

US Anti-Trafficking Funding and the Discourse of ‘Prevention’

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Abstract

The United States government has positioned itself as the global exemplar in the anti-human trafficking arena, including through its unparalleled financial support for domestic and international anti-trafficking activities. *How* the US has allocated these funds has not previously been systematically studied. Building on original databases compiled through a review of the *US Attorney General’s Annual Report to Congress on US Government Activities to Combat Trafficking in Persons* for fiscal years 2017–2021, in this article, I offer a detailed analysis of US anti-trafficking funding allocations. I find that during the five-year period under review, the vast majority of US anti-trafficking funds were spent on reactive activities, including the identification, protection, and support of trafficking survivors and efforts to improve the detection, arrest, and prosecution of traffickers. In contrast, activities targeting the conditions that increase precarity, rendering certain populations at heightened risk of being trafficked, or that enable the exploitation of precarity, were relatively under-funded. When these conditions *were* addressed by funded activities, the targets were nearly always countries in Africa, Asia, or Latin America, perpetuating a discourse of trafficking as a social problem rooted in poor policies, practices, and inequalities seen as endemic in the Global South.

Keywords: United States, prevention, anti-trafficking, funding, public health, migration, precarity, private sector

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Introduction

Which country will put its power and resources into this fight to help the world's weakest achieve freedom? Which country will risk alienating others by reporting openly what's going on and holding out the possibility of aid sanctions to encourage action? There is only one answer to the question of which country must lead: it is the United States of America.¹

This quote encapsulates the United States' positioning of itself as the global exemplar in the anti-human trafficking arena. The 2000 United Nations (UN) *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children* established globally agreed upon anti-trafficking standards in the areas of prevention, protection, and punishment, and it remains the most significant legally binding international treaty on trafficking adopted to date. It lacks, however, an enforcement capacity to ensure states parties are sufficiently motivated to fulfil their obligations under the treaty, which left space for the US to insert itself as the de facto global anti-trafficking enforcer. Each year, the US ranks the performance of states around the world in meeting *its own* anti-trafficking requirements as established under the 2000 US *Trafficking Victims Protection Act* (TVPA), with the possibility of sanctions being imposed against those that fail to meet its standards.² The US is also unparalleled in its financial support for anti-trafficking activities both domestically and internationally, another avenue through which it has shaped related laws and policies far beyond its borders.

How the US has allocated these funds has thus far not been systematically studied. Numerous scholars have emphasised how US anti-trafficking efforts since the enactment of the TVPA have privileged criminalisation-oriented responses, the

¹ 'Swearing-in of John R. Miller as Senior Advisor to the Secretary of State and Director of the Office to Monitor and Combat Trafficking in Persons', US Department of State, 4 March 2003, retrieved 18 July 2019, <https://2001-2009.state.gov/g/tip/rls/rm/18200.htm>.

² Each year, the US Department of State produces a *Trafficking in Persons Report* that identifies the categories into which states are placed (Tier 1, Tier 2, Tier 2 Watch, and Tier 3) depending on whether they are determined by the US to have made a concerted effort to fulfil minimum standards established under the TVPA. (See, for example, US Department of State, *Trafficking in Persons Report*, June 2023, Washington, D.C., pp. 69–73, 85). Tier 3 states—i.e. those that fall short of these minimum standards and are doing little to correct this—may be subject to the withholding of 'non-humanitarian, non-trade-related foreign assistance.' (US Congress, *Trafficking Victims Protection Act* of 2000, 106th Cong., Public Law 106-386, 2000, Section 110(a)). However, in practice, many Tier 3 states are not penalised because the US president is authorised to waive sanctions when doing so is determined to be in the US' national interest (Section 110(d)(4)).

combatting of sexual versus non-sexual forms of trafficking,³ and the protection of ‘ideal victims’⁴—those deemed to be blameless for their experiences of exploitation. Scholars have also documented the negative ripple effects of the US Congress’s decision in its 2003 reauthorisation of the TVPA to withhold funding from recipients unless they verified their opposition to commercial sex and its legalisation.⁵ The distribution of US anti-trafficking funds has not, however, been the focal point of this research. A partial exception is Martina Ucnikova’s contribution to the *Anti-Trafficking Review*’s 2014 special issue on anti-trafficking spending, in which she presented data on anti-trafficking donor funding by members of the Organisation for Economic Co-operation and Development (OECD) between 2003 and 2012, inclusive of the US. Her focus, however, was on determining the cumulative level of donor and OECD funding rather than tracking the specific activities funded, with her article confirming the need for more ‘comprehensive data ... to clarify the direction of anti-slavery spending flows.’⁶

³ A W Peters, *Responding to Human Trafficking: Sex, Gender, and Culture in the Law*, University of Pennsylvania Press, Philadelphia, 2015, pp. 67, 195; 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, <https://doi.org/10.1177/0032329207304319>; C S Vance, ‘States of Contradiction: Twelve Ways to Do Nothing About Trafficking While Pretending to’, *Social Research*, vol. 78, no. 3, 2011, pp. 933–948, <https://doi.org/10.1353/sor.2011.0039>.

⁴ M Wilson and E O’Brien, ‘Constructing the Ideal Victim in the United States of America’s Annual Trafficking in Persons Reports’, *Crime, Law and Social Change*, vol. 65, issue 1–2, 2016, pp. 29–45, <https://doi.org/10.1007/s10611-015-9600-8>; E O’Brien, *Challenging the Human Trafficking Narrative: Victims, Villains, and Heroes*, Routledge, New York, 2019.

⁵ A Ahmed and M Seshu, “‘We have the right not to be ‘rescued’...’: When Anti-Trafficking Programmes Undermine the Health and Well-Being of Sex Workers’, *Anti-Trafficking Review*, issue 1, 2012, pp. 149–165, <https://doi.org/10.14197/atr.201219>; E C Kinney, ‘Appropriations for the Abolitionists: Undermining Effects of the US Mandatory Anti-Prostitution Pledge in the Fight against Human Trafficking and HIV/AIDS’, *Berkeley Journal of Gender, Law & Justice*, vol. 21, issue 1, 2006, pp. 158–194, <https://doi.org/10.15779/Z38S17SS0N>. The US Supreme Court has since ruled that this policy violates the First Amendment right to freedom of speech and is unconstitutional. However, the US Constitution only applies to US nationals and therefore the policy continues to be in force for foreign funding recipients (US Supreme Court, *USAID et al. v. Alliance for Open Society International, Inc., et al.*, 570 US, 205, 20 June 2013; US Supreme Court, *USAID, et al. v. Alliance for Open Society International, Inc., et al.*, No. 19–177, 29 June 2020).

⁶ M Ucnikova, ‘OECD and Modern Slavery: How Much Aid Money is Spent to Tackle the Issue?’, *Anti-Trafficking Review*, issue 3, 2014, pp. 133–150, <https://doi.org/10.14197/atr.20121437>.

In this article, I contribute to knowledge on trafficking-related spending, building on original databases compiled through a systematic review of the *US Attorney General's Annual Report to Congress on US Government Activities to Combat Trafficking in Persons*⁷ (hereinafter AG's reports) for fiscal years 2017 through 2021,⁸ which allow for a detailed analysis of US anti-trafficking funding allocations. During the five-year period under review, the vast majority of US anti-trafficking funds were spent on reactive activities, including the identification, protection, and support of trafficking survivors and efforts to improve the detection, arrest, and prosecution of traffickers. Guided by Judith Butler's understanding of *precarity* as the 'politically induced condition in which certain populations suffer from failing social and economic networks of support and become differentially exposed to injury, violence, and death',⁹ I find that projects targeting the conditions that increase precarity, rendering certain populations at heightened risk of being trafficked, or that enable the exploitation of precarity, were, in contrast, relatively under-funded by the US government. When these conditions *were* addressed by funded activities, the targets were nearly always countries in Africa, Asia, or Latin America, perpetuating a discourse of trafficking as a social problem rooted in poor policies, practices, and inequalities seen as endemic in the Global South.

Methodology

Diverging from the unified definition of human trafficking established under the UN Trafficking Protocol, the US TVPA makes a definitional distinction between 'severe forms of trafficking in persons' and 'sex trafficking'. Severe trafficking includes 'sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age', or 'the recruitment, harbouring, transportation, provision, or obtaining of a person for labour or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.'¹⁰ The definition of sex trafficking drops the requirement of force, fraud, or coercion, and essentially equates commercial sex acts with sex trafficking—albeit trafficking that is not considered to warrant the protection or support of the state.

⁷ The US government's fiscal year begins on 1 October and ends on 30 September. This article therefore covers anti-trafficking activities supported by the US federal government between 1 October 2016 and 30 September 2021.

⁸ The Attorney General's reports for fiscal years (FY) 2003 to 2021 may be found at <https://www.justice.gov/humantrafficking/resources#reports>.

⁹ J Butler, *Frames of War: When is Life Grievable?*, Verso, New York, 2016, p. 25.

¹⁰ See US Congress, Section 103(8).

The AG's reports offer the federal government's most comprehensive record of the domestic and international activities it funds in a given year to respond to offences that fall within the TVPA's category of 'severe trafficking'. These reports provide data on federal agency-supported investigations, arrests, prosecutions, and convictions for human trafficking-related offences, as well as information on assisted 'victims',¹¹ including foreign 'victims' and their family members who have applied for and been granted immigration relief. Most valuable for the present study, however, the AG's reports offer detailed information on federal government funds obligated during a given fiscal year for anti-trafficking projects, inclusive of the recipients, amounts, and purposes of specific awards.

Anti-trafficking activities pursue a range of objectives that may broadly be broken down into three categories: (1) those that offer an immediate response to trafficking that has occurred, including through detecting situations of trafficking, removing trafficked persons from these situations, and providing them with crisis support such as medical care, counselling, shelter, and legal aid; (2) those that seek to prevent the reoccurrence of trafficking through offering survivors long-term support to prevent their revictimisation and improving the investigation and prosecution of perpetrators to preclude their ability to continue their exploitation of others; and (3) those that seek to prevent trafficking from occurring in the first place, which requires addressing the complex social, economic, and political forces that drive it.¹² As recognised by the US government itself, the latter typically includes research that aims to illuminate trafficking trends and root causes; awareness campaigns targeting the public or at-risk populations; and efforts to address social discrimination and inequalities that heighten the risk of trafficking. It also requires paying attention to the factors enabling traffickers and other beneficiaries of trafficking who profit from exploitation. This includes reforming migration laws and policies that limit legal employment opportunities and 'increase the reliance of migrants on dangerous and illicit modes of entry'; ending unethical labour recruitment; reforming business practices that profit from social inequalities; and addressing the lack of legal accountability for private sector actors that benefit from exploitative labour practices.¹³

¹¹ US federal documents on trafficking, including the AG's annual reports, employ the language of 'victim' rather than survivor. 'Victim' will be in quotes in this article to recognise that not all those who have survived trafficking experiences would self-identify as victims.

¹² M Chisolm-Straker and K Chon (eds.), *The Historical Roots of Human Trafficking: Informing Primary Prevention of Commercialized Violence*, Springer, New York, 2021.

¹³ L A Hebert, *Gender and Human Rights in a Global, Mobile Era*, Routledge, New York, 2022, pp. 205–206. For confirmation of the US government's acknowledgement of the drivers of trafficking, see US Department of State, *Trafficking in Persons Report*, Washington, D.C., 2015, pp. 14–24; US Department of State, *Trafficking in Persons Report*, Washington, D.C., 2011, pp. 18–29.

I undertook a systematic review of the AG’s reports for fiscal years 2017 through 2021—the five most recent annual reports presented to Congress by the Department of Justice (DoJ) at the time of writing. The objective was to analyse the domestic and international anti-trafficking activities most recently funded by the federal government in light of the current understanding of its main drivers. Individual databases were created for each of the five fiscal years, with the databases disaggregating information for every funded project listed in the reports, including the granting federal agency, the award recipient, and the amount awarded. Projects were coded by recipient type, the geographic region covered, the form of trafficking targeted, and the specific activities covered by the project objectives. Gaps in information were filled through the consultation of supplementary sources, including federal agency grant announcements and awards descriptions, recipient websites and annual reports, and internal and independent evaluations of the activities funded. Each AG report was reviewed by at least two researchers and then reviewed a third time by the author to ensure consistency in coding across awards, including for grants spanning multiple years.

The database analysis has been influenced by Butler’s conceptualisation of precarity. *Precaiousness* is, for Butler, intrinsic to who we are as human beings—a mutual condition born of the social context within which we exist, where ‘one’s life is always in some sense in the hands of others’, with our lives ‘impinged upon by the exposure and dependency of others, most of whom remain anonymous’.¹⁴ While precariousness is universally shared, *precarity* is distributed unequally, with some lives acknowledged as valued and grievable while others are not, the recognition of which ethically demands that we ‘centre the structures and institutions upholding unequal relations of privilege and disadvantage and the norms inhibiting our ability to perceive the injury to, or death, of all lives as deserving of outrage and mourning’.¹⁵

Applying this understanding of precarity to human trafficking, each project identified in the AG’s reports was categorised as focusing on the immediate response to already occurring trafficking, longer-term action to limit the reoccurrence of trafficking, or prevention of the occurrence of trafficking. The first two categories of activities are essential for addressing individual experiences of trafficking, ensuring the well-being of survivors, improving civil and criminal responses to trafficking, and holding perpetrators accountable. Investments toward preventing trafficking from occurring in the first place, however, are arguably even more vital if the factors that increase precarity and enable exploitation are to be disrupted, which would also favourably reduce the demand for costly reactive activities. This article therefore pays close attention to the US government’s funding of activities that aim to prevent the occurrence of

¹⁴ Butler, p. 14.

¹⁵ Hebert, p. 113, building on Butler, p. xxx.

trafficking, further analysing and coding these activities to differentiate between those that did and did not include at least one activity that directly aimed to diminish the social, economic, and political conditions that heighten precarity and the risks of being trafficked or enable the exploitation of precarity.

Despite the US government's rather open documentation of its anti-trafficking awards in the AG's reports, the ability of the present study to offer an exact accounting of its funding allocations is limited by the difficulty of separating trafficking-related efforts from government activities that have broader objectives. For example, government funding for international development and national and international security more generally may reduce threats or acts of trafficking by increasing the access of precarious populations to education, livelihood support, and humanitarian aid without being able to isolate their specific anti-trafficking impact. Similarly, financial investments in policing and the criminal justice system more generally may have the effect of increasing trafficking-related investigations, prosecutions, and convictions, even if this is not an established objective. It is also important to note that the federal government is not the only funder of anti-trafficking activities in the US. States and local governments support anti-trafficking activities, as do private foundations. Nevertheless, the federal government's laws and policies have informed the national anti-trafficking framework, which influences funding decisions at state and local levels. The federal government is also responsible for setting policies and enforcing laws on human trafficking that have implications well beyond US borders, including those relating to the management of global supply chains, migration and migrant labour, labour recruitment, and private sector labour practices. The AG's reports flag the activities the US government itself explicitly recognises to be part of its domestic and international anti-trafficking efforts, valuably offering documentation of its funding priorities.

Findings

In her 2014 article, Ucnikova found that in the period between 2003 and 2012, twelve donor countries from the OECD, including the US, had collectively spent an average of USD 124 million each year on efforts to counter trafficking.¹⁶ Since then, US funding in this area has expanded dramatically. Between fiscal years 2017 and 2021, the US alone allocated more than USD 1.2 *billion* to fund 1,582 domestic and international projects, with an average of USD 248 million spent each year on anti-trafficking activities.¹⁷

¹⁶ Ucnikova, p. 141.

¹⁷ Adjustments have been made to the data to account for duplicated projects within and across individual reports, as well as for projects identified in the narrative section of the AG's report but missing in the list of funded projects in the appendix,

Two government departments—the DoJ and the Department of State (DoS)—awarded two-thirds of the grants during this period, totalling more than USD 835 million. More than half of all recipients were non-profit organisations (55%), collectively awarded USD 658 million; among these, faith-based non-profits received more than USD 110 million. Activities targeting US citizens and foreign nationals in the US comprised nearly half of all funding (USD 606 million or 49%).

Regionally, governments and organisations in Asia received USD 198 million or 16% of the total funds awarded, followed by those in Latin America and the Caribbean (USD 136 million or 11%), Africa (USD 92 million or 7.4%), Eastern Europe (USD 24 million or 1.9%), and Western Europe and other states (USD 10 million or 0.8%).¹⁸ Activities that were globally focused or that stretched across more than one region accounted for 14% of total funds spent (USD 173 million).

The vast majority of project descriptions, 82%, did not single out a specific form of trafficking targeted by funded activities. Among those that did, sex trafficking-related activities made up the largest percentage (12% of all projects), followed by non-sexual forms of forced labour such as domestic work and agricultural labour (5.6%). Child soldiers were the focus of only eight projects over the five fiscal years, despite the US' passage of the *Child Soldiers Prevention Act* in 2008, which requires the DoS to include a list of governments confirmed to have employed child soldiers in the previous fiscal year in its annual *Trafficking in Persons* report.¹⁹

Funded projects often had multiple activities, with objectives that included responding to already occurring trafficking or preventing the first instance of trafficking. Among the projects funded, 61% were focused exclusively on immediate or long-term responses to trafficking that has already occurred, accounting for USD 676 million (55% of total funding). These projects most often aimed to identify trafficked persons or offer 'victims' crisis, transitional, and long-term support. Across all projects, 76% included at least one activity that involved the identification or assistance of trafficking 'victims'.

Thirty-nine percent of funded projects included at least one component targeted at preventing the occurrence of trafficking, accounting for USD 563 million (or 45%) of total spending. The database analysis further differentiated between those prevention-oriented projects that did and did not include at least one activity that was directly intended to reduce precarity, and thus the risks of being trafficked, or

contributing to minor differences in some cases from the estimates provided by the federal government.

¹⁸ This regional classification is based on the United Nations' regional grouping system: <https://www.un.org/dgacm/en/content/regional-groups>.

¹⁹ *The Child Soldiers Prevention Act* of 2008, Public Law 110-457 (Title IV), 23 December 2008, Sec. 404(a)(b)(1).

conditions that enable the exploitation of precarity. Activities that do not *directly* seek to reduce precarity or the enablers of the exploitation of precarity include research, public awareness campaigns, creating or reforming anti-trafficking laws, expanding government awareness of the problem of trafficking (including in border control and criminal justice systems), and enhancing stakeholder coordination. Those that *do* seek to reduce precarity include efforts to transform discriminatory social norms and practices that perpetuate precarity, expanding livelihood opportunities for poor and marginalised communities, reducing demand for goods and services employing trafficked labour (both sexual and non-sexual), reforming xenophobic laws and policies that increase the reliance of migrant workers on unsafe modes of transport and border crossings, eliminating labour recruitment fees, monitoring the compliance of corporate actors with human rights standards in the sourcing and treatment of their workers, and working to correct the practices of corporate actors that are failing to achieve those standards (including through judicial processes and worker-centred initiatives).²⁰ Most of the projects that included a preventive component also involved attention to ‘victim’ protection and support or enhanced government responsiveness to already-occurring trafficking, making it difficult to single out the government’s financial commitment for particular desired outcomes. However, separating out activities that do and do not directly target the structural conditions that increase precarity or disrupt the institutions and practices that support the exploitation of precarity is useful for helping to illuminate where the government’s priorities lie and how its efforts to eradicate trafficking should be reformed.

Among all projects funded from financial years (FY) 2017 to 2021, 13% were *solely* focused on the prevention of the first instance of trafficking, accounting for USD 203 million (16.4% of total funding). USD 73 million of this funding was devoted to research projects that aimed to identify trafficking patterns or understand their root causes.²¹ This was followed by public awareness raising, which included a

²⁰ For analyses of how these interventions reduce precarity, see S Cameron and E Newman, ‘Trafficking in Humans: Structural Factors’, in S Cameron and E Newman (eds.), *Trafficking in Humans: Social, Cultural and Political Dimensions*, United Nations University Press, New York, 2008, pp. 21–57; H Lewis and L Waite, ‘Asylum, Immigration Restrictions and Exploitation: Hyper-Precarity as a Lens for Understanding and Tackling Forced Labour’, *Anti-Trafficking Review*, issue 5, 2015, pp. 49–67, <https://doi.org/10.14197/atr.20121554>; B Anderson, *Us & Them? The Dangerous Politics of Immigration Control*, Oxford University Press, New York, 2013; G LeBaron, ‘The Role of Supply Chains in the Global Business of Forced Labour’, *Journal of Supply Chain Management*, vol. 57, issue 2, 2021, pp. 29–42, <https://doi.org/10.1111/jscm.12258>.

²¹ Academic institutions were the recipient of many of these funds. For example, in 2019, the University of Georgia Research Foundation received USD 15.75 million to expand an Africa-based research initiative to improve efforts to curb trafficking. The foundation received an additional USD 4 million for this initiative in 2020. See US

range of activities that collectively were allocated more than USD 22 million.²² Among the remainder of the funded activities focused exclusively on preventing the occurrence of trafficking, USD 4 million was allocated to projects intended to expand trafficking awareness among government actors; USD 6.2 million to projects that sought to improve stakeholder coordination to advance prevention objectives; and USD 3.3 million to projects that focused on the establishment or reform of anti-trafficking laws or frameworks. Projects that exclusively targeted the drivers of trafficking represented only a small percentage of funded activities. Those that focused on the social conditions that increase the risks of trafficking were awarded USD 16 million, or 1.3% of total funding. Only one project across the five fiscal years, which was awarded USD 500,000, concentrated on altering the practices of private sector actors, including labour recruiters and companies, that benefit from the exploitation of precarity.

Across all funded projects, 137 (8.7%) included at least one component directly intended to reduce the social inequities that raise the risk of trafficking or target the policies and conditions that enable the exploitation of precarity. These projects were collectively allocated USD 231 million or 18.7% of total funding and most often had among their objectives the expansion of educational access, vocational and entrepreneurial skills-building opportunities, and employment for at-risk populations. Their aim was usually to strengthen individual, family, and community resilience against poverty and the destabilising effects of crises to lessen the potential exploitation of youth who are homeless, orphaned, or in the foster care or juvenile justice systems, the familial resort to child labour for economic purposes, and insecure income-motivated migration among youth and adults. However, even while these projects may recognise the risks specific populations face of being trafficked—for example, because of race, ethnicity, gender, gender identity, sexual orientation, and migrant status—implemented

Department of Justice, *Attorney General's Annual Report to Congress and Assessment of the US Government Activities to Combat Trafficking in Persons Fiscal Year 2019*, Washington, D.C., 2019, p. 156, https://www.justice.gov/d9/pages/attachments/2022/03/24/fy19_ag_ht_report.pdf; L Anderson, 'UGA Receives \$15.75 Million to Combat Human Trafficking', University of Georgia College of Public Health, 20 November 2019, <https://publichealth.uga.edu/uga-receives-15-75-million-to-combat-human-trafficking>; US Department of Justice, *Attorney General's Annual Report to Congress and Assessment of the US Government Activities to Combat Trafficking in Persons Fiscal Year 2020*, Washington, D.C., 2020, p. 189, https://www.justice.gov/d9/pages/attachments/2022/03/24/fy20_ag_ht_report.pdf.

²² For example, in FY 2019, the Department of Transportation allocated USD 5.4 million for trafficking-related awareness campaigns on buses and trains and in transit hubs, and in FY 2020, the National Centre for Missing & Exploited Children received a USD 6 million grant to create presentations aimed at educating children and parents on the problem of child sex trafficking (US Department of Justice, 2019, pp. 187–188; US Department of Justice, 2020, p. 116).

activities tended to focus on the identification and support of these populations rather than the transformation of the structural inequalities and associated discrimination that put them at risk.

Less supported was the direct targeting of the enablers and beneficiaries of trafficking. For example, it is well established in the literature on human trafficking that the high demand for migrant workers in destination countries is in direct conflict with restrictive migration laws and policies in these same countries; scholars argue this dilemma forces many potential migrant workers to resort to illegal and dangerous modes of entry, including securing the services of smugglers, which substantially heightens their risk of being trafficked or otherwise harmed.²³ Nonetheless, only 11 of the 1,582 projects (0.6%) included activities that centred on the establishment or reform of migration-related laws and policies to uphold the human rights of migrant workers. All of these projects focused on laws and policies in Africa, Asia, or Eastern Europe, which leaves the impression that it is only countries outside of the Global North and the West that require the establishment of more humane, rights-respecting migration systems.

It is also well established in the trafficking literature that trafficking is fuelled by the reliance of companies on sub-contracting and the lack of transparency of supply chains, exploitative labour recruitment practices that trap workers in debt bondage, weak oversight of labour markets at the domestic and international levels, and non-enforcement by states of laws against exploitative labour practices.²⁴ Even so, only 39 projects (2.5%) across the five fiscal years, collectively comprising 10% of total funds (USD 127 million), included a component focusing on labour recruiters, global supply chains, or private sector employers that profit from labour exploitation.

The dramatic expansion of US anti-trafficking funding domestically and globally may be interpreted as confirmation of the government's recognition of human trafficking as a pernicious social problem that must be eliminated. However, systematically reviewing the project activities it funded during FY 2017–2021 reveals that far more government resources have been allocated to coping with

²³ Anderson; J M Chacón, 'Tensions and Trade-Offs: Protecting Trafficking Victims in the Era of Immigration Enforcement', *University of Pennsylvania Law Review*, vol. 158, no. 6, pp. 1609–1653; A T Gallagher, 'Exploitation in Migration: Unacceptable But Inevitable', *Journal of International Affairs*, vol. 68, no. 2, 2015, pp. 55–74; C van den Anker and I van Liempt (eds.), *Human Rights and Migration: Trafficking for Forced Labour*, Palgrave Macmillan, New York, 2012.

²⁴ B Andrees and P Belser, 'Strengthening Labour Market Governance Against Forced Labour', in B Andrees and P Belser (eds.), *Forced Labour: Coercion and Exploitation in the Private Economy*, Lynne Rienner, London, 2009, pp. 109–127; G LeBaron, *Combatting Modern Slavery: Why Labour Governance is Failing and What We Can Do About It*, Polity, Cambridge, 2020.

the consequences of human trafficking than to the social, economic, and political drivers of trafficking, undercutting the government's expressed commitment to its eradication.

The Rhetoric of Prevention

My administration is 100 percent committed to eradicating human trafficking from the Earth.²⁵

During National Human Trafficking Prevention Month, we reaffirm our commitment to protect and empower survivors of all forms of human trafficking, to prosecute traffickers, and to bring an end to human trafficking in the United States and around the world.²⁶

A human rights-informed approach to human trafficking requires a multi-pronged strategy inclusive of efforts to ensure the short- and long-term holistic well-being of survivors and the achievement of accountability and justice for harms suffered. Conducting prevalence studies, increasing public awareness of the signs of trafficking, establishing or strengthening anti-trafficking legal frameworks, and improving knowledge among, and collaboration between, key stakeholders may gradually help to change the environment within which trafficking becomes possible. Nonetheless, all of these activities in themselves do not alter the structural conditions that increase the risks to particular populations of being trafficked, including social hierarchies of race, ethnicity, gender, gender identity, sexual orientation, class, migrant and refugee status, and nationality, among others, which limit life and livelihood opportunities.²⁷ Nor do these efforts directly disrupt the institutions and practices that support the exploitation of precarity, including anti-migrant laws that coexist with high demand for migrant labour, fuelling a resort of migrant workers to illicit and dangerous modes of entry, lack of transparency in supply chains, and the refusal of governments to hold private sector actors accountable for even the most egregious labour violations.²⁸

²⁵ 'President Donald Trump at the White House Summit on Human Trafficking', 31 January 2020, <https://www.c-span.org/video/?468828-1/president-trump-white-house-summit-human-trafficking>.

²⁶ 'A Proclamation on National Human Trafficking Prevention Month, 2022', The White House, 30 December 2021, <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/30/a-proclamation-on-national-human-trafficking-prevention-month-2022>.

²⁷ Cameron and Newman; Lewis and Waite; T Bastia, 'Stolen Lives or Lack of Rights? Gender, Migration and Trafficking', *Labour, Capital and Society*, vol. 39, no. 2, 2006, pp. 20–47.

²⁸ Anderson; LeBaron, 2020, pp. 38–61.

In the absence of appropriate funding for activities targeting causal factors, the onus is put on those who are already most disadvantaged to prevent their own exploitation. A favoured approach in the anti-trafficking arena—the implementation of public awareness campaigns—is illustrative. There are a wide range of activities supported by the US government designed to increase public awareness of the signs of trafficking and how to report possible cases, including efforts to ‘hook’ viewers and listeners through edutainment—e.g. dramatic public service announcements, television series and films, comics, catchy radio jingles, and so forth. There is a growing body of literature critical of anti-trafficking awareness campaigns aimed at a general audience, including scholarship documenting the stereotypical images of trafficking, trafficked persons, and traffickers that are often perpetuated through these campaigns and the failure of these campaigns to address the forces driving trafficking.²⁹ Also warranting more scrutiny are awareness programmes targeted at populations facing a high risk of trafficking, particularly pre-departure education of potential migrant workers, which have become increasingly common over the past decade.

Pre-departure training programmes, such as those implemented by Winrock International as part of its US-funded ‘Safe Migration in Central Asia Project’,³⁰ usually cover a wide range of information that goes beyond warning migrant workers of dangers they may face during transit and at their destination, including unethical labour recruiters and employers.³¹ Nevertheless, a key assumption behind these programmes is that knowledge is power—that is, arming potential migrants with information about the kinds of challenges and hazards they may face and

²⁹ See, for example, the *Anti-Trafficking Review* special issue on ‘Public Perceptions and Responses to Human Trafficking’, issue 13, 2019, <https://www.antitraffickingreview.org/index.php/atrjournal/issue/view/21>. See also E. O’Brien, ‘Human Trafficking Heroes and Villains: Representing the Problem in Anti-Trafficking Awareness Campaigns’, *Social & Legal Studies*, vol. 25, no. 2, 2016, pp. 205–224, <https://doi.org/10.1177/0964663915593410>; N. Szablewska and K. Kubacki, ‘Anti-Human Trafficking Campaigns: A Systematic Literature Review’, *Social Marketing Quarterly*, vol. 24, no. 2, 2018, pp. 104–122, <https://doi.org/10.1177/1524500418771611>; J. Mendel and K. Sharapov, ‘“Stick Them to the Cross”: Anti-Trafficking Apps and the Production of Ignorance’, *Journal of Human Trafficking*, vol. 8, no. 3, 2022, pp. 233–249, <https://doi.org/10.1080/23322705.2020.1801284>.

³⁰ Winrock International, *USAID Safe Migration in Central Asia (SMICA) Activity Annual Highlights – Period Covered: October 1, 2020 – September 30, 2021*, 2021, https://winrock.org/wp-content/uploads/2022/04/SMICA-ANNUAL-HIGHLIGHTS-YEAR-2_public.pdf. Winrock International received USD 10 million for the SMICA project in FY 2020 and 2021.

³¹ See, for example, ILO Regional Office for Asia and the Pacific, *Pre-Departure Training Curriculum, Viet Nam to Malaysia: Facilitator’s Manual*, ILO, Bangkok, 2014, https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms_314221.pdf.

the rights they possess will enable them to make smarter decisions, leading to a safer migration experience.³² The limited evaluations that have been conducted of these programmes offer little evidence that they are achieving this objective.³³ Pre-departure education does not alter the social hierarchies or conditions driving people to migrate despite the risks, nor does learning their rights mean migrants will be able to enforce them. And, in the absence of interventions targeting the enablers and beneficiaries of exploitation, these programmes are rooted in neoliberal expectations of self-help.³⁴ Elsewhere, I have compared anti-trafficking educational programmes targeting at-risk populations to anti-rape efforts that focus on what women should do to avoid sexual harm, including altering the way they dress, being careful about what and how much they drink, sticking close to their friends, and taking self-defence classes. Such an approach *may* keep individual women safe, but it does nothing to address the root causes of sexual violence. Similarly, absent attention to the underlying causes of labour exploitation, relying on pre-departure programmes to ensure a safe migration experience puts the responsibility ‘on migrant workers themselves to prevent their own exploitation, while the institutions *designed* to benefit from the exploitation of precarity are largely left unchanged.’ Consequently, even in a best-case scenario where knowledge gained empowers an individual training participant to avoid mistreatment by recruiters or employers, the ‘effect is to merely shift the harm on to others rather than to prevent it’.³⁵

³² N S Pocock *et al.*, ‘Challenges to Pre-Migration Interventions to Prevent Human Trafficking: Results from a Before-and-After Learning Assessment of Training for Prospective Female Migrants in Odisha, India’, *PLOS ONE*, vol. 15, no. 1, p. 1, <https://doi.org/10.1371/journal.pone.0238778>; K Sharapov, S Hoff, and B Gerasimov, ‘Editorial: Knowledge Is Power, Ignorance Is Bliss: Public Perceptions and Responses to Human Trafficking’, *Anti-Trafficking Review*, issue 13, 2019, pp. 1–11, <https://doi.org/10.14197/atr.201219131>.

³³ Pocock *et al.*, p. 3; P Aryal and A Kharel, *Does Pre-departure Orientation Protect Labour Migrants? Examining Pre-departure Interventions in Nepal*, AGRUMIG Policy Brief Series, no. 10, January 2023, <https://agrumig.iwmi.org/wp-content/uploads/sites/41/2023/01/AGRUMIG-Policy-Brief-Series-No-10.pdf>; M M B Asis and D R Agunias, *Strengthening Pre-Departure Orientation Programmes in Indonesia, Nepal and the Philippines*, International Organization for Migration Issue Brief, issue 5, September 2012, <https://www.migrationpolicy.org/pubs/PredepartureOrientation.pdf>; R Rosenberg, S Lazaroiu and E Tyuryukanova, *Best Practices for Programming to Prevent Trafficking in Human Beings in Europe and Eurasia*, Office of Women in Development, Bureau for Economic Growth, Agriculture, and Trade, USAID, September 2004, https://pdf.usaid.gov/pdf_docs/PNADP650.pdf.

³⁴ I Lorey, *State of Insecurity: Government of the Precarious*, Translated by A Derieg, New York, Verso, 2015, p. 35.

³⁵ Hebert, p. 209. See also Pocock *et al.*

In addition to the dominance of ‘preventive’ strategies that do little to disrupt the ability of private actors to exploit precarity with impunity, US funding patterns reinforce the notion that the causes of trafficking lie in the Global South. The US allocates substantial resources to domestic activities relating to the identification of traffickers and trafficked persons, support services for survivors, border control, and improvements in civil and criminal remedies. But nearly all funded activities that target the structures and conditions exacerbating precarity or the enablers and beneficiaries of exploitation are focused on actors and communities in Asia, Africa, and Latin America.

The top four recipients of US anti-trafficking funding between FY 2017–2021, by a substantial margin, were the International Organization for Migration (IOM, USD 70 million), Winrock International (USD 69.4 million), the International Labour Organization (ILO, USD 67 million), and the Global Fund to End Modern Slavery (GFEMS, USD 51 million). These are also the organisations responsible for implementing many of the projects that sought to address the effects of social inequalities or the enablers of trafficking. Winrock International was one of the few award recipients to focus attention on both. For example, Winrock received USD 10 million between FY 2017 and 2021 to support the US Agency for International Development (USAID) Counter Trafficking in Persons Project in Thailand that, among others, aimed to amplify ‘migrant voices’, increase Thai ‘empathy toward migrants’, promote ‘the regularization of migrant workers from Cambodia and Myanmar to reduce their vulnerability to TIP’, and improve business practices.³⁶ All of Winrock International’s anti-trafficking activities were focused on the Global South, with a heavy emphasis on Asia. IOM’s efforts to support dialogue on migration management and counter xenophobia against migrants were focused on countries in Latin America, Eastern Europe, Asia, and Africa, as were its activities relating to ethical labour recruitment. The only IOM projects specifically focused on the Global North centred on survivor reunification with family members in their host country or their return and reintegration into their home countries. During the study period for the Bridge to Global Action on Forced Labour, the ILO received USD 18.7 million to, in part, implement livelihood programmes to reduce the potential for trafficking among high-risk populations and improve the efforts of workers’ and employers’ organisations in combatting forced labour. In 2017, it also received USD 7.5 million for programmes aimed at preventing child recruitment in labour supply chains and expanding partnerships between businesses and workers’ organisations. Although both of these ILO projects involved the building of global partnerships, the activities relating to precarity and the enablers of the exploitation of precarity were focused on Africa, Asia, Latin America, and Eastern Europe.

³⁶ USAID, ‘USAID Thailand Counter Trafficking in Persons’, n.d., <https://www.usaid.gov/asia-regional/fact-sheets/usaid-thailand-counter-trafficking-persons>.

The ILO, IOM, and Winrock International all have a long history in the anti-trafficking arena. GFEMS was only established in 2016, with USD 51 million from the US government. At the time, the DoS praised GFEMS for developing a ‘new’ and ‘transformational’ approach,³⁷ with a mission to ‘make “modern slavery” unprofitable by targeting the supply of people vulnerable to exploitation, the demand for cheap labour by the private sector, and weak justice systems and poor governance that create enabling environments for slavery.’³⁸ It is not possible to determine from GFEMS’ available financial statements or impact reports how much of the funding it received was allocated to particular activities, which, according to GFEMS, included training directed to the private sector, recruitment agencies, and criminal justice systems and entrepreneurial support for at-risk populations.³⁹ But all of its projects were targeted toward sectors in Asia, East Africa, and Brazil. GFEMS has since shifted its mission, which is now to ‘build a survivor-centric global anti-trafficking movement ... by supporting advocacy and providing flexible funding for survivor-leaders, activists, and grassroots organizations around the world’.⁴⁰ It is therefore not clear whether GFEMS is abandoning its private sector-focused activities. However, the geographical focus of all of its activities relating to the structures and institutions that allow for the exploitation of precarity during the period under review, along with that of the IOM, ILO, and Winrock International, reinforces the discourse of anti-trafficking ‘champions’ versus ‘laggards’, with this division largely falling along Global North/South lines.

The intent here is not to minimise the importance of the US providing anti-trafficking funding to countries and organisations in the Global South. Rather, it is to draw attention to how the government’s domestic anti-trafficking priorities stand in contrast to its priorities outside of US borders, particularly in the Global South, which has the effect of constructing the problem of trafficking and its origins in a way that invisibilises its own contributions to precarisation and the enabling of the exploitation of precarity. In surveilling the anti-trafficking record of every other country in the world, backed up with the threat of penalty for

³⁷ US Department of Justice, *Attorney General’s Annual Report to Congress and Assessment of the US Government Activities to Combat Trafficking in Persons – Fiscal Year 2017*, Washington, D.C., 2017, p. 21, <https://www.justice.gov/d9/pages/attachments/2018/10/22/agtipreportfy2017.pdf>.

³⁸ Hebert, p. 211.

³⁹ End Modern Slavery Initiative Foundation (dba Global Fund to End Modern Slavery), *Financial Statements Years Ended December 31, 2021 and 2020*, BDO LLC, <https://www.gfems.org/wp-content/uploads/2022/10/GFEMS-Annual-Financial-Statement-2021-Final.pdf>; Global Fund to End Modern Slavery, *Impact Report 2021*, <https://www.gfems.org/wp-content/uploads/2022/11/2021-Impact-Report-opt-1.pdf>.

⁴⁰ Global Fund to End Modern Slavery, ‘About Us’, retrieved 4 December 2023, <https://gfems.org/about-us>.

those that fail to meet its own established standards, the US has positioned itself at the apex of the ‘champions’ list. This is further reinforced by the millions of dollars the government spends on international expert exchanges to train government peers, police departments, judicial authorities, and service providers from countries around the world on US anti-trafficking laws and policies.⁴¹ US anti-trafficking funding may fill an important gap globally, including through allowing perennially resource-starved non-profits to provide critical short- and long-term support to trafficking survivors. The broader effects of the US’ funding decisions, however, are not benign. Scholars have long critiqued the US’ leadership in the anti-trafficking arena, particularly its policy of exporting an anti-prostitution and criminal justice-oriented approach to trafficking, with detrimental human rights consequences.⁴² But the US’ funding of efforts to support international dialogue on migration and reform of related laws and policies to uphold the human rights of migrants only in Global South or Eastern European contexts, along with its Global South-oriented efforts to engage private actors profiting from exploitation, serves to conceal how the histories, laws, and policies of the purported anti-trafficking champions in the Global North are implicated in the very precarisation that renders some populations more at risk of being trafficked than others. Moreover, it conceals how ‘legitimate actors’, including governments, corporations, and consumers in the Global North, have also been beneficiaries of exploitative labour practices.⁴³

Conclusion

The US is far from alone in identifying human trafficking as a pressing global problem, or in channelling millions of dollars each year to activities intended to improve efforts to prevent trafficking, protect survivors, or punish those profiting from trafficking. It is, however, the largest and most influential funder of anti-trafficking activities globally, with the ability to shape related laws, policies, and practices of governments around the world. Tracking how the US spends its anti-trafficking funds therefore matters.

The research conducted for this article is ongoing, with databases being created for all AG reports released since fiscal year 2003, when the DoJ first began submitting them to Congress. This comprehensive approach will allow for analysis of how

⁴¹ In the five-year period of the study, the US spent more than USD 21 million on transferring its practices to other countries through international expert trainings.

⁴² Ahmed and Seshu; Kinney; Weitzer; Y C Zimmerman, *Other Dreams of Freedom: Religion, Sex, and Human Trafficking*, Oxford University Press, Oxford, 2013.

⁴³ See, for example, Hebert, pp. 167–201, for an analysis of forced migrant labour on US military bases in Iraq and Afghanistan.

anti-trafficking activities and the US federal government's funding priorities have evolved over time and across four presidential administrations. My review of the AG's reports for fiscal years 2017–2021, however, offers documentation of the government's most current anti-trafficking funding priorities—and how these priorities correspond to the accumulation of knowledge over the past two decades regarding the main forces driving human trafficking. Less than 1.3% of total funding during this period was exclusively aimed at addressing the hierarchies that render certain populations at greater risk of being trafficked, while a negligible amount was devoted to addressing the practices of beneficiaries of exploitation. Widening the scope of analysis, I found that less than 19% of total funds awarded included at least one component that aimed to address the inequities that heighten the risk of trafficking or the conditions, policies, and practices that allow for the continued exploitation of precarity (a low threshold for consideration). Among these funded projects, the emphasis of the preventive component(s) was most often on enhancing individual, family, and community resilience, albeit in a way that avoided attention to the structures fuelling precarity. Moreover, only 3% of projects, collectively awarded 10% of total funding, included at least one component focused on private sector-related enablers and beneficiaries of trafficking, with all of these projects directed outward to governments, organisations, and private sector actors in the Global South.

Whether eliminating all incidences of human trafficking everywhere is a realisable objective is a separate question.⁴⁴ What is not in doubt, however, is that no matter how much funding is allocated to combating human trafficking, making progress globally toward this objective will never be possible as long as governments around the world, including the US government, continue to avoid the hard work of targeting the already well-established drivers of human trafficking and confronting how their own laws, policies, and actions both perpetuate precarity and enable exploitation.

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⁴⁴ See Gallagher for a sceptical opinion.

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