Traffickers and trafficking.

Challenges in researching human traffickers and trafficking operations

2014

International Organization for Migration (IOM)

NEXUS Institute

This paper is part of the IOM and NEXUS Institute Human Trafficking Research Series. This publication was made possible through support provided by the United States Department of State, under the terms of Award No. S-SGTIP-09-GR-007. The opinions expressed herein are those of the author(s) and do not necessarily reflect the views of the United States Department of State or the International Organization for Migration.

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Rebecca Surtees

A research cooperation between IOM and NEXUS Institute

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Foreword

When I began my work against modern slavery in the 1990s, information about traffickers was almost completely anecdotal: a disturbing story here, a chilling partial account told there. In many countries that I visited, residents of communities and non-governmental organisations (NGOs) providing services to victims often seemed aware of the identities and residences of major traffickers in their midst who made their living from the extreme exploitation and servitude of people in their community or elsewhere. While driving between meetings in small towns in South East Europe and elsewhere I remember several occasions when NGO staff members pointed out a comparatively ostentatious house protected by high fences and dogs, saying: "that is where a big trafficker lives". NGO staff assisting trafficked women would describe gruesome things that traffickers did to these women.

I remember these accounts that were imparted in a hushed tone perhaps reflecting some fear but also defiance. It required a large measure of courage for NGO workers to provide care in the shadow of criminals who easily resorted to violent brutality while local officials and law enforcement, some of who were patrons or complicit in trafficking operations, did nothing. I remember these stories. I do not know precisely how much of these accounts from more than a decade ago were accurate, but they were shared with just enough detail and knowing conviction from serious, committed professionals who provided care for the few victims who escaped (there was less possibility of an organised rescue back then) to lend these stories the air of credibility.

Since that time substantially more official governmental resources have been dedicated to learning about the nature of human trafficking in countries around the world. But even now, while human traffickers enslave millions of people around the world, what is known by officials about the perpetrators of this serious crime and human rights violation remains rudimentary, fragmentary and relatively meager. To a large degree, we still rely a lot on the stories. There are just a lot more of them now that have been collected.

Why this is so and what can be done to improve our understanding of traffickers and their criminal organisations and operations form the heart of this report. The consequences of this failure are significant: anything less than a

comprehensive and sophisticated inquiry into traffickers and how they operate, using modern data and intelligence acquisition and analysis, undermines the possibility of understanding the nature of this phenomenon in its totality. This failure to construct a comprehensive understanding precludes more effective criminal justice responses and deterrence by law enforcement against traffickers in countries around the world. It leaves countless individuals vulnerable to trafficking that otherwise can be prevented.

This unsatisfactory state of affairs is not at all inevitable but it will require a correction in course. In this report, the NEXUS Institute (NEXUS) describes how severe shortcomings in understanding trafficking in persons are primarily attributable to the most prevalent approach to collecting data about human trafficking used by governments, researchers and others around the world. This approach places almost exclusive reliance on interviewing trafficking victims and acquiring accounts of their experiences. But, as this report reveals, basing our understanding of traffickers and trafficking operations almost solely on what victims observe is limited and therefore problematic. The limitations of beginning and ending research about traffickers and their criminal enterprises on victim accounts are examined here in some depth. Our report illuminates and analyses the limitations, biases, assumptions and other methodological issues that arise from this predominant approach.

While survivors of human trafficking are an extremely valuable source of information about their trafficking experiences, their ability to offer a comprehensive, overarching and detailed account of the traffickers, their organisation and the activities of their criminal enterprises are almost invariably quite limited. Because in many cases victims are only exposed to a portion of a larger criminal undertaking, a continuing overreliance on those who survive trafficking will perpetuate our partial and fragmented understanding of trafficking globally. Moreover, regularly settling for getting victims' accounts only to prosecute the trafficker immediately in front of us means that we miss the opportunity to have their accounts be the starting point for wider inquiries that fit into larger systematic data collection and pro-active investigations about traffickers and their organisations within countries and transnationally. In practice this means we rarely acquire enough information to connect the dots in order to convict the most powerful criminals involved and to dismantle the most pernicious criminal networks engaged in human trafficking.

In the end, NEXUS finds that there is a critical need for governments -- and especially the criminal justice arms of governments – as well as intergovernmental law enforcement agencies and researchers to revisit their strategies and methods to researching and investigating human trafficking. The new approach needs to more aggressively and systematically supplement the data that is currently acquired from victims of trafficking with in-depth practical evidence-based research about the traffickers themselves. Research in human trafficking

needs to develop new methods and sources in order to answer questions with significantly greater detail and precision about the range of criminal actors who are involved in trafficking incidences, the decision-making processes that drive traffickers, their strategies and methods for controlling victims, the different types of trafficking operations, how they intersect with other criminal activities, how they take place within local, national and global communities and economies, and how all of these vary from context to context, country to country, region to region in ways that inform and require targeted governmental responses.

With this report, the NEXUS Institute's Senior Researcher Rebecca Surtees illuminates specific ways to strengthen research about traffickers and their operations. Laura Johnson's work supporting the research and preparation of this report is very much appreciated by me as well.

The NEXUS Institute was created as the first think tank dedicated to addressing complex issues presented by human trafficking. Our research and policy work focuses on helping to provide the analytical basis to aid and support policy-makers and practitioners to end the impunity of the perpetrators of human trafficking and to protect and assist its victims. It is hoped that governments and others will consider the analysis presented in this report to help achieve our shared objectives to advance anti-trafficking work in important ways. I believe that if governments discuss and adopt the findings, guidance and recommendations contained in this report there will be significant and measurable improvements in advancing these objectives by obtaining a significantly better understanding of traffickers and trafficking operations.

The United States Department of State's Office to Monitor and Combat Trafficking in Persons has generously supported the preparation of this report and other in-depth field research and analysis by the NEXUS Institute and we are grateful for its commitment to supporting our longer-term research. This report was produced within the context of our research partnership with the International Organization for Migration (IOM). NEXUS has valued IOM's partnership and the body of work produced by this collaboration that has contributed to understanding the nature of modern slavery. Many at IOM -- including Richard Danziger, Sarah Craggs, Laurence Hart, Jonathan Martens and Ayima Okeeva -- have helped make our longstanding research partnership successful.

The extreme exploitation of men, women and children inflicted by traffickers around the world represents a spectrum of forms of coercion and brutality. The nature of the control exerted by one human being over another that is at the core of the concept of "human trafficking" – whether that slavery, servitude, forced labour or slavery-like conduct manifests in the form of sex trafficking or labour trafficking – makes it among the most disturbing and serious of criminal acts – as well as human rights violations -- confronting us today. Since I began working on these issues, a time before human trafficking was recognised globally as the

crime that it is today, there has been substantial progress in efforts to investigate and prosecute traffickers. This trend should – and must – continue to accelerate in the future. This report is offered to help lay the groundwork for transformative changes in how professionals and researchers who are responsible for collecting and analysing data about human trafficking develop the body of understanding and actionable knowledge about traffickers. In this way, we hope that this report will contribute to the future identification and conviction of traffickers and dismantling of trafficking operations to end modern slavery.

Stephen Charles Warnath
President, CEO & Founder
The NEXUS Institute

Acknowledgements

This research paper is part of a joint IOM/NEXUS Institute research series, which seeks to enhance the current knowledge base on human trafficking. The series also aims to assess various methods and approaches to trafficking research, in different settings and in response to different situations. The idea for the joint research project was conceived over a number of years of discussion and cooperation between IOM and NEXUS Institute. I would like to acknowledge the roles played by Richard Danziger, then Head of IOM's Counter Trafficking Division in Geneva (now IOM Chief of Mission and Special Envoy in Afghanistan) and Stephen Warnath, Founder, President and CEO of the NEXUS Institute in Washington, D.C. The paper (and the project more generally) are generously funded by the US Department of State Office to Monitor and Combat Trafficking in Persons (J/TIP).

This paper benefits from the expertise of a wide range of anti-trafficking and criminal justice experts, including lawyers, law enforcement representatives, service providers and researchers. Sincere thanks to all who agreed to be interviewed for the study and shared their expertise. Thanks are also due to the twenty-one trafficked persons from the Balkans and region of the former Soviet Union (FSU) who shared their experiences of participating in trafficking research and data collection, particularly in terms of providing information about traffickers and trafficking operations. Their experience, reflections and suggestions are an important part of this paper and provide insight into what might be done to enhance future research and data collection about traffickers and trafficking operations.

Inputs and suggestions of peer reviewers have greatly enhanced and strengthened this paper. Thanks are due to Dina Siegel (Professor of Criminology, Willem Pompe (Institute for Criminal Law and Criminology, Utrecht University, Netherlands), Anne Gallagher (Independent legal scholar) and Monika Smit (Head of Division Administration of Justice, Legislations and International and Aliens Affairs, Research and Documentation Centre, Ministry of Security and Justice, Netherlands).

Thanks are also due to staff from NEXUS Institute and IOM. Sarah Craggs (former researcher at IOM HQ, now Regional Migrant Assistance Specialist, IOM MENA Regional Office, Cairo) conducted the majority of the interviews for this paper, assisted in the literature review and reviewed and provided input into the paper. Anvar Serojitdinov (Project Officer, IOM Geneva) transcribed interviews and has been an important source of assistance throughout the project including in reviewing the report. In addition, Amanda Gould (Research and Data Analysis Specialist, IOM Geneva) and Jonathan Martens (Senior Migrant Assistance Specialist, IOM Geneva) provided helpful feedback into the paper. Lars Dabney (Legal Analyst and Project Manager, Warnath Group, LLC) and Laura S. Johnson (Research Associate, NEXUS Institute) both reviewed and provided inputs into the paper. Finally, my sincere thanks to Stephen Warnath, Founder and President of the NEXUS Institute, for his commitment to deepening an understanding of human trafficking through in-depth research and analysis. This report benefits from his substantial expertise.

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Executive summary

1. Introduction

Research on human traffickers (perpetrators of the crime of human trafficking) has, to date, been, broadly speaking, under-developed. While much research and literature exists about trafficking victims, far less is known about the persons responsible for their exploitation.

Understanding the behaviours, motivations and operations of perpetrators is vital in any effort to prevent and combat the crime of human trafficking. A clearer picture of how traffickers operate can be used in the development of criminal justice and social welfare responses to human trafficking – informing policies, strategies and interventions.

To date, much of what is known about trafficking and traffickers is drawn from information provided by trafficking victims, often those identified and assisted within the anti-trafficking assistance framework. In many ways trafficked persons are the key witnesses to events in the trafficking process, which means that there are substantial strengths to this type of victim-derived data. At the same time, there are some significant limitations to this type of information, which must also be made clear. This paper will discuss some of the fault lines involved in understanding traffickers and trafficking operations through the lens of trafficked persons and their individual trafficking experiences. These issues include:

1) Which trafficked persons are interviewed (and what these subgroups can reveal about traffickers and trafficking);
2) What type of information trafficking victims can provide;
3) What trafficking victims may not tell about traffickers (and why); and
4) Ethical issues related to some types of questions.

Improved understanding of traffickers and trafficking operations requires looking beyond the victim-based dataset to other information sources, including traffickers themselves, their behaviours and activities. The need to reorient attention away from trafficking victims as the primary data source on trafficking

is more than methodological. It is also an issue of perspective within the anti-trafficking field where an understanding and explanation of trafficking is derived largely (and sometimes exclusively) by considering the behaviours, actions and backgrounds of trafficking victims, to the exclusion of the perpetrators of the crime.

2. Research on traffickers and trafficking: Knowns and unknowns

Existing knowledge and gaps

It is a peculiar feature of trafficking research that so much emphasis is on trafficking victims, namely what victims reveal about traffickers and the trafficking process. This is commonly the case even amongst agencies and institutions whose mandate is criminal justice work and whose target group for research would, one might assume, include traffickers and their operations.

There are also biases within the scant dataset available about traffickers and trafficking operations. Because so much information is collected from trafficking victims who have been formally identified and assisted, there often exists an overall focus on sex trafficking and a geographical bias toward some regions. The result is that, in current anti-trafficking discourse and research, traffickers are often stereotypically imagined whereas their experiences and actions are diverse and their roles and decisions are varied and complex.

Definitions and parameters

A better understanding of traffickers and their behaviours requires a clear definition of who falls within this category. Research and data collection have, to date, often been imprecise in defining who is considered a trafficker and why. Sufficient distinction is not always made in research between the different roles in the process – i.e. recruiter, broker, document processor, transporter, controller, exploiter and so on. Often researchers, government officials, commentators and others refer to "traffickers" without clarifying whom precisely they are talking about. This imprecision creates or perpetuates confusion in understanding and discussing the identity and operations of these criminals. There is also inadequate attention to how these roles within trafficking operations differ from context to context, making universal definitions elusive.

3. What victims can tell us about traffickers and trafficking

Trafficking victims are key witnesses to the trafficking process. This means that there are critical strengths to victim-derived data and this dataset contributes substantially to an understanding of trafficking operations and persons involved in trafficking. Trafficked persons are uniquely positioned to provide information about those parts of the trafficking process to which they are exposed. This

includes details about the traffickers themselves (whether recruiters, brokers, transporters, controllers or exploiters) as well as the recruitment process, the means of transportation and trafficking routes, use of documents, exploitation sites, means of control and the like.

The above strengths notwithstanding, data derived from victims on various aspects of trafficking also has some critical weaknesses. Recognising these methodological and ethical issues is essential to a carefully derived reading and understanding this research and in moving forward constructively with future research. It is equally important to understand what trafficked persons can and cannot reveal about traffickers and trafficking operations.

4. What victims cannot (or will not) tell us about traffickers

While findings based on victims' information are valuable, they have limitations as a means of fully understanding traffickers and their activities. A critical question is what victims cannot (or will not) tell us about traffickers and their trafficking experience and why. Limitations in viewing human trafficking through the lens of trafficked persons and their experiences include:

1) Which trafficked persons are interviewed (and what these subgroups can reveal about traffickers and trafficking);
2) What type of information trafficking victims can provide;
3) What trafficking victims may not tell about trafficking (and why); and
4) Ethical issues related to some types of questions.

Appreciating these limitations is vital in understanding not only what victims can (and cannot) tell us about traffickers and trafficking activities but also in signalling what other information is needed to assemble a fuller and more carefully derived picture of the issue of human trafficking.

Which trafficked persons are interviewed (and what these subgroups can reveal about traffickers and trafficking)

For the most part, trafficking victims with whom researchers and service providers come into contact are those who have been formally identified and/or assisted. This means that information about traffickers comes from the experiences of this group and not from trafficked persons who have never been identified or who have been identified but, for one reason or another, have not been assisted. As a consequence, the information received about traffickers from this sub-group of victims will be specific to their experiences and will likely constitute knowledge of a specific subset of perpetrators and trafficking operations, just as it represents a specific subset of trafficked persons and their experiences and needs.

What type of information trafficking victims can (and cannot) provide

While victims will have information about their exploiters and various aspects of their trafficking process, they are not likely to have full or perhaps even systematic information about traffickers and their operations. Even in settings where trafficking is not as organised (or doesn't have organised criminal elements), victims will not necessarily have contact with the full range of actors involved in the process, most particularly high level strategists.

As a consequence, trafficked persons are likely able to provide only certain types of information and are generally unfamiliar with the intricacies of the trafficking operation.

What trafficking victims may not tell us about trafficking (and why)

To some extent the issue may be less about what victims can reveal about traffickers and more a function of what they feel safe and comfortable enough to reveal. When victims fear retribution or reprisals from traffickers (against themselves, their families, friends or other victims), they may be less likely to divulge reliable and useful information about recruiters, transporters and exploiters.

Victims are often severely traumatised or frightened as a consequence of trafficking. They may be psychologically, emotionally and physically exhausted and wish to put the trafficking experience behind them, at least initially (and sometimes permanently). As a result, many victims may not be able or willing to provide information about their traffickers and trafficking experience.

Victims may also be more open to talking about some individuals and actors involved in the trafficking process, as opposed to others. This influences what data is available and which pieces of the puzzle remain elusive.

Ethical issues related to some types of questions

Beyond methodological issues, researchers must assess some important ethical considerations, not least the stress and difficulty placed on trafficked persons when being interviewed about their trafficking experience and perhaps particularly their exploiters. Information from trafficking victims is often collected within the assistance framework and not uncommonly by service providers. This raises issues about the appropriateness of service providers collecting this information, not least in terms of the manner in which data is used. The blurring of the roles and boundaries between research and service provision can impact the data being collected and undermine feelings of comfort and trust between service providers and victims. This dynamic may be particularly acute when asking questions about traffickers. Many issues equally apply when researchers

conduct interviews with trafficked persons who are (or have been) supported within the anti-trafficking assistance framework.

5. Undertaking trafficker-centred research

While there is much that can be learned from data collected directly from victims, there are also some critical considerations in terms of what this dataset does (and does not) tells us. There are several important ethical, methodological and practical constraints to collecting information from trafficking victims, most particularly those being assisted. Relying primarily on trafficked victims to study traffickers involves substantial biases and selection effects, which influence our knowledge of traffickers, their behaviours, motivations and operations. It also contributes to a polarised and "black and white" picture of trafficking victims and traffickers when the reality is often far more complex. This dichotomy, which dominates public (and also professional) opinion is the result of the lack of active communication with traffickers and of research "from inside". In moving forward toward a better understanding of traffickers and their operations, new sources of information and new methods and approaches need to be discussed and explored.

This "other side" of trafficking—about traffickers and trafficking operations—is diverse and might involve studying any number of issues, in any number of local, national or international settings, each with their own methodological and ethical challenges. This might include recruitment practices, trafficking routes, traffickers' backgrounds, motivations and rationalisations, business operation and many other aspects. This "other side" might also include issues of consumers (who consumes trafficked labour and why and how this takes place), intersections between legal business enterprises and the (illegal) business of trafficking, corruption and how state actors might be seen as traffickers and so on.

In spite of the overall dearth of "trafficker-centred" empirical research, there are nonetheless several recent approaches that offer opportunities and entry points for research about traffickers and their operations. The choice of methods will be informed by the specific aspect of the trafficking process that is being considered and the details about traffickers and their operations that are being sought.

Criminal justice statistics, police files/investigations and court documents

Criminal justice data, including statistics, police investigations and court documents, is one important source of information. While official crime statistics do not always reflect actual levels of crime, they can provide helpful information in terms of the operation of the criminal justice systems, including what is working well and where there are needs for improvements. Police files and

investigations are a means of piecing together the trafficker side of the puzzle. Court transcripts, where legally accessible, can reveal a great deal about not only the individuals involved but also the case itself and its movement through the criminal justice system. Transcripts, through the testimony of witnesses and the accused, can also potentially yield descriptions of traffickers' lives, motivations and actions.

There are nonetheless methodological limitations with these datasets, some of which mirror limitations of victim centred data. For example, there are selection effects in terms of who comes into this data set—who gets arrested, charged and convicted and why. Further, trafficking, like many forms of serious crime, is under-reported, under-detected and, as a consequence, also under-investigated and under-prosecuted. The number of trafficking cases is also potentially deceptive and may reflect an under- or over-estimation of those that come into the criminal justice system. The functioning of a criminal justice system also informs data. Different information gathering tools, variable skills of criminal justice practitioners and the legal and policy framework can all play significant roles in what data is generated (and what this data reveals). Such selection effects inform what we know and understand about traffickers and their operation. All of this highlights the complicated, incomplete and yet valuable nature of criminal justice findings.

Research with traffickers

Little research has been done directly with traffickers, to understand human trafficking from the perspective of the individuals and organisations who are actively engaged in this crime. Yet there is much that can be learned from such primary research, including who traffickers are in different settings and markets, their roles and levels of engagement, how trafficking takes place, how it differs according to location, destination, and form of exploitation, traffickers' motivations, their relationships to the persons they exploit, how human trafficking operations fit within the broader market, their perceptions and feelings about their "work" and so on. Such information might be collected through a range of different methods, including conducting ethnographic studies, individual case studies, interviews, perpetrator surveys, life histories and so on.

The little research that has been done with traffickers presents helpful perspectives and, not infrequently, a picture which differs, at least in part, from that based on information from trafficking victims, law enforcement, service providers and other anti-trafficking professionals. For example, one element in a number of studies is how traffickers see and present their role in trafficking operations—for example, as facilitators in the migration process or businesspersons helping out prospective migrants.

Research with traffickers is nevertheless both difficult and complex. In many settings, the risk (to researcher and, potentially, also to respondents) must be

carefully weighed, particularly in locales where organised crime is prominent. To some extent, this may be a function of individuals to whom researchers have access (e.g. lower level traffickers) or the particular settings researched. Access to traffickers as respondents will also depend on what trafficking means in different contexts. In some settings (for example, the former Soviet Union or southeast Europe) trafficking operations may involve organised crime or criminal networks. In other regions (for example, southeast Asia) trafficking is often less organised and overlaps in significant ways with labour migration, both regular and irregular. As a result, recruiters and traffickers often have varying degrees of knowledge about, and complicity in, the trafficking process.

Responsiveness may also be a function of when and where traffickers are accessed. Interviewing traffickers when they are in custody is likely to affect what they are willing to talk about and how much they are willing to say. It may also influence the image they present of themselves, which may differ from data from other witnesses, police files or court documents. Careful thought is needed as to what information one collects from traffickers as well as in what contexts and why. Information shared will be influenced by the benefit and risks to respondents participating in the research.

There are also ethical considerations when researching traffickers, in terms of coming into contact with information that might help identify victims or in terms of observing and possibly even inadvertently participating in trafficking processes.

Nonetheless, it seems that there are indeed opportunities for collecting information directly from persons involved in various parts of the trafficking process. Such information will provide an essential expanding and filling-in of the current dataset derived largely from trafficking victims. Ultimately, this will help countries and institutions with the development of more effective laws, policies and practices targeting the criminals themselves.

6. Conclusion

Trafficked persons can certainly contribute to an understanding of traffickers and the trafficking process. However, the heavy reliance on victims of trafficking as the primary and even sole source of information is in need of adjustment. There are noteworthy limitations to this dataset, which need to be borne in mind not least in terms of what we can (and cannot) learn from victim derived data, as outlined above. These methodological and ethical issues have a direct impact on our understanding of the trafficking situation, which, in turn, influences our ability to respond effectively and efficiently.

While we should certainly continue to collect information from trafficked persons, this should not be the primary or only data that is relied upon in understanding traffickers and their operations. The over-reliance on data from

victims, sometimes to the exclusion of other sources, has skewed how we look at and understand trafficking. A great deal of focus has been placed on trafficking victims in efforts to address the crime of human trafficking, rather than on the perpetrators of the crime, whose actions and motivations should be the primary concern if combating it is our objective.

The need to reorient attention away from trafficking victims as the key data source on trafficking is more than a methodological one. It is also an issue of perspective within the anti-trafficking field. Some (and arguably many) stakeholders continue to attempt to understand and explain trafficking solely by considering the behaviours, actions and backgrounds of victims, to the exclusion of the perpetrators of the crime.

Recent data collection efforts and research studies provide useful indications of how research on traffickers can be improved and expanded. Drawing on criminal justice data sets as well as engaging directly with persons engaged in trafficking are both important approaches that have yielded significant results and information. While each method has limitations, they also afford an important insight into various aspects of the "other side" of trafficking. This makes clear that such research is not only possible, but essential to a thorough understanding of trafficking. It is imperative that anti-trafficking actors are equipped with detailed and up-to-date information about traffickers and their activities, including how different criminals and criminal organisations operate along the trafficking continuum. Only with this information will it be possible to design programmes and policies that will tackle this crime in an effective and strategic way.

This paper is part of a series of research papers being prepared jointly by IOM and the NEXUS Institute and funded by U.S. Department of State's Office to Monitor and Combat Trafficking in Persons (J/TIP). The overall objective of the thematic research series is to enhance the current knowledge base on human trafficking. The series also aims to assess various methods and approaches to trafficking research, in different settings and in response to different situations.

Key words

Trafficking research; labour trafficking; seafaring; fishing; Ukraine; victim identification; victim assistance; IOM human trafficking database.

1. Introduction[1]

Research on human traffickers (perpetrators of the crime of human trafficking) has, to date, been, broadly speaking, under-developed. While much research and literature exists about trafficking victims, far less is known about the persons responsible for their exploitation. Limited information is available about the various persons involved in the trafficking process (from recruiters to transporters, exploiters to "employers"); traffickers' motivations and decision making; the involvement and role of facilitators; strategies for controlling victims; mechanisms that facilitate or inhibit the trafficking process; different types of trafficking operations; how trafficking businesses operate within local, national and global economies; and a raft of other issues. Equally little is known about how traffickers' behaviours, motivations and activities differ from context to context, country to country and region to region. Most importantly, little is known in terms of what has (or has not) proven effective in combating and curbing their trafficking activities.

Understanding the behaviours, motivations, and operations of perpetrators is vital in any effort to prevent and combat the crime of human trafficking. Studies of perpetrators and their activities can shed light on who these traffickers are and the circumstances and opportunities out of which human trafficking arises. A clearer picture of how traffickers operate can be used in the development of criminal justice and social welfare responses to human trafficking – informing policies, strategies and interventions.

The importance of this type of information has been recognised by researchers and practitioners. A call for more and improved information about traffickers

[1] This paper is part of a research series undertaken jointly by IOM and the NEXUS Institute and funded by U.S. Department of State's Office to Monitor and Combat Trafficking in Persons (J/TIP). The overall objective is to augment and enhance the current knowledge base on human trafficking, including by drawing on IOM's database as a source of data in researching trafficking in different settings.

and the trafficking process has only increased over the years.[2] There is a small but growing body of research that focuses on traffickers and their trafficking activities. Yet despite the increasing recognition that more needs to be known about traffickers, too little attention has been given to developing concrete strategies and methods as to how this might concretely be done.

To date, much of what is known about trafficking and traffickers is drawn from information provided by trafficking victims, often those identified and assisted within the anti-trafficking assistance framework. This raises the important question of what victims (and more particularly identified and assisted trafficking victims) can tell us about human traffickers. In many ways, trafficked persons are key witnesses to events in the trafficking process. This means that there are some critical strengths to this type of victim-derived data and this dataset constitutes a substantial portion of our knowledge of the trafficking equation.

At the same time, there are significant limitations to this type of information in terms of (holistically) understanding traffickers and their operations. This paper will, therefore, discuss not only the strengths but also some of the fault lines involved in understanding traffickers through the lens of trafficked persons and their individual trafficking experiences. These issues include:

1) Which trafficked persons are interviewed (and what these subgroups can reveal about traffickers and trafficking);
2) What type of information trafficking victims can provide;
3) What trafficking victims may not tell about trafficking (and why); and
4) Ethical issues related to some types of questions.

Some of these issues are specific to information collected from trafficking victims generally, while others relate specifically to research conducted by service providers with their beneficiaries, as is the case with the IOM database. These methodological and ethical issues have a direct impact on an understanding the "other side" of the trafficking equation, which, in turn, influences the ability of policy makers and practitioners to respond effectively and efficiently.

[2] *See*, for example, Brunovskis, A. & Surtees, R. (2010) 'Untold stories: Biases and selection effects in research with victims of trafficking for sexual exploitation', *International Migration*, 48(4), 1-37; Cwikel, J. and Hoban, E. (2005) 'Trafficked Women Working in the Sex Industry: Study Design, Ethics and Methodology', *Journal of Sex Research*, 42(4), 306-16; Goodey, J. (2008) 'Human trafficking: Sketchy data and policy responses', *Criminology and Criminal Justice*, 8, 421-442; Hughes, D. (2008) 'Combating sex trafficking. A perpetrator focused approach', *University of St. Thomas Law Journal*, 6(1), 28-53; IOM, NEXUS & UNIAP (2011) *The State of Counter-Trafficking Research*, SIREN REPORT GMS 09; Kelly, L. (2002) *Journeys of jeopardy: a commentary on current research on trafficking in women and children for sexual exploitation in Europe*, Geneva: IOM Migrations Research Series; Nair, P. M. (2004) *A report on trafficking in women and children in India, 2002-2003,* Volume 1, New Delhi: National Human Rights Commission (NHRC), UNIFEM and Institute of Social Studies (ISS); Parmentier, S. (2010) 'Epilogue: human trafficking seen from the future', *European Journal of Criminology*, 7, 95-100; Shelley, L. (2010) *Human trafficking. A global perspective*, Cambridge: Cambridge University Press; Shelley, L. (2003) 'Trafficking in women: the business model approach', *The Brown Journal of World Affairs*, 10(1), 119-131; Shelley, L. (2000) 'Post Communist transitions and the illegal movement of people: Chinese smuggling and Russian trafficking in women', *Annals of scholarship*, 14(2), 71-84; and Surtees, R. (2008) 'Traffickers and trafficking in South and Eastern Europe: considering the other side of human trafficking', *European Journal of Criminology, Special issue on Organised Crime and Terrorism*, 5(1), 39-68.

The limitations explored in this paper make clear that an improved understanding of traffickers and trafficking operations requires looking beyond a victim-derived dataset to other information sources, including research with traffickers themselves. This paper concludes with a discussion of some recent research efforts on traffickers and trafficking, which signal potential ways forward in improving research on this significant human rights issue and crime. Recent data collection efforts and research studies provide useful indicators of how research on traffickers and their activities can be improved and expanded. Drawing on criminal justice data sets as well as engaging directly with persons involved in trafficking, are both valuable approaches. While each method has limitations, they also afford important insight into various aspects of the "other side" of human trafficking. These studies also make clear that such research is not only possible, but essential to a thorough and holistic understanding of trafficking.

The need to orient attention away from trafficking victims as the key (and sometimes exclusive) data source on trafficking is more than methodological. It is also an issue of perspective within the anti-trafficking field where an understanding and explanation of trafficking is derived largely (and sometimes exclusively) by considering the behaviours, actions and backgrounds of trafficking victims, to the exclusion of the perpetrators of the crime. There are also important lessons to be drawn by governments who sometime over-estimate the sufficiency of relying on victim data about the traffickers who operate within their respective countries. It is urgent that researchers contribute to strengthening and improving the evidence base on human traffickers and their operations, in order that future policies and practices have an enhanced empirical basis.

The paper is based on interviews with 23 anti-trafficking and criminal justice experts, including lawyers, law enforcement representatives, service providers and researchers. Respondents had experience working in Europe, North America, the former Soviet Union (FSU) region, Africa, Latin America and Asia. In addition, 21 trafficked persons from the Balkans and countries of the former Soviet Union (FSU) were interviewed about their experience of participating in trafficking research and data collection, particularly in terms of providing information about traffickers and trafficking operations. The IOM trafficking database[3] was also reviewed in terms of information related to human traffickers

[3] IOM's trafficking database collects single case data about assisted victims as a means of facilitating case management in the shorter term and facilitating data analysis for research purposes in the longer term. Data is collected with two distinct tools – a screening interview form and an assistance interview form. Screening interviews, undertaken upon first contact with the trafficked person, assess whether an individual was trafficked according to the definition provided in the Palermo Protocol and also their immediate protection needs. Assistance interviews, undertaken once the individual has accepted IOM assistance, document the victim's background, recruitment and transportation, trafficking experience and their assistance and/or re/integration needs, including what service are (and are not) provided. The IOM database encodes data about individual trafficking victims according to these standardised interview forms. This standardised data is further supplemented by qualitative data from interviews with trafficking victims, which allows for the documentation of details that fall outside of the standardised fields and adds depth to the information collected. Surtees, R. & Craggs, S. (2010) *Beneath the surface. Some methodological issues in trafficking research and data collection*, Geneva and Washington: IOM and NEXUS Institute, 23.

and the various stages of the trafficking process. Particular attention was paid to which fields comprised full or incomplete datasets, including high levels of non-responses. Relevant literature and research was also reviewed. The paper has been reviewed internally within NEXUS Institute and IOM as well as peer reviewed by prominent researchers who work on anti-trafficking within the criminal justice sector.

2. Research on traffickers and trafficking: Knowns and unknowns

Existing knowledge and gaps

Studies addressing perpetrators of human trafficking (and trafficking processes and operations) are still few and far between. Nevertheless a picture of human traffickers and trafficking operations exists within current anti-trafficking discourse. Traffickers are not uncommonly seen as part of highly organised and powerful criminal networks that span countries and regions and operate swiftly and fluidly.[4] This is the case in spite of limited data on the nature, characteristics and scope of trafficker networks and operations and in the face of empirical evidence that many traffickers – for example in parts of Asia – function more as small-time operators, drawing on personal and sometimes family relationships.[5]

There have been a number of explanations for the dearth of research on human traffickers. The most common is that trafficking is an illegal enterprise and that researching traffickers is a difficult and dangerous undertaking. Yet most social scientists acknowledge that research on other forms of organised crime, while difficult and problematic, has been undertaken with greater accuracy and confidence. And studies of other violent crimes—e.g. rape and domestic violence—involve research with both victims and perpetrators.

> It is a peculiar feature of trafficking research that so much emphasis is on trafficking victims, namely what they reveal about traffickers and the trafficking process. As one legal researcher observed:

[4] Sanghera notes that because the main instrument to deal with human trafficking (i.e. United Nation's *Protocol to Prevent, Suppress and Punish* Trafficking in Persons) is attached to the UN *Convention against Transnational Organized Crime,* this translates into the understanding that trafficking is perpetrated by organised crime. Sanghera, J. (2005) 'Unpacking the trafficking discourse' in K. Kempadoo (Ed.), *Trafficking and prostitution reconsidered: New perspectives on migration, sex work and human rights*, Boulder: Paradigm Publishers, 15.

[5] Asis, M. (2008) 'Human trafficking in East and South-east Asia: Searching for structural factors' in S. Cameron and E. Newman (Eds.), *Trafficking in Humans. Social, cultural and political dimensions*, Tokyo, Japan: United Nations University Press; Finckenauer, J. & Sckrock, J. (2001) *Human Trafficking: A Growing Criminal Market in the United States*, United States International Center: National Institute of Justice; Oude Breuil, et al. (2011) 'Human trafficking revisited: the legal, law enforcement and ethnographic narrative on sex trafficking to Western Europe', *Trends in Organized Crime*, 14 (1), 30-46; Sanghera, J. (2005) 'Unpacking the trafficking discourse'; and Vayrynen, R. (2003) *Illegal immigration, human trafficking and organized crime*, United Nations University and World Institute for Development Economics Research Discussion Paper No. 2003/72.

> Most of the information [on human trafficking] is generated from victims and that's unusual… If you look at drugs, for example, or similar types of criminal actions like that, the victims are invisible. And they're definitely not a source of information and insight into how a particular phenomenon, like drug trafficking, actually operates. Even if you get rid of the whole victim idea and replace "victim" with "small time drug courier", it's still not there. It's not how information is generated.

This is commonly the case even amongst agencies and institutions whose mandate is criminal justice work and whose target group for research would, one might assume, include traffickers and their operations. Consider, for example, the background paper on traffickers prepared by UNODC for one session of the UN GIFT conference in Vienna 2008, which, with few exceptions, draws on and summarises secondary data, primarily from trafficking victims.[6] Similarly, Europol's 2006 study on trafficking in women and children in the Balkans noted that law enforcement relies heavily on reporting from international organisations (IO) and non governmental organisations (NGO) working in this field, information which comes from victim-centred datasets rather than data collected from those involved in the trafficking process.[7]

There are also biases within the already scant dataset available about traffickers and trafficking operations. One aspect is that so much information is collected from trafficking victims who have been formally identified and assisted in anti-trafficking interventions, not trafficking victims who fall outside and potentially represent a different experience, including in terms of relations and experiences with traffickers. Another aspect is the overwhelming focus on sex trafficking in existing research, which has only begun to shift in recent years. This skews which traffickers and trafficking operations are being studied, which is especially striking given that research into labour trafficking may, in some settings (e.g. where recruitment and migration are arranged through job placement agencies, formal labour migration programmes, etc.), be "easier" to conduct.[8] Another issue is that more attention has been paid to regions like Europe and the former Soviet Union (FSU) and less to regions, like Asia, where trafficking is more opportunistic and generally not through (highly organised) criminal networks.

The result is that, in current anti-trafficking discourse and research, traffickers are often stereotypically imagined whereas their experiences and actions are diverse and their roles and decisions are varied and complex.[9] This diversity

[6] UNODC (2008) *Profiling traffickers*, Background Paper for the UN GIFT Vienna Forum to fight Human Trafficking, 13-15 February, Vienna, Austria.

[7] Europol (2006) *Trafficking of women and children for sexual exploitation in the EU: The involvement of Western Balkans organised crime*, The Hague, Netherlands: Europol.

[8] Some forms of labour trafficking may be more visible, less overtly criminal and more accessible to researchers – e.g. when trafficking occurs within the context of formal, legal labour migration. In such settings it has been possible to conduct interviews with recruiters, brokers, recruiting agencies and labour migration companies who in such countries form part of the trafficking chain.

[9] van der Pijl et al. (2011) 'Is there such a thing as "global sex trafficking"? A patchwork tale on useful (mis) understandings', *Crime, Law and Social Change*, 56 (5), 568; Oude Breuile et al. (2011) 'Human trafficking revisited'; and Surtees, R. (2008) 'Traffickers and trafficking in South and Eastern Europe'.

is certainly the case across countries and regions but also within a particular setting and context of exploitation.[10]

Definitions and parameters

A better understanding of traffickers and their behaviours requires a clear definition of who falls within this category. Research and data collection have, to date, often been imprecise in defining who is considered a trafficker and why. Sufficient distinction is not always made in research between the different roles in the process – i.e. recruiter, broker, document processor, transporter, controller, exploiter and so on. Often researchers, government officials, commentators and others refer to "traffickers" without clarifying whom precisely they are talking about. This imprecision creates or perpetuates confusion in understanding and discussing the identity and operations of these criminals. There is also inadequate attention to how these roles within trafficking operations differ from context to context, making universal definitions elusive.

While the definition of trafficking in the United Nation's *Protocol to Prevent, Suppress and Punish Trafficking in Persons*[11] helps to frame who might be considered a trafficker, implementing such a definition is not so straightforward. There are various ways in which individuals can be involved in the trafficking process. For example, consider the explanation of the scope of the Protocol's definition outlined in UNOHCHR's *Recommended Principles and Guidelines on Human Rights and Human Trafficking*:

> …recruiters; transporters; those who exercise control over trafficked persons; those who transfer and/or maintain trafficked persons in exploitative situations; those involved in related crimes; and those who profit either directly or indirectly from trafficking, its component acts and related offences.

[10] For instance, researchers in Norway found that for Nigerian women, including trafficking victims, exploitation in street prostitution was organised differently than for others working in the same sector. The women appeared to move relatively freely between countries in Europe as long as they kept paying their debts. The trafficker, usually a ''madam'', would not necessarily be in the same country, but would receive payments via bank or wire transfer. Skilbrei, M.L., Tveit, M. & Brunovskis, A. (2006) *African dreams on European streets*, Fafo report 525, Oslo: Fafo Institute and Skilbrei, M.L. & Tveit, M. (2007) *Facing return. Perceptions of repatriation among Nigerian women in prostitution in Norway*, Fafo report 2007:01, Oslo: Fafo Institute. This differed from Bulgarian women in the same prostitution arena in the same period, many of whom appeared to be under constant surveillance by men in cars parked close by. Brunovskis, A. & Surtees, R. (2010) 'Untold stories', 10.

[11] The Protocol defines trafficking as: "the recruitment, transportation, transfer, harbour or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception or of abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation". Exploitation includes forced labour, sexual services and slavery-like conditions. United Nations (2000) *Protocol to Prevent, Suppress and Punish Trafficking in Persons*, NY: UN General Assembly. The protocol is one of the three protocols which supplement the UN Convention on Transnational Organized Crime, adopted by the UN General Assembly on November 15, 2000. United Nations (2000*) Convention on Transnational Organized Crime*, NY: UN General Assembly.

And yet when faced with the reality on the ground (and the different realities across communities, countries and regions) this broad framework is not entirely helpful. One legal researcher outlined the limitations as follows:

"Trafficker" is a huge category covering the most enormous range of individuals and actors and without clear categorisations between them… We say "recruiter", "transporter", "exploiter"…but we know very well that the recruiter and the transporter are not necessarily traffickers… And the exploiter who is a trafficker is also a lot of other things. It's not just that the rapist is a rapist. You know, they're brothel owners and owners of illegal businesses. I think there is a category difference that makes it much harder to grab onto the counterpoint of trafficking victims.

In different national and cultural settings, traffickers may be individual entrepreneurs, small "mom and pop" operations or sophisticated, organised rings. They may be "opportunistic amateurs" who are nudged into trafficking by economic crisis and/or greed; they may be criminal organisations that make their profits by trading in persons as well as other "commodities".[12] Moreover, where trafficking takes place in ways that involve family or community members, differences exist in terms of who can or should be considered a "trafficker". Depending upon the context, particular actions and behaviours might need to be understood differently.

There are also actors on the periphery of trafficking who may (or may not) be categorised as traffickers – for example, lawyers, tax consultants, financiers or investors, accountants, employment agencies, procurers or recruiters, document forgers, guides or travel companions, visa/passport/border officials, corrupt public officials, taxi drivers, railway/bus authorities and employees, labour contractors, nightclub owners, restaurant owners, brothel operators, owners and managers of sex establishments and so on.[13] One research study of traffickers in Israel, for example, included not only those who have been convicted of trafficking but also related verdicts, such as pimping. The study also included other interlocutors in the sex industry, which are very broad, such as cashiers, drivers, bouncers and other links in the chain.[14] Moreover, some institutions or organisations may use (and misuse) definitions differently, which complicates the picture of traffickers and trafficking that gets drawn.

[12] Asis, M. (2008) 'Human trafficking in East and South-east Asia'; Busch-Armendariz et al. (2009) *Understanding Human Trafficking: Development of Typologies of Traffickers*, Austin: Institute on Domestic Violence and Sexual Assault, Center for Social Work Research School of Social Work, University of Texas; Feingold, D. (2010) 'Trafficking in numbers: the social construction of human trafficking data' in P. Andreas & K. Greenhill (Eds.), *Sex, drugs and body counts*, Ithaca: Cornell UP; Finckenauer, J. & Sckrock, J. (2001) *Human Trafficking: A Growing Criminal Market*, 2; Oude Breuil et al. (2011) 'Human trafficking revisited'; Sanghera, J. (2005) 'Unpacking the trafficking discourse'; Vayrynen, R. (2003) *Illegal immigration*; Williams, P. (2007) 'Trafficking in women: The role of transnational organised crime' in Cameron & Newman (Eds.), *Trafficking in humans: Social, cultural and political dimensions*, United Nations University Press, 136; and Zhang, S. & Ko Lin Chin (2001) 'Chinese Human Smuggling in the United States of America', *Forum on Crime and Society*, 1(2), 31-52.

[13] Nair, P. M. (2004) *A report on trafficking in women and children in India*, 12-13.

[14] Levenkron, N. (2007) *"Another delivery from Tashkent". Profile of the Israel Trafficker*, Israel: Hotline for Migrant Workers, 14-15.

The issue of definitions becomes further complicated when considering issues such as intent and whether different actors have knowledge of their involvement in what turns out to be trafficking. How involved does an individual have to be to be labelled a "trafficker"? What determines their status as trafficker?

The overall point is that clear definitions and parameters are essential to any effort to collect meaningful, reliable and comparable data on human traffickers and human trafficking operations. So too are clear definitions and parameters for other individuals in the trafficking process, including recruiters, facilitators, transporters, document processors, controllers, employers and exploiters. Sound research also demands an understanding of when, if or how their actions and roles intersect sufficiently to be considered "trafficking". For example, most countries now have anti-trafficking laws that criminalise a range of conduct. A useful starting point would be to identify as "traffickers" persons engaging in that proscribed conduct. A recruiter who lacked the intention to exploit would not fall within those provisions. The specifics of who is (and is not) a trafficker should be defined in each individual research project. Other terms that constitute part of the trafficking process also require greater clarity. For instance, the term "exploitation" demands more attention: who determines what constitutes exploitation and when/whether trafficked persons always experience it as such. Greater conceptual and definitional clarity will be of enormous assistance to future research efforts.[15]

[15] An important effort in this direction is a recent initiative, at the request of State Parties to the Palermo Protocol, to examine unclear or problematic concepts contained in the international legal definition of trafficking. The first study examines the concept of "abuse of a position of vulnerability". *See* Gallagher, A. (2012) *Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons*, Vienna: UNODC. It is anticipated that future studies will examine concepts such as "consent", "harbouring" and "exploitation".

3. What victims can tell us about traffickers and trafficking

Existing knowledge and gaps

Trafficking victims are key witnesses to the trafficking process. This means that there are critical strengths to victim-derived data and this dataset contributes substantially to an understanding of trafficking operations and persons involved in perpetrating human trafficking. Trafficked persons are uniquely positioned to provide information about those parts of the trafficking process to which they are exposed. This includes details about human traffickers themselves (whether recruiters, brokers, transporters, controllers or exploiters) as well as the recruitment process, transportation means and routes, use of documents, exploitation sites, means of control and the like.[16]

About recruitment and recruiters. In terms of recruitment, victims may have information about their recruiter (e.g. name or alias, sex, age, nationality, area/country of origin), at least in cases where recruiters are known to them.[17] When recruiters are from victims' communities, they may be privy to even more personal and detailed information. Trafficked persons may also reveal details about recruitment—for example, how they were recruited, what individuals or agencies were involved, what work or arrangement was offered, what country they were to work in and so on.[18] During fieldwork in Ukraine we found that many trafficked persons had been recruited through formal job placement agencies and provided not only details about individual brokers, but also names of agencies, office addresses and phone numbers. Many came to the interview

[16] *See* Surtees, R. (2008) 'Traffickers and trafficking in South and Eastern Europe', 46-9. This type of information is collected in the IOM database and also by some NGOs working with trafficked persons. National databases managed by governments often also include such information.

[17] Of 17,140 cases in the IOM CTM database, 34% of victims knew the recruiter – as a family member, friend or other contact. In 1699 cases (approximately 10% of the cases in the database) there is information on either the role, sex or nationality of those involved in the trafficking process. Of these cases, information exists on 3432 persons involved in the trafficking process (in some cases, multiple people were involved in the process). For persons listed as involved in the trafficking process, detail is available about their role in 99.8% of the cases, about sex in 96% of the cases and about nationality in 82% of the cases.

[18] Surtees, R. (2009) *Anti-trafficking data collection & information management in the EU – a handbook*, Vienna: ICMPD, 80 and Surtees, R. (2008) 'Traffickers and trafficking in South and Eastern Europe', 44-46, 50-52.

with had copies of contracts and agreements signed with these agencies.[19] Similarly, one service provider working in Asia explained how information collected from victims allowed for the creation of a database of unreliable or untrustworthy firms, which was then shared with the Ministry of Labour, the national body responsible for regulating those firms.[20]

About transportation and movement. Victims may also be able to provide information about the transportation process, including how they were transported (e.g. bus, car, plane, train, on foot), if and how they crossed borders, the use of legal and illegal crossing points when exiting and entering countries, whether they traveled alone or were accompanied, the use of legal or falsified documents (e.g. while crossing borders, at destination countries, within their origin country), the countries they passed through *en route* and so on.[21] In some situations and for some victims, information about transportation may be less stressful to divulge than others aspects of their trafficking experience. One law enforcement officer made the following observation based on his investigation work in Africa:

> [Trafficked persons are] more willing to disclose routes. The routes are not something that you can take someone to court for… They would share that information because it is not seen as criminal. They can tell you about the airlines that they travelled on because it is far less personal. Any of that information that doesn't actually allow for the identification of a person. They can tell you about hotels because you can't really hold a hotel accountable for who stayed in it. They will tell you about transportation systems – the taxi they used from the airport as there are a hundred taxis with the same name. That kind of stuff was relatively easy [to collect]... More often than not, the quality of the information [on these topics] was better from victims than from the traffickers.[22]

[19] Craggs, S. & Surtees, R. (2014) *Trafficked for work. Ukrainians exploited in the construction industry*, Geneva and Washington: IOM and NEXUS Institute; Surtees, R. (2012*) Trafficked at sea. The exploitation of Ukrainian seafarers and fishers*, Geneva and Washington: IOM and NEXUS Institute. This was also the case amongst Cambodian fishers trafficked to South Africa. Surtees, R. (2014) *In African waters. The trafficking of Cambodian fishers in South Africa,* Geneva: IOM & Washington: NEXUS Institute.

[20] This may differ in cases of trafficking for sexual exploitation where criminal elements may be involved and where activities are more covert and victims more fearful.

[21] The IOM database includes information about various aspects of transportation. Because some trafficking victims are moved multiple times through multiple methods, there are often multiple entries in the database for one victim. That is, while there are 17,140 cases in the database, there are 27,882 entries under transportation. In terms of the specific fields for this issue, 42 % of cases contain information about the means of transport, 16% have information about whether an official border crossing was used, 72% of cases include information about whether the person was alone or accompanied and 52% of cases included information about whether they used their own documents.

[22] That being said, research on irregular migration found some respondents unwilling to discuss routes and transportation because divulging too much can have a negative impact on prospective migrants. Brunovskis, A. & Bjerkan, L. (2008) *Research with Irregular Migrants in Norway. Methodological and Ethical Challenges and Emerging Research Agendas*, FOU Report, Oslo, Norway: Norwegian Directorate of Immigration. To the extent that trafficked persons see their initial migration as voluntary (and many do), they may be reticent to "ruin it" for others.

Information about movement and transportation may reveal when and how trafficking takes place with the appearance of legality and may also potentially flag the involvement of other actors (e.g. government authorities capable of providing false or falsified documents, criminal syndicates providing a degree of organisation and co-ordination). Where victims cross borders without documents or by using false or falsified documents, this may indicate corruption by border officials. Whether trafficking victims were accompanied or not during transportation—either by traffickers/facilitators or by other victims—can signal the presence and role of persons involved in the transportation process, the nature of the network involved and their *modus operandi*.[23]

About trafficking exploitation and exit. Trafficked persons can also reveal a great deal about their exploitation—e.g. where they were exploited and for what purpose(s); living and working conditions while trafficked; the use of control and freedom of movement; perpetration of violence and abuse; the presence of other victims still in abusive situations; the (in)ability to earn, save or remit money while trafficked; sites of exploitation in a country or community; lengths of time exploited; and so on.[24] Victims can also provide information about how they left their trafficking situation (including whether they escaped, were released, assisted to leave, freed by a raid); the means by which they were (or were not) identified as trafficked; the process by which they returned home (or remained abroad); and what issues they faced upon return home, including debt incurred, fear of their trafficker and so on. This can be helpful in terms of determining where and how identification can take place, what services may be needed post trafficking and any obstacles in their reintegration.[25]

Overall, trafficked persons may offer a range of information about traffickers and the trafficking process. The use of this information can yield important research findings, while also orienting research toward more fruitful and relevant lines of inquiry. As one legal researcher noted:

> Let's say that you have been looking in this country at this particular type of offender or offender network when in fact the victim data are suggesting that you need to look more at family networks or stranger networks or business relationships.

The above strengths notwithstanding, data derived from trafficking victims on various aspects of the trafficking process also has some critical weaknesses. Recognising these methodological and ethical issues is essential to a carefully derived reading and understanding of this research and in moving forward constructively with future research. It is equally important to understand what trafficked persons can (and cannot) reveal about human traffickers and trafficking operations.

[23] Surtees, R. (2009) *Anti-trafficking data collection,* 82-83 and Surtees, R. (2008) 'Traffickers and trafficking in South and Eastern Europe', 52-53.
[24] Surtees, R. (2008) 'Traffickers and trafficking in South and Eastern Europe', 55-61.
[25] Surtees, R. (2009) *Anti-trafficking data collection*, 84.

4. What victims cannot (or will not) tell us about traffickers

While findings based on information from trafficking victims are valuable, they have limitations as a means of fully understanding human traffickers and their activities. A critical question is what victims cannot (or will not) tell us about their traffickers and their trafficking experience and why. One legal researcher observed that there is a range of factors that influence what trafficked persons divulge about their trafficking experience:

> There are so many dynamics that can influence what trafficking victims may disclose. I do not think that this devalues the data but it does mean that there are so many warnings that would presumably have to go with the reliability of what the trafficking victim says.

The following sections discuss some limitations of viewing human trafficking primarily through the lens of trafficked persons and their experiences. These include:

1) Which trafficked persons are interviewed (and what these subgroups can reveal about traffickers and trafficking);
2) What type of information trafficking victims can (and cannot) provide;
3) What trafficking victims may not tell about trafficking (and why); and
4) Ethical issues related to some types of questions.

Some issues are specific to information collected from assisted (or formerly assisted) trafficking victims, the most prevalent source of information in research on human trafficking. These issues are also, to some extent, focused on research conducted by researchers working through service providers or research conducted by service providers about their beneficiaries (e.g. as is the case with the IOM database), as this is a common approach in much trafficking research. That being said, many issues are equally relevant for independent researchers accessing trafficked persons in other ways. Appreciating these limitations is vital to understanding not only what victims can (and cannot) tell us about traffickers and trafficking but also in signalling what other information is needed to assemble a fuller, more complete and more carefully derived picture of human trafficking.

Which trafficked persons are interviewed (and what these subgroups can reveal about traffickers and trafficking)

For the most part, trafficking victims with whom researchers (and service providers conducting research/data collection) come into contact are those who have been formally identified and/or assisted. This means that information about traffickers and trafficking comes from the experiences of this group and not from trafficked persons generally – i.e. those who have never been identified or who have been identified but, for one reason or another, have not been assisted.[26]

As a consequence, the information received about human traffickers and trafficking from this sub-group of victims will likely constitute knowledge of a specific subset of perpetrators and trafficking operations. For example, some victims decline assistance because they wish to return home to live with their families.[27] It may be that these victims are able to return home because they are less at risk from their traffickers in their home communities, whereas victims who opt to stay in a shelter or seek assistance of some sort may feel more at risk in their community, where traffickers may live or know how to find them. To the extent that this is the case, it will influence which traffickers we learn about and the information will represent specific characteristics and behaviours – e.g. those who use violence and threats, live in close vicinity to victims, are family members of the victim or the like. Similarly, if trafficking victims are more likely to come into the assistance framework when they lack a healthy family environment, we may find that the perpetrators who have exploited this group will be more likely to have used promises of marriage or similar "lover-boy" approaches or that family members have been involved in their exploitation. If victims who are identified by law enforcement are more likely to have been subject to extreme levels of abuse and violence (making their case more identifiable and a priority to law enforcement), then the perpetrators may represent a more violent and exploitative mode of operation then amongst victims who have not sought assistance or whose cases have not caught the attention of the authorities.

[26] Many trafficking victims are never identified—for example, because of poor identification processes, limited capacity of anti-trafficking professionals, lack of understanding that they have been trafficked, or because of a conscious decision to avoid identification. Many trafficking victims who are identified are never assisted—for example, those who decline to be labelled as "trafficked", persons who are unsatisfied with the assistance available or people who do not wish to return home. Brunovskis, A. & Surtees, R. (2010) 'Untold stories'; Surtees, R. & Craggs, S. (2010) *Beneath the surface*; and Surtees, R. (2013) 'Another side of the story. Challenges in research with unidentified and unassisted trafficking victims' in S. Yea & P. Kitiarsa (Eds.), *Forcing Issues: Rethinking and Rescaling Human Trafficking in the Asia-Pacific Region*, London: Routledge. Different factors—e.g. education, geographical location, and social networks—may play a role in the ability to access or accept assistance. Brunovskis, A. & Surtees, R. (2010) 'Untold stories'; Brunovskis, A. and Surtees, R. (2007) *Leaving the past behind? When trafficking victims decline assistance*, Oslo and Vienna: Fafo Institute and Nexus Institute; Tyldum, G. & Brunovski, A. (2005) 'Describing the unobserved: methodological challenges in empirical studies on human trafficking', *International Migration, special issue on data research on human trafficking, a global survey*, 43(1/2), 25; and Tyldum, G. et l. (2005) *Taking stock: a review of the existing research on trafficking for sexual exploitation*, Oslo, Norway: Fafo, 29. Trafficking victims with good family relationships may be more likely to return home than to accept assistance; victims with problematic family backgrounds may be overrepresented because they are less eager or unable to return home. Brunovskis, A. and Surtees, R. (2007) *Leaving the past behind?*, 150-151.

[27] For a discussion of why some trafficking victims decline assistance, please *see* Brunovskis, A. and Surtees, R. (2007) *Leaving the past behind?*.

Characteristics of human traffickers and their operations are also likely to differ from context to context. In some settings, trafficking is managed through organised crime (and different levels/types of organised crime) as compared to environments where trafficking is smaller scale, less organised and opportunistic, what might be described as "disorganised crime".[28] Perpetrators and *modus operandi* may also differ when comparing different forms of exploitation – e.g. sexual exploitation or forced labour. Further, victims identified when back home and away from their place of exploitation may disclose more about their traffickers due to this spatial (as well as temporal) distance.

What type of information trafficking victims can (and cannot) provide

While victims will have information about their exploiters and various aspects of their trafficking process, they are not likely to have full or perhaps even systematic information about traffickers and their operations. A numbers of respondents – legal researchers and law enforcement officers alike – noted this limitation:

> The trafficking victims only see part of the picture. They often know very little about the entire trafficking ring.

* * *

> We are trying to find out what is actually happening out there and then obviously relying only on trafficking victims is compromising in many ways… They are not likely to have anywhere near a full picture. They might not actually be reliable for all different kinds of reasons.

* * *

> … many who we would consider traffickers, who would fall within the legal definition of trafficking, are outside of the sight range of victims.

Victims are generally only able to provide information about lower-level and frontline actors involved directly in their exploitation, such as recruiters, transporters and exploiters. Higher-level managers or financiers of criminal networks, who may have less (or no) contact with actual trafficked persons, may remain outside the victim's line of vision, as one legal expert explained:

> The trafficking victim does not necessarily know all of the traffickers that are dealing with the issues and the people around are just people on [the trafficker's] payroll. She will always see that person

[28] Feingold, D. (2010) 'Trafficking in numbers'.

> and will think that he is her trafficker when, in fact, he isn't. In a big organisation you don't have the trafficker or the boss doing the dirty work. He will be far away, coordinating.

Even in settings where trafficking is not as organised (or doesn't have organised criminal elements), victims will not necessarily have contact with the full range of actors involved in the process, most particularly managers or high level strategists.

As a consequence, trafficked persons are likely able to provide only certain types of information and are generally unfamiliar with the intricacies of the trafficking operation. As one criminal justice researcher explained:

> Information about how the individual trafficker relates to the group or the network or the micro level or perhaps even the international or transnational level cannot be highlighted by information [from trafficking victims]. So, for example, we can have a large amount of information about the ethnicity and sex of the trafficker and whether the trafficker is somebody's co-offender. But the kind of relationship between co-offenders within a trafficking network is difficult to establish from this kind of dataset.

Essentially, victims will only be able to reveal what they have been permitted to know, which may be quite limited, particularly if victims do not have a shared language with their traffickers. Victims may not always have accurate information about recruiters' or traffickers' lives, even when the trafficker is technically known to them. One legal researcher made this point:

> "I do not think [victims] would be able to tell you the full background of a human trafficker unless they got to know their trafficker pretty well".

Further, camouflaging their real identity is a strategy used by traffickers to evade law enforcement and the extent to which traffickers reveal personal information to trafficking victims can vary considerably. Moreover, any information about an individual "trafficker" is not likely to offer a comprehensive picture of all persons and activities involved in the different stages and activities of their exploitation.[29]

What victims can perhaps most accurately reveal is what they themselves have experienced – for example, in terms of their own recruitment, transportation within and through various countries, how and where they were exploited and so on – as one researcher observed:

[29] Surtees, R. (2009) *Anti-trafficking data collection* and Surtees, R. (2007) *Handbook on anti-trafficking data collection in SE Europe: developing regional criteria,* Vienna: ICMPD.

> If you want information on things that trafficking victims know about or only things that trafficking victims would know about, that are directly relevant to them, they're the perfect source to go to.

While cumulatively this may yield useful conclusions (that is, combining information from many trafficking victims can reveal general patterns), it is less clear how these pieces fit into the overall picture of trafficking operations and the traffickers who are involved in these. Moreover, even this information may be limited. How transportation takes place – for example, where and whether borders are crossed legally, authorities are bribed, documents are legal or falsified – may not always be clear, particularly when trafficked persons did not handle their own documents or communicate directly with authorities or where there are language barriers. Similarly, victims kept in closed or isolated environments – for example, in a brothel, a factory or a rural farm – will generally be unable to provide specific details about the location of their exploitation.

Information about transportation and routes may be less reliable when collected from victims who have moved a great deal while trafficked, as one service provider in the Balkans explained of her experience in collecting data from victims:

> ...I was asking who was the first person [who trafficked you], at what [border] point, with what kind of means [of transportation]. But sometimes they have done so many types of movement, with so many different people, that it is even difficult to give this [information]. There are some cases where this is in [the dataset] but in some cases it is really very complicated to collect.

Other difficulties may arise due to victims' differing perceptions of those involved in trafficking. Women recruited with promises of marriage may face difficulty in labelling their "husband" as their "trafficker". Similarly, individuals who have sought to migrate may not see their original recruiters or brokers as traffickers in league with those involved in their exploitation. One law enforcement officer explained that, in his experience, different persons involved in trafficking were often perceived quite differently:

> I think it goes without saying that victims of trafficking, in the course of their experience, will develop relationships and some of them are survival relationships that you have to form to make it. I think it would be fairly easy to understand in that context that once they get out of the trafficking experience they would tend to minimise the role played by certain actors against other actors... You tend to treat more generously people who have been or who you perceive to have been friendlier to you. And you are more negative and demonising of those who haven't.

The category and significance assigned to the various actors in the trafficking process may also differ from person to person. As one law enforcement officer noted, victims may focus on later stages of exploitation because they are not always certain of the complicity of some people in their trafficking, particularly at recruitment:

> It might be that they will talk about the exploiter, the supervisor, the manager, the abuser. [They may focus] on the place and time of the exploitation because, in the victim's mind, they are the only people that they are sure actually have been involved… with the requisite level of criminal intent.

Moreover, trafficked persons may not sift the different actors involved in trafficking into various (and consistent) categories. It is also unlikely that their categories will be consistent with a researchers', as one lawyer explained:

> I cannot really think of a case when, in the end, it is very clear to the trafficking victim who was the recruiter, who was the trafficker, who was the harbourer. For them, there is no such difference, at least not with those names.

At a general level, there is a wide range of activities within the trafficking process about which victims are less likely to have information. These include details of the business arrangement between actors, the network/structure of the organisation, all (or even any) of the persons involved, profits earned, how earnings are laundered/held/used, what other businesses and individuals (legal or illegal) have contact with the traffickers and involvement of authorities outside those with whom they have had direct contact.

Not all victims will be able to provide the same level of reliable detail. Each will be privy to different types of information, depending on their individual experience and relationship to exploiters. A woman who is used to control or inform on others trafficked into prostitution will likely have more knowledge about the trafficking operation and persons directly in contact with the business. Trafficked labourers in a work crew will likely know less about recruitment and work arrangements than the work crew supervisor who organised the work crew but was also trafficked.

Additionally, it is worth considering to what extent information from victims will shed light on traffickers and their operations in a meaningful and strategic way. That is to say, simply because we can collect some types of information doesn't mean that it is valuable for research (or at least not the *most* valuable). One criminologist explained this as follows:

> ...the strengths and the weaknesses are going to depend on the purpose of a particular analysis of offender data.... some data that victims provide might be very good for providing basic descriptive information or even information that can be used for investigative purposes. But, for other purposes, the data provided might be less useful.

Finally, the impact and trauma of trafficking may mean that some trafficking victims forget or repress information, which raises questions about reliability. It also raises questions about the ethics of pursuing such research information (at least at some stages post-trafficking) when it may have the potential to precipitate trauma or to undermine the victims' recovery from trafficking. This is of particular relevance when data is collected in the framework of service provision by assistance organisations whose primary role is to assist and protect trafficked persons (but who are often additionally tasked with data collection).

What trafficking victims may not tell us about trafficking (and why)

To some extent the issue may be less about what victims *can* reveal about traffickers and more a function of what they feel safe and comfortable to reveal. Disclosure is influenced by various issues including: fear and safety; being stressed and traumatised; pre-existing relationships to the trafficker; the different actors involved in trafficking; social and cultural barriers; and time, distance and trust.

Fear and safety. When trafficking victims fear retribution or reprisals from traffickers (against themselves, their families, friends or other trafficking victims), they may be less likely to divulge reliable and useful information about traffickers and trafficking.[30] One legal expert noted some victims' reactions to providing information about their traffickers, particularly those within their social environment:

> You would not want to condemn your own family member and you are afraid to denounce a significant member in your village community. You do not want to say too much because part of the recruitment network involves corrupt police and so on. There are going to be so many potential dynamics to skew what trafficking victims reveal.

Some victims may also have been instructed, possibly under threat, not to reveal anything about their traffickers and trafficking experience. They may even have been provided with a "cover story". One law enforcement representative

[30] A study in Germany found that trafficked person's willingness to make a statement to the police was influenced by factors including offender strategies, such as the threat of force, violence, isolation, control and punishment. Helfferich, C. et al. (2011) 'Determinants of the willingness to make a statement of victims of human trafficking for the purpose of sexual exploitation in the triangle offender–police–victim', *Trends in Organized Crime*, March, 6.

explained how in one case he'd been involved in investigating, all victims told the same story:

> Normally we find that "friend" comes out [as the recruiter] and they will give you the first name of a friend and that's it. We interviewed over 90 maybe 120 women and I would say 60% all named the same friend in [their home country]. And it wasn't even a real person. I eventually met women who were briefed to use that name because it causes confusion in terms of intelligence gathering for law enforcement. It was a similar syndicate that always brought women but they constantly used the same name. Even if we identified different syndicates we were thinking that there was one key person in terms of women trafficking outside of [that country] and creating this kind of fake gang of traffickers […] When we got that kind of information we realised that the first thing we needed to learn was how much control those people had over the trafficking victims that were in front of us.

Sticking to a cover story may be more common when victims feel under threat (at home or abroad) or when they feel complicit and fear that they may face prosecution or deportation (i.e. they were actively involved in irregular migration, sought out the brokers, worked/stayed irregularly abroad). When they do not trust authorities (e.g. to not return them to their traffickers, to provide adequate protection when they do provide information, or when they think they have been implicated or involved in their trafficking), they are unlikely to talk openly about their traffickers. In addition, victims may be less willing to talk if the trafficker is a known criminal or someone "powerful" (or at least powerful in their family and/or community).

Stressed and traumatised. Victims are often severely traumatised or frightened as a consequence of trafficking. They may be psychologically, emotionally and physically exhausted and wish to put the trafficking experience behind them, at least initially (and sometimes permanently).[31] As a result, many victims may not be able or willing to provide information about their traffickers and trafficking experience. As one service provider explained of interviewing trafficking victims receiving assistance, many feel great reluctance and fear about providing information that might implicate their trafficker:

[31] Brunovskis, A. and Surtees, R. (2007) *Leaving the past behind?*; Craggs, S. & Martens, R. (2010) *International Migration Law N°24 – Rights, Residence, Rehabilitation: A Comparative Study Assessing Residence Options for Trafficked Persons*, Geneva: IOM; Kelly, L. (2002) *Journeys of jeopardy: a commentary on current research on trafficking in women and children for sexual exploitation in Europe*, Geneva: IOM Migrations Research Series; Surtees, R. (2008) 'Traffickers and trafficking in South and Eastern Europe'; and Zimmerman, C. et al. (2006) *Stolen Smiles: the physical and psychological health consequences of women and adolescents trafficked to Europe*, London, UK: London School of Hygiene and Tropical Medicine.

> ...we need to explain with a lot of clarity that the objective is to gather information on the trafficking process and that includes information on the trafficker or traffickers. Then we need to consider that the victim needs to understand that the information that we are gathering will be used for research and data purposes only. And that is sometimes very difficult for them to understand [and trust].

Relationship to the trafficker. When traffickers are intimates in the lives of victims (e.g. a family member, friend or community member) this may further hinder their willingness to reveal information. They may wish to protect the trafficker, be fearful of betraying a family member or be fearful of what informing on a family member would mean in their day-to-day lives. As two different service providers explained:

> Maybe they want to protect the trafficker – be it a family member or a close relative or a boyfriend or a husband or a friend – and so we never will know if they are telling the truth or not. When we ask the same question at different moments or different people ask the same question, sometimes we get different answers.

* * *

> You have people who basically say: "This is what happened to me… but I really don't know who it was. I only saw him once. I think he had a red car". But when you look at it, she knew this person very well, practically part of the family… This trafficker was a relative or a family friend. And she thinks, by giving full information about this person who is well known to her and her family, how will this impact her? How will this affect her daily life? She might also think that she hasn't the resources to pack and disappear.

Limited disclosure may also occur when a victim has feelings for the trafficker (e.g. sees him as a boyfriend, feels grateful or dependent). In a past study on trafficking in the Balkans, one victim explained how she informed on her trafficker but felt regret and guilt as he had always been "kind" to her.[32] Other respondents – law enforcement officers and service providers alike – also highlighted the role of personal relationships in decisions around disclosure, as illustrated in the following quotes:

> Yes, she was trafficked… But maybe after one year, two years, six months, she also thinks: "Yeah, he was what he was and I don't want to incriminate him and, on the other hand, I asked for this. And he did also at times treat me well". Sometimes when people are trapped, they start sympathising with whoever controlled them.

[32] Brunovskis, A. and Surtees, R. (2007) *Leaving the past behind?*. On this point *see also* Helfferich, C. et al. (2011) 'Determinants', 7.

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> I've met with trafficked women that actually paint very rosy pictures about some of the people inside the clubs, like security guards. I've been told that the security guy was such a nice guy... They are willing to talk about the taxi driver that never complains. They talk about landlords that were nice or the nice neighbours that greeted them... But the ones that hurt them the most are the ones that they speak about the least. And they are most likely the higher level people inside a trafficking situation.

Different actors involved in trafficking. Victims may also be more open to talking about some individuals and actors involved in the trafficking process, as opposed to others. This influences what data is available and which pieces of the puzzle remain elusive. Some may be particularly disinclined to talk about the period of exploitation, as one service provider explained of her experience of data collection amongst programme beneficiaries:

> They do not like to give too much information about the people who participated in their exploitation. They feel a lot more comfortable speaking about recruitment. They may feel that that period of the trafficking process was lighter, softer. They think that the time with their recruiter was happy, that there were good offers, good prospects for the future. Obviously they are offering them whatever they want to hear and so they feel a lot more of comfortable in the process… I think it is obvious that the exploitation part, the trafficker who actually executed the exploitation, who took the money or who forced the victim to do whatever the exploitation implied, they are not that comfortable speaking about that period of time.

Some trafficked persons may reveal information about certain individuals who were more difficult or aggressive and less about those with whom they had "positive" interactions, as one police officer explained:

> [One victim] refused to disclose one woman's role because this woman was the only one who allowed them to keep their tips when the clients had given them extra.

The type of exploitation may also influence what victims may (or may not) reveal, with victims of labour trafficking sometimes more likely to disclose their experiences, as one service provider explained:

> Most victims that [our organisation] rescued abroad were victims of forced labour... And the process with them was much easier. They very easily talked about the traffickers. They disclosed information

on where they were, how they were brought abroad, how they ran away from the traffickers.

Social and cultural dynamics. There may also be social or cultural barriers to what information victims will reveal about their trafficker and the exploitation they perpetrated. In countries where prostitution is socially stigmatised and trafficking victims are routinely blamed for their forced involvement in prostitution, victims may not talk about their trafficker because ultimately they themselves will be blamed and stigmatised. As one service provider explained, trafficking victims must assess the implications of disclosure in their home setting:

> …If I do go back home, people around me might say: "Why did you talk about John? He is such a good guy. What is wrong with you? You are just a prostitute". It depends what culture you are from.

Social and cultural dynamics may also mean that victims do not always perceive their experience as exploitation or their trafficker as someone who has exploited them. For many victims, their "trafficker" is someone who provided them with an opportunity to migrate and work, as opposed to someone who set out to exploit or abuse them. One service provider in South America explained this perception amongst assisted trafficking victims whom he had worked with:

> In one case of ten or twelve [South American] victims in the [Caribbean], they came back to [this country] and they said that they saw nothing wrong and they could not understand why the trafficker went to jail... They were very defensive and sometimes even aggressive because they thought that we had done harm to somebody that had done very good things for them. They actually saw the trafficker as their uncle or as their godfather and so it was difficult for them to speak about the detail. They had intimacy with the trafficker even though these victims had [been through] a long process with a psychologist, with a social worker and they had already explained to them that it was a crime that had been committed against them.

Some empirical studies have found that some trafficked women do not identify themselves as victims, particularly when this implies being an innocent and passive individual. Decisions to "migrate" were often well considered and women felt responsible for their own choices and actions, regardless of the outcome.[33] Moreover, a stark victim/perpetrator dichotomy does not always correspond

[33] Brunovskis, A. & Surtees, R. (2008) 'Agency or illness – the conceptualization of trafficking: victims' choices and behaviors in the assistance system', *Gender, Technology and Development*, 12(1), 53–76; Brunovskis, A. and Surtees, R. (2007) *Leaving the past behind?*; Davies, J. (2009*) 'My name is not Natasha'. How Albanian Women in France use trafficking to overcome social exclusion (1998–2001)*, Amsterdam: Amsterdam University Press; Oude Breuil et al. (2011) 'Human trafficking revisited', 40; and Siegel, D. (2005) 'Recent trends in women trafficking and voluntary prostitution: Russian-speaking sex-workers in the Netherlands' in J. Albanese (Ed.), *Transnational Crime*, Canada: de Sitter Publications.

to the more complex realities in which the lives and actions of victims and perpetrators are intertwined and not necessarily (or exclusively) as opponents.[34]

Time, distance and trust. What victims reveal about trafficking and traffickers may also, in some cases, be a function of time and distance. When sufficient time has passed – e.g. to have processed their experience or no longer fear reprisals from traffickers – it may be more feasible to collect this type of information. Even when violence is not used, victims may still feel reluctant to talk about their experience in the initial stages after leaving a trafficking experience, as one legal researcher observed:

> ... once they feel safe and the system is put behind them, so to speak, they may be willing to give you a lot of information about their perceptions.

Similarly, distance—for example, being away from the site of exploitation, in a country where they may feel safer or in a capital city away from their home community—may create sufficient space for victims to open up about their traffickers. Conversely, victims may be more reluctant to talk in cases where they will be coming into contact with their trafficker again, such as when returning home, as one service provider explained:

> Once victims were back in their communities, they felt very unsafe and uncomfortable talking about it and they wished not to disclose any information. My personal opinion is that happens because of the way that particular network operated. They would certainly feel unsafe back in their communities because they were sure that the people who recruited them and transported them were still living in their communities.

Willingness to speak may also be a function of individual vulnerabilities and experience. In the case of children trafficked in one African country, it required both time and distance from the trafficker and trafficking situation before a child felt safe enough to speak openly about their experience, as one service provider involved in data collection explained:

> What we do is that we bring [the children] to the centre... Then the social workers there, from the government agencies, interview them and fill the form to get a proper story about what happened to them... After one month we interview them again to compare

[34] For example, some victims and traffickers are in intimate relationships. *See* Brunovskis, A. and Surtees, R. (2007) *Leaving the past behind?* and Oude Breuil et al. (2011) 'Human trafficking revisited', 41. In other cases, some victims become perpetrators or facilitators by taking an active role at some point in the trafficking process. *See* Oude Breuil et al. (2011) 'Human trafficking revisited', 41; Skilbrei M.L. & Tveit, M. (2008) 'Defining trafficking through empirical work: Blurred boundaries and their consequences', *Gender, Technology and Development*, 12(1), 9–30; Surtees, R. (2008) 'Traffickers and trafficking in South and Eastern Europe'; and Surtees, R. (2005) *Second annual report on victims of trafficking in South-Eastern Europe*, Geneva: International Organization for Migration and the Regional Clearing Point.

> their stories. At the end of the day, that's how we establish the main issues involved. We might have one story from the child at the point of rescue; one from the child during his stay in the centre; and then another one when he has stayed there for some time… The stories change.

This may also be a result of increasing trust between the victim and the interviewer. A number of service providers explained that, in their experience, information collected at the initial stages of assistance, when trust is weak or lacking, can potentially be unreliable and partial, as illustrated below.

> At the beginning, many of them are not telling the truth because they have not established a trusting relationship with the professionals. I remember one woman who I was assisting who, at the beginning, told me: "My mom is dead, my father is dead, I'm living alone". And for two or three weeks I was doing my assessment and planning assuming that they are dead... Later she trusted me, she was more confident and felt that there were people that assisted and would not damage her. Then she told the truth: "My parents are alive but I was afraid because I did not want to go back to them"... It's not that they like to manipulate. They perceive that it is better for them like this.

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> Many of them will take a bit of time to talk and even after they have been given a bit of time, they won't give all [the information]. They will basically measure what they say because they are scared of what can be leaked out or they do not trust.

To some extent disclosure may also be informed by who is asking the questions and why. Trafficking victims may reveal different (or different degrees) of information to an independent researcher as compared to a service provider collecting data, based on their perception of what is in their best interest. It is not entirely obvious how these different roles enhance or inhibit disclosure. In some cases, the "distance" and "neutrality" of an independent researcher may enhance what victims reveal; in other cases, the relationship of trust with a service provider may lead to greater disclosure.

It may, therefore, be significant to consider whether victims are more likely to talk about the different roles played by traffickers (e.g. recruiter, transporter, exploiter) at different points over time (e.g. after exit, while receiving assistance, while still in the country or exploitation, or after returning home) and in relation to different situations and relationships and to, in turn, make explicit any implications for data collection and data quality.

Ethical issues related to some types of questions

Beyond methodological issues, there are also some important ethical considerations for researchers to consider, not least the stress and difficulty placed on trafficked persons when being interviewed about their trafficking experience and perhaps particularly about their exploiters. As noted above, information from trafficking victims is often collected within the assistance framework and not uncommonly by service providers themselves in the context of service provision. This is the case with the IOM database and is also true of other data collection tools, both by NGOs and increasingly for government databases.[35] As has been discussed elsewhere, the blurring of the roles and boundaries between research and service provision can impact the data being collected and undermine feelings of comfort, safety and trust between service providers and victims/respondents.[36] This dynamic may be particularly acute when asking questions about traffickers. While much of the discussion below focuses on research and data collection in the framework of victim assistance, many issues equally apply when researchers conduct interviews with trafficked persons who are (or have been) supported within the anti-trafficking assistance framework.

Stress and anxiety. At a basic level, asking about traffickers can be nerve wracking and stressful for victims—they may not understand or appreciate why such questions are being asked or what the information will be used for, even when this has been explained to them. Some may fear that their traffickers will find out that they have shared information about them. Others may be concerned that in sharing the information, they might have to testify in court. Still others have been hurt by their traffickers, making the discussion an emotional and painful one. Service providers in particular stressed this issue of stress and anxiety in speaking about these experiences and the perpetrators:

> One thing that does make trafficking victims [we interview] uncomfortable is talking about their traffickers. It takes a lot to make them talk about their traffickers when they have been seduced. Because they feel betrayed and it hurts them.
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> * * *
>
> The moment we said the word "court", they stopped us right there [….] There is just this absolute fear of being killed. The fear of being told: "I will kill you if you ever speak to the police, if you ever go to court"… They have that look that says: "Nothing you say can change my mind about telling you what I know about this person". That's

[35] IOM's data protection framework for handling trafficking data stipulates that no personal or disaggregated information can be passed on to third parties, including criminal justice entities, without the explicit consent of the trafficked person being assisted by IOM.

[36] Surtees, R. & Craggs, S. (2010) *Beneath the surface*, 47-49.

> the part that makes us stop asking further questions. There is such a fear and we don't understand this fear.

* * *

> The victim is not very willing [to talk about the trafficker]. It is the way that we would obviously feel after being a victim of any type of a crime. They do not want to speak. They are very afraid. They are very worried about who they are providing information about, what they are going to do to them….

For these reasons, many service providers are reluctant to collect information about traffickers for data/research purposes and some refuse to do so.[37] One established service provider explained how this had been a contentious issue with the government which, in its efforts to collect trafficking data, required trafficking victims to provide information about their traffickers:

> For those of us working on assistance, we insisted, especially with the national coordinator [and the other government body], that we should not gather information about traffickers, things dealing with the penal side, rather than the assistance side. At the beginning we were under pressure from [the government] to gather that kind of information. It was a big discussion. We insisted that first, this is not our duty and second it's too much even for us, to deal with the cases and to interview them about traffickers.

Another service provider explained her experience of and feelings about interviewing trafficking victims on such topics:

> I think that it is actually very difficult for the interviewer to ask questions about the trafficker, especially for a victim of sexual exploitation, because the questions may involve very private answers which relate to her daily life, how she was treated by the trafficker, how the trafficker spoke to her, very crude details about the physical abuse, about the psychological abuse. You notice immediately in the victim's face that there is concern, a reminder of very vivid and very explicit scenes […] You, as an interviewer, feel that you are being abusive, that you are maybe going beyond what is necessary, if the information that you are gathering will actually help the victims in their recovery or will it be something negative that effects the victim in her recovery and coping with the situation in general.

[37] That being said, some trafficked persons may wish to relay information about their traffickers if they feel this information can help others as well as in pursuit of justice.

Compromising trust. At least part of this reluctance is due to concern on the part of service providers that asking about traffickers may potentially compromise the trust that victims have placed in them. It may also stem from fear of the questions' effect on victims' physical and psychological state. Service providers also worried about the impact of data collection on their ability to undertake their primary role in providing assistance, as one service provider explained:

> What we agreed with the social workers is that we should support them first. When we do the interview we must emphasise that this is all for helping them and to avoid questions that make them think that we are curious or questions that they find suspicious and think: "Why are they asking me this?"

Instead, a number of service providers advocated for only minimal data to be collected from victims on their traffickers, to avoid re-victimisation and repeat interviewing on traumatic aspects of their exploitation (in those cases where the victim may also have spoken with law enforcement):

> The information that is asked about traffickers [by our organisation] is very, very basic and I think it is important to keep it that way. It is not necessary to know all the detail of the traffickers. And they are not all willing to give that information.

* * *

> Sometimes the questions go beyond the necessary and, in our staff trainings, we tell those who will be doing interviews not to go any further than what is necessary. There are maybe questions that even harm the victim.

Mission and mandate. There is also the pragmatic perspective that research and data collection within any organisation or institution should be consistent with its mission and mandate. The role of services providers is to assist trafficking victims, not to learn about traffickers. While they may cooperate with law enforcement, they are not focused on this aspect of the trafficking issues nor are they mandated to contribute to law enforcement intelligence gathering.

A number of years ago, IOM headquarters developed a criminal intelligence module, to collect targeted and detailed information about traffickers and the trafficking process beyond elements already included in IOM's screening process. The tool was not generally well received when it was handed over to IOM country offices because of a perceived blurring of roles and boundaries as well as the potential risk to staff and the organisation should they become a repository of criminal intelligence. As an IOM staff member explained:

> In my personal opinion I do not see why IOM should be involved [in collecting information about traffickers]. How can its mandate go so far as to enable IOM to be collecting such information?

Many field staff refused to ask questions on criminal intelligence and the tool was eventually abandoned. Staff were instead provided with an opportunity to capture information on more basic criteria (e.g. on the trafficker(s) sex, nationality, *modus operandi* and so on) where disclosed voluntarily by the victim.

An associated concern for service provision organisations, like IOM, was the security of victims who might be perceived to have divulged information about their traffickers and for staff as the collectors and holders of this highly sensitive data. This poses particular issues in countries with major corruption issues, as one respondent explained:

> Some of the staff were very concerned that the police would become more and more assertive and want more and more information [about traffickers].

Further, a number of governments rely solely or almost exclusively on data collected by NGOs for their understanding of human trafficking within their borders (including on traffickers and trafficking operations), rather than performing this function themselves and/or funding independent research. As such, the relationship between these governments and NGOs (which are also generally assistance providers) is important to recognise, particularly in terms of determining where the boundaries lie and how this influences information and data.

5. Undertaking trafficker-centred research

As discussed above, while there is much that can be learned from data collected directly from trafficking victims, there are also some critical considerations in terms of what this dataset does (and does not) tells us. The point is not that data about traffickers cannot (or should not) be collected from victims. It is that there are several important ethical, methodological and practical constraints to (often exclusively) collecting information from trafficking victims, most particularly those being assisted. Relying primarily on trafficking victims to study traffickers involves substantial biases and selection effects, which influence our knowledge of traffickers as well as our understanding of their behaviours, motivations and operations. It also contributes to a very polarised and "black and white" picture of trafficking victims and traffickers when the reality is often far more complex and diverse.[38] This dichotomy, which dominates public (and also professional) opinion is the result of the lack of active communication with traffickers and of research "from inside". In moving toward a better understanding of traffickers and their operations, new sources of information and new methods and approaches need to be discussed and explored. So how do we move forward?

To a large extent this remains an open question and an important area for discussion and exploration. This "other side" of trafficking—about traffickers and trafficking operations—is diverse and might involve studying any number of issues, in any number of local, national or international settings, each with their own methodological and ethical challenges. This might include recruitment practices; trafficking routes; traffickers' backgrounds, motivations and rationalisations; business operation; or many other aspects. Beyond traffickers and trafficking, researching this "other side" might also include issues of consumers (who consumes trafficked labour and why and how this takes place); intersections between legal business enterprises and the (illegal) business of trafficking; corruption and how state actors might be seen as traffickers; and so on.

In spite of the overall dearth of "trafficker-centred" empirical research, there are nonetheless several studies and approaches that offer opportunities and suggestions for conducting research about traffickers and their operations. The

[38] For example, Oude Breuil et al. note the stereotypical image of trafficking as being characterised by at least three clearly recognisable and easily definable parties: the innocent and helpless victim, the powerful, evil, octopus-like trafficker's organisation and the good willed but rather impotent law enforcer. Oude Breuil et al. (2011) 'Human trafficking revisited', 39.

choice of methods should be informed by the specific aspect of the trafficking process that is being considered and the details about traffickers and their operations that is sought.[39]

Criminal justice statistics, police files/investigations and court documents

Criminal justice data, including statistics, police investigations and court documents, is one important source of information. While official crime statistics do not always reflect actual levels of crime, they can provide helpful information in terms of the operation of the criminal justice systems, including what is working well and where there are needs for improvements.[40] As one legal researcher explained:

> ... it's important to know how many prosecutions and how many convictions [take place], how many of the officially recognised trafficking victims got their [formal] status which protects them.

Police files and investigations are a means of piecing together the trafficker side of the puzzle. At an anti-trafficking conference in Vienna in 2008, a police officer presented a single (but detailed) investigation of women trafficked for sexual exploitation from an African country into the EU. In this case, the sources of information included wiretaps, phone conversations, interviews with various suspects, police surveillance, and, to a limited degree, information from victims. The picture that emerged from these different sources was highly detailed, complex and more comprehensive than what would have been collected from interviews with trafficked women alone.

Court transcripts, where legally accessible, can reveal a great deal about not only the individuals involved, but also the case itself and its movement through the criminal justice system. The report "*Another Delivery from Tashkent"*[41] illustrates the depth and breadth of information that can be drawn from this data source. The study provides intimate detail about traffickers, including family links and family or partner involvement in trafficking; typology of women traffickers (who, why and how); attitudes and behaviours of traffickers to women; criminal and economic backgrounds; and so forth. Researchers accessed published and unpublished verdicts of the Israeli district court (five hundred different court proceedings regarding sex trafficking, involving the activities of 325 traffickers and their accomplices) and were able to interview police officers who had been involved in trafficking cases and were privy to the proceedings of the

[39] The examples presented in the following discussion should not be considered exhaustive of all research that focuses on traffickers and their operations. Rather, here we present a sample of studies and approaches that offer opportunities and suggestions for conducting and developing trafficker-centred research.

[40] Governments are increasingly collecting and analysing criminal justice data as part of their efforts to monitor and report on trafficking within their countries. There have also been some national and regional data collection initiatives that attempt to collect criminal justice information.

[41] *See* Levenkron, N. (2007) *"Another delivery from Tashkent"* for the full study.

parliamentary investigating committee, in which traffickers presented their accounts.

Transcripts, through the testimony of witnesses and the accused, can also potentially yield descriptions of traffickers' lives, motivations and actions, as one criminal justice researcher who has used such data sources explained:

> There is very interesting and important information in court cases that cannot always be found in published verdicts and other published documents. Mainly documents that are used by the traffickers in the punishment stage, after conviction. These often include a written report by a probation officer that gives an account of the trafficker's life and only a small part of this, if any, will finally find its way to the published verdict. In some cases, I found fascinating information, for example, about a small business… that the trafficker ran and which went bankrupt before he became a trafficker; a very sick child that the trafficker claimed to have cared for and was the reason he turned to crime and more.

Similar information was used in a study conducted in Texas, USA, *Understanding human trafficking: Development of typologies of traffickers*.[42] This study was based on analysis of 46 prosecuted cases related to human trafficking as well as in-depth interviews with local, state and federal investigators and prosecutors who had worked on human trafficking cases. Researchers examined cases according to set variables to construct a typology, including traffickers' demographics, victims' demographics, the nature of victimisation, recruitment methods, trafficking operations and methods of control and coercion.

Women who traffic women: the role of women in human trafficking networks-Dutch cases, a study of women traffickers in the Netherlands, collected data from 89 court files in various Dutch courts between 2006-2007.[43] The study analysed the role, tasks and activities of these women, including assessing their independence, their tasks/roles and the extent of their equality in relationships with male traffickers. The study suggests that whereas women are frequently portrayed as victims (and men as offenders), women can also fulfil active, even leading, roles in human trafficking networks. The authors documented three categories of women traffickers in the Dutch context – i.e. as supporters, partners-in-crime and madams – and a variety of possible roles within the framework of human trafficking activities. They also concluded that African madams hold key positions in international human trafficking networks.

[42] *See* Busch-Armendariz et al. (2009) *Understanding Human Trafficking* for the full study.

[43] For the full study *see* Siegel, D. & de Blank, S. (2010) 'Women who traffic women: the role of women in human trafficking networks-Dutch cases', *Global Crime*, 11(4), 436-447.

The organisation of human trafficking. A study of criminal involvement in sexual exploitation in Sweden, Finland and Estonia[44] examines the organisation and structure of trafficking networks in the three countries. The study used a combination of criminal justice datasets (e.g. court verdicts and pre-trial investigations) and interviews with 53 different actors knowledgeable about human trafficking (including government representatives, law enforcement, NGOs and social services) and criminal actors and facilitators (such as taxi drivers and hotel staff). Findings include different types of recruitment and procurement, with smaller networks recruiting among a circle of friends or on the street and more highly skilled organisations using the Internet for marketing and exploiting women in apartment brothels or through escort services. The study also describes the different criminal organisations working in this sector – from small to medium and larger scale operations – noting the differences in their strategies and approaches.

Analysis of Some Highly-Structured Networks of Human Smuggling and Trafficking from Albania and Bulgaria to Belgium[45] used closed judiciary files to examine 30 large-scale networks that were active in human smuggling and trafficking from Albania and Bulgaria to Belgium between 1995 and 2003. The result was the identification of three profiles of networks, based on their use of structural and operational intermediary structures. These are called the "individual infiltration" and the "structural infiltration" human smuggling patterns and the "violent-control prostitution" trafficking pattern. Another key finding was that the business was organised in ways so as not to incriminate persons involved in providing logistical support during the trafficking and smuggling process.

There are nonetheless methodological limitations with these datasets, some of which mirror limitations identified with respect to victims of trafficking. For example, there are selection effects in terms of who comes into this data set—i.e. who gets arrested, charged and convicted and why. Further, trafficking, like many forms of serious crime, is under-reported, under-detected and, as a consequence, also under-investigated and under-prosecuted. This is compounded by the fact that many trafficking victims do not know where to report their abuse, do not trust authorities, fear reprisals from their traffickers and/or are concerned about their illegal immigration status in a country.[46]

The number of trafficking cases is also potentially deceptive and may reflect an under- or over-estimation of those that come into the criminal justice system. Underestimations may result from trafficking cases being reclassified as lesser

[44] BRA (2008) *The organisation of human trafficking. A study of criminal involvement in sexual exploitation in Sweden, Finland and Estonia*, Stockholm, Sweden: Swedish National Council for Crime Prevention.

[45] For the full study *see* Leman, J. & Janssens, S. (2006) 'An analysis of some highly structured networks of human smuggling and trafficking from Albania and Bulgaria to Belgium', *Migracijske i etnicke teme*, 22(3), 231–245.

[46] *See* Goodey, J. (2008) 'Human trafficking: Sketchy data and policy responses', *Criminology and Criminal Justice*, 8, 425 for this discussion.

charges (e.g. pimping or facilitating illegal migration)[47] or from government's lack of investment in investigations and prosecutions, lack of political commitment to anti-trafficking efforts and so on. Overestimations might result from multiple legal/judicial stakeholders being involved in handling each individual case (e.g. often using different file numbers, incompatible data collection systems or standardised), which risks duplicative cases. More broadly, data from law enforcement and legal actors will, at least in part, reflect the criminal justice response to trafficking in persons as much as the severity of the phenomenon. Visibility and prevalence of trafficking cases in a country's criminal justice system may, in large part, be due to the significance that a country places on the issue.[48]

There is also a question of what the data means. Because criminal justice data is limited to traffickers who come to the attention of, and are arrested by, law enforcement actors, this may mean an over representation of high profile traffickers who are targeted because of their prominence. It may also reflect "worst cases", those that are taken more seriously by law enforcement due to their severity— in terms of scale, brutality, impunity and so on. However, the caseload could just as easily be skewed towards lower level criminals, who are easier to identify and act against. Others not typically perceived to be perpetrators of this crime—e.g. women—may have their role in the process overlooked.[49] Conversely, a criminal justice strategy aimed at low-level traffickers, such as recruiters and controllers, may net more women than one focused on higher-end operators. The establishment of quotas or targets for trafficking-related arrests or prosecutions may influence the types of cases being pursued, such as a focus on "easier" cases. Police and court data may also exclude victims who are not able or willing to participate in legal proceedings – e.g. because they do not trust the process, they have been threatened by traffickers, they have an on-going relationship with the trafficker, they are out of the country of exploitation and there are no mechanisms to return to testify and so on.

The functioning of a criminal justice system also informs data. Different information gathering tools, variable skills of criminal justice practitioners and the specific legal and policy framework can all play significant roles in what data is generated (and what this data reveals). One trafficking researcher explained how these various factors can influence what data is (and is not) captured:

> … what kind of legal instruments the police have [has an impact]... what legislation there is in terms of whether you are allowed to

[47] In some cases this is done to ensure a conviction given that trafficking cases involve a heavier burden of proof than some other associated charges.

[48] There are different reasons why there may be higher arrests and convictions in some countries, including different national legal framework and trafficking definitions, resources available to criminal justice agencies, the professional capacity of these agencies, different capacities in documenting and reporting cases, political interest/commitment (or lack of) to targeting human traffickers, differing rates of trafficking in the respective country, etc.

[49] Levenkron notes that while women are involved in trafficking and some have been prosecuted in Israel, wives of traffickers were not prosecuted even where they had been active (to varying degrees) in their husbands' activities. Levenkron, N. (2007) *"Another delivery from Tashkent"*, 42.

> have wiretapping. And what kind of crime trafficking is defined as will determine what instruments the police can use, which will also affect who shows up in criminal data. Then there are other factors, like police resources or level of competence. Incompetent police will give you a lower incidence of trafficking in a way because it won't show. They won't be able to investigate or recognise that a case is trafficking. Also important is the anti-trafficking legislation, how practical is it? Because what also happens is that trafficking crimes are classified or prosecuted as something else because trafficking legislation is too complicated to actually prove it. So the prosecutor will often go for some other crime like pimping or illegal money transfers or drugs or whatever they can get because it is so complicated to prove trafficking in court.

Such selection effects inform what we know and understand about traffickers and their operation. All of this highlights that, while invaluable and essential, criminal justice findings are also complicated and incomplete, as one researcher stressed:

> ...law enforcement data is only a slice of the information on trafficking. But there is promise in improving that slice and recognising the limitations of collecting officially reported data on trafficking... There are ways to make that data better, as opposed to just saying that law enforcement data will never be useful or it will never be the full picture.

Research with traffickers

Little research has been done directly with traffickers, to understand human trafficking from the perspective of the individuals and organisations who are actively engaged in this crime. Yet there is much that can be learned from this primary research, including who traffickers are in different settings and markets; their roles and levels of engagement; how trafficking takes place; how it differs according to location, destination and form of exploitation; traffickers' motivations; traffickers' relationships to the persons they exploit; how human trafficking operations fit within the broader market; traffickers' perceptions and feelings about their "work" and so on. As one researcher explained, as with researching other forms of crime, it is important to go to the source—to those who are involved in and know about how trafficking takes place, the traffickers themselves:

> ...If you want to learn about opium, you don't go to the police except those that are dealers. You deal with dealers, you go study dealers, you don't study the police. Because if the police knew as much about it as the dealers, presumably there would be fewer dealers.

Such information might be collected through a range of different methods, including conducting ethnographic studies, individual case studies, interviews, perpetrator surveys, life histories, analysis of police or court files and so on. In 2008, the journal *Trends in Organised Crime* (volume 11, no. 1) dedicated a volume to the issue of interviewing organised criminals[50], including one article on interviewing human traffickers.[51] This volume explored some of the pitfalls and challenges of research on organised crime, [52] which may signal entry points and opportunities in terms of more direct, primary research with traffickers and on trafficking operations.[53]

The little research that has been done with traffickers presents helpful perspectives and, not infrequently, a picture which differs, at least in part, from that based on information from trafficking victims, law enforcement, service providers and other anti-trafficking professionals. For example, one element in a number of studies is how traffickers see and present their role in trafficking operations—as facilitators in the migration process, businesspersons helping out prospective migrants and so on.

One study, *Techniques of neutralizing the trafficking of women. A case study of an active trafficker in Greece* ,[54] presents a case study of one trafficker in Greece, based on a series of interviews over a period of months. The article discusses how this trafficker felt about and presented his role in the business of trafficking in women, shedding light on the process by which traffickers engage in their illegal trade and how they explain, experience, justify and understand their role. Of note were the ways in which this trafficker justified his actions within the trafficking process, including by denying that the trafficked women were victims; denying being responsible for the choices women made; denying that the trafficked women incurred any overt injury as a result of trafficking and condemning the condemners (i.e. the public and police who sometimes solicit sexual services). This information goes some way in beginning to expand our understanding of traffickers, their decision making and their actions.

[50] The issue covers a range of criminal activities (including drug trafficking, arms trafficking, human trafficking, cigarette smuggling, and alcohol smuggling) and a broad range of offenders (including reputed members of the so-called Russian and Albanian "Mafias" and human traffickers).

[51] For the full article *see* Troshynski, E.I. & Blank, J.K. (2008) 'Sex trafficking: an explanatory study interviewing traffickers', *Trends in Organised Crime*, 11(1), 30–41.

[52] Overarching challenges included identifying and accessing potential interview partners and problems and limitations in the reliability and validity of the data obtained through interviews with 'organised criminals'. At the same time some of the common assumptions of research with this group were challenges—e.g. the widely assumed inaccessibility of 'organised criminals' –the commonly assumed risks a researcher faces when interacting with organised criminal were generally downplayed or negated, although some did take more cautious positions than others. von Lampe, K. (2008) 'Introduction to the special issue on interviewing 'organized criminals'', *Trends in Organized Crime*, 11, 1-4.

[53] For example, an interview-based study on the illegal alcohol market in Norway discussed some of the challenges a researcher may meet while studying organised crime – e.g. "going nervous," "going naïve", "going native" and "going nonchalant". Johansen, P. O. (2008) 'Never a final design: interviewing Norwegian alcohol smugglers', *Trends in Organized Crime*, 11, 5–11.

[54] Antonopoulos, G. & Winterdyk, J. (2005) 'Techniques of neutralizing the trafficking of women. A case study of an active trafficker in Greece', *European Journal of Crime, Criminal Law and Criminal Justice*, 13(2), 136-147.

Similarly, *Sex trafficking: an exploratory study interviewing traffickers*[55] discusses the process of conducting qualitative interviews with three traffickers in London over a period of three months in 2003. Researchers accessed this social underground of sex traffickers through a gatekeeper who facilitated snowball sampling to promote the interviews. Findings focused on the rationales and justifications of men working in the human trafficking business – how they make sense of the trafficking industry and their role(s) in the business of human trafficking. Other findings included information on trafficking routes, an analysis of the insider's perspective of why the trafficking industry continues to grow, the "how's", "why's," and to what extent traffickers themselves support the continuation of the illegal trafficking business and traffickers' thoughts on violence against women as a means to maintaining masculine dominance.[56]

The study, *A report on trafficking in women and children in India*,[57] included interviews with 160 traffickers who fell within the following taxonomy: 1) master trafficker-cum-kingpin; 2) primary trafficker-cum-procurer; 3) secondary trafficker; and 4) 'spotters' or the grass-roots chain of intelligence gatherer. While researchers faced difficulty in identifying and interviewing traffickers, entry points were eventually secured, including through police officials who were aware of traffickers' activities. Researchers also contacted traffickers through other respondents, such as rescued victims, trafficked victims in brothels, and brothel owners. The study is clear about the biases of the sample – i.e. that all traffickers interviewed belonged to the secondary or tertiary layer in the hierarchy[58] and that the sample included a large number of women who were either "retired" or "active" victims of sex trafficking. Often, these traffickers doubled as brothel-keepers and even "sex workers" themselves. Moreover, the majority were involved in sex trafficking rather than non-sex-based exploitation.[59]

Another study in the United Kingdom, *Organised immigration crime: a post-conviction study*,[60] looked into "facilitated illegal entry" in the UK through interviews with 45 convicted smugglers and traffickers (just over half were involved in trafficking offences). The authors made a number of observations

[55] Troshynski, E.I. & Blank, J.K. (2008) 'Sex trafficking'.

[56] Limitations of the study identified by the researchers included the very limited samples sizes, biases/ selection effects associated with snowball sampling, reliance on one gatekeeper (and his network of people) for respondents, gender effects due to being young women and the stigma of trafficking leading to untruthful response.

[57] Nair, P. M. (2004) *A report on trafficking in women and children in India*.

[58] The secondary traffickers are those who deliver "human cargo" to the primary traffickers. They operate at the grass-roots level and mostly include the "sellers" and others who assist and facilitate the sale process involved in trafficking. Often, this group includes relatives, friends and acquaintances of the victim, local goons as well as petty criminals. The intelligence gatherers may be at the command, and under the control, of the master trafficker or the primary traffickers. They visit bazaars, markets, villages, railway stations, bus stations, and other places where they can collect intelligence about vulnerable persons. These spotters give their feedback to the primary traffickers or the kingpin who, in turn, deals with the secondary traffickers to carry out his "trade". Nair, P. M. (2004) *A report on trafficking in women and children in India*, 140.

[59] Nair, P. M. (2004) *A report on trafficking in women and children in India*, 36, 139-141.

[60] Webb, S. & Burrows, J. (2009) *Organised immigration crime: a post-conviction study*, Home Office Research Report 15, London: Home Office.

on the organisation of the businesses that participants had been involved in. Of interest was that a sizeable proportion (70%) of prisoner respondents identified as available for an interview agreed to take part.

Interviews with five ex-pimps in Chicago[61] is a study based on interviews with five ex-pimps in the Chicago metropolitan area in the United States. This pilot study, using convenience sampling, considered why and how these men became pimps and their actions/behaviours while pimps. The study also looked into the operation and organisation of the Chicago sex trade – how recruitment took place, the use of control and restricted movement, withholding money and so on. Operations were both small scale (self managed) and higher scale (with profits given to bosses).[62]

Research with traffickers is nevertheless both difficult and complex. In many settings, the potential risk (to researcher and respondents) must be carefully weighed, particularly in locales where organised crime is prominent. One researcher observes the following of his own experience of conducting trafficking research in Greece:

> Trafficking is a dangerous topic for research.... It takes place in organised crime grounds. These are 'closed' or 'guarded' social spaces with detailed internal codes that have to be respected with the utmost care. No one representing a risk for the members of these social (and partly criminal) networks is ever accepted inside. Moreover, even when accepted, if he/she is suspected of spreading names and facts that may lead to arrest. He/she runs great risks.[63]

That being said, it is not an impossible field to approach as the same researcher explained of his experience:

> What proved important when I, as a researcher, strove to stabilise my presence in the field was the fact that most of the traffickers did not feel like organised criminals. They knew that they could be prosecuted for organised crime activities but they attributed it to ignorance of 'what really happens' from the part of the law. Through various neutralisation defences they did not feel that they were acting in ways that were distinguishable from those of standard businessmen. As far as the violence they practiced is concerned, they felt that they had to substitute the law in the absence of

[61] Raphael, J. & Myers-Powell, B. (2009) *Interviews with five ex-pimps in Chicago*, Chicago: DePaul University, College of Law.

[62] This study was replicated in 2010 with a sample of 25 ex-pimps and madams in Chicago and presented findings of ex-pimps family backgrounds, how they entered pimping, life in the business, the infrastructure of pimping, attitudes to pimping, and how they left pimping. Raphael, J. & Myers-Powell, B. (2010) *From victims to victimizers. Interviews with 25 ex-pimps in Chicago*, Chicago: DePaul University, College of Law.

[63] Lazos, G. (2007) 'Qualitative research in trafficking – a particular case' in E. Savona & S. Stefanizzi (Eds.), *Measuring Human Trafficking: Complexities and Pitfalls*, New York: Springer Press, 96.

> provisions regulating social relations within this particular social territory.[64]

Not all researchers faced safety concerns or problems; openness and candour were not impossible. Two researchers who interviewed (albeit low level) traffickers made the following observations of their specific research experience:[65]

> It should be said that we were never concerned for our safety; indeed we felt safe, comfortable and secure in our educational/ research training as well as the research positions we were placing ourselves in.
>
> ***
>
> In all honesty, we were actually stunned by how comfortable, candid and open the participants were with us.

That being said, how one accesses the criminal fraternity for research, as well as whom specifically one is approaching can impact the level of risk the researcher faces.[66]

To some extent, this may be a function of individuals to whom these researchers had access (e.g. lower level traffickers) or the particular settings researched. Access to traffickers as respondents will also depend on what trafficking means in different contexts. In some settings (for example, the former Soviet Union or Southeast Europe) trafficking operations may involve organised crime or criminal networks. In other regions (for example, Southeast Asia) trafficking is less organised and overlaps in significant ways with labour migration, both regular and irregular. As a result, recruiters and traffickers often have varying degrees of knowledge about, and complicity in, the trafficking process. Access to traffickers and information about the trafficking process in such settings may be less of an obstacle than in those that involve more highly organised crime. Interviewing pimps and facilitators, including traffickers, where prostitution is legal or tolerated, is also likely to be easier than in countries where prostitution is illegal. In Indonesia, for example, it was possible to conduct interviews with a range of

[64] Lazos, G. (2007) 'Qualitative research in trafficking', 97.

[65] Troshynski, E.I. & Blank, J.K. (2008) 'Sex trafficking: an explanatory study interviewing traffickers', *Trends in Organised Crime*, 11(1), 38-39.

[66] For example, 'snowballing' ought to filter levels of risk as each point of contact will provide some form of verification for the trustworthiness of the interviewer. But it is important not to be complacent when gaining access to interviews. Danger, risk and violence tend to be context bound and when a researcher crosses cultures, an understanding of where the boundaries of sanctuary lie can be undermined. Nevertheless, risk and danger need to be kept in perspective. The perception of high risk as integral to the study of criminal groups simultaneously attracts popular interest while deterring serious research. Implicit to this notion of danger is the acceptance that criminal business is necessarily violent when, in reality, violence, unless specified as an entrepreneurial artifact, as in illegal protection, is rarely used even on an intragroup level. That being said, every organisation, whether licit or illicit, comprises myriad individuals with unpredictable agendas. Rawlinson, P. (2008) 'Look who's talking: interviewing Russian criminals', *Trends in Organized Crime*, 11, 14.

interlocutors involved in the sex industry, which often involved trafficking. It was also possible to interview recruiters or labour brokers in countries like Indonesia and Philippines, where labour migration is both formalised and common, some of who may be involved in trafficking.[67]

Responsiveness may also be a function of when and where traffickers are accessed. Interviewing traffickers when they are in custody is likely to affect what they are willing to talk about and how much they are willing to say. It may also influence the image they present of themselves, which may differ from data from other witnesses, police files or court documents.[68] One study of prisoners in the UK convicted of smuggling and trafficking observed that that they did not represent a balanced cross-section of the people who participate in organised immigration crime.[69] Corroborative information was only available for some of the interviewees, which limited the degree to which the data can be understood within an objective factual context. Perpetrator respondents may also have wished to sanitise or embellish their accounts.

As noted above, individuals who do not perceive themselves as traffickers may be more open and willing to be interviewed. Where conditions in a certain work sector are not perceived as exploitative, this may allow for other entry points for research and data collection.

Careful thought is needed as to what information one collects from traffickers as well as in what contexts and why. Information shared will be influenced by the benefit and risks to respondents participating in the research. Various respondents working on trafficking and criminological research raised the issue of data reliability and validity, depending on the setting. One legal researcher highlighted issues of reliability:

> Much of the real evidence comes from the victims and the wire-tapping and observations but traffickers, especially in the police context, they do not give many statements. The alternative would be academics interviewing offenders on offender behaviour but I am not sure what kind of information you get, whether they will talk about it. In other cases, like drug dealing, there is a much better chance to have good information but in the case of human trafficking we do not yet know.

Another researcher noted that the stigma of trafficking – as a violent crime – may inform what does (and does not) get revealed to a researcher:

[67] Brunovskis, A. & Surtees, R. (2010) 'Untold stories' and Surtees, R. (2003) 'Female Migration & Trafficking in Women – the Indonesian Context', *Development*, 46.

[68] Kelly, L. (2002) *Journeys of jeopardy: a commentary on current research on trafficking in women and children for sexual exploitation in Europe*, Geneva: IOM Migrations Research Series, 12 and Levenkron, N. (2007) *"Another delivery from Tashkent"*.

[69] Webb, S. & Burrows, J. (2009) *Organised immigration crime*.

> ...interviewing human traffickers is, I think, a very difficult method if it comes to validity because sometimes if you talk about drug trafficking many people would say: "Well, it is not a big crime". Sometimes people are proud too, perhaps sometimes too proud, of what they are doing so they will talk a lot. The only question is, is there validity to their statements? I think human trafficking is much more difficult to have valid statements from offenders.
> *And why do you think that is? Because of the severity of the crime or because it cannot be organised or?*
> The first is that there might be a court case. But the second and third reason is that if it is a very violent offender he will not talk about what he does to women. He will tell a different story and other human traffickers they just boast against each other or they talk on the phone to other human traffickers on their modus operandi. But I doubt whether they will tell it to a researcher because there is a stigma to it because of exploitation.

There are also ethical considerations when researching traffickers, in terms of coming into contact with information that might help identify victims or in terms of observing and possibly even inadvertently participating in trafficking processes. As one trafficking researcher explained, this type of research would involve seeing and hearing such things and it would be unethical for a researcher to encounter a trafficking situation and not act in ways to help those being exploited.

Nonetheless, it seems that there are indeed opportunities for collecting information directly from persons involved in various parts of the trafficking process. Such information will provide an essential expanding and filling-in of the current victim-centred dataset. Ultimately, this will help with countries' development of more effective laws, policies and practices targeting the criminals themselves.

6. Conclusion

Trafficked persons can certainly contribute to an understanding of traffickers and the trafficking process. However, the heavy reliance on victims of trafficking as the primary (and sometimes even sole) source of information is in need of adjustment. There are noteworthy limitations to this dataset, which need to be borne in mind, not least in terms of what we can (and cannot) learn about traffickers and trafficking operations from victim-derived data. These methodological and ethical issues have a direct impact on our understanding of the trafficking situation, which, in turn, influences our ability to respond effectively and efficiently.

While we should certainly continue to collect information about traffickers and trafficking from trafficked persons, this should not be the primary or only data that is relied upon in understanding traffickers and their operations. The over-reliance on data from trafficking victims, sometimes to the exclusion of other sources, has skewed how we look at and understand trafficking, traffickers and trafficking operations. A great deal of focus has been given to trafficking victims in efforts to address the crime of human trafficking, rather than on the perpetrators of the crime, whose actions and motivations should be the primary concern if combating it is our objective. As one human rights expert explained:

> I think that even though trafficking has started to seep into other disciplines, like law, politics and sociology, it's still not identified as a criminal justice issue or as a part of criminology where those standards would be taken for granted. It was not first identified as a crime and allowed to have that criminological perspective built around it.

Similarly, one study argues:

> By placing the victim centre stage, the spotlight of attention turns away from the more difficult problem of trying to stop crime (or illegal immigration for that matter) by focusing, instead, on the relatively 'easy' issues of victim assistance and crime prevention based on potential victims… A victim-centred focus has become an established way of addressing crime *indirectly* by addressing victims. In this regard, the increasing attention that has been given

> throughout the 1990s and 2000s to victims of trafficking is, in part, a response to the real problem that the causes of trafficking, rather than the symptoms, are much harder to treat.[70]

Thus, the need to reorient attention away from trafficking victims as the key data source on trafficking is more than a methodological one. It is also an issue of perspective within the anti-trafficking field. Some (and arguably many) stakeholders continue to attempt to understand and explain trafficking solely by considering the behaviours, actions and backgrounds of trafficking victims, to the exclusion of the perpetrators of the crime of human trafficking.

Recent data collection efforts and research studies provide useful indications of how research on traffickers can be improved and expanded. Drawing on criminal justice data sets as well as engaging directly with persons engaged in trafficking are both important approaches that have yielded significant results and information. While each method has limitations, they also afford important insight into various aspects of the "other side" of trafficking. This makes clear that such research is not only possible, but essential to a thorough understanding of trafficking. It is imperative that anti-trafficking actors are equipped with detailed and up-to-date information about traffickers and their activities, including how different criminals and criminal organisations operate along the trafficking continuum. Only with this information will it be possible to design programmes and policies that will tackle this crime in an effective and strategic way.

[70] Goodey, J. (2008) 'Human trafficking', 430-431.

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