

Notes for corruption and people trafficking presentation

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1. Introduction

Corruption and people trafficking. What do we know about corruption in a people trafficking context? What do we know about people trafficking facilitated by corruption? What are the intersections connecting corruption and people trafficking? Are there any similarities between responses to eradicate corruption or combat people trafficking? And what might be the opportunities and benefits of bringing together strategies to tackle people trafficking with an anti-corruption framework? These are the broad questions that I want to discuss today.

2. Background/Context

Corruption is a widespread, ongoing and even ancient problem that societies continue to face today. Not dissimilar to the issue of people trafficking, there are healthy debates regarding definitions, so for the record I apply the broad definition of corruption as “the misuse of entrusted power for private gain”. But I also want to add that corruption is more than just abuse of power, corruption has damaging effects on people which can lead to breaches of human rights. The involvement of corruption in people trafficking is one example of this.

When we look at the processes of people trafficking, opportunities for corruption to be an aiding and abetting factor are plentiful. From the beginning, corruption may be present in the myriad of recruitment methods people traffickers use. Corruption may be the tool to smooth the way for the traffickers during transportation stages. Corruption could be the currency of negotiation between people traffickers and other accompanying criminals or complicit **stakeholders**, and corruption might be what holds trafficked workers in bondage and forced labour. I do qualify my statements because it is absolutely feasible that people trafficking can take place in the absence of corruption. However, corruption needs to be recognised as *at least a significant* factor in the processes and successes of people trafficking. And to ignore the importance of corruption in this business is to potentially tread water with, or even undermine, our anti-trafficking efforts.

Corruption in the recruitment, transportation and exploitation stages

Let's quickly look at the opportunities for corruption to ease the way for people trafficking. It is at the very beginning that we need to look for corruption taking place, in the recruitment or attainment of the men, women or children who will find themselves exploited through people trafficking. Migration services masking a trafficking racket may rely on corruption to keep their front up. Or corruption may be used to secure identity or travel documentation for the victims of trafficking. Corruption may also be a player in the falsification and forgery of these documents.

When we move to the transportation stages we discover further intersections are possible between corruption and people trafficking. People trafficking will be greatly assisted if immigration officials, customs officers, police and law enforcement authorities, border control authorities, as well as private sector persons in travel industry and financial institutions allow themselves to be complacent, if not active, in corrupt practices.

In the later stages when trafficked persons are exploited and abused in the destination country or region, we again should look for the presence of corruption. Those accepting deliveries of trafficked persons as well as a whole range of witnesses to the exploitation of these people may be using corruption to keep the trafficking wheels turning. Even after being exploited and deported, trafficked people can remain at risk of being re-trafficked with the assistance of corrupt authorities who have monitored their onward journey.

From Active involvement to passive negligence: the spectrum of involvement in corruption

Now we need to be very mindful that involvement in corruption is complicated, and corruption in people trafficking could involve many players who fall along a spectrum: from offenders with an active involvement in known corrupt practices, to those whose negligence or passive behaviour allows corruption to happen.

Offences of active involvement in corruption that could smooth the way for people trafficking includes violating duties, accepting or transferring bribes, facilitating transactions, or participating in organising trafficking schedules. Law authorities may be deliberately forceful in destroying testimonies or deporting trafficked persons before evidence can be provided to support a trafficking prosecution. In the criminal justice system we may be looking for active involvement such as tactics to obstruct or frustrate investigations, providing or revealing information, or perjury.

Passive behaviour can also allow corruption in people trafficking to occur. Action may be avoided by those with an opportunity to halt or prevent people trafficking, and corruption may flourish in the absence of this action. This might include consciously ignoring acts and circumstances that suggest a worker has been trafficked. Or failing to follow up on indicators that people are exploited upon arrival in destination country.

Any of these types of active or passive involvement in corruption may take place at any stage in the people trafficking process, and can occur in either the source, transit or destination location. We're dealing with the complexities of corruption itself, which is then imbedded in the density of people trafficking.

Its also been suggested that corruption is not only a possible linkage between numerous people or groups along the people trafficking process, but is also a vector outwards from the offences of people trafficking to other criminal activity and also organised crime. So we need to include in our analysis of offenders in corruption and people trafficking groups or individuals who might be second or third degrees beneficiaries of, but not direct perpetrators of people trafficking. The outcomes of corruption – bribes, payments, largess, other advantages – are fluid and can move up and down a chain of command and across many networks of criminal activity.

Of course I don't think that these relationships and connections between people trafficking and corruption are new or recent factors. It's just that we're just improving our understanding of what some of the background factors supporting people trafficking might be.

But what I do think is new in the context of corruption and people trafficking are the following: One, a similarity in the responses being offered (albeit separately) to these two old problems of corruption on one hand, and people trafficking on the other. And leading off from that, a recent recognition that there are numerous, practical advantages and benefit to bringing together some responses to corruption and people trafficking.

On the similarities in responses to corruption and people trafficking, I have four thoughts to share:

Number one: separately, the responses to corruption and people trafficking are making headway on the international scene. And that is certainly where they should be, given they are both global phenomena, with global repercussions. We're starting to break down the

barriers that would restrict a view of these problems to a national or local context. Notwithstanding the limitations of the individual international instruments on corruption and then on people trafficking, we are at least witnessing both corruption and people trafficking appearing on the agenda of many international agencies. And that's a positive.

Number two: Understanding of corruption and understanding of people trafficking are starting to shake off justifications based on cultural or traditional contexts. They are also slowly breaking down the social taboos that shame and condemn victims. Part of this I think is the result of broader human rights approaches being incorporated into both anti-corruption and anti-people trafficking strategies.

Number three: There is an increasing role that civil society and non government organisations are playing in eradicating corruption and combating people trafficking. I think there is much credit to be given to civil society and NGOs for getting these two issues onto a wider, public, global agenda and loudly demanding action and response from government and intergovernmental agencies.

And Number four: both anti-corruption and anti-people trafficking strategies are incorporating agendas of prevention, which in turn is linked to the human rights approach I mentioned before, but also starting to be linked to education – about the factors that create sites of vulnerability for specific people, greater awareness of how corruption or people trafficking occurs and then deliberations on prevention strategies. We're also just starting to see these issues coming through on development agendas.

So if our findings support the theory of corruption being at times a significant factor in the process of people trafficking, and if we can identify similarities across the (currently separate) strategies for combating these two problems, what's our next step? Let's be realistic, corruption itself is a huge phenomena. Uncovering corruption that greases the wheels of people trafficking may be only the 'tip of the iceberg' of a deeper corruption racket or problem. Anti-people trafficking resources are already limited. It's not an unreasonable question to ask should they be stretched further? But I do believe that incorporating a response to corruption will improve our efforts to combate people trafficking. To sum up, I have four recommendations for our next steps.

Bring together anti-corruption and anti-trafficking efforts to maximise research for the limited resources available.

The realisation that there are clear tangible links between corruption and people trafficking is picking up some traction, but it's still early days. In the anti-corruption movement the level of discussion on how corruption might be a player in people trafficking is not too far advanced from where the conversation by the anti-people trafficking movement is. So we're at least at a common starting point.

In the background paper to this session we wrote 'information is key'. And while we have plenty of anecdotal evidence, as of yet, we don't have enough hard information. Substantial, indepth analysis, case studies and hard data on corruption in the context of people trafficking is still very limited.

We've got to remove the barriers and territorial guards that are prevent information on corruption and people trafficking from crossing over. If this is going to work however, we need anti-corruption units and organisations talking with and sharing information and intelligence with anti-people trafficking units. And we need more cohesion between language and understanding of the crossover between these two phenomena.

Use corruption as an early warning indicator of a risk of people trafficking occurring

Particularly when it takes place in the forms that I outlined earlier, the presence of corruption could be used as an early warning indicator that people trafficking may be taking place, or at the very least, the conditions for people trafficking to occur are ripe. Locating and combating corruption will go a long way towards making conditions for people traffickers that much difficult. It will also expose those in immigration or travel sectors who actively or passively allow corruption to occur, and this needs to be more effectively targeted as their actions may be allowing people traffickers to do their business.

Look to anti-corruption strategies and programs for new learning for combating people trafficking

One area where I don't believe there has yet been any work is done is the area of comparative learning from the successes (and failings) of anti-corruption programs.

Through Transparency International I've undertaken some preliminary research into what works and why in community-based anti-corruption programs. This included analysing the necessary factors for success in different community-based anti-corruption programs. I think learning from this type of research this would be particularly relevant to the prevention aspect of combating people trafficking. In my research it was edifying to discover how important internal factors (those factors or circumstances under the control of the anti-corruption organisation) were to the success of a corruption prevention program, and how external social and political factors were actually less influential than perhaps we might first assume. If we can learn from the lessons of success and failure of anti-corruption programs, and where appropriate apply those lessons to our anti-trafficking work, I think we could unearth and construct new, dynamic and creative programs and means of delivering our anti-trafficking messages.

Engage with an anti-corruption agenda to take awareness of people trafficking to a broader community audience

Anti-people trafficking agencies working with anti-corruption bodies would be able to tap into a broader discussion in society about creating a lack of tolerance for abuse of power, which lies at the heart of both corruption and people trafficking, and abuse of human rights, which is a cause and outcome of both corruption and people trafficking.

Establishing a social unacceptability of corruption is at the heart of many successful anti-corruption programs, and creating the space for that social conversation and condemnation to happen has been difficult but very very fundamental. Broadening our scope and tapping into a community discussion which is breaking down social taboos about corruption is to me a key opportunity for anti-people trafficking. Our messages could be tailored along the lines of 'when we condemn corruption, we also condemn what corruption facilitates. When we put the spotlight on corruption, we're also putting the spotlight on a whole range of injustices and abuses, including people trafficking'.

3. Conclusion

To the detriment of getting holistic responses to effectively combat people trafficking, corruption is yet to be named and targeted in most anti-trafficking research, policies or strategies.

This presents a missed opportunity, and will slow the sincere and commendable efforts to combat people trafficking which we're all making. From the most gloomy perspective, if we don't get serious about understanding corruption as at times significant factor in people trafficking, and therefore essential to eradicate and prevent, we will not come close to combating people trafficking. But we can avoid that trap. In a relatively short period of time people trafficking has been realised as a global scourge to be addressed with urgency, and unearthing the complications of this scourge is leading us to finding all the factors that smooth the way for trafficking to occur. We're at a place where the anti-corruption movement is taking a similar outward looking view. What need to do now is find the ways that anti-corruption and anti-people trafficking strategies can work together for mutual benefit.

Thank you.