’ insofar as the money that they bring in varies or because they only work occasionally. The remaining survivor who said she did not have a paying job was still living at the shelter. Of the two women who have occasional paying jobs, one works in the sex trade and the other works in agriculture on her own plot of land, where she says that sometimes the harvest is not sufficient.

Despite this seeming insecurity, the women’s *perceptions* of their current material situation—feeling that they are able to make do with what they have—was generally positive. Nine of the respondents said they made enough to cover their expenses, while nine said ‘sometimes yes, sometimes no’, although in the open-ended portion of this question, most tended towards yes. Four either said no or did not answer. This group of survivors, then, has been fairly successful in accomplishing one of the most difficult tasks of reintegration, movement into a stable economic situation. However, because there was no question that asked the women to specify what jobs they currently held, it is hard to say to what extent they have found careers and full-time employment that will provide for their long-term needs rather than temporary work.

Three of the full or part-time job holders have found work in the NGO sector with anti-trafficking NGOs. This seems to be a double-edged sword. On the one hand, having survivors work in NGOs makes incoming victims feel that they can identify with people who are trying to help them and can give survivors the feeling that something positive has come out of their experiences. On the other hand, there are a finite number of paying jobs in the NGO sector, so it cannot be a longer-term strategy for job placement for all returning survivors. It may also create false expectations among survivors who are receiving help that they may have a job waiting there when they finish their assistance programme

Family/Social relationships

The process of helping survivors reconcile with their families requires a careful approach. For many of the women in this study, family reconciliation was cited as evidence of successful reintegration or as part of their plans for the future to ensure that their reintegration was successful. One survivor noted the importance of the assistance organisation in facilitating the reconciliation. 'I began to work and [the NGO] helped me to meet with my family. I have reconciled with them and now I live [with] my family.'

Reintegration into the family can increase the likelihood that the return process will be sustainable, because ideally, the family will act as a mediating factor between the survivor and the community. However, it may also be fraught with difficulties including stigma, dealing with the family situation that pushed them into trafficking in the first place, or direct family involvement in the trafficking situation.³⁰ For many of the survivors in this study, conflicts with their families over sexual honour, including lost virginity, pre-marital sex (consensual or not), co-habitation and divorce led to rejection by their parents and/or in-laws and were proximate causes for trafficking. Sixteen of the 22 women reported being trafficked by family, neighbours or close friends, the very people out of whom a post-trafficking support network might be formed.

In Azerbaijan, the stigma attached to sex work is also strong, which presents a significant challenge for survivors.³¹ This is more likely in rural areas where people are intimately acquainted with each other's lives and activities. On the other hand, integration into a new community also has drawbacks because the survivor has to build her support networks from scratch.³² Unfortunately, while assistance organisations can help facilitate family reconciliation, there is little they can do to educate the community and remove stigma. In patriarchal societies like Azerbaijan where women's sexual honour and purity is prized, the survivor's father and brothers may react with disgust and shame at her experience, rather than with empathy, although some of the women noted that these attitudes were mitigated by their ability to support the family financially. Another option for survivors is to hide or only partially reveal what happened to them, which may cause more stress and lack of understanding.³³

³⁰ R Surtees, *Re/integration of Trafficked Persons: Handling 'difficult' cases*; Warnath, *Examining the Intersection*; Brunovskis and Surtees, 'Coming Home'.

³¹ UNDP, *Gender Attitudes*, in the focus groups that the UNDP conducted some male and female participants went so far as to suggest death or burning for women who engaged in prostitution, p. 73.

³² Surtees, *Re/integration of Trafficked Persons: Handling 'difficult' cases*.

³³ Brunovskis and Surtees, 'Coming Home'.

For many women in this study, marriage and children were considered extremely important as indicators of their reintegration. In this group, many of the women were either single or divorced when the survey was conducted (18/22). Three were married and one was cohabiting with her partner. Half of the women had at least one child. Many credit their marriages and/or children as a stabilising factor that helped them to reintegrate into society and reconcile with their families. For those who had gotten married and/or had children, their future goals were oriented around providing for and protecting their families. On the other hand, providing for children was also a major source of concern for many of the women. Those who were unmarried or divorced view marriage as something that is important for their future plans, though, as one survivor put it, ‘I would like to marry, but I know that is not easy for people like me.’ Another saw marriage as the solution for having her family accept her, especially since she had been divorced previously. In their post-trafficking worlds, marriage and children seemed to allow these women to be accepted by their families in a way that careers, housing and money could not.

Overall Assessment of Assistance and Plans for the Future

All but one survivor believed that the assistance they received had helped them.³⁴ According to one, ‘now I know that I will never do prostitution and my life will be different’. According to another: ‘I went to the office against human trafficking and they sent me to [the NGO]. There I was provided with shelter, legal, psychological aid. They talked with my family and especially my mother and brother... I returned to my family, I began to work, I took a course and learned a new profession. I began to believe in people again.’

Thirteen of the 22 survivors said that they felt very well integrated into society. In addition to marriage and children, they cited the fact that they held jobs, had friends and/or had reunited with their families as evidence that they have successfully rejoined their communities. Others mentioned jobs and no longer feeling ashamed as evidence that they had reintegrated. The four who felt that they were ‘not so well’ integrated cited continued financial concerns, psychological difficulties and the fact that they had not yet returned to their families. According to one, ‘I do have enough information about my rights, in this way, yes, I’m integrated, but on the other hand I have financial problems, difficulties, in this way I’m not.’ One survivor reported not feeling integrated at all and four did not answer.

³⁴ The one woman who said that she did not find the assistance useful noted that she was not interested in the courses that she had gone through; she ‘preferred to work in the sex business’.

In assessing their current situation on a five-point scale,³⁵ most (18/22) of the women said their situation was good or very good. In a separate question, nearly all said that they were better off now than they were prior to being trafficked. Three survivors said that their situation was the same and one said it was worse. The same person who assessed her current situation as very bad said her situation was worse than before. She had been trafficked into Azerbaijan for prostitution from Uzbekistan and upon her return was severely stigmatised by her family and community. She continued to work in the sex trade. The three survivors that rated their lives as the same when compared to their pre-trafficking situation all continue to make their living as sex workers. As one noted, 'the only difference is that I'm currently in the sex business willingly'. Only one other remains in sex work, but she assesses her life as better now than before because 'I earn money and like my job...actually, I don't care what people think, I just live my life as I want'.

Of those who assessed their lives as better now than before, five emphasised the fact that they were no longer afraid or ashamed. As one said, 'When I was going somewhere I thought that everyone knew that I was a prostitute....But now I don't fear. I feel safety and self-confidence.' Others emphasised that finding work and a career had made them feel better. To all but one of these survivors (who was still working in the sex trade), work meant having a job other than sex work, the respect of those around them and the ability to support themselves and their families, either immediate or extended.

A focus on the future can be an important sign of reintegration and fifteen women said that they had concrete future plans. Two did not, four were unsure and one did not answer. When given the option to specify, answers were mainly focused on family (marriage and children), housing and jobs/careers. One survivor's statement reflects a common sentiment amongst them, 'I just want my family to be strong and want to bring up my children safely.' The desire to find something concrete that ensures their stability and ties them to their community was overwhelming. Eight mentioned getting married and/or having children, four mentioned buying land or an apartment and six mentioned developing their careers. Only one mentioned education. Some women were optimistic about their futures. In their own words: 'Now I work. I feel safety and I believe that beautiful years wait for me.' 'I had a lot of concerns and fears about my future, but now I believe in myself and I have future plans. I will graduate from the university next year and will have a very good career.' But, for some, the trafficking situation had left them disillusioned with the world. According to one, '[I now know] there are

³⁵ Response options were: very good, good, reasonable, bad, very bad.

a lot of bad and very unworthy persons.’ According to another, ‘I know that we cannot trust everyone.’

Most of the survivors believed that they were more protected now than when they were trafficked and credited this to the assistance they received. Among the reasons they cited: knowing who to go to for help; having information about trafficking; feeling protected, both by their families and by the organisations; and being more mature. One survivor said she learnt that ‘living abroad doesn’t always mean living happy’. Several also credited the aid for enabling them to resist a situation like this in the future. One of them said, ‘If then I were like I am today, I’m sure that wouldn’t happen to me. But now I’m well aware and I know that now I’m strong enough.’ Another stated, ‘I know how to react in a case like this. I know how to check whether the suggestion is false or not.’ All but one knew where to go if they needed help in the future.

Unmet Needs and Continuing Vulnerabilities

About half of the survivors noted that there was assistance they wanted but did not get. However, when asked to specify, most of them focused on institutional failings of the state or their family’s inability or unwillingness to help them. Four of the women described how they went to the police, two to report rape and one to report threats, and the police did nothing to help them.³⁶ In one story, a police officer actually raped the victim when she appealed to him for help because she was running away from her sexually abusive father. Another noted that the police had made her situation much worse by telling her family what had happened, causing stigmatisation and making it impossible to return to her neighbourhood.

When asked to specify what types of assistance they still needed, much of it was focused on long-term goals: gaining acceptance from relatives, finding a place to live, getting jobs and careers in order and continued psychological aid. This indicates that the long-term needs of survivors are those which are still being unmet by assistance organisations. Ongoing job/career and psychological support, and help accessing affordable housing and other social services is something that the

³⁶ The fourth woman said that she had gone to the police many times and they did not help, but did not specify what she had approached the police about. Difficulties with police on issues of domestic violence and rape are unfortunately the norm rather than the exception, with most police reluctant to interfere in what they see as a private sphere issue, see Wilson.

government assistance centres and NGOs should focus on providing to help with longer-term reintegration success.

Despite their generally positive outlooks and positive experience with assistance organisations, seven of them said that they plan to or might consider going abroad to the Middle East in the future, either for sex work or another job. Thus, it seems that even those who had plans to establish a life in Azerbaijan were still uncertain enough about those plans working out that they were ready to consider going abroad to work again. The women who planned to go abroad to work in the sex trade believed that if they were to go, they would make wiser choices. When asked how they would find the job abroad, they answered that they now know how to protect themselves and that they still had lists of their clients' phone numbers so they could call them when they arrived to start working independently. Others were less confident that they were protected from future exploitation. One survivor said that she 'liked risks and a dangerous life' but was still an 'easy believer' and another continued to worry that the police would harass or arrest her either while she was working or, if she lost support of the women who worked under her, for forcing others into prostitution.

Conclusion and Lessons Learnt

The results of this study largely confirm the findings of other studies on the importance of multiple types of post-trafficking assistance for both short and long-term needs. The fact that most of the survivors in this study felt that they were in better, more secure situations now than when they were trafficked is certainly praiseworthy. They largely attribute these feelings to the assistance they received and the organisations that provided it, indicating that government and non-government organisations in Azerbaijan are having a positive impact on survivors in the immediate post-trafficking stage.

While this short-term aid is an important start on the road to reintegration, for survivors, the later stages are even more challenging. In Azerbaijan, as elsewhere, they struggle to make peace and reconcile with their families. Survivors also want to develop job and career prospects, another activity that can take time, and may require education and training to give them skills that they can apply in the job market. Survivors point to housing as another need that arises as they exit the immediate post-trafficking situation and the shelter. Many need an interim location to stay until either they have reunified with their families or they are able to make enough money to support themselves. This need is even more acute since many women have children and are not married (or are divorced). These needs are compounded by a traditional and patriarchal societal context that sees women who

have engaged in prostitution as impure, unworthy and a stain on the family's honour. Structural economic factors and social factors also combine to create a labour market that gives men more and better opportunities than women.

These surveys add to existing findings in other contexts which argue that the long-term needs of human trafficking survivors remain unmet and require attention.³⁷ Assistance organisations would do well to establish longer-term follow-up mechanisms and programmes for those who desire to access them, and donors and governments should ensure funding for them. In doing so, careful attention must be paid to the fact that many survivors may find follow-up care intrusive. As they reintegrate successfully into society, phone calls or visits by the monitoring organisation may be a continual reminder of their past and create the risk of further stigmatisation if the visits/calls occur in the presence of people unaware of the survivor's past. That said, the fact that the women in this survey were trafficked between two and five years before the interviews were conducted suggests that longer-term follow-up is possible. Many noted that they felt more secure and protected knowing services were available, even if they did not utilise them.

Another area where assistance organisations could focus for long-term needs is employment. Job counselling services that are available on an as-needed basis could provide similar support and security to survivors. Another option is to prioritise employment of trafficking survivors in the locally based victim assistance centres and in the NGO sector more broadly. This study and others have shown that survivors are often successfully employed in victim assistance organisations, where they can use their experiences to help others.³⁸ However, since there are limited jobs available in these centres, other employment options need to exist. For those who plan to go abroad again, assistance organisations and the government should do more to facilitate and support safe migration opportunities.

In sum, the challenges of life after trafficking in Azerbaijan mirror the challenges faced by trafficking survivors around the world, especially those in countries with high levels of gender inequality and uneven levels of economic development. Focusing on survivors' experiences can be instructive in thinking through what assistance organisations and governments can do, but also in understanding their limitations. Survivors need both short and long-term assistance to have an empowered life after trafficking and organisations need resources to provide these services. However, while funding can ensure job training and housing to help

³⁷ See, *inter alia*: Brennan; Surtees and de Kerchove; Lisborg and Plambech.

³⁸ USAID, *The Rehabilitation of Victims of Trafficking in Group Residential Facilities in Foreign Countries*, USAID, Washington DC, 2007.

women in the long term, it can do very little to mend families, change societal perceptions or to fight against the global economic trends that enable trafficking and exploitation in the first place.

Post-Survey Developments

Since the data for this survey was collected, Azerbaijan has continued to develop its legislative and policy framework surrounding human trafficking. It has also passed several laws dealing with some of the issues that make women particularly vulnerable to trafficking and struggle on their return, including a law on domestic violence and a law raising the minimum age of marriage to 18 for both men and women. There are now two government and three NGO shelters that can take human trafficking victims, all but one located in Baku. Victims who are officially identified as such by law enforcement are eligible for a one-time lump sum of AZN 400 (USD 235 or EUR 200) and most appear to be receiving this payment. Though there is also a state victim assistance fund, so far it has been financed primarily by private donors, an indication that it is still a challenge for the state to provide ongoing assistance for survivors.³⁹

There is still more focus on immediate post-trafficking needs, but there seems to be an increase in attention to longer-term assistance. Survivors can be referred to a state-run assistance centre specifically focused on trafficking victims, which offers jobs and vocational training in partnership with the Ministry of Labour along with medical, psychological and legal assistance. Funding for trafficking related projects and for victim assistance has increased, though the recent assessments by the Group of Experts on Action against Trafficking in Human Beings (GRETA) and CEDAW review committees suggest that state-run institutions are still significantly under-resourced and rely heavily on money from international organisations.⁴⁰ In its most recent response to the GRETA review committee, the Azerbaijani government reported that it had assisted 63 victims in the previous year. Fifty-one were sheltered at the state-run shelter and received assistance there, 31 were enrolled in vocational courses and 22 found employment. Almost all

³⁹ Group of Experts on Action against Trafficking in Human Beings, *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Azerbaijan*, Strasbourg, 2014.

⁴⁰ GRETA; CEDAW 2015

received the payment of AZN 400.⁴¹ These numbers are encouraging. However, additional qualitative work is needed to help contextualise what they mean. Have women found permanent jobs with living wages to support themselves and their children? Have they been able to establish a life that no longer feels precarious or do they still feel economically and socially vulnerable?

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⁴¹ Report submitted by the authorities of Azerbaijan on measures taken to comply with Committee of the Parties Recommendation CP(2014)10 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, 2016.

Family Separation, Reunification, and Intergenerational Trauma in the Aftermath of Human Trafficking in the United States

Kamohvan 'Juli' Juabsamai and Ileana Taylor

Abstract

Family reunification is a complex part of a survivor's journey; its processes long, arduous, and unassured. This article seeks to examine the intricacies of human trafficking and family separation in migration, and intergenerational trauma following family reunification. The authors apply theoretical frameworks and concepts established by literature on migration and trauma, and provide a case study to explain the implications of family separation that occurs during and after the survivor's human trafficking experience. Written from the perspective of social service providers, this article also provides a look at life after trafficking and how the individual's worldview is altered by the trauma endured, resulting in possible intergenerational transmission of trauma from parent to child. The article explains the family's process of moving from crisis back to balance, and the need for adjustment and adaptation, flexibility and cohesion in finding resilience. Finally, the authors discuss family resiliency frameworks as empowering models for serving survivors of human trafficking and their families during the reunification process. With the appropriate support, families can move forward in their journey towards healing.

Keywords: human trafficking, trauma, intergenerational transmission of trauma, family reunification, family resiliency

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Introduction

In the aftermath of human trafficking, family reunification is a long and complex road that has received little attention in the anti-trafficking field. Family reunification refers to the reunion of a family after one or more members have been living in a foreign country for a period of time. Many families have been separated for numerous years with little end in sight. For some survivors, family reunification can be consolation for the trauma that they have endured, but not the end of the trauma. Time has passed, children have grown, and lives and relationships have changed.¹ This article looks at the implications of family separation as a result of human trafficking and migration, and delves into a review of the literature studying the possible intergenerational transmission of trauma in the aftermath of human trafficking and family reunification.

This article draws on literature from other fields, such as migration, to better understand the intricacies of family separation and the concept of transnational families, and their impacts. While little research has been conducted on family reunification with trafficking survivors, some research exists on family separation and reunification in relation to migration. This paper aims to bridge the two and contribute to knowledge on family resilience in the aftermath of trafficking and trauma.

The narrative presented is an amalgamation of true accounts of survivors of labour trafficking in the United States with whom we have worked (all names are changed to protect their privacy). Their stories are representative of trafficked individuals facing family separation and the challenge of successful reunification. The following two sections will focus on the concept of intergenerational transmission of trauma from parent to child after human trafficking and family separation. We touch on the Theory of Ambiguous Loss,² as well as Attachment Theory,³ and their utilisation in relation to transnational families and family separation, with a focus on the intergenerational transmission of trauma *following* human trafficking and family reunification, rather

¹ D A Boehm, *Intimate Migrations*, New York University Press, New York, 2012.

² P Boss, *Loss, Trauma, and Resilience: Therapeutic work with ambiguous loss*, W.W. Norton & Company, Inc., New York, 2006.

³ As described in M D Ainsworth, M C Blehar, E Waters, and S N Wall, *Patterns of Attachment: A psychological study of the strange situation*, Lawrence Erlbaum, New Jersey, 1978.

than during the trafficking situation. We define trauma as an emotional response to the abuse and exploitation endured by the survivor with regard to the trafficking situation. It is important to note that trafficking does not necessarily yield a particular set of trauma responses as the experiences of each individual vary. The ability and time it takes to cope and heal are different for each.⁴ For many clients, managing trauma is an ongoing battle with many layers to address.

In the final section, we introduce family resiliency frameworks as a means of affording further recommendations to all stakeholders, particularly social service providers, to look at strengths and resilience of clients and families while providing services.

Family Reunification: An overview

For some survivors of human trafficking, family reunification can be an important part of their journey. For some, it is a happy reunion—a reward for the hardship endured over the period of separation. However, following the excitement and anticipation, parents and children have to become reacquainted. Children have to adapt to a new environment and adjust to a life with the absent parent towards whom they may have ambiguous feelings due to the separation. This challenge may not be long-term as the children could adjust quickly to the new country, its norms and cultures, and families can access their resilience to overcome the long separation and improve their relationship.⁵

The United States government aids the reunification process by offering support and protections for survivors of human trafficking and their families under the *Victims of Trafficking and Violence Protection Act 2000* (also known as the Trafficking Victims Protection Act). Under its provisions, certified survivors of human trafficking are able to apply for a T-Visa, which enables them to remain in the US and to sponsor their spouse and children under 21 years of age to come to the United States too. This visa is granted only to immediate family members.

⁴ D Brennan, *Life Interrupted: Trafficking into forced labor in the United States*, Duke University Press, 2014, p. 117.

⁵ N B Busch-Armendariz, M B Nsonwu and L C Heffron, 'Human Trafficking Victims and their Children: Assessing needs, vulnerabilities, strengths, and survivorship', *Journal of Applied Research on Children: Informing policy for children at risk*, vol. 2, issue 1, 2011.

Upon arrival, the family members receive a Derivative T-Visa, which is similar to refugee status. The law provides access to federal and state benefits, such as Supplemental Nutrition Assistance Program (SNAP), and medical insurance (Medicaid).

Federal and state funding also allows survivors and their families to receive case management, legal assistance, and emergency assistance through social service providers. The duration of the support varies from programme to programme. The services help reunified families get back on their feet prior to applying for public assistance, or finding employment, which could take time. When survivors of traumatic experiences receive the means and support they need, they are better able to manage the emotional, psychological and physiological stressors caused by the traumatic experience.⁶

Louis: A case study

The authors use the narrative of the case study to discuss the theoretical frameworks presented herein.

Louis came to the United States in 2010 to seek work after losing his job as a nurse in his home country of the Philippines during the economic crisis. Unsuccessful at finding employment, Louis responded to an advertisement on the Internet seeking staff to work in the hospitality industry in the United States. Like many other international migrants, Louis decided to leave home in order to provide for his family.⁷ Researchers suggest that at the root of migration behaviour is the desire to improve or maintain quality of life.⁸ This position promised a higher salary than what he was making at his nursing job. Louis determined that during these difficult times, it was worth the sacrifice. He met with Mr M who had posted the ad. He informed Louis that to qualify for the position, he had to pay an application fee of USD 2,000, fund his own visa, airfare,

⁶ A Gitterman, *Handbook of Social Work Practice with Vulnerable and Resilient Populations*, Columbia University Press, 2nd edition, 2001.

⁷ N N Sørensen and I M Vammen, 'Who Cares? Transnational families in debates on migration and development', *New Diversities*, vol. 16, no. 2, 2014, pp. 89–108.

⁸ G F DeJong, D B Root, and R G Abad, 'Family Reunification and Philippine Migration to the United States: The immigrants' perspective', *The International Migration Review*, vol. 20, no. 3, 1986; L J Abrego, *Sacrificing Families: Navigating laws, labor, and love across borders*, Stanford University Press, 2014, p. 26.

and pay an honorarium to the agency. Louis was assured by Mr M that all expenses would be covered once he arrived in the US, so he borrowed money from his extended family. He believed that once in the United States, he would make enough money to repay his relatives.

Life in the United States was not what he had imagined it would be. Louis worked long, gruelling hours at a chain hotel in a city he had never heard of before. His salary was one quarter of what was promised in the contract, and he was forced to sleep in a one-bedroom apartment with six other workers. Louis and the other workers were escorted to and from the apartment each day by guards who also stood watch at night and verbally abused them and threatened them with violence. His freedom of movement was severely restricted. The traffickers also told the workers that they would be arrested and deported if they tried to escape. Louis' health began to deteriorate due to the abuse, lack of food and proper nutrition.

After paying the fees for transportation to and from work, food and rent at the end of the month, Louis had barely enough money to send home to his family for his children's basic schooling, or repay his relatives. He was deeply ashamed to tell his family about what life was like in the United States, so he avoided calling them. During the rare times when he would call, his children were reluctant to speak to him. As other scholars have noted, children and parents often become estranged during their time apart.⁹ Louis' hope

'I hate it here! This will never be my home!' exclaimed John in his native Tagalog. John is the second eldest of Louis' four children. He struggles to communicate in English, which has made it difficult for him to make friends at school. He is 12 years old, and gets bullied for his thick accent and broken English. The *pancit* and chicken that he brings for lunch is a far cry from his classmates' peanut butter and jelly sandwiches.

Louis is distraught with worry. His family only just arrived in the US after he was awarded permission to stay in the country and his family was allowed to join him. Already he seems to be failing at his attempt to rebuild the bonds with his family. He wonders if he did the right thing by uprooting them from their home, and bringing them to this new country.

⁹ J Dreby, *Everyday Illegal: When policies undermine immigrant families*, University of California Press, 2015, p. 175.

to provide for his family was shattered by the reality of his human trafficking experience. Anthropologist Denise Brennan writes about formerly trafficked individuals who do not tell their families about their trafficking situation, either as it is unfolding or after.¹⁰ Similarly, Louis was not able to communicate with his family during his captivity and felt guilty and ashamed for falling prey to unscrupulous individuals both during and after the trafficking situation.

Louis was able to leave his trafficking situation after he befriended a co-worker at the hotel. He told this person of his predicament and together with his co-worker, they devised a plan to escape, although it would mean that they would be undocumented. Louis, together with two other co-workers, managed to leave and travel to New York City where he had a distant cousin. Soon after, Louis found a job as a home health aide through an advertisement online. He worked six days a week, up to 16 hours a day taking care of an elderly man. Although the hours were sometimes gruelling, Louis was free to come and go as he pleased. The elderly man was kind to him, and never asked him about his immigration status. Importantly, the salary was good. This afforded Louis the opportunity to save more money for his family.

Approximately two months after his escape, Louis was referred to Safe Horizon's Anti-Trafficking Program (ATP) by a friend who had received assistance there previously. The programme assists survivors through the provision of social and legal services. At ATP, he met with a social worker. Louis recounted what he could remember of his story to his social worker. He spent most of the session staring at the ceiling, his voice barely above a whisper. He told his story without emotions or facial expressions, and appeared detached—common trauma reactions that survivors of trafficking experience.¹¹ When asked about his family, he said he was certain that he had pushed them away, but was finally re-establishing ties with them by showing them more confidence in his ability to care for them financially, despite the long hours that he worked and the small sum he could send home.

Throughout the counselling phase, Louis reported insomnia, going days with little sleep. He also experienced disconnection from his trauma and had difficulty focusing, such that while taking public transportation to familiar places like home and work, he would find himself in different locations than intended. He was hypervigilant, always aware of his surroundings. He had panic attacks,

¹⁰ Brennan, 2014, p. 78.

¹¹ B Banović and Ž Bjelajac, 'Traumatic Experiences, Psychophysical Consequences and Needs of Human Trafficking Victims', *Vojnosanitetski Pregled*, vol. 69, no. 1, 2012.

which caused him to think that he was experiencing a heart attack, but felt unable to seek medical attention due to his immigration status. He also reported that he would sometimes have to leave the subway because he felt locked in. He experienced flashbacks and rumination, which consisted of involuntary re-experiencing of the verbal and emotional abuse that he had endured at the hands of the traffickers. He thought constantly about his experience, which contributed to his ongoing feelings of depression.¹² Furthermore, he had skin rashes that had no explanation, possibly a somatic manifestation of the trauma after a trafficking situation.¹³

During this time, Louis continued to work with his social worker, receiving trauma-focused counselling, as well as practical assistance in the form of gift cards for food and personal care items, and round-trip subway passes. This alleviated some of the financial burden that he felt and allowed him to save more money for his family. Together, Louis and his social worker created a safety plan to address some of his feelings of hypervigilance and ensure that he had a support system. Furthermore, they explored his reactions to the trauma, and worked to develop coping skills.

Louis also worked with ATP's legal team over time to obtain his T-Visa, and apply for Derivative T-Visas for his wife and children. It took him time to be comfortable with his social worker and attorney, as he indicated many times that he had difficulty trusting others after being 'duped' by Mr M and his traffickers. This lack of trust following an experience like Louis' is also described by Brennan, as common after being cheated and abused. She goes on to state that after leaving the trafficking situation, survivors are expected to place their trust in strangers, such as those who could possibly help them—i.e. law enforcement, social workers, prosecutors, etc. This expectation can be confusing for survivors, and it can be particularly difficult to gauge who can and should be trusted based on who is able and willing to assist them.¹⁴ Louis described his anxiety and lack of trust as factors for missing appointments, which further delayed his T-Visa application, and as a result, reunification with his family.

¹² *Ibid.*

¹³ E K Hopper, 'Underidentification of Human Trafficking Victims in the United States', *Journal of Social Work Research and Evaluation*, vol. 5, no. 2, 2004.

¹⁴ Brennan, 2014, p. 122.

By that time, Louis was regularly sending money home and communicating with his family. Money plays an important part in repairing trust in a transnational family, as documented in other scholarly studies.¹⁵ As a result, Louis began to regain the trust of his wife and eldest children, who were more willing to talk to him when he called. Thus, when the time came to fill out the paperwork for the Derivative T-Visas, his family was willing to cooperate. After many months of waiting, multiple interviews, and copious paperwork, the family's Derivative T-Visas were approved. Louis' social worker coordinated with the International Organization for Migration (IOM) to assist with the logistics of family reunification, including expenses related to the family's visas and travel. After five long years, the family was reunited in August 2015 in New York City.

However, family reunification is not always easy.¹⁶ Although their communication prior to arrival had been positive, after their arrival it was challenging for them all to adjust to this new lifestyle. Louis' children had no idea how to react to this strange, new man in their lives. They regarded him with fear and fragility, never knowing what might make him angry and set him off.

At ages 5, 7, 12 and 14, the children had grown up without their father. Marie, Louis' wife, was four months pregnant when he left for America, and their youngest son, Joseph, was born in his absence. In applying for the Derivative T-Visa, Joseph did not have proper documentation and had to undergo DNA testing to prove that Louis was his father, as Louis was not present during Joseph's birth. This caused a great deal of stress in the family. Joseph began acting out towards his father, as he considered Louis a stranger. As other scholars have noted, children who are separated from their parents tend to have difficulties upon separation and reunification.¹⁷ Mark, their second youngest, avoided Louis for the same reason. Louis shared that he did not know how to bond with his two younger children. He stated that they seemed to resent him, and constantly told him that they wanted to go home to their Papa, their maternal grandfather who had been a father figure in Louis' absence.

He also had difficulty relating to his two older children, who resented him for taking them away from their friends back home. Louis did not know how to react. His hopes of a happy family reunification were met with sadness as he struggled to

¹⁵ C A Solheim and J Ballard, 'Ambiguous Loss Due to Separation in Voluntary Transnational Families', *Journal of Family Theory & Review*, vol. 8, issue 3, 2016, pp. 341–359.

¹⁶ U D Berg, *Mobile Selves: Race, migration, and belonging in Peru and the US*, New York University Press, New York, 2015, pp. 108–109.

¹⁷ Abrego, 2014, pp. 159–160.

bond with his children, who resented him for moving them to a foreign country where they were required to learn a new language, lifestyle, and customs. When asked how he was feeling about his family being in the US, Louis responded to his social worker, 'It is so difficult for me to believe how I was so easily manipulated [by my traffickers]. I am so ashamed to look at my wife and children in the eyes, because I lost everything we worked so hard for.'

Implications in the Aftermath

The discussion of parental migration and family separation is complex. The concept of transnational families, where family members live some or most of the time separated from each other across national borders, is considered a 'temporary phenomenon' with family reunification as the end goal for all members.¹⁸ There is a 'common longing for good jobs, decent pay, citizenship, and family reunification'.¹⁹ For nearly all of our clients, this was their hope in coming to the US: an opportunity to provide for their family, and improve or maintain their quality of life. Unfortunately, this notion may leave them vulnerable to abuse, abandonment and exploitation.²⁰

For many, this risk is one worth taking, but it comes at a price.²¹ Research demonstrates that family members, especially children, may benefit economically from remittances; however, they may suffer emotionally from prolonged separation.²² In her research, Abrego suggests that children

¹⁸ Landolt and Da, 2005, as cited in V Mazzucato and D Schans, 'Transnational Families and the Well-being of Children: Conceptual and methodological challenges', *Journal of Marriage and Family*, vol. 73, issue 4, 2011, pp. 704–712.

¹⁹ Brennan, 2014, p. 118.

²⁰ International Organization for Migration, 'Migration and families', 2014.

²¹ Sørensen and Vammen, 2014.

²² V Mazzucato and D Schans; C Suárez-Orozco, H J Bang, and H Y Kim, 'I Felt Like my Heart was Staying Behind: Psychological implications of family separations & reunifications for immigrant youth', *Journal of Adolescent Research*, vol. 26, issue 2, 2010; C Suárez-Orozco, I L G Todorova, and J Louie, 'Making up for Lost Time: The experience of separation and reunification among immigrant families', *Family Process*, vol. 41, no. 4, 2002; R S Parreñas, 'Mothering from a Distance: Emotions, gender, and intergenerational relations in Filipino transnational families', *Feminist Studies*, vol. 27, issue 2, 2001; A Fresnoza-Flot, 'The Bumpy Landscape of Family Reunification: Experiences of first- and 1.5-generation Filipinos in France', *Journal of Ethnic and Migration Studies*, vol. 41, no. 7, 2015; N A Schapiro, S M Kools, S J Weiss, and C D Brindis, 'Separation and Reunification: The experiences of adolescents living in transnational families', *Current Problems in Pediatric Adolescent Health Care*, issue 43, 2013.

associate remittances with love.²³ When a parent is able to send home large and consistent amounts of money, the children were more likely to appreciate their parents' sacrifices, and maintain strong, positive contact. The remittances make the separation worthwhile, as they provide life improvements for the children and proof of the parent's continued commitment to the family. On the contrary, when the remittances were very little or lacking, children felt abandoned and resentful, and deemed the separation unjustified.

In Abrego's interviews with fathers who, due to economic hardship, were unable to, rarely able to, or only able to send little remittances home, she found that they felt immense shame. Like Louis, they were reluctant to contact their families if they could not send remittances. Some stated that they felt 'irresponsible' as they did not have anything to show for their hard work, nor a reason to explain their separation.²⁴

Furthermore, the family members left behind may experience what Pauline Boss termed 'ambiguous loss.'²⁵ The Theory of Ambiguous Loss refers to a state in which there is no closure. Boss identifies two kinds of ambiguous loss: one in which the family member is psychologically present, but physically absent; and one in which they are physically present, but psychologically absent. This can be applied to survivors of human trafficking too. As such, when the family is separated, the absent parent is physically unavailable, but may try to be available psychologically by sending some remittances or communicating with their family members through telephone calls and other means.²⁶

In Louis' case, he left his family believing that he would work and send his earnings home. He believed that this would be a temporary arrangement to get his family back on their feet. However, the pressure to provide for his family led to vulnerability and exploitation, which has the potential to be severely traumatising.

As a result of separation and continued financial hardship, children of migrants report feeling abandoned. They feel withdrawn and have ambivalent feelings towards

²³ Abrego, 2014, p. 83.

²⁴ *Ibid.*

²⁵ Boss, 2006.

²⁶ Boehm, 2012.

their migrant parent.²⁷ During the separation, they grow accustomed to living without the migrant parent and become more independent.²⁸ Consequently, there is a breakdown in communication between parent and child. Parents report having trouble disciplining or expressing authority. The results of this disconnect between parent and child is difficult to repair.²⁹

John Bowlby's Attachment Theory³⁰ helps to explain Louis' younger children's behaviour. Bowlby studied the interactions of parents and children following temporary separation and observed the children's mourning behaviour and response upon reunification. Louis' younger children had difficulty connecting and engaging with him due to the separation endured during his trafficking experience. As such, his youngest son did not know him at all. This is akin to the experiences of other migrants as well, as relayed by the numerous narratives told by Dreby.³¹ Suarez-Orozco *et al.*, in their research found that separation causes estrangement,³² and as with Louis and his younger children, the years of separation and the birth of the youngest child in his absence were difficult to overcome.

The Intergenerational Transmission of Trauma

Louis' relationship with his children is an example of how difficult experiences can affect the family and shows that the painful scars of trauma are often felt by the next generation.³³ Abrams suggests that intergenerational trauma is not confined to one set of experiences and posits that it is 'widespread'. A growing number of researchers are utilising literature derived from Bowlby's Attachment Theory to better understand the intergenerational transmission of trauma.³⁴

²⁷ Suárez-Orozco, Todorova and Louie.

²⁸ Suárez-Orozco, Bang and Kim.

²⁹ Solheim and Ballard, 2016.

³⁰ M D Ainsworth *et al.*, 1978.

³¹ Dreby, 2015.

³² Suárez-Orozco, Bang and Kim, p. 239.

³³ D Brothers, 'Traumatic Attachments: Intergenerational trauma, dissociation, and the analytic relationship', *International Journal of Psychoanalytic Self Psychology*, vol. 9, issue 1, 2014.

³⁴ M S Abrams, 'Intergenerational Transmission of Trauma: Recent contributions from the literature of family systems approaches to treatment', *Journal of Psychotherapy*, vol. 53, no. 2, 1999.

Brothers writes that trauma may be transmitted in day-to-day familial relationships. Children may develop ‘disorganized/disoriented attachment patterns’ as a result of the responses of their parent(s)’ traumatic experiences.³⁵

The responses and availability of these parents have the ability to impact their child’s response to relationship formation throughout their lifetime. In a study of mother-infant prenatal attachment, Schwerdtfeger and Nelson Goff discuss the relationship between interpersonal trauma and resulting post-traumatic stress disorder (PTSD), and its transmission to the infant or child. According to Walker, as cited in Schwerdtfeger and Nelson Goff, adults who have suffered trauma may or may not be emotionally or functionally approachable. Walker further states that parents may show abusive behaviour and thus affect their children.³⁶ Although these could be applied to trafficking survivors, more longitudinal research is needed.

In Louis’ case, the children now have direct exposure to his trauma symptoms. They witness the psychological pain that their father feels, and it reflects upon their reactions. His trauma responses are a cause for family disruption. Because he is hypervigilant, less trusting and extra cautious, the family members tend to have similar reactions. Catherall, as cited in Abrams, proposes that mistrust can at times be ‘transmitted’ without the survivor being aware,³⁷ thus making the attachment patterns within the family rigid and constricted.³⁸

Louis’ trafficking experience transformed his life and his view of the world. His health had suffered due to lack of proper nutrition; his skin condition, and the memories of his trafficking experience were often on his mind. He became anxious and had difficulty trusting others. He hated to burden his family with details of the experience, but the symptoms rang clear. Louis’ symptoms fit most of the categories for complex trauma.³⁹ This affects his day-to-day life,

³⁵ Brothers, 2014.

³⁶ K L Schwerdtfeger and B S Nelson Goff, ‘Intergenerational Transmission of Trauma: Exploring mother-infant prenatal attachment’, *Journal of Traumatic Stress*, vol. 20, no. 1, 2007, pp. 39–51.

³⁷ Abrams, 1999.

³⁸ Brothers, 2014.

³⁹ B C Johnson, ‘Aftercare for Survivors of Human Trafficking’, *Social Work & Christianity*, vol. 39, no. 4, 2012, pp. 370–389.

including his relationship with his children. Prior to coming to the United States, Louis had a close and supportive relationship with them. Filipino families have a tendency for affection and closeness, and in their relationships, they depend on each other for support.⁴⁰ Louis' traumatic experience altered the family dynamic and his relationship with his children.

The effects of Louis' trauma were affecting his family members by inadvertently transferring his distorted view of the world to his children, causing what Abrams describes as 'secondary trauma', or the stress of living or working with trauma survivors.⁴¹ Trauma can be transmitted via 'sensations and emotions'.⁴² Philips, as cited in Menzies on his work with indigenous communities in Canada, suggests that trauma survivors who do not know how to cope with their traumatic experience 'often take their pain and hurt out on the people they love the most—their families'.⁴³

For so long during the family reunification process, Louis viewed his children as his hope for the future and worked hard to give them the future that he thought they deserved. However, upon their arrival to the United States, he became discouraged by the distance that existed between them. He became overwhelmed by his feelings of sadness, anger and aggressiveness, and his children did not know how to react. This affected the quality of their relationship and the bond between them.

Family Resiliency and Further Recommendations

The Family Resilience Framework was developed on the premise that, 'Although some families are shattered by crisis or chronic stresses, what is remarkable is that

⁴⁰ 'Cultural Differences in Parenting Practices: What Asian American families can teach us', *Frances McClelland Institute*, University of Arizona, vol. 2, no. 1.

⁴¹ Abrams, 1999.

⁴² A Connolly, 'Healing the Wounds of our Fathers: Intergenerational trauma, memory, symbolization and narrative', *Journal of Analytical Psychology*, vol. 56, issue 5, 2011, pp. 607–26.

⁴³ P Menzies, 'Intergenerational Trauma from a Mental Health Perspective', *Native Social Work Journal*, vol. 7, 2010; Abrams, 1999.

many others emerge strengthened and more resourceful.’ Walsh posits that this framework as an intervention applies a strengths-based practice model to clinical practice, emphasising the empowerment and competence of a family to overcome adversity using key processes that ‘mediate the adaptation of all members and the family unit’.⁴⁴

Likewise, Patterson describes the Family Adjustment and Adaptation Response (FAAR) model, which she posits can help families to adapt and adjust. The FAAR model suggests two phases in family resilience: adjustments and adaptations separated by family crises. Whereas the adjustment phase is seen as the ‘stable period’, the adaptation stage is seen as the stage where family members try to bring back ‘homeostasis’, or balance into the family unit by looking for new ways to communicate and cope, lessen the pressures, and see their particular situation in a new light.⁴⁵ These two stages of FAAR are compatible with the Family Resilience Framework as it helps the family to move forward, utilise more balanced interactions, and process the traumatic experience together.

We suggest that by utilising the Family Resilience Framework and the FAAR model, service providers can work with a family like Louis’ to apply key processes as outlined by Walsh to ‘adapt and function competently’ following a traumatic experience. This is greatly beneficial in order to restore family cohesion and homeostasis upon reunification after the trafficking experience. Families like Louis’ can begin to heal by participating in family counselling or individual cognitive therapy guided by the Family Resilience Framework.

The key processes that Walsh states are separated into three categories: 1) belief systems, 2) organisational patterns, and 3) communication/problem-solving. Family belief systems refer to shared ‘constructions of reality [which] emerge through family and social transactions’. These belief systems can change with varying experiences that the family undergoes, such as crisis and trauma. Positive family organisational patterns are characterised by the flexibility to adapt to stressful situations, interconnectedness and cohesion, and having social and economic resources to support the family. Problem-solving and conflict

⁴⁴ F Walsh, ‘Family Resilience: A framework for clinical practice’, *Family Process*, vol. 42, issue 1, 2003.

⁴⁵ J M Patterson, ‘Families Experiencing Stress’, *Family Systems Medicine*, vol. 6, no. 2, 1988, pp. 202–237.

management, according to Walsh, must be collaborative, resourceful and respectful in order to foster family resilience.

Louis' social worker at ATP used the Family Resilience Framework by adapting the key processes to fit the family's needs. Like in the Family Resilience Framework, the social worker assisted the family in recognising signs of trauma and secondary trauma that may trigger Louis and his family members. The social worker assisted the family in learning how to adjust and adapt as a unit in the midst of crisis, and linked the family to social and economic resources in the community. This alleviated stress and helped them form a cohesive bond in both their family and new homeland. They learnt new ways of communicating their feelings respectfully and effectively, and after several counselling sessions, they committed to collaborating as a family to use the skills they learnt. Utilising methods similar to the three key processes, the family became more open to communication, and were able to readjust their belief systems and adapt to stressful situations. By doing so, they felt empowered. As Abrams states, 'There is a critical need for constructive intervention on the level of the individual, family, and environment to prevent further psychological damage.'⁴⁶ Thus, service providers may consider utilising these models and adapt them to their client-centred practice.

Louis' family, with the assistance of their social worker, slowly began to heal and continue on the path towards recovery and reconnection. Louis and his wife learnt to navigate the social service system while working with the social worker, which helped them to become more independent. They were able to apply for and obtain public benefits and other services for the family on their own. Furthermore, through counselling, Louis and his family were able to make meaning of the hardship they had experienced. These actions utilise empowering frameworks to encourage the family to function competently as a unit and reach homeostasis again.

More longitudinal research is necessary in this field to better understand the effects of family reunification on both the survivor of human trafficking and the family. While the concepts and theories developed through research on migrants can be applied, in part, to understanding families impacted by trafficking, the experiences and struggles of trafficking survivors are unique due to the complex, and often long-term, trauma.

⁴⁶ Abrams, 1999.

As we make progress in anti-trafficking work, it is necessary to be nuanced in how the needs of survivors and their families are assessed and addressed across all disciplines, including social sciences, anthropology and public policy. Any support to survivors and their families on their journey towards well-being must include: a holistic look at the impact that separation has on the family; the effects of trauma on the individual, resulting in the possible intergenerational transmission of trauma; and solutions that assist the family as they work to rebuild bonds.

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‘There are no Victims Here’: Ethnography of a reintegration shelter for survivors of trafficking in Bangladesh

Diya Bose

Abstract

This article, based on nine months of ethnographic data from a reintegration shelter for survivors of trafficking in Bangladesh, examines the tensions between claims of empowerment and the disempowering practices that undermine an organisation’s liberatory objective. The author documents how the leadership and other staff of an anti-trafficking NGO engage in *regulating* survivors’ desires, *directing* their desires by demanding that they perform a desire to engage in particular modes of self-improvement, and *rehabilitating* their desires to seek gender-conforming occupations. These three strategies together constitute *disciplining desire*, which I identify as a process of othering of poor Third World women and cultivating an ideal survivor subjectivity that conforms to gender and class expectations in the name of ‘reintegration’. This account encourages researchers to critically consider the micro-interactions that undermine the emancipatory goals within women’s empowerment regimes in the Global South.

Keywords: anti-trafficking, empowerment, gender, labour, rehabilitation, South Asia, women

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Introduction

Café Mukti, or Café Freedom, was an unremarkable small coffee stand on the first floor of the International Organization for Migration (IOM) office in Dhaka, Bangladesh, staffed by a group of remarkable young women. On a chilly January morning, when I approached the counter with an American friend, all three workers, aged between 17 and 22, dressed sharply, in starched blue and white *salwar kameez* and baseball caps with ‘Café Mukti’ stitched on top, met us with cheerful greetings in English. I knew that the greetings were from a script because I had helped them rehearse it the night before at a shelter home for survivors of various forms of trafficking, including into the sex trade, domestic work and camel jockeying. These women were three of the 120 survivors, that also included young boys and girls, who had been repatriated to Bangladesh from India, Indonesia, Malaysia and various countries in the Middle East, after having been rescued from exploitative labour contexts. I had come to know many of the shelter’s residents over the nine months between 2009 and 2010, when I volunteered for the National Women’s Association (NWA),¹ which runs the shelter. These women shared with me their dreams of getting an education, learning a trade, or running their own businesses. They also dreamt of falling in love, getting married, and even travelling to the same countries from where they had been repatriated, but this time, on their own terms.

For over three decades, the NWA has been working in Bangladesh to promote women’s equality and end violence against women. Using nine months of ethnographic observations, I find that instead of helping survivors forge tools for social empowerment and economic independence, NWA labours to re-educate survivors in how to align their ambitions and activities with the goal of becoming ‘good women’, which for lower-class women means being chaste and humble, stripped of desires. I find that the staff prioritises individualised treatment or rehabilitation approaches that focus on personal change rather than advocating for structural interventions. Despite the use of empowerment rhetoric that champions survivors and respect for their agency, I argue that the leadership and staff at the NWA view the women in their care as inherently vulnerable due to their lower-class position and status as formerly trafficked women, requiring protection from their desires. In this article, I document the paradox between NGO actors’ stated goals of empowering survivors of trafficking and their actual practices of socialising survivors to recognise their perceived position at the bottom of a social hierarchy. To this end, I distinguish three strategies that NWA employs to control the desires of women under their care. These strategies are differentially enacted based on their role in the organisation:

¹ Name changed to protect subjects.

leadership sets the broader tone and agenda while case-workers shape the everyday lives of survivors. In what follows, I demonstrate how NWA leadership and staff engage in *regulating* survivors' desires, *directing* their desires by demanding that survivors perform a desire to engage in particular modes of self-improvement, and *rehabilitating* their desires to seek gender-conforming occupations. These three strategies together constitute *disciplining desire*, which I identify as a process of othering of poor Third World women and cultivating an ideal survivor subjectivity that conforms to gender and class expectations in the name of 'reintegration'.

Background

Bangladesh is an ideal location to examine this issue since rehabilitation programmes for displaced women have been critical to its foundation as a country. In the 1971 civil war between East and West Pakistan, which eventually resulted in the creation of Bangladesh, the Pakistani military engaged in mass rape as a strategy of war. In the post-Independence period, the government established programmes to aid women who had been raped and displaced during the conflict and whose families had largely rejected them. Although the state intervened to protect these survivors of war, rehabilitation programmes were steeped in the traditional moral code, and disciplining women considered deviant formed the subtext of the 'rehabilitation'. However, neither the government nor these programmes made any attempt to address the underlying cultural sources of stigma which endured. Since the 1970s, state-run rehabilitation programmes have targeted various groups, ranging from landless women to female prisoners and prostitutes, and, more recently, survivors of trafficking.

NWA has often been a vocal critic of the state's criminalisation and displacement of sex workers and has advocated for greater attention to the trafficking of men, women and children in non-sex work-related sectors. NWA insists that it treats those under its care as survivors rather than as victims. As the staff explained to me, a victim is someone who lacks agency and must be protected even at the cost of personal autonomy, whereas a survivor is someone who can overcome great difficulties through personal strength and resilience. This discourse of survivorship and history of pro-sex worker rights stance seemingly sets this Bangladeshi feminist organisation apart from other anti-trafficking organisations.² Moreover, NWA rejects the term 'rehabilitation' as it implies that

² K Kempadoo, 'The Modern-Day White (Wo)Man's Burden: Trends in anti-trafficking and anti-slavery campaigns', *Journal of Human Trafficking*, vol. 1, issue 1, 2015, pp. 8–20.

it is the individual who is in need of transformation. Instead, the organisation prefers the term ‘reintegration’, indicating that it seeks to address structural barriers, such as gender and economic inequality. However, my observations revealed that while NWA indeed champions women’s right to work and migrate on the policy advocacy level, the legacy of past rehabilitation programmes continues in their own shelter home.

In this paper, I build on the critical literature on anti-trafficking programmes by focusing on a reintegration shelter in the Global South to show how stated goals of empowerment for survivors are undermined by practices steeped in gender and class-based hierarchies. I further draw on the sociological concept of *total institution* to theorise the micro-interactions inside the shelter.

Anti-Trafficking Programmes and the Concept of Victimhood

I use the category of trafficked women as an analytical anchor despite contestations over the definition of trafficking and the diverse range of experiences of the women at the shelter, including some who claimed to have been voluntary sex workers and others who were trafficked for domestic labour. There is a burgeoning literature that attests to how anti-trafficking programmes can isolate, imprison, and further marginalise women labelled as trafficked after they have been rescued,³ and how there exists the practice to cite the vulnerability of trafficked women in order to justify locking them up.⁴ Research from the US, UK and the Netherlands has demonstrated that an anti-immigrant bias undergirds anti-trafficking policies and as a result, often women who have been ‘rescued’ from trafficking are incarcerated and/or sent back to their countries of origin.⁵ However, less attention has been paid to what happens after such repatriation. By investigating micro-interactions inside a shelter, this article shows how class and gender hierarchies shape these women’s lives after trafficking.

Approaches to trafficking range from strictly prostitution abolitionist to those that view trafficking on a continuum of migration experiences, as a human rights issue, or within a pro-sex worker rights and labour framework.⁶ Some consider it a

³ N Sharma, ‘Anti-Trafficking Rhetoric and the Making of a Global Apartheid’, *NWSA Journal*, vol. 17, issue 3, 2005, pp. 88–111.

⁴ J Musto, ‘Carceral Protectionism and Multi-Professional Anti-Trafficking Human Rights Work in the Netherlands’, *International Feminist Journal of Politics*, vol. 12, issue 3–4, 2010, pp. 381–400.

⁵ K Sharapov, “‘Traffickers and Their Victims’: Anti-trafficking policy in the United Kingdom”, *Critical Sociology*, vol. 43, issue 1, 2017, pp. 91–111.

⁶ Musto, 2010.

form of ‘corrupted migration’,⁷ as ‘modern day slavery’,⁸ or ‘female sexual slavery’.⁹ Scholars of anti-trafficking find that the prostitution abolitionist discourse has long conflated trafficking with sex work and have likened it to a moral crusade.¹⁰ In contrast, a growing international sex worker rights movement has emerged alongside feminist postmodern, postcolonial, and transnational theorising to challenge abolitionist feminist claims that sex work is fundamentally oppressive towards women.¹¹ These feminists have pointed out that conflating sexual labour with sexual violence flattens women’s experience to narratives of victimhood.¹² Even when confronted with the reality of trafficked women who flee from rehabilitation institutions, rather than reassessing their own assumptions, rescuers often attribute a false consciousness to the victims, arguing that they are addicted to the conditions of their oppression.¹³ As Cojocarú argues, the abolitionist victimhood framework justifies the exclusion of those who join the sex trade voluntarily and leads to objectification of trafficked victims by their rescuers.¹⁴ Furthermore, they argue that the ‘rescue’ model seeks to liberate women from their traffickers without challenging social hierarchies of gender, race and nationality since the rescuers are often Western activists and government officials and those who require protection are often women who are racial and national *others*.¹⁵

Since 2001, the United States government has been pressuring countries to implement anti-trafficking measures through its annual *Trafficking in Persons (TIP)* Report, with particular focus on arrests, investigations and prosecutions. Non-

⁷ B Anderson and J O’Connell Davidson, *Is Trafficking in Human Beings Demand Driven? A pilot-study*, International Organization for Migration, Geneva, 2003.

⁸ K Bales, *Disposable People: New slavery in the global economy*, University of California Press, Berkeley, 2004.

⁹ K Barry, *Female Sexual Slavery*, New York University Press, New York, 1979; D Hughes, ‘The “Natasha” Trade: Transnational sex trafficking’, *National Institute of Justice Journal*, 2000, pp. 1–9.

¹⁰ J Doezenia, ‘Prevent, Protect and Punish’ in J Doezenia, *Sex Slaves and Discourse Masters: The construction of trafficking*, Zed Books, 2010, pp. 106–123; S Limoncelli, *The Politics of Humanitarianism: States, reformers and the international movement to combat the traffic in women, 1875–1960*, PhD Dissertation, University of California, Los Angeles, 2006.

¹¹ K Kempadoo, *Global Sex Workers: Rights, resistance and redefinition*, Routledge, London, 1998.

¹² C Cojocarú, ‘Sex Trafficking, Captivity, and Narrative: Constructing victimhood with the goal of salvation’, *Dialectical Anthropology*, vol. 39, issue 2, 2015, p. 183.

¹³ G Soderlund, ‘Running from the Rescuers: New US crusades against sex trafficking and the rhetoric of abolition’, *NWSA Journal*, 2005, pp. 64–87.

¹⁴ Cojocarú.

¹⁵ Kempadoo, 2015.

compliance with the TIP Report standards can lead to sanctions and withdrawal of aid, so governments especially in low-income countries have prioritised a criminal justice approach to trafficking. In order to comply with the TIP Report's requirement to show greater numbers of arrests and prosecution, governments encourage law enforcement to enlist the aid of NGOs.¹⁶ This means that NGOs not only give advice and provide training to law enforcement officials, they are also frequently present at police raids of brothels. The police hand over those they identify as 'victims' (often based on whether they appear below the age of 18) to NGOs for 'safe custody', pending further investigation. Thus, rather than acting as watchdogs to hold the police accountable to gender-sensitive practices and minimise police brutality, NGOs become partners in law-enforcement activities.¹⁷ What follows the 'rescue' has expanded considerably, and NGOs have become important arbiters of rescue and rehabilitation. Feminist scholars have raised concerns about how the politics of rescue and care reproduce rather than disrupt social hierarchies, including those of gender, race, and class.¹⁸

Reintegration shelter as a total institution

To understand the micro-interactions within the shelter, I draw on Goffman's concept of total institutions. Erving Goffman defined a 'total institution' as 'a place of residence and work where a large number of like-situated individuals, cut off from the wider society for an appreciable period of time, together lead an enclosed, formally administered round of life'.¹⁹ Goffman argues that while the public perceives such institutions as spaces that seek to rehabilitate inmates, they generally function as 'storage dumps' for particular populations. Thus, he finds that the contradiction between the institution's publicly stated goals and its methods of managing the population is inherent to total institutions. Michel Foucault finds such institutions as characteristic of the modern era, in which government power

¹⁶ J Chuang, 'Beyond a Snapshot: Preventing human trafficking in the global economy', *Indiana Journal of Global Legal Studies*, vol. 13, issue 1, 2006, pp. 137–63.

¹⁷ Musto, 2010.

¹⁸ J Musto, 'What's in a Name? Conflations and contradictions in contemporary US discourses of human trafficking', *Women Studies International Forum*, vol. 32, issue 4, 2009, pp. 281–87; M Ticktin, 'The Gendered Human of Humanitarianism: Medicalising and politicising sexual violence', *Gender & History*, vol. 23, issue 2, 2011, pp. 250–65.

¹⁹ E Goffman, 'On the characteristics of total institutions' in National Research Council, *Symposium on Preventive and Social Psychiatry*, The National Academies Press, Washington DC, 1961, pp. 43–84.

and institutional power structures constitute ‘bio-power’, ‘an explosion of numerous and diverse techniques for achieving the subjugation of bodies and the control of populations’.²⁰ Foucault’s conception of power as not simply repressive, but a dispersive process that produces realities offers a way to analyse micro-interactions inside total institutions. By applying a lens of biopower to a reintegration shelter for trafficked women in the Global South, I identify how the institution engages in a process of disciplining desire that reduces agency and independence and discursively produces the ideal survivor, that is, the disciplined survivor, in contrast to the dangerous deviant.

Methods

From September 2009 to June 2010, I conducted this ethnography of reintegration strategies in Dhaka, Bangladesh, with the support of a Fulbright Grant. NWA was an ideal host because it is a prominent women’s rights organisation with key links to government officials and law enforcement agencies and has programmes in underserved, rural areas.

In my research, I employed a combination of thirteen semi-structured interviews, focus group meetings, and participant observation. As a participant observer, I worked as a volunteer at the main office for three days a week in the mornings, translating reports and press releases and spent my afternoons observing and doing ethnographic interviews at the shelter. I also stayed in a spare room at the shelter for three weeks which allowed me to witness first-hand daily life at the shelter.²¹ Being an American scholar with Bengali-Indian heritage secured my Insider/Outsider positionality, on the one hand, and, on the other, compelled me to remain sensitive to and examine how my presence impacted the fieldwork.

My involvement with the organisation’s day-to-day work was initially a double-edged sword when it came to interviewing survivors. Many of them initially saw me as an NGO staff member, and I had to take their answers with a grain of salt. However, by visiting the survivors almost every day and keeping them company while they worked in the kitchen or babysat the youngest

²⁰ M Foucault, *Power/Knowledge: Selected interviews and other writings 1972–1977*, Harvester, Brighton, 1979.

²¹ My research is based on hand written notes I took during interviews and after observations, which I typed up in English every week. I closely re-read the field notes and interview transcripts to identify patterns and themes.

children, I was able to eventually gain their trust. Living with the survivors at the shelter was particularly helpful because they could come talk to me after all the case managers had left and, to some extent, I could experience with them what life was like once all the iron doors were locked at 8 p.m. The residents of the shelter ranged from the age of two to 25, with majority of the women between 16 and 21. In the shelter, I interviewed thirteen women, two of whom had infants. I also conducted semi-structured interviews with eight staff members, including the executive director, three programme officers, one counsellor and several board members and lower-level staff members. My data analysis is based on the ethnographic notes and interviews I transcribed and translated. As such, the quotes in the following sections should be seen as approximations.

In terms of my data analysis, I adopted an abductive theory approach which calls for the active engagement of the researcher's positionality as well as an openness to surprising evidence.²² As opposed to the grounded theory approach, in which the researcher is aided only by observations, paying attention to patterns and repeated information, the abductive approach refers to the creative production of hypotheses based on surprising evidence to construct theory.

‘There are no Victims Here’: The organisation’s reintegration discourse and actual practices

NWA leadership, in their official reports, media appearances, and interviews, emphasise the strength and agency of trafficked women and the right of lower-income Bangladeshi women to safe migration. They insist that they treat the women in their care not as pitiful, helpless victims in need of rescue, but active agents of change who can take control of their lives and decide their own fate.

Yet, this official rhetoric contrasts sharply with the actual treatment of survivors by the staff in the shelter. The case managers there view the women as being at the same time childlike, innocent victims and sexual deviants. This contrast stems from a tension between discourses of empowerment that are influenced by international development and local feminist networks, and the intersectional social position of lower-class trafficked women, which remains unquestioned by

²² S Timmermans and I Tavory, ‘Theory Construction in Qualitative Research: From grounded theory to abductive analysis’, *Sociological Theory*, vol. 30, issue 3, 2012, pp. 167–86.

the case managers. This dual identity of trafficked women as at once deviant and vulnerable sanctions the systemic governance of their desires, particularly because policies, practices and discourses reproduce inequalities of gender and class. In what follows, I contrast the emancipatory discourse of survivorship with the daily practices of control and surveillance. By describing three ways of disciplining desire, that is, directing desire, regulating dangerous desires and rehabilitating desires, I show how gender and class-based assumptions construct the ideal disciplined survivor.

According to Nandi, the NWA Director of Projects, and Musharraf Huq, the Project Manager, the NWA shelter is one of a kind because its cornerstone is respect for survivors. There are three ‘house mothers’, one for each floor of the building. There are also six case managers. According to Nandi, ‘We try our best to make this a gender-friendly atmosphere.’ By this, they meant that almost all the case managers are women, though there are over twenty male children. One case manager explained to me,

There are no victims here. Only survivors. The survivors here get access to nutritional food, medical care, and psychological counselling. There are individual counselling sessions and group ones. In the group therapy sessions, we also teach them ‘life-skills’—like how to make good decisions, how to deal with hardship. We tell them that it is not their fault that they were sold into the sex trade or that they were sexually abused by their employers—even their own families... We tell them that if they follow the rules here, and learn all the skills we provide them, they will be able to make better decisions in the future.

At our very first meeting, the Executive Director, Taslima Tariq, explained some of the core principles of the organisation. Tariq made it clear that this position was a key feature of the organisation’s philosophy. She continued,

You will see that our programmes are very progressive. We fought the government when they tried to restrict women from migrating. I’m sure you’ve heard that the genius politicians decided that the way to protect our women would be to stop them from migrating at all. What are these women supposed to do? They are poor women. All these idiots managed to do is push migration underground.

She also stressed that they do not take a ‘rescue’ approach to trafficking victims²³ and that their agenda is to advocate for the right of safe migration for women.²⁴ That is to say, they do not believe that women are passive victims and have no agency in the migration process. NWA training material for a group of police officers in Jessore indicated that women are often voluntary migrants and not victims.

At a focus group with trafficking survivors, all aged between 17 and 23, several explained that they would migrate again. Sheila said, ‘Of course, I will cross the border again. Coming to NWA, talking to these *apas* (‘big sisters’, referring to the NGO staff), I have gotten smarter. I won’t get trafficked again because I know whom to trust. Once they let me go, I want to go to India. I know how to dress now to look like an Indian so the guards won’t get me.’ In reply, Hasina explained, ‘You will get in trouble if you don’t have the right papers to cross the border. I didn’t have papers. I was dumb. But I learned here that the people who put me on the bus to India are traffickers. What happened to me was not my fault. Society calls me *nosto* (corrupted) for selling my body, but it’s society that put me in this place.’ Such assertions indicate that the NWA has a feminist analysis that understands trafficking as a case of structural violence and respects the right of women to migrate, and they have managed to convey it to the survivors in the shelter. However, this understanding contradicts the everyday practices of disciplining women inside the shelter.

Regulating Dangerous Desires

Workers at Café Mukti were paid biweekly, but their money was ‘kept safe’ with their case managers. I witnessed case managers telling women that wearing make-up attracts the wrong kind of attention. They clarified—both for the women and for me, when I asked for an explanation—that the women

²³ There are primarily two ways in which survivors come to the NWA’s shelter: the first is through official channels and the second is through victims’ families. In the first instance, the police contact NWA if they suspect someone of having been trafficked. This often requires NWA leadership to travel to India or another destination country to identify a victim and secure his or her repatriation. Subsequently, a Bangladeshi court issues an order to keep the victim in NWA custody if she/he is a minor and the family does not come forward or if the court suspects that returning the victim to the family may be dangerous.

²⁴ As a part of ‘life skills’ training, women are taught how to acquire passports and visas through legal means and how to identify travel agencies that are fronts for traffickers.

should not develop a taste for expensive things like brand-name shampoo because it was outside the means of the low-wage work they were being trained to do. The case managers told the survivors that this would tempt them to re-enter sex work so they could buy expensive beauty products; I witnessed case managers explicitly citing this logic to deny women access to the money they earned.

Regulating the purchase of shampoos and cosmetics reinforces the notion that these women need protection from their own dangerous desires. Since carnal desires are seen as inherent to lower-class or deviant women, this means that they will never be able to fully realise their status as survivors. Such practices disciplined women into traditional gender norms. Moreover, despite repeated assertions that these are survivors, not victims, their 'past' or their 'trauma' were regularly brought up in order to justify their surveillance. Desire for consumer goods as well as sexual desire seems to hover over the shelter like a dark spectre. When I asked one of the counsellors, Taslima, why some of the women had attempted to escape, she immediately cited 'addiction to sex' as the number one reason. Thus, it appears that the shelter staff view these women as inherently damaged, incapable of becoming disciplined survivors.

Such attitudes reveal that while the NWA staff at all levels are adept at a feminist discourse, they share commonly held views about these women as damaged goods, victims of their own dangerous desires. As the counsellor further explained, 'It's difficult for women like us to understand, but some of these girls...are addicted to sex. That's the thing with people of a certain level of society; they are weaker and more vulnerable to moral dangers.'

Another case manager, Tariq, a man who had been working at NWA for over ten years, also told me,

This is difficult for me to say to a civilised woman like you, but you are a researcher, so I will be honest with you. Some of these lower-class women, even the ones who were trafficked into the sex trade through violence, eventually develop a taste for sex. Once they have been with multiple men, they can never go back to being with only one. Why do men go to prostitutes? To do things to them they cannot do to their wives. So, these girls in prostitution get exposed to things like anal and oral sex and they cannot live without it. This is the harsh truth that rehabilitation cannot repair.

On another occasion, the same case manager confessed to me: 'I don't know why these women get pregnant...if it were up to me, I would make sure they all got their

tubes tied when they arrived at our shelter.’ Thus, the respect for agency professed by the organisation’s public stances is trumped by the assumed deviancy of the women due to their age, gender, class and experience of trafficking in the minds of the case managers.

Significantly, there were no discussions of safe sex with the survivors and I found no mention of this topic in any of the organisation’s training manuals. One case manager admitted, ‘We mention condoms sometimes during our one-on-one case meetings. But some of us are afraid that mentioning sex will put the wrong ideas in their heads.’ Thus, it appears that there is a tendency to view survivors as incapable of handling information about sexuality and treating them as both deviant as well as vulnerable.

Directing Desires

During my time at the organisation, the shelter hosted Western officials from funding agencies, including the USAID and Save the Children (Denmark), on two occasions. I found that the leaders and case managers directed the survivors to participate in particular activities where the desire of the survivors to seek resilience through various therapeutic activities would be on display; thereby, performing the disciplined survivor. The organisation projected therapeutic programmes as one of the strengths of the shelter because the language of therapy is legible to Western funders. In the weeks leading up to the first visit, the youngest of the women were taught a Bengali folksong and dance, which they performed at a welcome ceremony. For the purposes of the event, the women were given colourful sarees and had their make-up done. After the spirited performance, the Executive Director mentioned the benefits of dance as a way to cope with trauma. This comment made it seem like dance therapy was a regular part of the shelter’s activities, when in fact the women learnt this routine specifically for this event. While most of the women expressed either apathy or anxiety about the performance, some of them told me they were excited that NWA staff finally permitted them to wear make-up, even if it was only for this performance. Dancing to a folk song that celebrates rural Bangladesh for the Western gaze draws on orientalist notions of the Bangladeshi womanhood, which is characterised by sweetness and innocence. This performance is meant to make the funders feel as though they were able to have a more authentic experience by witnessing and enabling the resilience of the survivors.

On another occasion, I found a survivor who was sitting in the corner of the dormitory with a sewing project in her hands, looking morose. I knew that this woman always avoided craft classes, so I asked her what she was doing. She told

me that a case manager instructed her to pretend to be creating an embroidery so that when the funders walk through the dormitory, they can see an example of survivors engaging in sewing in their free time because they find it therapeutic. In this instance, the case workers, under the leadership of the Executive Director, attempted to project the vision of disciplined survivors as those who were willing to engage in the proper modes of rehabilitation. By directing such moments of orchestrated desire for resilience, the NWA aimed to deliver a neatly packaged redemption story for funders.

Rehabilitating Desire

Finally, when I asked NWA staff how they decide on what kind of vocational training to provide the women, they answered, 'It's all about what is marketable. We can't train them to do things they will not be hired for, so we mostly stick to sewing.' Sewing lessons are interchangeably referred to by the staff as 'craft therapy' and 'skills training'. Yet, staff at NWA also admitted to me that the sewing lessons the women received would only train them for entry-level work at garment factories, which practically guarantees very low income and risky labour conditions and a high chance of returning to sex work. The staff expressed frustration that they were training these women for low-wage work with little likelihood of advancement, but also stated that there were few other options available for working-class women.

I asked about the driving programme they once had for trafficking survivors. I was told, 'That didn't last very long. Our own NGO sisters refused to ride in cars driven by women, so how can you expect others to? Besides, driving is not a safe vocation for women, particularly these women. They have already been traumatised, so they are prone to fall into the wrong hands, and Allah knows what may happen. Our first priority is always safety and protection.' The refusal to ride in cars driven by these women brings out the staff's fear that they are unfit because they are women, lower class and victims of sexual violence. Another staff member noted that since there are very few female taxi drivers in Dhaka, teaching these women to drive will expose them to further stigma as it would violate gender norms.

Contrastingly, when I asked the survivors how they would feel about the opportunity to train as taxi drivers, Hasina, 23, explained, 'If you asked me if I would become a driver when I was still in the village, I would laugh and tell you, "Why would I ruin myself by working outside in a man's profession?" But now that I have already been "ruined", I don't have to worry about that... I have nothing to lose. So, I can do whatever I want.' Another young woman, Maria, added, 'I

think it would be good to have women taxi drivers. That way other women can go around the city without worry. If I were a driver, I would only take female passengers. That would be ok.’ This comment not only reflects a feminist aspiration that breaks patriarchal social norms, but also the fact that she sees her experience with trafficking as a learning experience and one that prompts her to be a part of the solution so that others do not face the same risks. While the survivors at the shelter are receiving some training in sewing and retail, traditional notions about proper gender roles and anxiety about sexual deviance are barriers to opportunities for higher paying work.

The women are also discouraged from going into beauty salon work. As one of the NGO staff explained:

Those places are the worst. Either the clients will treat them like garbage, or the girls will get addicted to cosmetics and consumeristic things. Addiction to cosmetics is bad because it leads to other kinds of temptations. This is how women fall into the trap of sex work. They see things they cannot afford, and then they become tempted to do anything to make enough money to buy them...and these girls are already vulnerable to the sex trade. It is a precarious place they are in. Anything can push them over the edge.

Once again, it is clear that concerns for the ‘safety and protection’ of trafficking survivors mediate the kind of work they are allowed to pursue. The discourse on safety and protection is heavily gendered and class-based. Employment in the beauty salons is seen as dangerous because enhancing their looks will allegedly enhance their inherent tendencies to be ‘temptresses’, which arguably leads them into the arms of traffickers. Moreover, the counsellor’s use of the phrase ‘trapped in sex work’ reveals her true attitude to sex work and contradicts the leadership’s claim that the organisation supports sex workers’ rights. This tension is reflected in the fact that sex work is a contentious point among board members and that, in spite of expressing the view that sex work is work during my interviews, the leadership claimed they could not actively engage with sex workers because in order to qualify for funding from the US, the organisation could not be perceived to be supporting sex work.

Café Mukti, funded by the IOM, is one of NWA’s most widely touted programmes. Several of the staff spoke with great enthusiasm about this two-year pilot project. The Café was located in the government compound that houses the Ministry of Women and Children. It is run by four or five formerly trafficked women between the ages of 18 and 24. As the project supervisor explained to me,

‘These girls learn important skills like accounting and interpersonal skills. The important thing is that they get exposure to being in a professional setting. It builds confidence. These young women forget that they were once stigmatised, and they learn the importance of earning their own money.’

NWA staff seek to empower these women by creating economic and social integration opportunities. When pressed about what career prospects these women would have once the project ended, the staff made vague claims such as: ‘They will have skills; they can do anything they want. Maybe NWA will give them micro-loans to start their business.’ While these women spent a long time being trained in how to run the Café, they were not given any advice on how they can apply for loans and set up a new business. As one of the shelter staff pointed out to me, ‘Notice the way they are dressed. No one will treat them like victims in those clothes. They look professional, not like servants. Wherever they go, they can say: “We work for NWA, for Café Mukti.” Having a job like that changes your whole identity, how you see yourself. You think any of them will ever think about going back to the brothel? I doubt it.’ NWA recognises that, in Bangladesh, women from the village who lack formal education are seen by urban professionals as less than competent. Therefore, it is not the skills, but the presentation of self that hides their class, which is important.

Conclusion

In this article, I argue that *disciplining desire* captures how NGO employees make claims of empowering survivors of trafficking while advancing a project of gender- and class-normative assimilation. This ethnography of a Bangladeshi shelter particularly reveals the tensions between claims of empowerment and the ways organisations undermine their liberatory objectives, in part because of their accountability to Western funding structures and priorities, and the ways these forces manifest in everyday practices of social control. I proffer a typology of *disciplining desire* as a point of departure for future work which might consider the other ways in which poor women’s desires are perceived, not simply as dangerous to their own survival, but as fundamentally upsetting the existing social order. Therefore, if we understand *disciplining desire* as forcing poor women in the Global South in their perceived proper position within existing social hierarchies, we make visible how the bureaucratisation of rescue and reintegration of trafficking survivors reinforces existing social relations as seemingly natural and collectively desirable. In particular, this paper shows that such marginalisation is not only a process of repression, but one that actively cultivates an ideal survivor subjectivity—that of a disciplined survivor. As a consequence, this process places constraints on the opportunities

available for these women to not only survive but to thrive. This account encourages researchers to critically consider the micro-interactions that undermine the emancipatory goals within women's empowerment regimes in the Global South.

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Short articles section

The New Life: Construction sites and mine fields

FIZ Advocacy and Support for Migrant Women and Victims of Trafficking

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Interview with Sara Donath, counsellor at FIZ Fachstelle Frauenhandel und Frauenmigration (FIZ – Advocacy and Support for Migrant Women and Victims of Trafficking, Switzerland).¹

Sara Donath has counselled hundreds of survivors of trafficking and accompanied them into their new lives. We asked Sara about the experiences of these women after having experienced exploitation and violence.

FIZ: The survivors you and your colleagues counsel must build a new life. What are the biggest challenges for them?

Sara: Survivors of trafficking must begin a new life—but of course they don’t start from zero. They carry along baggage from their previous lives. Exploitation and violence leave their marks: fear, panic attacks, sometimes a tendency to hurt oneself, mistrust of other people and so on. Also, before they were trafficked, many women had experienced abuse, deprivation and traumatising. Some of them to such an extent that they are very ambivalent. They want to survive but at the same time are very self-destructive. It is in this situation that survivors have to build their future. They must tend to many ‘construction sites’ in their lives simultaneously. This is a lot of work. And all along they must walk through ‘mine fields’.

¹ This interview was first published in German in Fachstelle Frauenhandel und Frauenmigration, *Das Leben nach der Ausbeutung*, Rundbrief 57, November 2015, p. 8, retrieved 1 December 2017, https://www.fiz-info.ch/images/content/FIZ%20Downloads_Deutsch/Downloads_Publikationen/Magazin%20und%20Rundbriefe/Rundbriefe/Rundbrief%2057:%20Das%20Leben%20nach%20der%20Ausbeutung.pdf.

FIZ: What do you mean by ‘mine fields’?

Sara: Survivors who decide to testify against their perpetrators feel strong at first. They fight back and this gives them energy. But it also has side effects. At the beginning of a lawsuit, the victim will be questioned many times and will have to explain in detail what happened to her. She cannot leave it behind and has to re-live it over and over. And then the sentence often does not look at all like what she had hoped for. A lot of the abuses might not even be mentioned because of lack of evidence. Then comes the main hearing and, very often, a minimum penalty. With good conduct the perpetrator can be released after serving two-thirds of his time. And if he has been in remand for a long time, he might be released shortly after the pronouncement of the judgement. This causes tremendous fear. A pending release from prison can provoke panic in a survivor. It is like a hand reaching out from behind and grabbing her by the neck, pulling her down into the same abyss she has just escaped from.

FIZ: And all the while she tries to build a new life for herself ...

Sara: Yes, she has to work on many sites at the same time. Many women also have to rediscover their relationship with their families. Some of them were hiding from the family, because they were forced into sex work by their relatives and exploited by them. But for most survivors to establish contact with their families is part of the process of healing and regaining their strength. It can be very painful. I remember encounters with mothers who were worth their weight in gold. They had travelled from far and stood firmly by their daughters. Other encounters ended in the opposite. The process of reunification is difficult. Sometimes it does not succeed at all.

Then there are women with children. They have to deal with their role as a mother. Often it is difficult for them to understand the needs of their children. The authorities in Switzerland monitor closely how they deal with the children. Often these women don't know what the authorities expect and fear that their child will be taken from them. Some of them live in mother-and-child institutions and try very hard to meet expectations. But they still often don't succeed, because they don't understand what the authorities perceive as the child's welfare. The mothers have never received the care in their lives which they are expected to give their children.

FIZ: New social and maybe love relations also belong to a new life. How do survivors manage?

Sara: Many are ashamed for having worked in the sex industry. They ask themselves: ‘How can I establish new contacts when I cannot tell anyone what I lived through and what I had to do?’ Some women withdraw completely, because they are afraid of disapproval. Many live in constant fear that their story will be revealed and that they will lose everything.

Sometimes survivors have somewhat blurred boundaries. They put up with insults and often find themselves in relationships where they suffer again from violence. Survivors often have a huge yearning for belonging to someone and to be special to someone. And therefore they ignore warning signs.

FIZ: What other construction sites are there?

Sara: Work, education, a place to live. Many of our clients—but not all!—have no formal education and some have missed out on many years of school, not least because of the trafficking. This continues to hurt them years later. Starting school, finding work or traineeship in Switzerland is difficult for them. There are so many legal requirements that only a few can manage to enrol in a school or to find work. Many survivors have a very strong wish to find a job, but they have never learnt to work nine-to-five, to bear responsibilities or to meet commitments.

And then, while the psyche has managed to repress certain things, the body comes forward often when women have to function at work. Headaches, back and joints pain, colds. Their bodies can be the hand that grabs them by the neck and pulls them down.

FIZ: What is important in the process of counselling survivors?

Sara: It is very important to translate long-term aims into small steps. When a woman wants to work, it doesn’t make sense just to send in applications. A first step could be an integration programme where she can learn the necessary skills she needs in order to find and keep a job. As a counsellor, I have to listen carefully: what are the wishes and goals of the client? And I have to weigh carefully: what is the realistic next step? If this step is too big, it can produce disappointment. It is important to start with small steps, to evaluate them and only then plan the next ones.

FIZ: Are there good experiences in counselling?

Sara: I admire my clients tremendously. After having survived terrible things, they go on and don't give up on their dreams. They try to give their children what they never got themselves. Many keep a sense of humour, warmth and caring for others. This is very impressive and yes—definitely a good experience!

FIZ Advocacy and Support for Migrant Women and Victims of Trafficking advocates for the protection and rights of migrant women in Switzerland. To this end, the organisation runs the Counselling Center for Migrant Women and the more specialised Makasi – Counselling and Support Services for Victims of Trafficking in Women. FIZ also works in the areas of education and policy. Email: contact@fiz-info.ch

Trafficked Women in Denmark—Falling through the cracks

Kira West

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The policy framework for combating human trafficking and protecting victims in Denmark does not match the reality faced by the majority of the migrant women arriving in the country. Especially in relation to women from African countries, the national legislation and regulations can be a source of frustration for agencies such as Reden International, which helps foreign women working in prostitution in Denmark, particularly victims of trafficking.

There are different groups of migrant women selling sex in Denmark. Many come from Thailand or Eastern Europe, but the majority of the women we meet are from Nigeria.

Nigerian women finance their hazardous journey from their home country by taking out loans, often from people in Europe or in Nigeria who promise good earnings. The loan finances their journey and counterfeit documents and might secure a job when they arrive. That is, if they are fortunate enough to make it across European borders.

Some of these migration stories include elements which align with the UN definition of trafficking, such as transportation, debt and deceit. However, others challenge the general understanding of human trafficking on which Danish legislation and interventions are based in one significant aspect—most of the time, the women have chosen to travel to Europe in the hope of a better life: a hope that is sometimes shattered.

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When we at Reden International meet newly arrived Nigerian women, they often still believe that they will be able to pay off their debt and send money back home. After a while, the enormous pressure and harsh working conditions become clear. Many of the women have been cheated, threatened and experienced violence while working in the streets. They are under stress because of their low earnings and the high cost of living in Denmark. If they do not make enough money, some are threatened, with possible repercussions for their families back in Nigeria. We have heard examples of family houses being burnt down or family members being kidnapped. Many of them are also suffering from the effects of life as undocumented migrant women in rough street-based environments where they are subject to exploitation, violence and rape.

Women come anonymously to our night-time café (*Natcafé*), situated in a central location of the red-light district in Copenhagen, where we offer support and advice while they take a much-needed break. Adding to the stress of having to earn enough money to pay off their debts, the women also describe a constant fear of being caught by the police. Consequently, they do not seek help from the police or other authorities when they experience violent episodes. They do not trust the authorities and are afraid of being deported from Denmark as irregular migrants.

As a consequence, the women instead come to us. We have cleaned cigarette burns from their bodies at our Natcafé, and offered what support we can after injuries sustained from physical abuse and much more. We have asked them to describe the perpetrators in order to warn other women and send the information on to the police. However, because of their reluctance to contact the police, the people behind these criminal acts are very rarely reported. We find it unacceptable that these criminals have carte blanche to expose women to violence and then go free. Irrespective of whether or not they have the right papers, these women have a right to protection. They should be able to report perpetrators without fearing deportation.

The political response to migration in Denmark has increasingly focused on returning migrants to where they came from as soon as possible. In practice, the policies for victims of human trafficking follow the same approach, even though these people are extremely vulnerable and under great pressure, with very little ability to do anything about their situation. This policy makes it hard to help the women.

Most commonly, the Danish authorities encounter migrant women through police raids on the streets or in apartments. After the women are taken in custody, a brief interview determines whether they qualify as trafficking victims

or not. Despite international criticism,¹ Denmark does not allow victims of human trafficking to remain in the country. Instead, they are granted a 30-day ‘reflection period’ to decide whether they will cooperate on preparing the repatriation.² During this period they live at a shelter. If the women cooperate, the reflection period may be extended to three months. After three months, they are required to return to their home country.

A longer reflection period of at least six months would make it possible to develop a relationship of trust with the woman, find out what she thinks about her situation, who has exploited her and how, what she needs in order to have a sustainable life in her home country, and whether she will contribute to investigations and participate in any criminal proceedings against her traffickers or even consider repatriation. However, the provision of a reflection period and support should not depend on victims’ cooperation with the criminal investigation. The Danish government has an obligation to protect victims of crime and not simply use them for the purpose of solving the crime.

We should not be blind to the fact that these women need to earn money. Today, they often refuse an offer of help because they have to earn money for their family back home and to repay their debt to the financiers or traffickers. They have no chance of this as things stand today. If they were allowed to earn money from day one of the reflection period, it is certain that more women would accept assistance and counselling.

More targeted interventions are also needed. Research shows that focusing on sustainable repatriation for those who actually want to return home is a much more valuable strategy than forced returns. Trafficked women who return voluntarily will be much more engaged in seeking a good life in their home country. Also, those who manage best in life after trafficking are those with good networks to return to.³

¹ GRETA, *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Denmark – Second Evaluation Round*, Council of Europe, 2016, retrieved 12 March 2018, <https://rm.coe.int/16806662af>.

² Danish Government, *Action Plan to Combat Trafficking in Human Beings 2015–2018*, The Ministry for Children, Gender Equality, Integration and Social Affairs, 2015, p. 25.

³ E Paasche, S Plambech and M L Skilbrei, *Assistert retur til Nigeria*, University of Oslo, Oslo, 2016.

However, the current Danish anti-trafficking policies and the broader political climate on migration in the EU allows no opportunity for individual focus. Our point of departure is that everyone should be assisted and treated decently, irrespective of their residency status and trafficking story. Everyone should be able to go to hospital when they are ill and to the police if they have been subjected to violence or rape.

We believe that in Denmark and across Europe, there is a need for a different, more realistic and humanitarian perspective, a perspective appropriate to the current migration patterns, which takes into account women's reality. Initiatives must focus on the individual and consider the situation in which they find themselves. We believe these initiatives should include provision of longer reflection and recover periods, the possibility to earn money, better access to authorities, and collaborations between victims and authorities built on trust and a prioritised concern for victim protection over criminal prosecution. This is vital if the government truly wants to reach and help a larger group of these extremely exposed and vulnerable victims of severe exploitation or human trafficking.

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Life after Trafficking: A gap in the UK's modern slavery efforts

Kate Roberts

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The Modern Slavery Act (2015) was a symbol of the UK's commitment to combatting exploitation and human trafficking. Yet the Act offers little help to people who have been trafficked to, or in, the UK to recover and build a new life.

A recent report of the National Audit Office on public spending for reducing modern slavery states that although the UK has in place an identification and support system (the National Referral Mechanism, or NRM),¹ 'The Home Office has no assurance that victims are not trafficked again, potentially undermining the support given through the NRM'.²

The UK government does not plan or enable needs-based support for trafficked people to rebuild their lives, or even collect any data on outcomes for trafficked people, including those who have been through its identification and support systems. On the contrary, its reluctance to guarantee even a year-long recovery period undermines those individuals' attempts to build a life after trafficking.

¹ National Crime Agency, *National Referral Mechanism*, NCA, 2015, retrieved 13 January 2018, <http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre/national-referral-mechanism>.

² National Audit Office, 'Reducing Modern Slavery', December 2017, Summary, para 19.

In 2016, 3,805 potential victims were referred to the NRM, a 17% increase on 2015.³ 1,075 of those referred received a positive decision.⁴ A negative trafficking decision does not mean someone was not trafficked, but simply that there was not enough evidence to make a positive decision at that time. No pathways are put in place to protect those with a negative decision from further exploitation; nor is there data as to the current situation of those who have received a positive decision. Any information is piecemeal and largely anecdotal. When the Human Trafficking Foundation attempted to follow up with 73 survivors who had lost support, 18 were not contactable and completely unaccounted for.⁵ City Hearts, a safe house for survivors, found that 76% of a sample of clients who exited its services between 2011 and 2015 could not be contacted.⁶

For the majority, there is no ongoing specialist support after the official decision as to whether they have been trafficked or not.⁷ At present, if the decision is negative, support ends within 48 hours. If it is positive, support ends after fourteen days. In October 2017, the government announced that it would extend the exit deadlines to 45 days following a positive decision and nine days following a negative decision.⁸ The date for the change has not yet been announced. While an improvement, these time frames for ending support are still unrealistically short. It makes no sense that recognised victims of such a serious and debilitating crime lose their support with no guarantee of even short-term basic needs such as secure immigration status and accommodation.

³ National Crime Agency, *National Referral Mechanism Statistics—End of Year Summary 2016*, NCA, 2017, p. 1, retrieved 13 January 2018, <http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics/2016-nrm-statistics/788-national-referral-mechanism-statistics-end-of-year-summary-2016/file>.

⁴ V Atkins, Response to a parliamentary question asked by Carolyn Harris MP, HC Deb, 12 December 2017, retrieved 8 March 2018, <https://www.theyworkforyou.com/wrans/?id=2017-11-22.115169.h&s=national+referral+mechanism+1075#g115169.r0>.

⁵ S Ferrell-Schweppenstedde, *Day 46: Is there life after the safe house for survivors of modern slavery?*, Human Trafficking Foundation, 2016, p. 9.

⁶ A Balch, *Fresh Start: Integrating survivors of modern slavery*, University of Liverpool, 2017, p. 8, retrieved 30 September 2017, https://www.liverpool.ac.uk/media/livacuk/csis/FreshStart_A5.pdf.

⁷ Some NGOs offer specialist ongoing support through charitable funds but there is no national coverage or capacity for everyone who has been through the NRM.

⁸ Home Office and Sarah Newton MP, 'Modern Slavery Victims to Receive Longer Period of Support', *GOV.UK*, 26 October 2017, retrieved 13 January 2018, <https://www.gov.uk/government/news/modern-slavery-victims-to-receive-longer-period-of-support>.

This point has been described as a ‘cliff edge’ and does much to undermine the trust of trafficked people, as well as to expose them to destitution or further exploitation.

I’ve been treated worse than an animal. I was given a positive trafficking decision and then not offered accommodation, even animals get shelter.¹⁰

In March 2017, a coalition of NGOs and lawyers published a policy document with recommendations to ‘highlight the minimum standards needed for a sustainable support system towards recovery for adult survivors of slavery’.¹¹ The document calls for a positive decision from the NRM to carry status which is of practical assistance to the recipient in rebuilding their life, and recommends that ‘the decision should equate to a meaningful rehabilitation period provided through the issuing of a residence permit for a minimum time period of at least 12 months’. It also recommends that all potential victims be offered legal advice and representation as early in their identification as possible, and that each individual with a positive decision should be assigned a case worker who coordinates their care plan and access to services and is prepared to advocate on their behalf.

On 30 April 2017, the UK Parliament’s Work and Pensions Select Committee published its report on victims of modern slavery.¹² It found that victims were becoming destitute or even re-trafficked after a positive identification, due to a lack of understanding and recognition of their situation. The committee found that the sudden removal of support helped to explain the low convictions of traffickers, since victims were not supported to disclose their abuse and to testify.

⁹ City Hearts, *Integration Support Programme: Interim Report, January–March 2017*, City Hearts, 2017, retrieved 8 March 2018, <http://city-hearts.co.uk/wp-content/uploads/2017/05/ISP-Interim-Report-J-M2017.pdf>.

¹⁰ Survivor quoted in Ferrell-Schweppenstedde.

¹¹ Human Trafficking Foundation *et al.*, *Supporting Adult Survivors of Slavery to Facilitate Recovery and Reintegration and Prevent Re-exploitation*, 2017, retrieved 8 March 2018, <http://www.humantraffickingfoundation.org/sites/default/files/Long%20term%20survivor%20support%20needs%20March%2017%202.pdf>.

¹² Commons Select Committee, ‘“Inexcusable” Lack of Support for Modern Slavery Victims’, *UK Parliament*, 30 April 2017, retrieved 8 March 2018, <https://www.parliament.uk/business/committees/committees-a-z/commons-select/work-and-pensions-committee/news-parliament-2015/report-victims-modern-slavery-16-17>.

Giving evidence to the inquiry, Baroness Butler-Sloss described the NRM process as producing no result except ‘a piece of paper’ for victims.¹³

The committee found the government’s response to its recommendations disappointing: ‘The recommendation of granting one year’s leave to remain to confirmed victims of slavery was rejected on the questionable grounds that it could increase immigration by providing incentives to pose as a victim’.¹⁴ Thus, immigration concerns appear to trump the UK government’s professed commitment to upholding victims’ rights.

Many survivors are involved in complex legal cases, which can include a compensation claim, a police investigation or criminal claim against their trafficker, plus any immigration applications. They are also likely to be dealing with medical and mental health issues and beginning to come to terms with what has happened to them. It can take years for survivors to disclose some of the details of their abuse. It is unrealistic to expect any kind of meaningful reflection and recovery, let alone active pursuit of justice, while an individual still has basic needs such as food and accommodation unmet and does not have even short-term security in the UK.

In April 2017 the Co-op, a cooperative business, launched its Bright Future programme, which offers survivors a paid work placement with a non-competitive interview at the end of it.¹⁵ In late 2017 the Co-op reported that one of the Bright Future participants had recently been named employee of the month for their store—a real example of restoring dignity and contributing to society through work.¹⁶ This is a national model offering a pathway for building a life after trafficking.¹⁷ However, it is only open to survivors who have the right to work in the UK.

¹³ House of Commons Work and Pensions Committee, *Victims of Modern Slavery: Twelfth report of session 2016—17*, 2017, p. 15, retrieved 8 March 2018, <https://publications.parliament.uk/pa/cm201617/cmselect/cmworpen/803/803.pdf>.

¹⁴ Letter from Frank Field MP, Chair of the Work and Pensions Select Committee to Theresa May, UK Prime Minister, 13 December 2017, retrieved 8 March 2018, <http://www.parliament.uk/documents/commons-committees/work-and-pensions/Correspondence/Letter-to-the-Prime-Minister-protection-for-victims-of-modern-slavery-13-12-17.pdf>.

¹⁵ Co-op, *Our Bright Future Programme*, Co-operative Group Limited, 2017, retrieved 8 March 2018, <https://www.co-operative.coop/ethics/bright-future>.

¹⁶ Report to a meeting of the All Party Parliamentary Group on Trafficking and Modern Slavery, November 2017.

¹⁷ For more information, see University of Liverpool, *The Co-op’s Bright Future Programme: An independent interim review*, October 2017, retrieved 8 March 2018, https://assets.contentful.com/5ywmq66472jr/LZjcr3eQCscSOQgiUkieu/bba0597251a796fd3883f4f0e13b54b7/Bright_Future_Report.pdf.

Lord McColl of Dulwich has tabled a Private Members Bill¹⁸ which calls for victim support beyond the NRM's trafficking finding—including a residence permit of at least one year and casework support during this time. These are minimum asks which would give trafficked people a chance of accessing justice in the form of a compensation claim, health services or education opportunities and, if they are ready, employment. However, even one year's leave with support to begin to build a life after trafficking is something the UK government has not yet supported.¹⁹ Until they do, trafficked people are left without these most basic of provisions, and the question of an 'ideal life' after trafficking remains irrelevant to the majority of victims in the UK. Instead, the challenge is continued survival and avoiding the revolving door back into exploitation.

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¹⁸ Lord McColl of Dulwich, *Modern Slavery (Victim Support) Bill [HL]*, House of Lords, 2017, retrieved 8 March 2018, <https://publications.parliament.uk/pa/bills/lbill/2017-2019/0004/18004.pdf>.

¹⁹ See the minister of state's response to the Second Reading debate in House of Lords Hansard, 'Modern Slavery (Victim Support) Bill [HL]', 8 September 2017, below column 2245, retrieved 8 March 2018, [https://hansard.parliament.uk/lords/2017-09-08/debates/C145B8B8-D46E-4F11-88C7-9C03081108C6/ModernSlavery\(VictimSupport\)Bill\(HL\)](https://hansard.parliament.uk/lords/2017-09-08/debates/C145B8B8-D46E-4F11-88C7-9C03081108C6/ModernSlavery(VictimSupport)Bill(HL)).

In Their Own Words...

Global Alliance Against Traffic in Women

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The Editors approached service providers members of the Global Alliance Against Traffic in Women (GAATW) with a request to speak to people who are using their services and ask them about the difficulties they are currently facing, their hopes for the future, or anything else they want to share with the journal audience. The responses below were translated by the service providers or GAATW staff and have been edited only for clarity.

Abused (male) Bangladeshi migrant workers who spoke to Transient Workers Count Too, Singapore

I have an order of tribunal for SGD 9,954.75. The Ministry gave the company three weeks to pay but it was never paid. I claimed more than SGD 15,000 for unpaid salary, but without any signed cards or salary slips I can't prove that amount. The employer never gave me signed cards. Now the Ministry says that my boss might go to jail, but that doesn't help me. Even if the boss has to go to jail, what about my bank loan and my house?

I paid the agent SGD 7,000 for this job; the interest is already more than SGD 3,000. The Ministry says they can only help me get SGD 2,000 at most from the insurance company. How can I accept that? First I mortgaged my house and now the bank has repossessed it. Our water line is cut and I can't pay school fees for my daughter or buy food for the family. I have no way to pay back any of the money I borrowed.

Mehedi

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I have a wife and a small baby and I have to take care of them.

I borrowed SGD 4,000 for this job, but got only SGD 75 in salary. I was injured after working only one month and the boss hasn't paid me yet for that month. Nobody is helping me, so how?

The company says they have cancelled my work permit, and after the injury the company never took care of me. My daughter is still small. What can I do?

Mostafigur

The boss suddenly said all workers must go home. All twelve people. After I go home I don't know what I'll do. I gave so much money to the agent for this job. I haven't paid back the loan for that money yet. If I go back to Bangladesh I'm finished. So many people are waiting to take their money back. My family is very poor. There's no way for me.

Marine worker

My cousin called me to ask why I haven't even built a house after working so long in Singapore. I've been here ten years and I send all my money home to the family. I don't keep anything here for myself. But my cousin doesn't believe me. She thinks that everyone in Singapore has so much money and that it's easy to get rich here. She thinks that I'm saving it all for myself. But after all these years I've saved nothing. My parents tell me to stay here and continue working because they need money for my little brother and for medicine now that they're old. They don't think about my life and how hard it is for me to do nothing but work every day. Sometimes I think I'd rather die than continue like this.

Sagar

**Survivors of trafficking interviewed by Corporación Espacios de Mujer,
Colombia**

I want to live with my mom and son and study social work. I also want to have my own business.

**A female survivor of internal trafficking,
27 years old.**

I want to live in another city with my children and a stable partner. I want to publish a book with my life story and I want to help other women and do prevention in schools.

**A female survivor of trafficking to Chile,
40 years old.**

I want to have my own apartment and live with my daughter there. I want to study theatre and work in television as a make-up artist. I want to travel and see other countries.

**A female survivor of trafficking to China,
29 years old.**

I want to have my own house and my own business. I want to study more.

**A female survivor of internal trafficking,
36 years old.**

**Focus group discussion with trafficked women assisted by LEFÖ-
Intervention Centre for Trafficked Women, Austria**

My first dream is to study hard so I can be useful to myself and society.

I **need** to go to school. Without education you cannot have a good job.

I also expect Austria document [e.g. residence permit—editors' note] if possible so I can go visit other countries if possible.

Document is important to me because it contains the freedom I was denied in my former country, the freedom to become great [...] like I have dreamed about all my life.

In five years I want to be with my family. People would say they want success in their fields and life. I want that too. But more than that, I want two things: happiness and peace.

Living a life I always dreamt of, being a nurse and being able to help myself and other people around me. Having a family of my own. [For my life right now I want] to be in touch with life, to be intimate and less afraid, to have purpose, to live my life as I do and want to, grow my soul through lessons.

I want my documents and I want to finish my Deutsch kurs and to speak good Deutsch and I want my family as well.

I see for me one safety day, when nobody can be dangerous for me and I can wake up in a safety world. I wish for me one day when I can contact with other people without fear and I can be happy every day of my life in a safety place. It is real happiness when nothing can be dangerous for you. I just want to be a woman.

Survivors of trafficking interviewed by ECPAT, Guatemala

Before all this, my life was beautiful. I dreamt of being a doctor and I liked going out with my friends.

I would like to be reunited with my brothers and keep fighting to be together. Now I don't want to be a doctor anymore; now I want to be a teacher.

Rosselyn, 15 years

Before, I used to have many goals and keep going and not give up. After what I experienced, I dream of becoming a vet and making my family happy.

Aurora, 13 years old

If I could go back in time, I would give more love to my brothers and I would help my uncle a lot so that he doesn't send me to my dad. Things that I would do ... continue studying and I would not disrespect my uncles.

I am studying, I want to be with my brothers, I want to go to university and work for them. A few years from now, I see myself as a law graduate, helping homeless children and those who have been victims of sexual abuse and human trafficking.

Reyna, 16 years old.

Girl at risk of trafficking accommodated in the crisis centre of Animus Association Foundation/La Strada Bulgaria.

I'm 15 years old, from Sofia, and I've always wanted to work with Bulgarian society. With children, adults, psychology or something related to education. I'm in a place where for good reasons there are rules [the crisis centre rules]. One day, if God is willing, I will graduate [from University] and work here.

...

EVERYTHING is in my hands and I can achieve anything if I want it strongly enough!!!

ANTI-TRAFFICKING REVIEW

Guidelines for Contributors

We welcome submissions from a diverse range of actors, including academics, practitioners, trafficked persons and advocates. The *Anti-Trafficking Review* particularly welcomes contributions from those with direct experiences and insights to share.

The *Anti-Trafficking Review* is aimed at a wide readership. It therefore encourages submissions that are in clear, jargon-free English with appropriate but not excessive citation.

Articles should be previously unpublished and should not be under consideration for publication elsewhere. All articles go through a rigorous double-blind peer review process.

Please refer to the journal's website (www.antitraffickingreview.org) for the journal's full style guide and guidelines for contributors.



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The Anti-Trafficking Review promotes a human rights-based approach to anti-trafficking. It explores trafficking in its broader context including gender analyses and intersections with labour and migrant rights. It offers an outlet and space for dialogue between academics, practitioners, trafficked persons and advocates seeking to communicate new ideas and findings to those working for and with trafficked persons.



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