HUMAN TRAFFICKING AND SEX SLAVERY IN THE MODERN WORLD

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INTRODUCTION

Under the impact of economic globalization, human trafficking has become a global issue in the modern era. Some women and children in undeveloped countries are trafficked to other countries. Logan, Walker, and Hunt have listed the main purposes of human trafficking:

First, traffickers gain from fees charged to the trafficked victim as well as from the profits from the victims’ labor. . . . In addition, the lack of identification, prosecution, and sentencing of perpetrators for trafficking in humans make this kind of crime particularly profitable and low risk for . . . trafficker[s].

Thus, human trafficking is a highly attractive business, for it is high in payoffs and low in risk. The traffickers’ primary goal is to maximize profits, often resulting in physical and mental exploitation of the victims. Sexual exploitation, in particular, is one of the main forms of human trafficking in the modern world, and human trafficking is often organized by criminal groups.

Even today, human trafficking is the fastest growing organized crime. The traffickers profit from global human trafficking every year. The problems of human trafficking have become an increasingly serious dilemma all over the world in the modern era. Just because of the mentioned reasons, approximately eight hundred thousand people are trafficked annually across national borders, not including millions trafficked within their own countries.

Human trafficking is a modern form of slavery, and the third most profitable trafficking activity in the world after drug and gun trafficking. Some scholars at the University of Kentucky point out:

America is no stranger to slavery. There is a rich history of slavery

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3 See id. at 33, 37.
6 Hyland, supra note 2, at 37–38.
in America beginning in 1619 with both White and African slaves being imported to Virginia and culminating in a law to abolish importation of African slaves (1807), a civil war because of slavery (1860-1865), and laws that finally intended the abolition of slavery itself (1863).  

However, human trafficking, arguably, has negative effects as great as slavery, and if it cannot be suppressed, the ideal goal of the international community will be threatened.

Discussed below are the main forms of human trafficking and issues of sexual exploitation, human trafficking analyzed from the international perspective, and issues explored in domestic law enforcement of human trafficking within the context of the international obligations to fight against human trafficking and sex slavery. Main measures taken against human trafficking and sex slavery at the national level will also be discussed.

I. THE CONCEPT OF HUMAN TRAFFICKING AND SEX SLAVERY

Issues of human trafficking started to be raised in the late 1980s, but it did not enter into the mainstream until the 1990s. That is to say, the issue of human trafficking is a comparatively new research area, where the relevant literature did not appear until the latter part of the 1990s. Therefore, a lot of issues need to be explored in this research field. Nowadays, human trafficking has become an international criminal activity. In order to have a better understanding of human trafficking and sex slavery, we must clearly define them.

A. Human Trafficking

In 2000, the United Nations adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. This Protocol was formed through the United Nations Convention against Transnational Organized Crime.

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7 Logan et al., supra note 1, at 5 (citations omitted).
9 Id.
10 Hyland, supra note 2, at 30.
The Protocol explicitly stated in the preamble that:

Effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights.\textsuperscript{13}

Article 3(a) of the Protocol provides the following definition:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the 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 shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.\textsuperscript{14}

\textbf{B. Sex Slavery}

The main purposes of human trafficking are to gain profits by the forced labor and sexual exploitation of the victims.\textsuperscript{15}

The most notorious industry that benefits from human trafficking is the sexual slavery industry. Roughly eighty percent of transnational human trafficking victims are women. This high percentage can be attributed to sexual slavery’s position as the most prominent form of slavery in the world.\textsuperscript{16}

Sexual slavery—trafficking by means of violence, of fraud, or of coercion—causes women to provide commercial sexual services or entices children younger than eighteen years old to provide commercial sexual services. The methods of violence, fraud, or coercive recruitment are used for harboring, transporting, providing, or obtaining a person targeted for involuntary

\textsuperscript{13} Trafficking Protocol, \textit{supra} note 11, at pmbl.

\textsuperscript{14} Id. at art. 3(a).

\textsuperscript{15} Hyland, \textit{supra} note 2, at 33.

\textsuperscript{16} Stephanie L. Mariconda, \textit{Breaking the Chains: Combating Human Trafficking at the State Level}, 29 B.C. THIRD WORLD L.J. 151, 156 (2009) (footnotes omitted).
servitude, bonded labor, debt bondage, or modern day slavery. The victims of sex slavery enjoy no freedom, and “are forced into any number of commercial sex industries.”18 The women or girls involved are strictly restricted and controlled by a number of mechanisms.19 The victims are regarded as slaves, living in constant fear of threats, providing endless sexual service, which results heavily in their physical injuries and mental illnesses.20

II. MAIN FORMS OF HUMAN TRAFFICKING AND SEXUAL EXPLOITATION

A. Main Forms of Human Trafficking

Human trafficking comes in many forms: forced labor, sex trafficking, bonded labor, migrant workers’ debt bondage, forced child labor, etc.21 These forms of human trafficking are discussed in detail below.

(1) Forced labor. Recent studies show that forced labor is one of the main forms of human trafficking in the world.22 According to the estimates, if there is one person who is forced to engage in prostitution, there will be nine people who are forced to engage in labor.23 Forced labor is also known as involuntary servitude.24 In this form, workers become the object of exploitation of unscrupulous employers due to “high rates of unemployment, poverty, crime, discrimination, corruption, [and] political conflict.”25 It is easy for the immigrants to be hurt, but some people in their own country may be forced laborers.26 The women engaged in forced labor or bonded labor are victims, especially in the home environment where they are enslaved, often suffering

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17 Logan et al., supra note 1, at 4.
18 Mariconda, supra note 16, at 157.
19 Id.
20 Id. at 166.
23 Id.
24 TRAFFICKING REPORT 2011, supra note 21.
25 Id.
26 Id.
sexual exploitation.\textsuperscript{27}

(2) \emph{Sexual slavery trafficking}. Sexual slavery trafficking is an important part of human trafficking. When an adult is forced or deceived into prostitution, he or she belongs to the human trafficker.\textsuperscript{28} Sexual slavery trafficking also occurs in debt bondage.\textsuperscript{29} The criminals’ claim to women and girls in the transporting and recruitment activities forces them into prostitution in order to maximize the profit through sexual exploitation.\textsuperscript{30}

(3) \emph{Bonded labor}. A form of forced labor for debt redemption is referred to as bonded labor, which has long been prohibited by the laws of the U.S., and is regarded as a form of human trafficking.\textsuperscript{31} When traffickers or recruiters around the world require workers to bear the initial debt, and then exploit the workers, the workers are reduced to victims of bonded labor.\textsuperscript{32} “Workers also may inherit debt in [a] more traditional system[ ] of bonded labor.”\textsuperscript{33} It is estimated that millions of people trafficked in South Asia work to pay the debt of their ancestors.\textsuperscript{34}

(4) \emph{Migrant workers’ debt bondage}. Migrant workers are asked to pay illegal fees and debts, which are supported by the destination country, and by employers, which may result in debt bondage.\textsuperscript{35} In the country of destination, victims are regarded as workers who are hired by employers to participate in short-term work plans, which also contribute to debt slavery.\textsuperscript{36}

(5) \emph{Forced child labor}. Forced child labor refers to the sale and trafficking of trapped children into debt bondage, or forced labor, which are the most serious forms of child labor exploitation.\textsuperscript{37} Typically, the forced exploitation is likely to be of victims of human trafficking, and is controlled by non-family members.\textsuperscript{38} Children are forced to engage in labor, and they are not allowed to leave, enjoying no freedom, let alone dignity or a life of

\begin{thebibliography}{9}
\bibitem{27} Id.
\bibitem{28} Id.
\bibitem{29} Id.
\bibitem{30} Id.
\bibitem{31} Id.
\bibitem{32} Id.
\bibitem{33} Id.
\bibitem{34} Id.
\bibitem{35} Id.
\bibitem{36} Id.
\bibitem{37} Id.
\bibitem{38} Id.
\end{thebibliography}
decency.\textsuperscript{39}

\textbf{B. Issues of Sexual Exploitation in Human Trafficking}

According to the investigation report of the International Justice Mission, human trafficking is one of the three largest criminal activities in the world.\textsuperscript{40} Human trafficking includes both labor exploitation and sexual exploitation, however, this article mainly concentrates on the latter. Trafficking is considered a massive global enterprise that is essentially a trade in rape-for-profit.\textsuperscript{41} Based on the relevant statistics of the United Nations in the 1990s, this criminal activity gained huge profits of up to $2 million yearly,\textsuperscript{42} and in 2000, the data was close to $9 billion.\textsuperscript{43} However, the latest United Nations data shows that in 2010, the market value was over $32 billion for human trafficking.\textsuperscript{44} Accurate data on trafficking victims is difficult to determine due to different statistical methods used by various institutions;\textsuperscript{45} the data gaps range from six hundred thousand\textsuperscript{46} to twenty-seven million people.\textsuperscript{47} Based on the amount of profits human trafficking earns, the number of victims is no small number.

Most of the victims of sexual exploitation are women and children, and the main methods include debt bondage, fraud, kidnapping, and threats of violence.\textsuperscript{48}

By all accounts, trafficking in human beings is increasing at staggering rates. Increased economic inequality, with its discriminatory impact on girls and women, ensures a supply of desperately poor women and girls willing to do anything to survive. Within continents and across oceans, women and children are bought and sold to serve the demands for exploitative sex or cheap

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{39} Id.
\item \textsuperscript{40} Int’l Just. Mission, \textit{Fact Sheet: Sex Trafficking}, IJM.ORG (2010), http://www.ijm.org/sites/default/files/resources/Factsheet-Sex-Trafficking.pdf.
\item \textsuperscript{41} Id.
\item \textsuperscript{43} Id.
\item \textsuperscript{44} Id.
\item \textsuperscript{45} Int’l Just. Mission, \textit{supra} note 40.
\item \textsuperscript{46} See U.S. Gov’t Accountability Office, GAO-06-825, \textit{Human Trafficking} (July 2006).
\item \textsuperscript{47} Int’l Just. Mission, \textit{supra} note 40.
\item \textsuperscript{48} Trafficking Report 2008, \textit{supra} note 5.
\item \textsuperscript{49} Int’l Just. Mission, \textit{supra} note 40. See Trafficking Report 2011, \textit{supra} note 21 (describing the major forms of human trafficking).
\end{itemize}
\end{footnotesize}
labour.\textsuperscript{49}

One scholar has given a definition for trafficking in women:

All acts involved in the recruitment and/or transportation of a woman within and across national borders for work or services by means of violence or threat of violence, abuse of authority or dominant position, debt-bondage, deception, or other forms of coercion.\textsuperscript{50}

Trafficking in children is one of the main forms of human trafficking for sex exploitation.\textsuperscript{51}

Child pornography is, by most accounts, a multi-billion-dollar global enterprise. In Germany alone, estimated sales of child porn exceed $250 million, with the number of consumers ranging from 30,000 to 40,000. The biggest market for child pornography is the United States, where an estimated $6 billion is generated annually. Eighty-five percent of the worldwide sales of child pornography comes from America. Each year, an estimated 30,000 children are sexually exploited by child pornographers in Los Angeles alone.\textsuperscript{52}

In the UK, the current immigration regime and the absence of labour standards in the sex sector combine to leave many irregular migrants in a position whereby they have little choice but to accept extremely poor working conditions and highly exploitative employment relations. They can expect (in theory if not in practice) nothing more from the state than to be protected from an employer who locks them into a building, and/or rapes or beats them or threatens to kill their family.\textsuperscript{53}

It is incorrect to say that trafficking for sexual exploitation occurs only in some poor and developing countries. In fact, human trafficking for sexual exploitation is not only widespread in the Caribbean Coast Region, the Philippines, India, and countries in Asia, but is also a fast-growing criminal activity in European countries and the U.S.\textsuperscript{54} For example, the largest


\textsuperscript{51} See Int’l Just. Mission, \textit{supra} note 40 (estimating that half of human trafficking victims are minors).


influx of human trafficking to the U.S. is coming from less developed regions and countries, such as South America and South Asia. Regarding sex slavery in human trafficking, the international trafficking routes are rampant in the list of countries above, which can be seen more clearly in the analysis of the factors contributing to sexual exploitation trafficking in these countries.

Trafficking for the purpose of sexual exploitation is part of an international range of criminal activities, but in certain areas and regions it is more rampant due to poverty, which is an important cause of sexual exploitation trafficking. However, Stoecker believes that “[a]t least four factors are facilitating the growth of this phenomenon: the globalization of the economy, the increased demand for personal services in the developed world, the continuing rise in unemployment among women, and the rapid and unregulated enticement and movement of human capital via the Internet.” Poor countries have more victims trafficked into prostitution than countries with economic strength and low unemployment. In addition, prostitution activity in some countries is becoming a factor contributing to the increase in human trafficking activity.

According to Professor Hughes, of the Women’s Studies Institute at the University of Rhode Island, due to the prevalence of prostitution activities, brothel owners cannot find enough local women to meet the needs of the clients, so it is likely that the crime of human trafficking for prostitution activities exists in


55 See Human Trafficking Statistics, supra note 54.


60 Id. at 4.
order to meet the needs of the local and foreign clients.\textsuperscript{61} The brothel owners spend money, when accepting trafficked women or children for the purpose of prostitution, in order to reap huge profits.\textsuperscript{62} Finally, the inefficiency of the fight against human trafficking also results in the growth of this criminal activity, over a long period of time, without repercussions.\textsuperscript{63}

The U.S. Department of State’s Office to Monitor and Combat Trafficking in Persons released the 2008 Trafficking in Person’s Report.\textsuperscript{64} The 2008 report is based on 170 countries’ efforts to combat and punish crime, protect victims, and, finally, abolish trafficking in persons.\textsuperscript{65} In accordance with the classification criteria of the U.S. Department of State, countries with the best performance in combating human trafficking and rescuing victims are classified as Tier One.\textsuperscript{66} Countries which have made a commitment to combat human trafficking, but have not yet reached the minimum international standard of the Trafficking Victims Protection Act, are classified as Tier Two.\textsuperscript{67} Some of these countries have not made significant progress.\textsuperscript{68} Countries with the worst records are classified as Tier Three.\textsuperscript{69} Therefore, if this report is objective and fair, it can reveal the population being trafficked into prostitution in a region, and each government can take effective measures to curb the growth of this criminal activity.\textsuperscript{70}

In 2008, the U.S. listed some countries’ rankings for combating crime.\textsuperscript{71} Moldova was the only country in Europe ranked as a Tier Three country, as was Sudan in Africa, and Myanmar, Papua New Guinea, and North Korea in the Asia-Pacific region were seen as representative of governments that do not act against human trafficking, contributing to the inefficiency of combating sex trafficking.\textsuperscript{72} Based on the above, some people may infer that the countries in the East Asia and Pacific region should be classified as without power to combat trafficking. This

\textsuperscript{61} Id. at 1.
\textsuperscript{62} See Yen, supra note 57, at 658. See also Stoecker, supra note 58, at 130.
\textsuperscript{63} Matthews, supra note 56, at 652–53, 673.
\textsuperscript{64} TRAFFICKING REPORT 2008, supra note 5.
\textsuperscript{65} Id.
\textsuperscript{66} Id. at 12.
\textsuperscript{67} Id.
\textsuperscript{68} See id.
\textsuperscript{69} Id.
\textsuperscript{70} TRAFFICKING REPORT 2008, supra note 5, at 10.
\textsuperscript{71} See id. at 46–48.
\textsuperscript{72} Id. at 44.
type of criminal activity is the most prevalent in these areas. However, that is not entirely so, because some countries in the region have taken measures to curb such a rise in crime rates. In the Near East region, some countries have been listed in the 2008 report as Tier Three countries, including Iran, Algeria, Saudi Arabia, Oman, Qatar, and Kuwait. However, in the East Asia and Pacific region, while only four countries were classified in 2008 as the most effective in controlling trafficking criminal activities, most of the governments do not play an active role in fighting against this type of criminal activity in this region.

III. INTERNATIONAL OBLIGATIONS AGAINST HUMAN TRAFFICKING

Human Trafficking is considered to be a borderless criminal activity, with a negative impact on the international community. The international community should bear the responsibility to combat this type of crime at both the global and domestic levels, so active measures should be taken to fulfill obligations under the agreements to combat the criminal activities of human trafficking. At the global level, the international treaties, conventions, and protocols on the agreements of the international community will play an important role in curbing human trafficking, while drafting the international treaties, conventions, or protocols will enable the State Parties to take effective measures to combat such evil crimes as human trafficking and sex slavery. Now, let us discuss the achievements of international efforts to fulfill the obligation to fight against human trafficking, in order to have a better understanding of the international measures to deal with human trafficking.

A. International Treaties

The treaty is the most important source of international law, and deals with international relations through negotiations between the contracting parties. The concrete manifestation of the treaty and agreement is the outcome of the negotiations. In

73 Id. at 46.
74 See id.
75 Id. at 48.
76 TRAFFICKING REPORT 2008, supra note 5, at 46.
77 Id. at 7.
accordance with the Vienna Convention, the provisions of the subparagraphs of the treaty are the only international law-based agreement between States.\(^{78}\) Treaties dealing with human trafficking, especially trafficking in women and children for sexual exploitation, have great significance in combating criminal activities, and include: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, the Convention on the Elimination of all Forms of Discrimination against Women, and the Convention on the Rights of the Child and its Optional Protocol on the Sale of children, Child Pornography and Child Prostitution. Although some of these treaties were not specifically adopted to address the origins of trafficking and the legal issues surrounding it, they may be the main sources of international measures taken fulfill the responsibility of fighting against human trafficking globally.

\(B. \) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

In 2000, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children was adopted.\(^{79}\) It is the first, and most important, protocol, with international influence on the agreement to solve the problem of human trafficking.\(^{80}\) The Protocol requires a large number of countries to comply with and fulfill the responsibility under the framework.\(^{81}\) The Protocol has three main aspects. Mainly, this is a protocol to prevent human trafficking.\(^{82}\) Also, when human trafficking occurs, the purpose of the Protocol is to encourage the State Parties to cooperate in order to achieve the target goal of respecting and protecting the human rights of trafficked persons.\(^{83}\) The agreement should not be limited to the overall approximate measures to counteract the criminal activities of


\(^{79}\) Trafficking Protocol, supra note 11.


\(^{81}\) See Trafficking Protocol, supra note 11, at pmbl.

\(^{82}\) Id. at art. 2.

\(^{83}\) Id.
trafficking, and, more importantly, the means used to combat human trafficking activities.\textsuperscript{84} China accepted this international instrument, and has, in national legislation, classified human trafficking as an illegal and criminal activity.\textsuperscript{85} Therefore, this Protocol is also supplemented and supported by the domestic criminal law of China.\textsuperscript{86}

C. The Convention on the Elimination of All Forms of Discrimination against Women

In 1979, the UN General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which went into effect on September 3, 1981.\textsuperscript{87} This convention is another important treaty of the international community against trafficking in women. This treaty is called the anti-trafficking treaty for several reasons. First, the majority of the victims of human trafficking for prostitution are women, and the CEDAW aims to eliminate all forms of discrimination against women and requires all State Parties to take measures to condemn and reduce gender discrimination, therefore, providing women and men with fair and equal treatment in modern society.\textsuperscript{88} Second, Article VI of the CEDAW provides that member States should “take all appropriate measures, including legislation, to suppress all forms of traffic[king] in women and exploitation of prostitution of women.”\textsuperscript{89} All State Parties of this treaty undertake important responsibilities to combat human trafficking activities at the domestic level.\textsuperscript{90} Since its resumption of a legitimate seat in the United Nations in 1971, China has actively participated in the activities of the United Nations to improve the status of women and promote gender equality.\textsuperscript{91} In 1980, China signed the Convention on the Elimination of All

\textsuperscript{84} Id. at art. 3.

\textsuperscript{85} Id. (see list of participants). See P.R.C. CRIM. L. Art. 236–42, 358–59 (1997) (China).

\textsuperscript{86} Id.


\textsuperscript{89} U.N. GAOR, supra note 87, at art. 6.

\textsuperscript{90} Id. at art. 2.

\textsuperscript{91} See Rangita De Silva De Alwis, Opportunities and Challenges for Gender-Based Legal Reform in China, 5 E. Asia L. Rev. 197, 204–05, 207 (2010).
Forms of Discrimination against Women, and it has taken many appropriate measures to undertake the obligations of this international convention.  

D. The Convention on the Rights of the Child

The Convention on the Rights of the Child is a treaty combating trafficking, adopted according to the influence of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. Article 11 of the Convention on the Rights of the Child provides: “States Parties shall take measures to combat the illicit transfer and non-return of children abroad.” It is very clear that the State has the responsibility to take measures in order to ensure that illegal children trafficked are returned to their countries. On the sale of children, child prostitution, and child pornography, particularly, the Optional Protocol requires:

Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether such offences are committed domestically or transnationally or on an individual or organized basis: In the context of sale of children as defined in article 2: Offering, delivering or accepting, by whatever means, a child for the purpose of: (a) sexual exploitation of the child; (b) transfer of organs of the child for profit; (c) engagement of the child in forced labour.

It is the responsibility of State Parties to uphold these articles by taking all appropriate measures to prevent international human trafficking and sex slavery: “The need to deal with trafficking of human beings has been recognized at the national, regional, and international levels, and an important step was taken with the adoption of the Trafficking Protocol. It has established a basic framework for prevention and prohibition of trafficking and for international cooperation.” The following

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95 Optional Protocol, supra note 93, at art. 3.
section discusses the main measures that have been taken against human trafficking and sex slavery in the modern world.

IV. MAIN MEASURES AGAINST HUMAN TRAFFICKING AND SEX SLAVERY

According to the requirements of the above-mentioned treaties, and other international obligations of the Convention, the State governments need to take measures to fulfill their treaty obligations in combating human trafficking and sexual exploitation.\(^\text{97}\) “Thus far, intervention strategies have focused on the need for urgent awareness raising, training of law enforcement officials and tougher legislation to criminalize trafficking in persons.”\(^\text{98}\) In fact, joint efforts of the international community are greatly needed to fight against these criminal activities, because human trafficking and sex slavery are a global phenomenon and borderless criminal activities. Meanwhile, many factors contribute to the phenomenon of human trafficking at the national level, including economic conditions and social reasons.\(^\text{99}\) Therefore, combating such criminal activities requires the State Parties to take both legislative and judicial measures on the one hand, and political, economic, cultural, and social measures on the other hand.

States and the international community must take a holistic approach which addresses multi-faceted problems pertinent to trafficking, including its causes and the consequences. If such an approach is taken at the national, regional, and international levels with effective cooperation and coordination, then the fight against trafficking may be won sooner rather than later.\(^\text{100}\) The following measures have started a hard and new journey to combat human trafficking and sex slavery in the modern era.

A. Fulfilling the Obligations of the International Convention

As mentioned above, these treaties give the State governments obligations to protect the human rights of victims and combat

\(^{97}\) See, e.g., Trafficking Protocol, supra note 11, at 3. See also Trafficking Protocol, supra note 11, at art. 5; U.N. GAOR, supra note 87.

\(^{98}\) Karin Koen, Crossing Borders and Boundaries, 62 AGENDA 85, 90 (2004).

\(^{99}\) See Francis T. Miko, Cong. Research Serv., RL30545, Trafficking in Women and Children, 2 (2002) (discussing a number of contributing factors to the increase in trafficking).

\(^{100}\) Obokata, supra note 96, at 457.
such criminal activities.\textsuperscript{101} Regardless of whether a State signs a specific treaty, it does not become an excuse for not fulfilling its obligations in combating human trafficking—in particular, sex slavery—in the modern world. In general, the member States have an inescapable responsibility to take effective measures to protect victims of trafficking and to punish traffickers under the international treaties.\textsuperscript{102} Kofi A. Annan, Former Secretary-General of the United Nations once pointed out:

I believe the trafficking of persons, particularly women and children, for forced and exploitative labour, including for sexual exploitation, is one of the most egregious violations of human rights that the United Nations now confronts. It is widespread and growing. It is rooted in social and economic conditions in the countries from which the victims come, facilitated by practices that discriminate against women and driven by cruel indifference to human suffering on the part of those who exploit the services that the victims are forced to provide. The fate of these most vulnerable people in our world is an affront to human dignity and a challenge to every State, every people and every community.\textsuperscript{103}

The preamble of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime declares that:

\begin{quote}
[\textbf{E}ffective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights.}\textsuperscript{104}
\end{quote}

To punish the crimes and to protect the victims of these illegal activities, domestic legal and judicial guarantee must be provided by the State government, and the State government must cooperate with the international community. In this sense, the State can never stop human trafficking and sex slavery merely by its own efforts. However, the efforts of the State are still the prerequisite for the ultimate victory of the battle against such evils.

\textsuperscript{101} Trafficking Protocol, \textit{supra} note 11, at art. 5.
\textsuperscript{102} See \textit{id.}
\textsuperscript{103} Organized Crime Convention, \textit{supra} note 12.
\textsuperscript{104} Trafficking Protocol, \textit{supra} note 11, at pmbl.
B. Victims of Trafficking and Violence Protection Act of 2000

The Victims of Trafficking and Violence Protection Act (VTVPA) was passed in 2000, which reflects that the U.S. is trying to combat criminal trafficking activities as the most important response to international obligations. The main purpose of this Act is to crack down on human trafficking, prosecute traffickers, prevent the development of the industry, and protect victims. According to the VTVPA, Congress agrees that, in the battle against trafficking in human beings, the U.S. not only needs to actively control domestic criminal activity, but must also rely on international cooperation to solve international problems. However, current international cooperation in this regard is still weak. The U.S. Congress calls on all countries to strengthen efforts to enhance cooperation, block trafficking routes, prosecute and punish traffickers, and protect victims and realize their reintegration into society. This is a good beginning of the battle, but there is a long way to go before we can win the war. As Mariconda states, “human trafficking would not be able to flourish if governments were willing and able to stop it; unfortunately, in many countries, both of these elements are often lacking.” Furthermore, all the factors, such as the demand of a global market, endless supply of victims, the motive of profits from trafficking, and the involvement of organized crime, play a contributing role in facilitating the development of the industry of human trafficking and sex slavery. In this case, further efforts of the States are greatly needed to counter modern slavery globally.

C. Interagency Cooperation and Efforts

The States should not only take legislative action in order to eliminate trafficking, but should also make other concrete efforts to combat trafficking and criminal activities. The governments should expand responsibility for the protection of victims and increase their efforts to combat human trafficking. According to

106 Id. at § 7101(a).
107 Id. at § 7104(a).
108 Id. at §§ 7103–05, 7109.
the U.S. Department of Health and Human Services, 63,527 children were sexually abused in the U.S. in 2010, a drop from 150,000 in 1992; and while some researchers were surprised that the recession did not cause more cases of sexual abuse, others note that the drop may reflect methodological changes of counting reports, as well as lower levels of abuse.\textsuperscript{110} These results show that continuous efforts have been made against human trafficking and sexual crime by the U.S.

The clean-up activities were also conducted to combat human trafficking. The most significant achievement of the U.S. Federal Bureau of Investigation (FBI) is the Innocence Lost National Initiative project, which was launched in June 2003.\textsuperscript{111} For example, the FBI carried out a national sting over a five-day period in 2008, and it covered sixteen cities, in eleven states, and the District of Columbia and resulted in the arrest of 356 people.\textsuperscript{112} Another initiative is called the Rescue & Restore Victims of Human Trafficking campaign, which effectively raises awareness of the great importance of the global fight against human trafficking activities.\textsuperscript{113} This project also shows us that non-governmental organizations play an important part in the elimination of human trafficking by providing life and job skills training for the victims trafficked. However, as Miko criticized in the CRS Report for Congress, “[u]ntil recently, U.S. laws were widely believed to be inadequate to deal with trafficking in women and children. Nor were there thought to be adequate laws and services to protect and assist victims.”\textsuperscript{114}

CONCLUSION

Human trafficking and sex slavery has not been eradicated in the modern era, and they have become a growing criminal market


\textsuperscript{114} MIKO, \textit{supra} note 99, at 8.
in the world—particularly, in the developed countries. It is likely that it will never be completely eradicated. However, we can reduce and curb the growth of these evils. But, if we do not make joint efforts now, we may never know what we can achieve in protecting the victims and punishing the traffickers. Therefore, we should persist in the struggle against human trafficking and sex slavery by joint efforts. Since other barbaric acts of human society have been banned and controlled, we have sufficient reasons to believe that modern slavery should be effectively curbed, and the rights and interests of the victims should be practically guaranteed. The goal of our efforts is to combat human trafficking and sex slavery in the modern world, because combating trafficking in persons is not only an international concern, but also an obligation of a State. Therefore, domestic efforts need to be made from different aspects, including legislative measures, judicial guarantee of the victims' rights, and punishment of the crimes. Efforts are also needed to raise public awareness of human trafficking—especially, trafficking in women and children for sex exploitation. It should be emphasized that we fight against human trafficking, not just for the victims and potential victims, but also for ourselves, because if we do not defend the dignity of others, we ultimately cannot fully enjoy our own dignity. We consider it a manifestation of the international obligation to follow noble human decency and illuminate the road ahead, along which human beings can move forward to a brighter future.