

## Trafficking in Human Beings: Modern Slavery.

2<sup>nd</sup> – 3<sup>rd</sup> November 2013 Casino Pio 1V (Vatican City)



Pope Francis, Sr Patricia Mulhall, Sr Imelda Poole. Sr Marie Hélène Halligon - RENATE

Pope Francis requested The Pontifical Academy of Sciences and Social Sciences together with the FIAMC (The World Federation of Catholic Medical Associations) to convene a conference on Human Trafficking and Modern Slavery in November 2013. Academics and ‘observers’ (mainly practitioners) from around the world (approx. 80 in all) were invited to address the issue and draw up a plan of action in order to establish facts of this international crime and make recommendation to combat it.

This conference is a preliminary prelude to another in 2014 and again in 2015. It shows

how deeply Pope Francis feels about what he calls this ‘vile trade’ in humans.

Monsignor Marcelo Sánchez Sorondo was the main organiser. ACRATH requested a place at the conference and when ‘observer’ status was granted, Louise and Maree contacted me to ask if I would represent ACRATH. I was also there for UNANIMA International and TRAC UK (the inter-congregational group of women, lay and religious, representing 15 congregations, to which I belong.)

Cardinal Roger Etchegaray (honorary president of the meeting) opened the conference and personally thanked Pope Francis for this initiative. He stressed the importance of partnership and zero tolerance to combat human trafficking.

Monsignor Marcelo also spoke of working together to ‘address the issue in a comprehensive manner.’

Of the 80 – 100 present, twenty academics presented papers. Much talking and even more listening!

‘**Observers**’ (mainly practitioners) from grassroots organisation, included 13 women religious, bishops (Catholic and Anglican, UK) representatives from the Police, MPs (UK), NGO s, Walk Free Foundation, (Australia) were present. Additionally there were clergy, medical staff and community workers, especially from Latin America.

‘Observers’ quickly became ‘participants’ and were encouraged to make comments, ask questions as well as submit proposals to the conference.



The Assembled Group meeting with Pope Francis

We were able to make valuable interventions highlighting the urgency of public education programmes; protection and justice for victims/survivors and the need for immediate global action to address demand to eliminate human trafficking and modern slavery.

## **GLOBAL FACE**

Every continent was included, reflecting on their experiences of trafficking and modern slavery within their own culture and country.

As we are only too well aware, the conference reiterated the fact that human trafficking is a global phenomenon with no country escaping its devastating consequences.

## **FACTS**

Sexual and labour exploitation, plus an increasing 'trade' for human organs fuel 'demand' for the 'market' - buying and selling people - for profit. Globally, it is estimated that 29 million are modern slaves and profits amount to \$32 billion dollars annually.

## **CAUSES**

Global poverty, a breakdown of values, a 'culture' of greed and demand for cheap goods and services were seen to be root causes. Where 'failed' states do not protect citizens, wars are prevalent, migration or internal displacement is common and employment opportunities are few, vulnerable people succumb to the deceptions of traffickers with promises of a better life.

## **MIGRATION**

The conference reflected on the phenomena of migration which has reached momentous proportions. Never in the history of the world has there been such mass movement as today. (1 in 7 migrants in our world – 1 billion!) Globalisation and the issues of cross border protection laws are impacting on the journey taken by the migrant. The migrant is also suffering from a global culture that rejects him/her, often treated as a non-person. We are losing the concept that all equal under the law and are created in the image of God.

The 'commodification' of the human person has forced the migrant person into the underworld of the illegal market and often into the hands of traffickers. In addition, the secularisation of many societies and the challenge for the people on the edge of society, facing an inhuman and undignified life has created an ambience ripe for the traffickers to be successful in their trade. The change in the numbers living below the poverty line plus this explosion of secularisation in many countries has led to a growth in the culture of individualism. This culture has replaced a fair and just society which emphasises care of the vulnerable and which puts the community at its heart.

The belief that we have a global crisis of values was discussed at length. Many speakers would see this as being one of the prime reasons for the growing phenomena of human trafficking today.

## **SPEAKERS**

With twenty speakers, it is difficult to report other than a 'flavour' of the aspects that were highlighted on the issue, so I am being selective in my report when naming some of the individual speakers.

**Joy Ngozi Ezeilo** – the UN Special Rapporteur for human trafficking with particular responsibility for women and children, gave an overview of her work. She highlighted the ‘demand’ aspect and spoke of UN legislation and initiatives to address it. She praised Pope Francis for his initiative as she said, “human trafficking requires ‘global leadership’ which Pope Francis has demonstrated plus ‘economic will’ and sufficient resources, to eradicate it. At present only \$1 billion allocated, which is insufficient. UNDOC mainly transnational, must have a system for collecting data.” She stressed the importance of a victim-centred approach, treating this as a human rights issue and not migration one, the need for partnership, co-ordination and co-operation at the local, national and international levels.

**Professor Anne T Gallagher** (Independent scholar and Legal Adviser, Australia) gave an excellent presentation as she highlighted four challenges: protection and justice for victims; impunity; an effective criminal justice system; addressing demand. She said, “Trafficking feeds into a global market that seeks cheap, unregulated and exploitable labour and the goods and services that such labour can produce. Sex tourism (including child sex tourism), the recruitment of domestic labour from developing countries, internet pornography; and the brokered sale of organs are examples of newer forms of actual or potential exploitation made possible through trafficking. It is this realization, coupled with a broader concern that end users of the goods and services produced by trafficked persons have not been sufficiently targeted, that has prompted calls for States and others to consider **demand** as part of the problem of trafficking and to acknowledge demand reduction as an important prevention strategy.”

Anne’s recommendations were clear and concise. She placed the weight of responsibility on destination countries while accepting that all countries have a legal obligation and a moral responsibility to act against trafficking in persons.

Her recommendations included:

- Prioritising human rights and human dignity in our response to human trafficking.
- Demanding an effective criminal justice response to trafficking as a serious crime.
- Reducing vulnerability by addressing poverty, inequality within and between countries, and systemic human rights violations.
- Addressing demand for goods and services produced through trafficking.

She believes that the integration of trafficking into the global economy is the direct result of a seemingly insatiable demand for cheap, unregulated and exploitable labour and the goods and services that such labour can produce. Others reiterated the same themes.

**H.E. Ambassador William Lacy Swing, Director General, International Organisation of Migration (IOM)** was impressive with his presentation on global migration patterns. He ‘confessed’ to the failure of IOM to address effectively the complex problems of global migration giving the example of a \$1 billion spend on 1,000 projects in 100 countries that requires serious evaluation so as to be strategic and effective.

His emphasised using the term ‘irregular’ as opposed to ‘illegal migrants’

His goal, with everyone’s support is to minimise the suffering and loss of life within the migration process.

**Professor Marcelo Suárez-Orozco** (University of Los Angeles, California) examined the devastating psychological and cultural effects on trafficked children, deprived not only of a present, but also of a future. Many do not have the mental, physical or psychological means

to overcome such trials. His analysis centred on three M's of human trafficking – Markets, Mass Migration and Media, driving the 'trade' that is equivalent to the entire population of Ghana, West Africa. This \$30 billion dollar 'trade' is larger than the GDP of Jordan with 75 per cent of all detected trafficked people being women and children. He noted that the percentage of children is increasing, "*In the U.S., it is estimated that of all the detected trafficked people, 50 per cent are under age. We face a kingdom of the underground.*"

**Ms Myria Vassilodou** - EU Anti-trafficking Coordinator, appointed to the post in March 2011. I was particularly attentive to her talk. She began by saying the EU refrains from using the term 'fight' when talking about human trafficking. But she didn't give us an alternative term! As a lawyer, she spoke of the complexity of legalising prostitution and the consequences for human trafficking. She said the EU is drawing up a policy framework with an emphasis on demand, adopting 'hard' law with full implementation, taking action to reduce demand. She posed the question, "*which other crime is there that the user involved is not criminalised?*"

However, when I asked the question relating to reducing demand, criminalising the 'user' and the possibility of implementing the 'Nordic model' (criminalise the buyer/user of sex, not the provider) across the 28 EU states, she replied with reservations because she believes to date, there is insufficient evidence to confirm that this is the best model.

Having posed the question inferring criminalising the 'user' and stressing 'taking action to reduce demand' I wondered how it could be implemented! But there was just the one chance to comment or ask a question! The good news from the EU is that there is financial support available and one only has to apply for it!

Her proposal – among others - was to have a global world day to highlight the issue.

**Professor Jose Antonio Lorente** (university of Granada, Spain) spoke of an interesting initiative called *DNA -ProKids*, taking direct action against child trafficking, using genetic identification of victims and their relatives, with initial funding from the Spanish government.

DNA testing ensures 'lost' children can be reunited with their families and taken out of 'risk' of being stolen or adopted for profit. An initial pilot study (2008) conducted in conjunction with the governments of Guatemala and Mexico, 220 cases were submitted and analysed at UGR by *DNA-Prokids*. As a result of the application of DNA genetic analysis, 93 missing children were identified and ultimately returned to their families.

### **CASE STUDY – HAITI**

In February, 2010, the Spanish government offered the Haitian authorities *DNA-Prokids* as a tool to help fight against child trafficking, a reliable means of reuniting families separated following the earthquake, and as a means of identifying illegal adoptions.

Twenty-five children were 'stolen' and taken by bus to Colombia. They were told their parents had perished in the Earthquake. Parents were told children perished. *DNA-ProKids* was able to reunite eighteen by means of DNA. The remaining 7 children, whose parents could not be traced, were given legal protection by the Columbian government.

Since the creation of *DNA-ProKids* in 2004, 9,200 DNA samples were taken, 638 were positive identification, 257 illegal adoptions were detected and 218 negative identifications proved that the child was wrongfully identified by relatives as their own. To be effective Jose said DNA testing has to be expanded possibly to all newly born children in which case international cooperation and new laws will have to be adopted and implemented

*One wonders what might happen to Filipino children in the aftermath of Typhoon Haiyan!*

**Gustavo Vera MP**, President Fundacion La Alameda, Buenos Aires, Argentina (and friend of Pope Francis) demonstrated through case studies how local communities are countering acute poverty. Essential elements are skills training, building support networks and making the Gospel come to life through well thought out social programmes. He said there is need to build a platform of humanity and to find common ground, to confront the mafia, who are only interested in the language of the money. Gustavo believes the double standards of capitalism have to be challenged to save poor nations.

**Dr Henrietta Maria Williams**, President, Association of Catholic Medical Practitioners of Nigeria (FIAMC) stressed the importance of approaching human trafficking not from a ‘rights’ perspective but to a ‘persons’ approach, emphasising the person as the ‘created image and likeness of God.’ She said combining the wisdom and teachings of Gospel values, Catholic Social Teaching to strengthen civic society is crucial in combatting human slavery.

She termed the issue as ‘new slaveries’ as neo-colonisation by International Agencies. Since the IMF and IMU imposed structural adjustment programmes (SAP) in Africa it has impacted negatively on development and in many instances led to the abuse of human rights.

### **BABY FACTORIES IN NIGERIA**

Dr Henrietta described the growing phenomenon of ‘baby factories’ in Nigeria, where women are impregnated, often by one man and kept in captivity till the baby is born and then ‘sold’ for adoption. Another aspect of this is the harvesting of human eggs for research like embryonic stem-cell, which has the potential of realising \$30 trillion into the future! Young girls between 15 and 18 years are deemed to be the ‘optimum womb’ for the host eggs. This horrifying extension of contemporary slavery, linked with organ removal, exemplifies the devaluing of human life, in order to satisfy greed. She believes it is critical that the Church addresses these issues as urgent an priority, particularly the demand aspect of human trafficking and modern slavery.

**Dr Maria Inez Linhares de Carvalho**, President, (FAMCLAM) Brazil, said that prostitution was part of the ‘culture’ of Brazil, making it a profitable and organised crime. Therefore it was a steep road to climb and a high barrier to surmount, but not impossible. She welcomed the initiative of Pope Francis in taking a lead on the issue and asked that international co-operation be given in support of countries like Brazil to combat this crime.

**Dr Melissa R. Holman**, Assistant State Attorney General USA; described the consequences for countries that have legalised the ‘sex industry’ for example, in Holland and Germany there is an increase in the number of trafficked persons. The sex industry in these countries is dominated by large scale international organisations rather than small scale, local enterprise. In Holland a 2009 survey discovered 50-90% women in prostitution are not there by choice. In Victoria, Australia, illegal brothels are in the majority by 4:1. Also 61% of those in prostitution reported being raped plus many suffer post-traumatic stress due to the level of fear they live with daily.

Though the U.N. initially adopted a definition of sex trafficking that included both consensual and non-consensual sexual exploitation, it has since had to back away from that

position for the sake of global consensus. However, she said that the U.S. has no such excuse for refusing to acknowledge that legalised prostitution is an integral part of international sex trafficking. By failing to take a country's policies toward prostitution into account when evaluating that country's placement on the Trafficking in Persons Report, the U.S. is ignoring some of the biggest contributors to the international demand for trafficking victims.

Additionally, the U.S. is failing to recognise that 'so-called consensual prostitutes' suffer many of the same abuses and horrors as trafficking victims.

**In her conclusion**, she said that if the U.S. wants the Victims of trafficking and Violence Protection Act (VTVPA) to be truly effective in combating international sex trafficking, it must amend the Act so that the minimum standards require nations to have stringently enforced laws against prostitution.

The U.S. should also enforce its current requirement that countries must make serious and sustained efforts to reduce the demand for commercial sex acts. Countries that do not attempt to meet these requirements should risk losing various forms of U.S. aid.

She said 'demand' is flourishing globally, but is a complex issue to address. Traffickers thrive because of the low risk of detection and high profitability – all of which has been redressed, possibly by Interpol.

*Dr Melissa's paper will be of particular interest to members of UNANIMA International.*

### **PROPOSALS / SUBMISSIONS** (*I attach separately the final Statement of the Conference from the Vatican.*)

Several proposals were submitted to the conference. All were collated into one single document, accepted by the participants and all proposals were submitted to Pope Francis. An introductory paragraph would be agreed by the main participants of the conference before submission.

As expected, there was much duplication of ideas from speakers as they developed the issue from their particular perspective.

### **QUESTIONS**

Many soul-searching questions were asked, (that are relevant to all of us) including:

- Where do we stand in the midst of this evil practice?
- Are we on the side of the victim, seeking compensation and proper support for her/him in law?
- Has every country (including the Vatican State) signed the UN Convention/ the EU Conventions?
- How do we view the Migrant/ Immigrant?
- Are we committed to building partnerships as a way of combatting this international crime?
- Are illegal employment agencies operating in our vicinity?
- Who cares about the exploitation of the migrant worker?
- What cheap goods and services are we demanding for our own lifestyle?

**Thanks** to ACRATH and UNANIMA International for the opportunity to be present at this conference and special thanks to Brigidine CLT for funding my travel and my accommodation in Rome.

As you can see from the photo, we also had the privilege of meeting and greeting Pope Francis, who came to be photographed with us at morning break. I can assure you he is every bit the warm, easy, personable and charismatic figure that comes across on the TV screens. He didn't rush us but walked among us with ease, smiling all the while. His handshake is friendly and warm (he uses the two hands!) as he looks you 'straight in the eye' when greeting!

*M Patricia Mulhall, csb (Brigidine) Monday, 18 November 2013*