

# Modern-Day Slavery: An Overview of International, Federal, and State Policy Regarding Human Trafficking

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*Every year, hundreds of thousands of people in the world are exploited through human trafficking. The victims of this modern-day slave trade may be forced to work in the commercial sex industry or in domestic or manual labor settings. International institutions have denounced human trafficking, and many non-governmental organizations now exist to provide aid and services for victims; however, more federal and state action is also needed in order to recognize and stop human trafficking.*

*Is the United States doing enough today to combat human trafficking, two hundred years after the slave trade was officially ended? What role can states play in helping to recognize the victims and perpetrators of this crime?*

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## INTRODUCTION

The United States officially ended the slave trade in 1808, twenty years after the Constitution was ratified. Slavery itself was prohibited by the 13th Amendment to the Constitution, which came into effect roughly sixty years later. In the 21st century, however, a modern-day slave trade, known as human trafficking, still exists in the United States and throughout the world. Every year, hundreds of thousands of people are exploited through human trafficking; the U.S. Department of Justice estimates that up to 17,500 people are trafficked annually into the United States alone (U.S. Department of Justice, 2006a). The victims of this modern-day slave trade are subjected to forced labor or forced sexual exploitation through various means of fraud or coercion.

Human trafficking has rapidly become a major crisis of human rights throughout the world. Many nations, including the United States, have begun to recognize the severity of the problem and are taking actions to stop human trafficking. This paper will examine policy toward human trafficking at the international, federal, and state level, and attempt to answer the question: which policies effective in reducing human trafficking?

The United Nations' Universal Declaration of Human Rights includes the following charge: "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms" (United Nations, 1948). This article describes a strong moral imperative that each nation must

assume. Are we in the world doing enough to fulfill this obligation? What else can be done to combat human trafficking more effectively?

## WHAT IS HUMAN TRAFFICKING?

Human trafficking is often confused with the crime of migrant smuggling; however, human trafficking is different in two major ways. First, while migrant smuggling consists of illegally transporting persons across international borders for the purposes of obtaining some benefit (Clark, 2003), border crossing is not always a part of human trafficking, as victims may be held and exploited in their own country of citizenship and residence. Second, the focus of human trafficking includes not only the transportation of victims, but also the subsequent manipulation and harboring of victims.

The victims of these crimes are not limited in race, nationality, age, or gender; most commonly, however, the victims represent underprivileged and vulnerable members of societies and are usually women or children. The perpetrators of human trafficking focus on the vulnerable status or situation of their victims in order to exploit them. Traffickers who go directly to communities to "recruit" victims often maintain the appearance that the community can trust them; consequently, families and friends of victims are seldom aware that the victims are not simply working in a foreign country with greater economic opportunity. To accomplish this, traffickers may travel to poor, isolated communities where most people are illiterate and lack information about human trafficking or other international problems. Organized groups of trafficking

may even use young women who are themselves victims of trafficking to recruit others (Clark, 2003).

In most cases, trafficked individuals come from third-world countries or former Soviet bloc nations, where economic turmoil during the last two decades has caused a sharp rise in migration rates. Recruiters capitalize on popular desires in these areas to move to the United States, Western Europe, or other wealthy areas in order to find better employment. Huge disparities in income between the victims' countries of origin and the victims' destinations fuel not only the desire to migrate in the first place; such differences in income provide the high profit margin that motivates the traffickers to operate their business.

Recruiters will frequently portray themselves as employment agents and promise legitimate employment to their potential victims – women (including teenage girls) may be offered domestic work, while men may be offered agricultural work or other jobs involving hard labor. Arun Kumar Acharya, in his paper entitled “International Migration and Trafficking of Mexican Women to the United States,” describes a situation in which five young women, including one referred to as Maria, were trafficked from their village in Mexico to a brothel in San Diego. The recruiter in this case gave “advance payments” of \$500 to the families of the girls (Acharya, 2006). With this money, the trafficker had essentially “bought” the girls – once they had been transported to the United States, they were sold for a much higher price to the brothel where they were forced to work.

In the commercial sex industry, as in the case of these five girls, trafficking victims can be forced or coerced in many ways. If the victims have been brought illegally into the United States for example, the traffickers will threaten victims by telling them that if they run away, the police will catch them and throw them in jail because they have no legal documents. Such claims and threats of immediate police action may sound ridiculous; however, the stories may be very believable to vulnerable victims who do not speak the language and are not familiar with the laws and culture of the area where they have been trafficked. Also, because the traffickers know what village the victims come from and have had contact with their families, the traffickers may also threaten to harm the victims' families. Maria from the above story was eventually “broken” after being beaten repeatedly, sexually assaulted, and locked inside a room for several days. Her captors also took photographs while abusing her and threatened to send the pictures to her parents in an effort to humiliate her (Acharya, 2006).

This terrible story of abuse is typical for victims of sex trafficking. After working in these conditions for several years, it becomes extremely difficult for victims to ever return to any sort of a normal life even if they do escape their horrible situation – victims of sex trafficking often cannot return to their homes or families due to feelings of guilt from the type of work they were forced to do or due to a lack of cultural

understanding and acceptance in the community of someone who has been subjected to such abuse. Some victims may even remain in the sex trafficking industry because they have little hope of any other life.

For other victims of human trafficking, those who are forced into domestic or manual labor, the severe sexual abuse may not be present, but the victims are nonetheless subjected to a modern-day form of slavery. Traffickers in these situations operate under the same process of manipulation; the victims are made to believe that they cannot under any circumstances escape without being caught and punished by the police. Many victims may be locked inside homes, isolated from all other contact with other people, and can be held through forms of debt bondage.

#### ADDRESSING THE PROBLEM OF HUMAN TRAFFICKING

Due to the unique characteristics of victims of human trafficking, and the many forms of abuse associated with trafficking, governments and other organizations must have an understanding of these special circumstances in order to address problems associated with human trafficking. Attempts to stop human trafficking must include extensive education, cooperation among countries and among agencies within a country, and services and protection adequate for victims. It is essential also for governments and organizations to understand that human trafficking is not simply an issue of illegal migration. This distinction is critical and not merely semantic; if viewed as an issue of illegal migration, a level of blame is implicitly placed on victims who do not have legal status in the country where they have been trafficked, and the victims become seen as lawbreakers (and may even be castigated as such). Policies at all levels, in order to be effective, need to reflect a realization of the coercive nature of human trafficking and maintain an understanding of trafficked persons as victims, not criminals.

The movement to stop human trafficking can then be classified at various levels: international efforts are required to look at human trafficking in a global context; national laws can address trafficking with each nation and provide for prosecution of traffickers; and in the United States, individual states can further assist in anti-trafficking efforts by collaborating their efforts with federal law enforcement agencies.

#### INTERNATIONAL EFFORTS

Human trafficking is often seen primarily as an international concern; although trafficking does not always involve the crossing of international borders, most victims are transported from their country of origin to another. In the last several years, the international anti-trafficking movement has sought to provide a victim-centered approach, emphasizing the need to protect people from human rights violations caused by human trafficking. The movement gained a significant victory and has been able to build momentum through the United Nations Protocol to Prevent, Suppress and Punish

Trafficking in Persons, Especially Women and Children, which was adopted in 2000.

The UN Protocol represents a “new approach” in addressing the problem of human trafficking as it “combines traditional crime control measures for investigating and punishing offenders with measures for protecting trafficked persons” (UNODC, 2007). The UN Protocol provides a clear definition of trafficking:

‘Trafficking in persons’ shall mean the recruitment, transportation, transfer, harboring, or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction or fraud, of deception, of the abuse of power of a position of vulnerability or of the giving or receiving of payment or benefits to achieve the consent of a person having control over other persons, 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 labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

(Clark, 2003, p. 88)

This definition is important in that it reflects the inclusion of forced labor as a form of human trafficking. Women’s rights groups see this as essential in order to protect not only prostitutes, but also women who work in the informal sector (Kempadoo, 2005). The informal sector includes all forms of labor that are not regulated or recognized by the state, such as domestic work; women who participate in informal work may also be vulnerable to exploitation and conditions of forced labor. Under the definition provided by the UN Protocol, men who are subjected to forced labor are also included. Despite the fact that most victims are women or children, men may still be forced to work in slave-like conditions in agricultural or other industries, and the UN Protocol seeks to recognize their condition as victims as well.

Although the definition requires the use of force, threats, or coercion by traffickers to constitute human trafficking, it is important to note that when the victims are children, there is no element of force required. This reflects the common recognition that children cannot legally consent to sexual activity; this difference facilitates prosecution of those who exploit children, who often are the most vulnerable of all members of society.

Many international non-governmental organizations<sup>1</sup> have been founded to respond to trafficking and assist victims; such organizations seek to collaborate with the United Nations and with member states that have the responsibility of investigating and prosecuting cases of trafficking. The UN

Protocol provides the necessary framework for international anti-trafficking efforts; it also encourages individual nations to respond to trafficking by enacting legislation to deal with trafficking within each particular nation and address that nation’s role in international cases human trafficking, whether as countries of origin or of destination.

#### FEDERAL LAW IN THE UNITED STATES

The United States government has been at the forefront of movements to enact effective anti-trafficking legislation. The first federal law to address the issue was the Trafficking Victims Protection Act of 2000 (TVPA), which was passed in October 2000 with broad, bipartisan support.

The TVPA is designed to address all of the elements involved in human trafficking, with an emphasis on prevention, protection of victims, and prosecution of traffickers. This approach involves several federal agencies: the Department of State, the Department of Labor, the Department of Justice, the Department of Health and Human Services, and the Department of Homeland Security. These agencies are all included in the President’s Interagency Task Force to Monitor and Combat Trafficking in Persons, which was created by the TVPA.

The Department of State coordinates international efforts regarding the prevention of human trafficking, while the Department of Justice is responsible for the investigation and prosecution of traffickers with the United States. The Department of Labor coordinates efforts with Health and Human Services to provide services for victims; Labor assists in job placement and other programs, while Health and Human Services certifies victims to provide access to the same federal benefits that are available to refugees. Also essential for the protection of victims are the services provided by the Department of Homeland Security. The TVPA allows victims who are not U.S. citizens eligibility to receive a special “T” visa appropriate for their circumstances (U.S. Department of Health and Human Services, 2004).

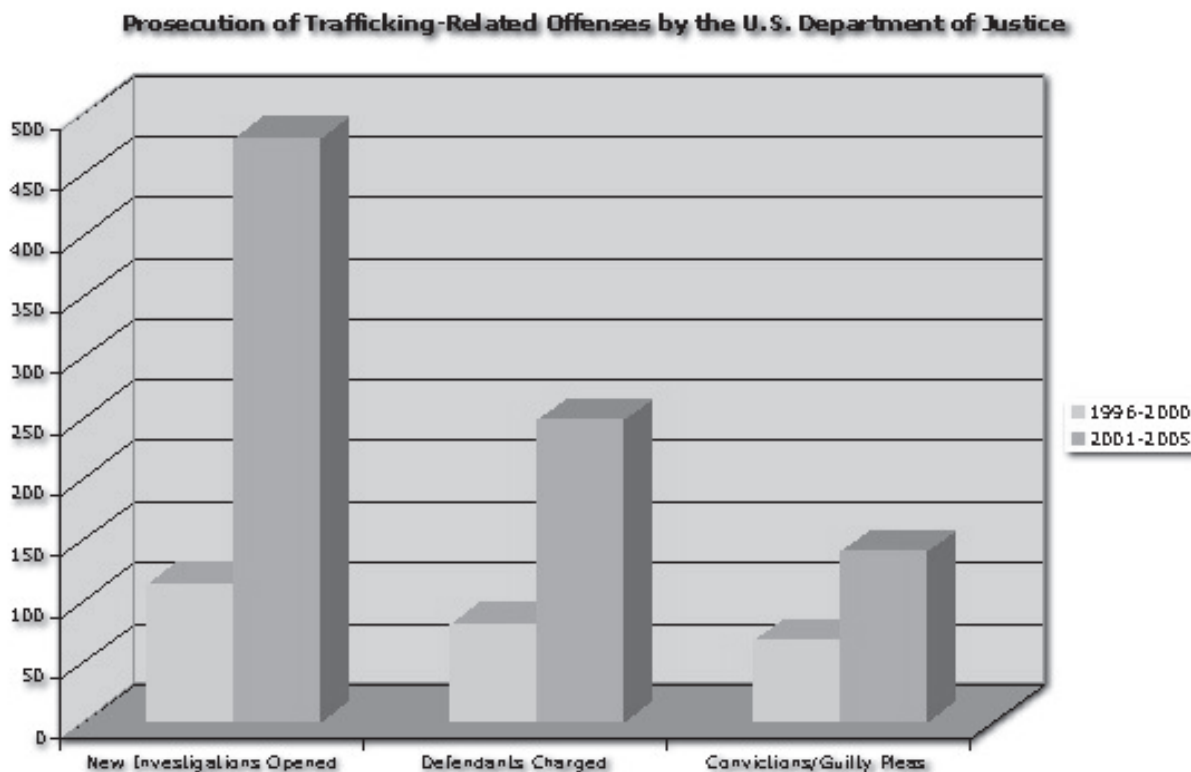
These services are granted to all children who are victims of human trafficking; adults also qualify for these benefits as long as they express willingness to assist federal prosecutors in their investigations of human trafficking and apply for the T visa (U.S. Department of Health and Human Services, 2006).

Another important part of effective anti-trafficking legislation in the TVPA is the simple recognition of trafficked people as victims, thereby preventing their prosecution on a federal level as criminals due to their immigration status or the things that they have been forced to do, such as prostitution or participation in the trafficking of other victims. With these protections, victims can play a crucial role in identifying and prosecuting traffickers.

Congress reauthorized the TVPA in 2003 and in 2005 with increased funding and stricter mandates regarding labor trafficking, and studies have shown that it is beginning to become effective in increased efforts to combat human traf-

<sup>1</sup>Some well-known NGOs that specifically address human trafficking include the Coalition to Abolish Slavery and Trafficking (CAST), the Polaris Project, and the Global Alliance against Traffic in Women (GAATW). The United Nations provides a good list of U.N. and non-U.N. based organizations on their website at [http://www.unodc.org/unodc/en/trafficking\\_links.html](http://www.unodc.org/unodc/en/trafficking_links.html).

Figure 1



Source: Assessment of U.S. Government Efforts To Combat Trafficking in Persons in Fiscal Year 2005. From <http://www.usdoj.gov/>

ficking. In September 2006, the Department of Justice’s report indicated positive trends: over the five-year period of 2001-2005 after the

TVPA was enacted, the numbers of investigations opened, defendants charged, and convictions or guilty pleas obtained for crimes related to trafficking rose sharply over the previous five-year period, from 1996-2000 (see Figure 1).

Specifically, the number of investigations increased by 325%, the number of defendants charged by 210%, and the number of convictions or guilty pleas by 109% (U.S. Department of Justice, 2006b). Such increases indicate that, although many of the particular acts within trafficking (e.g. forced sexual exploitation, falsification of documents, etc.) were already codified as crimes, the broader characterization and awareness of these crimes as part of human trafficking through the TVPA allowed the Department of Justice to recognize and identify a greater number of victims and cases of human trafficking, whether for forced labor or for commercial sexual activity.

While increases in the number of investigations, prosecutions, and convictions are encouraging, it is important to note that the numbers from 2001-2005 show that national efforts to combat human trafficking have barely scratched the surface of the continuously expanding problem. Despite the

rise, new investigations for 2005 are nowhere close to the estimate of 17,500 new victims each year. The federal government has therefore sought to identify other ways – such as getting states involved in anti-trafficking efforts – to identify and prosecute human traffickers more effectively.

#### THE NEED FOR STATE LAW REGARDING HUMAN TRAFFICKING

As previously mentioned, effective action to stop human trafficking must include cooperation among the countries involved and the several agencies within a country. The TVPA of 2000 and its reauthorizations have encouraged cooperation among federal agencies; a new emphasis has now been given to states, encouraging them to cooperate and act to stop human trafficking as well. Participation of state and local governments can provide substantial help in the recognition of trafficking victims and the prosecution of traffickers.

The TVPA protects trafficking victims from federal prosecution regarding crimes they may have unwillingly committed while being trafficked; it does not protect them, however, from state action. State prosecution and state laws are more commonly used when addressing prostitution or other crimes related to human trafficking; furthermore, human trafficking may occur entirely within a given state as, unlike migrant

smuggling, human trafficking does not necessarily require transnational movement and instead focuses on the force, fraud, or coercion perpetrated on an individual. For these reasons, state and local law enforcement agents are much more likely while performing their duties to come into contact with traffickers and trafficking victims than with perpetrators of other crimes related to migration issues.

Proper education and training, if provided to state and local law enforcement agencies, can greatly improve the overall effort to recognize and combat human trafficking within the United States. For example, local police officers may already be trained how to deal with brothels and other places of commercial sexual activity. With education about human trafficking, though, law enforcement agents will be able to recognize whether prostitutes in a brothel may in fact be victims of human trafficking for forced sexual exploitation. Similarly, they may be educated so they can recognize those

in the informal sector or those in poor, unsafe working conditions who are being forced to work. It is critical that state and local officials are able to distinguish between those who consent to such situations from those who are trafficked victims.

Legislation in states can further help victims by extending the same protections and services that are provided to victims who cooperate with federal investigations under the TVPA. Victims that serve as witnesses must be entitled to protections from harm and witness tampering. Also, most trafficked victims have experienced severe forms of abuse and need access to physical and mental health care services in the state.

In an effort to encourage state action, many organizations, including the U.S. Department of Justice and several NGOs, have proposed comprehensive model legislation that states can use. These model laws have motivated many states to act; Texas and Washington became the first two

**Figure 2 - State Anti-Trafficking Laws in 2007**



Source: Polaris Project US Policy Alert, [http://www.polarisproject.org/polarisproject/programs\\_p3/state\\_p3.htm](http://www.polarisproject.org/polarisproject/programs_p3/state_p3.htm)

states to criminalize human trafficking as a state felony offense in 2003 (Center for Women Policy Studies, 2007). Since then, the pace of state action has rapidly increased, and as of March 2007, 28 states now have laws criminalizing human trafficking (see Figure 2), while several other states have introduced bills regarding human trafficking, passed legislation creating task forces, or established research commissions to study the extent and problems of human trafficking within states (Polaris Project, 2007a).

Legislation regarding human trafficking varies greatly from state to state; some states simply establish trafficking as a crime, while others create a more extensive approach, mandating training for law enforcement officials and establishing research commissions. The Polaris Project, an international organization in the U.S. and Japan devoted to providing services for trafficking victims, works regularly with states to determine which states have established the most effective means of addressing human trafficking and to lobby for more comprehensive bills that account for problems that exist in some of the state laws (Polaris Project, 2007b).

State laws regarding human trafficking have all been enacted within the last five years, and over half of such laws have been passed in the last two years; consequently, not much is known or available about how effective the state legislation has been in coordinating efforts with the federal government to stop trafficking. The parties involved, however, are optimistic, and studies over the next few years are expected to show the extent to which state involvement has improved the prosecution of human trafficking and the protection of victims.

#### HUMAN TRAFFICKING IN UTAH

During the five-year period reported by the Department of Justice from FY 2001-2005, investigations of trafficking-related crimes resulted in indictments in nineteen U.S. states. No indictments were made in Utah during that time period; however, a lack of indictments does not indicate that the problem does not exist in Utah.

Later in 2005, the first major trafficking-related case in the state came to light, involving three Mexican females, aged 24, 16, and 14, who were smuggled into the United States. The case reportedly did not reach the level of federal human trafficking charges under the TVPA but did result in the guilty plea of an undocumented migrant named Martina Gutierrez to lesser federal charges involving alien smuggling (Bulkeley, 2006). Gutierrez and her husband allegedly arranged for the three victims in the case to be transported illegally to the United States for \$1,700 each. When the victims arrived, however, the fee was changed to \$2,800 and the three girls were forced to work in order to pay off Ms. Gutierrez (Walch, 2006).

The case became more than an operation of alien smuggling because of the force and fraud that were perpetrated on the three victims in Utah. Martina Gutierrez and her husband used "debt bondage," a common element of human traf-

ficking, in order to enslave the three girls by demanding extra payments beyond what the girls had originally agreed to before migrating. This case also illustrates a way in which undocumented immigrants who have already been in the United States for some time may become involved in exploiting others. Undocumented immigrants have firsthand knowledge of the difficulties and problems that other immigrants experience and become very aware of the vulnerable situation that migrants find themselves in.

Martina Gutierrez also allegedly forced the three Mexican victims to find work to pay off their debt by threatening to kill their families in Mexico. Such threats may at times be empty; however, they carry a lot of weight when the captors are familiar with the towns where the victims' relatives live (Bulkeley, 2006).

Experts indicate that human trafficking is found anywhere where there is a need for cheap labor or a market for commercial sexual activity. Utah, due partly to its location, has recently become more popular as a destination and transition state for illegal immigration. States to the south of Utah that share borders with Mexico are usually more tightly patrolled by immigration officers; consequently, those who travel into the United States often seek to leave those southern states as quickly as possible. It is believed that many such migrants will head from border states, such as Arizona or New Mexico, to Utah before continuing their journey elsewhere in the United States. As more immigrants move through the state, more are likely to stay in the state as well.

Strong periods of economic growth in Utah have contributed to the need for more workers; many industries, including construction, require a large influx of unskilled laborers as they rapidly grow in the state of Utah. Population growth, which continues at a rapid pace, is accompanied by increased need for infrastructure and building.

All of these factors together have contributed to a new sense of awareness among some of Utah's leaders regarding human trafficking. These factors may not all necessarily be tied to human trafficking – certainly, most of the immigration into and through Utah does not involve force or coercion, and thousands of legal residents and citizens have responded to the increased number of jobs in Utah. However, the evidence and current trends show a pattern that could encourage human traffickers: the demand is here. Whether for sexual exploitation or for forced labor, human trafficking is happening in Utah. The case of Martina Gutierrez further serves as an example that action must be taken quickly.

#### RESPONSES TO HUMAN TRAFFICKING IN UTAH

Action against human trafficking in the state of Utah, similar to nationwide action, centers on three fronts: the actions of NGOs and local human rights organizations, the efforts of the Utah State Legislature, and cooperation between local and state law enforcement officials and federal agents under the U.S. Attorney's Office.

The Utah State Legislature has not yet enacted any laws criminalizing human trafficking or authorizing a statewide task force to look into the issue; however, bills have been introduced and the topic has been debated during legislative interim sessions as well. The state will be able to benefit from a federal grant given in 2006 to Salt Lake City to create a local task force with the responsibility of studying human trafficking in the area and how to coordinate a more effective response. Former U.S. Attorney General Alberto Gonzales announced the grant as part of a federal plan to provide help for victims and training for law enforcement agencies in several U.S. cities (Bergreen, 2006).

During the Utah State Legislature's General Session in 2006, Representative Jackie Biskupski opened a bill file for anti-trafficking legislation; the project, however, was abandoned, and no bill was formally introduced. During that year's interim session, Representative David Litvack discussed the topic at the September meeting of the Law Enforcement and Criminal Justice Interim Committee. In that meeting, plans were outlined of how victims' services organizations could collaborate with law enforcement agencies and prosecutors through the Salt Lake City task force (committee meeting audio, 9/20/06).

Utah already has a human rights organization that includes aid for trafficking victims as part of its program – the Utah Health and Human Rights Project (Utah Health and Human Rights Project, n.d.). The UHHP is expected to participate in the task force along with the Salt Lake City Prosecutor's Office and the U.S. Attorney for Utah's Office.

In the 2007 General Session, Representative Litvack introduced HB 167 – Human Trafficking Provisions, the first bill introduced in Utah that would criminalize human trafficking as a state felony offense. The bill, as noted on lines 12-15, was drafted with the objective to “[criminalize] human trafficking for forced labor and human trafficking for sexual exploitation; [distinguish] between human trafficking and aggravated human trafficking; and [outline] basic services for trafficked victims” (Litvack, 2007).

HB167 proposed two new sections of the Utah Code to be included in the same part that referenced the offenses of kidnapping and aggravated kidnapping. The first of the two sections created human trafficking for forced labor or for sexual exploitation as a second-degree felony. The definition included several aspects of human trafficking, including threats to victims or third parties, illegal conduct regarding immigration documents, debt bondage, and other schemes designed to force victims to work or participate in commercial sex acts.

Three other important subsections were included – the bill targeted those who benefit financially through involvement in human trafficking; provided a defense for victims who are forced to commit illegal acts; and outlined services that should be provided by the Utah Department of Human Services to trafficked victims. Lines 57-59 provide the pro-

tection necessary so trafficked victims will not be prosecuted as criminals:

(5) Human trafficking is an affirmative defense to prosecution of a person for a criminal violation directly related to the defendant's status as a victim of a crime that is a violation of this section

(Litvack, 2007).

Services mentioned in the bill include “prompt medical care, mental health care, food, clothing, ...legal assistance, information about [the victims'] rights, and translation services” (Litvack, 2007) as well as an effort to protect victims and their families from additional harm or threats from traffickers. The services are crucial not only for the health of the victims, but also because victims are frequently involved as witnesses in prosecutions against traffickers; without services and protection, the victims may face serious risks or threats from traffickers who would seek to prevent witness testimony against them.

The second section created in the bill addresses a distinction between human trafficking and aggravated human trafficking, a first-degree felony. Similar to what has been done in other states, this section lists aggravating factors that may be associated with human trafficking that increase the seriousness of the crime. Aggravating human trafficking consists of any human trafficking offense that involves victims who are minors; includes rape or other aggravated sexual abuse; or involves more than ten victims or the detention of victims for extended periods of time (Litvack, 2007).

Representative Litvack's bill, HB 167, was received well in the House Law Enforcement and Criminal Justice Committee, and was recommended favorably with a unanimous vote. However, the bill was not prioritized in the final days of the session and was never debated by the entire House.

The bill, though generally supported, will need to be revised and refined before it can be enacted by the Legislature in the future. One major concern that was raised is how to fund and implement the services that must be guaranteed to trafficking victims. Hopefully, the task force created in Salt Lake City will be able to provide suggestions of how to implement anti-trafficking measures in Utah effectively. Furthermore, a clearer picture of the extent of human trafficking in the state will likely help to attract support from other legislators.

Utah has taken its first steps toward anti-trafficking measures; much more remains to be done to complement the federal and international endeavors to prevent and eliminate human trafficking. In order to accomplish this, it will once again be essential for state officials to recognize the difference between human trafficking and other migration issues. In Utah, several pieces of legislation regarding undocumented immigrants are debated each year, including a measure to cross-deputize state and local officials and give them power to enforce federal immigration laws (Donnelson, 2008). This

bill may create an unintended consequence that would be disastrous for public safety: if undocumented migrants fear that police officers would detain them, undocumented migrants who witness crimes would no longer feel able to report these crimes to the police. Police officials may end up losing control and influence over immigrant-dominated neighborhoods.

Although this bill may lead to problems for police enforcement, state legislation regarding human trafficking can encourage state and local officials to work together with federal agents in a positive way. This is because their focus will be to protect victims and prosecute those who maliciously manipulate migrants through human trafficking; there will be no danger of creating fear and distrust of police authority among undocumented migrant communities.

### CONCLUSIONS

Modern-day slavery exists and is a pervasive problem that afflicts our global society. Human trafficking ought no longer to be overlooked; it is present in every country, its effects are devastating, and it highlights the growing inequalities in our world – inequalities between nations, and inequalities based on gender, race, or age.

Such an important social problem demands the attention of all who value the basic rights of human beings. One researcher, Donna Hughes, described the need for action:

Sometimes people like to think, 'If I had lived in 1840, would I have been an abolitionist? If I had lived in 1915, would I have been a suffragist, working for the vote of women?'...Right now there is a very important human-rights movement going on around the world, which is the abolition of sex trafficking, and I want to encourage you to be part of it.

(Walch, 2006)

The call for action has been heard by many people who work internationally and domestically to educate people about human trafficking and try to prevent it. The last two decades have shown great improvement in the world's ability to recognize human trafficking for what it is – a form of slavery. Much progress has been made in considering the rights of victims, providing proper help and services to victims, and prosecuting perpetrators of trafficking crimes. Ultimately, however, human trafficking exists because of supply and demand, and global inequalities that make it so profitable. In order to reduce and prevent human trafficking in the future, more attention must be placed on reducing these factors.

Reducing the demand for human trafficking is not a simple matter – the demand includes the desire for cheap labor as well as the demand for commercial sexual activity. Addressing the demand will require cultural and societal change in the countries that receive trafficked victims, such as the United States. State and federal laws can contribute to this process by raising awareness in communities about human trafficking, and by promoting respect of the rights of

all people, regardless of their race, gender, nationality, or economic status.

The supply of victims for human trafficking is, on the other hand, primarily a migration issue. Inequalities between countries in the last two decades have caused unprecedented numbers of people worldwide to migrate. In the midst of such immense movements of people, human traffickers operate with relative ease. Human traffickers capitalize on these opportunities in two ways: first, people are all too willing to accept offers to be transported to other countries, only to find out later that they will be forced to work; second, the vast income differences between origin and destination countries produce a high profit margin.

Therefore, more extensive efforts such as foreign aid and fairer trade regimes are needed in order to address the extreme inequalities and differences that exist in our globalized world. Only then can the tide of migration be slowed, and, with a positive movement toward changes in cultural and societal attitudes, the root causes of human trafficking can be stopped. The United Nations has provided a valuable framework for nations to use in understanding human trafficking; other international organizations have also been able to provide aid for trafficking victims. However, the international system cannot solve the problem by itself. The United States has demonstrated great potential for stopping human trafficking through the TVPA, but the actual ability to locate trafficked victims will depend largely on states.

The states have a responsibility, and also an enormous opportunity to help in this movement to stop the modern-day slave trade. If states adopt policies that train law enforcement officers to recognize trafficking, the perpetrators of these crimes can more easily be discovered; if states move to recognize trafficked people as victims, they will be better able to recover from their unfortunate situation. States are not currently doing enough, but as public awareness of human trafficking increases, the likelihood will increase that we can stop human trafficking and better ensure the promise of basic human rights for all.

### REFERENCES

- Acharya, A.K. (2006). International migration and trafficking of Mexican women to the United States. In K. Beeks & D. Amir (Eds.), *Trafficking and the global sex industry* (pp. 21-32). Lanham, MD: Lexington Books.
- Bergreen, J. (2006). SLC awarded crime funding. *Salt Lake Tribune*. Retrieved April 18, 2007, from <http://www.sltrib.com/search/>.
- Bulkeley, D. (2006). Legislators target human trafficking. *Deseret Morning News*. Retrieved April 18, 2007, from [http://findarticles.com/p/articles/mi\\_qn4188/is\\_20060919/ai\\_n16732342](http://findarticles.com/p/articles/mi_qn4188/is_20060919/ai_n16732342).
- Center for Women Policy Studies (2007). *Fact sheet on state anti-trafficking laws*. Retrieved April 20, 2007, from <http://www.center-womenpolicy.org/programs/trafficking/facts/documents/TraffickingStateLawsFactSheetFebruary2007.pdf>.



- Chew, L. (2005). Reflections by an anti-trafficking activist. In K. Kempadoo (Ed.), *Trafficking and prostitution reconsidered: New perspectives on migration, sex work, and human rights* (pp. 65-80). Boulder, CO: Paradigm Publishers.
- Clark, M. A. (2003). Trafficking in persons and human security. In L. Chen, S. Fukuda-Parr, & E. Seidensticker (Eds.), *Human insecurity in a global world* (pp. 87-106). Cambridge, MA: Harvard University Press.
- Donnelson, G. (2008). *H.B. 237 – Illegal Immigration Enforcement Act*. Retrieved February 29, 2008, from <http://le.utah.gov/~2008/htmdoc/hbillhtm/hb0237.htm>.
- Litvack, D. (2007). *H.B. 167 – Human Trafficking Provisions*. Retrieved April 19, 2007, from <http://le.utah.gov/~2007/bills/hbillint/hb0167.htm>.
- Polaris Project (2007a). *U.S. Policy Alert*. Retrieved April 6, 2007, from [http://www.polarisproject.org/polarisproject/programs\\_p3/Policy\\_Alert\\_FINAL\\_3\\_19\\_2007.pdf](http://www.polarisproject.org/polarisproject/programs_p3/Policy_Alert_FINAL_3_19_2007.pdf).
- Polaris Project (2007b). *U.S. Policy Program*. Retrieved April 6, 2007, from [http://www.polarisproject.org/polarisproject/programs\\_p3/State\\_p3.htm](http://www.polarisproject.org/polarisproject/programs_p3/State_p3.htm).
- United Nations (1948). *Universal Declaration of Human Rights*. Retrieved February 29, 2008, from <http://www.un.org/overview/rights.html>
- United Nations Office on Drugs and Crime (2007). *Trafficking in persons: The new protocol*. Retrieved April 19, 2007, from [http://www.unodc.org/unodc/en/trafficking\\_protocol\\_background.html](http://www.unodc.org/unodc/en/trafficking_protocol_background.html).
- U.S. Department of Health and Human Services (2004). *Fact sheet: Federal efforts to assist victims of human trafficking*. Retrieved April 6, 2007, from [http://www.acf.hhs.gov/trafficking/about/fed\\_assist.htm](http://www.acf.hhs.gov/trafficking/about/fed_assist.htm).
- U.S. Department of Health and Human Services (2006). *Fact sheet: Victim assistance*. Retrieved April 6, 2007, from [http://www.acf.hhs.gov/trafficking/about/victim\\_assist.html](http://www.acf.hhs.gov/trafficking/about/victim_assist.html).
- U.S. Department of Justice (2006a). *Report on activities to combat human trafficking: Fiscal years 2001-2005*. Retrieved April 6, 2007, from [http://www.usdoj.gov/crt/crim/trafficking\\_report\\_2006.pdf](http://www.usdoj.gov/crt/crim/trafficking_report_2006.pdf).
- U.S. Department of Justice (2006b). *Assessment of U.S. Government efforts to combat trafficking in persons, September 2006*. Retrieved April 6, 2007, from [http://www.usdoj.gov/ag/annualreports/tr2006/assessment\\_of\\_efforts\\_to\\_combat\\_tip.pdf](http://www.usdoj.gov/ag/annualreports/tr2006/assessment_of_efforts_to_combat_tip.pdf).
- Utah Health and Human Rights Project (n.d.). *Programs*. Retrieved April 20, 2007, from <http://www.uhhp.org/Programs.htm>.
- Utah State Legislature (2006). *Law Enforcement and Criminal Justice Interim Committee 2006 Audio*. Retrieved April 20, 2007 from <http://www.le.utah.gov/asp/interim/Commit.asp?Year=2006&Com=INTLAW>
- Walch, T. (2006). BYU speaker decries human trafficking. *Deseret Morning News*. Retrieved April 18, 2007, from [http://findarticles.com/p/articles/mi\\_qn4188/is\\_20060303/ai\\_n16195492](http://findarticles.com/p/articles/mi_qn4188/is_20060303/ai_n16195492).