

THE “NATASHA” NETWORKS:
SEX TRAFFICKING IN POST-COLD WAR EUROPE

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ABSTRACT

JENNIFER M. PYCLIK: The “Natasha” Networks: Sex Trafficking in Post-Cold War Europe
(Under the direction of John Pickles)

This study explores why sex trafficking occurs in Europe; the nature of trafficking networks; and the efforts Germany, Poland, and Ukraine have made to stop trafficking within their borders. A supply chain model is used to explain how organized crime groups structure their networks, how the groups operate through the networks, and the success and profitability of trafficking. The geographic complexity of the networks contributes to the difficulties states have in disrupting the flow of women. Although many factors explain the ease of “recruitment” of women in Eastern Europe, trafficking remains a demand-driven market due to the desire of West European men for sexual services. In order for states to decrease trafficking, they must actively work to end the demand for prostitution. This can be accomplished by adopting an abolitionist law regarding prostitution, while also strengthening anti-trafficking legislation.

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LIST OF ABBREVIATIONS

CEDAW	Convention on Elimination All Forms of Discrimination Against Women
EU	European Union
NGO	Non-Governmental Organization
OCG	Organized Crime Group
TOC	Transnational Organized Crime

CHAPTER 1

INTRODUCTION

One of the most discussed human rights violations is also one of the least known by the general public. If you were to ask people on the street if slavery exists, they would probably say no. Yet the trafficking of women and children for sexual slavery is a practice that countless non-governmental organization (NGO) workers and scholars dedicate their lives to stopping. Trafficking in Eastern Europe¹ has become a problem since the collapse of communism and has been exacerbated by the economic difficulties of the 1990s. There are so many Eastern European women involved in the trade that a common name for prostitutes in Western Europe and the Middle East (the primary destination countries) is “Natasha.”

There is an abundance of literature on the topic, which can be divided into two main categories. First, legal scholars tend to focus on the merits and faults of international treaties or the application of the U.S. law while paying little or no attention to the efforts of foreign states. Secondly, researchers in other disciplines (political science, sociology, anthropology, etc.) tend to focus on the victims and the methods the traffickers use. Within the past few years, researchers, including Donna Hughes, Bridget Anderson, Julia O’Connell Davidson, have begun to write about the demand side of trafficking, meaning the link between prostitution and trafficking. They suggest states should not only focus their efforts on ending

¹ For purposes of this thesis, I define Eastern Europe as including the following countries: Czech and Slovak Republics, Estonia, Latvia, Lithuania, Ukraine, Belarus, Russia, Poland, Hungary, Romania, Bulgaria, and the former Yugoslavia. I excluded the former East Germany from this list because present day Germany is generally placed in a different economic class from these countries and that becomes an important distinction for purposes of examining trafficking. (A map of Europe is provided on page 3.)

the problems in the origin countries that contribute to trafficking, such as poverty and unemployment, but that destination countries must also address the demand for foreign women in the prostitution industry within their borders. While scholars are beginning to take an economic approach to this issue, the work is still incomplete, as few studies have been done as to the nature of the demand (why sex services are desired). Also, the type of research being conducting into other types of transnational criminal activities, such as arms trafficking, has yet to be applied to sex trafficking. Carolyn Nordstrom's (2004) methods for investigating the networks of arms traffickers in Africa have yet to be applied to sex trafficking. Through her field work, Nordstrom was able to describe who the traffickers are, the roles they play, the methods used by the traffickers, how communities and certain individuals in both the destination countries and origin countries benefit from trafficking. In other words, she was able to accurately describe how criminals operating in multiple countries network with each other to achieve the goals of arming different groups in a country while profiting from the venture.

I started with a desire to answer three basic questions: (1) how does trafficking occur; (2) why does it occur; and (3) why have governments been so ineffective in preventing and stopping trafficking? Framing these questions can be done in a number of ways, but perhaps the best method, and the one I will use, is to look at trafficking as an economic transaction. Whatever one can say about the morals or legality of trafficking, it is, essentially, a business enterprise. Traffickers obtain their goods in countries with an abundant supply and transfer the goods to destinations that require them and are willing to pay enough to generate a profit substantial enough to offset any losses the trafficker may encounter. Thus, to fully comprehend this practice, one must understand why there is a demand for prostitutes from

East Europe, why there is such a ready supply, how the supply chains (trafficking routes) function, and who operates the chains.



1.1 An Overview of Sex Trafficking in Europe

A consensus has yet to be reached as to an acceptable definition of trafficking. The UN advocates the definition used in the 2002 Protocol to Convention Against Transnational Crime, while NGOs have developed their own definition in the Human Rights Standards for the Treatment of Trafficked Persons. According to the Protocol:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving and receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. . .”

There are three primary elements contained in this definition: (1) recruitment and transport of persons; (2) use of force, fraud or coercion; and (3) exploitative or abusive purpose.

Trafficking differs from smuggling in that the victims of trafficking are to be exploited in some way once they reach their final destination. Smuggling involves the migrant paying for the service of being taken across borders, but they are free to leave once they reach their destinations. People are trafficked for forced labor purposes, including work in factories, in homes as domestic, and as sex workers. It is not limited to women and children, although the majority of those trafficked are female.

This thesis will focus only on women who are trafficked for sexual exploitation, mainly through prostitution.² The United Nations Special Rapporteur appointed to investigate and report on trafficking in persons, Sigma Huda, has noted the connection between human trafficking and prostitution. In her annual report for 2005, she states:

For the most part, prostitution as actually practiced in the world usually does satisfy the elements of trafficking. It is rare that one finds a case in which the path to prostitution and/or a person’s experiences within prostitution do not involve, at the very least, an abuse of power and/or an abuse of vulnerability. Power and vulnerability in this context must be understood to include power disparities based on gender, race, ethnicity and poverty. Put simply, the road to prostitution and life within “the life” is rarely one marked by empowerment or adequate options. (Huda 2006:9)

² Children are excluded because the penalties for trafficking minors are more severe than for adults and separate laws and policies are written to deal with this specific problem. Many Eastern European women do migrate West in search of positions in domestic service, as nannies, au pairs, and maids, and many are exploited, even sexually, but this also involves a different legal framework that is really beyond the scope of this project.

Europe is a prime area for this activity because of the geographic proximity of rich and poor countries. Although trafficking is not a new crime (reports of sex trafficking in Europe date back to the sixth century), there has been a resurgence of reports in the past decade or so (Altnik 1995:8). Since 1989 the borders have opened, which has led to a substantial East-West migration of people, particularly women, searching for employment opportunities. Women have been particularly hard hit by the economic crises in the East and have migrated in large numbers. This provides a good cover for traffickers as it is hard for border guards to tell who is migrating by choice and who is being forced. The U.S. government estimates that between 600,000 and 800,000 people are trafficked each year worldwide; 80 percent of whom are female (U.S. Department of State 2005:7). About one quarter of the trade occurs in Eastern Europe, resulting in up to 500,000 trafficked prostitutes in Western Europe (Williams 1999:151). Table 1 provides an overview of how many women have been trafficked in Europe since 1991. Currently, human trafficking is the third most lucrative illegal trade behind arms and drugs, and traffickers net about 9.5 billion USD per annum (U.S. Department of State 2004:7).

The implications of trafficking for European society are tremendous. First, it demonstrates how integrated the region has become economically since the end of the Cold War. Western Europe relies on an available labor supply from the East, and the family members of the migrant workers who remain in Eastern Europe rely on the remittances sent home by the workers. The trafficking networks also show how Europeans have adapted to the opening of borders by increasing trade through the region. The fact that this integration is exemplified by an illegal market is cause for concern. Also, the networks used for trafficking humans can also be used for trafficking other goods, such as drugs.

Table 1. Trafficking statistics (estimates)

- 200,000-500,000 trafficked women are working illegally as prostitutes within the EU (Williams 1999:151)
- About 75% of the sex workers in Germany are foreigners (Altnik 1995:33)
- About 80% of all sex workers in Western Europe are foreigners (La Strada Poland)
- 50,000 Russian women emigrate annually (Caldwell et al 1999:44)
- 15,000 women are trafficked into Poland each year (La Strada Poland)
- 400,000 women per annum are trafficked into Europe by organized gangs (Europol)
- 400,000 Ukrainian women were trafficked between during the 1990s (Hughes and Denisova 2002:10)

Since 2001, the U.S. Department of State has published an annual report on trafficking that compiles data from every government, along with NGOs. The State Department takes the information gathered and assesses how each country is doing, in terms of meeting minimum standards for preventing and prosecuting trafficking cases and victim assistance. Each country is then placed into one of three tiers (one being the highest). If a country remains in the bottom tier for three years, it loses all non-humanitarian aid. Germany has been a Tier 1 country for every year of reporting. Poland went from Tier 2 to Tier 1 in 2002, and Ukraine has been on Tier 2 every year. In 2005, Tier 2 was broken up into two subparts with some countries being put on a “watch list”. Placement on the Tier 2 watch list means that the country meets one of the following:

(A) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; (B) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecutions and convictions of trafficking crimes, increased assistance to

victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or (C) The determination that a country is making significant efforts to bring itself into compliance within minimum standards was based on commitments by the country to take additional future steps over the next year.

Ukraine's placement in this Tier 2 watch list should give the Ukrainian government cause for concern. The placement of other Central and Eastern European nations can be found in Table 2.

The State Department Reports also provide information on the efforts of individual countries to stop trafficking. While these Reports are useful, the information they provide on each country is rather limited because of the need to report on everyone. Also, the information provided tends to be inconsistent from year to year. For instance, the number of prosecutions and convictions are sometimes given and sometimes are not, making it difficult to track a nation's progress.

Countries where trafficking occurs can be placed into one or more of three categories: (1) source country; (2) transit country; (3) destination country. Poland falls into all three; Germany is a primary destination country, while Ukraine is one of the main source countries (U.S. Department of State 2001, 2002, 2003, 2004, 2005). Polish women are generally trafficked into Western Europe, especially Germany, while women from Ukraine and Russia may either be trafficked through Poland to points farther west or they will remain to work in the Polish sex industry. About 15,000 women are trafficked into and through Poland every year, while women from the former Yugoslavia and Bulgaria are also trafficked into Poland as a final destination (La Strada Poland). They may even be transported more than once. For instance, a Polish woman may be taken to Germany for a time, and then moved to Belgium, and later to the Netherlands in order to evade the authorities. Also, the traffickers may even

Table 2. U.S. State Department Assessment of Tier Placements for Select European and Eurasian Countries (organized by Tier placement for 2005)

	2001	2002	2003	2004	2005
Austria	Tier 1	Tier 1	Tier 1	Tier 1	Tier 1
Czech Republic	Tier 2	Tier 1	Tier 1	Tier 1	Tier 1
Italy	Tier 1	Tier 1	Tier 1	Tier 1	Tier 1
Lithuania	Tier 2	Tier 1	Tier 1	Tier 1	Tier 1
Poland	Tier 2	Tier 1	Tier 1	Tier 1	Tier 1

Albania	Tier 3	Tier 2	Tier 2	Tier 2	Tier 2
Belarus	Tier 3	Tier 3	Tier 2	Tier 2	Tier 2
Bosnia-Herzegovina	Tier 3	Tier 3	Tier 3	Tier 2	Tier 2
Bulgaria	Tier 2	Tier 2	Tier 2	Tier 2	Tier 2
Croatia	NE*	NE	Tier 2	Tier 2 Watchlist	Tier 2
Estonia	NE	Tier 2	Tier 2	Tier 2 Watchlist	Tier 2
Hungary	Tier 2	Tier 2	Tier 2	Tier 2	Tier 2
Latvia	NE	Tier 2	Tier 2	Tier 2	Tier 2
Macedonia	Tier 2	Tier 1	Tier 1	Tier 1	Tier 2
Romania	Tier 3	Tier 2	Tier 2	Tier 2	Tier 2
Serbia and Montenegro	Tier 3	Tier 2	Tier 2	Tier 2 Watchlist	Tier 2
Slovenia	Tier 2	Tier 2	Tier 2	Tier 2	Tier 2
Turkey	Tier 1	Tier 3	Tier 3	Tier 2 Watchlist	Tier 2

Greece	Tier 3	Tier 3	Tier 3	Tier 2 Watchlist	Tier 2 Watchlist
Russia	Tier 3	Tier 3	Tier 2	Tier 2 Watchlist	Tier 2 Watchlist
Slovakia	NE	NE	Tier 2	Tier 2	Tier 2 Watchlist
Ukraine	Tier 2	Tier 2	Tier 2	Tier 2	Tier 2 Watchlist

* NE indicates country was not evaluated in the Report for this year.

Source: U.S. Department of State 2001, 2002, 2003, 2004, 2005.

have legitimate visas for these women to enter the countries and, once they expire, they will move the women to a new location on a new visa. This decreases the risk for them as they cannot be charged with moving illegal immigrants.

Transporting these women across borders occurs in various forms as well. Informal trafficking networks usually only operate along one border, such as Germany-Poland, and will only traffic one or two women at a time. Group crime networks will do all of the recruiting and transporting but sell the women to locally-run prostitution rings in the destination crimes. The most prevalent crime network is the large-scale organized criminal groups (OCGs). They control every aspect of trafficking, from the recruitment and transport to running the brothels.

1.2 Goals and Chapter Overview

Each Chapter will focus on one part of the supply chain and the people involved in the particular section of the chain. Chapter 2 focuses on the supply chain as a whole and the traffickers who operate the chains. This chapter will begin with a history of organized crime in the Soviet Union and how the OCGs evolved. Their connections to government officials will also be discussed, as government corruption is an important aspect of how traffickers are able to operate. Since the end of communism, the OCGs have branched out their operations into other countries. It is through these contacts that the networks begin to take shape. The Chapter will then shift to a discussion of what supply chains are and how they function. Finally, I will map out each of the general trafficking patterns, including a few select case studies, in Europe and try to identify the reasons for these patterns, including the impact of EU immigration policies.

The beginning and the end of the supply chains will be the topic of Chapter 3. The supply chain begins in Eastern Europe with the women who are targeted for trafficking. How are they recruited? Why are women willing to emigrate in the first place? I will begin this section with a look at the methods traffickers use to recruit women and then try to explain why they are so successful. The most common method involves an employment scam, such as promising the woman work as a waitress or maid. East European women eagerly accept these offers because they lack jobs at home, and the jobs they can find do not pay as much. Thus, I will explore the economic conditions in Poland and Ukraine that would encourage women to migrate for labor opportunities in the West. The second half of the chapter will focus on the end of the supply chain, where women are sold to pimps who in turn sell them in prostitution. This chapter will explore why pimps are willing to purchase trafficked women, knowing that the legal penalties for pimping a trafficked woman are significantly harsher than with a consenting prostitute. Also, the chapter will look at some reasons why clients might prefer trafficked women or why they might prefer East European women over women of other nationalities. Another way of viewing the goal of Chapter 3 would be to explain the supply and demand of East European women for forced prostitution in Western Europe.

The final piece of the puzzle is the state, which will be the topic of Chapter 4. Although not officially part of the supply chain, the state is an important actor as it tries to disrupt the flow of the trafficking supply chain. This chapter will look at the legal methods used by Germany, Poland, and Ukraine to influence the flow and to analyze the flaws and in their policies. I have chosen these three countries in order to understand the role of the European Union and the impact of the general economic situation of each country in

trafficking. Germany was a founding member of the European Coal and Steel Community (the predecessor of the EU) in 1950 and is still one of the economically stronger countries in the region. Poland just entered the EU in 2004 and is still recovering from socialist rule. Ukraine would like to join the EU but is still in a weak position both politically and economically.

In this chapter, I will try to answer the important questions of “why states fail.” Ultimately, there is not a single answer; but a complex web of reasons that include the effectiveness of state policies; government corruption; the prominence of organized crime; poor economic conditions in the East coupled with strong economies and a desire for cheap (female) migrant labor in the West; and the successful business strategies implemented by the traffickers.

1.3 Methodology and Evidence

Documenting trafficking is a difficult task even for governments with enormous financial resources and the willpower to do so. Because of its illegality, trafficking is virtually impossible to track; pimps do not file tax returns, so we cannot know such information as revenue and profits; many women cross borders illegally, often without work permits, so knowing how many are in prostitution is impossible. This list could go on. At best non-governmental organizations and governments attempt to guess at what the statistics look like, but they do not always provide their methodology for obtaining these numbers, and both groups are somewhat biased as the former is willing to inflate the number so that the problem will look graver than what it may be, while a government may purposely give small figures so the international community will believe that trafficking is not a problem.

Frank Laczko and Marco Gramegna (2003) of the International Organization for Migration (IOM) have identified the main potential flaws in any data. First, as there was not a commonly agreed upon definition of trafficking until the Palermo Convention came into force in 2002, governments could define trafficking in numerous ways that make comparisons useless (Laczko and Gramegna 2003:180). For instance, one country may look only at sex workers, but may not include people who have been trafficked for other forms of labor; some may include minors and some only adults (Laczko and Gramegna 2003:181). There is not a common database, so different sources provide different figures, and some data is missing entirely (Laczko and Gramegna 2003:184). Some governments do not have the resources to compile data, and some may not want to.

To counteract the unreliable data, Laczko and Gramegna recommend looking at other types of statistics that can be accurately reported to achieve a more realistic portrait of the situation (Laczko and Gramegna 2003:186-187). For example, data on the number of women applying for visas for particular destination countries both in their native countries and abroad and the number of illegal border crossings, when compared with the number of foreign sex workers in a destination country, while not entirely conclusive, can be used to show how many women may be trafficked and where they are being trafficked to. Therefore, in addition to the data on trafficking, I will also rely on these other, more verifiable, statistics as well. Despite these flaws, this is the data that must be used, as it all that exists. The primary sources of the data are the governments of Poland, Germany, and Ukraine; Europol; Interpol; and NGOs working in the region.

I will be relying on a variety of sources. Primary source material includes international treaties (at the U.N. and E.U. levels) and the Constitutions and penal codes of

Germany, Poland, and Ukraine. Secondary sources include reports by Interpol, Europol, NGOs and governments. Situation reports produced by the European Union, Council of Europe, Organizations for Security and Cooperation in Europe, and their various subgroups, provide some of the most comprehensive and up-to-date information available. In addition, the U.S. State Department is required to prepare a report on the trafficking situation in every country in compliance with the Trafficking Victims Protection Act of 2000.³ Finally, I will also utilize monographs from mainly legal, political, and economic journals, books, and unpublished conference reports.

³ 22 U.S.C. 7101, amended by the Trafficking Victims Protection Reauthorization Act of 2003 (P.L. 108-193).

CHAPTER 2

THE TRAFFICKERS: MANAGERS OF THE SUPPLY CHAINS

Trafficking is one category of a transnational organized crime. According to the Convention on Transnational Organized Crime (TOC Convention), an organized crime group (OCG) is a “structured group of three or more persons existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offenses. . . in order to obtain, directly or indirectly, a financial or other material benefit.”⁴ (Article 2(a)). Donna Hughes and Tatyana Denisova (2001:6) estimate that OCGs are responsible for about 65% of all trafficking cases in Ukraine.⁵ The rest is done by small groups, usually a handful or individuals, who work along one border or will have only one person responsible for transporting the women.

In this chapter, I will first define what an organized criminal group is and then look at one specific type of OCG, the Russian *mafia*, and explore the important role they play in

⁴ The TOC Convention does not specifically mention trafficking as a crime, but it is included under a Protocol to the Convention. A “serious crime” under this Convention is defined as “an offense punishable by a maximum deprivation of liberty of at least four years or a more serious penalty.” Under EU law, trafficking of an adult is punishable by a maximum of not less than eight years; in Ukraine it is three to eight years (see Chapter 4 for a detailed discussion on the legal penalties for trafficking).

⁵ Hughes and Denisova do not define an organized criminal group, so it is impossible to know how many people are needed for the group to be considered “organized” under their definition. It is unlikely that are using the Convention’s definition, as it is difficult to imagine that 35% of trafficking is done by groups of two or by a single individual. Thus, they must consider “organized” to require large numbers of participants. However, they do later point out that group size ranges from small and rural (5-6 members) to large urban groups (20-30 members) (2001:6). The Ukrainian government defines an organized criminal group as a “stable unit of 2 or more persons specially organized for co-operative criminal activity” (Osyka 2001:119).

trafficking. Also, I will explore the geography of the most common networks and how they function using a supply chain analysis. Finally, I will explain why the OCGs with the most complex supply chains are the least likely to be broken up by the state.

2.1 Definitions of Organized Crime Groups

Although the TOC Convention provides a definition of an OCG, the Ukrainian government and the European Union have adopted different definitions as well.⁶ The main reason for this is that under the Ukraine and EU definitions, an OCG would not have to operate internationally for the laws to apply, whereas only crimes committed in more than one country are covered by the Convention. The EU has set out 11 requirements in its definitions, of which the group must meet any of the six (including 1, 3, 5, and 11) (Elvins 2003:34):

1) Collaboration of more than two people; (2) Each with own appointed tasks; (3) For a prolonged or indefinite period of time; (4) Using some form of discipline or control; (5) Suspected of the commission of serious criminal offenses; (6) Operating at an international level; (7) Using violence or other means suitable for intimidation; (8) Using commercial or businesslike structures; (9) Engaged in money laundering; (10) Exerting influence on politics, the media, public administration, judicial authorities or the economy; (11) Determined by the pursuit of profit and/or power.

Trafficking would clearly fit into the definition as there are usually more than two people involved, especially along routes that cover more than two country; each person involved in the operation will have a specific task (division of labor model); and trafficking groups usually do not make one “transaction” but will continue their operation indefinitely.

Trafficking can carry the penalty of a prison sentence, thus making it a serious crime. OCGs commonly use extremely violence to control the women they are trafficking (i.e., beatings,

⁶ Also, the TOC Convention only came into force in 2003 so a legal definition was needed in the interim.

rapes, sometimes murder). Many OCGs, particularly the *mafiyas*, will launder the profits from their trafficking activities.

2.2 Origins of Criminal Networks in the Soviet Union

Organized crime is not new to Eastern Europe. During the early Soviet period, groups led by *vory v zakone*⁷ (thieves-in-law) formed in the gulags (Applebaum 2003: 282-291; Varese 1998:515). Eventually, the *vory* structured themselves along the lines of the Italian mafias and used the group as a means of controlling others within the gulag (Glazov 1976:141). Members remained part of the group when they were released from the gulags and, once integrated back into society, resorted to petty crimes, such as pickpocketing and thievery. By the 1950s, the various *vory elite*⁸ fought each other, in what is known as the “bitches’ war”, which led to the decimation of the *vory*. Some of the leaders left and formed their own criminal groups (Serio and Razinkin 1995:75). Despite the in-fighting, the *vory* survived until the end of the Soviet Union and beyond. Joseph Serio and Vyacheslav Razinkin (1995:100) estimated that in 1995 there were still 387 individuals within Russia occupying the top position of the *vory*. They believe that the *vory* will continue to thrive because they are welcoming new members every year, they are young, and they are expanding their reach into new countries (1995:101-102).

Government corruption was also important to the rise of organized criminal activity. During the socialist period, the government owned all of the property and commercial enterprises, such as farms and factories. Some within the government and the upper

⁷ *Vor* is the transliterated singular form of the word in Russian; *vory* is the plural form.

⁸ A *vory* could become elite in the eyes of other *vory* due the number and scale of crimes they committed and also by the length of their stay in the gulags.

management echelons of various enterprises began to steal capital, finished products and inputs from state-owned enterprises. Also, the exchanges of *blaty*,⁹ a quid pro quo system, enabled those to exert influence on others to obtain favors and products (Staats 1972:42), many of which ended up on the “gray” market (legal goods, as opposed to illegal products like narcotics, which would be black market items) (Joutsen 2001:18). The *vory* became very active in selling goods on these markets in the 1960s and thus established ties with corrupt government officials who wanted to sell the goods (Handelman 1994:86). It was also during this period that the *vory* began their black market activities, which included prostitution rings (Rhue 2003:24). Government officials permitted the *vory* to operate their gray and black markets because the *vory* kept the legitimate economy from collapsing by providing the goods the government could not (Rhue 2003:24).

Also, the *vory* would have established enough ties and earned enough unpaid *blaty* that beginning a trafficking enterprise after the fall of communism would be relatively easy. Many government officials, especially at the lower levels, stayed in power after the transition. Those officials with unpaid debts to criminal elements would repay these debts by assisting traffickers where they could. *Vory* also benefited from connections made during the Gorbachev period when citizens could organize their own businesses under the Law on Cooperatives (Rhue 2003:25). The cooperatives relied upon the *vory* to obtain goods and to use their government connections to remove red tape.

⁹ *Blat* is not to be confused with outright bribery. *Blat* usually does not involve an exchange of money, but can be described as the system of “how goods and services were obtained in an economy where money played little role” (Ledeneva 1999:218). Once money became available, and indeed, a necessary part of the economic structure, of post-socialist Eastern Europe, bribery would have replaced *blat* to a large extent.

The term *mafīya*¹⁰ first appeared in the Soviet Union in connection with organized crime in the 1970s and 1980s to “describe the vast networks of corruption lurking inside regional and central ministries” (Handelman 1994:86). First, not all OCG are considered to be mafia, or in Russian, *mafīya*. *Mafiyas* are generally larger than regular OCG and are more highly structured (Lotspeich 1995:573). However, Russian *mafīyas* are very different from the Italian model of mafia familiar to most Americans. *Mafiyas* are structured into networks of small groups that work somewhat independently of each other, but are on equal levels (Caldwell et al 1999:50-51). There are individuals who act as enforcers who will keep the different groups in line (Lotspeich 1995:573). *Mafiyas* are considered to be extremely violent, have close connections with government officials, and are considered to be growing in power. They participate in a wide-range of criminal activities that are not limited to human trafficking. Some of the more profitable ventures are protection rackets or extortion, money laundering (to which trafficking is closely tied), drug trafficking and prostitution (within Russia and other trafficking origin countries).

It is not surprising that the descendants of the *vory* would engage in sex trafficking. The *vory* were notorious in their degrading treatment of women, including fellow women criminals, known as *vorovka* or *vorovaika*, who could never rise to the rank of *vor* (Varese 1998:519). As Federico Varese explains “[w]omen had no place in the hierarchy of thieves. ‘A third- or fourth-generation criminal learns contempt for women from childhood,’ writes Shalamov. ‘[...]Woman, an inferior being, has been created only to satisfy the criminal’s

¹⁰ The term “mafīya” has many connotations in Russia that are not limited to organized crime. It has been used to describe wealthy business men, corrupt politicians, and price-fixing entrepreneurs (Rhue 2003:4). I will use the term in connection with organized crime only. Also, the term “Russian mafīya” is usually used to encompass other ethnic groups from the former Soviet Union, mostly Georgian or Ukrainian. If I believe the term being used by a source to include those who may not be ethnically Russian, I will point it out; otherwise, the term is strictly used for ethnic Russians, or for mafiyas originating in Russia.

animal craving, to be the butt of his crude jokes and the victim of public beatings.’” (1998:519). *Vory* frequently raped female prisoners within the Gulags (Applebaum 2003:285) and, in one instance, a woman’s barracks was “lost” by one *vor* to another in a game of cards (Applebaum 2003:289).

2.3 Russian *Mafiya* Activities in the Rest of Eastern Europe

The structure of a *mafiya* network has proven to be most efficient in carrying out trafficking activities. Because of the large numbers of participants, *mafias* are able to efficiently divide the tasks (Lotspeich 1995:574). However, there is recent evidence to suggest that at least some criminal organizations are moving towards the hierarchical structure favored by Italian mafias because of possible increase in profits for those at the top of the structure (Malarek 2003:47)

It is believed that the Russian *mafias* operate in at least 50 countries (Enck 2003:383) and have ties with other OCGs throughout the world, including Ukraine and Poland (Malarek 2003:47). About fifteen *vory* were thought to be in operating in Germany in 1997 (Siegel 2003:58). The German groups are headquartered in Berlin (Caldwell et al 1999:56), with Cologne being the second most important center for them. Smaller groups operate in Frankfurt, Dusseldorf, and Hamburg (Siegel 2003:58). Ukraine has seen an explosion in the number of organized criminal groups since the collapse of the Soviet Union. In 1991, the government estimated that there were 260 groups, which grew to 960 in 2000 (Hughes and Denisova 2001: 6). Poland also has a large number of not only Russian OGC, but also Polish or ethnically mixed groups as well. The Polish government estimates that in

2000 there were 405 OCGs operating within the country and that these groups contained over 4,000 members (Plywaczewski 2003:63).

Little is known about the non-*mafiya* trafficking groups. Hughes and Denisova (2001) conducted field work in Ukraine to determine who the players are, their methods, their targets, etc. From their interviews and surveys, they were able to construct the following profile:

Eighty percent of the traffickers are Ukraine citizens, and about 60 percent are women. The traffickers are usually not former criminals and have never been in prison. . . .The traffickers usually have good organizational skills; some worked as social organizers in the former Soviet Union. . . . They often own licensed businesses, such as travel agencies. . . .They usually have traveled abroad for commercial purposes in the past, and have established links to officials and pimps in destination countries. They know the market for women in Ukraine and abroad. They are familiar with the laws of each country, and know how to protect themselves from the police, either by working around laws or with corrupt officials. (Hughes and Denisova 2001:7)

This profile would seem to contradict some of the discerning qualities that are seen in Russian *mafiya* personalities, such as the large number of women and the lack of criminal backgrounds. Although the old *vory* were proud of their incarcerations, current *vory* rarely spend time in prison (Varese 2005:167). The number of *vory* within Russia and other CIS countries decreased after a sharp peak in 1994 (Varese 2005:168). While this would seem to suggest that organized crime in general is decreasing, this really only means that the number of people at the top are decreasing, meaning that either the OCGs are becoming more hierarchical, like the Italian mafias, and thus do not need so many elite criminals, or the *vory* just are not accepting so many into the elite status. This is particularly troubling for those who are trying to stop trafficking because it would suggest that the number of smaller OCGs (those not associated with *mafiyas*) may be on the rise. Thus, the number of trafficking

supply chains could be increasing in Eastern Europe, but the chains are not as visible as before because of the lack of *mafia* connections.

Smaller organizations of about five people also co-exist with the larger *mafias*, some of which may even work with the *mafias* from time to time (Di Nicola 2001:68). The smaller groups tend to only work along one border, and those do not have the international connections of the larger *mafias*. *Mafias* will also provide “protection” from extortion by other mafias for these smaller groups (Rhue 2003:51). The mafias will also invest in smaller groups so they can reap the profits without actually doing any work and without any of the risk of being caught by police while at the scene of a crime (Rhue 2003:51).

One of the most troubling aspects of organized crime in Eastern Europe is how deeply rooted it is in society. Organized crime is nothing new in the former Soviet countries. It was allowed to thrive under the former regime by government officials who involved themselves with these organizations out of greed. These connections and relationships continued after the collapse of communism, and in many ways grew stronger. The economic problems associated with the transition to a market economy left East European governments strapped for cash, and thus were unable to pay many government employees, and when they were paid, the salaries were so small that one could not support his or her family on it. These employees turned to the established criminal groups to help supplement their incomes. Government corruption, particularly at the local level, allowed OCGs to begin trafficking women to the West. Local police, paid by the OCGs, were unwilling to prosecute offenders. Border guards could easily be bribed to look the other way. Immigration officials took payments under the table to forge documents. The large *mafias* would not be the only ones to benefit from this corruption. Any group with money would be able to find a desperate

low-level official to bribe. As trafficking is a highly profitable enterprise, it would not take long for a small group to make enough money to expand operations into multiple countries.

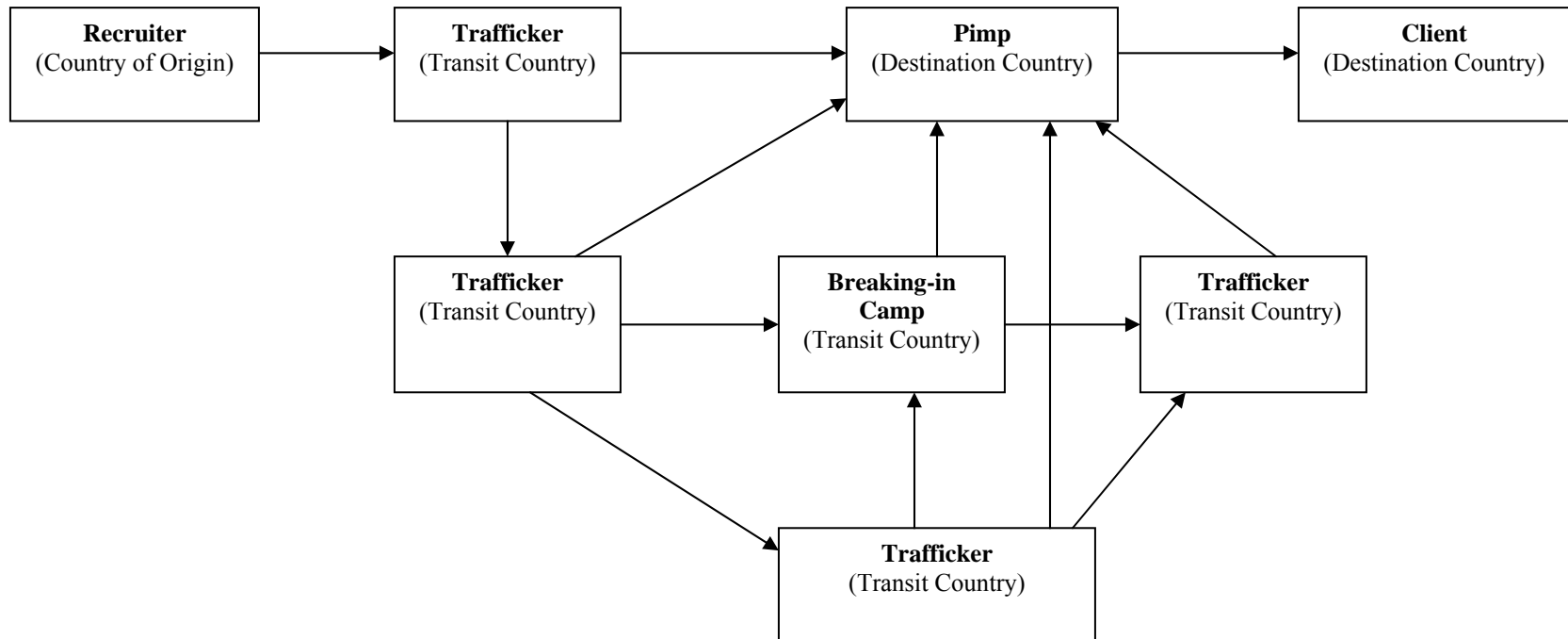
2.4 Trafficking as a Supply Chain

A supply chain¹¹ can best be described as the process of moving a product from the producer to the customer. In an international context, this will mean moving products between countries through at least one type of transportation mechanism. “Nodes” in the chain represent points where some sort of value is added to the product. In a regular firm, this would be accomplished through some type of production. Usually, there are intermediaries who take control of the product for a limited period of time before passing it on to the next link in the chain. Trafficking routes are simply supply chains of illegal goods, and traffickers are similar to transnational firms. (A depiction of a general trafficking network can be seen in Figure 1.)

Using the supply chain model known as the “global commodity chain” can be useful in trying to understand how trafficking functions as a business because it simplifies a complex process into straightforward, discernible tasks. Trafficking requires numerous people who are involved in recruiting women, forging documents, arranging transportation, physically transporting women across borders, bribing officials, arranging for the accommodation of women during transport, selling the women to pimps, etc. These tasks occur at specific points during the trafficking process, and the supply chain emerges when the tasks are broken down not only according a division of labor model, where each person

¹¹ Gary Gereffi points out that there are several overlapping terms that can be used to describe global networks. He defines a supply chain as “a generic label for an input-output structure of value-adding activities, beginning with raw materials and ending with a finished product” (2004:17). I will use “supply chain” in the generic sense that he suggests.

Figure 1: Geography and Personnel of Trafficking Networks (General)



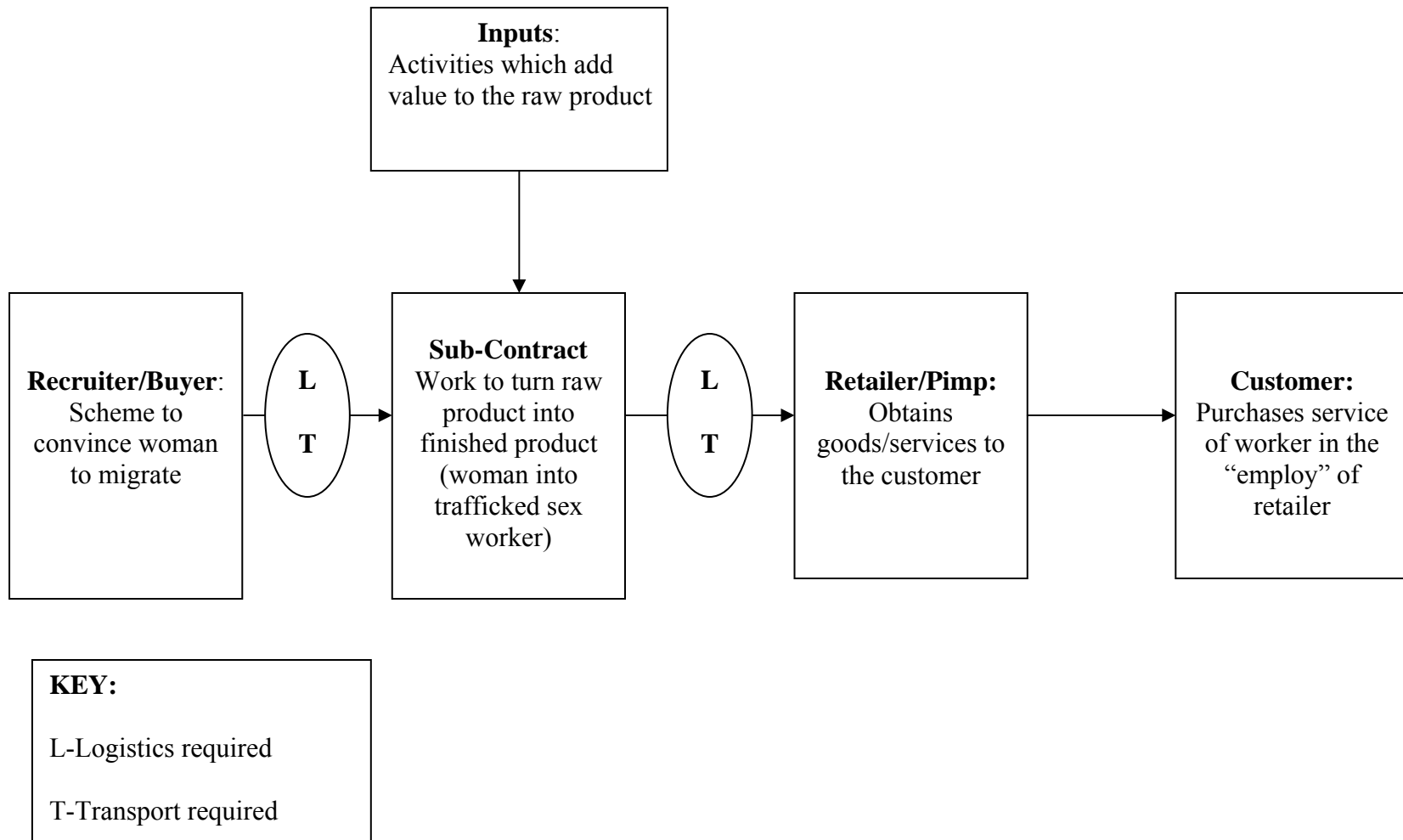
involved with the process has a specific task, but also geographically as certain tasks will only occur in particular locations along the network.

The supply chain model also allows one to understand how women can be taken from their native country and turned into slaves by the time they reach their destination. A supply chain for any industry begins with a raw product. For example, a supply chain for clothing will begin with the purchase of fabric, which will then be turned into the finished product (*i.e.*, a shirt) before being transported to a wholesaler. In this example, the construction of the garment would add “value” to the fabric, as it is worth more to the wholesaler as finished product than as a raw product. Trafficking can also be viewed as adding “value” to a raw product as a compliant prostitute is worth more to a pimp than a prostitute who is more likely to run away or go to the police.

The supply chains, which mimic those of legitimate businesses, can be broken down into five components: (1) recruitment (buyer obtains raw supply); (2) subcontract work to add “value” to the raw product (breaking-in camps); (3) sale to retailer (pimp and/or brothel); and (4) sale to customer (Figure 2). A fifth component, logistics and transport, occurs between the first and second stage and then again between the second and third stage on the model. The first stage requires a contact person to recruit women to whatever scheme is being used (modeling, dancing, education, etc.). This person must be good at sales, as he or she must convince women to become the “product” in this chain (Salt and Stein 1997).

Some women are not taken directly to their final location, but may first be sent to “breaking-in camps” where they are “taught” how to be prostitutes, usually through the use of rape and beatings, and sometimes forced drug use, to make the women dependent upon the trafficker for their drugs. Some women are put in transit countries for short periods to help

Figure 2: Trafficking Supply Chain



finance the mission and to force them into submission so they will be more attractive products for the pimps to purchase. This is similar to how a business might contract out some work to another firm in order to improve the product by using additional inputs, such as turning textiles into clothing.

For the logistics component, the contact person will need to organize documents for the woman and the initial transport. During the transport stage, the number of people involved in the operation could be as low as one, or, for more sophisticated operations, be a great many. More than one person may be responsible for actually moving the product through countries. The traffickers must also accomplish a number of transactions along the way, including, but not limited to, bribing police or border guards, obtaining a mode of transportation, and arranging food and accommodation for the women.

The third component involves the sale of the woman to her pimp or to a brothel, which acts like a retailer in then providing the good to the final customer. The pimp may later choose to sell her again, or to move her to different cities within one country, or to move her to another country entirely. Not only can each component be seen as a separate node on Diagram 1, but each time a new trafficker takes over the operation or the woman goes to a breaking-in camp, value is added to the final product. The costs associated with her transportation increase the more people are involved and the longer the route. Plus, the experience she gains from her training period add value to the purchaser in that he or she does not have to spend the time to train her.

Changes in trafficking supply chains also mimic regular firms in reasons for changes. Peter Dicken lists four reasons for changes, the first being changes in production methods (2003:471). If moving through one country becomes difficult, or another country passes

laws making it easier to move across its borders, the route will change. A significant route change occurred after the Balkan wars when traffickers set up the training camps in Bosnia and Serbia. Women who may otherwise have gone directly west from the former Soviet Union were suddenly diverted south and then west or back north again. Second, changes in the relationship between the customers (pimps) and the suppliers (traffickers) affect the supply chain. Pimps may not have the financial resources or the desire to go to Eastern Europe to find women, so the pimp chooses to use an intermediary to find women for him. The third factor is changing consumer preferences, which is a vital component of the trafficking industry. Should men in Western Europe develop a preference¹² for Middle Eastern or Asian women, traffickers would most likely shift their focus to these regions in order to meet a changing demand. Finally, Dicken notes that, overall, supply chains have become more complex in recent years. Because of changing border restrictions, the addition of the training camps, and the demand for East European women in locations beyond Europe, trafficking networks are indeed covering more territory.

The complexity of these networks is an advantage to the large-scale traffickers because of the difficulty a state has in shutting down a complete network that operates in more than one country. First, it requires the combined efforts of each country involved in the network. Second, the network is like a hydra -- cutting off one head (or link, in this case) does not completely kill the monster; it just uses its other heads, or grows new ones. For example (Figure 3), a medium-sized chain could begin in Russia with the intent of transporting women to Germany. There are two possible first transit countries the Russians could be taken through: Ukraine or Belarus. This is a relatively easy step as Russians can

¹² A preference for a certain type of prostitute could be based on a number of factors, including race, ethnicity, religion, or personal ideals, such as a perception of whether a particular type of woman is more feminine or beautiful.

Figure 3: Trafficking Network from Russia to Germany-Before

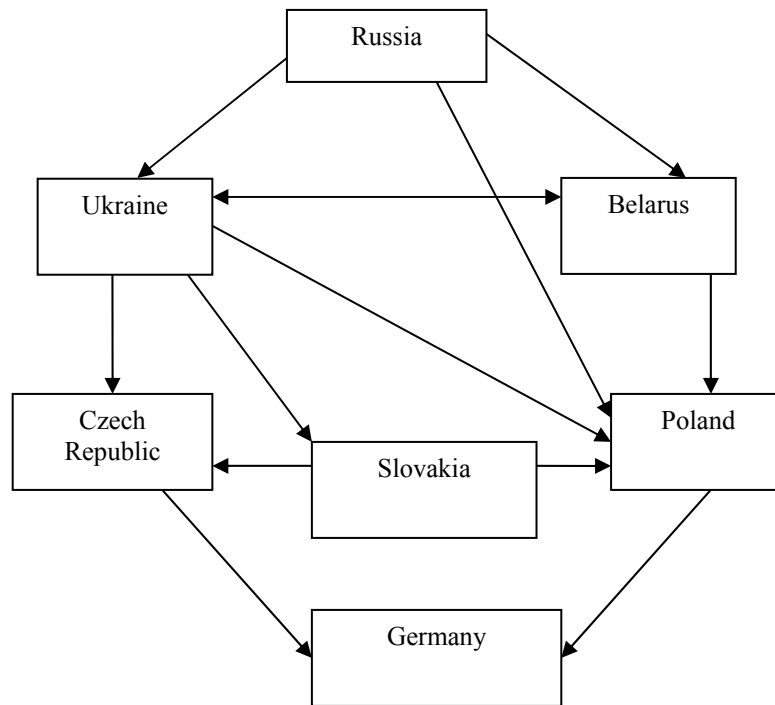
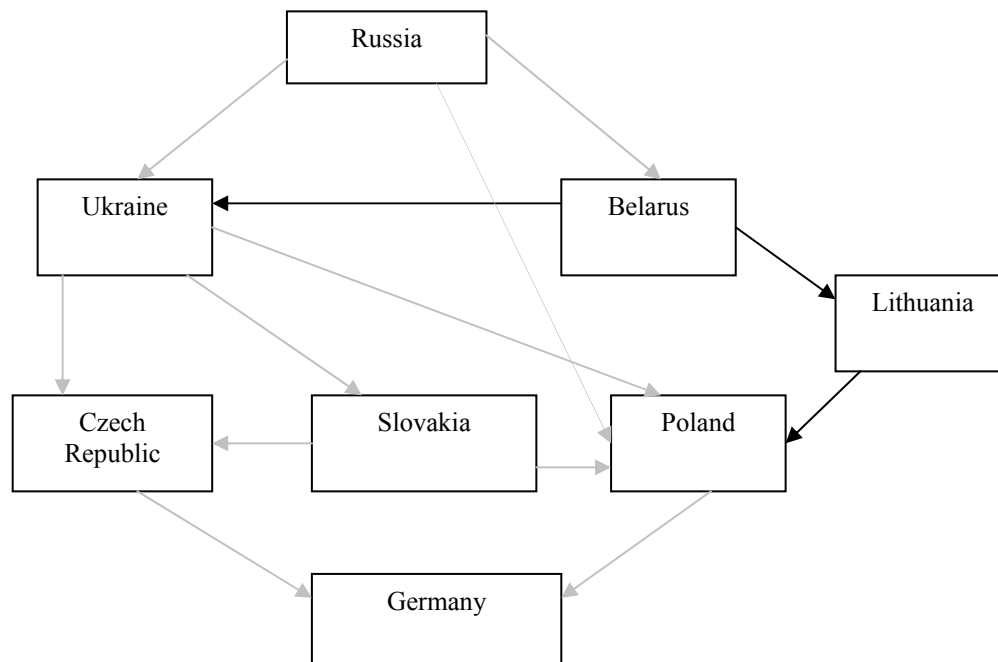


Figure 4: Trafficking Network from Russia to Germany-After



easily enter either country. The next set of transit countries (Czech Republic, Slovakia, or Poland) involves crossing into the EU, but once inside the EU transit to Germany is relatively easy. The most likely place to stop traffickers would be along a border between a non-EU and an EU country. If the Polish government manages to shut down the operations of this group along the border with Belarus, the OCG will simply send more women through its other routes in Ukraine, or to open up a new route through Lithuania and then into Poland and on to Germany (Figure 4).

Part of the problem lies with the Schengen Agreement, a policy designed to increase the difficulty of non-EU peoples from entering the EU and to decrease the difficulty of traveling within the EU for EU residents. In the context of trafficking, this agreement tends to help traffickers as it permits fairly free movement once they have entered the EU. With the high levels of corruption among border patrols along the Eastern EU borders, it is easy to see how traffickers can be successful.

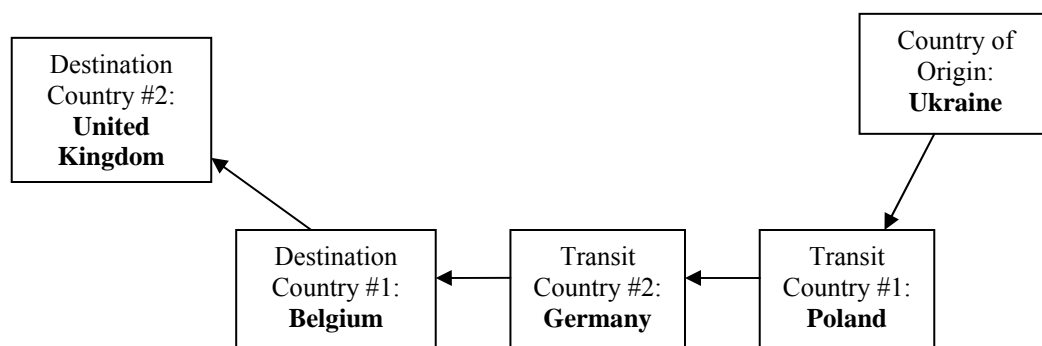
2.5 Geography of Primary Trafficking Supply Chains

The Russian *mafia* and other OCGs are not restricted by any geographic boundaries. They have infiltrated and operate, sometimes in conjunction with local OCGs, in every country in Europe and in the wealthier Asian and Middle Eastern states. As mentioned in Chapter 1, there are three basic categories a country can fall into, depending on its position on the supply chain. Origin countries are those that provide the supply of women to the destination countries with any number of transit countries in between. Many East European countries are both origin and transit countries, and some have become destination countries as well. Poland is an excellent example of this. Polish women are taken to Germany and

other Western nations, and while many women from the former Soviet Union pass through Poland on their way to a Western nation many will stay to work in the Polish sex industry for at least a short period of time. I will begin by describing the main routes and will then try to explain why these patterns occur.

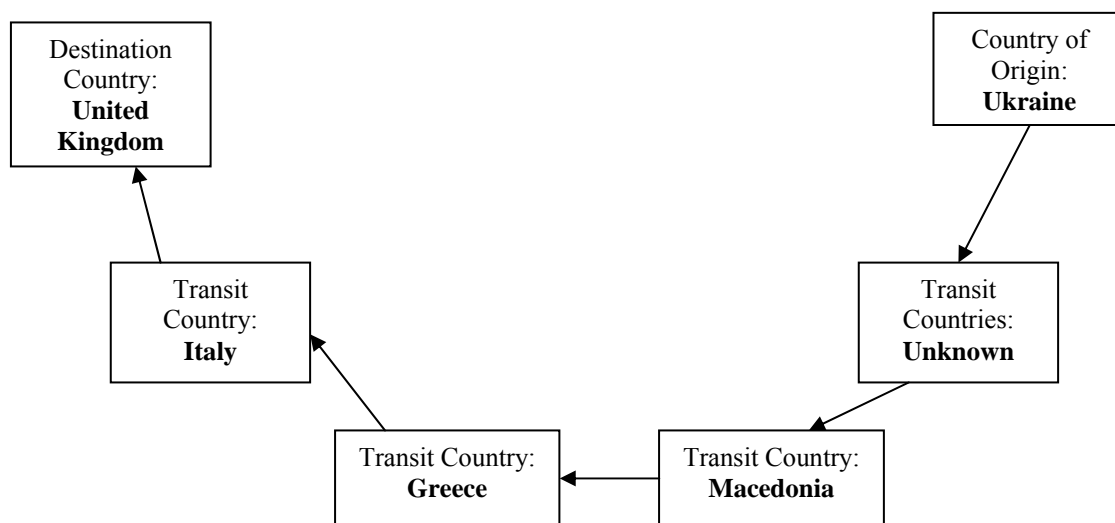
The first is the most basic route, a seemingly straight path from East to West. A 24-year old Ukrainian woman named “Sasha” was taken from her home in Ukraine to Belgium by bus (See Figure 5). She was required to pay her traffickers US \$1,000 for her transport and accommodation on the promise that she would be entering a school for ballet dancers upon her arrival in Brussels. About ten other women made the journey with her. The drive from Ukraine (presumably straight through Poland and Germany) to Belgium took about two weeks. She worked in a brothel in Brussels for several months before being sold to a pimp who took her to work on the streets in London, where she was able to escape (McGill 2003:76-90). “Olexandra” left Ukraine to work in Poland, where she was raped and then sold to a Turkish pimp in Germany (Malarek 2003:12-13).

Figure 5: Supply Chain Used to Traffic “Sasha”



A route that has developed since the mid-1990s originates in the former USSR and then moves south through the Balkans into Serbia and Bosnia. Women are kept in special training or “breaking in” camps for a period of time so they can be taught how to be a prostitute. This training usually involves rape and other forms of violence in order to subdue the woman into acceptance of her new role as a prostitute. Some women will be purchased by pimps at this time and either kept in the former Yugoslavia or moved to Western Europe, usually by boat to Italy. A Ukrainian woman named “Ivana” (See Figure 6) was taken from her home and trafficked (through an unknown number of countries) to Macedonia, then from Greece to Italy, and then flown to the UK (BBC News 2004). The whole process took six months.

Figure 6: Supply Chain Used to Traffic “Ivana”



The cases of Ivana and Sasha are similar in that they both originate in Ukraine and end in the United Kingdom, but the paths used by their traffickers differ greatly. Sasha’s was much shorter, in terms of distance covered, and the initial trip from Ukraine to Belgium took about two weeks. Ivana’s traffickers spent six months transporting her across Europe. Sasha

was only transported over land by bus, while Ivana was carried across land, by air, and by sea. The complexity of Ivana's route seems to be gaining in popularity.

Asia and the Middle East are also popular destinations for East European women. Russian women are taken to Japan, South Korea and, although not as frequently, to Hong Kong. There is also high demand for "white women" in Turkey, Israel, and the United Arab Emirates. One journalist, Ramit Plushnick-Masti, estimates that the Israeli sex trade is worth USD 1 billion per year (2003). He also links most of the trade to the Russian mafiyas. Although the distance traveled is greater, thus adding an increased risk of being caught at some point, these routes are particularly lucrative because of the amount of money pimps can make in these regions. White women are highly valued and, particularly in Japan and UAE, there are many men who can afford to pay high prices for these women. "Tanya" went to the UAE to work as maid but was sold to a brothel for \$7,000 upon her arrival by air in Abu Dhabi (Malarek 2003:12).

Another route that is gaining in popularity is to the United States and Canada through Mexico. Travel agencies in Eastern Europe will arrange a vacation package for women (and men) to go to Mexico where they will meet up with smugglers who will guide them across the U.S.-Mexican border. Many of the women who sign-up for the vacation package will be trafficked by the guides once they get to Mexico.

The routes have developed in this way for a number of reasons. Obviously, certain routes developed because it was the shortest distance between two points. Some have developed because of certain countries are known to "look the other way" when traffickers bring women over the border. Corrupt border guards and police who receive low pay, or who in some cases are not paid at all, are easily bribed. Corruption is not solely limited to

those in former socialist countries either. In 2001, members of the foreign ministry of Belgium were accused of selling EU visas to a Russian *mafiya* through its Bulgarian embassy (Evans-Pritchard 2001).

Instability caused by violence, such as in the former Yugoslavia, makes it easier for traffickers to operate without detection, as officials have other things to worry about. Also, when large groups of people become displaced, it is easier for traffickers to blend in. This is not limited to areas of conflict; any large movement of people across a border will make it harder to detect who is there legally and who is not, who is moving by choice and who is not. Thus, we need to look at the role that immigration policy plays in assisting traffickers move women around Europe.

2.6 Immigration Policies

An important factor for traffickers when considering how to move women from one location to another is visa requirements. Within the European Union, people may move freely across borders without visas (with some exceptions regarding work permits). Once inside EU boundaries, traffickers do not have to worry so much about moving women around. Also, traffickers seem to choose border crossings based on the volume of people moving at one particular point, thus making it easier for a trafficker and the women he is moving to blend in with other migrants, both legal and illegal. The Polish borders are some of the most active within Europe. Since Poland entered the EU in 2004, its border with Ukraine and Belarus is now the border between the EU and the non-EU East European nations, making this a likely crossing for traffickers who are interested in a short route to the

EU. It is also helpful to look at immigration policies for Poles and Ukrainians to see how easy it is for these citizens to move across borders.

Polish-German border

One of the most important immigration trends of the past decade is short-term migration. Many Poles leave to find temporary or seasonal work, with Germany being the most attractive option because it is a short distance to travel and the wages in Germany are significantly higher. It is estimated that the difference between wages in Germany and Poland is 11:1, making it the largest difference between two border countries in the world (Honekopp 2001a:152). Crossing the border is easy, as Poles do not need a visa to enter the country, but they need a visa to work (Anderson 2004:14). Thus, many Poles are working there illegally. Many illegal workers will stay in a particular country for as long as their tourist visa will permit and then will either return to Poland for a short period before migrating again or they will move to another Western European country and repeat the pattern (Korys 2003:34).

Also, there is a small number of Poles who cross the border on a daily basis for work only to return back to Poland in the evening (or they do this weekly). One source estimated this number to be 1,500 in 1996 (Honekopp 2001b:63), although another source cited the number at 10-15,000 for all of the Eastern European countries, meaning that Poland's share could be significantly higher since only it and the Czech Republic share a border with Germany (it is unlikely that someone from a country further away would enter Germany on a daily basis for work) (Brucker 2001:119).

In terms of female migrants, about 60% are of working age (20-49 years) (Korys 2003:27). The number of women migrating has stayed relatively stable and is almost equivalent to the number of men who migrate (see Table 3). Of particular concern to many Western Europeans is how many more Poles will choose to migrate to the European Union (EU) now that Poland has entered the EU and thus are able to cross the borders with greater ease. Experts believe that migration could be higher in the first few years after accession, particularly for workers coming from industries that have been adversely impacted in Central and Eastern Europe (*i.e.*, agriculture and mining), but that migration will eventually slow (Honekopp 2001a:142). Officials are so concerned about this potential influx that Poland acceded to Germany's demands to keep labor markets in the EU closed to Polish workers for another seven years (Polish Press Agency 2001). Despite this restriction, it has been suggested that entry to the EU in general will increase the number of people trafficked (Kligman and Limoncelli 2005:125-26). After it has been declared that a particular country will enter the EU, trafficking would most likely increase because traffickers would anticipate that the economic benefits will increase incomes of citizens, and thus the number of consumers in the country who will demand sex services. Or, the increase may be due to the anticipation of the open borders policy that EU countries have; if a trafficked person is within a territory upon EU entry, it becomes easier to then move her to other EU countries.

Table 3: Polish Migrants by Gender

	1997	1998	1999	2000	2001
Males	10,179	11,607	11,035	13,740	12,251
Females	10,043	10,570	10,501	13,259	11,117

Source: Brucker 2001:19

Ukrainian-Polish Border

Ukrainians seem to cross the border to Poland for the same reasons that Poles enter into Germany: economic opportunities. In many cases, Ukrainians will continue on to other countries, but many will look for work within Poland. However, in 1995 about 800,000 Ukrainians were employed within Poland (Okolski 2000:65). The number of Ukrainians entering Poland increased from 4.39 million people in 1995 to 5.41 million in 2002, although this is a decrease from the peak year 2001 (Korys 2003:17).

Ukrainians are now required to have a visa to enter Poland because of Poland's status as an EU Member State. Member States are required to enact what is known as the Schengen Agreement,¹³ which, among other things, abolished border checks between Member States (but not between a Member State and a non-Member State) but required visas of non-EU citizens entering EU territory. Despite the restrictions placed upon Ukrainians by Schengen, it appears that many still attempt to cross the border into Poland illegally, based on the number of people being captured (See Tables 4 and 5). It is believed that most of the illegal immigrants moving across Ukraine's borders are women, providing some evidence of the amount of sex trafficking, as many of these women are no doubt destined for brothels in the West (Uehling 2004:85). Ukraine's other borders remain wide open, as Belarussians and Russians can enter the country without a visa, making it easy for traffickers to move women at least as far west as the Ukrainian-Polish border (Uehling 2004: 101).

¹³ The Schengen Agreement of 1985 was originally between West Germany, Luxembourg, France, Belgium, and the Netherlands. It later expanded to include all Member Nations, with the exception of Ireland and the UK. All of the accession countries were required to implement its provisions. Visas are not required for EU citizens for stays of less than three months (European Commission 2005).

Table 4: Migration of Ukrainian Citizens to Poland

	1997	1998	1999	2000	2001	2002
Total Immigrants	758	661	235	291	486	NA
Number of Readmissions	508	268	310	476	270	220
Temporary Stay-Above 2 months	4,367	9,542	17,256	20,888	20,534	NA
Work Permits Issued	NA	2,311	2,532	2,927	2,811	NA
Apprehensions for Illegal Border Crossing (Ukrainian citizens) ¹⁴	370	291	460	877	558	573
Apprehensions in Organized Groups (Ukrainian citizens)	NA	28	49	66	47	123

Source: Korys 2003: 86-92.

Table 5: Foreigners Apprehended for Illegal Border Crossings in Organized Groups (number of individuals)

Border With:	1998	1999	2000	2001	2002
TOTAL	387	194	252	283	233
Russia	0	1	0	0	1
Lithuania	10	2	2	2	1
Belarus	6	1	4	5	1
Ukraine	16	7	18	32	32
Slovakia	13	4	10	5	6
Czech Republic	15	23	6	14	11
Germany	317	149	211	224	178
Other	10	7	1	1	3

Source: Korys 2003:87

¹⁴ These figures are not limited to the Ukrainian border; the Ukrainian citizens could have been apprehended at the German-Polish border, which explains why this number does not match with those in Table 5.

In this chapter, I have shown that organized crime is endemic in Eastern Europe because of its historical roots in the former Soviet Union. Over time, the OCGs, particularly the *mafias*, have made connections with government officials that permit them to operate without fear of prosecution. In the post-Cold War world, they successfully parlayed their connections, power, and money into human trafficking. Using a supply chain analysis, I have shown how the OCGs have structured their trafficking networks, and that these structures parallel non-black market networks of production and distribution. The trafficking supply chains are becoming more complex, not only in response to changing immigration policies, but also to increase the diversity of locations in order to make it more difficult for the state to shut down a particular network.

CHAPTER 3

THE WOMEN, THEIR PIMPS, AND CLIENTS: THE BEGINNING AND END OF THE SUPPLY CHAIN

From a market perspective, trading a good or service internationally occurs because there is a demand for the product or service in one country while the other country has enough of a supply to not only meet the needs of its citizens but also to supply the good or service to the country that demands it. Trafficking is not different; countries with women who can work as prostitutes are sent to countries that need women to work as prostitutes. But are the reasons for trafficking this simple? This chapter will explore the beginning (supply) and end (demand) of the trafficking networks. Why is there a need for trafficked women to work as prostitutes in the West? Why are East European women used to meet this demand? First, I will look at the methods used by traffickers to con women into trusting them. The methods used are commonly economic inducements, such as the promise of jobs, so I will then examine the economic situation in Poland and Ukraine to determine why women would want to migrate to work in the West. Then, I will give an overview of the sex industry in Western Europe before addressing the advantages that pimps and clients gain by using trafficked prostitutes as opposed to “free” prostitutes (those who choose to enter prostitution of their own accord).

3.1 The Women

How do traffickers convince women to go with them? Recruitment of women can occur in a number of ways. Individuals may go out into towns and villages enticing young women to migrate for employment as waitresses, domestic servants, or perhaps even as “escorts” or strippers. Sometimes traffickers will even place advertisements for job openings in local papers. The jobs are usually for low skilled work but pay well, but others are less suspicious.

A third scam is the agency. This could be either an agency that assists women with travel to Western Europe for employment or school, an employment agency, or a mail-order bride service. Men will legally marry these women, take them to the destination country on a valid visa as his wife or fiancée, and then sell her to a brothel or prostitution ring.

Employment agencies have even sponsored booths at university career days in order to recruit unsuspecting women (Malarek 2003:10). Sasha, the Ukrainian woman trafficked to Belgium and the UK, answered an advertisement in a Turkish magazine looking for women to attend a ballet school (McGill 2003:77). Also, some trafficked women will return to their homes to recruit fresh women. This is known as the “second wave” and, according to one study, as many as 70 percent of the pimps in Ukraine are women (Hughes and Denisova 2002:15; Malarek 2003:13).

Women in Eastern Europe, at least when surveyed, seem aware of the dangers of answering advertisements for foreign employment, but they seem undeterred for the simple reason that they have few alternatives. One study found that 10.2% of women surveyed would still try to migrate, even if the situation carried trafficking risks (International Organization for Migration 1998:20). Nearly 20% of women reported that they were willing

to resort to illegal methods to try to migrate (International Organization for Migration 1998: 20).

Even if women are aware of the dangers of answering advertisements or relying on agencies, they may still fall victim to traffickers. An unknown number of women are kidnapped, either in their native country or while traveling abroad. A Romanian woman reported that while walking down a rural road one night, “[t]wo men with knives forced me into the car. I thought they would rape me and then kill me. I prayed that my life would be spared. Instead, I was driven to a river crossing where they sold me to a Serbian man. He took me across the Danube River in a small boat and then to an apartment in a town in the mountains” (Malarek 2003:32). She ended up in Serbia. Unfortunately, relatives, friends and boyfriends have also been known to sell women to traffickers (Malarek 2003:11).

Understanding why women become susceptible to the scams of traffickers is key to producing an effective solution to trafficking. Most women who end up in the Western sex industry did not intend to do this type of work when they left their homes, but the question remains “why do women in Poland and Ukraine want to leave their homes to work in any industry in the West?” I will investigate the role that the economic situation in Poland and Ukraine has on a woman’s decision to migrate and also explore the economic reasons for freely entering into prostitution to show that, for most women, it would not be economically beneficial.

Economic Conditions for Women in Post-Socialist Poland and Ukraine

The transition from socialism in 1989 affected nearly every sector of Polish society, including its labor market. Under socialism, the unemployment rate was close to zero (Gora

1997:115) and about 70% of women were gainfully employed outside the home (Einhorn 1995:116). By 1993, unemployment had risen to 15.7% and has remained constant through the 1990s. Women tend to suffer more from unemployment than men do (See Table 6). In 1999, 30% of women between the ages of 25 and 34 were unemployed, compared with 23% of men in the same age group (Hardy and Stenning 2002:103). Women also experience more long-term unemployment and with longer periods of unemployment. When women are employed, they make only 70% of men's wages for the same type of work (Hardy and Stenning 2002:102). In addition, unmarried women have a much higher unemployment rate than married women (although married women had a higher unemployment rate than married men) (Gregory 1998:137).

Table 6: Unemployment Statistics for Post-Socialist Poland (%)

Year	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Men	12.3	12.1	9.9	8.7	9.2	13.0	14.2	17.3	19.0	18.4
Women	15.7	14.4	13.4	12.0	12.2	18.1	18.1	20.0	20.6	20.3

Source: Central Statistical Office

One reason for this difference is the Catholic Church, which has a strong influence on Polish society. In the past decade, the Church has supported the shift of women's employment towards the more traditional roles of wife and mother (Siemienska 1996:553). Unfortunately, few families can survive on just one salary, but this pressure leads many women to stay at home or to take careers that are deemed appropriate for women, including domestic service.

The situation in Ukraine is similar, but it has the extra burden of having been under Communist rule for much longer than Poland and the economic situation has not improved as

much as it has in Poland. The average household income in 2001 was \$60 per month (Human Rights Watch 2003:7). Unemployment for women rose from 4.9% in 1995 to 11.7% in 2000 (World Bank GenderStats). However, Ukrainian women tend to be highly educated (nearly 100% are literate and half of university graduates are women). When women can find jobs within Ukraine, they tend to be in low-wage sectors, like health care and retail. On average, women are paid about 70% less than men for comparable work (Human Rights Watch 2003:9). With decreasing employment opportunities, and low pay, growing numbers of women have turned to immigration in order to help their families and themselves financially.

Another main cause of labor immigration is the loss of the benefits that used to accompany employment. Under the socialist regime, workers were entitled to such benefits as health and child care. Current employers rarely provide these services anymore, making it difficult for women to take employment, particularly full time employment, outside the home (Hardy and Stenning 2002:110-112). Employers are less likely to hire women with children because mothers are more likely to miss work or to need a flexible schedule because of her children (Hardy and Stenning 2002:113). Also, Polish law requires a generous maternity package, which makes it more unlikely that an employer will hire a married woman (Hardy and Stenning 2002:110-112).

Gender discrimination in the workplace has become a greater problem during the transition to a market economy, making it not only difficult for women to find employment but also to advance in the workplace once she has a position. Many employers believe that the capitalist system allows them to run their business any way they see fit, and this includes discriminating against any group, including women (Czarnecki 1989:95). Gender

discrimination occurs at all levels: education, hiring, promotion, and termination (either firing or retirement).

This discrimination has its roots not only in cultural values but also in socialist labor policy. This policy was based on the Marxist principle “from each according to his abilities, to each according to his work” (Czarnecki 1989:95).¹⁵ Equality was achieved by protecting certain groups who did not have the abilities of others. Women were perceived as not being as capable as men of doing equal work, so the government attempted to achieve equality by passing laws to protect women. These laws included restrictions on occupations that women could hold because they were deemed too dangerous to their health and well-being, such as working with chemicals or radioactive materials, or as being too physically challenging for women. While these occupations could be considered dangerous to all, women deserved more protection because of their childbearing abilities. An unfortunate consequence of these laws is that many of these positions paid high wages, thus increasing the gap between men and women, as the laws forced women into lower wage positions.

While the Polish Labor Code no longer provides for such a list, it does prohibit certain jobs for pregnant women. This is also the case in Ukraine (Human Rights Watch 2003). These jobs usually require heavy lifting and physical activity. While these laws are welcome to pregnant women and are necessary to protect women from dangerous activity that may be forced upon them by employers, they serve to discriminate against women by perpetuating the notion that women need protecting. It is a double-edged sword that will only be solved by changing cultural views of women.

¹⁵ This principle seems to still remain in the Labour Code in Article 11(2): “Employees shall have equal rights resulting from the performance of identical duties; this shall apply in particular to the equal treatment of men and women in employment.”

Human Rights Watch has found rampant discriminatory practices in the Ukrainian workplace, particularly toward women with small children or those of child-bearing age. Many employers specifically ask for older women in advertisements (although not too old, as the elderly also face discrimination), and many will ask women about their children or if they plan on having children during the interview. The report also notes that women with older children are more likely to be hired than a woman with smaller children. This is particularly important for those studying trafficking, as many women who look for employment abroad do so in order to support their own children.

These protectionist policies also had the effect of genderizing certain occupations. By limiting the number of occupations acceptable to women, women became over-represented in others that were deemed acceptable. Positions that are now seen as areas predominately held by women include education and health professions. Because these fields are dominated by women, they are not seen as prestigious, and are thus lower wage professions, despite the need for advanced degrees in some cases.

As is the case in many countries, including Poland and Ukraine, more women than men suffer from poverty and, even in households with two adults, women have a tendency to carry more of the burden than men do. Elzbieta Tarkowska conducted two studies in Poland, one consisted of 27 families and another of 39 individuals, to study the effects of poverty on men and women. She found that many women in these families take seasonal or part-time work to help supplement the families' income, if there is an income to begin with (Tarkowska 2002:425-426). Women are more willing to apply for assistance from the government. This is perceived as degrading, so the men in the family will usually allow the women to apply instead (Tarkowska 2002:422-425). Within the home, women tend to do

more of the work, even if the male is currently unemployed and the woman has outside employment (Tarkowska 2002:429).

Economics of Non-Coerced Prostitution

It has been suggested that some of the women who are trafficked into prostitution are not trafficked at all, but they choose to enter the sex industry in Western Europe and use the assistance of an intermediary to help them cross international borders (Doezema 1999). A survey of young Ukrainian women by the International Organization for Migration (IOM) shows that the women are aware that prostitution occurs both home and abroad, and few consider it to be a crime. The IOM also asked women about what types of employment they found acceptable. Surprisingly, all of the women in the 15-17 age group answered that working as a stripper would be acceptable; none of the women in any of the older age groups answered affirmatively. Also, none of the 1,189 women interviewed approved of a job in the sex industry. The older women were more likely to approve of jobs in the service industry, such as nannies or maids.

The results of the survey may offer some explanation as to how women become entrapped in prostitution in the West. First, for the youngest women, they do not seem to understand that exotic dancing is part of the sex industry. Not all trafficked women end up in brothels; many actually work as dancers. Also, these women do not seem to understand that many exotic dancers are expected to also prostitute themselves to earn more money for the owner of the club they work at. These girls may agree to be “smuggled” to Western Europe to work as dancers, but will then be forced into prostitution once they arrive, thus turning the smuggling operation into trafficking.

Table 7. Distribution of Answers to “Acceptable Job Abroad” By Age Group (% of group answering affirmatively)

Job	15-17	18-19	20-24	26-35
Trader	20	16	29	35
Tour guide/interpreter	30	18	28	23
<i>Any job in services sector</i>	8	42	33	17
Waitress	25	12	12	50
Housemaid	0	25	37	37
Nurse/nanny	24	12	23	41
Cook	20	0	40	40
<i>Any job in entertainment industry</i>	67	33	0	0
Dancer	100	0	0	0
Strip Teaser	100	0	0	0
Singer	33	17	33	17
A job in the sex industry	0	0	0	0
Other	72	11	11	6

Source: International Organization for Migration 1998:22

Given this conflicting data, the question that is then asked is why would these women freely choose to become prostitutes, if they are not being trafficked by force, and should we help them at all? The choice of entering one profession over another is in some way made based on opportunity costs of other available work. By choosing one occupation, the worker must give up the benefits associated with another line of work. When choosing to work as a prostitute, a woman would have to look at what the costs and benefits of both prostitution and the second-best option would be (Reynolds 1986:13). The benefits of prostitution would be the money, and for some the enjoyment of sexual activity (although most studies find that an extremely small percentage of prostitutes receive sexual fulfillment from their work). The costs can be very high, ranging from the risks of acquiring a sexually transmitted disease to beatings (which could result in her death) from pimps or clients to arrest, and, for a foreign

prostitute, possible deportation (Reynolds 1986: 16-18; Satz 1995:68). She would also take her own moral lives on prostitution into consideration.¹⁶

3.2 Sex Industry in Western Europe

Some scholars have suggested that the sex work industry in Western Europe has been expanding in recent years (Bernstein 2001; Long 2004). Researchers have suggested a variety of reasons for this increase: shift in morality about sex, along with changing views on beauty; improved economic status of clients; and demographic changes. Long suggests that Western attitudes towards sex have shifted because of the commodification of the body, particularly that of the current Western ideal of beauty: young, slim, and white. This use of these images in advertisements, combined with Western notions of “everything is for sale,” lead to the message that it is acceptable for women’s bodies to be for sale (Long 2004:15). This new beauty ideal is exemplified by East European women, as evidenced by the number of Slavic women who work as models in the West (*e.g.*, Petra Nemcova, Veronica Varekova, Daniela Pestova, Eva Herzigova).

And certainly within the past fifty years or so, sexual morality has loosened in the West in general. Society has become more tolerant of both men and women seeking sexual experiences outside of marriage (Malarek 2003:258). In addition, there have been some noted demographic changes (due in some part to the evolution of capitalism in the West) that have increased the number of clients wishing to participate in the industry. As the divorce

¹⁶ It is tricky to speak of “morality” when discussing prostitution because Western societies view prostitution as “immoral” and the women who prostitute themselves as immoral. Women are not supposed to participate in such promiscuous sexual activity. It is quite the double standard, as purchasing the services of a client is considered acceptable for men (at least more so than it is for a woman to sell her body). I have purposely chosen not participate in this debate because it is not relevant to sex trafficking, as it is a form of slavery and everyone can agree that slavery is morally wrong. For detailed discussions on the morality of prostitution, see Davidson 1998, 2002; Outshoorn 2005; Overall 1992; and Shrager 1989.

rate increased, the number of unmarried men who wish to have sexual encounters increased (Bernstein 2001:399). Also, women are not the only ones migrating to the West for work; men are too. Many of them migrate without their spouses or partners and thus will turn to prostitutes for their sexual needs. As many of these men are not as financially well off as native workers, they will only be able to afford the services of low-cost prostitutes, usually foreigners themselves, who may be trafficked. Many foreign workers are from countries outside of Europe, such as Turkey. Based on ethnic and racial differences between these workers and white Europeans, the workers may have a difficult time in arranging sexual activities with Western women who are not prostitutes.

While most of the women end up in brothels or on the streets, recent technological advances have added a new destination: the internet. Internet websites offer not only pornographic pictures and films for sale, but also live interactive shows where the customer tells the performer what to do (Malarek 2003:92-93). Marriage agencies have greatly benefited from this new technology as they can now post provocative pictures of their brides online for potential grooms to peruse before they have to make the hefty financial commitment of bringing a woman to him. The nature of some of these pictures is equivalent to soft-core pornography, which can be sold simply as pictures. There are also country-specific websites, such as odloty.com in Poland, that exist solely to advertise prostitutes and brothels.

Internet chat sites, such as the World Sex Guide and alt.sex.prostitution, offer clients the opportunity to discuss their experiences with prostitutes, some of whom are minors, with men from all over the world (Malarek 2003:78-88; Hughes 1999: 65-71). The World Sex Guide (www.worldsexguide.com), along with its World Sex Forum

(www.worldsexguide.com/forum), provides a space for “a world wide community of men (and some women) who enjoy sexual relationships with other consenting adults. Our members travel far and wide in search of exotic adventures. So what does that mean? *We like to find women and get laid*” (emphasis in original). Websites like these greatly publicize prostitution in foreign countries making it seem attractive and fun. Many of the posters assist each other with finding prostitutes in foreign countries (and, in at least one case, with women seeking to work as prostitutes in other countries) they may not have been able to locate without the help of the website. They provide phone numbers, street addresses, and directions to brothels and apartments used by prostitutes. The World Sex Forum is divided into different boards for each region of the world, then subdivided by country. Within each country’s board, posters can start discussions about finding prostitutes in certain cities, ask questions of each, how much certain acts should cost in a particular area, and ask for advice about where to find women.

The World Sex Guide is a collection of stories from various participants about their experiences with prostitutes. The Guide to Poland contains entries by 24 different posters between September 2002 and November 2005. Some are graphic depictions of their sexual experiences, while others list telephone numbers and street addresses of brothels that they recommend or advise against. While most of the posters insist that the women also enjoyed the experience, some reported disinterested women: “I picked the least ugly and she acted ‘disappointed’ (maybe she had something better to do?), so I took the cue and left right away” (war-saw, 2 August 2005). Some also reported finding foreign women, usually Ukrainian, working in Polish brothels.

Some of the posters commented on possible “mafia” connections with the brothels they visited. “We aware [sic], some of the joints are run by the mafia. I stayed at a hotel run by the orbis group. I just spoke to the bellboy and he sent up girls for 250 Zł. The hotel name was solec” (Largebanana, 22 November 2005). A few other posters noted that security guards at the brothels or apartments looked like they might be in the mafia, but this could just be stereotyping on the part of the posters.

Sex tours have also proven to be a highly profitable business.¹⁷ Sex tour agencies will set up vacation packages for foreign men where they will have access to a prostitute of their choosing. While many of these tours are to West European and North American cities, some agencies do offer trips to large cities in Russia and Ukraine. For example, bestsextours.com (owned by VC Tours) offers vacation packages to St. Petersburg and Moscow, which includes visits to historical sites, along with choosing a young woman (or multiple women) between the ages of 18 and 35 who may accompany the traveler to the historical sites, if he so wishes.

3.3 The Customers

Are East European women highly desired by West European clients, or are they used simply because they are available? Internet marriage agencies portray East European women as more submissive and feminine than their Western counterparts. For example, hotrussianbrides.com, a website that boasts having 19,500 women to choose from, explains

¹⁷ Sex tours are especially popular for customers wanting sex with children. Many countries, including the U.S., are beginning to make sex tourism a crime for its citizens, if the person engages in a sexual act that would be prohibited at home (such as sex with a minor). The state of Washington (following the example of Hawaii) is attempting to make it a Class C felony (punishable by up to 5 years in prison and a fine of up to \$10,000) to go on a sex tour (*USA Today* 26 January 2006).

why Russian women are so desirable. “They are exceptionally beautiful, intelligent, and adaptive! They still possess traditional family values that many Western women have long since abandoned! They don’t place undue importance on age or outward appearance!”

A poster at the World Sex Forum made a similar observation to another poster who wondered if the Ukrainian woman he met would sleep with him if he took her on vacation. “The attitude and mentality [of Russian women towards sex] are very different than that of an American girl let’s say. I would say odds of her sleeping with you are around 100% because of that fact” (Maximus55, 5 March 2006). The following day, the same poster added “[k]eep one major thing in mind, the 17 year girls in Odessa are the equivalents of 25+ year olds in US or Canada in terms of how wise they are. . . .It is very difficult to explain a mentality of a Russian girl, but one thing is certain is that they are very much aware of the fact that you could be screwing someone else in Odessa the following evening, and while it may not be implicitly okay with them, it is very much accepted” (Maximus55, 5 March 2006).

Despite the communist vision of women as strong, productive workers and mothers, East European women are now viewed as beautiful, vulnerable, and sexually open; a contradiction best described as the virgin/whore duality (Siegel and Yesilgoz 2003:75-76). Russian women in particular are viewed as women who will obey their husband, who will allow him to do whatever he wants to her, and will be faithful to him. But there is also a perception that Russian women are highly sexualized. The websites promote these women as being something that Western women are not. Hotrussianbrides.com describes the differences between Russian women and Western women:

Unlike typical Western "Feminists," Russian Women enjoy being cherished and appreciated for their feminine characteristics and ability to

please their partner. They're women and they love to be treated as such! They realize that American men are very appreciative of domestic women who are delicate, tender, loving, loyal, and who put their families above their personal and/or career ambitions.

Savanna International, a Ukrainian marriage website, gives a more detailed explanation:

Ukrainian and Russian women have a reputation throughout the world for being beautiful, traditionally and family oriented. They are found to be very romantic and tender, sweet and soft, passionate and devoted. They thrive on giving their man the attention and affection that is surpassed by none.

Ukrainian women are beautiful both inside and out. These women are very feminine and affectionate, loving and caring, educated and intelligent, reliable and faithful. They have been brought up since their childhood to care for their husband, family and home. They are known to be the kind of supportive, caring wife and homemaker that your grandmother probably was for your great grandfather. . . .

Ukrainian women do not pursue career unlike American ones. For most of them husband, children and family are the most important things in their lives.

By describing East European women in this way, traffickers distinguish their product from what is available in West Europe.

It has also been suggested that male clients purchase the services of prostitutes in order to assert their masculinity (Anderson and Davidson 2002: 29). By purchasing sex, they are able to control the prostitute in ways that they may not be able to control a regular partner. By using trafficked women, clients are able to assert even more control over the women than if she were a “free” prostitute, as pimps are willing to beat trafficked women into submission or allow the client to punish her accordingly (Hughes 2004:8). If she fears her pimp, a trafficked prostitute is less likely to resist her client and thus more willing to agree to behavior that a “free” prostitute might refuse, such as unprotected sex. This need for clients to assert their masculinity would also explain why advertisers promote the image of East European women as being more feminine and docile than West Europeans.

There are few studies of male clients available, but those that have been done show that clients purchase sex for a variety of reasons, including wanting a partner who has particular features or is of a desired age (Bernstein 2001:396). While some of these studies have shown a preference for women of a different race than the client (usually a white male with a woman of color), some do prefer a woman of their own race. Race and ethnicity as a preference is somewhat difficult to gauge as most sex workers are of a different race or ethnicity than their target clientele. However, white women tend to earn more money than do women of color, suggesting that they are more “valued” and would be preferred by clients if they were more accessible (Anderson and Davidson 2002: 32). Age is also important, as many men prefer very young women, including those who are or look like minors. This is reflected in the predominant age group of trafficked women from Eastern Europe: late-teens to mid-twenties.

Like all economic decisions, cost is also a very important component of the decision to purchase sex services. A client will be more likely to purchase sex more frequently when the costs are lower and, as I will discuss next, sex with trafficked women can be cheaper than sex with a “free” prostitute. Clients are even willing to cross borders in order to access cheaper sex, as evidenced by the expanding sex tourism industry (Anderson and Davidson 2002: 31).

3.4 The Pimps

Knowing that trafficking, and in some cases prostitution, is illegal in Western Europe, why would pimps and traffickers risk jail time bringing in women from other countries? One possible explanation is a supply problem within the destination country (*i.e.*, a lack of native

prostitutes). Some scholars have suggested that fewer Westerners are electing to work as prostitutes because of more lucrative employment opportunities that may not have been available to women until recently (Anderson 2000).¹⁸ This trend is not limited simply to prostitution, but to other forms of traditional “women’s work,” namely domestic work such as child and elder care and housekeeping. As women in Western countries find that they are able and even encouraged to work outside of the home, they are left with little to no time to take care of their traditional duties. Feminists have argued for years that society places a low value on these “traditional” jobs, a trend that working women continue by “outsourcing” these duties to immigrant women who work for low wages (see Anderson 2000, Agustin 2003).

Prostitution, a profession that has been and continues to be dominated by women, is not an exception. Trafficking can thus be viewed as the “outsourcing” of sex work to women from poorer countries who will work for lower wages for the same work than Western women will. Because of the decreasing supply of Western women willing to provide labor in the sex market, pimps must look elsewhere for women to meet the desires of their clients.

Also, “free” prostitutes may be squeezed out of the market by lower cost service providers, especially in countries with legalized prostitution. By legalizing prostitution, a government not only acknowledges it as a legitimate type of employment, but it also requires the prostitutes to pay taxes on the income earned. Thus, the economically-savvy prostitute would increase her prices to make up for the wages lost to taxes. This is an advantage for pimps using trafficked women as they can under cut the prices of the “free” prostitute since they do not pay taxes. Also, pimps of trafficked women can take a larger portion of the price

¹⁸ Donna Hughes (2006) has also suggested that the supply of “native” prostitutes has decreased because the West European welfare system prevents women from becoming so poor that they are willing to turn to prostitution.

paid for one unit of service, as the woman is not in a position to demand the money she earned. Thus, the pimp earns more while the client pays less, leaving the women who actually provided the labor with little to nothing (Long 2004:17). Because of this, we can assume that pimps would be more interested in using trafficked women as opposed to “free” labor even if “free” women were readily available to meet the demand. Donna Hughes (2000:639) estimates that the pimp’s profits may increase by as much a 5-20 times by using a trafficked woman instead of a free one.

Pimps also view trafficked women as easier to control than “free” prostitutes. Trafficked women rarely speak the language of the country they find themselves in, making communication with law enforcement personnel difficult, if not impossible. Trafficked women are not familiar with the city they are in and are thus unable to find assistance. Many trafficked women are also in the country illegally, so they will not want to make contact with the authorities for fear of deportation. By withholding a woman’s travel documents, a pimp can pretty much guarantee that she will be unable to leave him. A useful tool the pimp has that makes East European women in particular vulnerable is the use of a “debt” against her. A pimp will inform the women that she must work for him until she has paid off a debt she has incurred, which includes her travel expenses and the cost of her purchase from the trafficker. In addition, the pimp will add on the costs of her room and board, contraceptives, and any health care he may provide. Because of these added costs that accrue each day, it all but guarantees that she will never be able to pay it off.

Another way on considering this is to view sex trafficking as a form of neo-slavery. Although most people believe that slavery has been eradicated, about 27 million people worldwide are living in slavery (Bales 2004:8). Kevin Bales identifies three types of slavery.

The first is the traditional type most people associate with slavery: chattel slavery. People become chattel, the legal property of another, when they are captured, born, or sold into servitude, which, in most cases, is permanent. Chattel slavery is probably the least common form in existence today. The most common form is debt bondage, where a person agrees to do work in exchange for the payment of a monetary debt, but the length of service is not known and the debt in fact is not diminished by work. Contract slavery occurs where a person agrees to a contract for work but is then enslaved.

Trafficking can fall into either of the last two categories. A woman could enter into a contract for an escort service or a strip club, and then find herself enslaved once she begins work. By enslaved, I mean that her passport is usually taken away so she cannot leave the country, she may be locked in a room (or even chained to a bed), and is forced to perform sex acts on whoever she is told to, whenever her “owner”/pimp commands it, regardless of her desires. Debt bondage is also common for women who were deceived into traveling with the trafficker with false promises of an education or more “respectable” employment. The women are usually told by the trafficker that a debt has been incurred because of the costs of transporting the women, obtaining the visa, and she must now work it off by prostituting herself. The money she earns is kept by the pimp and is “credited” to her debt. However, her debt continues to grow because she is charged for the room and board while she is working and, obviously, pimps are not going to keep accurate records. The women pocket little to nothing of their earnings, and are also not free to leave.

Slavery is extremely profitable again. Interpol now believes that criminals are switching from drug trafficking to human trafficking because the penalties are less severe and the profit margin is higher. The high profit margin is due to the changed economic

perception of the slave. The slave is no longer personal property but an input to production, similar to raw materials. These inputs are readily available and have little to no cost. Large populations coupled with poor economic conditions drive many to emigrate. Traffickers prey upon this desire and thus have a ready supply of fresh labor when the old ones are no longer useful. The value of the individual is decreased by such a large and willing supply, making them more expendable. Because of the large supply of available women, traffickers and pimps have little incentive to invest money in maintaining the original condition of their stock; there is wide documentation to prove that pimps are very willing to withhold medical treatment, to beat and punish women, and, in some instances, to even kill them for disobedience (Hughes 2000:637). Trafficked women thus become “disposable.” Until economic conditions for women improve in Eastern Europe, there will continue to be a large supply of women for traffickers to tap into.

This chapter has shown that trafficking is a supply and demand driven economic activity. The supply side is driven by poverty and unemployment in Eastern Europe, along with a small supply of prostitutes in Western Europe. The demand for trafficked prostitutes is based on a trafficked woman’s ability to earn more for her pimp and the ease with which a pimp can control a trafficked woman. Clients of prostitutes seem to show a preference for Slavic women, as they perceive them to be more feminine and more sexually adventurous. In order to successfully end trafficking, states must focus their efforts on both sides of the market.

CHAPTER 4

THE STATE: POLICING THE SUPPLY CHAIN

States have numerous interests in prohibiting trafficking. Because of the illegal nature of these activities, profits made on the trade are not taxed, meaning that the state loses out on revenue. Trafficking can also occur in conjunction with a variety of other criminal activities, including drug trafficking and money laundering. Countries of origin also lose skilled workers who may be needed in the future to work within the country once the economy begins to grow. This is a cyclical problem, as an economy has difficulty growing without skilled workers, but the skilled workers will emigrate if the economy is sluggish. For these reasons, and for the humanitarian reason of stopping the slave trade, states have taken an interest in legislating to prohibit trafficking at the international and national level.

4.1 International Legal Efforts to Stop Trafficking

Ratified international treaties are part of a nation's domestic law. Under the Polish Constitution, international law has the same status as the constitution, making it the highest law of the land (Articles 87 and 91).¹⁹ Ukraine's Constitution calls for international treaties

¹⁹ Article 91 states: "(1.) After promulgation thereof in the Journal of Laws of the Republic of Poland (Dziennik Ustaw), a ratified international agreement shall constitute part of the domestic legal order and shall be applied directly, unless its application depends on the enactment of a statute.

(2.) An international agreement ratified upon prior consent granted by statute shall have precedence over statutes if such an agreement cannot be reconciled with the provisions of such statutes.

(3.) If an agreement, ratified by the Republic of Poland, establishing an international organization so provides, the laws established by it shall be applied directly and have precedence in the event of a conflict of laws.

to be incorporated into its domestic laws, but they do not have the same status as the Constitution (Article 9).²⁰ The German Constitution is a little vague about the role of international law in the federation. “The general rules of public international law form part of the Federal law. They take precedence over the laws and directly create rights and duties for the inhabitants of the Federal territory” (Article 25). The wording suggests that international human rights law treaties would take precedence over any domestic legislation, but it is not clear if treaties would trump the constitution or not.

International Instruments

In 1951,²¹ the Convention for the Suppression of the Traffic of Persons and of the Exploitation of the Prostitution of Others entered into force.²² This provided the first universally accepted definitions of a trafficker: a person who “(1) Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of the person; (2) Exploits the prostitution of another person, even with the consent of the person.” This is also the first instance of an international instrument discussing forced prostitution (Chuang 1998:75; Corrigan 2001:166). The Convention would also apply to those who run brothels,

²⁰ Article 9: “International treaties that are in force, agreed to be binding by the Verkhovna Rada of Ukraine, are part of the national legislation of Ukraine. The conclusion of international treaties that contravene the Constitution of Ukraine is possible only after introducing relevant amendments to the Constitution of Ukraine.”

²¹ The international community, as a collective, began legislate on the problem in the early 20th century in response to what was called the “white slave trade,” but what is today known as sex trafficking. The governments of several Western nations reached an agreement in 1904 where each country agreed to coordinate efforts to eliminate the trade and to repatriate victims. An International Convention was signed after a conference on white slavery in 1910 that required signatories to punish traffickers. This seems to be the first instance where sex trafficking was recognized as an international crime. However, these instruments do not specifically mention prostitution but refer to the procurement of women for “immoral purposes” which could have a number of connotations. Other instruments were signed in 1921 and 1933, but a Protocol by the United Nations General Assembly amended all of these instruments in 1947.

²² Ukraine (as part of the USSR) and Poland were both parties to this treaty; neither East nor West Germany was.

live off of immoral means, and rent space for the purpose of prostitution. The Convention does not require the movement of women across international borders; it does require signatories to prosecute those involved in prostitution, even if they are not immigrants.

The most comprehensive document relating to women's rights is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which requires all countries to take action to prevent trafficking.²³ Only 19 countries are currently not parties to CEDAW, thus, this is perhaps the document with the most potential for universal enforcement. The Optional Protocol to CEDAW allows victims to bring complaints against offending countries who violate the Convention, but the only available remedy is an investigation and a chastising report about the offending country. Also, countries that have not ratified the Optional Protocol are not subject to an investigation, and victims cannot file complaints.

Finally, there is the Convention Against Transnational Organized Crime, which entered into force in 2003. It covers how states will proceed in the prosecution of transnational organized crime, how to determine jurisdiction, evidence gathering, confiscation and disposal of property, etc. This Convention does not specifically mention sex trafficking of women and children, but an Optional Protocol does. The Protocol, which also entered into force in 2003, requires all states to make trafficking a criminal offense; to provide assistance to victims in the form of housing, medical and psychological care, job training, and legal help; to cooperate with the prosecution of criminals; and to make efforts to prevent trafficking. An important distinction between the Protocol and the 1949 Convention is that the Protocol does not require a border crossing in order for it to be applied whereas the

²³ Article 6 "State Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women."

Convention requires a border crossing. This type of internal trafficking would include moving women from one region to another or it could be applied to those who force women into prostitution. Poland and Ukraine have both ratified this Protocol, while Germany has only signed it. While the Convention and its Protocol are admirable in what they aspire to do, there is no enforcement mechanism, and they do not provide a remedy for victims.

Regional Instruments

The European Union and the Council of Europe have also taken steps to stop trafficking in the region. The Council of Europe is responsible for overseeing the implementation of the European Convention on Human Rights, the primary regional human rights instrument for Europe. While the European Convention does not address sex trafficking, legal scholars believe that Articles 3 (prohibition on torture and inhumane treatment) and 4 (prohibition of slavery and forced labor) can be used in a trafficking context (Corrigan 2001:176). The European Convention is important for victims, as it allows wronged individuals to bring claims against offending states for rights violations before the European Court of Human Rights (ECHR).²⁴ Thus, a trafficking victim is limited to suing a state and cannot sue the people who trafficked and exploited her. She would have to show that the state was negligent in its duty to protect her as a citizen. Theoretically, a victim would be able to bring suit if a government agent, such as a police officer or border guard, in any way assisted the traffickers in violating her rights under the Convention.

²⁴ In addition, there are several procedural requirements for bringing a case before the European Court of Human Rights. A claimant must first exhaust all domestic remedies; the case must be filed with the ECHR within six months of exhausting those remedies; and it must not be an issue already decided by the court (*non bis in idem*), among others (Boyle 1999).

As members of the EU, both Germany and Poland would be obligated to incorporate any EU measures into their domestic laws. The most significant EU document is the Council Framework Decision of 2002 on Combating Trafficking in Human Beings, which requires all member nations to prohibit

The recruitment, transportation, transfer, harbouring, subsequent reception of a person, including exchange or transfer of control over that person, where:

- (a) use is made of coercion, force or threat, including abduction, or
 - (b) use is made of deceit or fraud, or
 - (c) there is an abuse of authority or of a position of vulnerability, which is such that the person has no real and acceptable alternative but to submit to the abuse involved, or
 - (d) payments or benefits are given or received to achieve the consent of a person having control over another person
- for the purpose of exploitation of that person's labour or services, including at least forced or compulsory labour or services, slavery or practices similar to slavery or servitude, or
- for the purpose of the exploitation of the prostitution of others or other forms of sexual exploitation, including pornography (Article 1(1)).

The Framework also tries to make criminal sentences uniform throughout the EU. The maximum penalty for trafficking is not less than eight years (Article 3(2)). It establishes jurisdiction where the crime is committed, where the defendant is a citizen, or where the crime benefits a citizen of the country wanting jurisdiction (Article 6). However, the Framework does not provide victims with a remedy against either the traffickers or the state. It is still too early to analyze the impact the Framework has had on trafficking, as Member states were not required to implement its measures until 2004. In October 2005, Europol issued a report on the progress made by EU Member States on adopting anti-trafficking measures and found that seven nations had not ratified the TOC Convention and eleven still needed to ratify the Trafficking Protocol (2005:2).

Although the international community has routinely signed and ratified treaties on trafficking, there is little incentive to follow through on these obligations. There are no enforcement mechanisms, and no country has been willing to impose other types of penalties, such as economic sanctions on offending countries. Thus, the only effective remedies available to victims are domestic laws.

4.2 National Efforts to End Trafficking

This section will examine how Germany, Poland, and Ukraine each deal with trafficking and prostitution through legislation and policy. The international instruments discussed above dictate how a country should construct its trafficking laws, and the 2002 Protocol also requires countries to make reasonable efforts to eliminate the demand factors for sex trafficking. Huda (2006:9) states that this does not require states to ban prostitution entirely, but only the forms that meet the definition of trafficking. As noted in Chapter 1, Huda believes that nearly all prostitution can be construed as trafficking. Therefore, it is up to the state, if it chooses to legalize prostitution, to ensure that sexual exploitation does not occur within the industry.

A state can take one of four approaches towards prostitution: prohibition, regulation, decriminalization, or abolition. Prohibition means that prostitution and any act associated with prostitution is illegal. Regulating prostitution refers to types of laws that legalize the act of prostitution with restrictions, such as zoning regulations, registration of brothels and prostitutes, and required health inspections of the women. While prostitution itself is legal, other acts associated with it (*i.e.*, pimping, living off of immoral means, running a brothel) may remain illegal. A state can decriminalize prostitution by removing prohibitions or

regulations from its criminal codes, while not specifically legalizing the practice. Abolition refers to the practice of criminalizing the purchase of sexual services and pimping, but not criminalizing the act of selling sexual services. Thus, under an abolitionist policy, the prostitutes are not committing illegal acts, but the pimps and clients are.

Germany

Articles 180b and 181 of the German Penal Code criminalize the trafficking of adults. The Code distinguishes between trafficking and “serious” trafficking. Trafficking (Article 180b(1)) is defined as “exert[ing] influence on another person, with knowledge of a coercive situation, to induce the person to take up or continue in prostitution; whoever, for his own material benefit, exerts influence on another person, with knowledge of the helplessness associated with the person’s stay in a foreign country, to get the person to engage in sexual acts, which the person commits on or in front of a third person or allows to be committed on the person by a third person.” Serious trafficking requires the use of “force, threat of appreciable harm or trickery” or kidnapping. Trafficking is punished by up to five years in prison or a fine, while serious trafficking is punishable by a prison term of one to ten years.

Prostitution was legalized, but subject to regulation, in Germany in 2001. Individual cities can choose where to have a “red light district,” and prostitution may only occur within those areas (some towns may elect not to allow prostitution within the city limits at all). Despite this decriminalization, certain activities associated with prostitution are still illegal. Pimping, for instance, is punishable by a prison term of six months to five years. Pimping is defined as exploitation of “another person engaging in prostitution, or for material benefit supervises another person’s engagement in prostitution, or takes measures to prevent the

person from giving up prostitution, and in that regard maintains a relationship with the person which goes beyond a particular case” (Penal Code Article 181a(1)). There is also a separate provision for one who “impairs another person’s personal or financial independence through promoting that person’s engagement in prostitution” (Article 181a(3)) that carries a lesser sentence of a fine or up to three years imprisonment. However, the Penal Code does not explain what the difference is between impairing and exploiting. These laws need to be more clearly defined in order to have successful prosecutions.

Because prostitution is legal, the income a prostitute earns is subject to an income tax. Also, as of 2003, clients must pay a Value Added Tax (VAT) on the services the prostitute provides. Because of these added costs, sex services from a registered prostitute tend to be higher than the services of an illegal sex worker (like a trafficked woman) because illegal workers do not turn over VAT or income tax to the government. Many clients prefer the cheaper sex, thus increasing the demand for illegal sex workers. This is the primary reason why legalizing prostitution does not benefit trafficked women.

The legalization of prostitution has proven to be ineffective in not only preventing trafficking, but in decreasing the amount of prostitution. It is believed that about one million men purchase sex in Germany on a daily basis (Joe-Cannon 2006:14). The World Cup of Soccer is scheduled to be held in Germany in the summer of 2006, and it is believed that the influx of tourists for the event will cause a sharp spike in the demand for sexual services within the country. NGOs estimate that around 40,000 women, primarily from Eastern Europe, will be trafficked into Germany to meet this temporary demand (Spiegel Online 2006a). These reports have sparked outrage throughout Europe, prompting not only the EU Justice and Home Affairs Commissioner, Franco Frattini, to consider (but later decide

against) temporary visa restrictions for fans from non-EU countries visiting Germany during the World Cup (Melander 2006), but also the Swedish government to call for a boycott of the event in order to protest the exploitation of women (Agence France Presse 2006; Spiegel Online 2006b). Instead of actively discouraging the potential influx of foreign women, the local governments of Cologne and Dortmund are enabling prostitution, and, consequently, trafficking, by constructing so-called “sex huts” around the sporting venues in order to meet the demand (Reuters, 8 June 2005). It appears that the German government is in violation of its international obligations to make reasonable efforts to prevent trafficking when it knowingly encourages and facilitates this type of practice.

Poland

The Polish penal code of 1997 criminalizes trafficking and prostitution in the country.²⁵ Conducting “white slavery”²⁶ carries a minimum of three years in prison (Article 253 (1)). Consent of the victim is inconsequential to the prosecution. Pimps who own trafficked women can also receive up to three years for forcing her into prostitution (Article 204 (1)). A person who deprives another of his or her liberty (*i.e.*, slavery) can receive a punishment of between 3 months and 5 years (Article 189 (1)) or between one and ten years if the confinement was for more than seven days and the person suffered “special torment” (Article 189 (2)). A contradiction exists between the punishments for “white” slavery and “regular” slavery. Why does white slavery carry a lesser penalty than any other type of confinement (and the confinement does not even have to include forced labor)? While the

²⁵ An earlier criminal code from 1969 also criminalized trafficking and prostitution (Pearson 2002:211). The 1997 law is the most recent version of the penal code.

²⁶ White slavery is defined as the “trade in humans.”

minimum for trafficking is three years, the maximum for slavery is five years (or possibly ten years). There might also be some advantage for a prosecutor to seek a conviction under the confinement law if the confinement was severe enough because of the possibility of getting up to ten years.

Being a member of an OCG is punishable by up to three years in prison (Article 258 (1)), while the actual perpetrator of a crime initiated by the OCG can receive between three months and five years of imprisonment (Article 258 (2)). The leader of an OCG can be sentenced to between 6 months and 8 years in prison (Article 258 (3)).

Ukraine

Ukraine passed its anti-trafficking law in 1998 and later revised it in 2001. Trafficking is punishable by a prison term of three to eight years, while the punishment increases from eight to fifteen years if the trafficking is committed by an organized group. Also, for the law to apply, the woman must be taken across an international border. The border requirement makes it impossible for the Ukrainian government to prosecute traffickers within its borders because the crime does not take place until the victims have left the country (Pearson 2002:199). A victim who is caught at the border before she crosses would not be considered a victim at all, and her traffickers would go unpunished.

Prostitution and prostitution-related activities are prohibited under the Penal Code Article 303. Prostitutes do not receive jail time, while those who force women into prostitution can receive from one to three years in prison. Pimping is also prohibited (Article 302).

In 2002, the Ukrainian government instituted a three year anti-trafficking program, known as the Resolution on the approval of the Complex Anti-Trafficking in Humans Program for 2002-2005. Various Cabinet Ministers pledged to work in their respective areas to try to end the root causes of trafficking (poverty, unemployment, etc.). Among these provisions were pledges to find employment, either in the private or public sector, for all; to assist women in starting small business enterprises; to monitor employment and marriage agencies for illegal practices; and to provide assistance to victims and potential victims. For 2003, the government aimed to raise awareness of trafficking through the media and to construct educational materials to be used in the classroom. Also, over the three-year period, the Ministers pledged to initiate a hotline for victims and to provide legal assistance to Ukrainian citizens living and working abroad who may find themselves in exploitative circumstances.

This Resolution also pledged the government to ratify and implement related human rights instruments, such as the Convention on Transnational Organized Crime and its trafficking Protocol. Law enforcement agencies are now required to work with each other in investigating and prosecuting trafficking crimes throughout the country. The government also pledged to increase border monitoring and to ensure that border patrols be trained to detect potential trafficking victims. The Resolution also provided provisions for developing assistance programs for repatriated trafficking victims.

While the Ukrainian government has taken the important step of passing a resolution committing themselves to work on trafficking, the Resolution is meaningless unless the government actually implements the policies. Unfortunately, these programs are quite costly,

and an economically insecure nation such as Ukraine would have difficulty funding such programs without international assistance.

Table 8. Number of Prosecutions and Convictions for Trafficking or Trafficking-Related Crimes as Reported by the U.S. Department of State

	Germany	Poland	Ukraine
1999	257 investigations 176 prosecutions 133 convictions	NA ²⁷	NA
2000	NA	NA	NA
2001	148 convictions	NA	NA
2002	289 investigations 159 convictions	140 convictions	169 investigations 41 prosecutions 28 convictions
2003	431 investigations 145 convictions	152 convictions	41 cases 29 cases resulted in convictions
2004	NA	Prosecuted 18 of 39 arrested	Initiated 269 cases, completed 72 investigations, and charged 138 people. 68 cases prosecuted. 67 convictions.

Source: Trafficking in Persons Report 2001, 2002, 2003, 2004, 2005.

4.3 Lack of Prosecutions

Despite having such detailed laws prohibiting trafficking, prosecutions and convictions of traffickers are rare (see Table 8).²⁸ Due to the nature of the crime, it is difficult for a prosecutor to even try traffickers in the first place. Women who are deeply

²⁷ The 2001 Report states that between 1995 and 1999, there were 148 cases of which 95 were prosecuted. There were 151 convictions.

²⁸ The U.S. Department of State will begin to report on the types of sentences traffickers receive beginning with its 2006 Trafficking in Persons Report. It is difficult to track suspected traffickers through the court system of other countries because newspaper articles tend not to follow up on trafficking cases after an arrest has been made and a database has not been constructed to report on conviction rates and types of sentences.

afraid of the police and their “owners” are likely to tell prosecutors that they consented to be trafficked. While consent does not matter under the international treaties, prosecutors may be unwilling to bring charges because of the difficulty in convincing a judge of guilt because of consent. Also, because trafficking is a transnational crime, prosecutors and police must work with their foreign counterparts, who may not be all that willing to help them in their investigation or in extradition proceedings. Plus, there is a strong stigma attached to being a prostitute, whether willing or unwilling, making it difficult to convince others that the prostitute is a victim in need of protection and assistance.

Some officials are of the opinion that it is the responsibility of other countries to stop trafficking. Officials in destination countries see the problem as arising from the dire economic situation within the origin countries, while those in origin countries do not think trafficking begins until the women reach a transit country. “This problem does not really bother the [Russian] Ministry of the Interior. There is not criminality in it. All the violations of law committed against these women take place already in the territories of the countries that they leave for. Hence, it’s those countries’ problem,” stated a Russian bureaucrat (Malarek 2002: 120-121). Having well-written laws prohibiting trafficking are useless unless government officials truly have a desire to stop this practice.

CHAPTER 5

CONCLUSION: WHY STATES HAVE FAILED IN THE PAST AND WHAT THEY CAN DO IN THE FUTURE

In the introduction, I set out three questions to be answered in this thesis: (1) how are people trafficked, (2) why is there sex trafficking, and (3) why have states, despite valiant legal efforts, have failed to stop trafficking? The answers to the first two queries help explain the third. Overall, the state has failed to not only prevent trafficking, but also to decrease the flow. This failure is due to the combination of factors already explored in this thesis, some of which is due to the deficiencies of the state and some due to the success of the Organized Crime Groups (OCGs): (1) the OCGs treat trafficking as a business venture and have been successful in implementing business models to increase efficiency and profits; (2) the complexity of the trafficking supply chains makes it difficult for the state to effectively disrupt the flow; (3) the power and influence of the Russian *mafia* in East-Central Europe; (4) the failure of states to understand that trafficking is a historical problem; (5) the failure of states to address the demand-side of trafficking; (6) failure to effectively address causes of poverty, unemployment, and gender discrimination in the workplace in countries of origin; (7) corruption of government officials; and (8) an immigration policy within the EU that enables traffickers to operate with greater ease.

By treating trafficking as a business, the OCGs operate with the goals of increasing efficiency and thus profits. They understand the basic principle of supply and demand; they take women from countries of high supply (in the East) to countries where their product is in

high demand (the West). While the most money can be made in West European countries, like France and the United Kingdom, the traffickers also know that there are higher risks (costs) with transporting women to these destinations. The distance is further, thus increasing costs and involving a larger number of people in the criminal enterprise, and the chance of being caught increases each time a border is crossed. Thus, traffickers may be more willing to leave women in Central European countries, like Germany and the Czech Republic, and just let the customers come to them. The addition of breaking-in camps to the networks is a particularly troubling aspect as it creates compliant women who are less likely to seek the assistance of the police or customs officials once they enter Western Europe. This makes it easier for the traffickers to get women across borders while at the same time making it more difficult for the states to effectively identify traffickers at the border.

On the other hand, there is some advantage to operating an enterprise with a highly complex supply chain that covers multiple countries. If the state discovers one link in the chain and effectively disrupts that one link, the chances of shutting down the entire operation are greatly reduced, because the chains can be restructured around the already existing links, as was shown in Figure 3. Thus, it is more difficult to shut down an entire enterprise if there are many links than if they are only two or three.

The influence and reach of the Russian *mafija* is also important to the continued traffic of women. While not all OCGs are *mafija*, the *vory* are successful because they have been operating for decades and have had all that time to make connections with other *vory* and to recruit government officials to assist them with their criminal activities. The *vory* are also notorious for their cruelty, more so than the Italian and Sicilian mafias, which they have used to their advantage in “recruiting” additional members into the organizations and for

keeping trafficked women compliant. They often threaten the women with physical violence and death to themselves or family members if they escape, contact the police, or misbehave. The women believe them because the *mafiya* have extensive contacts not only within their native countries but in the transit and destination countries as well.

It seems that many government officials lack a basic understanding of the root causes of trafficking and what to do about them. To start with, many do not want to acknowledge trafficking as a historical problem and something that originated after the end of socialism. While everyone is aware of the general slave trade in previous centuries, few seem to make the connection to trafficking, particularly when it comes to the sex trade. In Europe, many consider the traffic of East European women to only be a “post-socialist” phenomenon, which is not the case. History seems to suggest that the only thing that prevented trafficking during most of the twentieth century in Eastern Europe was the closed borders policy that prevented anyone from leaving the country without permission. The re-opening of the borders may have exacerbated the situation because so many people wanted to escape these countries for better opportunities in the West, a situation that smugglers and traffickers relished.

People began leaving Eastern Europe not only for freedoms found in the West, but also for economic reasons as well. Everyone seems to know that poverty is a primary motivator for women being more susceptible to traffickers’ tactics, as the women are desperate for opportunities in the West, but few countries seem willing, or able, to address these problems. While the general economic situation for everyone in Eastern Europe was difficult following the collapse of socialism, women were particularly affected. The Ukrainian and Polish governments seem unwilling to address the genderizing of poverty in

their respective countries, and, in some cases, have actually added to the problem by favoring men in employment programs, by taking away benefits that working mothers need, and by passively allowing discrimination in hiring practices and advancement in the workplace. Until these problems are addressed, women will continue to seek opportunities in the West, even if they know there is a possibility of becoming a victim of sex trafficking.

A major flaw in the anti-trafficking policies of Ukraine, Poland, and Germany is that none address the demand of trafficking. States have implemented different policies regarding prostitution, none of which has been effective. Neither legalization with regulation (Germany) nor prohibition (Poland) has ended sex trafficking within the country.²⁹ As discussed in Chapter 3, there are not enough native women in Western Europe willing to work as prostitutes in order to meet the demand, so women from other countries are imported to meet the need. Criminal penalties for clients of prostitutes are light, and it is nearly impossible to prosecute clients under anti-trafficking laws because of the need to show that the client was aware that the prostitute was a victim of trafficking.

One country that has been able to stop some of the sex trafficking and due to its prostitution law is Sweden. Under Swedish law, a prostitute is exempt from any criminal penalties for her activities, while pimps and clients are penalized (Act on Prohibiting the Purchase of sexual services 1999). This law was enacted in 1999, and the Swedish government has been able to report a decrease in trafficking since this time and an 80% decrease in the general demand for prostitution, while also decreasing the total number of prostitutes by about 50% (Froman 2003). Many anti-trafficking NGOs advocate the Swedish model because it addresses the demand side and because it does not stigmatize sex workers

²⁹ Of course, many of these policies reflect society's views on the morality of prostitution and not on whether they would hinder trafficking. This is an area that I have not explored in order to maintain a focus on what would be best for the purpose of slowing down trafficking.

(whether trafficked or not) as criminals, making it easier for a trafficked woman to seek assistance from the police without fear of being prosecuted for prostitution.

Finally, the EU's Schengen Agreement on immigration has actually assisted traffickers in that moving women across EU borders no longer requires as much paperwork. Women who are native to the accession countries like Poland and the Czech Republic can be moved throughout the EU with only their passport. While it is harder to get women from non-EU countries into the EU, traffickers see a benefit in moving women into countries that will soon become EU countries. If the women are in the country when it becomes a Member State, the women are in a better position to move to other EU countries than if they were outside the EU when the country joins. Thus, countries like Romania and Bulgaria, which are due to become Member States in 2007, are most likely seeing an upsurge of trafficking into their countries in anticipation of accession.

Due to the corruption and low pay of border guards, it is easy and cheap for traffickers to bribe the guards to look the other way. One smuggler,³⁰ "Piotr", describes his operation in which he shuttles immigrants from the former Soviet Union across Poland to the West. "The best smugglers have people who know the guards and, when they get to the border, they will be asked for paperwork and passports. Before approaching the border, anyone wanting to get in should have put U.S. \$10 or U.S. \$20 in their passport, depending on what is being carried. The passport is then returned without the money, the car moves on and everyone is happy, especially the guard who gets some money and doesn't have the hassle of having to search a vehicle" (McGill 2003:161). Usually, a percentage of each bribe

³⁰ This man claims to be a smuggler and not a trafficker, as he does not sell the immigrants once he transports them, but only takes money from them to move them across a border.

will go to the guards' superiors so that people high up on the chain of command are also involved, however indirectly, in trafficking (McGill 2003:162).

The solution to trafficking is not simple; this is a complex problem that requires a multifaceted solution. Because this is a transnational crime, all nations must assist one another in finding a solution. The solution must include ways to end government corruption and curb the influence of the OCGs. West European countries need to continue to assist Eastern Europe make the transition to a market economy to improve the economic situation for women.

In general, states need to be more responsible for assisting victims of trafficking. Deporting women to their country of origin does not help them or the general trafficking situation. Many of these women may be re-trafficked once they return home, as deportation does nothing to bring the traffickers to justice. This solution also does not benefit the victim in any way. Trafficking victims show symptoms of post-traumatic stress disorder, among other psychological problems, as a result of being trafficked, and thus require mental health care. Trafficked women may also be addicted to drugs, may be infected with venereal disease, and may have other health problems that were left untreated by their pimps. As destination countries are financially better able to provide assistance than origin countries, the burden should fall on them to provide this assistance. Once the destination states realize the costs of these programs, they may be more willing to prosecute offenders and actively try to stop trafficking. Other services they could provide to victims include legal services (to help with immigration proceedings), housing, and job training (so that the victim will not have to resort to prostitution or other illegal activities). The EU could rank Member States

by a tier system the way the U.S. does and then impose sanctions on those states that fail to meet minimum standards.

While it is important to continue efforts to end the supply-side causes of traffickers, states must do more to curtail the demand for sex services. So long as there is a demand for sexual services, market forces will encourage someone to take the risk to provide those services, especially when the laws that do exist are not regularly enforced. Sigma Huda, among others, has stated categorically that sex trafficking is a demand-driven market: “it is clear that responsibility for the sex-trafficking market lies with prostitute-users, traffickers, and the economic, social, legal, political, institutional and cultural conditions which oppress women and children throughout the world” (2006:14).

There are a number of ways a state can combat the demand for prostitution. First, as mentioned, they can adopt a version of the Swedish law and then use the law to vigorously prosecute clients and pimps. Once these criminals fear prosecution, they may have second thoughts about entering the market. States can also institute educational campaigns geared towards clients to warn them about the dangers of purchasing sex, from disease to prosecution. These campaigns need to begin in schools and focus on gender equality, so that boys cannot grow up to be men who view women as commodities that can be purchased. Governments can also work to reform clients once they are arrested. Several U.S. cities, including San Francisco, have formed “John schools,” where men who are arrested for solicitation are lectured about what life is like for a prostitute, how some have been trafficked, and how many were forced into the trade as children (Prostitution Offender Program 2006).

As trafficking networks become more complex and cover a larger geographic area, it becomes even more important for states to cooperate with each other to end trafficking. Unfortunately, trafficking has integrated Eastern and Western Europe and, in a sense, states must undo this integration in order to shut down the networks. This is a Cold War mentality that European nations would prefer to avoid, but this could be seen as an opportunity to integrate Europe in a different way. A communal effort to end trafficking that includes EU and non-EU states will not only result in cooperation regarding criminal justice, but will also further economic integration as states encourage their citizens to engage in legitimate economic practices.

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