

Editorial: Moving Forward—Life after trafficking

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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.

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

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

² *Ibid.*

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, I. Murthy, M S Seshu and R Shukla, *RAIDED: How anti-trafficking strategies increase sex workers' vulnerability to exploitative practices*, SANGRAM, Sangli, 2018.

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

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 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.

⁶ Brennan, *Life Interrupted*.

⁷ *Ibid.*

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 Siniestra Que Sale a La Luz’, *Página 12*, 10 May 2002; M Carbajal, ‘Una testigo protegida involucra al Embajador Dominicano en un escandalo’, *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.

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.

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 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 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

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.

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>.

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

²⁰ Plambech, 2014.

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

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.

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

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.

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 Udlændinge*, Copenhagen, October 2012.

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 Plambech'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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