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**COMBATING HUMAN TRAFFICKING THROUGH EDUCATION AT THE SOURCE, IN
TRANSIT, AND AT THE DESTINATION**

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COMBATING HUMAN TRAFFICKING THROUGH EDUCATION AT THE SOURCE, IN TRANSIT, AND AT THE DESTINATION OF HUMAN TRAFFICKING

Human trafficking is a global problem and one of the world's most degrading crimes to females, robbing the dignity of millions at any given time. One of the difficult issues in dealing with human trafficking cases is the hidden nature of the crime. To help eradicate human trafficking more needs to be done than just penalizing traffickers, solutions need to be made that helps eliminate the supply of potential victims and the demand, as well involving the community in identifying and reporting human trafficking. Education is one-way to help eradicate human trafficking despite its concealed nature. This paper proposes a three step educational process that helps combat human trafficking through raising awareness 1) at the source, 2) in transit, and 3) at the destination of human trafficking. The goals in this 3 step educational process are in line with the multidimensional goals in eradicating extreme poverty and hunger and promoting gender equality.

I. Education at the source.

The international community has largely used micro-credit institutions, a group lending model based on joint liability, to assist in eradicating poverty.¹ Although micro-credit institutions have the potential to be successful in decreasing poverty among women and instances of trafficking, there are still substantial limitations in these institutions in achieving such goals.² Such limitations include: 1) failing to reach the poorest women who are at the highest risk of entering into a trafficking situation, 2) requiring immediate repayment at high interest rates, 3) not addressing cultural and gender issues that result in

¹ Sana Khan, *Poverty Reduction Efforts: Does Microcredit Help?* SRIS Rev. Int'l Aff 147 (Summer-Fall 2009).

² *Id.*

women losing control of the loan to males and experience verbal as well as physical abuse for their involvement with the loan.³ To prevent financially poor women from being in further debt and decrease their susceptibility to trafficking these limitations need to be addressed.⁴

A. Microloans do not reach the poorest women most vulnerable to trafficking

Microloans seem to be excluding the poorest segment of those vulnerable to trafficking and focusing mostly on the non-poor group.⁵ This is likely due to the fact that many microloans rely on external donors for funds and are pressured to produce instantaneous results.⁶ Additionally, microloans fail to reach the poorest segment of the population because the rural poor are often dispersed geographically, making it difficult to form groups.⁷

In order to reach the poorest women who are the most vulnerable to trafficking, micro financing institutions need to rigorously target the poorest areas and further target the poorest clients within these local areas.⁸ One group that has made strides in providing access to credit is the Bangladesh Rural Advancement Committee (BRAC), which targets the poorest of the poor, mainly female-headed, landless households.⁹ To receive

³ Katherine Driscoll, *Microcredit: Not Yet a Panacea to End Trafficking In Women*, 13 U. Pa. J. Bus. L. 286 (2010).

⁴ *Id.* at 291-292.

⁵ Gautam Aggarwal & Saikat Podder, *Microfinance: Treading a Fine Line Between Financial and Social Objectives*, Wall St. J., Dec. 16, 2009, available at <http://online.wsj.com/article/SB126093830654793317.html>.

⁶ Celia Taylor, *Microcredit as Model: A Critique of State/NGO Relations*, 29 Syracuse J. Int'l L. & Com. 303, 328 (2002).

⁷ *Id.* at 329.

⁸ Anton Simanowitz, *Ensuring Impact: Reaching the Poorest While Building Financially Self-Sufficient Institutions, and Showing Improvement in the Lives of the Poorest Women and their Families*, *The Microcredit Summit Campaign*, 42 (Aug. 16, 2002), <http://www.microcreditsummit.org/papers/ensuringimpact.pdf>.

⁹ Ananya Roy, *Poverty Capital: Microfinance and the Making of Development* 31 (2010).

membership into BRAC's Specially Targeted Ultra Poor (STUP) group at least three of the following criteria must be met: (1) The household is dependent upon female domestic work or begging; (2) Ownership of less than 10 decimals, or one-tenth of an acre of land; (3) No active adult male members in the household; (4) Children of school-going age have to take paid work; and (5) No productive assets in the household.¹⁰ This program is subsidized and does not recuperate its financial costs.¹¹ The lack of pressure to repay external donors, which encourages most other microloans to ignore the poorest of the poor, is one explanation for BRAC's success.¹² Microloans should implement a system similar to BRAC's STUP program and strive to provide financial assistance to the poorest women.

B. Microloans should be more flexible in loan repayments.

Women who are successful in obtaining a microloan must then grapple with the tremendous pressure of making loan payments.¹³ The fact that many microloans require immediate loan repayment at interest rates upwards of 20% increases the pressure that these women face.¹⁴ As a result, many borrow money from local moneylenders or seek additional economic prospects to ensure that they can make timely payments.¹⁵ A weekly loan repayment is unrealistic for many borrowers, especially when first starting a

¹⁰ *Targeting Extreme Poverty: Programme Components*, BRAC, <http://www.brac.net/content/targeting-extreme-poverty-programme-components#.VN6W7VZSxuY> (last updated February 13, 2015).

¹¹ Roy, *supra* note 9.

¹² *Id.*

¹³ Aminur Rahman, *Rhetoric and Realities of Micro-Credit for Women in Rural Bangladesh: A Village Study of Grameen Bank Lending* (Ph.D. dissertation, University of Manitoba) (1998) at 172.

¹⁴ Tazul Islam, *Microcredit and Poverty Alleviation* 2-3 (2007).

¹⁵ Jude Fernando, *Nongovernmental Organizations, Micro-credit, and Empowerment of Women*, 554 ANNALS 150, 171 (1997).

business where capital has not yet been generated.¹⁶ Biweekly or monthly repayment options would put much less pressure on women to have to borrow from local lenders, or to seek other jobs in order to ensure timely repayment.

Furthermore, in order to assist those most in need of microcredit, the micro-credit financing institutions should try to lower the interest rates on the loans.¹⁷ Although the interest rates offered by micro finance institutions are lower than those offered by local moneylenders, most still exceed 20%.¹⁸ Some strategies for decreasing interest rates include “reducing transaction costs, push[ing] for high growth, high repayments and portfolio turnover.”¹⁹ Lowering interest rates would encourage those that are extremely poor, and thus averse to obtaining loans with high interest rates, to take out microloans.²⁰

The micro financing institutions should also be more flexible to allow for smaller loans to be taken out.²¹ For the extremely poor who fear that they will not be able to meet the repayment requirements of a larger loan, a smaller loan would provide them with less risk.²² There should be no floor to the loan amount in order to maximize the number of poor clients that can be reached by microcredit.²³

To better serve those who are most at risk to be victims of human trafficking, poor women from rural communities, loans need to be flexible in terms of repayment, interest rates need to be lower, and smaller loan amounts need to be offered.

¹⁶ Lisa Avery, *Microcredit Extension in the Wake of Conflict: Rebuilding the Lives and Livelihoods of Women and Children Affected by War*, 12 Geo. J. On Poverty L. & Pol'y 205, 221 (2005).

¹⁷ Driscoll, *supra* note 3 at 293.

¹⁸ Islam, *supra* note 14. at 152.

¹⁹ *Id.* at 166.

²⁰ Driscoll, *supra* note 3 at 293.

²¹ *Id.* at 292.

²² Islam, *supra* note 14 at 162.

²³ *Id.*

C. Micro credit loans should also include a savings system.

Most micro finance institutions have focused their efforts solely on extending credit to the poor. However, this “credit-alone approach” is not helpful for alleviating poverty, especially among the extremely poor.²⁴ Scholars suggest that savings systems may result in the inclusion of the poorest 10-15% of the population, who are risk averse²⁵ and thus less likely to “experiment with new ideas or invest money in businesses that involve taking risks.”²⁶ In contrast to the rigid repayment requirements of microloans and the fact that borrowers must pay interest on loans, savings systems offer flexibility and the potential for earning interest.²⁷ Research indicates that poor clients are often able to save significant capital, and that they “value safe and convenient savings facilities.”²⁸ Providing poor women with a safety net to assist them during difficult economic times will decrease their susceptibility to trafficking because they will not be in dire need to have immediate access to capital.²⁹

D. Microloans should also include training programs.

Empirical studies indicate that microcredit loans coupled with training programs have a higher probability of success, particularly with women.³⁰ For example, in interviews with women who received loans from Sinapi Aba Trust, most recipients

²⁴ Islam, *supra* note 14 at 153.

²⁵ Islam, *supra* note 14 at 154.

²⁶ Khan, *supra* note 1 at 147.

²⁷ Rebecca M. Vonderlack & Mark Schreiner, Ctr. for Soc. Dev., *Women, Microfinance, and Savings: Lessons and Proposals* 3 (2001), available at http://www.microfinance.com/English/Papers/Women_Microfinance_and_Savings.pdf.

²⁸ Paul B. McGuire & John D. Conroy, *The Microfinance Phenomenon*, 7 *Asia-Pac. Rev.* 90, 97 (2000).

²⁹ Driscoll, *supra* note 3 at 294.

³⁰ Islam, *supra* note 14 at 161.

commented that their ability to plan, project profit, and manage money had improved substantially as a result of the training they received from their orientation and Trust Bank meetings.³¹ Therefore, integrating business training with microloan distribution could be beneficial for optimizing business profits, while empowering women at the same time.³²

In addition to basic business training, women's education and literacy are important. Micro finance institutions have cited illiteracy as “a major stumbling block for their clients.”³³ Although micro finance institutions have largely steered away from implementing literacy programs because they require a significant output of time and resources, there are some inexpensive ways that micro finance institutions can implement literacy training, including providing materials to women in the lending groups to train themselves.³⁴ The Women's Empowerment Project (WEP) has used this low-cost method of training women and found that the literacy rate of its members rose from 21% to 85% during the first thirty months of the program.³⁵

Increased education among women would expand the possible microenterprises available for them to explore.³⁶ With low levels of skill and knowledge, women often have to create businesses that have low growth potential.³⁷ Assisting women design more complicated and high growth potential businesses will help reduce poverty long-term and give them financial stability so that they will not feel pressured to seek economic

³¹ Susy Cheston & Lisa Kuhn, UNIFEM, *Empowering Women Through Microfinance* 14, available at www.microcreditsummit.org/papers/empowerment.pdf.

³² Driscoll, *supra* note 3 at 296.

³³ Cheston & Kuhn, *supra* note 31 at 41.

³⁴ *Id.*

³⁵ *Id.*

³⁶ Driscoll, *supra* note 3 at 297.

³⁷ Cheston & Kuhn, *supra* note 31 at 41 (reporting that illiteracy is a major problem for recipients of micro loans).

prospects abroad and expose themselves to a potential trafficking situation.³⁸

E. Cultural and gender limitations of microcredit

Microloans are distributed in developing countries where gender and cultural norms discourage women from actively participating in the economic sector.³⁹ As a result, some women who receive microloans lose control of the loan to male members of their household.⁴⁰ In one study, conducted by Anne Marie Goetz and Rina Sen Gupta, it was found that a substantial portion of microloans given to women were directly invested by male relatives, while the women retained the liability for repayment.⁴¹ This lack of control over how the loan is invested is problematic for women borrowers.⁴² If a particular loan is squandered and yields no profit, the woman is still liable for the loan payments. As a result, the woman is left to internalize the high cost of loaning to men⁴³ and is forced to pursue outside economic opportunities to ensure that the loan is repaid.⁴⁴

Research also indicates that women have experienced increased domestic violence and physical aggression from males in the household after receiving a microloan.⁴⁵ The notion of women controlling loans subverts the traditional patriarchal hegemony of the household and, without support systems in place, women may lose control of the loan to the males of the house or be met with verbal and physical

³⁸ Islam, *supra* note 14, at 157 (noting that without high growth project support the chances of reducing poverty long-term are “remote”).

³⁹ Driscoll, *supra* note 3 at 290.

⁴⁰ Anne Marie Goetz & Rina Sen Gupta, *Who Takes the Credit? Gender, Power and Control Over Loan Use in Rural Credit Programs in Bangladesh*, 24 *World Dev.* 45, 49 (1996). (discussing the amount of control women have over the microloans).

⁴¹ *Id.*

⁴² Driscoll, *supra* note 3 at 291.

⁴³ Michelle Bellessa, *The Effects of Microlending on Women's Empowerment in Bangladesh* 16, available at http://marriottschool.byu.edu/emp/WPW/pdf/thirdworld/Small_Part_2.pdf.

⁴⁴ Driscoll, *supra* note 3 at 297.

⁴⁵ Robin Isserles, *Microcredit: The Rhetoric of Empowerment, the Reality of “Development As Usual”*, 31 *Women's Stud. Q.* 38, 49 (2003).

violence.⁴⁶ The combination of poverty and abuse encourages women to seek refuge elsewhere, making them prime targets for traffickers. Finance institutions need to address these cultural and gender barriers in the communities where they disperse microloans.

Micro financing institutions are also beginning to include husbands in the microloan process. If the husband feels included, he may be more likely to provide the necessary support for his wife so that she can fulfill her multiple roles.⁴⁷ Empirical data demonstrates that the “most successful clients of many microloans are the ones who have the most supportive husbands and that those with more problems often have problems with their husbands.”⁴⁸ By including the husband in the microloan process, he may be more supportive as opposed to hostile of his wife's involvement with microcredit.⁴⁹

There must be more surveillance over how the loan is utilized to make sure that women are maintaining control over the microloan.⁵⁰ Certain safeguards could be put in place, including requiring borrowers to provide detailed accounts of loan use.⁵¹

For microcredit to be successful in diminishing the rates of trafficking in women, micro-financing institutions need to pair flexible microloans with non-financial services for women, including educational opportunities and assistance in overcoming cultural and gender barriers.

II. Education in Transit

⁴⁶ *Id.*

⁴⁷ *Id.* at 42 (pointing out that the most successful recipients of micro loans have supportive husbands while those who struggle the most have, not coincidentally, problems with their spouses).

⁴⁸ *Id.*

⁴⁹ Driscoll, *supra* note 3 at 297-298.

⁵⁰ *Id.*

⁵¹ Goetz & Gupta, *supra* note 40, at 60.

Perpetrators of human trafficking use the transportation system—airways, waterways, highways, rail, and buses—to commit their crimes.⁵² Those in the transportation industry are on the front lines—and have a responsibility to watch for the signs of human trafficking and report suspicious activity to the authorities.⁵³ The transportation system must not be an enabler in human trafficking.

Recognizing that all modes of transportation intersect with human trafficking, the United States Department of Transportation (DOT) has engaged in significant anti-human trafficking efforts.⁵⁴ “The Blue Lightning Initiative” is one such effort that DOT has taken in collaboration with Customs and Border Protection (CBP) and Department of Homeland Security (DHS).⁵⁵ The project focuses on providing U.S. commercial airlines that operate U.S.-bound international routes and their employees with training on how to identify potential human trafficking victims and the tools to quickly notify federal authorities.⁵⁶

Airline personnel from major airlines had been given computer-based training and printed materials on human trafficking indicators.⁵⁷ The training also covered safe and anonymous methods to alert federal law enforcement.⁵⁸ CBP has noted that possible indicators of human trafficking can include: physical control of travel documents of an adult traveler by a co-traveler; restricting the movement and social interaction of an adult

⁵² Alicia Wilson, *Using Commercial Driver Licensing Authority to Combat Human Trafficking Related Crimes*, 43 U. Mem L. Rev. 969, 971 (2013)

⁵³ *Id.*

⁵⁴ DOT Briefs, 1501 Aviation Reports WL 6623204 (C.C.H.), (2013)

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

traveler by a co-traveler; or an adult traveler who is unclear on his final destination or point of contact.⁵⁹

Determining the success of “Blue Lightning Initiative” has been difficult since the Department of Homeland Security has not shared data on how many tips are called in by flight attendants that result in a bust. Flight attendants have reported a few successful cases.⁶⁰ A flight attendant reported that, “Within a month, we had identified trafficking on four different flights . . . One of which led to the big Boston bust of a child trafficking ring that saved 86 kids.”⁶¹

Besides identifying and reporting human trafficking transportation networks, such as airlines, can also educate traffickers and the public that they do not tolerate being used for trafficking.⁶² COPA airlines, Panama’s flagship air carrier, has joined the Blue Heart Campaign against Human Trafficking. The Blue Heart Campaign led by United Nations Office on Drug and Crime (UNODC) is a symbol of solidarity with the many victims of human trafficking across the globe, will thus have a strong presence, encouraging involvement and inspiring action to combat human trafficking.⁶³ By placing the Blue Heart symbol next to its planes doors, COPA has become the latest private sector partner in raising awareness of the plight of victims of human trafficking while building support to fight the criminals behind it.⁶⁴ The hub of the Americas, a recently established

⁵⁹ *Id.*

⁶⁰ Mary O’Hara, *A New App Will Help Flight Attendants Report Human Trafficking*, (2015) <http://www.vice.com/read/flight-attendants-launch-app-to-track-human-trafficking-reports-789> (Last updated February 19, 2015).

⁶¹ *Id.*

⁶² *Copa Airlines Joins Blue Heart Campaign* (2015). <http://www.unodc.org/unodc/en/frontpage/2014/December/copa-airlines-joins-blue-heart-campaign.html> (Last updated February 26, 2015).

⁶³ *Id.*

⁶⁴ *Id.*

continental transport facility in Panama, is used by COPA to fly to 69 destinations in 30 countries across the region.⁶⁵ This will give the Blue heart campaign extended visibility, showing COPA's commitment to combatting human trafficking and serving as an important example of cooperation with the private sector.⁶⁶

Those in the transportation industry are uniquely positioned to observe possible human trafficking, making them aware of what potential trafficking looks like is an important first step in helping to eradicate it.

III. EDUCATING AT THE DESTINATION

At the destination, one method to combat trafficking is for States to educate law enforcement and the public.

A. Educating Law Enforcement Officials

Despite the hidden nature of human trafficking law enforcement are in a good position to uncover such cases since they are often associated with other crimes such as prostitution, domestic violence, and other similar crimes.⁶⁷ Educating law enforcement on identifying human trafficking can help combat the slavery, as law enforcement are better able to identify victims and help free victims. According to a recent study conducted by Northeastern University, "agencies with a special unit, protocols or training are 2 to 3 times more likely to identify cases of human trafficking than those without such preparations."⁶⁸

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ Jennifer Fisher, *Human Trafficking Law Enforcement Reference Guide* 35 (2009).

⁶⁸ The Action Group To End Human Trafficking and Modern-Day Slavery, *Recommendations for Fighting Human Trafficking in the United States and Abroad: Transition Report for the Next Presidential Administration* 24 (2008), available at <http://www.freetheslaves.net/Document.Doc?id=96>.

To uncover human trafficking cases law enforcement might need to readjust their typical view of who is a criminal and who is a victim.⁶⁹ This is especially true when the victim of trafficking is engaging in illegal activity such as prostitution, or when the victim is a foreign national without appropriate documentation.⁷⁰ Without the proper training, it is easy for a law enforcement agent to deal with the crime at hand rather than to investigate to find out that the “criminals” are actually the victims.⁷¹

Local law enforcement needs to be trained as to appropriate interviewing techniques to utilize with suspected victims of human trafficking, so that once a victim is identified, the law enforcement officer is prepared to properly interview the victim.⁷² Unlike victims of crime who are generally visibly excited to be rescued by law enforcement, the victims of human trafficking many times approach law enforcement with trepidation and suspicion.⁷³

Sometimes the traffickers will utilize law enforcement as part of their techniques to gain power over their victims.⁷⁴ For example, the trafficker will point to a passing police car and say that he is paying that police officer to watch the victims, or he will say that if the victim tries to run, the victim will be arrested because he or she is here illegally (this is especially effective if the trafficker has confiscated all of the victim's documents

⁶⁹ Michelle Rickert, *Through The Looking Glass: Finding and Freeing Modern-Day Slaves at the State level*, 4 Liberty U. L. Rev. 211, 278 (2010).

⁷⁰ Cynthia Shepherd Torg, *Human Trafficking Enforcement in the United States*, 14 Tul.J. Int'l & Comp. L. 503, 505 (2006) (stating that organized criminal groups involved in human trafficking threaten the rule of law).

⁷¹ Rickert, *supra* note 69 at 278.

⁷² *Id.*

⁷³ *Id.*

⁷⁴ Anthony M. DeStefano, *The War on Human Trafficking: U.S. Policy Assessed* xvii at 76 (2008).

upon the victim's arrival in the United States).⁷⁵ Many victims are from countries where the police forces are corrupt, so these threats may seem valid to the trafficked victim.⁷⁶ Additionally, if the victim is engaged in any illegal activity like prostitution, the victim may be worried that she would be arrested if she talked with police.⁷⁷ Finally, in the cases of sex trafficking and in other forced labor situations, sometimes the traffickers are part of organized crime or have powerful criminal influences in the origination country.⁷⁸ As part of the bondage, sometimes the trafficker will threaten family members in the United States or abroad if the victim speaks to police.⁷⁹ For all of these reasons, victims of sex trafficking need to be questioned differently than victims of other crime.⁸⁰

B. Educating the Public

Public awareness is key to helping end slavery in the United States. In many instances, the keen eye or ear of a Good Samaritan has brought a slave to freedom.⁸¹ Because modern-day slavery is hidden, it is important that those who might touch a slave's life be aware of the issues and understands the signs to look for to help determine whether a person has been trafficked.⁸² Some people who routinely have contact with trafficked victims are firefighters, postal delivery persons, health inspectors, nurses or doctors, cable television installers, and even the person who comes to read the electricity meter.⁸³ The warning signs to look for to determine whether further investigation is warranted are: [1] Is this person unable to move freely, or is [he or] she being watched or

⁷⁵ Rickert, *supra* note 69 at 279.

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ Torg, *supra* note 70 at 505.

⁷⁹ Fisher, *supra* note 67 at 22

⁸⁰ Rickert, *supra* note 69 at 279.

⁸¹ Rickert, *supra* note 69 at 280.

⁸² *Id.*

⁸³ *Id.* at 281.

followed? [2] Does [he or] she seem frightened to talk in the presence of others? [3] Does the person look to be of school age, but [he or] she is regularly seen working during school hours?[4] Are there signs of assault-bruises, cuts, bandages, limping? [5] Does [he or] she seem disoriented, confused, malnourished or frightened?⁸⁴

As part of public awareness, the public should be told to report any suspicious activity to the police or to a trafficking hotline for that state.⁸⁵

For many trafficked people, fear of being deported—and often a lack of understanding—prevents them from every self-identifying as victims.⁸⁶ Such fears are so prevalent that in 2012, US Citizenship and Immigration Services (USCIS) announced that most of the annual pool of 5,000 T visas available were going unused.⁸⁷ That year, only 557 were assigned.⁸⁸ If the victims are too fearful to come forward, educating the community to identify and report on human trafficking is a way to help stop human trafficking.⁸⁹

CONCLUSION

Because trafficking victims are too fearful to come forward proactive measures needed to be taken by governments to reach out to such victims. Governments can reach out to victims of trafficking by assisting those vulnerable to human trafficking to be economically self-sufficient, eliminating the reason why many victims wind up in slavery. Governments can also educate community members in identifying traffickers and valuing victims so that something can be done to stop the problem.

⁸⁴ *Id.* at 281

⁸⁵ *Id.*

⁸⁶ O' Hara, *Supra* note 60.

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ *Id.*

These victims, not only need to be economically self-sufficient, but they also need the support of their community in their endeavors to support themselves. Too often those vulnerable to trafficking are not raised to believe in their worth. A community that supports the value and self-sufficiency of those vulnerable to trafficking would assist in eliminating the supply of human trafficking victims, as victims no longer have to have such a drastic need to find anyway to survive.

Identifying and reporting traffickers and their victims in route to their destination would also help eliminate trafficking, as it would deter traffickers from using such routes. Such education should continue on to the countries that is the destination for many trafficking crimes. Law enforcement is one particular sect of the community that is well positioned in identifying human trafficking cases. Thus a 3-step process that educates at the 1) source, 2) in transit, and 3) at the destination of human trafficking is a useful way to eliminate human trafficking by getting the victims the support they need and not allowing for traffickers to get away with the crime.