Reaching the Roots:

The Intersection of Human Trafficking and National Security

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<u>Abstract</u>

Human trafficking is a profoundly negative issue that has garnered local, national, and international attention. However, the implications of human trafficking on national security have only recently become a focus of study. Many of the current law enforcement style policies and practices utilized by nations to counter human trafficking simply are not working. In fact, as governments focus on national security strategies that focus on items such as border control and stringent immigration policies, countries are feeding into a system of exploitation that further threatens that which they are trying to protect. In this paper, a literature review of recent research into the connection between human trafficking, human security, and national security is performed, concluding that they are not mutually exclusive.

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In a world of heightened fear and uncertainty it is easy to put national security above human security. The purpose of national security is to keep one's population safe as well as maintain sovereignty. However, when focused solely on sovereignty, we often overlook much larger, and possibly more pressing, problems. One problem that has received an increase of attention in recent years is human trafficking. An issue with numerous causes and effects, attention given to the problem of human trafficking has arisen to a place of prominence in much of the international community. A plethora of nongovernmental organizations (NGOs) have formed with the goal of stopping human trafficking, prosecuting perpetrators, and assisting victims with recovery and rehabilitation. International organizations (IOs) have mission statements and policies that hope to address human trafficking. Various governments on the national level have instituted laws and strategies intended to stop human trafficking.

And yet the problem persists. Individuals are still trafficked, both domestically and across borders. While good is certainly being done at many of the levels previously listed, many of the causal factors of human trafficking are not being addressed. This is especially true at the national level, where states pass laws and create task forces to fight human trafficking but then embrace national security policies that are the root cause of much of the exploitation, such as increased border security and restrictive immigration policies. A prominent argument among many researchers addressing human trafficking is that the issue of trafficking and that of national security are not mutually exclusive. It is not a zero sum game, where if one successfully addresses one issue the other must suffer. Rather, researchers argue that human security is, and should be, a key component of national security. When national security policies include human rights, they can bring us to "true global change" (Brysk & Choi-Fitzpatrick, 2012, p. 6).

Human trafficking was defined by United Nations in 2000 in their Protocol to Prevent, Suppress, and Punish Trafficking in Persons, often referred to as the UN Protocol on Trafficking. In Article 3 it states that trafficking is "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion" (OHCHR, 2000). As such, the UN considers trafficking a process rather than a single event, in which there is some manner of recruitment, transportation, and control (Davidson, 2015). The United States defines trafficking a bit differently. According to the Trafficking Victims Protection Act (TVPA) of 2000, trafficking is defined as the following:

> "a) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or b) The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery" (US Department of Justice, 2018).

The takeaway for many from the TVPA has been that trafficking must include force, fraud, and coercion. While there are debates about the merits of each definition, it suffices to understand that human trafficking is a complex issue with deep impacts.

National security is also complex and impactful. National security is the way a state protects itself from threats (including military threats and non-military threats, as well as internal and external threats) (Romm, 1993). For many in recent years, the term has meant protection from terrorism in addition to state-level threats. It also includes economic, political, and physical (such as infrastructure or resource) security (Paleri, 2008). With so many aspects to national security, it seems reasonable that human security/rights should be included in the policies and strategies.

A UN General Assembly resolution, 66/290, (2012) states that "human security is an approach to assist Member States in identifying and addressing widespread and cross-cutting

challenges to the survival, livelihood and dignity of their people", calling for "people-centred, comprehensive, context-specific and prevention-oriented responses that strengthen the protection and empowerment of all people". Roza Pati (2014) states that human security focuses on people rather than nations (p. 32). Ultimately what people want is freedom to live, to be safe, and for the opportunity to prosper. To properly meet these needs, we need to shift the focus of security.

Pati, and many others, argue that even though it is focused on people, human security should be a key component of national security. Perhaps the reason why it has not been a prominent aspect of national security is because external threats and "state-to-state conflicts" are traditionally considered national security matters (Cooper, 2019). "Often because of this disconnect, human security issues are not elevated to the same platform of governance priority" (Cooper, 2019). But they should be. Rather than achieving security through military strength, we can accomplish it via sustainable human development (Pati, 2014, p. 32).

A key threat to human security is human trafficking. Although it is debated how many individuals are trafficked or which situations fit the various definitions of trafficking, it is clear that too many people are being exploited and denied basic human rights. According to Brysk and Choi-Fitzpatrick (2012), several million people are cited by advocacy groups as being trafficked, whereas the U.S. State Department proposes the number as 820,000, and the International Organization (ILO) points the number upward to 1.39 million (p. 1-2).

Human trafficking is at the center of many of our modern day threats. Roza Pati (2014) identifies six of today's most emerging threats as "unchecked population growth, disparities in economic opportunities, excessive international migration, environmental degradation, drug production and trafficking, and international terrorism" (p. 32). Human trafficking, she says, intersects them all. Pati researched the relation between human rights and national security,

utilizing case studies to understand if, and how, human trafficking is a lynchpin in not just individual safety, but that of the state. She found that as heinous as trafficking in persons is, it is a crime that breeds more crime. International and organized crime syndicates use trafficking as a means of funding and supporting other types of crime. These other crimes are often those which catch the attention of states and their respective policy makers. As a result, not only are the trafficked individuals suffering, but so, too, is national security. "To summarize," Pati (2014) states, "human trafficking is a crime that inherently breeds more crime, while corroding the fabric of the society, the life of the individual and the security of the nation. It is indeed an infamy that poisons human society at its core" (p. 40).

Indeed, Brysk and Choi-Fitzpatrick (2012) advocate for a change in the way we think of and address trafficking, discussing a human rights approach to human trafficking. They stress that both the public and scholars must change from a focus on rescue to a focus on rights (p. 1). Summarizing the contributions of several scholars in the field such as Herbert, Gallagher, and Charles Smith, Brysk and Choi-Fitzpatrick (2012) point out that "trafficking patterns and responses must be interpreted as outcomes of power and interests" (p. 8). To take a human rights approach to trafficking, one must consider what powers and interests are leading to exploitation and trafficking. Again Brysk and Choi-Fitzpatrick (2012) encapsulate the contributions of scholars in the field when they point out the difficulty in knowing with whom the duties to protect rights rely (p. 9). They argue that one locale to focus on the issue of trafficking is not enough. Rather, it must be a global focus.

However, with the number of organizations, both governmental and non-governmental, it is clear that the issue of trafficking and the work to address it is quickly becoming global in nature. And yet, despite the best of intentions, the issue does not seem to be improving. This may

be for a variety of reasons, but one likely reason is the focus of national governments on the military aspect of security and not embracing a human rights approach to their national security policies and practices. What is needed is a more "holistic national security policy" (Cooper, 2019).

This does seem to be changing. In 2018, Secretary of State Mike Pompeo made a statement in conjunction with the release of the Trafficking in Persons Report of that year. "In his statement, he outlines how trafficking undermines the rule of law, deprives millions of their freedom, and presents a threat to public safety and national security everywhere" (Cooper, 2019). Policymakers are seeking to address human trafficking as both a severe violation of basic human rights as well as the practical applications to security.

One of those practical applications that has gained the focus of many policymakers and researchers alike is that of counter-terrorism. High levels of public fear over terrorism have prompted governments, particularly those in developed countries such as the United States and the member-states of the European Union, to develop strong counter-terrorism policies and strategies as a key aspect of national security. In fact, public concern about terrorism has seen little decline in the United States since 2001 (Mueller & Stewart, 2018). A 2019 Gallup poll found that 60% of Americans worry about the possibility of future terrorist attacks. And across the 10 EU countries surveyed by the Pew Research Center "a median of 79% were concerned about Islamic extremism, while only 21% were not concerned" (Poushter, 2017). Despite a low possibility of a person in the US dying from a terrorist attack (1 in 75,000), concerns remain high (Mueller, 2009).

Two of the more obvious ways to alleviate those concerns have been increased border security and more stringent immigration laws. Unfortunately, the results of those measures have

actually contributed to susceptibility to exploitation for many individuals, which then often leads to trafficking. Critics of immigration laws argue that migration restrictions and tighter border security could actually increase vulnerability to trafficking by making migration more dangerous and costly, thus exposing individuals to greater exploitation (Baker, p. 14). Various economic, political, and social conditions can make people vulnerable. From labor laws that don't protect certain groups of people, to migration policies that create holes or make it more difficult for migrants to enter, labor and migration conditions can influence whether a person is able to migrate safely or with risks of exploitation.

For example, women from Ethiopia found have themselves being trafficked when the need for work and strict immigration requirements in their home country led them to circumvent the accepted legal means of migration (Mahdavi, 2013). Due to strict immigration laws, individuals must often find another route to migrate, one that may be considered "illegal" by government authorities and leaves the migrants vulnerable. And yet they still migrate. There is a globalized demand for cheap labor and individuals who need money and are willing to migrate in order to receive it. As pointed out by Cameron and Newman (2008), "trafficking must be squarely positioned within the context of migration and labour demand" (p. 27).

For countries such as the United States, that demand for cheap labor and the promise of a higher quality of life attract migrants. Whether they are able to migrate "legally" or "illegally" is up to the respective governments. By closing their borders to said migrants, the governments only feed into exploitative systems that may actually threaten all that they claim to be protecting. Mahmoud and Trebesch (2010), for example, found that "illegal migration increases trafficking risks". Such trafficking hurts not only the individuals that are trafficked, but the countries into

which they are trafficked as those countries. As laws are broken, the rule of law crumbles and a government's legitimacy is questioned. As explained by Roza Pati:

> "More effective border control coupled with more stringent immigration laws gave rise to a more sophisticated crime syndicate that expanded its reach far beyond drug trafficking, into other areas of enhanced convenience and higher profitability: smuggling people, and also, more and more, exploiting people in slavery-like conditions. Development in trade and communication made it easier for them to outsource the trafficking crime and accompanying money laundering. By now, these well-heeled criminal organizations have come to know the ins and outs of law enforcement, judicial systems, as well as tax systems of the countries they operate in in the recruitment, transit and exploitation of their victims" (Pati, 2014, p. 39).

The blatant disregard for law and the resulting loss of power and revenue ought to be enough for governments to consider national security and stopping human trafficking as two aspects of the same fight. To consider human trafficking a separate issue from security is to yield to potentially dangerous individuals and organizations.

This is not necessarily a new concept. Creating policy measures to address human and national security needs is an idea that has been discussed before. According to Julia Davidson (2015), much of the contemporary political interest on the issue of what many have termed 'modern slavery' has its roots in the post-Cold War 1990s. At this time, there were high levels of anxiety about the "porous borders in the post-Cold War era", in which states worried about the threat to their economic and political institutions as being threatened by expanding illegal markets (p. 3). Davidson (2015) argues that as state actors viewed these movements as a "threat to national sovereignty and security", they began to define human trafficking and create protocols and policies with the attempt at preventing such exploitation (p. 4). Whereas these protocols and policies were intended to address human ills, their motivation was focused on the issue of sovereignty as these movements were viewed as a threat. Unfortunately, the results have been quite negative, Davidson points out. As increasingly restrictive immigration laws and

border control has expanded to prevent the perceived threat of migration, the result has been "extraordinarily violent", with thousands dead and others held in immigration detention centers (Davidson, 2015, p. 5). As such, the current practices to protect sovereignty at the expense of those who find it necessary to migrate have the opposite effect of that which is intended. Borders become threatened and individuals who could use the protection of liberal democratic states find themselves in dire positions. Certainly, the contemporary human trafficking strategies are not sufficiently embedded with national security strategies.

Currently, a prominent argument for human security to be a more consistent aspect of, if not a priority of, national security is counter-terrorism. The attacks of September 11, 2001, brought much broader global attention to the issue of terrorism. Since then there has been a new trend in academic scholarship. Studies identifying causes and effects of terrorism were initiated, and national security policies became the focus of political candidates and officials alike (Haner, et. al., 2019). A topic with little previous scholarly attention became a "hot topic", especially as the media and public was so concerned with the issue. "Public opinion is the primary driver behind the extensive and excessive counterterrorism efforts undertaken since 9/11" (Mueller & Stewart, 2018).

As a result, a significant amount of research has been completed recently that ties terrorism to human trafficking. According to Shannon A. Welch (2017), "human trafficking is both an issue of human rights and a larger threat to national security" (p. 1). Focusing on trafficking by the Islamic State (or ISIS), Welch discusses the ways in which strategies that focus on prevention rather than prosecution for human trafficking would be far more effective than protection and prosecution efforts. There are many critics of the prosecution style for combating trafficking that is prevalent today, such as Brysk and Choi-Fitzpatrick, claiming that it punishes

the victims and does not address the root causes of trafficking. Welch (2017) adds to that argument, stating that, while it may do some good, the current strategies focus on the aftermath, not the causes. "With the advent of ISIS and institutionalization of human trafficking as a terrorist tactic, human trafficking is now an issue of war and security" (Welch, 2017, p. 23).

Trafficking is used by known enemies to the United States, and countries like it, "as a fear tactic and a source of profit" (Welch, 2017, p. 1). In fact, Welch states that trafficking is one of the biggest sources of income for ISIS. Additionally, if traffickers can get across borders, then so can terrorists, and it is likely that terrorists and traffickers will use the same strategies to make that journey (Welch, 2017).

Sandra L. Keefer (2006) found similar connections between trafficking and funding of terrorist activities. She states that an unimaginable amount of money is made by traffickers, who then fund drug lords, who then use that money to support terrorism (Keefer, 2006). Svante E. Cornell (2012), too, has commented in research on the connections between trafficking, drug cartels, and terrorist organizations. Many of the perpetrators of human smuggling and trafficking is perpetrated by those who were once part of the drug trade. Utilizing their ability to cross national borders, despite heightened security, they are even able to facilitate the transportation of terrorists (Cornell, 2012). She found that it is becoming apparent that terrorists are not only using the sale of drugs for funding, but the sale of persons as well (Cornell, 2012). "On top of the already serious social and political implications of this rapidly growing form of organized crime, this link implies further and very problematic security implications" Cornell states (2012, p. 4).

Jayne Huckerby, Clinical professor of law and director of the International Human Rights Clinic at Duke University School of Law, has also commented on the connections between human trafficking and terrorism. Summarizing various UN Security Council actions concerning

the links between terrorism and organized crime, she states that "terrorist groups use human

trafficking as a driver for recruitment (e.g., using female trafficking victims to attract and retain

fighters); to increase financial flows; and to strengthen influence, including by controlling or

destroying communities involved in or affected by the trafficking" (Huckerby, 2019). Some

examples of how terrorists use human trafficking are: Boko Haram using child beggars for

funding and forced marriages for recruitment; Ansar Dine and Al Qaeda also using forced

marriages; ISIL kidnapping Eritrean migrants; Yazidi women and girls taken by ISIS for forced

marriage and/or slavery (Huckerby, 2019). Although countries such as the United States and

other liberal democratic societies may not see these actions as anything more than human rights

offenses, which they certainly are, it is imperative that their respective policy makers understand

how these examples of trafficking ultimately are a threat to national security.

Valerie Hudson has found similar trends in an extensive quantitative analysis of gender

equality and terrorist recruitment. Bride price, for example, is when a groom pays the bride's

family for the bride. When bride prices bubble many men aren't able to buy a wife. In a society

that requires sons to marry, a large problem arises when they cannot afford a wife. The result is

that terror organizations kidnap girls and offer them as wives to men who join their

organizations. This has occurred in South Sudan, Pakistan, and with Boko Haram (Hudson

2018). Certainly a form of human trafficking, these kidnappings help with recruitment to

organizations that are then considered a threat to many nations.

As researchers and policy makers realize the strong connection between trafficking and

national security, they must consider many not only how trafficking is used to fund terrorism, but

also how it occurs, how to help victims, how to punish perpetrators (especially if they, too, are

victims of trafficking), and how counter-terrorism policies might backfire on the respective

countries (Huckerby, 2019). To protect against terrorism, we must rectify human trafficking strategies with national security strategies, but we must be careful in how that is done.

Rizer & Glaser (2011) recommend a unified approach for policymakers and all other requisite parties for catching traffickers and enforcing national security. Ultimately, they should focus on rooting out the causes of trafficking in unstable countries as a means of protecting their own countries. Huckerby (2019) recommends providing better assistance to victims of trafficking connected to terrorism and addressing how some individuals who participate in trafficking were trafficked themselves. Welch (2017) outlines "focusing the right tools on the right targets": understanding supply chains, markets, financers, and perpetrators of trafficking will go much farther (p. 187). We must also root out how trafficking fits into the global market and incorporate long-term strategy for alleviating the causes of trafficking, modeling domestically what we wish to see internationally (Welch, 2017, p. 187-188).

Fortunately, this concept of trafficking and security going hand-in-hand does seem to be catching on. If we are better able address human trafficking, it stands to reason that we will also be in a better position to combat terrorism. As stated by the US Department of State:

> "The related global problems of migrant smuggling, trafficking in persons and clandestine terrorist travel are increasingly significant both in terms of the human tragedy they represent and their impact on national security, primarily with respect to terrorism, crime, health and welfare, and border control."
> –Charter and Amendments: Human Smuggling and Trafficking Center

The concept of trafficking supporting terrorism, and terrorism being a major threat, has helped countries to realize the national security implications of human security.

There are some drawbacks to bringing the force of security focus to specific issues such as terrorism in relation to human trafficking. Huckerby (2019) points out that doing so can minimize attention to other forms of trafficking, or "securitize anti-trafficking efforts by

prioritizing law enforcement responses...over human rights". This is certainly a concern of many involved in fighting human trafficking, as many of the law enforcement responses, such as border control, can cause trafficking in other arenas. A focus on the terrorism aspect of human trafficking also focuses primarily on sex trafficking, and risks overlooking other victims and types of trafficking such as labor (Huckerby, 2019).

The opposite could be problematic as well: broadening the scope of national security to a point of being ineffective. Cooper (2019) states that human security critics worry that creating too broad a definition of security risks a loss in potency and effective policy creation. Others may argue that such an agenda could allow UN member states to interfere in the sovereignty of other nations in the name of security (Cooper, 2019). Recognizing such potential pitfalls early is essential for policymakers in order to create policies and strategies that effectively protect human rights and keep their country safe, without reacting in a way that is possibly more harmful than if there was no action taken.

According to Pati (2014), it is irrelevant whether we call trafficking an issue of national security or not (p. 42). What matters is treating it like it is and work to free the world of such indignity. Nevertheless, a trend in connecting national security matters with the problem of human trafficking is moving state actors forward to take action in a more conscientous, and perhaps consistent, manner.

The majority of the above research has been performed through case studies and other qualitative means, although some, like Valerie Hudson, used extensive quantitative testing. There are certainly benefits of both methods. Case studies fit well with the research questions set forth by many of these scholars, as they are often used to gain an in-depth understanding or examination of a concept. While case studies may be descriptive, they can also be used to test a

theory (Johnson, 2015). In many of the above instances where case studies were used, they were often testing a theory through the case studies, such as those involving terrorist organizations. The researchers also used multiple sources of data to support their theories within the case studies.

For those using quantitative analysis, data collection and statistical analyses were performed. The authors were reporting on the information compiled and asserting their conclusions. Quantitative analysis, too, has its merits as it uses numbers to understand, describe, and measure "particular phenomena" (Johnson, 2015, p. 12). However, there appear to be far more qualitative studies on the topic of human trafficking and national security than quantitative. The field may benefit from additional quantitative analysis that include policy recommendations, while reminding policy makers of the potential pitfalls of future steps toward rectifying trafficking with security.

In conclusion, addressing the root causes of human trafficking can actually help alleviate many of the problems governments try to solve with border security and tight immigration laws. In focusing a concerted level of national security attention to human trafficking one can protect human rights and sovereignty. It does not have to be one or the other. As a trend in scholarship has developed that begs state security to embrace a human rights approach, it seems the message is starting to get through. Human trafficking is an atrocity just as dangerous to a nation as threats such as terrorism. Addressing one can help address the other. One must certainly be careful of exacerbating the problems through ill-advised policies. However, by taking into consideration the plethora of research coming out on the subject, one can hope that a national security plan that truly addresses human trafficking may actually be on the horizon.

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