TACKLING THE DEMAND THAT FOSTERS HUMAN TRAFFICKING

FINAL REPORT

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Tackling the Demand that Fosters Human Trafficking

Final Report

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I hope that readers of this report will find it a useful tool for the development of programs targeting the demand side of human trafficking.

Ruth Rosenberg

ACRONYMS AND ABBREVIATIONS

BGRF	Bulgarian Gender Research Foundation
CAASE	Chicago Alliance Against Sexual Exploitation
CATW	Coalition Against Trafficking in Women
CIW	Coalition of Immokalee Workers
COMMIT	Coordinated Mekong Ministerial Initiative against Trafficking
E&E	Europe and Eurasia
EAEC	Eurasian Economic Community
EWL	European Women's Lobby
HRW	Human Rights Watch
ICRW	International Center for Research on Women
ILO	International Labour Organization
ILRF	International Labor Rights Forum
IOM	International Organization for Migration
NATO	North-Atlantic Treaty Organization
NGO	Nongovernmental organization
OSCE	Organization for Security and Co-operation in Europe
UN	United Nations
UNIAP	United Nations Inter-Agency Project on Human Trafficking
USAID	United States Agency for International Development
WIP	Women involved in prostitution

I. EXECUTIVE SUMMARY

Despite the importance of reducing demand to combat trafficking in persons (TIP), there is a dearth of information about good practices in demand reduction, and few such programs have been evaluated. The Europe and Eurasia (E&E) region has recorded an increase in incidences of trafficking into and within the region, demonstrating a demand for trafficked labor and services from both beyond and within the region. In spite of this, demand reduction efforts have been few and far between. Good practices that can be emulated in designing demand reduction programs are not well-known and there is a sense that programming to address demand may not be effective. USAID commissioned this report to increase its Missions' awareness of good practices in tackling demand, and to provide them with concrete ideas and tools to introduce demand reduction activities into anti-TIP and other relevant programming. This report analyzes the demand for trafficked persons, reviews interventions designed to reduce demand, and provides recommendations for programming in the E&E region.

Demand in this report refers to and focuses on persons who directly benefit from the services of trafficked persons or the goods produced by their labor. The report addresses four specific categories of demand:

- Individuals who purchase sexual services from people trafficked into prostitution
- Both individuals and businesses that employ persons who have been trafficked by others or whom they directly exploit for their labor
- Businesses with a supply chain that includes trafficked labor
- Consumers who purchase products made by enslaved labor

Demand for trafficked labor cannot easily be separated from demand for labor more generally in certain sectors. Because many of the individuals and businesses discussed in this report are not directly involved in trafficking, their demand is not for trafficked labor *per se*. Therefore, this report looks separately into the four categories of demand described above and discusses what individuals and businesses are looking for that leads to trafficking in persons. Generally speaking, demand for trafficked persons proliferates in sectors that are characterized by: informality or illegality and poor regulation; low profit margins and low wages; low status unskilled work, and; temporary or seasonal employment. This demand can be fueled or reduced by government policies, social and cultural attitudes and the economics of trafficking.

TRAFFICKING FOR PROSTITUTION

Without buyers' demand for prostitution there would be no trafficking for the purpose of prostitution. The fact that most buyers have not been involved in the trafficking process does not mean that they are unaware of the vulnerable state of the women they use or of the likelihood that these women are controlled by a third party. Rather, it implies that the demand of the vast majority of buyers is not specifically for a victim of trafficking. Because it is therefore meaningless to separate demand for prostitution from demand for prostitution provided by trafficked persons, the report focuses on demand for prostitution more generally.

This focus requires both breadth and depth of understanding. Buyers are not a homogenous group. The scope of prostitution varies greatly between countries and regions, possibly reflecting different societal attitudes towards prostitution. Buyers come from different demographic backgrounds. They have different life experiences, different attitudes toward women and prostitution, and all of them have their own personal motivations for purchasing sex services. Finally, one notable fact stands out: In large parts

of the world, the vast majority of men are not buyers of prostitution. This fact alone might give us hope that demand can be reduced.

Several studies of buyers that specifically asked respondents about human trafficking found that although many men were well-informed about trafficking, this knowledge did not deter them from buying the services of women in prostitution (Anderson & O'Connell Davidson, 2002b; Durchslag & Goswami, 2008; Farley, Bindel, & Golding, 2009; Macleod, Farley, Anderson, & Golding, 2008). While many buyers rescue women from trafficking (Rosenberg, 2004), many of the men in the studies consulted for this report showed a clear disregard for the plight of women in prostitution, even when directly confronted with information that the women had been forced into it, as the following quotes from buyers illustrate:

> *…Some are being held hostage and in a brothel, not all of them but in situations where she is looking to get out. I felt a little bit guilty when I was in saunas and massage parlours (*Farley et al., 2009, p. 20).
>
> *I have had some Asian women through a service that were forced here (*Durchslag & Goswami, 2008, p. 21).

The report makes four key recommendations to address demand for prostitution. These include educational programs, especially targeting young men and adolescents, criminalizing prostitution buyers in combination with active enforcement of laws against the buyers, reducing access to pornography and prostitution by restricting advertising, and conducting research into the buyers of prostitution in the E&E region.

Educating youth. Buyers are often very young the first time they engage women in prostitution, often doing so as a result of peer pressure. Additionally, many men feel guilt and shame about sex in general and their use of prostitution in particular (Monto & McRee, 2005; Farley et al., 2009; Macleod et al., 2008). Men's use of prostitution is also affected by cultural attitudes and acceptance of prostitution. These factors indicate that USAID support for educational and behavior change interventions could be effective at reducing demand, especially if targeted at youth.

Criminalization. Men's knowledge of trafficking and the abuse suffered by women involved in prostitution (WIP) is not enough of a deterrent to reduce demand (Barker, et al. 2011; Farley et al., 2009; Durchslag & Goswami, 2008). Buyers themselves indicate that greater criminal sanctions or public exposure are the most effective deterrent strategies (Farley et al., 2009; Macleod et al., 2008; Durchslag & Goswami, 2008). A recent evaluation of Sweden's experience in criminalizing demand suggests that its approach has effectively reduced demand (Government of Sweden, 2010). However, in many countries where it is already a criminal offense to purchase sex, the risk of arrest is so remote that it has no deterrent effect (Brewer et al., 2006; Farley et al, 2009; Macleod et al., 2008). Clearly, reforming legislation to criminalize the purchase of transactional sex must be accompanied by enhanced law enforcement efforts that make the threat of arrest tangible. USAID could support legislative reforms as well as capacity building to enhance enforcement of these laws.

Reducing access. Easy access to pornography and prostitution also fuels demand. Prostitution flows indicate that buyers will seek out prostitution in places where it is least costly and legal or tolerated (Farley et al., 2009; Marttila, 2007). This indicates that reducing both advertising of and access to prostitution and pornography could also be an effective strategy for reducing demand. USAID could support countries' efforts to reform regulation of advertising and provide capacity building for monitoring and regulating pornography and prostitution on the Internet.

Research on buyers in the E&E region. The lack of research into the buyers of prostitution in the E&E region is a significant hindrance to designing effective demand reduction interventions. In order to effectively target demand reduction strategies, USAID should support research to increase knowledge about the prostitution buyers who make up the demand in the E&E region.

TRAFFICKING FOR LABOR

Direct employers of trafficked labor. It is important to view the employers who create the demand for trafficked labor along a continuum, with traffickers who consciously and knowingly enslave their employee(s) at one end, and employers who use trafficked labor without being aware of it at the other end. In between these two poles is a middle range of employers who may see themselves as good employers and law-abiding citizens, but who rationalize their exploitation of workers.

It is also important to note that there is a continuum of workplace exploitation, from mild forms of exploitation such as low wages or long working hours, to severe forms of enslavement involving physical violence, imprisonment and other extreme forms of coercion. Because it is extremely difficult to separate demand for trafficked labor from demand for exploitable labor, the need for a vulnerable and exploitable workforce is a more relevant framework for discussion. In a given country, this exploitable workforce would encompass both vulnerable migrants and native workers.

Many of the industries into which people are trafficked are especially difficult to regulate owing to the hidden nature of the work. Shipboard work as well as work in mining and agriculture take place in remote locations, isolating workers and making it difficult for inspectors with limited time and resources to regularly reach them (OSCE, 2009; Rosenberg, 2010). Construction workers are also often kept isolated (Tiurukanova, 2005). Work in private households is both hidden and often exempt from labor regulations and oversight mechanisms (Gordolan & Lalani, 2009; Walsh & O'Shea, n.d).

In these sectors, companies and individuals often rely on third parties to find workers for them. The demand for subcontracted labor is fueled by the need for cheap labor by companies that want to avoid any financial obligation for benefits, taxes, and social insurance. This might be driven by a need to remain competitive or to increase profit margins. Indications are that such subcontracting relationships are increasing globally and putting more workers at risk for trafficking and exploitation. Many workers employed via subcontractors have limited chances for seeking redress because they often do not even know for whom they are ultimately working. Parent companies are often not held responsible for a subcontractor's violation of workers' human rights and labor rights. As these organizations are often fly-by-night companies that are easily dismantled to avoid criminal sanctions, workers can be exploited with impunity (Andrees 2008; Anti-Slavery 2006; Pereira & Vasconcelos, 2008).

In many of the sectors in which trafficked persons are employed, jobs involve difficult or low status tasks, require long hours, pay very low wages, offer few or no benefits, and provide no job security. Explanations for why these jobs are increasingly filled by immigrant workers include the theory that (a) these jobs are not of interest to a country's citizens, or (b) certain nationalities may be better suited to the work. Migrant workers, for example, are often described as more flexible and willing to work the evening and weekend shifts that local workers do not want (Walsh & O'Shea, n.d.; Martin. Lowell, Gozdziak, Bump, & Breeding, 2009).

An alternative to this *unwanted jobs* theory is evidence that employers have in effect changed the structure of jobs in order to attract only the most vulnerable workers who are less likely to complain about the injustices they face in the workplace. Employers intentionally structure jobs to keep out empowered workers through low wages and poor working conditions in combination with informal hiring networks. By hiring within informal networks, the jobs stay segregated, deterring other workers, who may be more forceful in demanding their labor rights, from applying (Saucedo, 2006).

In addition to preferring disempowered workers, many employers of migrant workers, especially domestic workers, see the relationship through a paternalistic rather than employment lens. They perceive themselves as helping someone in need. Therefore, an employer may believe that the worker should feel gratitude and be obedient and faithful to their benefactor. Many employers that view their relationships as benefactors rather than employers do not grant labor rights to their employees

(Anderson & O'Connell Davidson, 2002b).

Consumers of goods and services made by trafficked workers. The clandestine nature of trafficked labor means that it is impossible to isolate and describe a particular consumer demographic. Consumers of goods are generally not aware if the goods and services they buy have involved trafficking. Unintentional buyers represent the full range of consumers in any society, given the global nature of the world economy.

Consumers are indicating growing interest in and concern about ensuring that the products they use are produced in accordance with international human and labor rights standards. Ethical consumerism makes buyers feel good about their purchases, provides them with a form of self-expression for the causes they support, and may provide a feeling of membership in a particular group or sub-culture (Zadek, Lingayah, & Forstater, 1998).

However, obstacles remain in translating consumer interest into purchasing decisions. Consumers may not have access to socially labeled products, may lack clear information about products they want to purchase, may not be able to afford socially labeled products, and may feel that their small purchases will not make a difference in an immense global economy (Zadek, et al., 1998).

SUMMARY OF RECOMMENDATIONS FOR ADDRESSING DEMAND

TRAFFICKING FOR PROSTITUTION

Research. In order to design effective programs to reduce demand for prostitution it is important to understand the nature of the demand. To date, studies of prostitution in the E&E region have focused almost exclusively on WIP. USAID could support studies of the buyers in order to increase understanding of demand and develop better informed interventions.

Legislation and Enforcement. In order to reduce demand for prostitution, it is critical that legislation criminalizes the buyers. In most countries of the E&E region, this is already the case. In those where it is not, USAID could support efforts to reform legislation. The research also suggests that instituting a regime that decriminalizes the seller, such as Sweden's, can help to reduce demand and assist WIP to find other means of support.

Criminalization alone, however, is not effective. In most countries where purchasing commercial sex is criminalized, enforcement of the laws tends to be weak. In fact, a buyer's risk of detection and arrest is so slim that there is not a deterrent effect. Clearly, efforts to step up enforcement are necessary. While specific enforcement efforts should be informed by the research on demand recommended above, there are indications in many countries in the region that the following interventions are likely to be necessary:

- **Capacity building to conduct investigations.** USAID could support efforts to train police in conducting investigations targeting prostitution buyers. Information and guidance is needed on successful approaches used elsewhere, such as conducting sting operations with undercover officers posing as WIP.
- **Changing attitudes among law enforcement about prostitution.** Studies from the region indicate that police are implicated not only in prostitution use, but also in abuse of WIP. Changing the attitudes of the police would be an important step toward improving their enforcement efforts. Attitudinal change takes leadership and it will be necessary for the highest levels of law enforcement to transmit a clear policy on enforcement and prioritize directing enforcement efforts toward the buyers.

- **Awareness-raising about laws.** Changes in legislation and plans for stricter enforcement should include efforts to raise the public's knowledge about the relevant laws and their purpose. The Swedish model demonstrates the importance of mobilizing public support for successful implementation of laws targeting buyers. The information disseminated by these efforts can also help change the public's perceptions of prostitution so that it is no longer considered to be an inevitable part of society, and increase empathy for WIP rather than condemnation.
- **Imposing penalties and fines that can help fund enforcement efforts.** Charging buyers with fines and penalties will act not only as a deterrent to reduce demand, but also as a revenue generator to sustain further law enforcement efforts and other demand reduction strategies. The funds could also be directed towards programs to support WIP who need assistance to exit the sector. For such efforts to be effective, corrupt law enforcement practices must be addressed so that the money obtained is not diverted from government coffers.

Educating young men. The education of young men appears to be a promising means to address demand in the long-term. As noted above, studies of buyers indicate that a male's first prostitution use often occurs at a very young age and often at the instigation of his peers. There are also some indications that the younger a man is at first use, the more likely he is to be a regular user of prostitution (Anderson & O'Connell Davidson, 2002b). Therefore, USAID should support efforts to shape the attitude and behavior of young men so that they will not choose to use prostitution, and provide them with tools to resist peer pressure.

TRAFFICKING FOR LABOR

The report makes four recommendations for addressing the demand for trafficked labor.[1] As with demand for prostitution, the best approach for reducing the demand for trafficked labor is effective legislation and law enforcement. Because of the international nature of trafficking, laws and enforcement can be complemented by multilateral commitments to protect and assist persons vulnerable to labor exploitation. In addition, trade unions, nongovernmental organizations (NGOs), and migrant worker organizations can be engaged to support vulnerable workers and to educate employers and communities. Addressing issues of discrimination and racism in the general public and amongst authorities is also an important strategy for changing employers' attitudes, ensuring effective law enforcement and opening avenues for redress. The report also discusses codes of conduct in certain industries.

Legislation and law enforcement. In all of the countries of the region, the most egregious forms of labor exploitation and trafficking are criminalized, and labor legislation makes perpetrators of many lesser labor violations subject to administrative sanctions and penalties.

Reforming legislation. Reforms of some of the existing laws against worker exploitation and workplace abuse are needed. USAID could support legislative reforms in some countries to ensure that:

- Laws protect migrant workers regardless of their immigration status. Migrant workers should be entitled to the same rights, wages, and workplace protections as nationals.
- All sectors of work are included in national legislation so that workers in sectors that are vulnerable to exploitation receive protection under the law. This might include domestic workers, agricultural workers, traders, and temporary or seasonal workers.

[1] Given the sectors in which USAID works and the importance of addressing the direct exploitation of individuals in the region, the report gives priority to strategies for reducing demand for sexual and labor exploitation by individuals, businesses, and governments in the E&E region. While consumer demand for products produced with trafficked labor exists in the region, as it does everywhere in the world, it is not addressed in the recommendations for the E&E region.

- Labor inspectors have the right to inspect all relevant workplaces and the authority to act on the violations they encounter.
- Evidentiary rules are changed in order to ensure that there are ways of establishing employment relationships without written contracts.
- All parties to an employment relationship, at all levels of the supply chain, are held accountable for abuse regardless of their knowledge of or role in the exploitation.

Reforms should hold companies and government agencies accountable if their subcontractors or employment agencies are trafficking or exploiting workers.

Enforcement. Legislation is only effective if it is enforced; inadequate enforcement has been a long-standing obstacle to eradicating labor exploitation in the region. The most substantial obstacles to effective implementation of existing laws include a lack of political will, bureaucracy, corruption, and lack of capacity. USAID can use its influence to address political will (see also multilateral commitments below), support efforts to streamline bureaucratic processes, and introduce systems that reduce corruption.

Political will. All actors in the enforcement process must receive a clear directive from the highest levels of their agencies that officially establishes the primary importance of law enforcement. Specifically, all parties must be instructed to direct enforcement efforts at employers and not to harass workers. Workers, even undocumented ones, should be considered potential witnesses against abusive employers and should be given an opportunity to pursue legal avenues for justice and compensation. USAID could support countries' development of protocols and directives and their efforts to ensure that operational staff understand these directives and how to implement them effectively.

Bureaucracy. Employers and workers alike will circumvent employment laws if compliance is time consuming and the necessary forms and processes are cumbersome to complete. Simplification of regulations and procedures is needed. Better use of technology can reduce waiting time, processing time, and the number of different locations employers and workers are obliged to visit. Online procedures could also help reduce systemic corruption by substantially decreasing individuals' power over the process and keeping records of all transactions. USAID could support countries in developing simplified procedures and building computerized systems.

Corruption. Corruption must be tackled if effective implementation of laws is to be achieved; laws protecting workers are no exception. Corruption allows exploitative employers to function with impunity by bribing officials to either ignore their wrongdoing, or assist them by intimidating or summarily arresting and deporting workers before they are paid the wages that they are due. Corrupt officials need to become visible examples that deter others from similar actions. In countries where USAID already supports anti-corruption efforts, it could request that implementers focus some effort on corruption related to the exploitation of migrant workers.

Capacity building. Many of the government agencies involved in labor and immigration issues could benefit from capacity building. USAID support for government capacity building should involve government agencies charged with labor and immigration issues and should cover technical issues related to legislation and recent reforms. This includes immigration officials, labor officials, workplace inspectors, offices that handle workplace disputes, and police. USAID could support the provision of information and training on: 1) technical issues related to legislation and reforms, 2) proper treatment of migrant workers and their human and labor rights, 3) identification of violations of workers' rights, 3) migrants' civil and legal rights, 4) discriminatory attitudes and behavior

towards migrants and methods to change them, 5) the importance of migrant workers to the country, and 6) how workers can be referred for assistance.

Multilateral commitments. Because human trafficking is often a cross-border crime and is on the increase between countries in the region, a multilateral regional framework could be an effective tool for promoting multilateral dialog and agreements that address human trafficking and labor exploitation. A commission created for this purpose could address many of the topics discussed in this report and serve as a forum for encouraging and supporting government efforts to address the demand side of trafficking. Such a commission would include government representatives, and might also include unions, migrant worker groups, international organizations, and other civil society actors. USAID could support the development of such regional commissions.

Multilateral organizations in the region, such as the Eurasian Economic Community (EAEC), could serve as a forum for such a regional commitment. The EAEC comprises six member states including Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan (Armenia, Moldova, and Ukraine have observer status). It has a workforce migration program aimed at social protection for migrants, creating an effective regulation and control system, addressing migration-related criminality, and resolving tax payment problems of migrants and their employers. USAID could support similar multilateral frameworks around the region to focus on labor migration issues and reducing demand for trafficked labor. USAID could also support the development of such partnerships at the sub-regional level, as it did for the Transnational Referral Mechanism for Trafficked persons in Southeastern Europe.[2]

Unions, NGOs, and associations. Civil society groups can play an important role in combating demand for trafficked labor. In the E&E region, there has been a growing interest in the trade unions' role in supporting migrant workers. Efforts to raise migrant workers' awareness of unions and expand their union membership will contribute to increasing union effectiveness in addressing forced labor and human trafficking of migrant workers. These groups help give voice to an often un-empowered workforce. USAID could lend support to unions, migrant worker groups, and NGOs to implement a variety of initiatives including:

- Supporting exploited workers to claim their rights and seek justice.
- Conducting campaigns to increase public understanding of the issues, address widespread discriminatory attitudes, exert public pressure on the government to act and on employers to stop exploitative practices, and encourage the reporting of workplace abuse.
- Operating a hotline that will provide migrant workers and their employers with information and a way to anonymously report abuse.
- Informing employers of their obligations under the law and providing them with tools, such as model contracts, to assist them with compliance.

Raising employers' awareness. Many employers of migrant workers are small businesses and individuals who may not be aware of labor regulation issues related to migrant workers or their obligations as employers under the law. USAID could support NGOs and unions to raise employers' awareness of these issues. Providing information to employers about appropriate wages, working hours, annual leave, taxes, insurance contributions, and the need for written terms and conditions as well as sharing model employment documents might mitigate some of the problems faced by migrant workers.

Because employers may not be the ones trafficking or exploiting workers, it is also important to inform employers about the exploitative practices of intermediaries. They should also be informed about their

[2] See the website of the International Centre for Migration Policy Development for more information.

obligations under the law in regard to workers who are working for them but hired or employed by third parties.

Codes of conduct. International organizations, governments, and NGOs can encourage private sector businesses and governments, especially government procurement agencies, to adopt codes of conduct. In other parts of the world, the U.S. State Department and USAID have been active players in bringing together stakeholders to discuss voluntary codes and in providing funding for related efforts, such as research into the problem of trafficking or assistance programs for rescued children and forced laborers (Schrage, 2004). USAID could consider supporting efforts to cooperatively develop such codes, especially for larger private sector employers in the region such as those in the oil and gas, construction, and agriculture sectors, and for governments, especially government-run businesses and construction projects.

II. INTRODUCTION

PURPOSE OF REPORT

Despite the importance of reducing demand to combat trafficking in persons (TIP), there is a dearth of information about good practices in demand reduction. Demand reduction efforts are few and far between in the Europe and Eurasia (E&E) region. Surveys of anti-trafficking programs in the region conducted in 2004 (Rosenberg) and 2009 (Warnath) identified only a few programs targeting users of prostitution, but no efforts targeting either employers or consumers of trafficked labor or products. Few of the efforts to reduce demand in the E&E region have been evaluated (Warnath, 2009), so it is not possible to draw conclusions about their effectiveness and relevance for replication. As a result, good practices that can be emulated in designing demand reduction programs are not well-known; there is a sense that the issue is difficult to tackle, and that programming may not be effective. For programs that address various forms of trafficking, attempting to reduce demand in all of the relevant sectors may appear to be a daunting task. The Bureau for Europe and Eurasia at USAID commissioned this report (a) to increase the Missions' awareness of good practices in this area, and (b) to provide them with concrete ideas and tools relevant to including demand reduction activities into anti-TIP and other relevant programming.

METHODOLOGY

This report is primarily based on secondary research and other written documents available on the subject as well as extensive Internet searches on related topics. In addition, the author requested information on demand reduction activities from an extensive list of international organizations, local NGOs and government agencies throughout the E&E region. Unfortunately, few organizations responded. With the few that did, the author held telephone interviews to discuss programs in more detail.

TERMINOLOGY

Buyers: The terminology used for buyers of sexual services is debated in the relevant literature. Some believe that terms such as client, consumer and customer encourage normalization of the purchase of sex acts (Hughes, 2004) or equate prostitution with other commercial transactions (Gillings & Willoughby, 2010). For the most part, the term buyer will be used in this report. *John School* will be the term used for educational programs for buyers because it is the term most commonly used for this type of program.

Consumers: This report uses the term consumers primarily to refer to persons who purchase products made, extracted or harvested by trafficked persons.

Domestic Work: There are different definitions of what constitutes domestic work in different countries. Some organizations distinguish between domestic workers and care workers, with the former being more involved in cleaning duties and the latter more in caring for people, although there is often considerable cross over in the actual duties undertaken by workers (c.f. Gordolan & Lalani, 2009). For the purpose of this paper, we will define domestic work simply as work that takes place in a private residence. This could include a wide range of duties including, but not limited to, household cleaning, gardening, child care, and care for the disabled or elderly. [3]

[3] For a more detailed discussion of definitions of different kinds of work in the domestic sphere, please refer to the website of the International Labour Organization (ILO).

Women Involved in Prostitution (WIP): Researchers have noted that women involved in prostitution do not necessarily self-identify as prostitutes, but see themselves first as mothers, daughters, students, or other roles associated with other elements of their lives (Khodyreva, 2002). The term prostitute not only categorizes women very narrowly, but is also associated with very negative connotations. The alternative, sex worker, is seen by many people to tacitly legitimize prostitution as labor, ignoring the exploitation, risk, and degradation that often accompany it. Therefore, the term coined by Natalia Khodyreva (2002), *Women Involved in Prostitution (WIP)* will be used in the report.

While the author recognizes that both women and men are involved in prostitution, it is generally recognized that far more women are in prostitution than men, and that men constitute the vast majority of buyers. Therefore, for simplicity's sake, the report will refer to women in prostitution and will not separately discuss men in prostitution. It is also recognized that many children are abused through prostitution. As demand for WIP is usually for someone young, but not specifically for adolescents, the term WIP should be assumed to include adolescents. Specific demand for the prostitution of adolescents is addressed within the relevant sections. However, specific demand for pre-adolescent children will not be addressed. Pedophilia is recognized as a psychiatric disorder requiring specialized treatment and as such addressing demand for the prostitution of prepubescent children falls outside the scope of this report.

OVERVIEW OF HUMAN TRAFFICKING IN E&E REGION

Trafficking of persons in, to and from the E&E region has been documented well. What follows here is a very brief summary of the situation in the E&E region.[4]

There are significant incidences of trafficking and exploitation in, to and from the region. Men, women and children are all vulnerable to trafficking. All of the countries of the E&E region have significant levels of labor migration and nearly all have had reported cases of both sex and labor trafficking.[5] Not only are the countries of the region source countries, but also nearly all had reported cases of trafficking of their own citizens or foreign nationals within their borders (Rosenberg, 2010; U.S. Department of State, 2010).

Many countries in the region have seen shifts in the dynamics of sex trafficking. Traditional countries of destination are increasingly identifying trafficking of their own citizens abroad. Traditional sending countries are becoming countries of destination. Both are increasingly identifying cases of internal trafficking (U.S. Department of State, 2010; U.S. Department of State, 2002).

Similar shifts are being recognized in relation to labor trafficking. Nearly all of the countries of the region have significant levels of labor emigration and studies have found that very high percentages of those migrants experience exploitation and abuse (c.f. Rosenberg, 2010). The growth of labor exploitation of foreign nationals within the E&E region has been noted in recent years (U.S. Department of State, 2010; Rosenberg, 2010).

People from the region are often trafficked to countries in North America or Europe as well as to the Middle East and within the E&E region itself (U.S. Department of State, 2010; Rosenberg, 2010). Russia remains the most significant destination country in the E&E region, no doubt due to its size, its relatively strong economy, and its historic ties to other countries in the region. However, other countries of the E&E region have also emerged as destination countries, albeit on a smaller scale (Rosenberg, 2010).

[4] For more information please refer to other reports in the USAID Social Transition Series, including: Rosenberg, 2010; Rosenberg, 2008; Warnath, 2009.

[5] In some cases labor trafficking cases are reported as cases of exploitation or fraud but details show them to be akin to labor trafficking.

People are recruited by a variety of means within the region, often by labor recruitment companies or agents, but sometimes via social ties. They are subjected to a wide range of violations of their rights, from low or no wages to violent abuse and physical confinement, and many variations in between. They are controlled through debt obligations, threats, isolation, confiscation of their travel documents, and, very often, through the promise of benefits to come, such as owed wages or assistance securing legal status in the country.

UNDERSTANDING DEMAND

Demand for the labor and services of trafficked people can take many forms and can be defined in many ways. For example, people who knowingly recruit others for the purpose of exploitative labor or forced sexual servitude constitute demand for trafficked persons. Similarly, persons who facilitate and promote the prostitution of trafficked persons constitute demand. In this report, however, such persons will not be considered. The discussion of demand will focus on those persons who directly benefit from the services of trafficked persons or the goods produced by their labor.

Specifically, demand as addressed in this report will include:

- **Buyers of Prostitution**: Individuals who purchase sexual services from people trafficked into prostitution.
- **Employers of Trafficked Labor**: Individuals and businesses who employ persons who have been trafficked by others or whom they directly exploit for their labor.
- **Companies & Individuals Using Sub-Contracted Trafficked Labor**: Businesses whose supply chain includes trafficked labor.
- **Consumers of Goods and Services Made by Trafficked Labor**: Consumers who purchase products made by enslaved labor.

Demand for trafficked labor cannot necessarily be separated from demand for exploitable labor in certain sectors. As described above, some of the individuals and businesses discussed in this report are not directly involved in trafficking. As a result their demand is not for trafficked labor *per se*. What then are they looking for that leads to people being trafficked? These issues are discussed in the sections that follow, looking separately into the four different categories of demand described above. Generally speaking, demand for trafficked persons proliferates in sectors with the following characteristics:

- informal or illegal
- poorly regulated
- low-profit margins
- low status work
- low-skilled work
- low wages
- temporary or seasonal employment

In addition, there are broader factors that affect all of the forms of demand investigated in this report, including government policies, social attitudes, and the economics of trafficking, all of which are discussed in brief below.

GOVERNMENT POLICIES

Immigration and economic policies can have an important role in creating or reducing demand for certain kinds of workers or services. They can create conditions in which exploitation thrives or declines. In many countries, conflicting policies lead to a great demand for migrant labor but few legal means of entry. In such instances, more migrant workers enter illegally, leaving them with a precarious immigration status that makes them even more vulnerable to exploitation (Anderson & O'Connell Davidson, 2002a). A few examples below illustrate the point.

The UK has implemented an economic policy to reduce the cost of elder care and a social policy that gives care users more control over their care through the provision of "personal budgets" (Anderson, 2010). Statistics indicate that the vast majority of elder care providers in the UK are migrant workers and will likely continue to be so (Anderson, 2010). However, immigration policies restrict visas to care workers considering their jobs to be low-skilled (Anderson, 2010). Also, UK regulations to protect workers exclude work in private homes, increasing workers' vulnerability to exploitation. In Ireland as well, an increasing demand for care workers is thwarted by insufficient legal means for immigration. This may result in an increase in undocumented workers (Walsh & O'Shea, n.d.), and this legal status could increase their vulnerability to exploitation.

In Russia, a national strategy to increase the number of migrant workers is at odds with migration authorities that oppose changing the regulations to increase legal options for migration (Tiurukanova, 2005). Newly instituted migration quotas fall so far short of demand that quotas are filled in the first months of a given year (HRW, 2009).

A lack of government oversight, weak rule of law, and rampant corruption also creates conditions conducive to trafficking and provide impunity to those involved. The E&E region is no exception and this lack of government oversight allows trafficking to flourish. Because government policy is an important element of the demand for exploited and trafficked labor, it must be formulated to support demand reduction efforts. Government policy and oversight mechanisms will be discussed in more detail throughout the report.

CULTURAL AND SOCIETAL ATTITUDES

Social attitudes towards migrants, racism, and stereotypes fuel the demand for trafficked and exploited labor. Societies need to understand that cultural beliefs create the conditions that make workers more vulnerable and more easily exploited.

For example, according to Human Rights Watch (2009), labor migrants in Russia are particularly vulnerable to being stopped by authorities requesting their identity documents. It is not uncommon for authorities to be highly abusive and to extort money and labor from migrants. As a result, migrants are especially afraid to leave their work premises without their documents, and have little confidence that police will respond to reports of labor or human rights violations. It appears that employers holding workers' documents have a very effective method of controlling workers, and are at low risk of being sanctioned for the abuse they perpetrate.

Employers are not always looking for just anyone to perform a task; they may be looking for specific *types* to do certain jobs. When an employer is looking for a specific type of person for a job, that category of individual embodies the task at hand and is therefore inseparable from it. This is called *embodied labor*. The types of individuals sought could be stereotyped by physical characteristics, race, age, ethnicity, migration status and the like. Demand for embodied labor reflects social attitudes and stereotypes (Anderson & O'Connell Davidson, 2002a).

In some countries of the E&E region, exploitive labor practices may also be a normalized part of the culture. Those who are exploited may see few avenues for redress. Demanding one's rights may come

at a great cost and the rule of law may be corrupted so that those who are already disempowered may rightly believe that they will not receive justice.

COST

Basic economic theory says that price can and does influence demand. The economics of supply and demand for trafficked persons can be seen most clearly in both prostitution and domestic work sectors where lower prices result in greater demand for the service provided. In border towns between more developed and less developed economies, prostitution has thrived as the lower prices for prostitution in these border areas attract an ever increasing clientele (Anderson & O'Connell Davidson, 2002a). A Finnish buyer stated that he could not have afforded paid sex if it were not for the lower cost of commercial sex available since the opening of the borders with the former Eastern Bloc (Marttila, 2007).

Similarly, based on the author's experience, if one looks at countries where domestic labor is exceptionally cheap, an increasingly large percentage of the population employs domestic workers. In Europe and North America, as vulnerable workers have entered the domestic labor workforce, prices have declined and demand has increased.

III. DEMAND FOR PROSTITUTION

BUYERS OF PROSTITUTION

Without a buyer's demand for prostitution there would be no trafficking for the purpose of prostitution. The fact that most buyers have not been involved in the trafficking process does not mean that they are unaware of the vulnerable state of the women they use or of the likelihood that they are controlled by a third party. Rather, it means that for the vast majority of buyers, the demand is not specifically for a victim of trafficking.[6] Because it is therefore meaningless to separate demand for prostitution from demand for prostitution provided by trafficked persons, the discussion below focuses on demand for prostitution more generally.

It is also important to note that buyers are not a homogenous group. They have different motivations for the purchase of sex services, different demographic backgrounds, different life experiences, and different attitudes toward women and toward prostitution. These differences must be taken into account by efforts to reduce demand.

PROSTITUTION FLOWS

Prostitution can be analyzed economically in terms of supply and demand. The discussion that follows will consider demand in this economic context as well as in a socio-cultural context. Considering supply and demand, and given the transnational nature of human trafficking, it is important to point out that in the case of prostitution, supply and demand flow in both directions. Prostituted women and children move or are moved to where the demand is, just as buyers move to the locations where prostitution takes place. Marttila, studying prostitution amongst Finnish buyers, found that not only are migrant WIP working in Finland, but Finnish buyers frequently travel to border areas of Russia and Estonia in search of commercial sex (2007). [7]

Recent studies of buyers indicate that they often use WIP while abroad. Forty nine percent of buyers in a UK study and 56 percent of buyers in a Scottish study had paid for sex in other countries (Farley et al.,

[6] The specific demand of a small minority of buyers for victims of trafficking will be discussed below.
[7] While some of these buyers travel exclusively in search of WIP, the men interviewed were more often traveling for business or conventional tourism and taking advantage of the opportunity while there (Martilla, 2007)

2009; Macleod et al., 2008). The most commonly cited countries were the Netherlands and Germany, both countries where prostitution is legal. Some buyers indicate that they specifically travel for commercial sex to countries where prostitution is legalized (Farley et al., 2009). However, buyers cite a variety of reasons for traveling to other countries for prostitution, including issues such as price, variety, and exoticism.

RESEARCH ON DEMAND FOR PROSTITUTION

Previously, studies of prostitution have focused primarily on studying WIP without studying the buyers (Monto & Julka, 2009). In the past decade in North America and Western Europe, there has been an increased focus on research into the demand side of prostitution. Studies of demand vary widely in their research techniques and suffer from methodological difficulties because of the hidden nature of the buyer population. The number of research subjects participating in the studies is often small and not representative, participants may be self-selecting, and there are difficulties in composing adequate comparison groups (Wilcox, Christmann, Rogerson, & Birch, 2009). However, efforts have been made to address these issues and the resulting research has provided a greater understanding of the motivations and behavior of men who use prostitution.[8]

There has been a dearth of similar studies in the E&E region and by default it might be assumed that the buyers of sex in the countries of E&E would be similar to those in Western Europe. However, given that significant differences in prostitution use have been found across countries and cultures, this assumption may not hold up to scrutiny. Furthermore, the countries of the region have widely divergent cultures. Some have patriarchal norms and others have more equitable gender norms; some are conservative and others are more liberal; some are highly religious and others are quite secular. All of these factors may affect the availability and demand for prostitution services. In order to develop targeted interventions to reduce demand, more research is needed on the buyers of commercial sex in the region.

SCOPE OF PROSTITUTION USE

Studies of prostitution use indicate that there are wide differences across countries (Anderson & O'Connell Davidson, 2002b; Mansson, n.d.). Prostitution use may be strongly affected by the socio-cultural context in which it takes place. Social norms and values, gender roles, availability and legality of prostitution, and other factors all affect demand.

In Thailand, for example, prostitution use is considered a normal masculine behavior that most men would engage in at some time in their lives, while in other countries, it is considered a more shameful behavior that should be hidden (Anderson & O'Connell Davidson, 2002b). This may be indicative of a correlation between cultural attitudes and the prevalence of prostitution as countries in Southeast Asia tend to have much higher rates of prostitution use than Europe or North America. Even within regions there can be vastly different rates. Within Europe, for example, usage rates range from 7 percent to 39 percent: Finland (13 percent), Norway (11 percent), Sweden (13 percent), UK (7 percent), Netherlands (14 percent), Switzerland (19 percent), Spain (39 percent), and Russia (10 percent) (Mansson; n.d.). Within the E&E region, 0.9 – 6.5 percent of men surveyed as part of national Demographic and Health Surveys in five countries report having paid for sex within the past 12 months (see Table 1 below). Within countries, different studies result in differing rates as a result of the methodologies used. As well, some studies report rates of having ever purchased sex services and others of having purchased them within a specified period of time. In nearly all cases, studies use men's self reported behavior, which may result in underreporting especially in society's where prostitution use is stigmatized and/or there is discomfort about discussing one's sexual behavior. All of these factors result in a wide range of usage

[8] A more detailed discussion of these research methodologies will be discussed in Section IV below.

data and is why rates should be read with caution and used only to obtain a general sense of the scope of demand.[9]

The notable fact that in large parts of the world, the vast majority of men are not buyers of prostitution might give us hope that demand can be reduced. To design effective demand reduction strategies though, it may well be as important to understand why these men do not purchase sex as to understand why other men do.

Table 1: Percentage of men aged 15 to 49 reporting having paid sex within the 12 months prior to surveys in 5 countries

Country	Albania	Armenia	Azerbaijan	Moldova	Ukraine
Data Source	Institute of Statistics, Institute of Public Health Albania & ICF Macro, 2010	National Statistical Service Armenia, Ministry of Health Armenia, & ORC Macro, 2006	State Statistical Committee Azerbaijan & Macro International Inc., 2008	National Scientific and Applied Center for Preventive Medicine Moldova & ORC Macro, 2006	Ukrainian Center for Social Reforms, State Statistical Committee Ukraine, Ministry of Health Ukraine, & Macro International Inc., 2008
	1.1	1.6	6.5	0.9	1.8

Because there are few studies of buyers in the E&E region, the information reported below is primarily from studies of male buyers from North America and Western Europe. Where available, information from the E&E region is included.[10]

INFLUENCE OF THE FIRST EXPERIENCE WITH PROSTITUTION

Many studies from different countries have found that most men are quite young when they first purchase sex. A study of 500 buyers in Ukraine found that nearly half were between 20 and 29 the first time they had paid sex, and that an additional 16 percent had done so before they turned 19 years of age (ICF International HIV/AIDS Alliance in Ukraine, 2010), Similarly, a study of 103 buyers in the UK found that 44 percent were under the age of 21, and 78 percent had their first experience by the time they reached age 25 (Farley et al., 2009). In a Chicago study, the average age of first prostitution use was 21, with 55 percent of respondents being under 21 years of age. In a multi-country study, spanning Europe and Asia, 78 percent of respondents were aged 21 or below (Anderson & O'Connell Davidson, 2002b). In some countries, many buyers were actually under the age of 18 and still children themselves. In the study of Ukraine, 7 percent of surveyed buyers were 17 years old or younger, with some as young as 13 the first time they had transactional sex (ICF International HIV/AIDS Alliance in Ukraine,

[9] For example, Mansson (n.d.) cites research stating that Spain has a prostitution use rate of 39 percent, while Kelly, et al. (n.d.) cite research that assigns Spain a rate closer to 25 percent. Though these are vastly different absolute numbers, Spain is perceived as having one of the highest prostitution use rates in Europe.

[10] Studies of WIP from the E&E region were also hard to find. The investigators for studies on HIV/AIDS in the Balkans and Eastern Europe who tried to interview WIP had a very difficult time in some locations due to the very closed nature of prostitution. For example, in Montenegro, they report that street prostitution was very hard to locate, and that the indoor venues were highly controlled, making access to the sex workers nearly impossible (Simic et.al, 2006). A study by some of the same researchers also found indoor sex work locations in Serbia to be tightly controlled by pimps and criminal groups (Simic & Rhodes, 2009). This high level of control could be an indication of high rates of trafficking into the sector.

2010).[11] WIP in Bulgaria also report very young men as the buyers (I. Balabanova-Stoicheva, BGRF, personal communication, April 27, 2011). There are indications that the younger a man is when he first buys sex, the more likely he is to continue buying sex later in life (Anderson & O'Connell Davidson, 2002b).

MEN ARE NOT HOMOGENOUS IN THEIR REASONS FOR PROSTITUTION USE

Understanding the reasons why men use prostitution may help shape interventions to reduce demand. Mansson delineates five distinct categories of experience for which men seek out prostitution, noting that any individual may have reasons which encompass several of the categories. In nearly all of the studies reviewed for this report, interviews with buyers revealed a similar range of desires. The following list of Mansson's five categories begins with a common characterization followed by an explanation of the underlying desired experience sought by the buyer.

- "The Dirty Whore" expresses contradictory feelings of sexual arousal and contempt, objectifying women into "good" and "bad" (the Madonna – Whore construct).
- "Another Kind of Sex" expresses the desire for sex acts that their usual partners can't or won't provide.
- "No Other Women" expresses feelings of loneliness and an inability to find an intimate partner.
- Shopping for Sex – expresses a feeling of sex as a product to be consumed, the commodization of sex, viewing sex as separate from the intimacy of relationships.
- "Another Kind of Woman" –expresses a desire for a femininity that they believe was lost in an age of gender equality (Mansson, n.d.). This can also express a desire for racial or ethnic diversity or exoticism.

Addressing these different motivations might require very different approaches. Some types might be less influenced by an awareness-raising and educational approach than by stricter law enforcement and *vice versa*.

DEMAND FOR ADOLESCENTS

In a study conducted in the United States, male buyers demonstrated a shocking disregard for the age of the WIP being arranged for them: 47 percent of the respondent group pursued the transaction even after explicit warnings that the girl was likely to be under 18 (Schapiro, n.d.). Similarly, in Bulgaria, research of WIP in prostitution found that buyers rarely inquired about their age, even though many of the WIP were under 18 and some were only 13 to 16 years old, below the age of consent and therefore at an age at which buyers risk increased criminal sanctions (I. Balabanova-Stoicheva, BGRF, personal communication, April 27, 2011). A study in Croatia found that of the men who had ever used prostitution, five percent believed that in at least one case, the WIP was under the age of 18 (Barker, et al. 2011). In the same study 6 percent of Croatian men saw nothing wrong with a girl under the age of 18 in prostitution and 29 percent believed that it was at the girl's choice. In the case of prostituted boys, 89 percent of Croatian men believed that it was the boy's free choice (Barker, et al., 2011).

SOCIETAL AND CULTURAL INFLUENCES ON DEMAND

[11] In Anderson & O'Connell Davidson's multi-country study more than half of the Italian respondents were under 18 the first time they purchased sex (2002b), consistent with other studies which indicate that nearly one in four Italian teenage boys had their first sexual experience with a WIP (Naz 2002 as cited in Anderson & O'Connell Davidson, 2002b).

Social attitudes and values can have an important impact on demand for sex services. When Anderson & O'Connell Davidson asked men who were not users of prostitution why they were not, they found significant cultural differences in their answers. Men in Asia were more likely to invoke a lack of resources or opportunity, or a fear of sexually transmitted diseases, while men in Northern Europe were more likely to cite a lack of interest or moral disapprobation (2002b). These findings again highlight the likelihood that understanding why men in a particular country or culture do not use prostitution can provide critical insight into effective demand reduction strategies for that country or culture.

CULTURAL CHANGE LEADS TO DECREASING PROSTITUTION USE

Culture is not static and social attitudes change over time. In the United States, prostitution use seems to have declined in the last 50 years. Studies in the United States from the 1940s indicate that a large majority of men had transactional sex at some point in their lives[12], while current rates amongst men indicate that a small minority of men have ever used prostitution.[13] The studies employed far different methodologies. The earlier study was based on a self-selected group of men participating in a sex-related study while the later study was based on a national survey. Thus the earlier study probably overestimated usage rates. However, the later national study uncovered a clear generational difference in prostitution use, finding that older men were more likely to have had a first sexual experience with a WIP (7 percent) in comparison with 1.5 percent of the younger men (Monto & McRee, 2005).

There are likely a variety of reasons for this decline in prostitution use in the United States. In part it could be due to sexual liberalization, which makes it far easier today for unmarried men and women to engage in sexual relationships than it was only a generation ago. But equally, changing attitudes towards gender roles and equality could also have negatively affected prostitution use. Similarly cultural disapprobation or fear of sexually transmitted diseases could explain the decline. It might be that building on cultural disapprobation could help reduce demand, though it is important to ensure that such strategies do not denigrate and further marginalize WIP.

CULTURAL CHANGE LEADS TO INCREASING PROSTITUTION USE

Even while prostitution use appears to have been decreasing in the United States over the last generation, studies in Europe indicate that there may be a trend in some European countries of increasing prostitution use. The authors link this trend to an increasingly consumer-oriented society, a pushback against changing gender roles, greater mobility of populations, greater income disparities, and most importantly, greater access to prostitution as a result of the Internet and a boom in prostitution and sex-related venues[14] (Marttila, 2003 & 2007; Mansson, n.d.).

The buyers that Marttila interviewed felt that cultural attitudes toward prostitution were changing and that "the buyers of sex are no longer considered 'losers' or 'men who can't have sex otherwise' – as they had traditionally been stereotyped in Finnish society. This may have changed the masculine concept of honour, making the buyer of sex a *demanding customer* (emphasis in the original)" (Marttila, 2003, p. 7). Buyers in Scotland expressed similar feelings of power and control, expressing a desire for pre-women's liberation society when men were in control:

> *Women are becoming more domineering in the workplace and I think a lot of guys like to have power over women. They use prostitutes and talk bad about them, exercising their power (*Macleod et al., 2008, p. 20).

[12] A study from the Kinsey Institute in 1948 found that 69 percent of men reported having ever used prostitution services (Monto & McRee, 2005).
[13] A study based on a National Health and Social Life Study survey from 1994 found that 16 percent of men in the United States had ever used prostitution services.
[14] Such as strip clubs and lap dance venues.

Another study describes the sex industry in post-Soviet Russia in similar terms. The promiscuity that emerged with the fall of the Soviet Union evolved into a continuum of behaviors merging promiscuity with various forms of prostitution. On one end of the continuum were women occasionally engaging in prostitution to purchase either essential goods for survival or luxury goods. On the other end were blatant sexual demands in the workplace and the explosion of sex clubs and pornography. The "New Russians" who obtained power and wealth with the fall of the Soviet Union associated their power and wealth with sexual liberation and expressed attitudes similar to the male buyers interviewed in the studies cited above: "Buying love was now the most desirable way to attract the opposite sex" (Avgerinos, n.d., p. 3).

PORNOGRAPHY INCREASES DEMAND

Access to pornography has never been easier because of its proliferation on the Internet and the difficulty of controlling Internet pornography. A study in the United States comparing men who use prostitution to those who do not, found that men who use prostitution regularly were more likely to be regular consumers of pornography (Monto and McRee, 2005). Similar findings were documented in the Scottish study (Macleod et al., 2008).

Which is cause and which is effect? Increased access to pornography, especially through the Internet may increase demand for prostitution. Buyers indicate that they have traveled abroad for sex to particular countries because prostitution was "tolerated and promoted on the Internet" (Farley et al., 2009, p. 14). Buyers also indicate that pornography has influenced their demand, increasing their interest in prostitution and giving them ideas about the sex acts they wish to try (Farley et al., 2009).

> *The more I've watched pornography the more specific my wants have become. Watching pornography has shaped my sexual desires. I watch pornography and I discover 'hey, that really turns me on' and I want to recreate what I've seen in porn (*Farley et al., 2009, p. 27).

The Internet also functions as a space where like-minded men can gather to discuss prostitution. Such websites and online forums may encourage men in their purchase of sexual services by providing them with peers for whom this is normal and accepted (Wilcox, et al., 2009). This may be especially pronounced when the larger society condemns prostitution use.

The Finnish study found that many buyers were members of an online forum called the *Real Men's Club*. This club offered two services: it facilitated prostitution purchases and it provided a forum for social bonding amongst the members that they found empowering. The study's author interpreted the buyers' need for social bonding as a reflection of their yearning for the "traditional gender order" of the past, before gender equality became socially obligatory (Martilla, 2007). It is also possible, however, that the need for social acceptance of their prostitution use reflects the rejection of the practice from the larger society in which the men live.

PEER PRESSURE

Many men report pressure to engage in prostitution from other men, such as friends, family members, or work colleagues. Many men first purchase sex in the company of others, either friends or family. A significant minority of men in both North America and Europe have their first experience of prostitution use with others, usually friends, but also sometimes co-workers or family members, often seeing it as a "rite of passage" into manhood (Macleod et al., 2008). In a UK study, 43 percent of men were with friends, and 2 percent of men were with family (Farley et al., 2009). In a multi-country study 65 percent

of all respondents had their first experience arranged by friends or colleagues and 2 percent had them arranged by family members[15] (Anderson & O'Connell Davidson, 2002b).

For many this experience is negative and fraught with pressure, but they are afraid of having their manhood questioned if they refuse to participate:

> *I was peer pressured. I didn't want to, I was afraid of catching something. My friend said 'You a X%$&*. You a punk.'* [Expletive removed] (Durchslag & Goswami, 2008).

In some cases, men are offered sex with WIP from their employers as a sort of benefit (Macleod et al., 2008; Durchslag & Goswami, 2008). Men also indicated that peers affected their decisions to purchase sex when abroad, such as on holidays with friends or going to sporting events (Macleod et al., 2008).

PSYCHOLOGICAL INFLUENCES ON DEMAND

PROSTITUTION IS NOT A SAFETY VALVE

One of the many myths about prostitution is that it is a necessary outlet for men who are not in relationships and therefore have an unmet need for sex. In a multi-country project researchers Anderson and O'Connell Davidson found that both men who use prostitution and men who do not often share a belief that sexuality, especially men's, is almost an uncontrollable need and that prostitution serves as a kind of safety valve without which men would be more likely to dishonor "decent" women (2002b). In contradiction to this myth is the fact that in most of the countries studied in the E&E region, Western Europe and North America, only a very small percentage of the adult male population has ever used prostitution. Of those who do, a large proportion (in some studies nearly half) are married or in committed relationships (ICF International HIV/AIDS Alliance in Ukraine, 2010; Farley, et al 2009; Macleod et al. 2008; Wilcox, et al. 2009).

As well, there have been societies identified in which prostitution did not exist at all. According to one report, there are no indications that Australia or New Zealand had any form of prostitution prior to colonization (Kelly, et al., n.d).

MISPERCEPTIONS ABOUT WOMEN IN PROSTITUTION

Studies of buyers reveal that they have contradictory feelings about prostitution. On the one hand they view it as a business transaction. On the other hand, once buyers make the purchase, they want to believe that the women desire them, forgetting that there was a purchase and believing that the intimacy is real (Anderson & O'Connell Davidson, 2002b).

Interviews with men who use prostitution indicate that these men attribute positive emotions to WIP in order to support their own belief that the women enjoy sex with a buyer (Farley et al., 2009, Macleod et al., 2008; Durchslag & Goswami, 2008). Buyers studied in Kosovo demonstrated significant awareness and knowledge of trafficking for the purpose of sexual exploitation. In spite of this knowledge, they attribute low morals and values to the victims, and when discussing WIP tend to describe them as prostituting voluntarily, as the statement below from a buyer in Kosovo illustrates.

> *Girls that are of greater risk to be trafficked are young girls, those who are uneducated, have low intelligence, are immoral, and come from the villages* (Prism Research, 2007, p. 60).

> *I know that women are in this business because of pleasure and because of the money they earn* (Prism Research, 2007, p. 60).

[15] The total arranged by others including family, friends and colleagues in each country were as follows: 69 percent of respondents in India, 68 percent in Italy, 79 percent in Thailand, 38 percent in Sweden, and 49 percent in Japan.

Studies of WIP indicate that the opposite tends to be true. Researchers studying WIP in Croatia found that the women they interviewed were not only disgusted by the sexual services they provided but were "devoid of real sexual pleasure in their lives," as the following quotes from WIP illustrate:

> *Sex was never a pleasure for me.*
> *Prostitutes don't get pleasure from it.*
> *It seems to me, this is impossible.* (Khodyreva n.d., p. 4)

FEELINGS OF GUILT AND SHAME

Many men interviewed in studies of prostitution use indicated that they experienced feelings of guilt or shame about using prostitution. One study in the United States found that men who use prostitution feel guilty about sex generally (Monto & McRee, 2005). Seventy-one percent of the men interviewed in the UK and 59 percent of men interviewed in Scotland reported feelings of guilt or shame about their prostitution use (Farley et al., 2009; Macleod et al., 2008).

Men believed that prostitution use was not only negative for the WIP, but also for them. Men in the UK and Chicago studies also believed that prostitution caused harm to WIP. In the UK, 54 percent of respondents believed that prostitution had a very or extremely negative effect. In Chicago, 42 percent of the respondents believed that prostitution caused psychological and physical harm to WIP (Durchslag & Goswami, 2008).

Many men expressed negative emotions following the experience, as the quotes from buyers below illustrate (Farley et al., 2009; Macleod et al., 2008). Some men view their behavior as an addiction that they cannot control (Farley et al., 2009).

> *I wouldn't encourage prostitution – it's someone's mother or daughter. It's an empty experience. It sounds enjoyable at the beginning but it's just horrible, degrading (Macleod et al., 2008, p. 4).*

> *It's sleazy, you feel bad afterwards, maybe not that night. It's just using someone and messing with their feelings. I wouldn't advise it (*Macleod et al., 2008, p. 25).

> *I don't want to be part of someone's downfall – mind decaying, body decaying, whatever (*Durchslag & Goswami, 2008, p. 19).

> *Should I or shouldn't I being doing this? My morals tell me it's not right, some people say it's dehumanizing a person. That's the battle I face, because I have it in my mind sometimes: is this humane or not? (*Durchslag & Goswami, 2008, p. 19).

WOMEN IN PROSTITUTION PERCEIVED AS LACKING RIGHTS

For some men, prostitution gives them control and allows them to demand whatever sex acts they desire, whenever and with whom they want. For many buyers, as indicated in the quotes below, this includes giving them power over the WIP and the feeling that the women give up their rights once the transaction is agreed upon.

The perception that WIP are commodities is a common theme in much of the research (Anderson & O'Connell Davidson, 2002b; Durchslag & Goswami, 2008; Marttila, 2007).

> *Look, men pay for women because he can have whatever and whoever he wants. Lots of men go to prostitutes so they can do things to them that real women would not put up with* (Farley et al., 2009, p. 9).

> *…she gave up her rights when she accepted my money* (Durchslag & Goswami, 2008, p. 18).

> *She has no rights because you are paying for the sex act—she gives up the right to say no* (Durchslag & Goswami, 2008, p. 21).
>
> *If we agree on something, half way through she can't change her mind (*Durchslag & Goswami, 2008, p. 18).

INFLUENCE OF KNOWLEDGE OF TRAFFICKING AND EXPLOITATION

Several studies specifically asked buyers about human trafficking and found that many men were well-informed about trafficking, but that this did not deter them. Forty-three percent of the men in the UK study believed that one half or fewer of WIP were fully informed about the nature of the work, 55 percent believed that a majority of the women were "lured, tricked or trafficked," and 36 percent believed that women they had personally procured had been trafficked from abroad (Farley et al., 2009). In similar studies, 56 percent of the men studied in the United States and 63 percent of the men studied in Scotland believed that a majority of women in prostitution had been "lured, tricked or trafficked" (Farley et al., 2009). In Croatia, researchers found that of the men who had used prostitution, eight percent suspected that in at least one case, the woman was forced or sold into prostitution (Barker et al., 2011). Some buyers falsely believe that they would be able to tell if a woman was prostituting against her will (Martilla, 2003). However, even obvious control by pimps did not deter some of the men, as illustrated by the following statement from a buyer:

> *The relationship looked very professional, like a business. Still he instructed them to things they weren't entirely happy with. A stern look on his face and a slight raised voice, made me slightly uncomfortable. But after the girl had been talked to by him she put on a professional face and got on with it. My uncomfortable feeling went away because she did it – she could have walked away from the job. (*Farley et al., 2009, p. 22)

While many women are rescued from trafficking by buyers (Rosenberg, 2004), many of the men in the studies consulted for this report show a clear disregard for the plight of the women in prostitution, even when directly confronted with information that the women had been forced into it. Two of the buyers interviewed in the UK study had been directly asked for help by the women they procured and both men refused. The women procured by another three buyers told the men that they had been trafficked, but none of the buyers reported the cases to the police. Another buyer noted that a "tough man" stood outside the door and that the girl appeared to be under 16 years old (Farley et al., 2009). In the Chicago study, 20 percent of the men believed that they had bought sex from women who were trafficked from abroad, while others believed they had bought sex from women trafficked domestically.

> *I have had some Asian women through a service that were forced here (*Durchslag & Goswami, 2008, p. 21).
>
> *…one seemed to be brought here against her will from Mississippi (*Durchslag & Goswami, 2008, p. 21).
>
> *Prostitution is forced on her, not always physically, but definitely mentally. To convince her to do a job she doesn't want to do, you must be a good manipulator (*Farley et al., 2009, p. 19).
>
> *It's like he's her owner* (Farley et al., 2009, p. 20).
>
> *The pimps treat them very harsh; they have no freedom and they have to ask for everything* (Farley et al., 2009, p. 19).
>
> *…Some are being held hostage and in a brothel, not all of them but in situations where she is looking to get out. I felt a little bit guilty when I was in saunas and massage parlours (*Farley et al., 2009, p. 20).

The buyers in the Kosovo study (Prism Research, 2007) believed that trafficking was widespread in Kosovo, often linking it to prostitution venues. While some buyers said that they would report cases to authorities, the majority stated that they would not. In the belief that organized crime was involved, these buyers feared for their own safety. They were also not confident that the authorities would act on the information they provided. While most of the men attributed the blame for prostitution to organized crime and the authorities that did not take action to stop it, some also put blame on the buyers:

> *The people who are responsible for trafficking in human beings are the traffickers, citizens, clients of prostitutes, police and other institutions (Prism Research, 2007, p. 60).*

Other studies show contradictory results with a majority of the respondent prostitution users being both informed about human trafficking and stating that if they came across a woman they suspected was being forced into prostitution, they would either help her escape or report the situation to the police (Anderson & O'Connell Davidson, 2002b).

One study identified a very small minority of buyers who indicate a preference for trafficked women. These were men who clearly preferred to be with someone who is forced, either because they relished the power this gave them over the WIP or because they felt that those women were most in need of human warmth and reflected this in their contact with the buyer. The later can be seen in the following statement of a buyer (Anderson & O'Connell Davidson, 2002b).

> *Actually, they have no-one [sic] to turn to except their clients. So many women who come from other countries get their human warmth from clients (*Anderson & O'Connell Davidson, 2002b, p. 22).

While the vast majority of buyers would not want to purchase sex from a trafficked woman, their reasons for this were not always a moral rejection of trafficking. Buyers' purchasing preferences may reflect a desire to believe that the WIP enjoyed being with them, a reflection of their personal sexual preference (Anderson & O'Connell Davidson, 2002b).

It is important to note that nearly all of the research reviewed for this report found that only a small minority of men expressed violent attitudes or behaviors toward the women they solicited. Many studies also found that buyers reported high rates of childhood sexual abuse (Anderson & O'Connell Davidson, 2002b), that undoubtedly influenced their sexual behavior. It would be a mistake to treat all buyers as monsters. Dehumanizing them would only detract from efforts to reduce demand.

CONCLUSIONS—DEMAND FOR PROSTITUTION

Buyers of prostitution are a non-homogenous group, encompassing diverse cultural and societal influences as well as individual differences. However, there are some notable commonalities which may be indicative of potential avenues for reducing demand. Buyers are often very young the first time they engage in transactional sex and often use prostitution in response to peer pressure. Young men need strategies to help them deal with such pressure. At the same time, many men feel guilt and shame over sex generally and their use of prostitution in particular. These feelings of guilt and shame may provide an opening for interventions to reduce demand. Cultural attitudes and acceptance of prostitution also affect men's prostitution use. Changing societal attitudes toward and levels of acceptance of prostitution is likely an important element in reducing demand. These factors may indicate that educational and behavior change interventions could be effective at reducing demand.

Access to pornography and prostitution also fuels demand. Prostitution flows indicate that buyers will seek out prostitution in places where it is least costly and legal or tolerated. Men's knowledge of trafficking and of the abuse suffered by WIP is not enough of a deterrent.

IV. EFFORTS TO REDUCE DEMAND FOR COMMERCIAL SEXUAL SERVICES

In the studies cited below, buyers were asked what risks or punishments would reduce their likelihood of seeking prostitution (see Table 2 below). Many indicated that criminal punishment would have the strongest deterrent effect on them. This included jail time, being added to sex offender registries, financial penalties and having their vehicle impounded or driver's license suspended. Equally likely to be effective deterrents were public exposure tactics, such as the publication of their name or photo in the newspaper or on the Internet, or having their family informed. In the buyer's opinion, the least effective deterrent would be mandatory attendance at a specialized educational program (e.g. John School–see more below).

Table 2: Percentage of Buyers who believe that an intervention would have a deterrent effect on their purchase of prostitution

Deterrent	**United Kingdom** Study: Farley et al., 2009	**Scotland** Study: Macleod et, al. 2008	**Chicago** Study: Durchslag & Goswami, 2008
	(N=103) %	(N=110) %	(N=113) %
Jail / Prison	84	79	83
Sex Offender Registry	85	89	
Picture/Name in Newspaper	83	84	87
Inform Family	79	77	79
Suspend Driver's License	78	NA	76
Impound Vehicle	76	70	70
Monetary Fine	80	69	68
Educational Program	47	56	41

COMBATING DEMAND FOR COMMERCIAL SEX SERVICES

Efforts to combat demand for prostitution can include a wide range of interventions, from law enforcement to behavior change. What follows is a brief review of these strategies, highlighting, where applicable, interventions taking place in the E&E region. The interventions include campaigns to change society's and men's attitudes toward prostitution, actions designed to publicly shame buyers of prostitution, prosecution of buyers, bans on advertising of prostitution, education programs for youth, obligatory education programs for men arrested for prostitution use, and codes of conduct.

CHANGING ATTITUDES TOWARD PROSTITUTION USE

The conflicting attitudes toward prostitution and WIP that buyers exhibit may present an opportunity for deterrence. For example, a study in Scotland found that while 45 percent believed that WIP had positive feelings during sex, in a separate question, 85 percent stated that WIP did not enjoy the sex of prostitution. Similarly, 71 percent believed that prostitution should be treated like a business even though 42 percent believed it lowered the moral fabric of the community (Macleod et al., 2008). The men studied indicated knowledge of the harm that prostitution inflicted upon WIP and feelings of guilt or shame over their use of WIP. These findings might indicate receptiveness to campaigns aimed at changing their attitudes and behavior.

Attitudinal change campaigns may focus on gender differences and sexuality, stigma associated with female promiscuity, machismo and sexuality, de-stigmatization of WIP, recognition of their rights (human and labor), and sexual health (including STDs). An interesting approach engages men as agents of change

rather than dehumanizing them (e.g., the Man to Man campaign in Canada[16]). Campaigns conducted around the world have included print media targeting the general public, men (such as in public restrooms or bars), and places of prostitution (such as truck stops and known prostitution areas) (Piekarz et al., 2010).

There have been a few efforts in the E&E region targeting the buyers of prostitution. In Kosovo and Bosnia, where the population generally believed that demand came primarily from foreign military personnel, campaigns were conducted to highlight the fact that local men were also buyers of prostitution and fed the demand for trafficked women and girls. Unfortunately, there do not appear to be any assessments of the efficacy of these specific campaigns. However, in Bosnia, the International Organization for Migration (IOM) conducted surveys of the general populations before and after a project that implemented a wide range of awareness raising initiatives, including one focused on buyers, and found that men's ability to correctly identify a situation of trafficking increased from 75.3 percent to 83 percent and their self reported likelihood of anonymously reporting a situation of trafficking to a hotline increased from 35.6 percent to 40.7 percent (IOM, 2005).

In Bulgaria, the Bulgarian Gender Research Foundation (BGRF) produced leaflets and posters that read "real men don't need to buy sex". Though the impact of the campaign was not formally evaluated, BGRF did not believe that it was very successful. The group believed that its efforts were drowned out by the plethora of advertising and media images that promote a sexualized image of women (I. Balabanova-Stoicheva, BGRF, personal communication, April 27, 2011).

While the impact of these campaigns cannot be conclusively determined by the information available, these efforts seem to show mixed results. To have the desired effect, the design of future campaigns would need to be based on thorough research in the target country to identify: who are the men using prostitution, what are their reasons for using prostitution, and what would deter them. Enlisting influential personalities, religious and community leaders in campaigns also appears to be a promising strategy.

SHAMING BUYERS

There are numerous shaming tactics designed to serve as deterrents. These involve publicizing the names and in some cases the photos of persons arrested or convicted of soliciting for prostitution. Various media have been used including newspapers, online sites, billboards, and television. Studies of men seem to indicate that these shaming tactics would serve as deterrents (see Table 2 above).

> *The police came and said move out or we'll get your number place and write to your wife. That was the last time I went. It was a strong deterrent for me* (Macleod et al., 2008, p. 28).

Police from Los Angeles also felt that ensuring reporters were on hand to expose buyers being arrested while their cars were seized had a deterrent effect on others (Hughes, 2004).

There is little concrete evidence of the effectiveness of shaming tactics (Wilcox et al., 2009) and a certain amount of controversy. Some feel that such methods can harm a buyer's family and risk violating a buyer's rights when used during arrest, before any criminal conviction (Wilcox et al., 2009; Gillings & Willoughby, 2010). Ironically, some studies have shown police are more likely to use shaming tactics against women in prostitution, exposing them to family, friends or acquaintances (Simic & Rhodes, 2009).

[16] For more information, see ECPAT Canada's website. http://www.beyondborders.org

LAWS ENABLING THE PROSECUTION OF BUYERS

What follows below is a brief summary of the known impacts of legalization versus criminalization of prostitution in countries that have implemented and evaluated various regimes[17]. Countries have instituted many prostitution regimes with many different aims and effects. Some regimes legalize, others decriminalize, and still others regulate prostitution. Some regimes criminalize all actors in prostitution, while others criminalize only some – for example, those who facilitate or profit from the prostitution of others, those who purchase prostitution, or those who sell it (i.e. WIP). In general, there tend to be far more prohibitions against the sellers of sex than the buyers (Kelly et al., n.d). The Swedish Model is an exception; it is the only regime reviewed which specifically targets the reduction of demand for prostitution, the focus of this report.

Many regimes reflect resigned acceptance, the belief that prostitution is inevitable. The purpose of legislation in this context is to reduce the harmful effects of prostitution on the community, especially on health and morality. Focus on such legislation often includes regulation of brothels, reduction of street prostitution, and arrests of WIP (Kelly et al., n.d.).

Legalization/regulation. Studies of countries that h legalized and attempted to regulate prostitution in order to empower WIP and to reduce criminal activity show that these methods have not been effective in achieving these aims. Legalization often results in an expansion of the sex industry, as happened in parts of Australia, Germany, and the Netherlands (Kelly et al., n.d.; Poinier & Fautré, 2010). It also appears that failure to protect WIP and reduce crime often accompanies this unanticipated expansion of the sex industry. As elsewhere, women in these regimes also report high levels of violence at the hands of buyers and tend not to report the violence to police (Kelly et al., n.d.). There are also reports that enforcement suffers because the time and effort needed to regulate the legal aspects of the industry detract from law enforcements' ability to target the illegal sector and criminal actors (Kelly et al., n.d.; Poinier & Fautré, 2010).

Criminalization. While many states have regimes that equally criminalize both buying and selling sex, enforcement efforts often target the sellers, and usually focus on street prostitution because of its visibility and the public interest that it generates. A study in Canada found that targeting the buyers for enforcement was initially more effective than targeting the WIP in order to reduce street prostitution. However, prostitution merely shifted temporarily to indoor venues and returned to the street when enforcement declined (Larsen, 1996).

Studies find very low rates of recidivism amongst men arrested for solicitation, possibly indicating that arrest itself does serve as a deterrent (Monto & Garcia, 2001; Brewer et al., 2006). Equally, however, this could reflect the very low risk of detection and arrest more generally (see discussion below on enforcement), or that the men learn how to avoid future arrests.

Some countries have instituted laws making it illegal to buy sexual services from someone you know or should reasonably be able to suspect was trafficked or underage. These laws rarely result in prosecutions as it is very difficult to prove that a buyer knew the person was underage or working against their will.

Criminalization must go hand in hand with enforcement. If reducing prostitution is the goal, the purchase as well as the facilitation of all forms of prostitution must be criminalized and enforcement needs to be prioritized. If not, prostitution will adapt and shift into spaces which are either not criminalized or not enforced.

[17] For more information about different types of regimes and an in depth discussion their impact, c.f. Kelly, et. al., n.d.

Criminalization of the buyer--Swedish model. Sweden is unique in that it has criminalized purchasing sex and facilitating purchases, but decriminalized the sellers (Kelly et al., n.d). According to a recent evaluation of the Swedish ban on the purchase of sexual services, street prostitution declined by 50 percent and was not accompanied by an increase in other forms of prostitution. Neighboring countries Norway and Denmark, which had similar levels of street prostitution at the time Sweden's ban was put in place, now have levels three times higher than Sweden's. Norway and Denmark also have marked increases in the number of foreign WIP, a trend not seen in Sweden. Police and other experts believe that the ban has led to a decrease in demand because men fear exposure to their family and friends more than the penalties imposed. Surveys of buyers and WIP seem to confirm that the ban has had a deterrent effect on demand (Government of Sweden, 2010).

Efforts to criminalize buyers in the E&E region. Efforts have been made to replicate the Swedish model in other countries of Europe and in the E&E region. The Coalition Against Trafficking in Women (CATW) and the European Women's Lobby (EWL) implemented a project targeting demand in 13 European countries.[18] Each country implemented a different set of activities focused on criminalizing prostitution, preventing legalization, or on instituting new legislation based on the Swedish model that would increase penalties against buyers. Projects also included other awareness raising activities to reduce demand for commercial sexual services (CATW, n.d.; CATW, 2006).

These efforts appear to have been successful in Romania, Bulgaria, and the Czech Republic, where the project instituted lobbying efforts and public awareness campaigns to counter the intense pressure for legalization (CATW, 2005, 2007). When there were indications in Bulgaria that politicians were planning to push through efforts to legalize prostitution, BGRF and other partners worked to prevent legalization, primarily through lobbying efforts. Using research conducted on women and girls in prostitution, they lobbied politicians and held an international conference. Female politicians were especially supportive of their efforts. They also engaged media in order to launch a public discussion of the issue. These efforts paid off and prostitution remains criminalized, although WIP are still penalized just as the buyers, and enforcement of current laws remains weak (I. Balabanova-Stoicheva, BGRF, personal communication, 2011).

In Croatia, NGOs supported by CATW and other international organizations along with the Croatian Government Office of Human Rights, spent ten years working toward legislative changes to criminalize the buyers and decriminalize the WIP based on the Swedish model. The NGO Centre for Women War Victims and a coalition of other organizations worked to increase public awareness and support for the changes. They also lobbied important female politicians who were able to convince their male colleagues of the need for change, using information and documentation provided by the NGO. In 2011, a new criminal code was drafted that would criminalize the buyers and decriminalize the sellers of sexual services. It is expected to pass before the end of 2011 (D. Kolarec, Centre for Women War Victims personal communication, 2011).

The impact such changes in legislation will have in the E&E region can only be assessed with time. However, criminalization of buyers and decriminalization of WIP, combined with support services for people wishing to exit prostitution, seems to have been effective at reducing demand in Sweden. Replication of the Swedish model in other countries may not have the same impact. Sweden has a tradition of passing laws designed to change attitudes and behavior over time (Kelly et al., n.d.) As well, 70 percent of the population was and continues to be in favor of the legislation (Government of Sweden 2010).

Criminalizing advertising of prostitution. Some countries have criminalized the advertising of prostitution in an effort to reduce demand. The public can also exert pressure on media to ban

[18] Albania, Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Kosovo, Latvia, Lithuania, Montenegro, Moldova, Russia and Serbia.

advertising. In the UK, for example, a campaign led by an NGO was successful in getting Newsquest, a large media corporation, to ban advertising for sexual services in the 200 media outlets they own (Dottridge, 2011).

Bans on advertising may affect demand and in some places even reduce supply. Khodyreva (n.d.) suggests that one reason why many Russian women have turned to prostitution to augment their income is that it is so easy to become involved. Newspapers are packed with advertisements looking for women.

Evidence of the effectiveness of such measures related to advertising was not identified. However, the proliferation of advertising for prostitution on the Internet may have limited the effect of advertising bans. In Ireland, shortly after a ban on advertising prostitution effectively ended print advertising, a website had taken its place (Kelly et al., n.d). Bans on Internet advertising also tend to be ineffective because of the ease with which companies can change their location and therefore the jurisdiction under which they operate. In 2004, when Finland criminalized the advertising of prostitution and shutdown Internet sites which served as forums for buyers, these sites quickly reopened offshore (Marttila, 2007).

Although print, television and other forms of advertising can easily be replaced by the Internet, this does not mean that bans are totally ineffective. Advertising in mainstream media is seen by all of the readers of those media and may encourage men who would not otherwise have considered prostitution use. In contrast, if buyers have to seek out sites advertising prostitution on the Internet, men who are not actively searching for such information are not likely to stumble upon it. Access is an important driver of prostitution use, so any efforts made to reduce access may make some impact at reducing demand.

ENFORCEMENT

As the research cited above shows, most men believe that criminal penalties would have a deterrent effect only if they really believed that they were at risk of being caught and penalized. In most countries, however, the laws are not enforced and the actual risk of detection and arrest is minimal. Without enforcement, stricter laws are of no use. This is also a problem in Sweden where the crime is often given low priority by police due to the low penalties involved (Government of Sweden, 2010).

One study compared re-arrest rates of buyers of prostitution in Colorado to buyers identified in health service programs who had never been arrested. This study found that arrest has a significant deterrent effect on future prostitution use.[19] The authors believe that this penalty deters recidivism because buyers are otherwise generally law-abiding citizens who fear the impact of arrest on their reputation or relationships. They note, however, that while arrest specifically deters the person arrested, the risk of arrest tends not to be a more general deterrent because the risk of detection is very low (Brewer et al., 2006). The quotes from buyers below reflects their concurrence that the threat of criminal penalties only works as a deterrent if enforcement is strengthened:

> *Deterrents would only work if enforced. Any negative would make you reconsider. The law's not enforced now, but if any negative thing happened as a consequence it would deter me but laws are not enforced* (Farley et al., 2009, p. 29).
>
> *It's about the enforcement. None of these things are enforced. If I'd get in trouble for doing it, I wouldn't do it. In this country, the police are fine with men visiting prostitutes* (Farley et al., 2009, p. 29).
>
> *…the big guys that make the law all see prostitutes themselves. The bosses of the world are not going to make it difficult for themselves to see a prostitute, to break the law…* (Farley et al., 2009, p. 29).

[19] Specifically, the study found that having been Arrested, "reduces the likelihood of a future patronizing arrest by about 70%" (c.f. Brewer, et. al 2006, p. 6).

> *I wouldn't like to get caught but I'll go on the lack of probability of getting caught. If I got caught so would half the male population (*Macleod et al., 2008).

Some studies have noted potential negative consequences of criminalization. For example, for the small minority of the men who crave risk, increasing their risk of arrest may only lead to increasing their use of prostitution. There are also indications that when risk of detection is greater, buyers may pressure WIP to go to remote locations, increasing their risk of attack by the buyer (Wilcox et al., 2009). However, the overall indication is that criminalization of buying and facilitating prostitution combined with consistent enforcement is an effective demand reduction strategy.

EDUCATION EFFORTS

Education for youth. As noted earlier in the report, men's first experience with prostitution is usually when they are very young. One study found that the younger a man is the first time he purchases sex, the more likely he is to continue doing so (Anderson & O'Connell Davidson, 2002b). Therefore, targeting educational programs at young men could be an effective strategy that results in changing future behavior and reducing potential future demand.

Programs can be designed to dispel myths; to teach men to think critically about how buying sex can affect their own sexual development, health and future relationships; and to address issues of peer pressure and notions of manhood (Durchslag & Goswami, 2008). In a Chicago study, 60 percent of respondents felt that it was unacceptable for men under the age of 18 to buy sex. Several offered the following advice to give to young men to discourage them:

> *Learn to trust and love a woman first. If you start out thinking of a woman as a sexual tool, you always think of her as a sexual tool.*
>
> *It demeans how you think and treat women. It will affect your whole image of women and unfortunately most men can't get past that.*
>
> *It's not satisfying emotionally. It's cold and mechanical. (*Durchslag & Goswami, 2008, p. 25)

There have been limited efforts in the E&E region to educate youth in an effort to reduce their future demand. In Bulgaria, BGRF holds 40 minute sessions with male and female adolescents in schools (aged 14-18). They hold discussions on gender roles, trafficking, relationships and prostitution. Facilitators, also young, have led lively discussions. While they have not assessed their efforts, they believe that they have had a positive impact. School directors are very supportive and set aside time for these sessions, which are attended voluntarily (I. Balabanova-Stoicheva, BGRF, personal communication, April 27, 2011).

In the Philippines, CATW implemented a Men's Camp, for young men aged 16-21. The three-day camp focused on increasing young men's understanding of women's rights and equality, the harm caused by prostitution and trafficking and the role men can play in both aggravating trafficking and stopping it. An evaluation of the program found it to be very effective in changing men's attitudes and in encouraging them to educate their peers, thereby expanding the camps' impact to reach thousands of young men. The evaluators were unable to assess changes in men's attitudes and behavior that resulted from the camp because not enough time had elapsed since implementation and no systems were in place to track this data over time. Even so, the evaluators found the approach to be innovative, promising, and worthy of replication elsewhere (Balanon & Barrameda, 2007).

Program content and quality of the facilitation are probably critical factors influencing the impact that educational campaigns can have. Though they are more costly and less sustainable, it is logical that longer programs are likely to have a greater effect on changing future behavior. Piloting different

strategies, with clear mechanisms for evaluating impact, would help in the design of replicable approaches.

John School. "John Schools" are programs designed to educate consumers of commercial sex services in order to prevent them from soliciting again. Most men are referred to John Schools by law enforcement, either having been offered attendance at a John School in lieu of criminal proceedings or as part of their criminal sentence (Gillings & Willoughby, 2010).

Buyers of sexual services indicate that this would be the least effective method at deterring their prostitution use (Durchslag & Goswami, 2008; Farley et al., 2009; Macleod et al., 2008; see also Table 2, above). Though studies of such programs indicate that attendees have low re-arrest rates, this may not be indicative of a program's effectiveness. Two studies, one in Portland and one in San Francisco, indicate very low recidivism rates for men who attended John Schools. The Portland study, however, found no difference in the rates of recidivism when it compared those who attended John School to a comparable group of buyers who were also arrested but did not attend John School. This might indicate that the arrest itself is responsible for the low recidivism rates reported, rather than attendance at John School (Monto & Garcia, 2001).

The San Francisco evaluation also found that John Schools could be improved by providing more practical information and skills development for attendees, as well as by providing or referring attendees to appropriate aftercare programs that offer long term follow-up and support (Shively et al., 2008). One man interviewed immediately following his attendance at John School summed up his experience:

> *The thing I feel like I've learned the most is that I need to get help for myself, which in turn hopefully will help everybody else that's involved with this. I definitely can't say that I won't be there again until I figure out what it is that is wrong with me (NPR, 1996).*

While the impact of John School itself cannot be determined, the program is probably most effective in combination with criminal sanctions. The cost of the program is very low and attendees are required to pay a fee that is used to offset program costs and provide at least partial funding for law enforcement actions and local organizations assisting WIP. John School programs have been replicated in other countries including the Republic of Korea and Canada (Shively et al., 2008).

CODES OF CONDUCT

A code of conduct is a set of rules governing the behavior of individuals or organizations. Codes can be voluntary or obligatory. Some codes impose consequences for not adhering to the rules, others do not. Below is a brief discussion of some of the codes of conduct related to demand for prostitution and human trafficking.

Government, International Organizations and Peacekeepers. Efforts have been made to develop prostitution-related codes of conduct and zero tolerance zones, often complemented by staff training programs, for peace keepers, the military and other international organizations (Rosenberg, 2004). Some codes of conduct also include an obligation to report any co-worker suspected or known to have broken the rules. The UN, NATO, OSCE, USAID, and many others have similar codes (Dottridge, 2011).

Codes of conduct have been expanded in recent years. They now generally restrict staff from using their positions to extract sexual favors, and may also restrict them from engaging in prostitution or going to places where sexual services are offered (Allred, 2006). Some organizations' codes of conduct place establishments suspected of involvement in human trafficking on *off-limits* lists and bar their staff from patronizing the establishments. In 2005, the U.S. Government made it a criminal offense for military personnel to pay for sexual services (Allred, 2006).

There are indications that these efforts have been effective in reducing both the supply and demand for prostitution. In Korea, for example, establishments do not want to be banned by being placed on the off-limits list, and while men looking for prostitution can still find it, it is less readily available (Allred, 2006).

Problems with measuring compliance remain. Some organizations tend not to make public their information about the number of reported cases or actions taken (Dottridge, 2011). As well, there are large elements of the personnel who are not covered by the codes of conduct. For example, troops which support UN Peacekeeping operations as well as NATO operations are bound by their own national military codes of conduct. Though they should be similarly disciplined through these mechanisms, the UN and NATO do not have the authority to act on allegations of misconduct against troops, and many sending countries have tended not to vigorously address them (Allred, 2006).

Private Sector. There have also been private sector initiatives, especially to develop codes of conduct that address the demand for sexual services of trafficked persons or children. The most widespread and well known of these is the *Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism.* This voluntary code is the result of collaboration between the tourism sector and the international NGO End Child Prostitution Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT). Companies that choose to sign up must agree to external audits. Many companies provide training for staff, information for guests, and impose rules on customers intended to prevent them from using the premises for prostitution. In Bulgaria, a joint initiative of government agencies, local NGOs, international organizations and others encouraged hotels on the Black Sea, a site of increasing tourism, to adopt *The Code* (Dottridge, 2011). Several hotels in other parts of the E&E region have also signed up, including hotels in Albania, Montenegro, Romania and Russia (The Code, 2011). While businesses must report on their own compliance measures and submit to external audits, it was not clear from *The Code*'s website what actions, if any, are taken against companies that do not comply.

CONCLUSIONS

Most notable in the E&E region is the lack of research into the buyers of prostitution. In order to effectively target demand reduction strategies more must be known about the buyers who make up that demand.

The possible interventions to address demand for prostitution discussed above included a variety of campaigns and education programs to change society's and men's attitudes toward prostitution and young men's future behavior, actions designed to publicly shame buyers, different legislative regimes, bans on advertising of prostitution, codes of conduct and reporting mechanisms.

Users of prostituted women and girls are either *occasional* or *habitual* buyers (Mansson, n.d.). Different approaches to reducing demand might be necessary for these different types. Occasional buyers may be more influenced by legal sanctions and the fear of exposure. Buyers themselves indicate that greater criminal sanctions and public shaming are the most effective strategies to deter demand. This would indicate that law enforcement strategies and efforts to reduce advertising of prostitution and access to pornography could also be an effective strategy for reducing demand. Habitual buyers may be less impacted by such interventions and require an educational or counseling approach (Mansson, n.d.).

From the evidence available, it appears that educational programs for youth are a promising initiative that will change demand in the longer term. And while many of the other interventions show promise, increasing the risk of arrest for buyers of prostitution appears to be the strategy most likely to reduce demand now and in the future.

REDUCING DEMAND FOR PROSTITUTION IN E&E

As noted in earlier sections, demand for prostitution by trafficked persons cannot be separated from demand for prostitution more generally. Very few buyers indicate a preference for trafficked persons and it is unlikely that buyers would be able to distinguish a trafficked person from someone who is not. Therefore, the suggestions here address reductions in demand for prostitution more generally.

From the available information it appears that reducing demand for prostitution can best be achieved by combining legislation that criminalizes the buyer with strict enforcement efforts. This can be supplemented by interventions to shape the attitudes and behavior of youth. In order to design the most effective strategies, research is needed which specifically examines the buyers of prostitution in the countries of the region.

FURTHER RESEARCH

In order to design effective programs to reduce demand for prostitution it is important to understand the nature of the demand. Research in countries outside of the E&E region shows that the demand for prostitution varies significantly between countries and regions, and is strongly affected by cultural values. As a result, it is important that any efforts to reduce demand begin with studies to understand the nature of the demand. To date, studies of prostitution in the E&E region have focused almost exclusively on WIP. USAID could support studies of the buyers in order to increase understanding of demand and develop better informed interventions.

Some of the many areas in which more information is needed include:

- The age at which men first use prostitution
- How men are first introduced to prostitution: the reasons for their first use, whether they were alone or with others, and if so, with whom
- How men seek out prostitution: through which print media and Internet sites, by word of mouth, etc.
- The venues where buyers seek out prostitution
- The positive and negative feelings buyers associate with prostitution
- Buyers' attitudes toward women in prostitution
- Buyers' perception of society's attitudes toward prostitution
- Buyers' knowledge about the conditions under which WIP work
- Buyers' knowledge about human trafficking
- Buyers' tendencies toward taking any steps to assist WIP
- Effective deterrents to prostitution use

RESEARCH METHODOLOGIES

While buyers tend to be a hidden population and may be reluctant to participate in research, many researchers have successfully identified men who were willing to participate in research studies.

Researchers have used a number of methods to identify research subjects. Some have used representative samples of the general population; others use self-selecting methods, or populations

which are non-representative. Some rely on fronts, in which the research subjects are unaware of their participation in the study; others are open about the research. Some are quantitative and others qualitative.

Representative samples allow researchers to draw conclusions relevant to a larger population. Because it is not possible to get a representative sample of prostitution users, these studies use a representative sample of a more generalized population. As a result, they have the advantage of including a control group of men who do not use prostitution. Understanding why men do not use prostitution can be just as valuable as understanding why they do. The biggest drawbacks of using a representative sample are the time and cost involved in doing so.

Researchers using self-selecting methods have found research subjects in a number of ways. Many have successfully placed advertisements in places were prostitution use is also advertised, including print media, Internet sites, and the like. Some have physically gone to venues where prostitution takes place to find research subjects or recruited participants through the WIP whom they patronize. The main drawback in using these methods is that the buyers willing to participate are self-identifying. Their very willingness may mean that they are different from other buyers in unspecified ways, making it difficult to find a control group to whom they can be compared. In spite of these difficulties, studies using these methods have gleaned valuable information that can be used to design effective programming.

Other researchers have found their research subjects through different means. For example, in the United States, some researchers have recruited subjects who were arrested for prostitution and are attending John Schools, while others have recruited subjects through health clinics. As with the self-selecting methods, these research subjects, as a result of the way in which they were identified, may be different from other buyers. For example, men arrested for prostitution may more likely be users of street prostitution venues if that is where there is greatest risk of arrest, or they may be more likely to be inexperienced users of prostitution, which also increases their risk of arrest. In spite of these drawbacks, researchers have extracted valuable insights that can be applied to demand reduction programming.

Some researchers were very explicit about the nature of their research and the purpose of their interviews. Some researchers, however, used less transparent means. In one study reviewed for this report, the researcher placed a fake advertisement on a website which advertises prostitution (Schapiro, n.d). When the men called the number to arrange for prostitution they unwittingly became subjects of the study. The study was conducted by asking questions of the callers, ostensibly in order to arrange the prostitution transaction for him (Schapiro, n.d). Obviously, this method has many limitations. It significantly limits the kinds of questions that can be asked and needs to be carefully reviewed by an ethics board to ensure that it does not violate ethical codes. Still, the research can yield interesting results about buyers' actual attitudes and behavior as opposed to the self-reported attitudes and behavior that are documented by other methods.

The results of research on buyers should be used to inform the development of the demand reduction strategies described below.

LEGISLATION AND ENFORCEMENT

In order to reduce demand for prostitution, it is critical that legislation criminalizes the buyers. In most countries of the E&E region, this is already the case. In those where it is not, USAID could support efforts to reform legislation. The research also suggests that instituting a regime such as Sweden's, that criminalizes buying and facilitating or profiting from prostitution, and decriminalizes the seller, can help to reduce demand and assist WIP to find other means of support.

Criminalization alone, however, is not effective. In most countries where purchasing commercial sex is criminalized, enforcement of the laws tends to be weak. In fact, a buyer's risk of detection and arrest is so slim there is not a deterrent effect. Clearly, efforts to step up enforcement are necessary. While specific enforcement efforts should be informed by the research on demand recommended above, there are indications in many countries in the region that the following interventions are likely to be necessary:

Capacity building to conduct investigations. USAID could support efforts to train police in conducting investigations targeting prostitution buyers. Information and guidance is needed on successful approaches used elsewhere, such as conducting sting operations with undercover officers posing as WIP.

Changing attitudes amongst law enforcement about prostitution. Studies from the region indicate that police are implicated not only in prostitution use, but also in abuse of WIP. Changing the attitudes of the police would be an important step toward improving their enforcement efforts. Attitudinal change takes leadership and it will be necessary for the highest levels of law enforcement to transmit a clear policy on enforcement and the priority of directing enforcement efforts toward the buyers.

Awareness-raising about laws. Changes in legislation and plans for stricter enforcement should include efforts to raise the public's knowledge about the relevant laws and their purpose. The Swedish model demonstrates the importance of mobilizing public support for successful implementation. The information disseminated by these efforts can also help change the public's perceptions of prostitution so that it is no longer considered to be an inevitable part of society, and increase empathy for WIP rather than condemnation.

Imposing penalties and fines that can help fund enforcement efforts. Charging buyers with fines and penalties will act not only as a deterrent to reduce demand, but also as a revenue generator to sustain further law enforcement efforts and other demand reduction strategies. These additional funds could also be directed towards programs to support WIP who need assistance to exit the sector. For such efforts to be effective, corrupt law enforcement practices must be addressed so that the money obtained is not diverted from government coffers.

EDUCATING YOUNG MEN

The education of young men appears to be a promising means to address demand in the long-term. As noted above, studies of buyers indicate that a male's first prostitution use often occurs at a very young age and often at the instigation of their peers. There are also some indications that the younger a man is at first use, the more likely he is to be a regular user of prostitution (Anderson & O'Connell Davidson, 2002b). Therefore, USAID should support efforts to change the attitude and behavior of young men so that they will not choose to use prostitution, and provide them with tools to resist peer pressure.

There are many approaches possible for educating young men. There are workshops in schools, such as the approach used in Bulgaria, as discussed on page 31. There are summer camps providing a more intensive approach, such as the CATW approach used in the Philippines, also discussed on page 31. Programs could use a peer educator approach with young male leaders who are trained and supported to conduct programs with their peers. Campaigns using billboards, television spots, concerts and the like can also be used to engage respected individuals in youth culture such as entertainers or sports figures in order to discourage young men from prostitution use.

These programs might cover issues such as concepts of masculinity, sexuality, sexual health, gender equality, relationships, peer pressure, the impact of prostitution on WIP, communities, and buyers, and the prevalence of criminal elements, violence and trafficking within the commercial sexual services industry. Given the high number of male buyers who express feelings of guilt associated with both

prostitution use and sex more generally, having frank and open discussions about sexuality and healthy sexual relationships looks to be an important topic for inclusion. Similarly, increasing men's respect for women and their understanding of women's sexuality is also important. Programs could also dispel common myths about prostitution and about WIP so that young men have a better understanding of the realities of prostitution and its impact on them, the WIP, and their communities. Program content and approach should be informed by research into prostitution and prostitution users in the affected communities.

Some organizations recommend the use of male facilitators. They believe that there are several benefits to a male-only environment. First, the facilitator acts as a role model for how men can reject sexist beliefs and attitudes that lead to gender-based violence. Second, the male-only environment can generate a sense of peer acceptance of anti-sexist attitudes that is particularly important because the attitudes and behavior of youth are so strongly influenced by their peers. Third, a male-only environment has been shown to lead to more open discussions in which participants can critically examine their attitudes, behavior and responsibility (Burque, 2009).

V. DEMAND FOR TRAFFICKED LABOR

DIRECT EMPLOYERS OF TRAFFICKED LABOR

Demand for trafficked labor cannot necessarily be separated from demand for exploitable labor in certain sectors. Some of the individuals and businesses discussed in this report are not directly involved in trafficking. As a result their demand is not for trafficked labor *per se*.

It is important to view the employers who create the demand for trafficked labor along a continuum, with traffickers who are consciously and knowingly enslaving their employee(s) at one end and the employers who are using trafficked labor without being aware of it at the other. In between these two poles are employers who may see themselves as good employers and law-abiding citizens, but who rationalize their exploitation of workers. An exploration of what enables them to rationalize their exploitation follows below.

It is also important to note that there is a continuum of workplace exploitation, from mild forms of exploitation such as low wages or long working hours, to severe forms of enslavement, involving beatings, threats of physical violence, and other extreme forms of coercion. The situation of workers can also change over time. Workers may be well treated in the beginning, perhaps when their status in country is legal, but abuse can escalate over time (Rosenberg, 2010). Because it is extremely difficult to try to separate demand for trafficked labor from demand for exploitable labor, the demand for a vulnerable and exploitable workforce is a more adequate framework for discussion. Often this means a migrant workforce, as migrant workers are amongst the most vulnerable, but it also includes citizens in the region who are exploited within their own countries.

SECTORAL DEMAND FOR MIGRANT WORKERS

There are increasing demands for migrant workers in certain sectors in developed and developing economies alike that share one or more of the following characteristics: low wages, difficult or low-skilled work, low status jobs, temporary or seasonal work, shift work, poor regulation, informality, illegality, and low profit margins. As a result, men, women and children are trafficked for work in construction and construction-related industries; manufacturing and food processing industries; agriculture and forestry; oil extraction and mining; trade and shipping; domestic work and many other sectors (Rosenberg, 2010).

Many of the industries into which people are trafficked are especially difficult to regulate owing to the secluded nature of the work. Shipboard work as well as work in mining and agriculture takes place in remote locations, isolating workers and making it difficult for inspectors with limited time and resources to regularly reach them (OSCE, 2009; Rosenberg, 2010). Construction workers are also kept isolated, adding to their vulnerability, as the quote below from an expert in Russia attests to:

> *…In construction – as a rule – workers are guarded, kept away from outside visitors. As they don't have documents they rarely leave the site. That is why they are exploited more brutally* (Tiurukanova, 2005, p. 78).

Work in private households is both hidden and often exempt from labor regulations and oversight mechanisms. In some countries, anti-discrimination laws and workplace health and safety regulations are not applicable. Even when applicable, private households are often exempted from labor inspection (Gordolan & Lalani, 2009; Walsh & O'Shea, n.d.). This lack of regulation and oversight puts already vulnerable workers at greater risk of abuse and exploitation.

The increasing demand for workers in certain sectors was noticeable prior to the economic crisis and many European countries had special visas to facilitate the entry of migrant workers. In Russia, experts predicted increasing reliance on migrant workers due to a declining population and rapid economic growth (HRW, 2009). How the economic crisis has affected demand is still uncertain. As unemployment rates across the world rise, the demand for workers has generally declined. In fact, rising unemployment may lead to local workers taking jobs previously held by migrants. Depending on the country and individual circumstances, local workers may be somewhat less vulnerable to exploitation as they may be more aware of their rights, have language and cultural familiarity, family and interpersonal connections which make them less isolated, and do not have the threat of deportation hanging over them. In E&E countries, however, this may not be the case. In Russia, for example, many reports of labor exploitation and cases akin to forced labor of Russian citizens have been identified (Tiurukanova, 2005).

In some sectors, demand is clearly rising. In sectors like domestic work and health care demand is clearly rising. Changing demographics and economic disparities have led to an increase in the demand for domestic workers, especially in Europe and North America. An aging population and a growing preference for home care over institutional care have meant that many elderly people now require assistance at home for both household work and personal care. In many European countries, state subsidy of these kinds of care means that individual users and their families can hire workers directly. This has expanded the demand for such workers, putting them at greater risk of exploitation as will be discussed further below (Gordolan & Lalani, 2009).

The growing demand for domestic workers may also be related to both the growing role of women working outside the home and gender relations within the home. Even in countries where women have made great strides in gender equality, traditional role expectations for cooking, cleaning, and childcare still apply in the home. Some studies of domestic workers' employers seem to indicate that the hiring of domestic workers is seen as a way of preserving tranquility in the home by hiring a third party to take care of domestic chores that were traditionally seen as women's work (Anderson & O'Connell Davidson, 2002b).

Increasingly, a primarily female migrant workforce is meeting this rising demand. In Ireland, a recent study found that migrant workers made up one-third of the entire elder care labor force and more than one-third of those working in private homes (Walsh & O'Shea, n.d.). There are similar trends in other countries. The number of companies in the United States recruiting migrant nurses increased from 30-40 firms in the late 1990s to 276 firms in 2009 (Martin, et al., 2009). A multi-country study of elder care workers found that it was difficult for employers to recruit and retain national workers who had other options for better paid and less demanding employment (Walsh & O'Shea, n.d.; Martin, et al., 2009).

EMPLOYER PREFERENCE FOR MARGINALIZED WORKERS

In many of the sectors in which trafficked persons are employed, the jobs involve difficult or low status tasks, require long hours, pay very low wages, offer few or no benefits, and provide no job security. Explanations for why these jobs are increasingly filled by migrant workers include theories that these jobs are not of interest to the country's citizens or that certain nationalities may be better suited to the work. Migrant workers, for example, are often described as more flexible and willing to work evening and weekend shifts that local workers do not want (Walsh & O'Shea. n.d.; Martin et al. 2009):

> *There is a general bias in the U.S. against working in nursing homes. U.S. women in particular have more options for work that are family friendly (no weekends, no nights, more flexible hours) than the nursing profession offers* (Martin et al, 2009).

Employers of domestic workers expressed a similar preference for migrant workers, finding that migrants were more cooperative and easier to control because they had fewer employment options (Anderson & O'Connell Davidson, 2002b). In domestic work, especially work involving the care of children, the disabled or elderly family members, employee retention and the ability to have an employee on call 24 hours a day, 7 days a week can be especially important. Vulnerable workers are more likely to stay because of their lack of employment alternatives, lack of social support networks and fear of being deported. As one employer of a domestic worker put it:

> *…believe me, especially if they're a migrant worker, they're so frightened of getting kicked out that they're not going to pull off any stunts* (Anderson, 2006).

Professor Saucedo has posited an alternative theory to the *unwanted jobs* concept, proposing that employers have in effect changed the structure of jobs in order to attract only the most vulnerable workers who are less likely to complain about the injustices they face in the workplace. She argues that employers intentionally structure jobs to keep out empowered workers through low wages and poor working conditions in combination with informal networks for hiring.[20] By hiring within informal networks, the jobs stay segregated, deterring other workers, who may be more forceful in demanding their labor rights, from applying (Saucedo, 2006). The same pattern is emerging in Russia where some sectors of the labor force are increasingly dominated by migrant workers (Tiurukanova, 2005).

Studies of elder care workers also found that once employers had migrant workers on staff, they increasingly relied on informal networks, through existing employees, for future hiring, especially in the low-skilled sectors, thus ensuring that future workers would also be from the migrant community (Walsh & O'Shea, n.d.; Martin et al., 2009).

WHY MIGRANT WORKERS?

Perceptions that migrant workers have fewer labor rights. Workers who are unaware of their rights often work for employers who believe that migrant workers, especially undocumented workers, have fewer rights than other workers. These employers believe that they are not obligated to respect national labor laws. In many cases, employers who believe that workers are entitled to the same labor rights as others in theory, make exceptions in practice. There are likely many reasons for this, including racial and ethnic discrimination and a sense of paternalism and discomfort with the idea of formal employment in the private sphere (see below for more detail). Employers often use the excuse that the laws do not apply to them because they employ the person informally or even illegally. This attitude is

[20] Saucedo provides an example from New York City, which in the 1970s experienced a fiscal crisis that resulted in layoffs and job restructurings in certain sectors. Older workers were encouraged to retire, while newer workers, mostly immigrants, stayed on. When the city began to rehire, the immigrant proportion of the workforce expanded through informal recruitment practices. The jobs soon became viewed as "immigrant" jobs and salaries were then suppressed for years (Wladinger as cited in Saucedo 2006, p. 1006).

common, even in countries that adhere to the rule of law and have strong, functional worker protection systems, as is reflected in the following quote from a Swedish employer:

> *Because it is a matter of illegal employment in our case, the mentioned rights are not valid. Generally I feel, of course, that employees in households should be entitled to the same rights as employees in general.* (Anderson & O'Connell Davidson, 2002b, p. 32)

One multi-country study (see Table 3 below) found that employers of domestic workers believe that domestic work is very different from other forms of employment, and that workers are entitled to far fewer rights: 48 percent did not believe domestic workers had a right to a contract; 70 percent did not think they had a right to join a union; 52 percent did not think they had the right to the minimum wage; and 45 percent did not think they had the right to fixed hours. Interestingly, those who defined the relationship with their domestic worker as both friendly and professional ascribed fewer rights to the worker than those who described the relationship as just one and not the other. In some countries the difference was striking, as reflected in data from Sweden:

Table 3: Employers' Perceptions of Domestic Workers' Rights, Sweden (Percent)

Rights Owed to Employee	Friendly (N-6) %	Friendly and Professional (N-10) %	Professional (N-10) %
Contract	66	33	90
Regular Day off	100	55	60
Minimum Wage	50	44	40

(Anderson & O'Connell Davidson, 2002b, p. 31)

Paternalism. Many employers of migrant workers, especially domestic workers, see the relationship through a paternalistic rather than an employment lens. They perceive themselves as helping someone in need Therefore, an employer may believe that the worker should feel gratitude and be obedient and faithful to their benefactor. Many employers that view their relationships as benefactors rather than employers do not grant labor rights to their employees (Anderson & O'Connell Davidson, 2002b).

Researchers saw similarities in employers of domestic workers and the buyers of prostitution as neither wants to view the exchange in purely economic terms. Such transactions become uncomfortable in the private domain. Both buyers and employers want to perceive the people who serve them as both liking them and wanting to serve them (Anderson & O'Connell Davidson, 2002b; Anderson 2006).

The need to separate the economic sphere from the private domain of the household that leads to paternalism can also lead to fear. In acknowledging a worker's desperation, an employer acknowledges the worker's need to make money and the fearful possibility that a desperate individual in one's home could cause harm. This fear can also lead employers to violate workers' rights (Anderson, 2006).

EMPLOYER KNOWLEDGE OF TRAFFICKING EXPLOITATION

Only one study was found in which employers were specifically asked about their knowledge of human trafficking. In that multi-country study of employers of domestic workers, few employers had heard of trafficking for the purpose of domestic employment. Even more surprising, far fewer employers of domestic workers than buyers of prostitution would report trafficking, according to similar studies of buyers of prostitution conducted in the same countries. In a small minority of cases, the employers knowingly employed persons who had been forced to work by a third party. They rationalized this as somehow external to them and not something for which they could or should be responsible. Others in the study saw nothing wrong with paying wages to a third party rather than to the worker herself

(Anderson & O'Connell Davidson, 2002b). It is important to note that the attitudes reflected above may not be representative of employers generally as too few employers participated in the study to constitute a representative sample.

MECHANISMS FOR WORKER EXPLOITATION

Inclusionary discrimination. The preference for marginalized workers results in a kind of reverse discrimination. We normally think of discrimination as being negative and exclusionary. However, numerous studies of employers of marginalized workers indicate that they often present a different kind of discrimination, using positive descriptors such as hard working, uncomplaining, dedicated, and the like. These so-called *positive* attributes are often assigned to people from different countries and ethnic or racial groupings in order to justify preferential hiring practices for the least desirable jobs (Gordolan & Lalani, 2009; Saucedo, 2006). Saucedo calls this practice *inclusionary discrimination* and believes that it is used to hire workers perceived to be subservient (2006). The quotes below from employers illustrate inclusionary discrimination and employer preference for un-empowered workers.

> *…Employers are looking for workers who will do the job as told, with the minimum of 'lip'…they also prefer 'cooperative' to 'combative' and deferential over rebellious – in other words, a worker who knows her or his place. (Waldinger & Lichter as cited in Saucedo, 2006, p.1008)*

> *As a small businessman, my main fear is having a worker who is bent on filing formal complaints or lawsuits. It would surely drive me out of business. As I see it, Asians and Mexicans are generally not like that. If they have a problem, they try and solve it personally, or they just go to another company. But whites and blacks, they like to stand up for their rights, even if it means they can drive me out of business and all of the other workers lose their jobs… (Waldinger & Lichter as cited in Saucedo, 2006, p. 979).*

Employers may also seek vulnerable workers because they are less visible. This is especially true for domestic work where the employees' presence in the private domestic sphere can feel invasive to employers, as illustrated by the employers quoted below:

> *Filipinos are very hard workers, and she's very quiet…she just seems to dissolve into the background. She seems to disappear* (Anderson, 2006, p. 21).

> *They're foreign and they're illegal and they're scared and timid and so they're not going to take up space. They're going to be very, very small, and that is generally easier to live with than someone who feels that this is their home. They're in really bad situations….They're terrified (*Anderson, 2006, p. 19).

Worker dependence on employers for their legal status. In many countries the visas given to workers link them to their employers, and in some countries, workers are not able to change employers without leaving the country and re-entering, incurring significant costs. In other cases, workers are tied to an employer for a certain length of time – one to two years – before they can change employers (Walsh & O'Shea, n.d.). Even in countries where work visas are not directly linked to a particular employer, immigration regulations may require workers to get letters from employers as proof of employment. These regulations strengthen employers' power over workers and reduce workers' labor mobility, often the only thing they have to negotiate better conditions (Gordolan & Lalani, 2009). Employers can and do use this to control and exploit workers as the following quotes from workers illustrate:

> *They (employers)…know that you …need that piece of letter. That's all that matters. So they can twist you around the finger. I have to apply for my visa. I need that letter (*Gordolan & Lalani, 2009, p. 25).

> *I partially work without payment…, as I work for persons who legalize my status and status of other migrants* (Tiurukanova, 2005, p. 65).

Another worker explains how her employer responded when she requested a night off:

> *He would tell me 'take it or leave it, it's up to you. I will not renew you, if you want to remain [working here] stay like this' (*Gordolan & Lalani, 2009, p. 25).

In some countries workers are allowed to change employers but are required to get official permission to do so from immigration authorities. The procedures can be lengthy and requests are often denied, leaving workers vulnerable to exploitation from current employers.

> *Even though we are not treated well we are scared to move. We are more afraid that we would be denied for the application for the work permit…That was a big problem. We had to reapply for our work permit from our first employer but once you transfer to the next employer it took me three appeals because it was denied the first time* (Walsh & O'Shea, n.d., p. 90).

Russia's 2007 immigration reform changed the system from issuing work permits to employers to allowing workers to obtain them independently. Before the new law went into effect, most migrant workers were unable to obtain work permits (Tiurukanova, 2005). After the new law went into effect, most migrant workers were able to officially register and obtain their work permits. Yet even the new system ties workers to employers as workers must still get a written employment contract to keep their work permit valid (HRW, 2009).

Despite the new immigration law, workers interviewed by Human Rights Watch (HRW) rarely had written contracts and the contracts of the few who did were generally not in compliance with the law (2009). Without a written employment contract, workers' legal status becomes irregular and their options for legal redress are severely restricted. This state of affairs negates the potential positive impacts of immigration reform—and does little to reduce workers' vulnerability to exploitation and trafficking.

Forced dependence on employer for all necessities. In many of the sectors vulnerable to trafficking, workers' legal status is not the only thing tied to the employer. Employers often supply accommodation and food as well, and this additional dependency further increases workers' vulnerability to abuse. Employers can and do use the threat of cutting off food or kicking workers out of their housing to control workers. Quitting or losing a job means losing food and shelter, the very basis of survival (Anderson, 2006; Rosenberg, 2010). This is illustrated by the statement below from a Ukrainian victim of trafficking in Russia:

> *The owner did not pay us once but since we had neither passports nor the money we simply could not leave. Having no passports and no money in Russia is no better than being under strong supervision (IOM, 2006, p. 6).*

WORKER VULNERABILITY

Lack of knowledge about appropriate duties and working hours. Many employers in sectors subject to exploitation indicate that they value flexibility in their relationship with workers. However, the flexibility that employers value often results in long working hours and no clear delineation of duties for their employees.

A study of migrant workers in Russia, working in a variety of sectors, found that only 10 to13 percent felt that their working conditions were normal. Most cited very long working hours and hazardous conditions as the worst violations. Migrants worked an average of 60 hours a week, though some worked as many as 16 to18 hours a day (Tiurukanova, 2005). International Organization for Migration

data from Russia and Belarus corroborates this finding with the vast majority of victims of labor trafficking forced to work 12 or more hours a day, every day of the week (Rosenberg, 2010). Migrant workers from Bosnia and Herzegovina exploited in Azerbaijan report similar experiences:

> *…normal shifts were 12 hours a day but could be extended by the employer at will and the workers had no right to refuse. At one point the workers were forced to work 36 hours in a row* (Rosenberg, 2010, p. 17).

In domestic work in particular, some employers may allow reciprocal flexibility, but interviews with workers indicate that flexibility on both sides is very uncommon (Gordolan & Lalani, 2009). While employers may demand additional duties and hours, they do not compensate their workers with flexible hours, additional time off, or extra leave.

> *If you're close with the care user, they can always slip in extra work like 'Oh, can you do this? Can you clean this one?' Things like that. I think that's where the real abuse can slip in. (*Gordolan & Lalani, 2009, p. 27).

Live-in domestic workers are particularly vulnerable to such exploitation. One study of migrant care workers in the UK found that those who live with their employer (live-in) worked longer hours and were more likely to be on call 24 hours a day, 7 days a week; had little privacy or free time; and were socially isolated (Gordolan & Lalani, 2009). Live-in workers found that many employers both ensured that they worked very long daytime hours and made demands of them well into the night, often without extra payment, as the following quote from a migrant care worker illustrates.

> *I'm just doing my job. But I also need time for myself. Even if I'm living with them 24 hours, it doesn't mean I should be working every minute. It depends on the client. Some clients will be demanding. They want, maybe they want to sit with you all the time. They want to know what you're doing every minute. They think when you're working for them 24 hours, you should be working all the time.(*Gordolan & Lalani, 2009, p. 23).

Unaware of their rights. Newly arrived immigrants and undocumented migrants are far less likely than other workers to be aware of workplace rules and labor rights in the country where they are working (Walsh & O'Shea, n.d.). They may come from countries with very different labor laws and they may fear that their precarious status as a migrant, either undocumented or on a limited work visa, means that the labor laws would not apply to them. Employers often use this ignorance to take advantage of the workers.

> *Serious labor conflicts between workers and employers are a rare thing. Because migrants prefer to keep quiet and not start a conflict* (ILO, 2009, 22).

> *American workers are more concerned with their rights, as opposed to immigrants who just want a job and will settle for minimum pay without all the fuss* (Waldinger & Lichter as cited in Saucedo, 2006, 1011).

Some employers have segregated workplaces that keep immigrant workers separated from other workers, ostensibly to please their customers or to preserve workplace peace. Immigrant workers may also be segregated so they will not be empowered to demand better wages and conditions when they see how other workers are treated or learn from them about their labor rights (Saucedo, 2006).

Even when they have contracts, workers often assume that the contract only obligates them to the employer because they do not understand that the contract also protects them from the employer (Gordolan & Lalani, 2009). Interviews in Russia with migrant workers from across the E&E region, confirm this view. These migrants were neither aware that their work permits were valid only if they had a written contract, nor were they aware that without a contract they had few legal avenues to

redress problems with their employer. For want of information, few saw any purpose in having a contract at all (HRW, 2009).

CONCLUSIONS

Many sectors of the economy are riper for trafficking and exploitation than others. These sectors tend to have low paid, low status, temporary or seasonal jobs that are often in the informal labor market, and are increasingly dominated by migrant workers. Employers prefer vulnerable, disempowered workers who will put up with long hours and low wages. Many factors contribute to increasing the vulnerability of workers and the empowerment of employers, including government immigration policies and whether the employment includes accommodation and food in the workers' compensation package.

Employers demonstrate a tendency to grant fewer labor rights to migrant and other types of workers in the informal sectors of the economy. Migrant workers tend to expect fewer rights. Even if they know that they have rights as workers, they are unlikely to demand them. The use of third parties to recruit or employ workers further exacerbates the problem and allows employers to function with *de facto* impunity.

COMPANIES AND INDIVIDUALS USING SUB-CONTRACTED TRAFFICKED LABOR

In sectors in which trafficking is common, companies and individuals increasingly rely on third parties to find workers for them. Workers often do not even know for whom they work and their chances of seeking redress are limited. Parent companies, until recently, have not been held responsible for the violations of workers' human and labor rights committed by agencies or subcontractors. As these organizations are often fly-by-night companies that are easily dismantled to avoid criminal sanctions, workers can be exploited with impunity.

Employment and recruitment agencies can be either a positive influence or exploitative. When positive, they can protect workers' rights and negotiate with employers to ensure that workers are not being asked to do tasks not previously agreed to; that they are paid a fair wage, plus extra pay for overtime; have holidays and the like. But there are also agencies that ignore or explicitly violate workers' rights (Gordolan & Lalani, 2009; Walsh & O'Shea, n.d). Unscrupulous labor recruitment agencies are flourishing in the E&E region and severe violations of workers' rights are increasingly being documented (Rosenberg, 2010).

The increased reliance on subcontracting mechanisms throughout the world puts workers at greater risk. In many instances the subcontractor has trafficked and exploited the individuals. These individuals may be under subcontract to work for legitimate businesses, government agencies, or individuals who may not be aware of the exploitative conditions of the workers' employment. These subcontracting relationships are very common in certain industries, such as construction and agriculture, and in businesses that provide services to other businesses, such as cleaning services for offices and retail shops, and in domestic work.

As with employers of migrant and trafficked workers, subcontractors rely on workers' ignorance of local labor laws, wages and benefits and exploit their fear of deportation. They may also use force, threats and physical detention in order to exert control. Subcontractors may exploit migrants' lack of language skills in the country of destination and provide accommodation and food in order to force dependencies that keep workers obedient and limit their ability to escape (c.f. Anderson, 2006; Rosenberg, 2010, see above as many of the factors fueling demand for trafficked labor are applicable to subcontracted labor).

INTERNATIONAL CASE STUDIES

A few international cases help highlight the pervasiveness of subcontracting and the exploitation that occurs within this system.

CONSTRUCTION: SERBAZ PROJECT AND CONSTRUCTION, LLC

In late 2009, a case of forced labor and trafficking was uncovered in Azerbaijan involving up to 700 construction workers, mostly from Bosnia and Herzegovina that were employed by SerbAz Project and Construction, LLC (SerbAz) (ITU & Anti-Slavery International, 2011). The construction crews worked on several building projects in Azerbaijan, including a project to build a government structure (Astra, 2009). Workers at the site were housed in company run dormitories. In this case, conditions changed drastically over time. By the time of their departure, the workers were not being paid, were subject to confinement, were provided inadequate water, food, hygienic facilities and safety equipment, and were subject to threats and physical abuse (Astra, 2010; Rosenberg, 2010). The victims alleged government complicity in the case. The United States Department of State Trafficking in Persons Report for 2010 states that the government of Azerbaijan was negligent in its handling the case as the authorities failed to identify and assist the victims, failed to prevent the traffickers from quickly sending home the workers before evidence could be gathered, and failed to bring charges. The United States Department of State wrote:

> *…the government demonstrated exceptionally inadequate efforts to identify and assist a significant number of victims of forced labor and did not show evidence of progress in investigating, prosecuting, convicting, and punishing complicit officials* (U.S. Department of State, 2010).

Holding the offending parties responsible is complicated by the intricate network of businesses and government agencies involved in the exploitation alleged in this case and exacerbated by the negligence and corruption of the authorities. The company was presumably registered in Bosnia and Herzegovina, the country of origin for most of the workers, but there are indications that this may not have been the case (Astra, 2009), complicating efforts by the Bosnian authorities to hold the company accountable. In addition, some of the workers were recruited by agencies other than SerbAz and proving their complicity would likely be difficult. Similarly, while the workers were employed by SerbAz, they worked on construction projects for government agencies and other Azeri private sector companies. It is not clear if Azeri law will allow these companies to be held responsible for criminal or labor violations inflicted by the subcontractor. Investigations are ongoing in both countries.

CLEANING SERVICES: WAL-MART

U.S. retail giant Walmart had subcontracting relationships with janitorial companies to clean their stores in the United States. The janitorial companies hired undocumented workers and forced them to work long hours without overtime pay, in unsafe conditions with hazardous chemicals, all the while locking them in the stores at night while they cleaned. The case involved 345 illegal immigrant janitors working at 60 Walmart locations in 21 states. Workers came from 20 countries, including Poland, the Czech Republic, and Russia. Walmart and the U.S. Government agreed to a $US11 million settlement, though Walmart denied any wrongdoing, claiming only to have provided insufficient oversight. Twelve of the subcontractors pled guilty to hiring illegal workers, settled with the U.S. Government, and paid a $4 million fine (Greenhouse, 2005). Workers have sued Wal-Mart for damages (Maiello, 2005; Greenhouse, 2005).

DEFENSE SUPPORT SERVICES: KBR

There have been many allegations of human trafficking against the United States Defense Department's contractor, KBR (formerly Kellogg, Brown and Root) and many of its subcontractors. Kuwaiti and

Jordanian companies have been implicated, as well as companies in workers' countries of origin. Foreign workers were sent to Iraq against their will to work for KBR subcontractors. In some cases workers had not been told in advance that they were being sent to Iraq, in others they changed their minds about going after a group of Nepalese laborers was killed by insurgents. The one Nepalese survivor of that attack claims that the group was trafficked to Iraq (Hedgpeth, 2008). The Jordanian recruitment company allegedly deceived the Nepali migrants into thinking that they were traveling to work in restaurants in Jordan, and upon their arrival they were told that they were being sent to Iraq and were not allowed to return home (Hedgpeth, 2008). Later, other Nepalese workers, who had learned about the massacre of their countrymen and decided that they did not want to go to Iraq, alleged that the Kuwaiti company that had recruited them held their passports, refused to send them back to Nepal, and threatened to withhold food, water and accommodation unless they agreed to go to Iraq (Simpson 2005). The Jordanian company was ordered to pay US$1 million in damages to the families of the Nepalese victims (Hedgpeth, 2008). Victims also filed private law suits against KBR and its subcontractors (Hedgpeth, 2008). The outcomes of these and possible criminal investigations are not known.

MANUFACTURING: VICTOR SOLOMKA

Victor Solomka, a Ukrainian national, recruited hundreds of workers from Eastern Europe to work in legitimate factories in the United Kingdom. He used violence to force them to work for less than £2 per hour, and is estimated to have earned over £5 million over three years from their exploitation (Malpani, 2006). Though Solomka was indicted, the companies that employed the trafficked individuals were not charged with crimes, and the workers were deported without receiving compensation (Malpani, 2006).

As the case below illustrates not all employers within the supply chain are knowingly involved in the exploitation and many take steps to address the abuse if and when they become aware of it.

AGRICULTURE: FARMER'S ASSOCIATION

> *A case of exploitation was detected in 2005 involving about 50 Romanian immigrants working on farms in Central Portugal. They had been brought over by an organised group of Romanians. The immigrants had come of their own free will, but they were controlled and regularly subjected to extortion by members of the group who lived in the area and whose only job was controlling and getting money out of immigrants by threats of physical violence – against them or their relatives back home – and of being reported to the SEF.*[21] *The work was seasonal and clandestine, and labourers were rotated around the farms. The farmers, who were members of a farmers' association, were alerted to what was happening and reported it to the SEF. …One of the network members was arrested, others were charged with coercion, and the workers who are still in Portugal have been asked to cooperate in the criminal investigation underway and then apply for a residence permit* (Pereira & Vasconcelos, 2008, p. 54-55).

CONCLUSIONS

The demand for subcontracted labor is fueled by a desire for cheap labor and temporary workers, for whom the company wants to avoid any financial obligation for benefits, taxes and social insurance. Indications are that such subcontracting relationships are increasing globally, thus putting more workers at risk for trafficking and exploitation.

Subcontractors may be foreign nationals who can depart the country to avoid criminal responsibility, small firms that can be disassembled quickly, or operators which are not legally registered in the country where the exploitation occurs. This can makes it very difficult to bring subcontractors to justice.

[21] Serviço de Estrangeiros e Fronteiras (Aliens and Borders Service)

Therefore, efforts to combat trafficking must hold accountable the companies, governments and individuals that benefit from the labor of workers employed through these mechanisms.

There are many factors that allow companies and governments to avoid responsibility for the actions of their subcontractors. In many countries, evidentiary requirements make it difficult to hold a company liable for the actions of their subcontractors unless prosecutors can prove that they were also knowingly involved in the abuse. Increasing criminal and civil liabilities against companies whose subcontractors commit trafficking and forced labor violations would motivate companies to better monitor their supply chains in order to reduce the demand for trafficked labor.

CONSUMERS OF GOODS AND SERVICES MADE BY TRAFFICKED WORKERS

The clandestine nature of trafficked labor means that it is impossible to isolate and describe a particular consumer demographic. Consumers of goods made and service provided by trafficked workers are generally not aware that the production of the goods and services they buy involved trafficking. Unintentional buyers represent the full range of consumers in any society, given the global nature of the world economy.

In fact, studies have found that consumers are concerned about the way in which products are manufactured or produced. Specifically, studies in the U.S. indicate that 75 percent of men and 84 percent of women "considered a company's commitment to social issues very important in deciding where to shop" (Stokes, n.d., p. 2). The issues of most importance to consumers are workers' rights, health, the environment and education.

Many organizations provide product certification and labeling to help customers identify products made with fair labor standards. One of these organizations, Transfair USA[22], believes that when consumers understand that purchasing certified products ensures vulnerable workers higher wages and resources for local development, they are very supportive (Stokes, n.d.).

Indications are that consumers in North America and Europe support fair labor practices and are willing to pay extra for products made ethically. A study in New York City demonstrated that customers not only purchase more if the product includes a social label guaranteeing that it was made with fair labor practices, but also are willing to pay a 10 to 20 percent premium (Hiscox & Smyth, n.d.). The authors note, however, that their experiment was limited to a store in New York that sells high end furnishings and has a reputation for social responsibility. The store might already attract customers with both the income and willingness to spend more to support social causes.

The introduction of Fair Trade products by big box stores such as Costco, Walmart and Target and large natural food retailers, such as Whole Foods and Trader Joe's, would appear to demonstrate the appeal of labor equity to a wider demographic. The growth and expansion of social labeling is indicative of this trend around the world. Sales of Fair Trade coffee in the United States grew at a compound annual growth rate (CAGR) of 55 percent between 1999 and 2007 (Stokes, n.d.). Sales for the first half of 2009 were 45 percent higher than during the same period in 2008 (Stokes, n.d.).

Weighing the costs and benefits of purchase. As with any purchasing choice, ethical consumerism has both costs and benefits. Consumers must weigh the various factors that influence their purchasing decisions such as the cost and quality of the product, the time and effort necessary to research any issues, and any positive or negative feelings associated with the purchase, including self image, self-expression and membership in a social group (Zadek et al., 1998).

[22] Transfair USA is non profit organization which certifies Fair Trade products in the United States.

Brands and social labels help make socially responsible shopping more convenient through allowing consumers to quickly and confidently identify products that comply with ethical codes. Companies' concern about their reputation as regards workplace rights can be seen in the actions of many companies presented below. A brand's association with negative campaigns about treatment of workers, use of child labor and enslaved workers influences consumer decisions. Social labels (also discussed in more detail later) that can be seen at the point of purchase give consumers with a way of distinguishing similar products on issues other than price or attributes.

While interest in ethical consumerism and its presence in the market are growing, it remains a very small segment of the economy. Several factors can hold consumers back as they may not feel that their purchase can make a difference, that they have the necessary information to make informed decisions, or that they can afford to pay premium prices. They may not even have access to ethically produced products (Zadek et al., 1998).

CONCLUSIONS

Consumers indicate growing interest in and concern about ensuring that the products they use are produced in accordance with international human and labor rights standards. Ethical consumerism makes the buyer feel good about their purchase, provides them with a form of self expression for the causes they support, and may provide them a feeling of membership in a particular group or sub-culture (Zadek, et al., 1998).

However, obstacles remain in translating consumer interest into purchasing decisions. Consumers may not have access to socially labeled products, may lack clear information about the products they want to purchase, may not be able to afford socially labeled products and may feel that their small purchases could not make a difference in an immense global economy. In spite of this, consumers are an important factor in spurring changes to eliminate forced and trafficked labor from supply chains around the world, which is discussed in more detail below.

VI. EFFORTS TO REDUCE DEMAND FOR TRAFFICKED LABOR

In the discussion that follows we consider a diverse range of strategies to address demand for trafficked labor. Any consideration must take into account the continuum of employers of trafficked labor, from those who unknowingly hire someone trafficked by others, to those knowingly involved that use coercion to keep workers enslaved. There are many variations within this range and strategies to affect the demand of those who unwittingly contribute to trafficking and exploitation will undoubtedly need to be different from strategies to address the demand generated by employers who purposively exploit their workers.

IMPROVED REGLUATION AND ENFORCEMENT

In all of the countries of the E&E region, the egregious forms of labor exploitation and trafficking are criminal offenses and many lesser labor violations are also subject to administrative sanctions and penalties proscribed in labor legislation. However, there are many obstacles to effective implementation of existing laws. There may also be a need for reforms of some of the existing labor laws in order to: 1) ensure that migrant workers are covered by the laws regardless of their immigration status, 2) change evidentiary rules to ensure that there are ways of establishing employment relationships without written contracts, and 3) ensure that all parties to an employment relationship (all parts of the supply chain) are held accountable regardless of their knowledge of or role in the exploitation.

For example, Russia enacted new legislation in January 2007, that opened up avenues for migrant workers to work legally in the country. At the same time, it also increased the penalties against both

irregular workers and employers. Employers face hefty financial penalties as well as suspension of their business if they do not follow the regulations set out in the new legislation. Many employers indicated that the threat of sanctions has encouraged them to follow the new regulations, although many found that red tape and corruption can make it difficult and costly to observe the rules (see Enforcement, below) (Tiurukanova, 2008). In spite of these changes, and due to problems with enforcement and workers' lack of knowledge of their rights and effective mechanisms for redress, migrant workers in Russia remain vulnerable to extreme labor violations and human trafficking (HRW, 2009).

Regulation of labor recruitment companies. Labor recruitment companies have become an increasingly important link in the labor supply chain throughout the world and increasingly in the E&E region, where private recruitment companies and individuals have effectively replaced state run systems (Tiurukanova, 2008). While there has been much abuse within this private system, the International Labor Organization (ILO) recognized that abolishing the recruitment businesses would be less effective than finding ways to regulate their activities. As a result, in 1997, the ILO established the Private Employment Agencies Convention[23] in order to support the effective functioning of labor markets while protecting the interests of workers (ILO, 2007). Several countries of the E&E region have developed such mechanisms for regulating labor recruitment companies; a few examples are discussed below.

- **Belarus.** In 2005, Belarus passed legislation to regulate recruitment agencies and increase penalties against those involved in exploiting workers. Experts in Belarus believed that employment obtained through these licensed agencies was safe and public surveys revealed that a significant portion of the public knew about the licensing requirements and would check this before accepting employment abroad (Rosenberg, 2010).
- **Kyrgyz Republic.** The Kyrgyz Republic also has a labor recruitment law that provides significant protections for workers. Labor recruitment companies can be held responsible for violations made by foreign employers. However, it is not clear from the information available how effective the law's implementation has been (HRW, 2009).

Regulation of supply chains. Many employers rely on subcontractors who are responsible for hiring and directing the work of employees. Because it is difficult to hold subcontractors accountable for violations, countries have begun enacting legislation to hold all companies within a supply chain responsible for upholding the human and labor rights of workers. Legislation holding companies and their entire supply chain responsible for employment practices is likely to be more effective than reliance on companies' good will. As stated in a report from the ILO:

> *…holding employers responsible for labour violations improves the ability of all workers to work under fair conditions, and prevents employers from exploiting workers they know are present in the country as an undocumented worker…and may reduce the economic incentive for employers to continue exploiting labour and hiring undocumented workers for the sole purpose of wage exploitation (Malpani, 2006, p. 36-37).*

Below are some examples of recently enacted legislation designed to hold companies responsible for the actions of their subcontractors.

United Kingdom: *The Gangmasters (Licensing) Act 2004.*[24] This Act regulates agencies that place workers in specific industries, including agriculture, forestry, horticulture, shellfish collection, and food processing and packaging. It requires that these agencies be licensed and adhere to specific labor standards and makes it a criminal offense for an employer to knowingly use the services of an unlicensed

[23] As of April 2011, 23 countries have ratified the convention, including Albania, Bosnia and Herzegovina, Bulgaria, Georgia, and the Republic of Moldova (ILO, 2011).
[24] Gangmasters is a term used in the UK to refer to businesses providing labor for certain industries.

labor provider (ILO, 2009). The law also requires that labor providers ensure that employers and workers are informed in writing of the terms and conditions of employment and that suitable accommodation and travel are provided. In tandem with the regulation there is a hotline to inform workers of their rights and report violations confidentially.

The Act was developed in conjunction with trade unions, major retailers, growers, suppliers, labor providers and the Ethical Trading Initiative (ETI) (ILO, 2009). An evaluation conducted by ETI found that UK companies were hiring more workers directly and ensuring that when they used a labor supplier that they were licensed and complied with the terms of the Gangmasters Act, resulting in better conditions for workers (Barrientos & Smith, 2006a, p. 19), as illustrated below:

> *The workers paid £1,000 to an agency in their home country to arrange work for them in the UK. On arrival they had no idea where they were going and did not speak English…They worked long hours but earned only about £60 a week after deductions – they were simply handed cash in an envelope with no details of how the pay was calculated….They worked like this for two years, and when they asked the gangmaster to let them leave to find their own accommodation and work he threatened them…Now that they were employed directly as permanent workers they said they lived far better ("like normal English people")…* (Barrientos & Smith, 2006a, 19).

US: *California Transparency in Supply Chains Act of 2010.* This Act, passed in 2010, requires companies to disclose the risks of slavery and human trafficking in their supply chains and actions that they intend to take to remedy them. The law does not require companies to take any action; rather it is a public disclosure law to inform consumers. The law is expected to affect about 3,200 companies (Altschuller, 2010).

Portugal: Portugal revised its legislation to provide for joint liability such that the person responsible for a workplace (such as a general contractor on a building site) is held responsible for the conditions of employment of foreign workers when the subcontractor who directly hired the workers cannot be held accountable (Pereira & Vasconcelos, 2008).

Kyrgyz Republic: As noted above under Regulation of Labor Recruitment Companies, the Kyrgyz Republic's law also holds recruitment companies responsible for violations inflicted by employers. This law provides a mechanism of redress for workers recruited by the company who are unable to make claims in the country of destination. It also provides an incentive for labor recruitment companies to carefully screen employers.

Enforcement. Laws are only effective if they are consistently enforced. Similar to prostitution, enforcement efforts tend to focus on the migrant workers, rather than on the employers. Even when efforts do focus on demand, bureaucracy and corruption often render enforcement of laws in the E&E region ineffective. Employers of migrant workers in Russia found that as soon as they followed the official procedures, they were bombarded with inspections from a wide variety of agencies, each of which wanted a bribe for their efforts:

> *Until we applied officially, there were no inspections. Since we made an enquiry, there has been no end to them…for two years. A funny thing happened once –MOI [Ministry of Interior] economic crime division inspectors came and seized all the documents. They were just leaving when another group of inspectors arrive, and they naturally were after our money too. So the first ones were going out and the new arrivals were coming in – they looked at each other and then started laughing like mad* (Tiurukanova, 2008, p. 23).

> *When I came to arrange this quota thing I had 150 men for this year. You know how many officials I had to persuade? I had to get 18 signatures. Everyone wants something for himself. Well, I had all the*

> *signatures, and then they asked – how much are you prepared to pay for it now?* (Tiurukanova, 2008, p. 23).

Migrant workers also lack confidence that the laws will be enforced fairly and tend to be uninformed about their rights and obligations under the law. In order to improve enforcement of laws, efforts need to be made to streamline bureaucratic procedures, combat corruption, address the discriminatory practices of those responsible for upholding the rights of migrant workers, inform migrant workers of their rights, and improve mechanisms for redress.

AWARENESS AND PROTECTION OF LABOR RIGHTS

Unions and organized labor groups. While better regulations and tougher enforcement are likely to be the most effective and sustainable ways to reduce demand for exploited labor, such efforts take time to implement and time for employers and workers to respond to the changes. Some employers will need to see others being sanctioned before they believe the risks to themselves are real, just as workers will need to see benefits before they have faith that the legal system can address their complaints. Until such time, alternatives are needed. Unions and other non-governmental groups offer one such an alternative.

Increasing anti-immigrant sentiments, anti-immigration public discourse and anti-immigration policies can all reduce the likelihood for activism amongst undocumented migrants or migrants who view their immigration status as tenuous (Saucedo, 2006). Migrant workers can organize in the destination country or in their country of origin in order to demand better wages and fair practices from recruiters and employers. A few examples below illustrate how collective action can produce results.

- **Sweden-Thailand.** Thai berry pickers in Sweden held protests in Thailand and worked together with the Network Against Exploitation and Trafficking of Migrant Workers and successfully negotiated for a minimum wage with the Swedish Trade Union Confederation[25] (Dottridge, 2011).

- **Russia-Tajikistan.** Lead by a member of the Tajik Diaspora, 250 Tajik workers at a construction site in Russia held strikes over a labor dispute and were paid some of their owed wages as a result (HRW, 2009).

- **United States.** The Coalition for Immokalee Workers (CIW) is a community-based organization that consists of 4,000 members, mostly migrant workers picking tomatoes and citrus for large agricultural corporations throughout the state of Florida. Through a combination of initiatives, including work stoppages and public pressure campaigns, CIW won industry-wide wage increases of 13 to 25 percent (equal to several million dollars annually). CIW also identified and investigated forced labor allegations resulting in the liberation of over 1,000 workers, helping plaintiffs win many landmark forced labor cases in the United States (CIW, n.d.).

In the E&E region, there has been a growing interest in trade unions' role in supporting migrant workers. Indications from HRW are that most migrant workers are unaware of these unions (2009). Efforts to raise migrant workers' awareness and expand their membership will make unions more effective in addressing forced labor and human trafficking amongst migrant workers. For a list of some of the trade unions and associations in the E&E region that work with migrant workers, please see Annex 1.

[25] Unfortunately, the negotiation was not binding with the individual companies, who chose instead to hire Vietnamese workers who would continue to work for piece rates. Vietnamese workers subsequently also held strikes.

PUBLIC AWARENESS

A number of public awareness campaigns around the world have focused on trafficked labor and products. These efforts focus on changing public attitudes toward race, gender and immigration, and some provided numbers to hotlines where the public anonymously reported abuse. Some enlist influential persons, religious leaders, celebrities and other respected persons in a community who can influence people's attitudes.

Only one example of such an intervention was identified in the E&E region. In Russia, a website was established to change public opinion about immigrants. According to the Angel Coalition, it was designed to:

> *…consolidate civil society in support and protection of migrants' rights and to foster a tolerant attitude towards migrants. The right of migration is among the fundamental human rights. This right is acknowledged and measures are being taken to enforce it in the countries of the European Community, including the Russian Federation.*
>
> *The creation of the site was necessitated by a number of circumstances relating to illegal migrants in Russia and aims to increase the level of legal education and awareness of the problem, and foster tolerance among migrants as well as among Russian citizens* (Angel Coalition, 2009).

As assessment of this campaign was not identified so it is not clear what impact it had. Nevertheless, as discrimination plays an important role in increasing vulnerability to exploitation and trafficking, efforts to address discrimination are important and need to be assessed.

CONCLUSIONS

As with prostitution the most effective strategy for addressing the demand for trafficked labor is holding companies responsible through criminal and labor legislation. Legislation must ensure that all members of the supply chain be held responsible for the conditions of workers' employment, regardless of their direct involvement in the exploitation. Improved regulation must be accompanied by strict enforcement of the laws. To ensure enforcement, countries must simplify procedures and eradicate corruption.

In addition to enforcement, it is important to educate both employers and workers. Employers need to know about their obligations under the law to their directly-hired employees as well as to the employees of their subcontractors. They also need to know about the exploitative practices of third party labor suppliers and how to report abuse. Workers need to know about their rights and obligations under the law and how they can seek redress. Unions and migrant worker groups can be a very effective mechanism for protecting workers' rights and empowering them to seek redress.

VII. EFFORTS TO REDUCE DEMAND FOR GOODS AND SERVICES MADE BY TRAFFICKED PERSONS

Many of the products we buy today are made by workers around the world through complicated international networks of suppliers, manufacturers, and distributors. Big multinational companies have hundreds and sometimes thousands of suppliers spread all over the world. Companies can and do exert considerable purchasing power to pressure suppliers to reduce prices at any cost. The necessary cost reductions are often made at the expense of workers, in the form of exploitative labor practices such as reduced wages, long working hours without remuneration, and other coercive and exploitative practices. Multinational businesses, even those touting human rights ideals, have been known to lobby

against government efforts to legislate for better worker protection and have even threatened to relocate if such legislation was passed (Dottridge, 2011).

Although consumers have very little information at their disposal, they generally do not want the products they buy to be made with trafficked labor. Accordingly, in recent years, organizations have made efforts to inform consumers and use consumers' increased awareness to influence the big multinational companies when suppliers are suspected of using exploited labor. When allegations of child labor, forced labor and other labor and human rights abuse by suppliers businesses have become known, companies have been pressured to ensure that their suppliers' workplaces are free of this abuse.

As the examples below will illustrate, companies will respond to consumer pressure if it affects on their reputation and sales. These companies have had and can continue to have positive effects on their suppliers, working with them to improve labor conditions and to implement policies that reduce forced labor and trafficking.

BOYCOTTS AND PETITIONS

Boycotts and petitions have been successfully used to galvanize consumer support for reducing the demand for products grown, harvested or manufactured with trafficked labor. One of the most well publicized examples of this is the case initiated by CIW that involved Taco Bell and tomato pickers in the United States.

Taco Bell boycott. The Coalition for Immokalee Workers (CIW) worked with students, religious groups, labor groups and community organizations throughout the United States to boycott Taco Bell for pressuring its supply chain to lower costs and creating the conditions that resulted in exploitative conditions for farm workers. After a long campaign that exerted significant public pressure, Taco Bell agreed to all of CIW's demands to improve wages and working conditions for the farmworkers picking the tomatoes that the company used in its products (CIW, 2005). Following their success with Taco Bell, CIW soon negotiated agreements from McDonalds (CIW, 2007), Subway (CIW, 2008), Burger King and Whole Foods (CIW, 2009).

CIW's work led to higher wages for migrant farm workers as well as commitments to third-party mechanisms for monitoring conditions in the fields and following-up on allegations of abuse. CIW believes that an end to slavery in the modern economy rests with the corporations who buy the products and commodities, "…mega corporations must leverage their vast resources and market influence as major produce buyers to clean up slavery and other labor abuse in their supply chains once and for all" (CIW, n.d.).

Many organizations have regular campaigns, both community-level and online, designed to put consumer pressure on companies.[26]

REGULATION

When consumer pressure alone is not enough to motivate companies to take action regulations can be used as a motivating force. Sometimes, just the threat of regulation can motivate companies to take action. For example, the United States has laws forbidding the import of products made with slave labor, forced or indentured child labor and prohibiting the US government from procuring any such products. The 1930 Tariff Act, for example, prohibits the importation of goods into the United States that are produced with "forced labor and/or indentured labor" (Title19 *U.S. Code* section1307, 2006 edition). The 1997 Sanders Law clarified the Act to include products made with "forced or indentured child labor." (Treasury and General Government Appropriations Act of, 1998, Pub. L. No. 105-61, 111 Stat.

[26] Many such examples can be found at the website of the International Labor Rights Forum (www.ilrf.org).

1272, (1997) (codified as amended in Title 19 *U.S. Code* section 1307, 2000 edition)). This law includes an exemption, however, for goods that were not produced "in such quantities in the United States as to meet the consumptive demands of the United States." Because of this exemption, the U.S. did not include cocoa products on the list of prohibited items despite reports in the early 2000s about tens of thousands of child slave laborers in Côte d'Ivoire involved in cocoa production (Schrage, 2004). To address this abuse, Senator Tom Harkin and Representative Eliot Engel proposed new legislation banning imports into the U.S. of chocolate produced with exploitative child labor.

In response, the cocoa industry advocated for alternatives to legislation. This legislation would have severely affected the United States' cocoa industry because at that time, the United States consumed around 700,000 tons of cocoa per year and imported more cocoa than any other country (International Cocoa Organization, 2010). Also, at the time that the legislation was being considered, the U.S. was home to many cocoa bean processors, including the world's largest: Archer Daniels Midland, Hershey, and Mars (International Cocoa Organization, 2010). A compromise was reached in September 2001, when the World Cocoa Foundation and other industry members signed the voluntary Harkin-Engel Protocol (see Cocoa Protocol below) pledging to undertake specific activities to combat the worst forms of child labor in Ghana and Cote d'Ivoire.

ETHICAL CONSUMERISM

There is a growing interest in providing information that enables consumers to make purchasing decisions in line with their ethics. The two main mechanisms are product certification and labeling and public listings of products and companies.

In addition to ensuring better working conditions and the absence of forced labor, money earned by an external certification organization often underwrites services for exploited and trafficked workers in those industries. This is, for example, the practice of Good Weave, an organization in India which certifies that rugs are made in accordance with India's labor laws. Using these funds, Good Weave has rescued thousands of children and provided education for even more (Dottridge, 2011).

PRODUCT CERTIFICATION AND LABELING

Certification and labeling schemes have exploded as a way of informing consumers about these issues and distinguishing products which have been made in accordance with specific standards. Each certifying organization has its own set of standards to which producers must adhere and mechanisms for monitoring compliance. Product certification mechanisms have been used for a wide range of product lines, from agricultural commodities to manufactured products. A number of companies provide certifications based on specific labor standards. These systems often allow a consumer to see at glance, through product labeling, if a product has been certified.

Though a number of organizations provide product certification and labeling on a variety of issues, the most relevant for combating forced labor are organizations involved in the fair trade movement. Fairtrade International, one of the largest such organizations in the world, indicates that, "over 27,000 fair trade products are available in over 70 countries" (Fairtrade International, 2011). Its affiliate organizations around the world have websites that provide consumers with information on specific products, including where to purchase them.

However, product labeling has grown tremendously. A 2003 report indicated that in the several years prior there had been a 20 percent annual growth in the Fair Trade label alone (Dankers, 2003). Certification and labeling for products is expanding rapidly in Eastern Europe, especially in Poland and the Czech Republic. Organizations in these countries are working to unite in order to form a regional fair trade organization (Ciobanu, 2009).

The Social Accountability Standard (SA8000) is an auditable standard, based on international human and labor rights agreements that are applicable across industries. It addresses, "health and safety, working hours, child labor, forced labor, discrimination, freedom of association and collective bargaining, wages, and discipline" (SAI, 2008). The Social Accountability Accreditation Service is an organization that provides accreditation and certification of companies that comply with the SA 8000 (SAAS, n.d.). This certification is more applicable to retail buyers and manufacturers than to consumers because products are not labeled (Dankers, 2003).

There are conflicting reports on the impact of product labeling. An assessment from 2004 found that Fair Trade chocolate had met with little commercial success (Schrage, 2004), while an assessment by the Food and Agriculture Office of the United Nations found that farm workers did benefit through better working conditions and wages (Dankers, 2003).

Companies generally do not stock ethically produced products based on altruism. Rather, they do so in search of competitive advantage (Stokes, n.d.). The more consumers demand Fair Trade products the more pressure retailers will exert on their suppliers to produce them. Therefore, it is important to galvanize consumers to demand such products from their retailers. Eventually, this will lead to the reduction of forced labor and improve working conditions in commodity and industrial production around the world.

PUBLICLY AVAILABLE LISTINGS

In addition to product labeling schemes, there are also websites provided by governments and organizations to help consumers identify companies using ethical labor practices. Some list companies with good practices, others list companies known to use exploitative practices. The difficulty with such listings is that consumers must research items before purchase because products are not labeled. Some of these initiatives include:

- U.S. Dept of Labor: *List of Goods Produced by Child Labor or Forced Labor*: The U.S. Department of Labor, in accordance with the Trafficking Victims Protection Reauthorization Act of 2005, is obliged to report on products made by forced labor and child labor around the world. In 2010, the list includes 128 products from 70 different countries (U.S. Department of Labor, 2010).
- Social Accountability Standard (SA8000): The list of certified facilities is found on the organization's website (SAAS, 2010).
- Ethical Trading Initiative (ETI): ETI is an alliance of companies, NGOs and trade unions that promotes ethical consumerism by encouraging companies to adopt a voluntary code of practice for themselves and their suppliers. A list of all of the initiative's members is included on their website (ETI, 2010).

There are also initiatives and movements that raise awareness about ethical consumerism by encouraging consumers to consider human and labor rights issues in the things they buy. Once such initiative is the International Organization for Migration's *Buy Responsibly Campaign*, which includes events (to date, primarily in Europe), a website, Facebook page, and tools for concrete actions consumers can take (IOM, 2010). This initiative is just getting underway so its impact cannot yet be assessed.

ETHICAL CODES

Many companies around the world have adopted ethical codes. Some of these are an individual company's standards or code; others are industry wide, sometimes through trade associations. Companies are usually compelled to put such codes in place either by public pressure that causes a

company to fear loss of reputation and business, or by the threat of government regulation. In the case of the Cocoa Protocol described below, the threat of government regulation was far more important in instigating action than public pressure (Schrage, 2004).

Voluntary codes have not completely eliminated demand for trafficked labor. However, evaluations of some initiatives have provided interesting insights into their effectiveness as well as the conditions that can make some voluntary codes more effective than others. Improved health and safety were among the most commonly noted impacts, but codes were also effective in promoting recognition and respect for national labor legislation, reducing workplace abuse, improving wages and lessening discrimination (Schrage, 2004; Barrientos & Smith, 2006 a & 2006b). In the UK, ETI found that many of their member companies' suppliers were using fewer labor providers "in large part due to pressures from buyers to ensure no exploitative practices by gangmasters[27]" (Barrientos & Smith, 2006a, 18).

WHEN CODES MAY BE AN EFFECTIVE REMEDY

Codes of ethics are not effective in all industries or for all companies. According to Schrage (2004), conditions that improve their effectiveness include:

- Presence of an industry leader. An industry leader who pushes forward the agenda can have an important impact on the entire industry.
- Geographic concentration. When a significant portion of the world's supply comes from only a few places it makes it easier for companies to effectively introduce voluntary codes.
- Narrow supply chains. The narrower the supply chain the easier it is to control through the use of voluntary codes. The broader and more complex the supply chains, the less effective voluntary codes become.
- Partnerships with civil society and other external partners. Such partners can provide access to necessary resources for capacity building and community outreach as well as legitimize efforts.
- Government interest and support.

Codes were most effective when addressing violations that resulted from ignorance or incompetence as opposed to addressing violations whose remedies would result in significant increases in costs. Interestingly, the United States Department of State evaluation of private sector ethical codes found that the greatest costs of implementing voluntary codes came not from increased costs of production or manufacturing, but from monitoring compliance and documenting achievements (Schrage, 2004).

PROCESSES THAT IMPROVE EFFECTIVENESS OF CODES

Barrientos & Smith (2006a) indicate that ethical codes work best when:

- Purchasing companies work together in order to exert significant buyer pressure on suppliers.
- Companies are audited by an external party, such as the purchasing company in the case of suppliers, or an external auditor.
- Companies provide support and capacity building to suppliers.
- Workers are well informed about the ethical codes and are involved in monitoring compliance.
- National regulations and legislation support better labor practices.

[27] Gangmasters is a term used in the UK to refer to businesses providing labor for certain industries.

- Unions are actively involved.

Worker involvement. Codes of conduct are sometimes criticized for being formed from the top, by management and government, without the voice of workers. Codes which are formed or monitored without the involvement of workers may not be effective. The case of the Florida Tomato Growers Association highlights the problem. As noted earlier, the Association denied accusations by CIW about workers rights violations in the tomato industry (CIW, 2005). However, as a result of public outrage generated by CIW's efforts, the Association started a new organization to certify tomato growers based on their labor rights compliance. CIW was excluded from the process. Two days after the Tomato Growers Association announced that 9 of the 12 farms deserved certification, three workers from one of the certified farms escaped from their workplace and reported labor and human rights violations to the County Sheriff. The owners of the farm were eventually convicted and sentenced to 12 years in prison. The Florida Tomato Growers Association and CIW are now working together to ensure fair labor standards (Dottridge, 2011).

SAMPLE CODES OF CONDUCT

There are a number of ethical codes related to forced labor in place. These have been designed and implemented on a variety of scales, from individual businesses to those organized by trade associations, civil society groups, and international organizations such as the UN. A few examples include:

- The **UN Global Compact**, launched in 2000, is an initiative of the United Nations to encourage companies to support human rights, labor rights, environmental protection and anti-corrupt practices in their business dealings (Global Compact, 2010). It includes companies, governments, labor organizations, civil society organizations, and the United Nations. As of June 2009, 5300 businesses in 130 countries had joined (Global Compact, 2009). Companies are expected to report on their compliance. The Global Compact's website includes a searchable database of companies and their reports. Companies that fail to report are first listed as failing to communicate (As of 2011, this currently includes 1436 businesses) (Global Compact, 2011a). After one year, they are expelled. As of April 28, 2011 the total included 2307 businesses (The Global Compact, 2011b). National Global Compact Networks have been organized in Bulgaria, Macedonia, Bosnia and Herzegovina, Serbia and Croatia, under the auspices of UNDP (Dottridge 2011), and others in the E&E region are being developed (Global Compact, 2011c).
- **Hewlett-Packard (HP):** HP has a very specific code of conduct for its supply chain to ensure the absence of forced labor. Suppliers, for example, are not allowed to hold worker's identification documents or to restrict workers' freedom of movement or off-hours activities. Suppliers are required to keep evidence of compliance (Dottridge, 2011).
- **International Confederation of Private Employment Agencies (CIETT):** This trade association recognized the role recruitment agencies can play in human trafficking and developed a code of conduct for its members, including very detailed provisions about practices, such as not charging recruitment fees to workers (Dottridge, 2011).
- **The Cocoa Protocol:** The Cocoa Protocol is a voluntary non-binding agreement which U.S. cocoa producers agreed to put in place to eliminate child and forced labor from the cocoa supply chain. The Cocoa Protocol is an instructive example of the difficulties in putting ethical codes into sustainable, effective action and is discussed in more depth below.

Please see Annex 1 for more sample codes of conduct.

Case study: The Cocoa Protocol. Tens of thousands of children work on cocoa farms in Côte d'Ivoire, which, prior to the recent conflict, supplied 40 percent of the world's cocoa (Schrage, 2004).

Research revealed that significant numbers of them are trafficked and/or work in hazardous conditions in contradiction to ILO defined forms of acceptable labor for children.

As noted earlier in this report, the cocoa industry was pressured into implementing a voluntary code through fear of government regulations and prohibition on government procurement of their products. This resulted in establishment of the *Protocol for the Growing and Processing of Cocoa Beans and Their Derivative Products*, also known as *The Cocoa Protocol* and the *Harkin-Engel Protocol*. The protocol was seen as an innovation, bringing together the cocoa industry, labor unions, consumers and human rights groups, to address the problem (Free the Slaves, n.d.). In spite of years of effort designing the Protocol and working with government and NGO partners on the ground in Côte d'Ivoire, assessments of the impact of the Cocoa Protocol by the International Labor Rights Forum (ILRF) and Tulane University, find that the Protocol has not been wholly effective in achieving its goals. The ILRF assessment found that more effective remedies resulted from multilateral government action, pressure from international organizations such as the ILO and efforts of individual companies (ILRF, 2008). Tulane University notes these achievements in government and industry commitments (and attributes them as an achievement of the Protocol), but finds that many children continue to work in hazardous conditions and have not been reached by the interventions undertaken in the country. Most critically, they have not developed industry-wide standards and the certification system does not conform to international standards (Tulane University, 2011). Many chocolate companies are making efforts to reduce child and forced labor in their supply chains and are increasing their use of Fair Trade certified cocoa in their major product lines. However, in Tulane University's assessment they note that it may not be possible for the industry to self-regulate as the Protocol requires and that other means of ensuring the elimination of child labor from the cocoa supply chain may be needed, including legislative action (Tulane, 2011).

The following example of cotton from Uzbekistan highlights these difficulties as well as additional complications stemming from government disinterest in addressing the issue and limits to the purchasing power of even very large corporations.

Case study: Uzbek cotton. According to The Human Rights and Business Dilemmas Forum of the UN Global Compact initiative (Global Compact, n.d.), when reports of the forced labor used to grow government-controlled Uzbek cotton became public, pressure was put on companies that buy cotton from Uzbekistan to stop doing so. As a result, many North American and European companies refused to knowingly buy Uzbek cotton. However, it was difficult for countries to trace the origin of the cotton they were purchasing because it is traded on international exchanges. Therefore, companies have worked together to develop a chain of custody of the cotton they use, and are asking suppliers to prove country of origin.

However, buyers from other countries have not changed their practices with the result that several years later, the effort has not yet been effective in changing cotton growing and harvesting practices in Uzbekistan. Even pressure put on the Uzbek Government by international organizations and other governments has not resulted in any changes. However, a group of international companies, trade associations and NGOs that came together in 2008 to form the Responsible Cotton Network are pressuring buyers from other countries, especially in Asia, in order to increase pressure on the Uzbek government to address the issue (Global Compact, n.d.).

The lack of traceability of the supply chain and inflexibility of prices set by international exchanges and futures markets increases the difficulty of making an impact on commodities traders and suppliers through voluntary ethical codes (Schrage, 2004). Complying with codes is extremely daunting because it is very difficult to trace the origin and supply chain of a commodity traded on international exchanges as batches of the commodity from different points of origin are mixed together such that one cannot distinguish a batch produced by suppliers using fair labor practices from those using forced or trafficked labor.

MONITORING COMPLIANCE

Ethical codes tend to be voluntary in nature, and are therefore not enforceable by law. On the other hand, while businesses are forced to follow criminal and labor laws in the countries in which they operate, in some countries, enforcement can be lax or workplaces hidden, allowing employers to get away with exploitative labor practices.

While most of the companies that embrace codes do so voluntarily they often make compliance obligatory for their suppliers, and in some cases, the suppliers of their suppliers, and on down the supply chain. Maintaining valuable business can be a powerful incentive for compliance.

Monitoring compliance can be quite difficult. Too often compliance mechanisms are not well designed or auditors are not sufficiently experienced. Audits may be announced, giving employers time to clean up the workplace and inform workers how to respond. In other cases, workers are not even interviewed. In response to allegations of poor audits, the Ethical Trading Initiative researched auditing methodologies, monitoring three different audit approaches used by three different types of groups, including a commercial audit, a self audit, and a multi-stakeholder audit. While self audits have been widely criticized, in this study the self audit[28] was the most effective. However, they found that all methods could be improved by raising awareness amongst workers about the ethical code through training and distribution of written materials designed for easy comprehension amongst the workforce (ETI, n.d.).

The ETI evaluation found that codes were most effective if there was a critical mass of buyers who demanded compliance with ethical labor practices (ETI, n.d.). However, buyers need to work together to create one set of codes as suppliers have many different buyers and currently each buyer has their own set of codes. Suppliers can find it difficult and confusing to conform to multiple codes, each with different reporting and auditing requirements (Barrientos & Smith, 2006a).

In many cases, though companies are happy to sign up for voluntary codes, they are reluctant to subject themselves to verification systems, especially systems requiring independent verification (Barrientos & Smith, 2006a). However, even self-verification can be difficult or expensive for companies. Recall the large percentage of companies which signed the Global Compact, but did not submit their required self verification report.

Some organizations have tried to develop standards for auditing. For example, Social Accounting International developed a global standard for SA8000 audits that is based on International Standards Organization (ISO) standards of assurance (SAI 2008).

VIII. RECOMMENDATIONS FOR REDUCING DEMAND FOR TRAFFICKED LABOR IN THE E&E REGION

As with demand for prostitution, the best approach for reducing the demand for trafficked labor is effective legislation and law enforcement. Because of international nature of trafficking, these laws and their enforcement can be complemented by multilateral commitments to protect and assist persons vulnerable to labor exploitation. In addition, trade unions, NGOs and migrant worker organizations can be engaged to support vulnerable workers and to educate employers and communities. Addressing issues of discrimination and racism in the general public and amongst authorities is also an important element of changing employers' attitudes, ensuring effective enforcement of laws, and opening avenues for redress.

[28] Self-audit is a misnomer: The purchasing company audited its suppliers rather than requiring the suppliers to audit themselves.

The recommendations that follow focus on reducing the demand for exploited labor in the E&E region, not on reducing consumer demand for products sold in the region but produced by exploited labor outside the region. Consumer demand for such products exists in the region, as it does everywhere in the world. However, given the sectors in which USAID works and the importance of addressing the direct exploitation of individuals in the region, priority in this discussion will be given to strategies for reducing demand for sexual and labor exploitation by individuals, businesses and governments in the E&E region. Readers interested in reducing consumer demand for such products should find the information provided in the previous section and the references provided in the next useful in developing strategies for addressing this demand.

Legislation and enforcement. **In all of the countries of the region, the most egregious forms of labor exploitation and trafficking are criminalized, and labor legislation makes perpetrators of many lesser labor violations subject to administrative sanctions and penalties.** However, reforms of some of the existing laws are needed**.** USAID could support legislative reforms in some countries to ensure that:

- Laws protect migrant workers regardless of their immigration status. Migrant workers should be entitled to the same rights, wages, and workplace protections as nationals.
- All sectors of work are included in national legislation so that workers in sectors that are vulnerable to exploitation receive protection under the law. This might include domestic workers, agricultural workers, traders, and temporary or seasonal workers.
- Labor inspectors have the right to inspect all relevant workplaces and the authority to act on the violations they encounter.
- Evidentiary rules are changed in order to ensure that there are ways of establishing employment relationships without written contracts.
- All parties to an employment relationship, at all levels of the supply chain, are held accountable for abuse regardless of their knowledge of or role in the exploitation.

Reforms should hold companies and government agencies accountable if their subcontractors or employment agencies are trafficking or exploiting workers. Please refer to the previous section and Annex 1 for a list of resources that can assist countries in developing more effective legislation.

Enforcement. Legislation is only effective if it is enforced and inadequate enforcement has been a long-standing obstacle to eradicating labor exploitation in the region. The most substantial obstacles to effective implementation of existing laws include a lack of political will, bureaucracy, corruption, and lack of capacity. USAID can use its influence to address political will (see also multilateral commitments below), support efforts to streamline bureaucratic processes, and introduce systems that reduce corruption.

- **Political will.** All actors in the enforcement process must be given a clear directive from the highest levels of their agencies that officially establishing the primary importance of law enforcement. Specifically, all parties must be instructed to direct enforcement efforts at employers and not to harass workers. Workers, even undocumented ones, should be considered potential witnesses against abusive employers and should be given an opportunity to pursue legal avenues for justice and compensation. USAID could support countries' development of protocols and directives and their efforts to ensure that operational staff understand these directives and how to implement them effectively.
- **Bureaucracy.** Employers and workers alike will circumvent the laws if compliance is time consuming and the necessary forms and processes are cumbersome to complete. Simplification

of regulations and procedures is needed. Better use of technology can reduce waiting times, processing times, and the number of different locations employers and workers are obliged to visit. Online procedures could also help reduce corruption in the system by eliminating the power of individuals over the process and keeping records of all transactions. USAID could support countries in developing simplified procedures and building computerized systems.

- **Corruption.** Corruption must be tackled if effective implementation of laws is to be achieved; laws protecting workers are no exception. Corruption allows exploitative employers to function with impunity by bribing officials to ignore their wrongdoing, or to assist them by intimidating workers or summarily arresting and deporting them before they are paid the wages they are due. Corrupt officials need to become visible examples that deter others from similar actions. In countries where USAID already supports anti-corruption efforts, USAID could request that they focus some effort on corruption related to the exploitation of migrant workers.
- **Capacity building.** Many of the government agencies involved in labor and immigration issues could benefit from capacity building. USAID support for government capacity building should involve government agencies charged with labor and immigration issues and should cover technical issues related to legislation and recent reforms. This includes immigration officials, labor officials, workplace inspectors, offices which handle workplace disputes, police and related institutions. USAID could support the provision of information and training on: 1) technical issues related to legislation and reforms, 2) proper treatment of migrant workers and their human and labor rights, 3) identification of violations of workers' rights , 4) discriminatory attitudes and behavior towards migrants and methods to change them, 5) the importance of migrant workers to the country, and 6) how workers can be referred for assistance.

INTERNATIONAL COOPERATION

Multilateral commitments. Because human trafficking is often a cross-border crime and is on the increase between countries in the region, a multilateral regional framework could be an effective tool for promoting multilateral dialog and agreements that address human trafficking and labor exploitation issues. A commission created for this purpose could address many of the topics discussed in this report and serve as a forum for encouraging and supporting government efforts to address the demand side of trafficking. Such a commission would include government representatives, of course, but might also include unions, migrant worker groups, international organizations, and other civil society actors. USAID could support the development of such regional commissions.

An example of such a commission which could serve as a model for the E&E region is the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT). According to the United Nations Inter-Agency Project on Human Trafficking (UNIAP) in 2007, COMMIT is a multilateral governmental process involving six countries: Cambodia, China, Lao PDR, Myanmar, Thailand, and Vietnam. The COMMIT process was initiated to create a system for cross-border governmental cooperation to combat human trafficking. It is designed to strengthen inter-country dialogue, develop a coordinated response, share successful approaches and build national capacities. COMMIT involves high-level policy dialogue as well as national COMMIT Task Forces. The COMMIT agreement includes specific commitments addressing demand, such as upholding national labor laws for all workers without discrimination, recognition of the role that migration policy can play in aggravating or reducing demand, and monitoring labor recruitment companies (UNIAP, 2007).

Multilateral organizations in the region, such as the Eurasian Economic Community could serve as a forum to facilitate such a regional commitment. The Eurasian Economic Community comprises six member states including Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan. It has a workforce migration program aimed at socially protecting migrants, creating an effective regulation and

control system, addressing migration-related criminality, and resolving the tax payment problems of migrants and their employers. USAID could also support the development of such partnerships at the sub-regional level, as it did for the Transnational Referral Mechanism for Trafficked persons in Southeastern Europe.[29]

Unions, NGOs, and associations. As the examples in the previous section demonstrate, civil society groups can play an important role in combating demand for trafficked labor. In the E&E region, there has been a growing interest in the trade unions' role in supporting migrant workers. Indications from HRW are that most migrant workers are unaware of these unions (2009). Efforts to raise migrant workers' awareness and expand their union membership will contribute to the increasing union effectiveness in addressing forced labor and human trafficking amongst migrant workers. These groups help give voice to an often un-empowered workforce. USAID could lend support to unions, migrant worker groups, and NGOs to implement a variety of initiatives including:

- Supporting exploited workers to claim their rights and seek justice.
- Conducting campaigns to increase public understanding of the issues, address widespread discriminatory attitudes, exert public pressure on the government to act and on employers to stop exploitative practices, and encourage the reporting of workplace abuse.
- Operating a hotline that will provide migrant workers and their employers information as well as a way to anonymously report abuse.
- Informing employers of their obligations under the law and providing them with tools, such as model contracts, to assist them with compliance.

Raising employers' awareness. Many employers of migrant workers are small businesses and individuals who may not be aware of labor regulation issues related to migrant workers or their obligations as employers under the law. In Russia, employers expressed a need for information and services with regard to employing migrant workers. According to a 2006 IOM survey, they needed assistance with registration procedures, assistance in finding and hiring workers, and legal assistance for employment contracts (as cited in Tiurukanova, 2008).

USAID could support NGOs and unions to raise employers' awareness of these issues. NGOs and unions could provide information to employers about appropriate wages, working hours, annual leave, taxes, insurance contributions, and the need for written terms and conditions as well as providing model employment documents. Providing information and sharing model employment contracts might mitigate some of the problems faced by migrant workers (Gordolan & Lalani, 2009; Anderson & O'Connell Davidson, 2002b).

Because employers may not be the ones trafficking or exploiting workers, as the example from Portugal illustrates (page 46), it is also important to inform employers about the exploitative practices of intermediaries. They should also be informed about their obligations under the law in regard to workers who are working for them but hired or employed by third parties. Employers who become aware of exploitation of their employees by third parties can play a role in reporting such cases to the authorities.

Codes of conduct. International organizations, governments, and NGOs can encourage private sector businesses and governments, especially government procurement agencies, to adopt codes of conduct. In other parts of the world, the U.S. State Department and USAID have been active players in bringing together stakeholders to discuss voluntary codes and in providing funding for related efforts, such as research into the problem of trafficking or assistance programs for rescued children and forced laborers

[29] See the website of the International Centre for Migration Policy Development for more information.

(Schrage, 2004). USAID could consider supporting efforts to cooperatively develop such codes, especially for larger private sector employers in the region such as those in the oil and gas, construction, and agriculture sectors, and for governments, especially government-run businesses and construction projects.

ANNEX 1: RESOURCES AND TOOLS TO REDUCE DEMAND

The inclusion of particular organizations here is for informational purposes only and should not be read as an endorsement.

DEMAND FOR PROSTITUTION

LEGISLATION

Shifting Sands: A Comparison of Prostitution Regimes Across Nine Countries:
http://www.uknswp.org/resources%5Chomeoffshiftingsandscoyetal09.pdf
An analysis of the impact of different legislative policies designed to address prostitution.

***The Swedish Law That Prohibits the Purchase of Sexual Services: Best Practices for Prevention of Prostitution and Trafficking in Human Beings*:**
http://www.hks.harvard.edu/cchrp/isht/study_group/2010/pdf/GunillaEkbergTheSwedishLaw.pdf
This article describes the Swedish anti-prostitution law, the philosophy behind it, and the actions taken to ensure its effective implementation.

Evaluation of Swedish law banning purchase of prostitution services:
http://www.sweden.gov.se/sb/d/13420/a/151488

EDUCATIONAL PROGRAMS FOR YOUTH

The Chicago Alliance Against Sexual Exploitation (CAASE):
http://www.caase.org/pdf/resources/CAASE_Curriculum_FINAL_Designed_ARP_edits.pdf
CAASE conducts an educational program for high school boys in the Chicago area. It is currently adapting the program for implementation in India. A description of the theory behind the training and an overview of the sessions are provided in the document *Empowering Young Men toward Ending Sexual Exploitation* (Burque, 2009).

> CAASE also offers lesson plans for coaches on commercial sexual exploitation and what young men can do to end it that are designed for use with young athletes:
> http://www.caase.org/pdf/resources/lesson-plans.pdf

Futures without Violence: http://www.coachescorner.org/index.asp?page=22
Future without Violence's kit for coaches is designed to equip them with "strategies, scenarios, and resources needed to build attitudes and behaviors that prevent relationship abuse, harassment, and sexual assault."

The Not for Sale Campaign: http://www.notforsalecampaign.org/resources/
The Campaign's website offers a curriculum for high school students that incorporates trafficking for all purposes, not just prostitution.

The White Ribbon Campaign: http://www.whiteribbon.com
The White Ribbon Campaign's curricula for elementary and high school students addresses gender violence and healthy sexual relationships.

DEMAND FOR TRAFFICKED LABOR

LEGISLATION

***The Guide to Private Employment Agencies: Regulation, Monitoring and Enforcement*:**
http://www.ilo.org/public/libdoc/ilo/2007/107B09_296_engl.pdf

This 2007 ILO publication that provides states with guidance and models for better regulating and monitoring the activities of private recruitment companies.

Regularization and Employer Sanctions as Means towards the Effective Governance of Labour Migration: *http://www.ilo.org/public/english/region/eurpro/moscow/info/publ/regularization_en.pdf*
This 2009 ILO report is a detailed review of the management of labor migration in Russia. It also provides studies of other country experiences in managing labor migration and sanctioning employers of irregular migrants, including analysis of policies from Italy, Spain, France, Germany, Greece, the United Kingdom, and the United States.

RESOURCES FOR BUSINESSES

Combating Forced Labour: A Handbook for Employers and Businesses:
http://www.ilo.org/sapfl/News/lang--en/WCMS_099621/index.htm
The Handbook provides guidance and tools to address issues of forced labor and human trafficking in businesses' operations and supply chains.

Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework: http://www.business-humanrights.org/media/documents/ruggie/ruggie-guiding-principles-21-mar-2011.pdf
This United Nations report provides guidance for states and businesses, including state-owned businesses, on how to address human rights issues in their operations, , and in their supply chains.

The Labour Principals of the United Nations Global Compact: A Guide for Business
http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/instructionalmaterial/wcms_101246.pdf
A useful ILO-produced tool for businesses that helps them comply with the Global Compact (see more about the United Nations Global Compact below)

The **Business and Human Rights Resource Centre**: http://www.business-humanrights.org
A nonprofit organization that tracks the human rights records of over 5,000 businesses operating in 180 countries. Its goal is to encourage companies to respect human rights and the website provides tools to help companies, NGOs, and others to achieve this goal

CONSUMER DEMAND

Fairtrade Labeling Organizations International: http://www.fairtrade.net/
Fairtrade International (FLO) internationally coordinates Fair Trade labeling and global Fair Trade strategy, sets Fair Trade standards, supports Fair Trade producers, and promotes trade justice. Fair Trade is an alternative to conventional trade and is based on a partnership between consumers and producers that offers producers a better deal and improves terms of trade and provides a way for consumers to reduce poverty. Fair Trade standards aim to ensure that: producers receive the right prices for their goods, producers collect additional funds to improve their workers' quality of life, pre-financing is available for farmers, long-term trade partnerships are developed, and that the production of all Fairtrade products are socially, environmentally, and economically responsible.

Fairtrade Foundation: http://www.fairtrade.org.uk/what_is_fairtrade/default.aspx
The Fairtrade Foundation is the UK member of a working group of the four international Fair Trade networks. The Foundation supports producer organizations, raises public awareness of the importance of Fairtrade, encourages growth in the demand for Fair Trade products, and licenses the usage of the FAIRTRADE Mark on products in accordance with the Fair Trade standards.

Fairtrade USA: http://www.transfairusa.org/

Fair Trade USA works with the Fairtrade Labeling Organization and is a certifier of Fairtrade products. Fair Trade USA uses a market-based approach to help farmers get a fair price for their products, support safe working conditions, provide a living wage and assure the right of workers to organize. In order to become Fair Trade Certified, companies must purchase products from certified farms and organizations, pay Fair Trade premiums and prices, and submit to supply chain audits.

International Labor Rights Forum (ILRF): http://www.laborrights.org/
ILRF is an international organization committed to advocating for the rights of the working poor around the world. ILRF promotes public education and mobilization through letter writing campaigns boycotts and other consumer actions. They support research into labor rights abuse and collaborate with labor, government and business groups.

U.S. Department of Labor *List of Goods Produced by Child Labor or Forced Labor*:
http://www.dol.gov/ILAB/programs/ocft/tvpra.htm
This is an annual report produced by the U.S. Department of Labor (DOL), in accordance with the Trafficking Victims Protection Reauthorization Act of 2005. The DOL investigates and reports on products made by forced labor and child labor around the world. The 2010 report lists 128 products from 70 different countries (U.S. Department of Labor, 2010).

The Social Accountability Standard (SA8000):
http://www.sa-intl.org/index.cfm?fuseaction=Page.viewPage&pageId=937&parentID=479&nodeID=1
SA8000 is an auditable standard based on international human and labor rights agreements that are applicable across industries. It is a voluntary, internationally-recognized social standard for workplaces that focuses on child labor, forced labor, health and safety, freedom of association and right to collective bargaining, discrimination, disciplinary policies and actions, working hours, compensation and management systems. Organizations are granted the ability to perform certifications upon accreditation as Certification Bodies (CBs). Accreditation assures stakeholders that an organization is capable of performing certification audits (SAI, 2008). The certification is more applicable to retail buyers and manufacturers than to consumers because products are not labeled (Dankers, 2003).

> Social Accountability Standard (SA8000) Certified Facilities List:
> http://www.saasaccreditation.org/certfacilitieslist.htm
>
> Social Accountability Accreditation Services (SAAS): http://www.saasaccreditation.org/about.htm
> SAAS provides accreditation and certification of companies complying with the social standards and verification codes, such as SA8000 and the InterAction PVO Standards,.
>
> Social Accountability International (SAI): http://www.sa-intl.org/
> Social Accountability International (SAI) is an organization that supports the human rights of workers by developing and implementing socially responsible standards. SAI created SA8000. In addition, SAI offers global training and capacity building programs, multi-industry corporate programs, guidance and standard interpretation, and stakeholder engagement and guidance for workplace assessments.

Buyresponsibly.org: http://www.buyresponsibly.org/
An International Organization for Migration initiative that raises awareness about ethical consumerism, labor exploitation and human trafficking. Its activities include events (to date, primarily in Europe), a website, Facebook page, and tools for concrete actions consumers can take.

CODES OF CONDUCT

Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism:
http://www.thecode.org

This voluntary code is the result of collaboration between the tourism sector and the international NGO End Child Prostitution Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT). Companies that choose to sign up must agree to external audits. Many companies provide training for staff, information for guests, and impose rules on customers intended to prevent them from using the premises for prostitution. In Bulgaria, a joint initiative of government agencies, local NGOs, international organizations and others successfully encouraged hotels on the Black Sea, a site of increasing tourism, to adopt *The Code* (Dottridge, 2011). Several hotels in other parts of the E&E region have also signed up, including hotels in Albania, Montenegro, Romania and Russia (The Code, 2011). While businesses must report on their own compliance measures and submit to external audits, it was not clear from *The Code*'s website what actions, if any, are taken against companies that do not comply.

Ethical Trading Initiative (ETI): http://www.ethicaltrade.org/
An alliance of companies, NGOs and trade unions promoting ethical consumerism by encouraging companies to adopt a voluntary code of practice for themselves and their suppliers. ETI aims to improve lives of individuals who make or grow consumer goods. ETI undertook an intensive impact assessment of their code on their member companies and their suppliers in 2006.

UN Global Compact: http://www.unglobalcompact.org/
Launched in 2000, this United Nations initiative involves business and civil society, and encourages companies to support human rights, labor rights, environmental protection and anti-corrupt practices in their business dealings (Global Compact, 2010). The Compact's tools and resources include self assessment tools, operational guides, and business management models. As of June 2009, 5300 businesses in 130 countries had joined (Global Compact, 2009). Companies are expected to report on their compliance. The Global Compact's website includes a searchable database of companies and their reports. Companies that fail to report are first listed as failing to communicate; in 2011, 1436 businesses are on the list. (Global Compact, 2011a). After one year of not reporting, they are expelled; as of April 28, 2011, 2307 businesses had been expelled(Global Compact, 2011b). National Global Compact Networks have been organized in Bulgaria, Macedonia, Bosnia and Herzegovina, Serbia, and Croatia, under the auspices of UNDP (Dottridge, 2011), and others in the E&E region are being developed (Global Compact, 2011c).

Protect, Respect, Remedy Framework: http://www.business-humanrights.org/Links/Repository/1005021
The Framework, launched by the United Nations in 2005, and the associated *Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework,* released in March 2011, provide guidance for States and businesses to examine the human rights impact of private sector activities. As with the Global Compact, few participating companies have systems in place to ensure that they are adhering to the principles (Dottridge, 2011).

The Athens Ethical Principles: http://www.ungift.org/docs/ungift/pdf/Athens_principles.pdf
This initiative was launched in 2006 by the Suzanne Mubarak Women's International Peace Movement in collaboration with international NGOs, intergovernmental organizations and businesses. Businesses which sign up agree to adhere to human rights principles including prohibitions against human trafficking.

Apparel Industry Partnership: http://actrav.itcilo.org/actrav-english/telearn/global/ilo/guide/apparell.htm
The U.S. Government organized this partnership between businesses, trade unions and civil society groups in the apparel industry to develop labor standards for the U.S. garment industry (Dottridge, 2011). The agreement includes workplaces codes of conduct on forced labor, child labor, harassment or abuse, nondiscrimination, health and safety, freedom of association, and collective bargaining, wages and benefits, hours of work, and overtime compensation.

Hewlett-Packard (HP):
http://www.hp.com/hpinfo/globalcitizenship/09gcreport/society/supplychain/index.html
HP has a very specific code of conduct for its supply chain to ensure the absence of forced labor. Suppliers, for example, are not allowed to hold worker's identification documents or to restrict workers' freedom of movement or off-hours activities, and are required to keep evidence of compliance (Dottridge, 2011).

The Electronic Industry Citizenship Coalition (EICC): http://www.eicc.info/EICC%20CODE.htm'
The Electronic Industry Code of Conduct established the standards and guidelines necessary to maintain business efficiency and ensure \safe and fair working conditions and environmental responsibility while maintaining business efficiency.

International Confederation of Private Employment Agencies (CIETT):
http://www.ciett.org/index.php?id=30
This trade association recognized the role recruitment agencies can play in human trafficking and developed a code of conduct for its members, including very detailed provisions about practices, such as not charging recruitment fees to workers (Dottridge, 2011).

The Cocoa Protocol (The Harkin-Engel Protocol):
http://www.cocoainitiative.org/images/stories/pdf/harkin%20engel%20protocol.pdf
The Cocoa Protocol is a voluntary non-binding agreement which U.S. cocoa producers put in place to eliminate child and forced labor from the cocoa supply chain. The Cocoa Protocol provides an instructive example of the difficulties in putting ethical codes into sustainable, effective action. For information on the implementation of the Harkin-Engel Protocol in Africa, please see *The Cocoa Protocol: success or Failure?* (http://www.laborrights.org/stop-child-labor/cocoa-campaign/resources/10719).

TRADE UNION AND NGO RESOURCES

ILO *Model Trade Union Agreement on Migrant Workers' Rights*:
www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/publication/wcms_115036.pdf
The *Model Trade Union Agreement on Migrant Workers' Rights* is a template for agreements between trade unions in countries of destination or origin in order to better protect the rights of workers.

Coalition for Immokalee Workers (CIW): www.ciw-online.org
CIW is a community-based organization that started as a small group of workers and has grown to approximately 4,000 members, mostly migrant workers picking tomatoes and citrus for large agricultural corporations throughout the state of Florida. CIW has also pressured growers and corporate buyers of agricultural products to ensure higher wages, fair working conditions and the eradication of forced labor from the supply chain (CIW, n.d.). CIW believes that "the most effective weapon against forced labor is an aware worker community engaged in the defense of its own labor rights" (CIW, n.d.).

Professional Union of Migrant Workers of Russia Working in Construction, Municipal Services, and Related Industries: http://www.profmigr.com/
This organization provides information to migrant workers on a variety issues such as registration and work permits, labor contracts, and what to do if detained by the police (HRW, 2009). It also hosts informational seminars for migrants that include representatives of the Labor and Employment Department of Moscow, the Russian Federal Migration Service of Moscow, and IOM. The union partners with Doctors of the World to improve migrant workers' access to health care and prevent dangerous infectious diseases in migrant communities and provides services such as assistance in resolving labor conflicts, legal aid to migrants detained by police, an in-house employment agency, and sales of air and train tickets.

Fund Tajikistan / Migration and Law Network in Moscow: http://refugee.memo.ru/
This organization is well known amongst migrant workers from Central Asia. It helps workers seek back wages and other compensation from their employers through negotiation or by taking employers to court (HRW, 2009).

Civic Assistance (Russia): This human rights NGO has many years of experience working with refugees and asylum seekers. It expanded its services in 2007 to include migrant workers, some of whom were assisted with labor disputes (HRW, 2009).

Association of Organizations-Exporters of Labour Forces (Russia): This organization addresses the exploitive practices of illegal labor recruiters, works toward reform of immigration legislation, and assists companies recruiting Russian citizens for work abroad (Tiurukanova, 2005).

All-Ukrainian Trade Union of Migrant Workers in Ukraine and Abroad: http://migrant.org.ua
This Union works on behalf of both migrant workers in Ukraine and Ukrainian migrant workers abroad. It conducts orientation and training programs that provide information on recruitment, employment, human welfare, and relevant international labor standards. It also provides assistance in negotiating employment contracts and reduced fees, provides contacts for workers unions in destination countries, and promotes reintegration through job listings and agreements with employment centers. The Union lobbies for legislation to ensure equitable protection and fair working conditions for foreign workers in Ukraine and informs workers about their rights. It encourages employers to include migrant workers in collective bargaining and the government to allow foreign workers to join trade unions. Finally, it provides financial assistance to migrants who are under investigation by the Ukrainian authorities and supports integration of migrants into Ukrainian society.

Angel Coalition--Site Helping Migrants: http://www.nelegalmigrant.ru/
Not updated since 2009, this site is dedicated to protecting the rights of migrants and changing society's attitude towards migrants. Its main mission is to consolidate the support of civil society organization for migrants.

MULTILATERAL COMMITMENTS

Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT): http://www.no-trafficking.org/commit.html
COMMIT is a platform enabling the 6 governments in the Greater Mekong Subregion to cooperate on efforts to fight human trafficking. UNIAP serves as Secretariat and provides technical, financial, and logistical assistance.

ANNEX 2: REFERENCE LIST

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