

JOURNAL of MODERN SLAVERY
A Multidisciplinary Exploration of Human Trafficking Solutions

Volume 6, Issue 3, 2021

**Slavery
and
Humanitarian Response
Supplemental**

Guest Editor

Dr. Aidan McQuade

<https://doi.org/10.22150/jms/ILNS6045>

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Slavery and Humanitarian Response Supplemental

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Dr. Aidan McQuade

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Publisher: SlaveFree Today

<https://slavefreetoday.org>

<https://journalofmodernslavery.org>

<https://doi.org/10.22150/jms/ILNS6045>

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"I would like to express my particular and heartfelt thanks to the scholars who gave their time and expertise to review the papers submitted to this edition of the *Journal of Modern Slavery*. Their perspicacious observations and feedback were invaluable in strengthening the quality of this edition of the *Journal* and advancing learning on this crucial but frequently neglected aspect of humanitarian crises". - Aidan McQuade

Guest editor **Aidan McQuade** is a member of the Editorial Board of the *Journal of Modern Slavery*. He is an independent consultant in human rights and ethical leadership. He was Director of Anti-Slavery International from 2006 to 2017. Prior to that he worked extensively in development and humanitarian response for 13 years, including 5 years leading Oxfam GB's humanitarian operations in response to the brutal civil war in Angola.

Aidan is a experienced researcher with a PhD on the subject of ethics in professional practice. He is also an acknowledged expert on slavery and forced labour, with an honorary OBE for his work on elimination of modern slavery. His recent work has included advising OSCE in Albania on child labour and trafficking, developing guidance on the 2014 Forced Labour Protocol for the International Trade Union Confederation, engagement with international businesses on establishing anti-slavery policies and practices in cocoa and garment supply chains, work that has exposed the caste and gender aspects of modern slavery, and innovative work, particularly in Myanmar and Bangladesh, on slavery as a development and humanitarian issue. He is a member of the advisory group to the U.K. parliament on eliminating modern slavery from the parliament's supply chain, and he works extensively as an expert witness.

He is the author of a novel, *The Undiscovered Country*, about an investigation of murder during the Irish war of independence in 1920, and his second book, *Ethical Leadership: moral decision-making under pressure*, is due in 2022 from De Gruyter.

Older than Troy: slavery as a consequence of human catastrophe

Dr. Aidan McQuade

Independent consultant on human rights & ethical leadership

At the outset of her extraordinary book, *The Silence of the Girls*, Pat Barker quotes from Philip Roth's novel, *The Human Stain*: "*All of European literature springs from a fight... 'Divine Muse, sing of the ruinous wrath of Achilles... Begin where they first quarreled, Agamemnon, the King of men, and great Achilles.' And what are they quarrelling about, these two violent, mighty souls? It's as basic as a barroom brawl. They are quarrelling over a woman. A girl really. A girl stolen from her father. A girl abducted in war.*"

Barker's breathtaking retelling of the Iliad strips away the facades of martial glory through which generations have viewed these legends and instead presents this as another universal story: of one young woman, Briseis, striving to survive her enslavement at the hands of those who murdered her relatives, just as millions have done in every war up to and including our present time.

This interrelationship between war and slavery was clearly understood in the aftermath of the Second World War. Article 4 of the Universal Declaration of Human Rights states that, "*No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms*". A fundamental reason why this Article was included in the Declaration was that its authors had all lived through that bloodiest of human conflicts. They knew how the political leaders and war machines of the Axis powers had systematically enslaved Jews, Gypsies, gays and political opponents in Europe, and prisoners of war and "subject peoples", including Korean "comfort" women, in Asia, contemptuous of the humanity of those whose labour they forced and whom they sexually exploited.

Today thousands of girls and young women are subject to enslavement as a weapon of war by Boko Haram and Islamic State. The experiences of these women and girls are just as brutal and inhumane as anything Agamemnon or Achilles dreamt up. Thousands more, male and female, are subject to state-sponsored forced labour under the guise of military service in Eritrea, and at the hands of the military dictatorship of Myanmar.

Of course, humanitarian emergencies do not just originate from conflict. "Natural" events such as drought, earthquakes, pandemics or floods are also sources of disasters. Humanitarian emergencies such as these create other slavery risks. An inept response to the tsunami which hit the coast of Tamil Nadu in India in 2001 failed to recognise the specific vulnerabilities of fishing communities arising from their caste, hence perpetuating their impoverishment and rendering them more vulnerable to debt bondage¹.

¹ See - <https://www.hrw.org/reports/2005/india0505/6.htm> - accessed 25 June 2021.

As humans continue to overstress the planetary environment, from the devastation of the world's oceans to the pollution of our atmosphere, such disasters are likely to grow and provoke further conflict over scarce resources. If "natural" disasters intersect with conflict or inept and brutal government, such as occurred in Ethiopia in 1984, then the consequences can be truly calamitous.

So, given that the history of conflict and "natural" disasters, and the history of slavery are so intrinsically bound together, one would perhaps imagine that humanitarian actors, those whose very professions includes the support and protection of the victims of war and other calamities, would be amongst the most perspicacious thought leaders and tenacious advocates on the policy and practice measures necessary to reduce the risks of slavery to the disaster affected.

The truth sadly seems something very different.

Viktoria Curbelo for her paper, "*Exploring the Relationship between Humanitarian Emergencies and Human Trafficking*", conducted a narrative review of databases for scholarly articles that address the issues of human trafficking and diverse forms of humanitarian crisis. "*An initial search,*" she writes, "*produced 59 articles, ... Once the duplicates were removed, 44 were screened to ensure they met all criteria... Only five articles fulfilled all criteria.*"

Curbelo acknowledges that a more comprehensive literature review may find additional material. Nevertheless, to find in a narrative review only five papers fulfilling all her criteria on human trafficking and humanitarian emergencies does indicate a remarkable lack of interest by scholars in the subject area. This in turn corroborates my own observations, as both a humanitarian practitioner and an anti-slavery researcher and advocate, that the humanitarian sector is strikingly uninterested in the issue of slavery in spite of it demonstrably being intrinsic to the sort of catastrophes to which they routinely respond.

When I worked on water supply and sanitation in Afghanistan in the 1990s I regularly purchased bricks from kilns that used forced labour without even questioning whether alternative supplies were possible. When I visited Cox's Bazar in 2018 I discovered that the slave economy was still being supported in exactly this way. Engineers from international organisations striving to provide secure camps with year-round access for the Rohingya refugees there were also routinely purchasing bricks from kilns staffed entirely by people enslaved through debt bondage.

The causes of the exploitation and trafficking in the Cox's Bazar camps are not limited to the manner in which humanitarian operations procure supplies. As Madmadul Hoque describes in his paper "*Forced Labour and Access to Education of Rohingya Refugee Children in Bangladesh*" the risks arise from the conjunction of the refugees' vulnerabilities and how the humanitarian response addresses those vulnerabilities.

Hoque notes that, "*Rohingya children are engaged in harmful child labour and become victims of forced labour ... National and international agencies struggle to tackle the issue due to several key factors. First, existing social norms and lack of social sanctions make it easy for employers to engage children in commercial and household works. Second, legal and formal institutions fail to tackle the issue as Rohingya children, like many other Bangladeshis, work in informal sectors. Third, parents are forced to give up their children due to a wide range of*

reasons including lack of access to the formal labour market, limited economic freedom, uncertain future, and poor living conditions in the camps. Fourth, undocumented Rohingya children have become easy targets for forced labour, sex trade, and trafficking through Cox's Bazar. Fifth, the Covid-19 pandemic has contributed to making matters worse since national and international agencies have considerably failed to sustain their regular support."

Hoque quotes a local official stating that that *"Some Rohingya children, especially girls after going missing are often found to be forced in prostitution or domestic slavery. Recently, a senior citizen from Dhaka contacted me and asked if I knew any Rohingya family that may need support and wanted to send their any of their girl children to work as maid in Dhaka."* This resonates with reports from other humanitarian crises across the world that indicate that daughters may be offered up for various forms of exploitation, including sexual, to enable the survival of other family members.

The humanitarian professionals that I spoke to in Cox's Bazar described the various protection officers working in the camps as consistently very good, frequently identifying risks of trafficking to the senior humanitarian leadership who oversaw the refugee operation. However, all agreed that the concerns of the protection officers were rarely attended to at a senior level. The issues that Hoque identifies would pose a considerable challenge to any anti-slavery effort. But such efforts are negligible in Cox's Bazar. They seem negligible in all humanitarian practice.

Hoque notes that *"Lack of access to education remains a grave concern and the crisis is now more than a mere humanitarian one. More than half a million children are growing up without formal education. The consequences will of course be long-lasting."* Indeed, such a wholesale loss of education may render many in this population vulnerable to exploitation for the rest of their lives.

When I was in similar positions as those leading the humanitarian efforts in Bangladesh I know I found plentiful excuses for not thinking much beyond the tyranny of the immediate operations that I was tasked with. But whatever sympathy one may have for the plight of individual professionals in such contexts, it cannot be an excuse for an entire system turning a blind eye on the matter of slavery.

Curbelo concludes from her review that, *"Natural disasters and outbreaks were found to be highly predictive of increased human trafficking outflows. Not all types of humanitarian emergencies, however, showed positive correlations with human trafficking. One study interestingly suggested an inverse relationship between conflict and human trafficking, however, this was only based on one study, and the study did not look at interstate war. Some moderating factors were explored in the literature including regime type, economic factors, and quality of governance."*

There are overlaps in Curbelo's conclusions with those of Kevin Bales' paper *"What is the Link between Natural Disasters and Human Trafficking and Slavery?"* Bales notes that while initial analysis of data derived from the Global Slavery index and other sources on the relationship between trafficking and natural disasters did suggest a strong link, in the end it

seems that any influence of natural disasters on the prevalence of slavery is more complex. The existing social, economic, and human rights situations within a country will set the stage for how the impact of a natural disaster will play out in terms of human rights in general and human trafficking in particular.

Natural disasters, Bales observes, can disrupt trafficking activities as the infrastructure upon which their operations depend is disrupted by the disaster. For example, the thousands of people who were killed during Cyclone Nargis in 2008 included many shrimp fishermen in bonded labour on Myanmar's Gulf of Motama, hence disrupting the operations of their traffickers for the rest of the season².

However, as Bales notes, disasters can also "*increase the pool of people who might be exploited through reducing protections and safeguards,*" and traffickers may be quick to seize upon the opportunities that any chaos provides.

This is an observation that resonates with the paper by Kathryn van Doore and Rebecca Nhep, "*Providing Protection or Enabling Exploitation?*" which explores how a particular type of humanitarian intervention – the establishment of orphanages in post-disaster contexts – actually exacerbates the risks of trafficking.

Van Doore and Nhep note that "*It is currently estimated that there are between 2.7 million – 5.37 million children residing in institutions, or orphanages, globally with up to 80% of resident children having one or both parents alive, many of whom could raise them at home if they were supported... In addition, in countries where the population is experiencing, or impacted by, conflict, displacement, health crises, low socio-economic conditions or a combination of these, the number of orphanages is increasing.*"

On top of this Van Doore and Nhep note that in "*the United States Trafficking in Persons Report 2018, a special section entitled 'Child Institutionalization and Human Trafficking' highlighted how children are both trafficked into and out of orphanages outlining that the 'physical and psychological effects of staying in residential institutions, combined with societal isolation and often subpar regulatory oversight by governments, place these children in situations of heightened vulnerability to human trafficking'.*"

This is perhaps a particularly egregious example of what Bales calls the "*disaster 'snowball effect'.* *While the information coming from disasters is disjointed, meagre, and often confused, once a disaster is added to an existing situation of slavery and trafficking, and the number of persons highly vulnerable to enslavement is dramatically increased, then the volume of slavery crime will increase over time, only to shrink when law enforcement, public safety, and personal security recovers. Put simply, disasters both terminate and initiate trafficking and slavery, and generally increase the amount and severity of exploitation over time.*"

In other words, this "*disaster snowball effect*" suggests that consideration of slavery and human trafficking may not need to be an operational priority for humanitarian professionals in the *acute* phases of emergencies, that is, in the immediate aftermath of an emergency's onset

² See - <https://www.theguardian.com/global-development/2019/nov/12/we-cant-allow-myanmars-slavery-tainted-shrimp-to-land-on-our-plates> - accessed 25 June 2021.

when life-saving interventions, such as food, shelter, water and sanitation are most urgent. However, as crises settle into their more drawn out, *chronic*, phases then consideration of trafficking prevention and protection must gain purchase in humanitarian thinking as traffickers grasp the opportunities for exploitation that are offered to them by refugee and displaced persons' vulnerabilities, including those of children in orphanages.

So, while Bales acknowledges his research is exploratory, he is undoubtedly right, in my opinion, when he asserts that, "*A consideration of human rights, and human trafficking and slavery in particular, must be part of disaster planning.*"

Wielshnig, Muraszkievicz and Fenton take up this challenge in their paper "*Without data we are fighting blind.*" In this they focus their discussion on how "*defense actors can use open data from the humanitarian sector to develop a holistic understanding of human security that can bolster their efforts to counter human trafficking and move from reactive to preventative responses.*"

It could be argued that Kathryn Bolkovac's experiences in former Yugoslavia³, where she uncovered human rights abuses, including complicity in human trafficking, by military contractors working with the United Nations, is an egregious example of what can happen when defense actors do not make human rights intrinsic to their human security thinking. But this is an issue that is more general to the humanitarian sector than just the security professionals. Oxfam has also wrestled with some of these issues in its humanitarian operation in Haiti for example⁴ and that is unlikely to be an isolated example.

Wielshnig et al recognize the way in which trafficking issues, from child soldiers to financing of conflict through the sale of human beings, to the enslavement of women and girls for sexual exploitation and domestic servitude, pervade the contemporary battlespace – and hence the contemporary humanitarian arena – just as they have done since time immemorial. Hence they also argue for the engagement by security actors with humanitarian actors to deepen mutual understanding of the challenges and potential anti-trafficking responses to promote their broad definition of human security.

Of course, that depends upon humanitarian actors recognizing that they also have an imperative to address human trafficking challenges.

"*Between April 2020 and March 2021, Delta 8.7 convened a global expert Working Groups to produce a Policy Guide that seeks to assist policymakers in assessing "what works" to end modern slavery and achieve SDG Target 8.7 in the context of Crisis.*" The resulting guide⁵, published in April 2021, is a robust document that could enrich the depth of understanding of any interested policy maker or practitioner of the risks of slavery posed by humanitarian crises.

³ See – *The Whistleblower*, by Kathryn Bolkovac with Cari Lynn, 2011, Palgrave MacMillan, New York

⁴ See - <https://www.theguardian.com/global-development/2019/jun/11/oxfam-abuse-claims-haiti-charity-commission-report> - accessed 24 June 2021.

⁵ See - http://collections.unu.edu/eserv/UNU:8065/Delta87_CrisisPolicyGuide.pdf - accessed 25 June 2021.

Unfortunately, and if you have read this far it will probably be no surprise to you, the membership of the Working Groups that produced the guide are composed almost exclusively of long-term anti-slavery researchers and practitioners, Representatives of the big humanitarian policy-making or practitioner agencies are conspicuous by their absence.

This suggests a final, unfortunate, Homeric allusion: that the authors of that guide, and the papers in this issue of the *Journal of Modern Slavery*, myself included, seem to be amongst the inheritors of Cassandra, the princess of Troy gifted with prophesy but cursed that no word of warning that she uttered would ever be believed.

The humanitarian sector today seems as uninterested in the advice of anti-slavery scholars as the rulers of Troy were in Cassandra's observation that it was definitely not a good idea to bring that army-sized wooden horse thing into the city. But it remains imperative, as the authors of these papers have noted, to maintain the research and to make every effort to share the learning.

In the 1990s the incorporation of gender analysis into development and humanitarian response led to a qualitative improvement in those disciplines. The papers in this edition of the *Journal of Modern Slavery* show that the incorporation of anti-slavery analysis and action into humanitarian response could also lead to qualitative improvements in its policy and practice.

This idea may be an irritation to those in corridors of humanitarian power who would prefer to expend their energy on other things within a more familiar set of priorities. But history and contemporary research both demonstrate the centrality of slavery risks to human catastrophe. Therefore, it must be recognized that neglecting human rights and anti-slavery protections in humanitarian response is as professionally negligent as ignoring war displaced people's need for clean drinking water and shelter.

So, anti-slavery researchers must persist until the growing body of their learning, such as included in this edition, is properly acknowledged and incorporated into new approaches to humanitarian response. Ultimately it is those at the sharp end of war and disaster who will benefit, and that is something worth striving for.

Exploring the Relationship Between Humanitarian Emergencies and Human Trafficking: A Narrative Review

Viktoria Curbelo, MPH

Director of Education, Training, and Advocacy at LifeWay Network

Abstract

This article aims to explore the connection between humanitarian emergencies and human trafficking by conducting a narrative review of secondary sources. The search strategy for this narrative review included a number of relevant key terms. As humanitarian emergencies are likely to occur in the future, this paper investigates studies about conflict, disease outbreak, and natural disasters to provide further insight on the relationship between humanitarian emergencies and human trafficking.

Introduction

The spread of COVID-19 had a significant global effect, ensuring that nearly everyone felt the brunt of the pandemic in some capacity. The crisis raised new questions, leaving those in the human trafficking community to reconsider the impact of the virus on survivors, service deliverers, advocates, fundraisers, educators, organizations, elected officials, and other concerned individuals. Among inquiries regarding safety protocol, staffing capacity, funding implications, and ongoing service delivery, one of the biggest questions remained: how does COVID-19 impact human trafficking victims and perpetrators worldwide?

News media and communications immediately after the onset of the COVID-19 crisis described the relationship between human trafficking and the pandemic as positively correlated. While many experts were careful to exercise caution while speaking about the landscape of human trafficking during COVID-19, other claims were more strongly worded. Some articles claimed with certainty that human trafficking had increased during the pandemic. While some of these statements may in fact have proven to be true, finding evidence-based sources to affirm these statements was challenging in the early stages of the pandemic. There is a valid need to understand human trafficking after a humanitarian emergency hits, whether it is to raise funds, mobilize resources, or to inform programs, policy, and practice.

As a human trafficking educator, I was pressed by media outlets and concerned individuals to provide concrete statistics involving human trafficking and the COVID-19 crisis. The same pressure has been expressed by others in the human trafficking field: “Journalists, bowing to the pressures of editors, demand numbers, any numbers. Organizations feel compelled to supply them, lending false precision and spurious authority to many reports.”¹ These events

¹ Feingold, David A. “Trafficking in Numbers: the Social Construction of Human Trafficking Data.” *Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict* 46 (2010): 51.

prompted me to further research the landscape of human trafficking data and emergencies in order to understand what is currently known thus far between humanitarian emergencies and human trafficking through review of secondary sources. Although the impetus for this research was sparked by my personal experience during the COVID-19 crisis, the research question posed in this article explores the bigger question of the relationship between humanitarian disasters and human trafficking (inclusive of pandemics). As humanitarian disasters will likely continue to occur, having an understanding of what the literature has indicated thus far can serve as one of many starting points for the future.

Methodology

Research Question:

This article reviews literature to explore the question, “What is the relationship between humanitarian emergencies and human trafficking?”

Relevance of the Research Question:

The research question proposed in this article may seem to have an obvious answer. As mentioned by Shambika Raut in her article about natural disasters: “Although it may seem logical that the risk for trafficking increases following a natural disaster, the link is rarely recognized or examined closely...therefore there is a need to examine the link between human trafficking and natural disasters.”² Although Raut is speaking specifically about natural disasters, her statement applies to all forms of humanitarian emergencies, and does inspire the question: What has the academic literature established about this relationship?

As humanitarian emergencies continue to arise, how and if humanitarian emergencies affect human trafficking will continue to present itself as a question as new crises emerge. Polaris Project, which operates the National Human Trafficking Hotline, published a statement in March 2020 during the COVID-19 pandemic, speaking to the nature of the crisis with caution:

“Many of you have asked what effect COVID-19 and the response is having on the trafficking landscape. The reality is we don’t – and can’t – know for certain, but we are deeply concerned. Specifically, we are worried that the economic effects of this virus will increase some of the vulnerabilities that make people susceptible to sex and labor trafficking in the first place – economic need, unstable living conditions, and substance use issues among others.”³

Although not all emergencies are equivalent, policy makers and practitioners can benefit from understanding what evidence has been broadly suggested in the past.

² Raut, Shambika. "A Cross-country Analysis of the Impact of Civil War and Natural Disaster on Human Trafficking." PhD diss., Central Michigan University, 2019.

³ “The Effect of COVID-19 on Human Trafficking.” Polaris, July 29, 2020. <https://polarisproject.org/blog/2020/03/the-effect-of-covid-19-on-human-trafficking/>.

The research question is focused on the connection between humanitarian disasters and human trafficking. It considers articles that ask questions such as: Do natural disasters, conflicts, and disease outbreak further the likelihood of human trafficking? Are there moderating or modifying variables between humanitarian emergencies and human trafficking? Do certain humanitarian emergencies decrease human trafficking? Is there no relationship between the two variables?

One of the criteria in the literature review looks at the relevance of literature to the research question. Several studies that were excluded discussed both human trafficking and humanitarian emergencies, but were not designed to explore the relationship between the two. For instance, some articles discussed program evaluations for human trafficking programs and services during humanitarian emergencies. Some articles had entirely separate focuses such as examining a state's performance during humanitarian emergencies, or exploring the role of social work in an emergency. The current research question is specifically focused on how and if human trafficking and humanitarian emergencies are connected with each other.

Study Design:

This narrative review paper is exploratory in nature, and seeks findings related to the research question by reviewing secondary sources. Narrative reviews summarize literature around a research question in order to bring greater insight into an area of interest.⁴ Researchers have previously utilized narrative reviews to explore human trafficking and similar topics.^{5,6} Although narrative reviews are not as rigorously structured as systematic literature reviews, they hold a critical place in academia and it would be erroneous to say narrative reviews are always unstructured.⁷ Narrative literature reviews are valued for their expansive coverage of a topic, and can lead to further questions, considerations, debates, and ideas for further areas of research. Additionally, as research is rapidly published, there is a need for holistic assessment of various pieces. Many published pieces may raise similar points, and at times may even conflict with one another. Regardless, narrative reviews serve to consolidate and bring disparate literature into one place for consideration.⁸

⁴ Green, Bart N., Claire D. Johnson, and Alan Adams. "Writing Narrative Literature Reviews for Peer-reviewed Journals: Secrets of the Trade." *Journal of Chiropractic Medicine* 5, no. 3 (2006): 101-117.

⁵ Barnert, Elizabeth, Zarah Iqbal, Janine Bruce, Arash Anoshiravani, Gauri Kolhatkar, and Jordan Greenbaum. "Commercial Sexual Exploitation and Sex Trafficking of Children and Adolescents: A Narrative Review." *Academic Pediatrics* 17, no. 8 (2017): 825-829.

⁶ Dolatian, Mahrokh, Arash Mirabzadeh, Ameneh Setareh Forouzan, Homeira Sajjadi, Hamid Alavi Majd, and Farnoosh Moafi. "The Role of Domestic Violence in Pregnancy on Maternal and Fetal Outcomes, Narrative Review in Past Decade of Studies in Iran." *Advances in Nursing & Midwifery* 22, no. 79/s (2013).

⁷ Green, Johnson, and Adams, "Writing Narrative Literature Reviews for Peer-Reviewed Journals: Secrets of the Trade." 101-117.

⁸ Green, Johnson, and Adams, "Writing Narrative Literature Reviews for Peer-reviewed Journals: Secrets of the Trade." 101-117.

The limitations of narrative literature reviews should also be noted. Narrative reviews grant flexibility for authors to include and exclude articles outside of the key word search, and narrative reviews do not require summarization of every article identified.^{9,10} With this flexibility and discretion, there is more opportunity for bias in narrative reviews than other types of studies. Authors can create selection bias by only choosing literature that confirms their preexisting beliefs.

Although not all narrative reviews document its search criteria and key words, this paper does outline its steps in the next section to provide transparency about the process. Furthermore, all articles that met the criteria were summarized in this review. This research aimed to follow steps outlined by Huedo-Medina et al in order to minimize bias and strengthen the design of the research: 1) Conduct research; 2) Identify key words; 3) Review abstracts and articles; 4) Document results.¹¹

Key Words:

Key words for this narrative review were: “Human Trafficking,” AND “Armed Conflict,” “Armed Conflicts,” “Disease Outbreak,” “Disease Outbreaks,” “Disaster,” “Disasters.” Databases searched were PubMed, PsychINFO, and Google Scholar.

Search Strategy

A search was conducted from November 2020 to December 2020. The following criteria was adhered to: 1) Only peer-reviewed studies were included; 2) Research needed to explore the connection between humanitarian disasters and human trafficking; 3) The search was limited to primary analysis of data; 4) Only articles written in English were included.

For article searches conducted in PubMed and PsychINFO, the listed keywords had to be present in either the title or abstract of the article for inclusion in this review. Google Scholar only has an option to search key terms in the title or the full text of an article. As a result of this limitation, articles were only included from Google Scholar if the key term appeared in the title in order to obtain more precise matches.

For the purpose of this review, I used the United Nations Office for Disaster Risk Reduction (UNDRR)’s definition of humanitarian emergency: “A serious disruption of the functioning of a society, causing widespread human, material, or environmental losses which

⁹ Baumeister, Roy F., and Mark R. Leary. "Writing Narrative Literature Reviews." *Review of General Psychology* 1, no. 3 (1997): 311-320.

¹⁰ Green, Johnson, and Adams, "Writing Narrative Literature Reviews for Peer-reviewed Journals: Secrets of the Trade." 101-117.

¹¹ Huedo-Medina, Tania B., Estrellita Ballester, and Blair T. Johnson. *Research Syntheses Related to Childhood and Adolescent Sexuality: A Critical Review*. Philadelphia: Elsevier, 2013.

exceed the ability of the affected society to cope using its own resources.”¹² These disasters can be both man-made (i.e. conflict, environmental) and natural (i.e. disease outbreak, cyclone).

Results

Five papers met criteria for this narrative review. An initial search produced 59 articles, and removed 15 duplicates. Once the duplicates were removed, 44 were screened to ensure they met all criteria and answered the research question. 39 were excluded for not meeting criteria including: 28 results that were not related to the research question (including one article that could not be located for review. Since this article could not be examined to ensure it satisfied the research criteria, it was unfortunately excluded.)¹³; Seven were systematic literature reviews; and four were not studies. Only five articles fulfilled all criteria.^{14,15,16,17,18}

Studies in this review were published within the last five years (2016-2019). From the five remaining articles, only one article focused on outbreaks.¹⁹ Three articles focused on natural disasters,^{20,21,22} and one article focused both on conflict and natural disasters.²³ Low results in each of these categories suggests the need for more literature in all three areas, but particularly in conflict and outbreaks. It is possible that the low matches were also a result of the search criteria.

¹² “Disaster,” UNDRR, accessed December 1, 2020, <https://www.undrr.org/terminology/disaster>.

¹³ Bhadra, S. "Human Trafficking in Humanitarian Crisis of Natural and Manmade Disasters in India." *Social Work Journal, Assam Central University* 3, no. 2 (2015): 44-56.

¹⁴ Raut, "A Cross-country Analysis of the Impact of Civil War and Natural Disaster on Human Trafficking."

¹⁵ Boria, Maria Gabriella. "Human Trafficking and Natural Disasters: An Empirical Analysis." PhD diss., Boston College. College of Arts and Sciences, 2016.

¹⁶ Flåte, Katherine Olsen. "Human Trafficking Following the 2015 Nepal Earthquake: a Case Study of How a Natural Disaster Impacts People’s Vulnerabilities and the Role Disaster Response and Recovery Plays in Countering It." Master's thesis, Norwegian University of Life Sciences, Ås, 2018.

¹⁷ Worsnop, Catherine Z. "The Disease Outbreak-Human Trafficking Connection: A Missed Opportunity." *Health Security* 17, no. 3 (2019): 181-92. doi:10.1089/hs.2018.0134.

¹⁸ Tu, Jenny. "Institutional Quality and Human Trafficking in the Wake of Natural Disasters A Cross-Sectional Analysis of the Impacts of Natural Disasters on the level of Human Trafficking." Master's thesis, 2018.

¹⁹ Worsnop, "The Disease Outbreak-Human Trafficking Connection: A Missed Opportunity," 181-192.

²⁰ Boria, "Human Trafficking and Natural Disasters: An Empirical Analysis."

²¹ Flåte, "Human Trafficking Following the 2015 Nepal Earthquake: A Case Study of How a Natural Disaster Impacts People’s Vulnerabilities and the Role Disaster Response and Recovery Plays in Countering It."

²² Tu, "Institutional Quality and Human Trafficking in the Wake of Natural Disasters a Cross-Sectional Analysis of the impacts of Natural Disasters on the level of Human Trafficking”.

²³ Raut, "A Cross-country Analysis of the Impact of Civil War and Natural Disaster on Human Trafficking."

Four reviews were quantitative and had a cross-sectional study design.^{24,25,26,27} The remaining article was a qualitative analysis conducted through semi-structured interviews.²⁸

Discussion

Natural Disasters:

Four articles in this narrative review discussed the relationship between human trafficking and natural disasters. Jenny Tu examined the impact of human trafficking after a disaster hits, specifically investigating if the “Quality of Government (QoG)” serves as a moderating factor.²⁹ QoG is the ability for a government to provide security, resources, and goods for its citizens. As an emergency can hinder QoG, Tu hypothesized that human trafficking could become more prevalent as more individuals migrate to receive goods elsewhere and become trafficked in this pursuit. In addition to QoG, Tu used an additional three indicators including: Government effectiveness, rule of law, and political corruption. All four indicators are overlapping, but slightly different. She employed the method of Ordinary Least-Squares (OLS) with a multivariate regression to examine the relationship of natural disaster, quality of government, and human trafficking. Data came from the United Nations Office on Drugs and Crime (UNODC)'s 2006 report on Trafficking in Persons: Global Patterns and the Emergency Events Database (EM-DAT). Tu used EM-DAT data from countries that were hit by a natural disaster in 2016. Findings found that disasters appear to impact human trafficking outflows, but QoG was not a significant moderating factor. She did not rule out that QoG can have an impact on human trafficking flows independently from natural disasters.

Similarly, Gabriella Boria explores the likelihood of human trafficking outflows occurring after a natural disaster. She also employed a Ordinary Least-Squares regression. Her study used data from the US Trafficking in Persons (TIP) 2013 report, which provided information on 120 countries. She found that the probability of human trafficking outflows increased by 30.4% after a natural disaster.³⁰ She also took into account economic factors such as GDP, the unemployment rate, and trade share of GDP. She found that the devastation to a nation’s economy is positively associated with an increase in human trafficking.

²⁴ Worsnop, "The Disease Outbreak-Human Trafficking Connection: A Missed Opportunity," 181-192.

²⁵ Boria, "Human Trafficking and Natural Disasters: An Empirical Analysis."

²⁶ Tu, "Institutional Quality and Human Trafficking in the Wake of Natural Disasters a Cross-Sectional Analysis of the Impacts of Natural Disasters on the Level of Human Trafficking."

²⁷ Raut, "A Cross-country Analysis of the Impact of Civil War and Natural Disaster on Human Trafficking."

²⁸ Flâte, "Human Trafficking Following the 2015 Nepal Earthquake: A Case Study of How a Natural Disaster Impacts People’s Vulnerabilities and the Role Disaster Response and Recovery Plays in Countering It."

²⁹ Tu, "Institutional Quality and Human Trafficking in the Wake of Natural Disasters a Cross-Sectional Analysis of the Impacts of Natural Disasters on the Level of Human Trafficking."

³⁰ Boria, "Human Trafficking and Natural Disasters: An Empirical Analysis."

Both Tu and Boria asserted the need for sub-national analysis to uncover what drives the relationship between natural disasters and human trafficking.^{31,32} One case study in this review by Katherine Olsen Flåte conducted semi-structured interviews with practitioners and government officials in Nepal after the 2015 earthquake struck.³³ Flåte's research applied the "pressure and release" model to explain how root causes exacerbated situations of trafficking, while drawing on evidence from her interviews with practitioners and her own experience.

The professionals interviewed by the author noted various reasons why they believed human trafficking increased after the disaster. One overarching theme in the observations made by interviewees was the increased demand for work due to a recently disrupted economy. After the earthquake, individuals were more frequently approaching families, claiming to be (or know) aid workers, educators, and religious figures. The absence of job opportunities in the aftermath of disaster also led to an increase in migration. At times, children fled in search of work without their families or with a peer. Lastly, the interviewees reported noticing more child marriages. These unions were arranged by parents with the hopes that such marriages would create a secure future for their children. These observations of increased migration, child marriage, and demand for job opportunities noted by the professionals interviewed are consistent with general risk factors of human trafficking.^{34,35,36}

Natural Disaster and Civil War:

Shambika Raut's 2019 article hypothesized that nations with high intensity conflict and natural disasters are more likely to experience human trafficking. This study examines different types of trafficking including prostitution, labor exploitation, debt bondage, involuntary domestic servitude, child prostitution, child labor, and children in armed conflict. Interestingly, the article supports Tu and Boria's research that there is a positive correlation between natural disaster and human trafficking, while surprisingly finding an inverse relationship between civil war and human trafficking. The relationship was positively correlated when a civil war and a natural disaster occurred within the same year. This study focused specifically on civil war, so there

³¹ Tu, "Institutional Quality and Human Trafficking in the Wake of Natural Disasters a Cross-Sectional Analysis of the Impacts of Natural Disasters on the Level of Human Trafficking."

³² Boria, "Human Trafficking and Natural Disasters: An Empirical Analysis."

³³ Flåte, "Human trafficking following the 2015 Nepal Earthquake: A Case Study of How a Natural Disaster Impacts People's Vulnerabilities and the Role Disaster Response and Recovery Plays in Countering It."

³⁴ Bales, Kevin. "What Predicts Human Trafficking?" *International Journal of Comparative and Applied Criminal Justice* 31, no. 2 (2007): 269-279.

³⁵ Wheaton, Elizabeth M., Edward J. Schauer, and Thomas V. Galli. "Economics of Human Trafficking." *International Migration* 48, no. 4 (2010): 114-141.

³⁶ Avis, William. "Key Drivers of Modern Slavery." (2020).

needs to be more research to support findings and explore why civil war may have this effect. As other evidence has suggested, conflict generally is predictive of human trafficking.³⁷

Outbreaks:

Only one article found in the review focused on outbreaks. Research conducted by Catherine Worsnop conducted a logistical regression using United Nations Office on Drugs and Crime (UNODC) and Human Trafficking Indicators (HTI) datasets.³⁸ She examined factors such as countries (specifically examining “source country”), the rank of trafficking (low or high in intensity), and whether or not an outbreak occurred.

Her findings point favorably to the possibility that disease outbreaks lead to heightened instances of human trafficking. However, it is not clear why human trafficking is heightened around outbreaks, and which risk factors are heightened: “the article demonstrates that outbreaks are associated with trafficking outflows, but what are the specific mechanisms driving this relationship? One possibility is that outbreaks can cause or amplify several socioeconomic and policy-related trafficking risk factors, including economic hardship and lack of economic opportunity, weakening family ties and structures, stigma and isolation, and the diversion of government resources away from trafficking prevention activities like border control, corruption control, and rule of law generally.” Further research is needed to strengthen the assertion that the specific risks factors she mentioned are at play, or if there are factors independent of those that have an effect.

Moderating Factors:

Several studies explored potential moderating variables. A moderating variable is a variable that can explain the strength between two given variables, in this case the two variables are humanitarian emergencies and human trafficking. A few of the studies in the review attempted to explore the possibility of additional variables serving as a moderating variable between humanitarian emergencies and human trafficking. Such papers include Jenny Tu’s article, which looked into Quality of Governance (QoG) and related indicators. Raut investigated regime type. Lastly, Boria explored economic indicators. Boria suggests that future research should look at factors such as the legalization of prostitution, internal and external conflicts, and gender.

Research Gaps

1. Most of the articles conducted a cross-sectional analysis. Cross-sectional studies cannot establish causality, as there is potential for the outcome (human trafficking) to have occurred before exposure (humanitarian disaster). A variety of different research methods to portray a holistic picture of the relationship between humanitarian emergencies and human trafficking

³⁷ Bales, "What Predicts Human Trafficking?", 269-279.

³⁸ Worsnop, "The Disease Outbreak-Human Trafficking Connection: A Missed Opportunity", 181-92.

would be needed to assess definitively the impact of various humanitarian disasters on human trafficking.

2. Moderating effects: While there does seem to be a positive correlation between humanitarian emergencies and human trafficking (with the exception of conflict and human trafficking), it begs the question: what drives this relationship between these two variables? Some research in the review attempted to explore moderating variables such as Quality of Governance (QoG), type of regime, and economic factors. Exploring additional variables could paint clearer pictures as to why these two variables appear to be connected.
3. With the exception of one study mentioned in this review, all of the articles utilized cross-national data, with two articles utilizing the UNODC's report and two using the TIP report. One advantage of using these datasets is having the ability to compare information from country to country. However, there is variance in reporting from each country that can occur depending on factors such as differences in: awareness of human trafficking, effectiveness in reporting, and willingness to report. As described by one of the authors: "The biggest problem in the study of human trafficking lies in not having reliable data at both cross-national and national level. That being said, cross-national analysis is a poor test of these phenomena due to the vast number of missing data and availability of data."³⁹ Additional studies should conduct sub-national analysis to compliment these studies as well.

Limitations to the Narrative Review

As addressed previously, narrative reviews can inadvertently introduce bias to a study. Additionally, only one author conducted this narrative review. Increasing the number of individuals who conduct a narrative review can support the reliability of findings by ensuring at least two separate individuals arrive at similar findings and ensure interrater reliability.⁴⁰

There is further limitation in only including literature found through a key term search. It is very likely that more relevant literature than what was included could have addressed the research question of this literature review. If such articles did not have any of the identified key terms in their title or abstract, however, they were excluded from this review.

As mentioned, keywords in Google Scholar do not provide the option for users to search by title and abstract only. As a result, only titles of articles in Google Scholar were searched. Although this decision aided in narrowing down the literature to more relevant results, this method likely excluded relevant publications.

Finally, only five articles matched criteria, which is very low considering the broad width of the topic of humanitarian disasters (earthquakes, hurricanes, civil war, genocide, floods,

³⁹ Raut, "A Cross-country Analysis of the Impact of Civil War and Natural Disaster on Human Trafficking."

⁴⁰ Belur, Jyoti, Lisa Tompson, Amy Thornton, and Miranda Simon. "Interrater Reliability in Systematic Review Methodology: Exploring Variation in Coder Decision-making." *Sociological methods & research* (2018): 0049124118799372.

epidemics, etc). Narrative reviews are not considered the most rigorous study design, and are more exploratory in nature rather than confirmatory. More research would have to be done to confirm findings from reviewed literature.

Conclusion

During the COVID19 pandemic, understandably questions were raised about how the pandemic would affect human trafficking. As new humanitarian emergencies arise similar questions will present themselves in the future. Insight on the relationship between the two can support accurate communication to the public and enhance practice. The importance of this question became salient to my anti-trafficking education efforts during the onset of the COVID 19 pandemic.

This paper explored, “what is the connection between humanitarian emergencies and human trafficking?” This narrative review combed through secondary sources, finding few results (n=5) about the relationship between human trafficking and humanitarian emergencies. Natural disasters and outbreaks were found to be highly predictive of increased human trafficking outflows. Not all types of humanitarian emergencies, however, showed positive correlations with human trafficking. One study interestingly suggested an inverse relationship between conflict and human trafficking, however, this was only based on one study, and the study did not look at interstate war.

Some moderating factors were explored in the literature including regime type, economic factors, and quality of governance. More literature is needed on specific types of humanitarian emergencies, and more country-level investigations. One qualitative case study extracted insight from practitioners after the Nepal earthquake, who spoke to economic risk factors and vulnerabilities. More qualitative research would support in understanding these relationships as well. Overall, future research should continue to delve deeply into the relationship explored by this paper.

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Forced Labour and Access to Education of Rohingya Refugee Children in Bangladesh: Beyond a Humanitarian Crisis

Md Mahmudul Hoque

(The author is a doctoral researcher at the Institute of Development Studies in the University of Sussex, UK. He also serves as an Associate Fellow at the Coretta & Martin Luther King Institute for Peace in Norway.)

Abstract

Rohingya refugee children in Bangladesh are forced into labour both inside and outside the camps for a wide range of reasons. This article examines this situation in relation to the access to education for those children living in the camps in Cox's Bazar. Being informed by several perspectives concerning child labour and access to schooling in developing country contexts, this research work has adopted a qualitative approach to study various factors working behind this pressing issue. After collecting data by means of qualitative methods, including non-participant observations and semi-structured interviews, the researcher has analyzed the findings with these informed perspectives. Results show that lack of formal identity, limited access to the formal labour market, absence of social sanctions against child employment, lack of aspirations, household composition, and substandard living conditions are some of the key factors that drive children to engage in various forms of labour, especially outside the camps. They often work in small workshops as labourers and in the host community households as domestic workers. Undocumented children are also reported to become victims of bonded labour, sex trade, and trafficking in the region. The author argues that a lack of formal education has compounded this issue into a severe humanitarian crisis which calls for immediate support and actions from local and international agencies.

1. Introduction

About a million stateless Rohingya people live in the refugee camps in Bangladesh. Referring to the Rohingyas as the world's most persecuted minority, the United Nations called on the international community to provide all sorts of assistance towards making a long-lasting solution of the ongoing humanitarian crisis (UNHCR 2017). The Rohingyas¹ are a Muslim ethnic community living in the Rakhine State in the western part of Myanmar. The community are officially stateless as the Myanmar government has disowned them, claiming that they came

¹ The Rohingyas themselves and the international communities use the term "Rohingya" to refer to the Muslim communities residing in the Rakhine State of Myanmar while the state and majority of people of Myanmar call the community (illegal) Bengali Migrants (Devi 2019).

originally from its neighbouring country – Bangladesh (Prodip 2017). Being subjected to severe oppression and violence, forced migration of Rohingya refugees from Myanmar to Bangladesh has taken place in multiple waves starting from the year of 1978 (Mohajan 2018). The largest and fastest influx of Rohingyas to Bangladesh occurred in August 2017, when Myanmar's armed forces and local Buddhist mobs launched a brutal crackdown (killings, rape, and torture) on the community (Alam and Kamruzzaman 2020; Al Jazeera 2019). This massive exodus commenced on the 25th of August 2017, after some Rohingya militants attacked police posts, killing 12 members of the Myanmar national security forces. Consequently, about 740,000 Rohingya people crossed the border into Bangladesh and arrived in Cox's Bazar joining the already-existing 200,000 refugees (Al Jazeera 2019). The incident generated a huge global outcry, and several international donors and humanitarian agencies responded immediately and extended their support to these one million stateless camp dwellers. Despite an uproar from local communities, the Bangladesh government welcomed and accommodated the vast number of displaced people and aided international organizations which were supporting the community. Despite having written agreements, the repatriation of the Rohingyas has still not happened due to a wide range of issues. Today, the Rohingya crisis remains a critical humanitarian emergency (The New Humanitarian 2020).

This article focuses on this humanitarian crisis and investigates the two very pressing issues related to the welfare of Rohingya children in the camps – forced labour and access to education. The term “child labour” is often defined as work that deprives children of their childhood (ILO 2018). Although the term “childhood” may entail different things in different cultures, (formal) education remains as a commonly desired socialization for children, and a key element of prevention of child labour (Guarcello, Scott Lyon, and Furio Camillo Rosati 2008). According to the data published on 31 May 2020 by the Bangladesh Government and United Nations High Commission for Refugee (UNHCR), 51% (about 500,000) of the population living in the camps are children below 18 years of age (GoB 2020). Many of these children are being subjected to the worst forms of child labour, forced labour, movement restrictions, trafficking, and irregular adoptions (Xchange 2019; TRT World 2020). Moreover, these children are being denied access to education and schooling (HRW 2019). On one hand, children living in the camps are in danger of being subjected to harmful and forced labour; and on the other hand, they are growing without one of the most valued basic human needs – education. It means that half a million children are deprived of a formative childhood. Humanitarian organizations fear that this could lead to a “lost generation” of Rohingyas (Hammadi 2020). Responding to this issue, the government of Bangladesh on 27 January 2020 decided to allow Rohingya children to receive a formal education. Sadly, the Covid-19 pandemic hit the country right after this much-awaited government decision. In this backdrop, this research work focuses on the prevailing child labour situation in the refugee camps in Cox's Bazar and analyzes the concerns related to the existing educational opportunities for Rohingya children living in these camps.

The following section briefly presents the wider context, followed by the theoretical perspectives concerning labour and education. The next sections illustrate the focus and

methodology of the study. After presenting the findings and analysis in the subsequent sections, I contend why a more severe humanitarian crisis is in the making for this huge number of Rohingya stateless children and why this will require a concerted effort to arrive at an effective solution.

2. Child Labour in Bangladesh: The Wider Context

International Labour Organization (ILO) estimates that at least 150 million children perform as labourers worldwide (ILO 2017). The World Counts² adds that about 120 million of those children work in hazardous conditions. An estimated 17 million children between the ages of 5 and 17 are trapped in harmful child labour across South Asian countries (Khan et al. 2015). In Bangladesh, the issue is rampant and widespread. UNICEF (2007) notes that social norms and economic realities mean that child labour is widely accepted and common in the country. The National Child Labour Survey 2013 estimated that there are 3.4 million child labourers (aged 5-17) in Bangladesh, of whom 1.28 million are trapped in hazardous works (BBS 2015). The actual number has grown in the last few years (Ovi 2020). Legal provisions under Child Labour Act (Amendment) 2018 prohibit the employment of a child below 14 years of age and put restrictive policies on employing children between the ages of 14 and 18 (Beaubien 2016; Hasan 2018). However, since most of the working children sell their labour in informal sectors³ as welders, assistants of vehicle drivers, in plastic and chemical factories, bidi factories, brick kilns, stone crushing, battery recharging, waste removal, tanneries, the matchbox and garment factories, formal institutions fail to tackle and monitor the issue (Ahad et al. 2021; New Age 2018). An enormous number of girls also work as domestic helps across the country (Jensen 2017). Amid this situation, the country hosted an additional 350,000 Rohingya children who have been exposed to risks of being exploited in the form of forced labour and trafficking (BILA 2019).

3. Methodology

This work was initially informed by a body of literature that I went through as part of my doctoral research work concerning child labour and protection. Being informed about various theories and perspectives of child labour in various contexts, I set out to explore the condition of child labour in the Rohingya (refugee) camps in Cox's Bazar. At first, I did a review of literature dealing with child labour in refugee camps and its implications for access to education and schooling. After developing an understanding and grasp of relevant concepts, I visited the camps to understand the prevailing situation. In the 4-day fieldwork in early September 2020, I visited concerned government offices, including the focal point secretariat Refugee Relief and

² The data used by The World Counts originate from many organizations, research institutions, news services and so forth. For more details, please visit <https://www.theworldcounts.com/stories/Child-Labor-Facts-and-Statistics> (Accessed on 20 September 2020)

³ Informal sectors are those in which formal regulations cannot be applied because of their informal operations and unregulated and undocumented employment practices.

Repatriation Commissioner's Office (RRRC) situated in Cox's Bazar city. With prior permission from the concerned authorities, I also visited a couple of camps spending one day in each of them and went to the local government offices and the offices of the Camp-In-Charge (CIC). As part of my qualitative approach, a few methods of data collection were utilized – observations, conversations, and semi-structured interviews. Non-participant observation is useful to explore and understand the behaviours of a group of people in natural work settings (Cooper, Lewis, and Urquhart 2004; Mulhall 2003). Conversations are informal but engaging ways to collect qualitative insights from individuals, especially in settings where formal parameters are unknown (Albert 2016). Semi-structured interviews are one of the most used data collection techniques, offering participants the chance to explore issues they feel are important (Longhurst 2003). I spent half of my fieldwork period walking through two camps (camp number 6 and Kutupalong), allowing myself to observe how children were engaged in various outdoor activities in the camps, and how they are seen in the marketplaces, small workshops, food distribution centres, and streets and open places. I also spent considerable time outside the camps where children could go and sell their labour, including in the city of Cox's Bazar. Semi-structured interviews were conducted with 12 participants, which included four Rohingya parents living in the camp, two CICs, two officials from RRRC, the chief executive of a local government institution, and three employees serving in international humanitarian and voluntary service organizations. Though I had prepared some questions for these interviewees, eventually the interviews went on more like conversations which allowed me to explore the nuances and deep insights. Conversations with host community workshop owners, businesspersons, and Rohingya volunteers working at the offices for camp management were informative. The short but extensive fieldwork was helpful not only to collect information from key informants but also to get the essence of the lives and livelihoods in the area.

Reflecting on ethical issues is crucial, especially considering the current pandemic situation (IDRC 2020). First, I followed the public health guidelines set by the Bangladesh Ministry of Health and Family Welfare. Before visiting the camps, consulting with officials of RRRC helped me to understand the norms and practices of visiting camps as an outsider. I followed the guidelines, which included wearing masks and hand gloves, maintaining social distancing, and checking body temperature before visiting. Second, I attained prior approval from the government authority, which in this case was RRRC. I explained my purpose and clarified my ethical standards for doing my fieldwork. Third, while talking with Rohingya parents I was careful to not make them reflect too much on what they had experienced in Myanmar to ensure “no harm” to the participants. In both camps, two Rohingya adults (who speak both languages – Rohingya's native tongue and Bangla) helped me in conducting these interviews by acting as translators. Since I am a native Bangla speaker, transcribing was not necessary in other cases. Finally, consents were obtained from all interviewees before I asked any questions or started recording any parts of the interview.

In the following section, I present my key findings relating to the child labour practices involving Rohingya children both inside and outside the camps, and its implications to the access to education of children living in the camps.

4. Findings and Analysis

A. Child Labour in Rohingya Camps

Rohingya community in Cox's Bazar resides in two types of camps – registered and unregistered (also called the “other”). Out of 34 camps, the two registered camps are Kutupalong and Nayapara in which about 40,000 Rohingya people reside (GoB 2020). These people arrived from Myanmar to Bangladesh before 2017 and 33,000 of them have officially received the status of “refugees”. The rest of the Rohingya (more than 1 million undocumented Myanmar nationals) community members reside in the *other* 32 camps (for details, see Figure 1 below). These Rohingya people have not been given the status of refugee; they are referred to as “Forcibly Displaced Myanmar Nationals” (FDMNs) (Brac 2020). These camps are jointly run by the UNHCR and Bangladesh government. The child labour situations in these two types of camps differ in significant ways. The opportunity and exercise of child labour are predominant in registered camps as the Rohingya refugees have been living there for decades.

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ROHINGYA REFUGEE RESPONSE/BANGLADESH
Refugee Population by Location
(as of April 30, 2020)

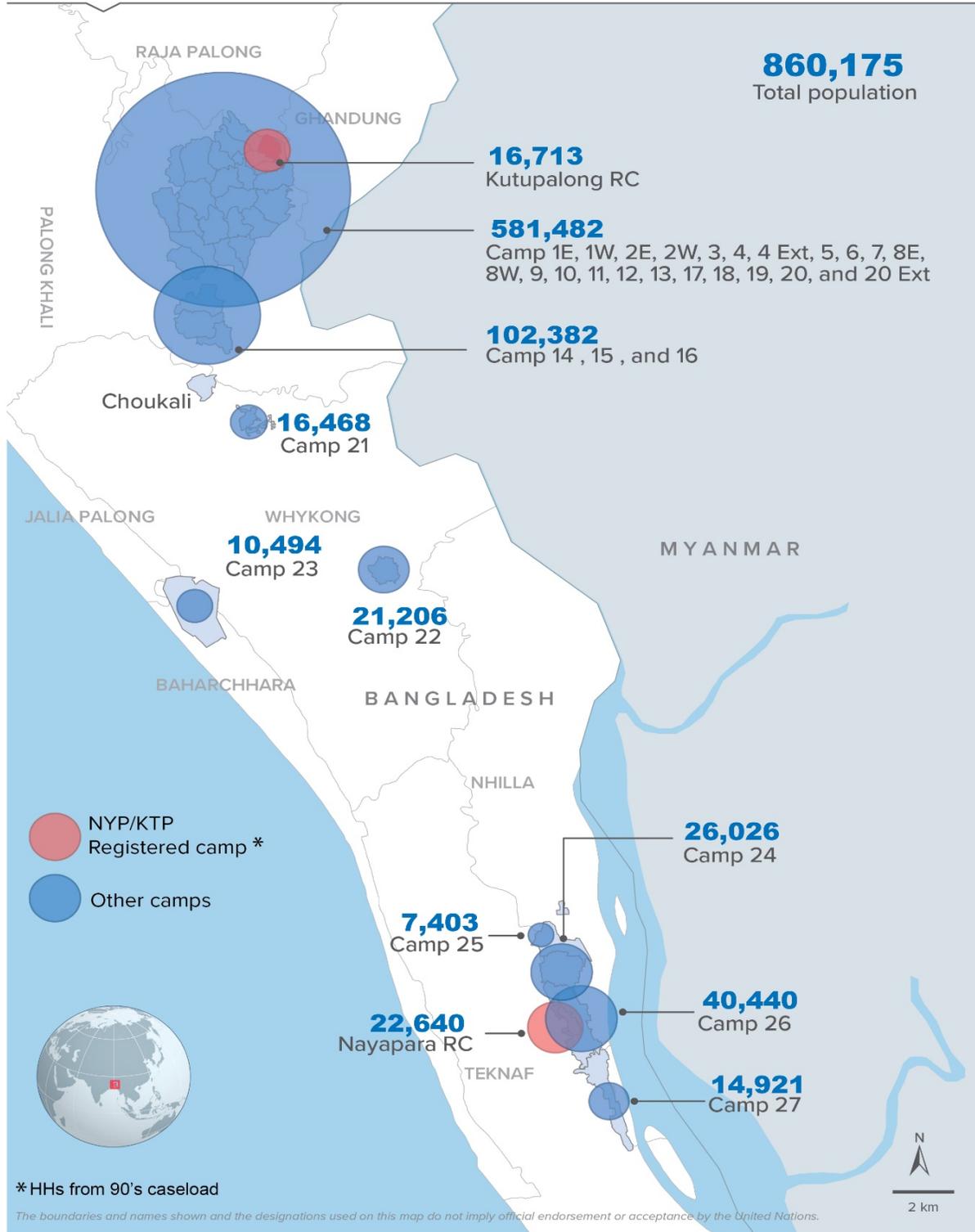


Figure 1: The locations of the camps in Cox's Bazar, Bangladesh (GOB 2020)

Children are found to be working both in the camps and outside. In a photo story, we see children engaged in hard labour in fishing, transportation, and agricultural fields (TRT World 2020). Movement is not too restricted in these camps. As a result, the children living in registered camps usually travel to these places to sell their labour and come back to the camps by the end of the day.

The situation in other camps is different. Children are seen to be involved in various forms of exploitative works, mostly with parents, in the tiny factories and shops in the local marketplaces. A few interviewees shared that in several cases, young children fled the camps and later were found working in nearby cities including Chattogram – a big regional city. Xchange (2019) states that child labour and trafficking are among the most pressing issues in the camps, citing cases of adoption for labour. The study finds that the inability to cover daily living costs was the main reason that participants had considered giving away their children - either permanently through adoption or temporarily in child labour - to sustain their families. The conversations and interviews reveal that the pattern and composition of households is also a crucial force that drives children to go for hard labour outside the camps. Many of the households claim to have lost their members – both adults and children – because of the genocide conducted against Rohingyas by the Myanmar army and while crossing the border. A participant who is a mother of four children shares:

‘We were seven members in our family, we lost one of our sons during the conflicts. We looked out for him, but we had to leave our house without him. Now we six live together in this camp. Our one son and one daughter used to go to schools in Burma, but now there is no schools here. I send my son to a madrasa⁴ here. NGO learning centres are also closed now. My daughter helps me in household chores. My children do not work anywhere outside. My husband is also not young anymore. What can we do?’

The parental attitude towards work and education is reflected in this statement. They value both work and education for their children. Local madrasas offer religious education, but parents want formal mainstream schooling for their children, which they believe can ensure a better future for them. Many families do not have a male adult breadwinner and for religious beliefs, females do not tend to go outside their houses for income-generating or outdoor activities. As a result, adolescent boys are often seen working hard, such as carrying heavy-relief food sacks in the camps.

Several reports confirm that more than 100,000 Rohingya children have been born in the camps since 2017 (Sakib 2020). Interviewees also confirmed that every household has an average of six to seven members living together as a family and additional members mean additional household work and expenses. Moreover, the tiny size of the houses makes it impossible for these members to be inside all times of the day. The fact is that even the adult

⁴ Madrasas are educational institutions that offer both formal and informal Islamic education. Several madrasas run inside the camps for education Rohingya children.

members of the family do not have much income-generating work in these camps, which are situated in a small isolated hilly area. Young children also do not have much work to do and cannot enjoy much of outdoor games due to unavailability of open spaces. Nor can they go to schools. In these circumstances, many young children choose either to help their family business activities or to find ways to sell their labour outside the camps in nearby business outlets. Since the government agencies and UNHCR have provided all the families living in these camps with a document called “Family Attestation” containing the details of family members with a unique document number called “Family Counting Number (FCN)”, CICs believe that they can track the movement of the members of each family. However, representatives of international non-government organizations and local government agency say that Rohingya children travelling to workplaces, both far away and nearby, and to the sea-beaches to sell their labour, are common incidents.

B. Linkages between Missing Children and Forced Labour

The district of Cox’s Bazar is not only famed for hosting local and international tourists⁵ but also identified as a risky geographical channel of the banned drug (Yava) transportation, child and adult trafficking, and illegal sex trades (Pressly 2019; Ferguson 2020). Referring to several stories of missing children, Ferguson (2020) notes that many of the disappearances are thought to be linked to human trafficking for labour or sexual exploitation, but allegations remain difficult to prove. Although child employment is a punishable offence under Bangladeshi law, there is hardly any social sanctions against it (Tariquzzaman and Hossain 2009). It is socially normal practice for middle and upper (economic) class households to employ children as domestic helpers (Xchange 2019). Determining the age of a Rohingya person is somewhat arbitrary since they do not have any birth certificates. Moreover, national laws are hardly applicable to stateless FDMNs. These issues make Rohingya children easy targets and victims of child trafficking for forced labour, domestic slavery, and sex trade in the country. Newspaper reports claim that many Rohingya (100,000 to 200,000) people have disappeared from the camps (Roy and Jinnat 2020). Interviewees share that a large number of children, especially girls have fled the camps and are working as domestic helps outside the camps in the host community. They anticipate that many of these children have been subjected to bonded labour and sex trafficking. However, government agencies responsible for managing the camps officially deny the authenticity of these reports.

A local official and administrator shed light in this regard. His statement reflects several key issues:

‘Most child trafficking cases are found to have linkages with the Rohingya camps. Some Rohingya children, especially girls after going missing are often found to be forced in prostitution or domestic slavery. Recently, a senior citizen from Dhaka contacted me and

⁵ Cox’s Bazar is internally known for its world’s longest sea-beach of the Bay of Bengal having uninterrupted 120 Kilometer sand beach.

asked if I knew any Rohingya family that may need support and wanted to send their any of their girl children to work as maid in Dhaka. I was shocked and I simply informed him that such acts are illegal and considered punishable offences.’

This statement clearly indicates that there are strong linkages between the missing Rohingya children and forced labour for children. These camps are located near the sea and the supply of trafficked children is relatively easy, and notably the demand is incredibly high.

C. Labour and Access to Education for Rohingya Children

A study published in 2017 suggested that the health and educational status of Rohingya refugee children in Bangladesh was an improvement over their life in Myanmar (Prodip 2017). This research also found that Rohingya people had limited educational opportunities in Myanmar. However, in 2020, access to education and schooling is even more limited in the camps. A study analyzed the issues related to educational opportunities of Rohingya children in Bangladesh and noted that the right to education of school-age Rohingya children was being violated, which has profound implications (HRW 2019). Initially, the Government of Bangladesh did not even allow non-government organizations to provide children with formal educations, arguing that it might affect the prospects of repatriation of Rohingyas to Myanmar (Amnesty International 2020; HRW 2019; BRO 2018). Even though the government altered its policy in 2020 and allowed Rohingya children to enjoy their educational rights, the facilities remain limited or closed.

ILO notes that access to education is a crucial component of any effective effort to eliminate child labour in developing countries⁶. One of the primary reasons children work is not having access to education or a lack of support to continue their schooling. Nath and Hadi (2000) found a significant inverse relationship between child labour and years of schooling in rural areas in Bangladesh.

International donor organizations are providing support to run hundreds of Learning Centres in the camps (Reidy 2020). For instance, in camp number 6, there are 54 community-based and 226 home-based learning centres operating in three shifts every day. These centres provide learning facilities to children on Rohingya Language, Mathematics and English. The following photograph taken inside a learning centre shows a set of learning materials in two languages – English and Burmese.

⁶ For more details, please visit: <https://www.ilo.org/ipec/Action/Education/lang--en/index.htm> (Accessed on 20 September 2020)

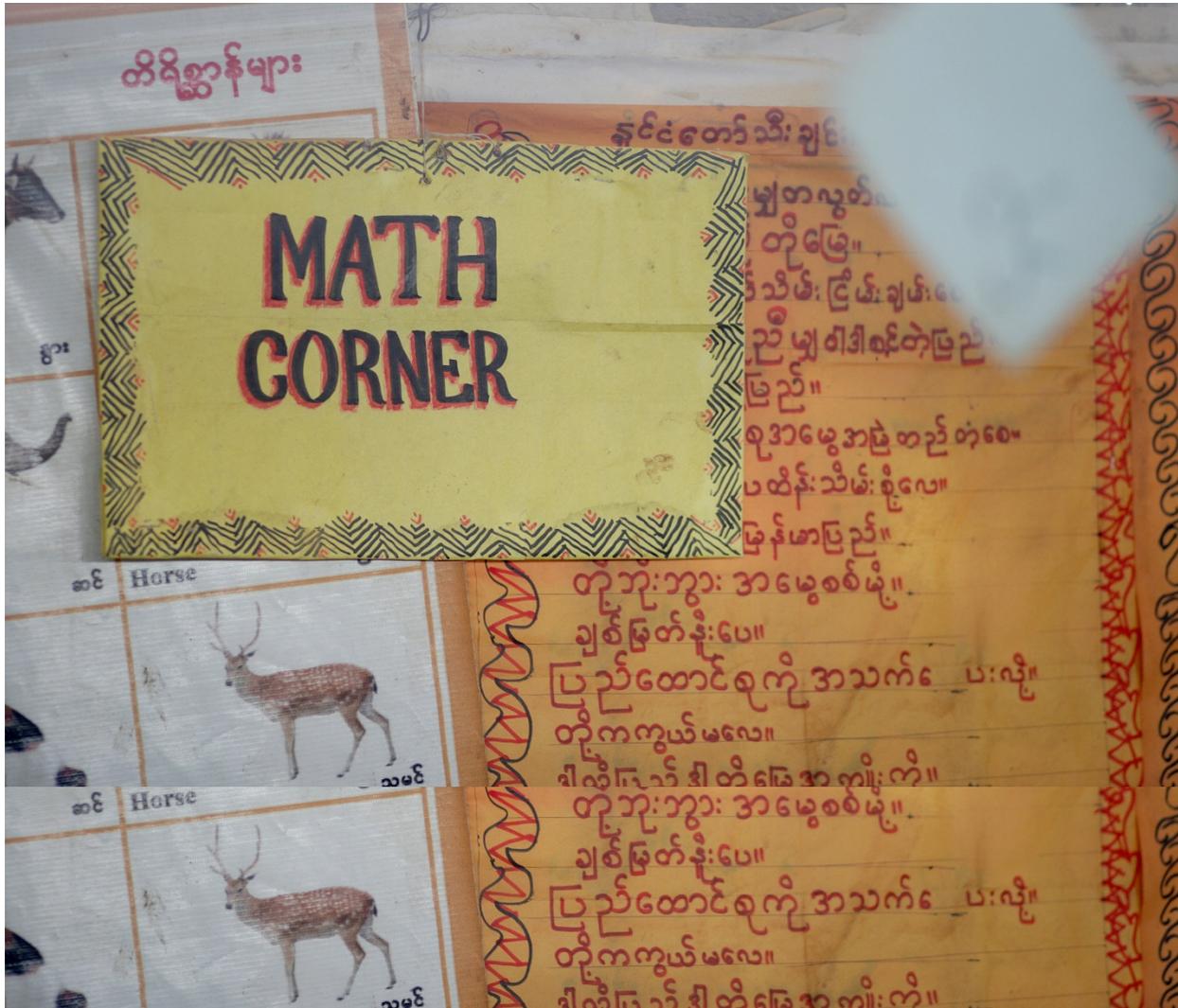


Figure 2: Inside an NGO-run learning centre that offers basic education for Rohingya children in one of the camps (Photo: Author)

Parents say that they like to send their children to these learning centres hoping that they would be skilled and resourceful. A Rohingya father’s statement reflects this:

‘I want to educate my children. We have lost everything we had – land and resources. My children want to go to school as well. But it seems like they will never be able to secure a bright and meaningful future. We used to send my children to schools run by NGOs, but they are also closed now. It is hard to look after all of them in a tiny house.’

In the camps, a relatively large number of children are found in the streets, either sitting idle or playing games that require limited physical movements. Some of these children participate in part-time labour inside the camps in the businesses run by their parents or neighbours. The International Organisation for Migration (IOM) notes that these children are

potential victims of forced labour and marriage since their access to education is limited (Bangkok Post 2017).

Local inhabitants say that the living conditions in the camps have improved in the last several months. However, the Covid-19 pandemic has made the situation worse since most of the learning centres had to cease their operations (UNB 2020). Notably, the pandemic has worsened the overall child labour situation in Bangladesh because of the growing demand of cheap labour (Hoque 2020). Responding to this growing demand, the Rohingya children are becoming victims of forced labour. The issue is making this humanitarian crisis worse and leaving us with little hope.

5. Conclusions

The above account of the current child labour situation concerning Rohingya refugee children is a pressing issue. Rohingya children are engaged in harmful child labour and become victims of forced labour mostly outside the camps. National and international agencies struggle to tackle the issue due to several key factors. First, existing social norms and lack of social sanctions make it easy for employers to engage children in commercial and household works. Second, legal and formal institutions fail to tackle the issue as Rohingya children, like many other Bangladeshis, work in informal sectors. Third, parents are forced to give up their children due to a wide range of reasons including lack of access to the formal labour market, limited economic freedom, uncertain future, and poor living conditions in the camps. Fourth, undocumented Rohingya children have become easy targets for forced labour, sex trade, and trafficking through Cox's Bazar. Fifth, the Covid-19 pandemic has contributed to making matters worse since national and international agencies have considerably failed to sustain their regular support.

Lack of access to education remains a grave concern and the crisis is now more than a mere humanitarian one. More than half a million children are growing up without formal education. The consequences will of course be long-last. We can recognize that light work, especially domestic chores, are beneficial not only for the household but also for the social growth of children. So, support organizations may provide care and protection services, including cash and in-kind transfers for children participating in light work inside the camps to discourage these children from travelling outside the camps and to encourage them to continue engaging themselves in learning.

The government agencies must enforce formal mechanisms to ensure punitive actions against members of the host community who employ children, including Rohingyas. Otherwise, the illusion of independent lives and livelihoods will always attract children to leave the camp and become victim of exploitations including forced labour. This study has focused on the situation of child labour relating to Rohingya children in Bangladesh and its implications with a lack of educational facilities in the camps. The summary of findings indicates that the crisis is growing bigger, and the solutions are not merely in the hands of local and international humanitarian organizations. The global governance mechanism needs to

acknowledge the crisis, provide support to the host country, and ask the Myanmar government to find sustainable solutions to the Rohingya refugee crisis.

Acknowledgement: The author expresses his gratitude to the anonymous reviewers for their insightful comments. The assistance provided by Mr. Mohammad Shamsud Douza, Mr. Atikur Rahman Nahid and the officials of RRRC (Bangladesh) during the data collection are greatly appreciated. The author is also grateful to Dr. Tina Davis for her continuous guidance. No funds were received for conducting this study.

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What is the Link between Natural Disasters and Human Trafficking and Slavery?

Dr. Kevin Bales

Abstract

A popular supposition is that natural disasters generate immediate criminal activity by human traffickers. There is little evidence to support this idea. It is clear that natural disasters can dramatically increase vulnerability, which then increases the probability that a person may be lured or forced into slavery. This research looks closely at individual disasters, as well as global statistical data, to explore the link between natural disasters and human trafficking and slavery. There is a clear sequence of changes that occurs when slavery crime alters in the wake of a disaster, which has not previously been clearly described.

Keywords: natural disasters; human trafficking; slavery

Introduction - Boxing Day Tsunami, 2004, Myanmar

An undersea mega-thrust earthquake, registering a magnitude of 9.1-9.3, occurred off the coast of Sumatra in Indonesia on the morning of 26 December 2004. Caused by a rupture along the fault where the Burma tectonic plate meets the Indian tectonic plate, it was the third largest earthquake ever recorded. This underwater seismic activity set off a number of massive tsunami waves, some reaching 30 meters in height when they approached shorelines. There was very little warning, and in many countries the devastation brought by these extremely large waves was catastrophic – more than 227,000 people died. In Myanmar the tsunami waves were less powerful, between 40 centimetres and 2.9 meters, but still large enough to cause significant damage along the coastline.

In the days immediately after the tsunami I received several email fundraising alerts from an anti-human trafficking NGO based in California. These alerts described how human traffickers were flooding into the coastal villages of Myanmar and taking children away for exploitation. The descriptions were vivid and included the use of helicopters and aircraft to abscond with stolen children. I had recently been in Myanmar and knew fairly well the realities of human trafficking there. I found it very hard to believe this tale of flying traffickers swooping in to steal babies, and fortunately did have a way to check the truth of it. A long-time colleague and friend in Myanmar was a key United Nations official, herself Burmese, and after some effort, I reached her on her satellite phone as she helped direct the relief efforts along the coast.

There were no airplanes full of traffickers, nor helicopters, not even boats. My colleague explained that the infrastructure was destroyed, and debris blocked nearly all possible entry points. Yes, a UN helicopter had managed to land with the first group of emergency aid workers, but roads, airstrips, docks, harbours, and bridges were demolished or blocked. People were flowing out of the area, not trying to get in. The story of flying traffickers snatching children was

just that – a story used to play on donor emotions and raise funds for the NGO. Leaving aside the unscrupulous and mercenary exploitation of both the disaster and the public willingness to support emergency aid, I was struck by rapid spread of this idea – the certainty that a rush of trafficking and enslavement always and instantly follows a natural disaster. Why did this idea, this assumption, always flourish on the heels of a catastrophe? There seemed to be a rush to believe, an emotional investment in the drama of disaster, and the result was something akin to a moral panic.

In light of this, my broad research questions became, firstly, was there any truth to this assumption that disasters created an immediate increase in trafficking crime; and secondly, if that was not true, then what was the actual situation of contemporary slavery and human trafficking within the context of natural disasters? These are not just academic questions - we must expect more such events – the progress of climate change is clear, and significant storm systems are increasing in number and strength¹. Populations are ever more vulnerable to the impact of such storm-linked disasters for a number of reasons including coastal deforestation, so it seems reasonable that we should seek clarity on the relationship between slavery and natural disasters.

A Tale of Three Cyclones

A tsunami is a fairly rare occurrence, but, sadly, natural disasters are not. It is possible to examine a number of similar natural disasters and consider what impact they might have on human rights generally, and trafficking and enslavement in particular. A first step is to compare the impact of two cyclones and one hurricane² in terms of reported damage and threats and changes to local populations. Since cyclones and hurricanes build up at sea and are at their most destructive when they make landfall, they produce coastal damage not unlike that of a tsunami.

In chronological order, the first storm of interest is Cyclone *Narsing*, sometimes referred to as the Bangladesh Cyclone, a category 5 (the highest category) storm of April 1991. *Narsing* formed in the Bay of Bengal and accelerated northward making landfall in the Chittagong region of Bangladesh with winds up to 250 km/h (155 mph). The storm surge produced waves 6.1 metres (21 ft.) high, overwhelming the coastline, and causing some 139,000 deaths. The death toll was reduced by early warnings that led to 2 to 3 million people evacuating the coast ahead of impact. Around one million homes were swept away, and about 10 million people were made homeless. A large international relief and re-building effort was launched in the aftermath of the cyclone. What cannot be found is any contemporaneous report or record of human trafficking or

¹ Vecchi, G.A., and T.R. Knutson. 2011. Estimating annual numbers of Atlantic hurricanes missing from the HURDAT database (1878–1965) using ship track density. *J. Climate* 24(6):1736–1746. www.gfdl.noaa.gov/bibliography/related_files/gav_2010JCLI3810.pdf.

² Cyclones and hurricanes are fundamentally the same type of tropical storm. They are rapidly rotating storm systems featuring a low-pressure centre, a closed low-level atmospheric circulation, strong winds, and a spiral arrangement of thunderstorms that produce heavy rain or squalls. These tend to be called ‘hurricanes’ in the Northern hemisphere and ‘cyclones’ (sometimes ‘typhoons’) in the Southern hemisphere. While essentially the same, the direction of rotation differs according to the hemisphere – hurricanes spin counter-clockwise, cyclones spin clockwise.

enslavement in the wake of this disaster. Of course, no record doesn't mean no occurrence of human trafficking, and the dramatic increase in vulnerability and precarity in the wake of the disaster did likely lead to some forms of victimisation. But it is also worth noting that 'human trafficking' as a human rights issue had very little currency in the early 1990s, though this would change markedly by the late 1990s. There are other reports of human trafficking in Bangladesh in roughly the same time period – instances of the trafficking of Bangladeshi boys to the Gulf States and their enslavement as camel jockeys, and the enslavement of children in Bangladesh as domestic servants and for child labour³. But whatever the caveats, there seems to be no record or report of human trafficking or enslavement specifically linked to or occurring in the aftermath of the Bangladesh Cyclone of 1991.

The Odissa Cyclone (Category 5) formed in the Andaman Sea in October 1999. Winds peaked at 260 km/h (160 mph) when making landfall on the Indian state of Odissa (formally Orissa), and generated a storm surge of 6 metres (20 ft.) – though this is only an estimate since all wave-measuring instruments along the coastline were destroyed by the surge. Fatalities caused by the cyclone are not clear, with different agencies putting the total between 8,000 and 30,000 dead. Around 1.6 million people were made homeless, and the deaths of more than 400,000 livestock were reported. As in Bangladesh, these casualties were reduced by warnings that led to large-scale evacuations.

In contrast to the lack of reports of human trafficking or enslavement after Cyclone *Narsing*, there are a handful of references to trafficking after the 1999 cyclone, though they are not found until some years after the event. One of these comes from an NGO-generated research report⁴ provided to the Indian Ministry of Women and Children in 2016. This report states that: 'The severe cyclone in Odisha in 1999, repeated floods in Bihar (Kosi river area), and the Naxalite movement in Jharkhand have all contributed to increased trafficking of women and minor girls' (p.36). In this case the cyclone is just one of several events or situations (including an armed revolt) that are thought to have increased vulnerability, but there is no indication that the trafficking mentioned occurred immediately in the aftermath of the cyclone. Widespread destruction fosters precarity and that could include vulnerability to human trafficking. What is missing is any evidence of the immediate exploitation of the disaster by traffickers.

Eight months after the Boxing Day tsunami, Hurricane *Katrina* struck the U.S. states of Louisiana and Mississippi along the Gulf of Mexico. A Category 5 storm, *Katrina*'s winds were tracked at 280 km/h (175 mph). The storm surge that hit the Mississippi coastline peaked at 8.2

³ Center for Women and Children's Study Report, Zahiduzzaman Faruque, "Women, Children Trafficking in Bangladesh", *Kyodo*, 5 May 1998.

⁴ "Trafficking in women and girl children for commercial sexual exploitation: An inter-state exploratory study in Jharkhand, Odisha, and West Bengal", Report submitted to Ministry of Women and Child Development, Government of India, New Delhi, by Social Awareness Institution (SAI), Cuttack, Odisha, 2016.

metres (27 ft.). Some 500,000 people were made homeless by the storm, the majority being residents of the city of New Orleans. The population of New Orleans fell from 485,000 to 230,000, and as of 2020 had just reached 390,000. The greatest physical destruction occurred along the Mississippi coast, but the greatest loss of life was in New Orleans where levees failed and the city flooded. The US government response to Katrina, and particularly to the catastrophic flooding of New Orleans, was haphazard at best, exacerbating health risks and making many residents refugees in neighbouring states.

The mass evacuation of New Orleans and the subsequent occupation of the city by some 46,000 soldiers meant that while some crimes such as looting did occur, the police/army presence tended to meet any possible violation with an armed response. While there were reports of kidnapping and human trafficking in the immediate aftermath of the hurricane as with the Boxing Day tsunami, confirmation of these reports proved impossible. A key difference, however, in the understanding of human trafficking and slavery post-Katrina is the work done by the Greater New Orleans Human Trafficking Taskforce⁵. They explain that immediately after the hurricane:

Law enforcement and regulatory agencies were overwhelmed with basic logistical issues that made it difficult to protect citizens from exploitation. Flooded office buildings, disrupted communication, limited transportation options, and other logistical problems made it difficult to get to communities at risk of trafficking. Agencies were so overwhelmed by the immediate needs of the community that they were unable to serve everyone seeking support. In the wake of the storm, the Department of Labor had to significantly decrease the number of investigations it conducted (from 70 the year before Katrina to 33 the year after). As a result, traffickers took advantage of the people affected by the hurricane.⁶

However, those local residents whose vulnerabilities were abused were few in number when compared to a large number of people who were rapidly trafficked *into* the city for clearing wreckage and rebuilding. Many New Orleans residents were unwilling to return to the devastated city, and a serious shortage of needed labour ensued. Once more the federal government took steps which aggravated the situation. As noted by the Greater New Orleans Human trafficking Task Force:

The federal government suspended key worker protections like the Davis-Beacon Act, job safety and health standards, and requirements for employers to confirm employee identification. This led to a new population of vulnerable individuals: migrant guest workers and visa holders. Exploitative employers took advantage of the lack of oversight

⁵ Further information to be found here: <http://www.nolatrafficking.org>

⁶ <http://www.nolatrafficking.org/natural-disasters>, accessed 15 Aug., 2020

of visa programs, the diminished capacity of the [Federal] Department of Labor and other regulatory agencies, and the vulnerability of the foreign guestworkers.⁷

One result of this suspension of worker protections was one of the largest human trafficking cases in US history. The *Signal International* case also illustrates an important theme in post-disaster trafficking and enslavement. New Orleans was and is an administration centre and staging area that serves the extensive oil production by offshore drilling and pumping platforms in the Gulf of Mexico. Hurricane Katrina caused extensive damage to offshore oil rigs and the related infrastructure for pumping, processing, and refining oil. Responding to an acute shortage of skilled welders and pipefitters, within an environment of reduced worker protections, several US companies resorted to recruitment schemes that were fundamentally systems of human trafficking.

Signal International, an Alabama-based oil services company, advertised in India to recruit welders and pipefitters. Signal stated they were operating a government guest-worker programme that would lead to permanent US residency and promised high salaries. To ‘enrol’ in this programme required an initial deposit/fee by the worker of between US\$10,000 and US\$20,000, ostensibly to cover the expense of residency permits for themselves and family members. On their arrival in Louisiana, as explained by the *Civil Rights Litigation Clearinghouse* case profile:

‘... plaintiffs [the Indian workers] were allegedly forced to pay additional fees of \$1,050 per month to live in racially segregated labor camps in Mississippi and Texas with security guards and oppressive rules, and were subject to squalid living conditions, more dangerous and less desirable work assignments than those given to American workers, and threats of both legal and physical harm if they complained about the conditions or decided not to provide labor.’⁸

Ultimately this case came to light and resulted in financial settlements for the Indian workers, but this pattern of dishonest labour recruitment and exploitation was played out many times in Louisiana, especially in demolition and construction work. Thai workers, for example, originally brought to the US for agricultural work, were transferred to New Orleans to do demolition and were found in ‘worse than unsanitary living conditions in a condemned hotel, an supervisor armed with a gun and orders to shoot any outsiders who came to the site, and simply no paychecks at all, and hunger.’⁹ A New York Times exposé¹⁰ revealed the details of this trafficking case.

⁷ Op. cit.

⁸ <https://www.clearinghouse.net/detail.php?id=14377>; accessed 15 August 2020.

⁹ Butler, Amanda, ‘Trafficking the US: After Hurricane Katrina’, 26 February 2015. Posted at: <https://www.sorenandamanda.com/2015/02/26/trafficking-in-the-u-s-after-hurricane-katrina/>. Accessed 16 Aug., 2020.

¹⁰ “Low pay and broken promises greet guest workers” *New York Times*, 28 February 2007

Looking across all three of these deadly storms, none seem to reflect any cases of predatory trafficking in the immediate wake of the storm. There are no cases found for Typhoon Narsing in 1991; likewise, no immediate cases can be found for Cyclone Odisha in 1999, although there are assertions that the increased vulnerability caused by the storm may have led to trafficking sometime after the event. For Hurricane Katrina, no immediate trafficking cases are noted, but during the New Orleans ‘rebuilding’ period a significant number of cases of human trafficking into labour exploitation can be found.

If we re-visit the Boxing Day tsunami, we find it also fits the pattern emerging in the three cyclones explored above. An in-depth study¹¹ of the impact of the tsunami on human rights was undertaken by the Human Rights Center and the East-West Center at the University of California Berkeley and published ten months after the tsunami. The authors noted, that ‘Immediately following the tsunami, international aid agencies feared that human traffickers might seize the opportunity to compel those most vulnerable (women, children, and migrant workers) into situations of forced labor’ (p.1). In this extensive study they did find a number of human rights violations exacerbated by the tsunami including: ‘arbitrary arrests, recruitment of children into fighting forces, discrimination in aid distribution, enforced relocation, sexual and gender-based violence, loss of documentation, as well as issues of restitution, and land and property tenure soon emerged in certain tsunami-affected areas’ (p.1). Leaving aside the possibility that ‘recruitment of children into fighting forces’ might be considered trafficking, the report states clearly that: ‘Researchers did not find any confirmed cases of human trafficking of tsunami survivors’ (p 22). In their conclusions and recommendations, the authors note that: ‘The longstanding issues of child sexual exploitation and trafficking of women and children may worsen with the economic fallout of the tsunami’ and recommend that ‘The issue of trafficking ... must be more closely followed and appropriate sanctions put into place for the traffickers as well as enhanced support for those who are trafficked’ (p. 72). In the section of the report focussing on Myanmar, the authors suggest that ‘the potential for trafficking could increase as the southern provinces move into the reconstruction phase of the tsunami crisis’ (p. 88), a supposition that reflects the potential for similar exploitation similar to that of New Orleans during its reconstruction phase.

In the four natural disasters examined above, two clear patterns emerge when the focus is on human trafficking and enslavement. The first pattern is that the frightening stories concerning traffickers arriving coincident with each disaster and making off with vulnerable children and adults, cannot be found to have actually happened. The second pattern, and one that can be supported by evidence from other types of disruption, such as armed conflict, is that where infrastructure is destroyed, law enforcement breaks down, communications are broken, people are forced to flee their homes and/or are made homeless, and jobs and businesses and other services come to an abrupt halt or collapse, then a collection of serious vulnerabilities obtain for the subject population. One of those vulnerabilities is likely to be an inability to protect

¹¹ Fletcher, L., Stover, E., and Weinstein, H. (eds) *After the Tsunami: Human Rights of Vulnerable Populations*, Human Rights Center/East-West Center, Berkeley, October 2005

oneself against trickery, capture, and exploitation. There is a repetition within these events that suggests a regularity in the sequencing and outcomes of the relationship between such disasters and human trafficking and slavery. I will return to this phenomenon, but first it is important to look more broadly than this handful of cases.

Exploring the Relationship between Natural Disasters and Slavery

In this brief section I use data derived from the Global Slavery Index¹² as well as a series of other data sources that provide nation-state level information for 167 countries on natural disasters, armed conflict, gender suppression, and the presence of the infectious diseases cholera and yellow fever. Looking at the simple relationship between human trafficking/slavery and natural disasters in Table 1, we see what appears to be a strong link.

TABLE 1- Simple Regression: Disasters and Slavery

Source	SS	df	MS	Number of obs = 167		
-----+-----				F(1, 165) =	60.97	
Model	184.187311	1	184.187311	Prob > F	= 0.0000	
Residual	498.417774	165	3.02071378	R-squared	= 0.2698	
-----+-----				Adj R-squared	= 0.2654	
Total	682.605085	166	4.11207883	Root MSE	= 1.738	

logGSI	Coef.	Std. Err.	t	P> t	[95% Conf. Interval]	
-----+-----						
disasters	.2274033	.029122	7.81	0.000	.1699034	.2849032
_cons	9.626986	.1560641	61.69	0.000	9.318846	9.935126

Table 1 presents the bi-variate relationship between the *prevalence* of slavery in 167 countries and whether these countries had suffered a *natural disaster* within recent years. In this simple two-variable example, regressing the natural log of the 2014 GSI *slavery prevalence* measure on the number of *disasters* by country suggests the occurrence of a natural disaster dramatically increases the prevalence of slavery¹³, and that disasters might explain up to 27% of the variance or difference in the prevalence of slavery across countries. However, to imagine that the complexities of trafficking and slavery, or of the human and societal response to natural

¹² *Global Slavery Index*, Walk Free Foundation, 2016

¹³ Specifically, that a one-unit increase in disasters corresponds to a 22.7% increase in trafficking/enslavement.

disasters, might be explained with only two variables is simplistic. If anything, this table suggests how wrong we would be if we were to assume any simple explanation might be derived from a moral panic. Nothing is that simple.

Table 2 demonstrates how other coincident or pre-existing factors might shape the prevalence of slavery in the face of a natural disaster. The dependent variable has been changed to a direct measure of the prevalence of slavery for each country (% of national population enslaved) as opposed to the natural log of slavery prevalence, and other known predictors of slavery are included in the equation.

TABLE 2 – Disasters and Slavery: Introduction of Other Possible Predictors

Source	SS	df	MS	Number of obs	=	156
				F(4, 151)	=	3.51
Model	3.63684349	4	.909210873	Prob > F	=	0.0091
Residual	39.1622997	151	.259352978	R-squared	=	0.0850
				Adj R-squared	=	0.0607
Total	42.7991432	155	.276123504	Root MSE	=	.50927

ESP2016	Coef.	Std. Err.	t	P> t	[95% Conf. Interval]	
ARMEDCON1	.2138558	.1040169	2.06	0.042	.0083394	.4193721
MISSINGWOMEN	.614693	.294095	2.09	0.038	.0336204	1.195766
Disasters	-.0092709	.0092249	-1.00	0.317	-.0274975	.0089557
YFCOL	.0808623	.0660392	1.22	0.223	-.0496179	.2113424
_cons	.4260295	.0572689	7.44	0.000	.3128776	.5391814

There are a number of fundamental conditions that are known to create a context in which slavery flourishes. One of these is war and conflict. The rule of law evaporates in conflict and normal protections for personal liberty disappear. Note that the presence or recent history of armed conflict is a much stronger predictor of the prevalence of slavery in a country than the occurrence of a natural disaster. We should recall, as well, that Myanmar and India were experiencing internal armed conflicts before the arrival of the cyclones discussed above.

Likewise, systematic gender suppression places one-half of a population into a situation of extreme vulnerability and potential exploitation. One concise measure of gender suppression is the variable ‘missing women’, drawn from the *Social Institutions and Gender Index* (SIGI) along its ‘restricted physical integrity’ dimension.¹⁴ ‘Missing women’ is a simple demographic measure that shows the sex ratio amongst 0-4 year-old children, reported as the number of males per 100 females. It is a measure that illuminates both the practice of female infanticide and low

¹⁴ <https://www.genderindex.org/methodology/>; accessed 15 Aug., 2020.

parental investment in female children within a population. India, Bangladesh, and Myanmar all have relatively high levels of ‘Missing Women’.

The third variable (YFCOL) added to this table simply records whether there has been an outbreak of cholera or yellow fever or both in all countries in the global data within the last five years. The presence of these two highly infectious, potentially epidemic, diseases points to a lack of basic public health support as well as the potential for a disease disaster. When added to the analysis, conflict, gender suppression, and the presence of infectious diseases are seen to be much *more powerful* predictors of enslavement, and the statistical link between natural disasters and human trafficking/slavery *ceases to be statistically significant*. A final table confirms how natural disasters fail to explain the prevalence of slavery within countries.

TABLE 3 – Disasters and Slavery: Introduction of GDP Measure

Source	SS	df	MS	Number of obs	=	146
				F(5, 140)	=	10.33
Model	7.00302802	5	1.4006056	Prob > F	=	0.0000
Residual	18.9866269	140	.135618764	R-squared	=	0.2695
				Adj R-squared	=	0.2434
Total	25.989655	145	.179239	Root MSE	=	.36826

ESP2016	Coef.	Std. Err.	t	P> t	[95% Conf. Interval]
ARMEDCON1	.1430385	.0812154	1.76	0.080	-.0175288 .3036058
MISSINGWOMEN	.1430154	.2234016	0.64	0.523	-.2986615 .5846924
Disasters	-.0028385	.0068019	-0.42	0.677	-.0162861 .0106091
YFCOL	.0224642	.0519223	0.43	0.666	-.0801889 .1251174
PCGDP	-.0000102	1.88e-06	-5.45	0.000	-.0000139 -6.52e-06
_cons	.5878239	.0567748	10.35	0.000	.4755771 .7000708

The variable PCGDP represents the per capita Gross Domestic Product of a country. PCGDP measures how much economic production can be attributed to each individual citizen. This translates into a measure of prosperity since it reflects GDP market value per person and is often used as a measure of a country’s economic productivity. In this analysis it illuminates any differences between richer (such as the USA) and poorer countries (such as Bangladesh or Myanmar). Note that when PCGDP is introduced into the regression all other variables except armed conflict cease to be significant predictors of slavery prevalence. Note as well that this is an inverse relationship – as PCGDP goes up, slavery and trafficking go down.

This brief look at national-level data suggests that: 1. any influence of natural disasters on the prevalence of slavery or human trafficking is transitory; and 2. that the existing social,

economic, and human rights situations within country will set the stage for *how* the impact of a natural disaster will play out in terms of human rights in general and human trafficking and slavery in particular.

What are the actual interactions between disasters and human trafficking and slavery?

Looking at the histories of individual natural disasters, and at the general statistical relationship between natural disasters and human trafficking and slavery, suggests several themes or patterns. I assert that there are several ways in which natural disasters have an effect on human trafficking and slavery, but these are *not* the ways put forward and repeated in simplistic stories of traffickers sweeping into devastated communities and making off with vulnerable children and others. There are, rather, *four themes* that describe the practice of trafficking and slavery in the wake of natural disasters.

The first theme states that *when a natural disaster occurs in a location it brings to an end the existing patterns of criminal trafficking and slavery*. As with virtually all other activities, in the wake of a cyclone or tsunami, there is an end to ‘business as usual’ – including the criminal businesses of human trafficking and enslavement. Criminal enterprises rely on much the same infrastructure of buildings, communications, and transport links as legitimate businesses. Criminal traffickers will flee before catastrophe arrives just as others do. The well-being of the people they control and exploit is another question, so their victims may be moved away from the threat, or abandoned to their fates.

The second theme states that *for virtually all people who remain in the disaster zone, and many who flee, there is an onset of extreme vulnerability*. The loss of public services, of water, power, sewage, transport, medical help, law enforcement, and food supplies can lead quickly to serious danger. Public health is threatened, and infectious diseases may spread rapidly. In the absence of health services even minor injuries and illnesses can become life-threatening. Without law enforcement crimes against the person can be committed with impunity. Virtually all people within the disaster zone will have dramatically increased vulnerability to any or all of these threats. So, while they may not be caught up in human trafficking, the average person is made more vulnerable to subsequent trafficking and enslavement. Disaster increases the pool of people who might be exploited through reducing protections and safeguards.

The third theme *reflects what we know about criminal businesses - that they are adaptable, innovative, and quick to respond to changing situations*. The levels and types of risk criminal enterprises experience are rather greater than that of legitimate businesses, so they are familiar with rapid contingency planning and response. In the event of a natural disaster, criminals are just as likely as other residents to evacuate the area; and being criminals, they are more likely to have secure transport available and portable financial resources. In addition to their own personal safety they will be looking to preserve or remove needed equipment and tools as well as key human assets. Once they have achieved self-preservation, they will consider and adapt to whatever opportunities they might perceive within the disaster and its aftermath. If the

focus of their criminal enterprise has been exploiting people, they are likely to recognise the potential for the ‘recruitment’ of prime workers in the context of heightened vulnerability.

The fourth theme *describes how those involved in trafficking and enslavement may adapt to the changing conditions brought by the natural disaster, altering or adapting the type of exploitation they practice*. The situation in New Orleans after Hurricane Katrina is a good example. While pre-Katrina New Orleans was thought to have a significant number of people trafficked into commercial sexual exploitation, the market for that commerce ended abruptly with the demise of the tourist and convention trade. Immediately, however, there was an urgent demand for workers to clear wreckage, repair infrastructure, and re-build. The individuals needed to fulfil these jobs were mostly different to those who had been used in commercial sexual exploitation. So, a key result of natural disaster is the high likelihood that criminals are likely to *change* the types of exploitation they practice, if not the methods by which they ‘recruit’ and control the individuals they intend to exploit.

Conclusion: Two Testable Assertions

The few quantitative or disaster-specific studies that have looked at the possibility of natural disasters driving immediate human trafficking and slavery have failed to find such a relationship.¹⁵ However, I assert that there are two specific ways that natural disasters can and often do interact with slavery and trafficking in addition to the four themes explored above. The first assertion is that *disasters both end and begin trafficking and slavery activities*. In the same way that disasters punctuate between business-as-usual and possible chaos, those involved in the commercial exploitation through control of people will adapt to a changing context. Chaos has long been understood as a context in which slavery flourishes. The disruption of a natural disaster may temporarily hinder the business of trafficking and slavery, but unlike most businesses, crime feeds on chaos, and new modalities of trafficking and enslavement will emerge.

The second assertion is that *there is a disaster ‘snowball effect’*. While the information coming from disasters is disjointed, meagre, and often confused, once a disaster is added to an existing situation of slavery and trafficking, and the number of persons highly vulnerable to enslavement is dramatically increased, then the volume of slavery crime will increase over time, only to shrink when law enforcement, public safety, and personal security recovers. Put simply, disasters both terminate and initiate trafficking and slavery, and generally increase the amount and severity of exploitation over time.

The four themes and the two assertions described above create a framework for understanding how natural disasters and slavery interact. By doing so, they also suggest how

¹⁵ Fletcher, L., Stover, E., and Weinstein, H. (eds) *After the Tsunami: Human Rights of Vulnerable Populations*, Human Rights Center/East-West Center, Berkeley, October 2005. See also: Bowersox, Zack “Natural Disasters and Human Trafficking: Do Disasters Affect State Anti-Trafficking Performance” *International Migration*, Vol. 56, (1) 2018, ISSN 0020-7985.

plans and actions, relevant to context, might be prepared before disaster strikes in order to reduce the secondary threat of slavery and trafficking. But it is important to note that this is initial and exploratory research. There are many more natural disasters to explore and analyse, and many more national, regional, and local responses to those disasters that need to be examined and assessed. What can be stated with certainty is that the number and strength of weather-based disasters is increasing, as well as expanding into geographical areas where they have previously been rare or non-existent. A consideration of human rights, and human trafficking and slavery in particular, must be part of disaster planning.

Providing Protection or Enabling Exploitation? Orphanages and Modern Slavery in Post-Disaster Contexts

Dr Kathryn E. van Doore

Senior Lecturer, Griffith Law School and Law Futures Centre, Griffith University, Australia

Rebecca Nhep

Senior Technical Advisor, Better Care Network, New York, USA

Abstract

Orphanages are a common child protection response to humanitarian crises spurred on by media and NGO depictions of the disaster orphan. Yet, decades of research attests to the harm that orphanage care can cause. Driven by aid funding, orphanages are often sustained long after the recovery phase. In recent years, research has highlighted the links between orphanages, exploitation and modern slavery, particularly orphanage trafficking. This paper examines how the perpetuation of the disaster narrative sustains orphanage care post-disaster which heightens the risk, and exposure, of children to modern slavery, and makes suggestions for strengthening humanitarian crises responses to protect children.

Keywords: Orphanage; Humanitarian; Natural disasters, Orphanage trafficking; Modern Slavery

Introduction

The institutionalisation of children through the establishment of orphanages is often implemented as a child protection response in post-disaster humanitarian contexts. Despite extensive evidence that institutionalisation can be harmful to the development of children,¹ institutions and orphanages have proliferated over the past three decades as a response to humanitarian crises and the ‘increased interest of private financial donors in funding the creation and operation of institutions’.² Research shows that orphanages are linked to modern slavery, particularly child trafficking.³ Whilst inter-country adoption as a post-disaster humanitarian

¹ Lorraine Sherr, Kathryn J. Roberts, and Natasha Gandhi, "Child violence experiences in institutionalised/orphanage care," *Psychology, Health & Medicine: Know Violence in Childhood Global Learning Initiative* 22, no. 1 (2017): 33.

² Marinus H. van Ijzendoorn et al., "Institutionalisation and deinstitutionalisation of children 1: a systematic and integrative review of evidence regarding effects on development," *The Lancet Psychiatry* 7, no. 8 (2020): 706.

³ Kathryn E van Doore, "Orphanages as Sites of Modern Slavery," in *Modern Day Slavery and Orphanage Tourism* (London: CABI, 2019), 19.

response⁴ and its potential links to child trafficking⁵ have been extensively considered, the use of orphanages as a child protection response in post-disaster contexts and their associated links with human trafficking and modern slavery have not.

This article aims to respond to that gap by examining how the use of child institutionalisation, particularly through the establishment of orphanages, is rationalised in order to protect children and prevent child trafficking in post-disaster contexts. The article critically analyses the use of institutional care, such as orphanages, as a child protection response in post-disaster contexts and examines how the continued use of the disaster narrative to perpetuate institutional care heightens the risk of modern slavery and child trafficking. We do this in four parts. First, we examine how orphans become the subject of specific humanitarian intervention. Second, we explore how orphanages have been utilised as a response to different forms of humanitarian crises including natural disasters such as earthquakes, tsunamis, epidemics and pandemics, and man-made emergencies such as armed conflict. Third, we examine the links between orphanages and modern slavery. We argue that the perpetuation of the disaster narrative sustains orphanages in the post-disaster recovery phase which heightens the risk and exposure of resident children to modern slavery. Finally, we make recommendations for child protection responses to future humanitarian crises to focus on strengthening the existing child protection system to prevent children being exposed to modern slavery in disaster and post-disaster settings.

Orphans as Subjects of Humanitarian Response

Humanitarian crises including natural disasters, war and health pandemics, create ‘new types of vulnerability by disorganising families and disrupting communities’.⁶ A common transnational humanitarian response to alleviate orphanhood in post-disaster contexts was previously the implementation of inter-country adoption. Inter-country adoption was first utilised

⁴ Peter Selman, "Adoption in the Context of Natural Disaster," in *The Routledge Handbook of Adoption*, ed. Emily Helder Gretchen Miller Wrobel, Elisha Marr (New York: Routledge, 2020); Patricia Fronck, "Operation BabyLift: advancing inter-country adoption into Australia," *Journal of Australian Studies* 36, no. 4 (2012) 445-458; Patricia Fronck and Denise Cuthbert, "History repeating... disaster-related inter-country adoption and the psychosocial care of children," *Social Policy and Society* 11, no. 03 (2012) 429-442; Peter Selman, "Inter-country adoption after the Haiti earthquake: rescue or robbery?," *Adoption & Fostering* 35, no. 4 (2011) 41-49.

⁵ Patricia Meier, "Small commodities: How child traffickers exploit children and families in inter-country adoption and what the United States must do to stop them," *J. Gender Race & Just.* 12 (2008) 185-224; David M Smolin, "Inter-country adoption as child trafficking," *Valparaiso Law Review* 39, no. 2 (2005) 281-326; Judith L Gibbons, "Human Trafficking and Inter-country Adoption," *Women & Therapy* 40, no. 1-2 (2017) 170-189; Jini Roby and Taylor Brown, "Birth Parents as Victims of Trafficking in Inter-country Adoption," in *The Inter-country Adoption Debate: Dialogues Across Disciplines*, ed. Robert Ballard et al. (Cambridge Scholars Publishing, 2015) 303-328; David M. Smolin, "Child laundering as exploitation: applying anti-trafficking norms to inter-country adoption under the coming Hague regime," *Vermont Law Review* 32 (2007) 1-56; David M. Smolin, "Child laundering: How the inter-country adoption system legitimizes and incentivizes the practices of buying, trafficking, kidnapping, and stealing children," *Wayne Law Review* 52 (2006) 113-200.

⁶ Barbara Tizard, "Inter-country adoption: A review of the evidence," *Journal of Child Psychology and Psychiatry* 32, no. 5 (1991) 743-756; Manuel Carballo, Bryan Heal, and Mania Hernandez, "Psychosocial Aspects of the Tsunami," *Journal of the Royal Society of Medicine* 98, no. 9 (2005): 396.

as a form of child protection following the Second World War where religious organisations facilitated the international adoption of orphaned and abandoned children from Germany, Greece and the Baltic States to the United States of America and other European countries.⁷ In more recent years, the use and abuse of inter-country adoption as a form of aid specifically targeting children has been documented after natural disasters⁸ and war.⁹ However, with increased scrutiny on both sending and receiving countries in relation to inter-country adoption due to extensive documentation of what Smolin refers to as ‘child laundering’,¹⁰ the manner in which the west is encouraged to aid orphaned children has evolved. Development models such as orphanages are opened and run by foreigners who heed the call to aid and engage in ‘rescue fantasies of childhood as well as actual children in this enterprise’.¹¹ Rather than removing children from their native countries, the emphasis is on maintaining them in their own countries through the provision of education, food and housing. Thus, a common response following a natural disaster is now to found, build and support orphanages.¹²

Extensive media coverage of large-scale disasters often results in significant humanitarian outpouring and gives rise to an influx of funding and new aid actors. Many of these are organisations established post disaster, without previous experience in the country or humanitarian sector and who operate outside of the established humanitarian framework.¹³ These new aid actors typically originate from foreign donor communities and are without direct experience of the events. As such their interpretations are subjective and based upon mediated portrayals of news outlets, whose depictions of the aftermath shape their understanding of

⁷ Tizard, "Inter-country adoption: A review of the evidence," : 745.

⁸ Ian Atzet, "Post-crisis actions to avoid international child trafficking," *Journal of Law and Family Studies* 12 (2010) 499-510; Selman, "Inter-country adoption after the Haiti earthquake: rescue or robbery?,"; Diane M Hoffman, "Saving children, saving Haiti? Child vulnerability and narratives of the nation," *Childhood* 19, no. 2 (2012) 155-168; Fronck and Cuthbert, "History repeating... disaster-related inter-country adoption and the psychosocial care of children,"; Annemarie Samuels, "Narratives of Uncertainty: The Affective Force of Child-Trafficking Rumors in Postdisaster Aceh, Indonesia," *American Anthropologist* 117, no. 2 (2015): 229.

⁹ Karen Smith Rotabi, Alexandra W Morris, and Marie O Weil, "International child adoption in a post-conflict society: A multi-systemic assessment of Guatemala," *Journal of Intergroup Relations* 34, no. 2 (2008): 9; Fronck, "Operation Babylift: advancing inter-country adoption into Australia," : 445.

¹⁰ David M Smolin, "Child laundering: how the inter-country adoption system legitimizes and incentivizes the practices of buying, trafficking, kidnapping, and stealing children," *Wayne L. Rev.* 52 (2006): 113.

¹¹ Erica Burman, "Innocents abroad: Western fantasies of childhood and the iconography of emergencies," *Disasters* 18, no. 3 (1994): 245.

¹² Claire Bennett, "Does this ‘Nepal’ image make you want to build these children a home? Think again," *The Guardian (online)* (2015) accessed 30 July 2020, <https://www.theguardian.com/commentisfree/2015/may/07/nepal-children-image-orphanages-donate>.

¹³ Patrick Daly and R. Michael Feener, *Rebuilding Asia Following Natural Disasters: Approaches to Reconstruction in the Asia-Pacific Region* (Cambridge: Cambridge University Press, 2016), 26.

impacts and needs, frame their disaster discourse and inform the nature of their response.¹⁴ In a 2017 study on Thailand and the effect of the Boxing Day tsunami in 2004, for example, it was found that ‘the combination of a natural disaster in a developing country and media coverage has the potential to create a profound impression on individuals’.¹⁵

These portrayals are a product of the marketization of news and are economically incentivised to be sensational in nature. They therefore rarely give an accurate or balanced picture of the scale of the disaster or actual impacts on affected communities. Jamieson and Van Belle noted that foreign news coverage of disasters in countries with a low human development index rank were more likely to be epitomised by othering; involve appeals that construct a victim-saviour relationship between affected and observing communities and place the onus for rescue on the latter.¹⁶ This is perhaps most readily observed with respect to post-disaster reporting on children, where grossly exaggerated numbers of disaster orphans¹⁷ and a focus on child trafficking¹⁸ accompanied by images of children alone, without parents or adults, beseeching for assistance, create what Burman refers to as ‘the iconography of the emergency’.¹⁹

Portrayals of children appearing alone, without visible adult input or family, and in need of support and assistance, are commonly used to fundraise for child development and protection programs. As Burman states, ‘children are figured heavily in aid appeals: they plead, they suffer, and their apparent need calls forth help in the form of donations’.²⁰ The depiction of the ‘orphaned child’ in the midst of humanitarian crisis lifts children out of their social and family context and creates an ‘orphan identity’²¹ that is awaiting benevolent humanitarian

¹⁴ Sara Bonati, "Multiscalar narratives of a disaster: From media amplification to western participation in asian tsunamis," *Culture Unbound* 7, no. 3 (2015): 499.

¹⁵ Raweewan Proyrungroj, "Orphan Volunteer Tourism in Thailand: Volunteer Tourists' Motivations and On-Site Experiences," *Journal of Hospitality & Tourism Research* 41, no. 5 (2017): 580.

¹⁶ Thomas Jamieson and Douglas Van Belle, "How Development Affects News Media Coverage of Earthquakes: Implications for Disaster Risk Reduction in Observing Communities," *Sustainability (Basel, Switzerland)* 11, no. 7 (2019): 10.

¹⁷ Florence Martin and Tata Sudraja, *A Rapid Assessment of Children's Home in Post-Tsunami Aceh* (Save the Children and Ministry of Social Affairs, Indonesia, 2006), 66.

¹⁸ Heather Montgomery, "Rumours of Child Trafficking after Natural Disasters: Fact, fiction or fantasy?," *Journal of Children and Media* 5, no. 4 (2011): 398.

¹⁹ Burman, "Innocents abroad: Western fantasies of childhood and the iconography of emergencies," 241.

²⁰ Burman, "Innocents abroad: Western fantasies of childhood and the iconography of emergencies," 241.

²¹ Kristen Cheney, "Malik and his three mothers: AIDS orphans' survival strategies and how children's rights hinder them," in *Reconceptualizing Children's Rights in International Development: Living Rights, Social Justice, Translations*, ed. Karl Hanson (Cambridge University Press, 2012), 155.

intervention.²² This imagery creates the child as a subject of identification for the donor.²³ The child, as the subject, is alone and in need of help and ‘competent donors’ emerge to assist.²⁴ However, the assistance that is offered is on the donors terms.²⁵ Therefore whilst the iconography of emergency is essential in driving aid responses to humanitarian crisis, it results in conditional, donor-selected and donor defined aid.²⁶

Such media draws international support to orphans to the exclusion of others and ‘invites the application of inappropriately homogenised or culturally chauvinistic development models’.²⁷ As children are ‘a primary signifier for international aid and development’,²⁸ the depiction of the orphaned child in humanitarian crises evokes child protection development models like orphanages despite a long history of research indicating that institutional care is harmful to children.²⁹ Such signifiers are appropriated by corrupt orphanages³⁰ where unscrupulous operators and traffickers take advantage of the humanitarian crisis to recruit children into their orphanage in order to profit from their exploitation.

Orphanages as a Response to Humanitarian Crisis

It is currently estimated that there are between 2.7 million³¹ – 5.37 million³² children residing in institutions, or orphanages, globally with up to 80% of resident children having one or both parents alive, many of whom could raise them at home if they were supported. In some countries, the percentage of children residing in orphanages who have a living parent is much higher. The disparity in estimates is due to some governments not knowing how many

²² Andrea Freidus, "Unanticipated outcomes of voluntourism among Malawi's orphans," *Journal of Sustainable Tourism* 25, no. 9 (2016):13.

²³ Burman, "Innocents abroad: Western fantasies of childhood and the iconography of emergencies," 241.

²⁴ Burman, "Innocents abroad: Western fantasies of childhood and the iconography of emergencies," 241.

²⁵ Erica Burman, "Constructing and Deconstructing Childhood: Images of Children and Charity Appeals," in *Psychological Research: Innovative Methods and Strategies*, ed. John Haworth (Routledge, 1996), 178.

²⁶ Burman, "Innocents abroad: Western fantasies of childhood and the iconography of emergencies," 246.

²⁷ Burman, "Innocents abroad: Western fantasies of childhood and the iconography of emergencies," 243.

²⁸ Tess Guiney and Mary Mostafanezhad, "The political economy of orphanage tourism in Cambodia," *Tourist Studies* 15, no. 2 (2014): 150.

²⁹ van Ijzendoorn et al., "Institutionalisation and deinstitutionalisation of children 1: a systematic and integrative review of evidence regarding effects on development," 703.

³⁰ Guiney and Mostafanezhad, "The political economy of orphanage tourism in Cambodia," 150.

³¹ Nicole Petrowski, Claudia Cappa, and Peter Gross, "Estimating the number of children in formal alternative care: Challenges and results," *Child Abuse & Neglect* 70 (2017): 388.

³² Chris Desmond et al., "Prevalence and number of children living in institutional care: global, regional, and country estimates," *The Lancet Child & Adolescent Health* 4, no. 5 (2020): 370.

orphanages are in their country, or the number of children living in them, despite having legislative and policy frameworks that require orphanages to register or seek authorisation to operate as a residential care centre for children.³³ This is particularly an issue with privately run orphanages where ‘in many countries, local or international organizations have been able to open and operate such facilities with little or no government oversight’.³⁴ Guiney argues that because orphanages are perceived as a legitimate child protection response in developing nations, ‘donors fail to be as critical as they would be of other charitable organizations’.³⁵ In addition, in countries where the population is experiencing, or impacted by, conflict, displacement, health crises, low socio-economic conditions or a combination of these, the number of orphanages is increasing.³⁶ Research has documented the establishment and maintenance of orphanages as a child protection response in diverse humanitarian emergency settings ranging from natural disasters such as the Indian Ocean Tsunami impacting Indonesia³⁷ and Thailand³⁸ and earthquake in Haiti,³⁹ and Nepal⁴⁰ to armed conflict in Uganda⁴¹ and Cambodia⁴², to the perceived ‘AIDS orphan crisis’ in Sub-Saharan Africa.⁴³

Two relatively recent examples of the proliferation of orphanages following humanitarian crisis are the responses to the 2010 earthquake in Haiti and the 2015 earthquakes in Nepal. In the aftermath of the 2010 Haitian earthquake, a child protection response saw the Haitian government expedite inter-country adoptions that were already under way with eighty Haitian children having their adoptions into the United States finalised within ten days of the earthquake

³³ John Williamson and Aaron Greenberg, *Families, not orphanages* (Better Care Network, 2010), 3.

³⁴ Williamson and Greenberg, *Families, not orphanages*, 3.

³⁵ Guiney and Mostafanezhad, "The political economy of orphanage tourism in Cambodia," 141.

³⁶ Williamson and Greenberg, *Families, not orphanages*, 3.

³⁷ Martin and Sudraja, *A Rapid Assessment of Children's Home in Post-Tsunami Aceh*.

³⁸ Proyrungroj, "Orphan Volunteer Tourism in Thailand: Volunteer Tourists' Motivations and On-Site Experiences,".

³⁹ Georgette Mulheir and Mara Cavanagh, *Orphanage Entrepreneurs: The Trafficking of Haiti's Invisible Children*, Lumos (2016).

⁴⁰ Martin Punaks and Katie Feit, "Orphanage voluntourism in Nepal and its links to the displacement and unnecessary institutionalisation of children," *Institutionalised Children Explorations and Beyond* 1, no. 2 (2014): 180.

⁴¹ Mark Riley, *Baseline Study: The State of Institutional Care in Uganda*, Ministry of Gender, Labor and Social Development (Kampala, 2012).

⁴² Tess Guiney, "'Orphanage Tourism' in Cambodia: When Residential Care Centres Become Tourist Attractions," *Pacific News* 38 (2012) 9-14.

⁴³ Linda M Richter and Amy Norman, "AIDS orphan tourism: A threat to young children in residential care," *Vulnerable Children and Youth Studies* 5, no. 3 (2010) 217-229.

occurring.⁴⁴ The Haitian government temporarily suspended new adoptions in order to prevent child trafficking.⁴⁵ Despite this measure, scandal in Haiti soon erupted when [ten missionaries were charged with child abduction](#) after trying to take 33 children who were not orphans out of the country without permission.⁴⁶ Another 54 children were airlifted for adoptions to be arranged by the United States Governor for Pennsylvania, Edward G. Rendall, only to discover that 12 of them were not in fact orphans.⁴⁷ The Haitian situation revealed the complex issues associated with inter-country adoption as an emergency relief mechanism. Whilst there was a ban on inter-country adoptions being commenced, there was no ban on orphanages opening and taking in children, which subsequently occurred at a rapid rate. The ultimate legacy of the 2010 earthquake was an estimated 32,000 children residing in orphanages, around 80 percent of whom had at least one living parent.⁴⁸ A report on the links between the Haitian earthquake and the establishment of orphanages found that children were being recruited or purchased into orphanages, which were poorly maintained in order to encourage funding from foreigners.⁴⁹

In Nepal, there was a significant rise in the institutionalisation of children in orphanages between 1996 and 2006 where children were displaced into orphanage care as a result of civil unrest.⁵⁰ Following the earthquakes in Nepal in April and May 2015, the government issued a moratorium on all inter-country adoptions, not just a suspension on new adoption proceedings, in addition to a moratorium on the establishment and registration of new orphanages. Existing orphanages were also prohibited from receiving new children without government approval.⁵¹ However, even following these stricter measures, 245 children were intercepted from being trafficked either to illegal and unregistered orphanages or for other illicit purposes in the first two months after the earthquakes. In a press release pertaining to the post-earthquake trafficking, UNICEF stated ‘in some cases children are deliberately separated from their families and placed in orphanages so they can be used to attract adoptive families, fee-paying volunteers and

⁴⁴ Matthew Bigg, “Haiti orphans at risk from traffickers -government, UNICEF”, *Reuters*, (25 January 2010), accessed 30 July 2020, <http://www.reuters.com/article/us-quake-haiti-orphans-sb-idUSTRE60O2A120100125>.

⁴⁵Selman, "Inter-country adoption after the Haiti earthquake: rescue or robbery?,": 41.

⁴⁶ Karl Penhaul, Dan Simon and Jill Dougherty, “U.S. missionaries charged with kidnapping in Haiti”, *CNN Edition*, (5 February 2010), accessed 30 July 2020, <http://edition.cnn.com/2010/CRIME/02/04/haiti.arrests/>.

⁴⁷ Ginger Thompson, “Questions Surface After Haitian Airlift”, *New York Times*, (23 February 2010) accessed 30 July 2020, http://www.nytimes.com/2010/02/24/world/americas/24orphans.html?_r=0.

⁴⁸ Mulheir and Cavanagh, *Orphanage Entrepreneurs: The Trafficking of Haiti's Invisible Children*, 7.

⁴⁹ Mulheir and Cavanagh, *Orphanage Entrepreneurs: The Trafficking of Haiti's Invisible Children*, 27.

⁵⁰ Martin Punaks and Katie Feit, "Orphanage voluntourism in Nepal and its links to the displacement and unnecessary institutionalisation of children,": 180.

⁵¹ Kathryn Johnson, "Nepal's Earthquakes, 'Orphans,' and Volunteers", *Human Trafficking Search*, (5 October 2015), accessed 30 July 2020, <http://www.humantraffickingsearch.net/wp1/nepals-earthquakes-orphans-and-volunteers>.

donors'.⁵² It was also reported that there was a proliferation of 'pop up' orphanages that were not registered officially but had been established and were operating unlawfully to capitalise on the aid pouring into the country⁵³ and an increase of 486 children institutionalised in orphanages.⁵⁴

For children who are already regarded as vulnerable, humanitarian crises exacerbate their existing vulnerability in a variety of ways. Children may become separated from their parents or caregivers by virtue of the humanitarian crisis itself, be it a health issue, natural disaster or displacement caused by conflict. Children with pre-existing vulnerabilities are also more likely to experience secondary separation, which occurs when caregiver's capacities are stretched, overwhelmed or eroded by the impacts of the crisis. The concentration of aid directed towards orphanages and the disconnection between this intervention and the actual needs of affected communities, exacerbates the risk of secondary separation by incentivising relinquishment rather than offering families more appropriate support.⁵⁵

As such, separation in a humanitarian context is not always a direct consequence of the crisis. For example, many children are placed in orphanages, or residential care centres, due to a perception that they will be better protected in times of humanitarian crisis.⁵⁶ For families who may have been living in endemic poverty, a humanitarian crisis may be the tipping point leading their parents to relinquish the child to an orphanage seeking better circumstances. Orphanhood is therefore not the primary driver of admissions into institutional care in emergency contexts as is usually assumed,⁵⁷ but a variety of other drivers including illness or disability, socio-economic conditions result in children being relinquished, transferred or even trafficked into orphanage care.

Orphanages or institutions, can therefore create a 'pull factor' where children are admitted not because they are orphans, but simply because the orphanage exists and it is perceived as a means of ameliorating vulnerability, both pre-existing and crisis related.⁵⁸ As such, child admissions can be driven by the donor prerogative, and ironically this can create the

⁵² UNICEF, "Nepal: in earthquakes' wake, UNICEF speeds up response to prevent child trafficking", UN News, (22 June 2015), accessed 30 July 2020, <https://news.un.org/en/story/2015/06/502262-nepal-earthquakes-wake-unicef-speeds-response-prevent-child-trafficking>.

⁵³ "Trafficking of 'orphans' already on in post-earthquake Nepal, government fears", *SouthAsia.com.au*, (21 May 2015), accessed 30 July 2020, <http://www.southasia.com.au/2015/05/21/trafficking-of-orphans-already-on-in-post-earthquake-nepal-government-fears/>.

⁵⁴ Nepal Central Child Welfare Board, *The State of the Children in Nepal 2016* (Ministry of Women, Children and Social Welfare, Nepal, 2016), 115-116.

⁵⁵ Neil Boothby et al., "What are the most effective early response strategies and interventions to assess and address the immediate needs of children outside of family care?," *Child abuse & neglect* 36, no. 10 (2012): 713.

⁵⁶ Boothby et al., "What are the most effective early response strategies and interventions to assess and address the immediate needs of children outside of family care?,": 713.

⁵⁷ Sherr, Roberts, and Gandhi, "Child violence experiences in institutionalised/orphanage care,": 32.

⁵⁸ Williamson and Greenberg, *Families, not orphanages*, 3.

very separation donors purport to resolve. This in turn creates an environment conducive to child trafficking and the sale of children connected with orphanages, under the guise of humanitarian action. Such conditions may be attractive for unscrupulous orphanage operators to take advantage of the situation and traffic children into an orphanage seeking to benefit from the increased aid available due to a humanitarian crisis.

This risk is intensified where disasters occur in countries where child protection systems are characterised by an over-reliance on under-regulated privatised institutional care, weak rule of law and a documented history of fraudulent practices in alternative care.⁵⁹ Disasters, and the ensuing disruption, can exacerbate systemic weaknesses as well as vulnerabilities within already at-risk communities. Families may be forced to take risks, including relinquishing their children, to cope with the economic impacts of disasters or the demands and implications of rebuilding. Governments without strong regulatory control over private institutions pre-disaster are even less likely to be able to enforce gatekeeping, standards and uphold registration requirements post disaster. This creates an opportunity for unscrupulous intermediaries who are cognisant of the commercial opportunities arising from humanitarianism. They may seek to establish new institutions or recruit children into new or existing institutions to access aid funds. In turn, donations and aid then incentivises the recruitment and maintenance of children in orphanages as a necessary means of expending the over-investment.⁶⁰ Indeed, the funding flow into orphanages from commercial and fundraising activities associated with orphanage tourism, where people pay to visit or volunteer in an orphanage, has been linked to the establishment and maintenance of orphanages, and the recruitment of children into orphanages to meet the demand for such experiences.⁶¹

Perpetuating the Disaster Orphan Narrative: Enabling Exploitation

Humanitarian crises such as natural disasters ‘heighten the risk, and create the right environment, for traffickers to exploit the vulnerabilities of the affected population’ with children being particularly vulnerable.⁶² During humanitarian crises, ‘children face specific life-threatening risks, including malnutrition, separation from their families, trafficking, recruitment into armed groups and physical or sexual violence and abuse, all of which require immediate

⁵⁹ Kathryn E. van Doore and Rebecca Nhep, "Orphanage Trafficking, Modern Slavery and the Australian Response," *Griffith Journal of Law & Human Dignity* 7, no. 2 (2019): 119.

⁶⁰ Martin and Sudraja, *A Rapid Assessment of Children's Home in Post-Tsunami Aceh*, 68.

⁶¹ Kristen Cheney and Karen Smith Rotabi, "Addicted to Orphans: How the Global Orphan Industrial Complex Jeopardizes Local Child Protection Systems," in *Geographies of Children and Young People*, ed. Kathrin Hörschelmann Christopher Harker, Tracey Skelton (Berlin: Springer, 2015) 90-104; Karen Smith Rotabi, Jini L. Roby, and Kelley McCreery Bunkers, "Altruistic Exploitation: Orphan Tourism and Global Social Work," *British Journal of Social Work* 47, no. 3 (2016) 648-665; Leigh Matthews, "People, Money and Resources: The Drivers of Institutionalisation," in *Modern Day Slavery and Orphanage Tourism*, ed. Leigh Matthews Joseph M Cheer, Kathryn E van Doore, Karen Flanagan (London: CABI, 2019), 45.

⁶² International Office for Migration, *Addressing Human Trafficking and Exploitation in Times of Crisis*, IOM (Geneva, 2015), 5.

action'.⁶³ Orphanages proliferate as a child protection response yet are 'frequently understaffed, poorly organized, and unable to meet national minimum standards'.⁶⁴ Whilst humanitarian crises are often the impetus for a humanitarian response of mass institutionalisation of children,⁶⁵ there is a sustained prevalence of institutionalisation following the cessation of such unrest often due to the continued availability of aid and donations.

Orphanages that were established as a result of humanitarian disaster often continue to perpetuate the disaster narrative to justify the ongoing use of institutional care. Following the genocide in Rwanda, a UNICEF report on children in unaccompanied child centres, another term for orphanages, noted that 'closer examination of children in centres reveals that in recent years- in a period absent of civil strife- children are continuing to enter centres' as families believed that such centres were a better alternative than raising them at home.⁶⁶ Research undertaken in Thailand in 2017 found that there was a strong relationship between natural disaster and the motivations of volunteers to assist. The study found the 'most dominant motivational factor' was a 'desire to help the children' which was 'strongly influenced by the volunteer tourists' knowledge of the 2004 Boxing Day tsunami',⁶⁷ an event that had occurred some thirteen years previous. Another example of the continued proliferation of orphanages is found in Cambodia where the civil war was resolved in 1975 and the Khmer Rouge regime overturned in 1979. Many non-government organisations in Cambodia are still reliant on the civil war narrative for their fundraising. One example is an Australian non-government organisation operating in Cambodia that continues to outline the civil war as a rationale for their continued operation of orphanages.⁶⁸ The same organisation has been critiqued for their use of alone, dirty children in their fundraising campaigns.⁶⁹ In Cambodia, a mapping published in 2017 estimated that 26,187 children were living in residential care settings, with 16,579 of those in institutions with 79%

⁶³ Sphere Association, *The Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response* (Geneva, Switzerland, 2018), 12.

⁶⁴ Boothby et al., "What are the most effective early response strategies and interventions to assess and address the immediate needs of children outside of family care?,": 715.

⁶⁵ Boothby et al., "What are the most effective early response strategies and interventions to assess and address the immediate needs of children outside of family care?,": 713.

⁶⁶ K.F Greenwell, *A profile of children in Rwanda's unaccompanied children [UAC] centers: A report based on statistical indicators for 24 UAC centers in 2000*, UNICEF-Rwanda and Ministry of Local Administration and Social Affairs of Rwanda, (2002), 44.

⁶⁷ Proyrungroj, "Orphan Volunteer Tourism in Thailand: Volunteer Tourists' Motivations and On-Site Experiences,": 579.

⁶⁸ "Sunrise- About us", Sunrise Cambodia, accessed 30 July 2020, <http://sunrisecambodia.org.au/about/>.

⁶⁹ Lindsay Murdoch, "'Poverty porn' and 'pity charity' the dark underbelly of a Cambodia orphanage," *Sydney Morning Herald*, (2016) accessed 30 July 2020, <http://www.smh.com.au/world/poverty-porn-and-pity-charity-the-dark-underbelly-of-a-cambodia-orphanage-20160602-gpacf4.html>.

having a living parent.⁷⁰ It was found that 75% of the children were placed in the orphanage due to poverty and to access education.⁷¹

Rather than providing protection, orphanage care is well-documented as exposing children to a much higher risk of abuse. A 2020 Lancet Commission found that children residing in institutional care were ‘at risk of severe physical or sexual abuse, violation of fundamental human rights, trafficking for sex or labour, exploitation through orphan tourism, and risk to health and wellbeing after being subjected to medical experimentation.’⁷² The United Nations has documented abuse in orphanages including ‘torture, beatings, isolation, restraints, sexual assault, harassment, and humiliation’.⁷³ The 2019 United Nations Global Study on Children Deprived of Liberty reported that ‘conditions in institutions are often characterised by violence, sexual abuse and neglect, amounting to inhuman and degrading treatment’ and that child protection systems that favoured institutionalisation were sometimes characterised by ‘profit motives or the commodification of the care of children’.⁷⁴

The links between institutional care and trafficking have been in particular focus in recent years. In the United States Trafficking in Persons Report 2018, a special section entitled ‘Child Institutionalization and Human Trafficking’ highlighted how children are both trafficked into and out of orphanages outlining that the ‘physical and psychological effects of staying in residential institutions, combined with societal isolation and often subpar regulatory oversight by governments, place these children in situations of heightened vulnerability to human trafficking’.⁷⁵ Such heightened vulnerability results in the exploitation of children being more likely, with the Report detailing cases of orphanages doubling as brothels, and children being forced into commercial sexual exploitation and forced labour.⁷⁶ It further particularises how profits from voluntourism ‘incentivise nefarious orphanage owners to increase revenue by expanding child recruitment operations in order to open more facilities’ thereby facilitating ‘child trafficking rings’.⁷⁷

⁷⁰ Ministry of Social Affairs Veterans and Youth Rehabilitation of Cambodia, *Mapping of residential care facilities in the capital and 24 provinces of the Kingdom of Cambodia*, Royal Government of Cambodia (2017), 10.

⁷¹ Lindsay Stark et al., "National estimation of children in residential care institutions in Cambodia: a modelling study," *BMJ Open* 7, no. 1 (2017): 1.

⁷² van Ijzendoorn et al., "Institutionalisation and deinstitutionalisation of children 1: a systematic and integrative review of evidence regarding effects on development," 706.

⁷³ UNICEF, *Violence against Children in Care and Justice Institutions*, UNICEF (2006), 175.

⁷⁴ Manfred Nowak, *Report of the Independent Expert leading the United Nations Global Study on Children Deprived of Liberty*, UN Doc A/74/136 (2019), 13/23.

⁷⁵ United States Department of State, *Trafficking in Persons Report 2017* (2017), 22.

⁷⁶ United States Department of State, *Trafficking in Persons Report 2017* (2017), 22.

⁷⁷ United States Department of State, *Trafficking in Persons Report 2017* (2017), 22.

Where children are recruited or transferred into orphanages for the purpose of exploitation or profit, it is known as ‘orphanage trafficking’. Orphanage trafficking is one form of modern slavery that is documented as occurring in orphanages as a result of the profit motivation driven by aid funding.⁷⁸ The profit motive leads orphanages to utilise children ‘as a commercial entity to attract funds’ who ‘may be sent out to beg or perform on behalf of centres’ to elicit donations.⁷⁹ A UNICEF report on residential care in Cambodia found that in ‘some cases residential care facilities are being used to raise money in a way that begins to resemble a business. Tourism generates funds that are often unmonitored and therefore more susceptible to corruption’.⁸⁰

Orphanage tourism is where foreigners volunteer in, or visit, orphanages as part of their overseas traveling experience.⁸¹ Voluntourism globally generates an estimated US\$2.6 billion per year in revenue.⁸² Orphanage tourism is a form of voluntourism that objectifies children as commodities to be ‘consumed’.⁸³ The demand for orphanage tourism experiences has led to what Cheney terms the ‘orphanage industrial complex’.⁸⁴ Orphanage tourism results in children being vulnerable to forms of labour and sexual exploitation with children residing in the most corrupt centres ‘often perceived to be accessible for more than humanitarian activities’.⁸⁵ In 2016, the Special Rapporteur on the sale of children, child prostitution and child pornography to the Human Rights Council found that:

Research has provided evidence of systems in which the owners of orphanages use intermediaries to get children who look poor to orphanages, in order to satisfy a fee-based volunteering demand, generating significant profits. Traffickers lure poverty-stricken families into giving away their children, under promises of good living conditions and

⁷⁸ Kathryn E. van Doore, "Paper Orphans: Exploring Child Trafficking for the Purpose of Orphanages," *International Journal of Children's Rights* 24, no. 2 (2016): 378.

⁷⁹ Erica Browne, *Children in care institutions* (Institute of Development Studies, 2017), 2.

⁸⁰ UNICEF, *With the best intentions: A study of attitudes towards residential care in Cambodia* (UNICEF & Ministry of Social Affairs, Veterans and Youth Rehabilitation, Cambodia, 2011), 65.

⁸¹ Tourism Research and Marketing, *Volunteer tourism: A Global Analysis* (European Association for Tourism and Leisure Education and Tourism Research and Marketing, 2008).

⁸² Proyrungroj, "Orphan Volunteer Tourism in Thailand: Volunteer Tourists' Motivations and On-Site Experiences," 560.

⁸³ P. Jane Reas, "'Children That are Cute Enough to Eat': The Commodification of Children in Volunteering Vacations to Orphanages and Childcare Establishments in Siem Reap, Cambodia," *Tourism, culture & communication* 20, no. 2 (2020): 83.

⁸⁴ Cheney and Rotabi, "Addicted to Orphans: How the Global Orphan Industrial Complex Jeopardizes Local Child Protection Systems," 97.

⁸⁵ Guiney and Mostafanezhad, "The political economy of orphanage tourism in Cambodia," 141.

education. Children are then often left in poor conditions, in order to prompt foreign charity, and forced to perform activities to please foreign volunteers.⁸⁶

Orphanages are often established as a child protection response to humanitarian crisis, however it is the perpetuation of orphanage care propped up by funding streams including aid and orphanage tourism that leads to the exploitation and trafficking of vulnerable children. Whilst some form of emergency residential care may be required at the time of the humanitarian crisis, such care should be provided by existing services that are already operating as part of the formal alternative care system, temporary in nature and used for the shortest duration possible with the aim of reunifying the child with their family or arranging for permanent care in a family-based setting via kin or domestic adoption.⁸⁷

Advocating for Appropriate Child Protection Responses in Humanitarian Crisis

Formal humanitarian sector actors have long since recognised the risks and detriments of proliferating orphanages in humanitarian settings. Through various interagency initiatives, the sector has issued authoritative guidance to discourage its practice. For example, the Interagency Guiding Principles on Unaccompanied and Separated Children drew attention to the risk of humanitarian action provoking separation and exacerbating children's vulnerabilities. The Guiding Principles outline a strong framework for integrating international child rights norms into humanitarian action, including the prioritisation of family preservation and family-based care.⁸⁸

Similarly, the Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response recognises that humanitarian responses can positively or negatively impact children's care and protection and expose children to risks of child recruitment, abduction and separation.⁸⁹ The Minimum Standards for Child Protection in Humanitarian Action (Standards) call for caution in labelling separated or unaccompanied children 'orphans' until such time that the living status of both parents has been verified.⁹⁰ The Standards promote a system strengthening approach to child protection in humanitarian settings as opposed to siloed issue specific interventions. This is a critical safeguard against child rights regressions that can occur when aid actors seek to ameliorate one issue, perceived or actual, without taking into

⁸⁶ Maud de Boer-Buquicchio, *Report of the Special Rapporteur of the Human Rights Council on the sale of children, child prostitution and child pornography*, UN Doc A/HRC/34/55 (22 December 2016): 16/25.

⁸⁷ *Guidelines for the Alternative Care of Children*, UN Doc A/RES/64/142, (18 December 2009, adopted 24 February 2010): Guidelines 153-154.

⁸⁸ International Committee of the Red Cross, *Interagency Guiding Principles on Unaccompanied and Separated Children*, International Committee of the Red Cross (2004), 46.

⁸⁹ Sphere Association, *The Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response*, 12.

⁹⁰ The Alliance for Child Protection in Humanitarian Action, *Minimum Standards in Child Protection in Humanitarian Action* (2019), 153.

account the impact on children's holistic rights. Rights regressions can increase the risk of trafficking and exploitation. This is particularly so when the right being encroached upon is the child's right to family life, as child vulnerability is known to increase when a child is removed from the protective environment of the family. As such it is imperative that donors and aid actors, both new and established, prioritise action that strengthens families and the family-based care system. As the Standards, suggest, this is best achieved through measures that enhance the readiness, capacity and responsiveness of the existing child protection system rather than through parallel and disjointed efforts. Such an approach not only improves the outcomes for children, it protects children from trafficking and exploitation in institutions by starving the unregulated 'orphan industrial complex'⁹¹ of the financial incentives that drive it.

The problem remains however that it is not the absence of authoritative guidance or even law that has enabled this phenomenon to occur. It is the amateurization of aid and child protection that 'othering' seems to sanction resulting in the bypassing of the formal humanitarian and government frameworks by donors and 'amateur aid actors' who operate on the basis of their assumptions.⁹² Fueled by the 'iconography of emergency' in media depictions, their altruism plays into the hands of intermediaries and operators seeking to profit or disguise their intent to exploit children behind the convenient guise of humanitarianism. As such it points to the need for greater regulation of foreign charities overseas activities and increasing accountability and awareness raising amongst donors and the western media.

Charities should be required, under the regulations of their registering country, to operate in conformity with the laws and policies of their host country. This must include the international laws to which host countries have acceded and laws and orders or regulation made pursuant to emergency powers legislation, including those pertaining to moratoriums on new institutions, inter-country adoption and prohibitions on irregular movement of children. The Australian Not for Profit Commission's recently introduced External Conduct Standards (ECS) are a good example of such charity sector regulation.⁹³ Comprised of a set of four standards applicable to all Australian charities with overseas activities, the ECS limit charities involvement with overseas institutions to those that operate in conformity with law and minimum standards. Whilst there are concerns regarding self-reporting and weak enforcement, it is expected this will curtail funding and involvement with institutions that are unregistered and practice irregular admission, including orphanage trafficking.

Additionally, charities and their registering bodies should be required to establish complaints mechanisms accessible to a range of stakeholders, including local governments and communities. This is a critical means of preventing exploitation which is known to thrive in

⁹¹ Cheney and Rotabi, "Addicted to Orphans: How the Global Orphan Industrial Complex Jeopardizes Local Child Protection Systems," 97.

⁹² Daly and Feener, *Rebuilding Asia Following Natural Disasters: Approaches to Reconstruction in the Asia-Pacific Region*, 26.

⁹³ *Australian Charities and Notforprofits Commission Regulation 2013* (Cth): Division 50: External Conduct Standards.

environments that lack accountability and oversight.⁹⁴ Furthermore, it creates an avenue for the regulatory burden for charities overseas activities to be shared by registering and host governments. This is necessary to address the unrealistic expectation placed on governments in countries with a pre-existing weak rule of law and unregulated alternative care sector to regulate the activities of overseas charities in an emergency context.

Awareness raising efforts targeting donor communities and media outlets should be factored into disaster preparedness frameworks for countries most at risk of experiencing a heightened risk of child trafficking and exploitation in conjunction with an influx of aid. Particular attention should be paid to securing the cooperation of major media outlets with respect to reporting on children and the accuracy of terminology used. Government orders and regulations, including moratoriums on new institutions, inter country adoption and prohibitions on irregular admission of children into institutions in emergency contexts should be circulated to diplomatic posts, media, and relevant charity sector regulatory and peak bodies, in accessible languages, immediately upon declaration of a state of emergency or upon promulgation.

Furthermore, existing criminal law mechanisms need to be strengthened and stringently enforced to ensure humanitarian settings do not offer impunity to offenders seeking to exploit the vulnerability of children and families during emergencies. Child trafficking legislation needs to be reviewed, and where necessary, amended, to ensure child trafficking and exploitation in institutions is a prosecutable offence.⁹⁵ This must include the application of extraterritorial jurisdiction to the trafficking offences of key 'donor countries' to aid with the prosecution and deterrence of foreign offenders.

Lastly, efforts to combat child-trafficking and exploitation need to be mainstreamed within emergency response frameworks, including the cluster system. As noted by International Office for Migration, the current lack of attention given to addressing the risks of human trafficking within the cluster system results in 'an important protection gap in crisis settings'.⁹⁶ The cluster system could provide a useful platform for information sharing which may assist with the challenge of crime identification in crisis settings.⁹⁷ Addressing this gap could result in greater awareness of trafficking and child exploitation crimes in connection with institutions and more concerted action to prevent or respond swiftly to the emergence of unregulated care settings such as unregistered orphanages.

⁹⁴ Stephanie Delaney, *Protecting Children from Sexual Exploitation and Sexual Violence in Disaster and Emergency Situations*, ECPAT International (Bangkok, 2006), 32.

⁹⁵ van Doore and Nhep, "Orphanage Trafficking, Modern Slavery and the Australian Response," 127.

⁹⁶ International Office for Migration, *Addressing Human Trafficking and Exploitation in Times of Crisis*, 3.

⁹⁷ International Office for Migration, *Addressing Human Trafficking and Exploitation in Times of Crisis*, 3.

Conclusion

This article examined how child institutionalisation, particularly through the establishment of orphanages, is often utilised as a child protection response to situations of humanitarian crisis. As a subject of humanitarian response, the depiction of the ‘orphan’ promulgated by media, NGO’s and governments creates an iconography of emergency that encourages responses that provide specifically for orphans. With inter-country adoption being curtailed and moratoriums being imposed as standard responses to humanitarian crises, the focus in more recent years has been on the establishment and maintenance of orphanages to protect disaster orphans. However, as research has shown, the number of actual orphans requiring such intervention is only perceived to be very high, with the vast majority of children being placed in orphanages as a result of drivers not including parental loss. Such drivers include families struggling with the aftermath of the humanitarian crisis who may require assistance for a short amount of time. However, in most instances, a child will remain in an orphanage for the rest of their childhood once transferred to an orphanage.

We argue that rather than achieving the aim of protecting children, the use and perpetuation of orphanages as a child protection response to humanitarian crises expose children to a heightened risk and increased vulnerability to trafficking and modern slavery. The links between orphanage care and modern slavery, particularly orphanage trafficking, have been the focus of much attention in recent years. In particular, the connection between orphanages, voluntourism and trafficking illustrate how perceived humanitarian responses can harm more than assist.

Whilst the formal humanitarian responses recognise the harms of institutionalisation and advocate for more appropriate forms of child protection responses to humanitarian crisis, it is ‘amateur’ charity and aid actors that often engage in establishing orphanages in post-disaster contexts. We make a number of recommendations to address these factors including that charities be required to operate in conformity with the laws and policies of their host country, and that they establish complaints mechanisms accessible to communities and governments. To address issues of media and NGO reporting contributing to driving inappropriate child protection responses, there should be awareness raising that targets both media outlets and donor communities as a standard part of disaster preparedness frameworks. Lastly, criminal justice provisions need to be fit for purpose to ensure that exploitation and trafficking in orphanage settings are able to be prosecuted, and efforts to combat child-trafficking and exploitation need to be mainstreamed within emergency response frameworks.

Ultimately much work needs to be done to alter the discourse around orphanages in donor countries to better align popular notions of effective aid with evidence. Until such time as this is achieved, governments in both donor and affected countries will need to institute sufficient protective measures, including those designed to curtail and redirect misguided efforts to ‘rescue’ children. Whilst this adds a further burden to often already overstretched child protection sector, it will remain indispensable to the protection of children from trafficking and exploitation in humanitarian settings.

Without data we are fighting blind: the need for human security data in defence sector responses to human trafficking

Peter Wieltschnig

Senior Research Analyst at Trilateral Research

Dr. Julia Muraszekiewicz

Practice Manager at Trilateral Research

Toby Fenton

Product Manager at Trilateral Research

Abstract

The increasing recognition of human trafficking's connection to conflict and instability have led to a concerted drive to bring it further into the remit of defence actors. This article provides a discussion on how defence actors can use open data from the humanitarian sector to develop a holistic understanding of human security that can bolster their efforts to counter human trafficking and move from reactive to preventative responses. The article also discusses the recently developed 'Fusion Doctrine' within the UK and its implications for the meaningful inclusion of humanitarian perspectives in defence planning and analysis.

Keywords: *Human Trafficking, Human Security, Humanitarian Data, Fusion Doctrine*

1. Introduction

Trafficking in human beings (THB), or human trafficking, is rarely seen as a 'military issue'. Rather, it has traditionally been seen as a concern of those working in human rights, criminal law, migration, gender and labour agencies.¹ In terms of government response, it is often perceived as a domestic issue of law enforcement or social services that belong to the remit of the Home Office (Ministry of Interior) or the Department of Justice, with the root causes left to development programmes, civil society and academia. Though the breadth of sectors activated by human trafficking indicates its cross-cutting complexity, it has historically been seen as outside the Ministry of Defence's remit and of limited significance to military strategy.

Yet, as will be shown in the first section of this article, this is changing. Acknowledging that militaries – our focus is on the UK and by extension NATO - are including human

¹ Muraszekiewicz, J., *et al.* *Project Solebay: Considerations for a UK Military-based approach to Assessing the Risk of Modern Slavery*. Trilateral Research, 2019, p.13.

trafficking in aspects of the work, e.g., in trainings (indeed, the authors of this article have led such trainings) and conducting terrain analysis, one must ask how they can engage with a crime that is always considered as ‘clandestine’. This article provides a discussion on how the military can cooperate with and learn from the humanitarian sector in order to develop a more holistic understanding of this challenge, improve their preventative responses and ensure that they are not contributing towards its proliferation. At the heart of this is data, and a nod to the fact that without data you cannot have true insight into an issue.

To assist the discussion, the article takes the following structure. Firstly, the authors inform the reader that human trafficking is not an unfamiliar topic for the military, and the role of data-driven approaches in the UK’s Fusion Doctrine. Then, we highlight the nexus between human trafficking and human security, the latter being an area where the use of data is starting to take root. Subsequently, this article outlines the ways in which this data is collected, used and shared on THB. The article then goes on to examine the practices, opportunities and limitations that arise in the process. In doing so, this article facilitates a discussion on how to do so effectively, and how to navigate the appropriate boundaries between humanitarian actors and military actors, recognising the value of open humanitarian data for honing military responses to human trafficking. Following this, it provides recommendations for data-driven analysis in the military context. The authors of this article conducted four of interviews with experts in the UN Office of Drugs and Crime working on human trafficking, the UK military and law enforcement as well as those engaged in collecting data on political violence, instability and wider human security from the organisations of PAX and ACLED. The purpose of these interviews was to gain a qualitative understanding of the current state of, and attitudes towards, the operationalisation of human security, the challenges faced or expected, and broad military opinion on how human security can be applied in a practical and meaningful manner in the planning and conduct of military operations.

2. *Human trafficking and the military*

Undoubtedly, some may ask whether the military engages, or should engage, with the issue of human trafficking. The answer to this is rooted in law, policy and the experience of soldiers on the ground. On the legal side, there is a common trajectory beginning with the United Nation’s Palermo Protocol.² As a reminder, this Protocol places an obligation on states to prevent human trafficking. This responsibility, by logic, extends to their militaries, for they are the armed wing of the state.³ But that is not all, military concern with human trafficking is also visible in real-world demands of the operational environment. The perpetration of human trafficking in conflict and crisis settings has a long legacy and continues within more recent

² UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000. Accessed 28 July 2020, <https://www.refworld.org/docid/4720706c0.html>.

³ Muraszkievicz, J., Fenton, T., Watson, H., Maio, G., and Hesketh, G. *Project Solebay: Considerations for a UK Military-based approach to Assessing the Risk of Modern Slavery*. Trilateral Research, 2019, p.14.

practices. The exploitation of the minority Yazidi community in Iraq and Syria by the Islamic State (also referred to as ISIS or ISIL)⁴ and the open advocacy of human trafficking and enslavement practices by Boko Haram⁵ epitomise some of the more current examples – including its use as a weapon of war and grounding in ideology. Moreover, the use of child soldiers as demonstrated by ISIS (the so-called ‘cubs of the Caliphate’) as well as by armed groups across the globe demonstrate how the practice is explicitly linked to bolstering warfighting capabilities.⁶ Beyond this, human trafficking is also acting to finance conflict itself, including through the use of forced labour to harvest natural resources in places such as the Democratic Republic of the Congo.⁷ Notably, these crimes are not limited to non-state armed groups nor the global south. The trade in trafficked women has been fuelled by UN and NATO personnel, exploiting those in vulnerable situations such as during the conflict in the Balkans.⁸ Within these conflict contexts human trafficking takes on specific forms, allowing groups to advance their ideologies, boost their capabilities, decimate communities and create vulnerabilities that perpetrators seek to exploit; all of which effects the military.

In 2004, with this understanding in hand NATO elucidated their role in combatting THB through their zero-tolerance protocol.⁹ At the time of writing this article, as publicised on social media, NATO is continuing to engage with the issue and exploring what else needs to be done.¹⁰ A litany of UN Resolutions have also set out states’ obligations to combat THB in conflict settings.¹¹ Looking towards the UK military, within recent years combatting THB has been embedded within both strategy and doctrine. In 2016, the MOD’s Joint Doctrine Publication 06 – Shaping a Stable World: The Military Contribution, made specific reference to human

⁴ “*They came to destroy*’: ISIS crimes against the Yazidis,” A/HRC/32/CRP.2, 2016..

⁵ Human Rights Watch, “*You Pray for Death*”: *Trafficking of Women and Girls in Nigeria*, 2019. Accessed 28 July 2020, <https://www.hrw.org/report/2019/08/27/you-pray-death/trafficking-women-and-girls-nigeria#>

⁶ UNODC, *Countering Trafficking in Persons in Conflict Situations: Thematic Paper*. United Nations Office on Drugs and Crime, 2018, Vienna, p.16. Accessed on 28 July 2020, https://www.unodc.org/documents/human-trafficking/2018/17-08776_ebookCountering_Trafficking_in_Persons_in_Conflict_Situations.pdf.

⁷ Limanowska, B., and Helga K, *Trafficking in Human Beings in Southeastern Europe*, UNICEF, 2002. Accessed 28 July 2020, https://www.unicef.org/evaldatabase/files/CEE_CIS_2000_Trafficking.pdf p.6

⁸ Muraszkievicz, J., Fenton, T., & Watson, H. ‘*Human Trafficking in Conflict: Context, Causes and the Military*’. Springer Nature (2020), p.2.

⁹ NATO, *NATO Policy on Combating Trafficking in Human Beings*, 2004. Accessed 28 July 2020, <https://www.nato.int/docu/comm/2004/06-istanbul/docu-traffic-app1.htm>

¹⁰ NATO, *NATO Stability Policing Centre of Excellence @NSPCOE*, Accessed 13 December 2020 <https://twitter.com/NSPCOE/status/1326791105720016898>.

¹¹ Res 63/156 Trafficking in women and girls/ 2331 Maintenance of international peace and security/ 2195 Threats to international peace and security/ 2253 Threats to international peace and security caused by terrorist acts/ 2379 Creation of Independent Team to Help in Holding ISIL (Da’esh) Accountable for Its Actions in Iraq/ 2388 Maintenance of international peace and security

trafficking, noting that military support to security sector reform programmes may include ‘countering human, weapon and drug trafficking’.¹² More clearly, in early 2019 the UK Ministry of Defence released the Joint Security Publication 1325: Human Security in Military Operations, which made particularly clear the connection between modern slavery/human trafficking, military operations, and human security. Placing THB as one of the central human security themes, they held that:

*“Military forces directly tasked with broader stabilisation responsibilities should be aware of the possibility of human trafficking and the supporting criminal networks and address these issues. This is an area where it is important for military forces to create the space in which the police and other Rule of Law organisations can operate.”*¹³

Military personnel interviewed within Project Solebay,¹⁴ which focused on considerations for a UK military based approach to assessing the risk of human trafficking and on which the authors of this article worked, highlighted the inextricable link between human trafficking and peace, security and stability.¹⁵ In identifying human trafficking as an immediate threat to military operations (for instance child soldier recruitment and conflict financing) and long-term stabilisation (for example as a result of conflict financing through trafficking and harm to targeted communities), the crime’s relationship with other domains of security become ultimately evident.¹⁶ This in turn provided further argument as to why the military ought to value engaging with non-military actors, e.g., NGOs who are engaged with the variety of domains that may interact with the manifestations of human trafficking.

Moreover, it is key to recall that as per the Fusion Doctrine¹⁷, the military are recognised as part of a comprehensive and multisectoral solution, and ultimately strategy led policy requires

¹² MOD, Joint Doctrine Publication 06 – Shaping a Stable World: The Military Contribution, 2016, p.93. Accessed on 28 July 2020 at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/516849/20160302- Stable_world_JDP_05.pdf.

¹³ MOD, Joint Doctrine Publication 1325: Human Security in Military Operations, 2019, p.42. Accessed on 28 July 2020 at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770919/JSP_1325_Part_1_2019_O.PDF.

¹⁴ Project Solebay was a project developed by Trilateral Research in collaboration with the UK MOD. It sought to develop a proof-of-concept risk assessment methodology for the military to support a better understanding and assessment of human trafficking risks in conflict. Project Solebay received funding from the UK Defence and Security Accelerator (DASA) under contract number [DSTLX1000127350]. For more information see: <https://www.trilateralresearch.com/project/project-solebay/>

¹⁵ Muraszekiewicz, J., *et al.* note 1, pp.18-19

¹⁶ Fenton, T., *et al.* ‘Toward a Better Understanding of Human Security Risks: Developing a Risk Assessment Methodology for Human Trafficking at the onset, during and after conflict.’ *Journal of Human Trafficking*, 2020, 1–23. p.2.

¹⁷ Put forward within the UK’s 2018 National Security and Capability Review (NSCR), the Fusion Doctrine builds on the lessons learned through counterinsurgency operations and embeds the recommendations of the Report of the Iraq Inquiry.

collaboration in a cross-governmental manner. Namely, the military concerns itself with the crime, because the government does. Within this approach, long-term strategy is placed at the heart of security planning, to ensure that the government's objectives are achieved in an efficient and effective manner. Furthermore, efforts are made to anticipate the responses of both adversaries and allies in order to prevent and mitigate negative second and third-order effects.¹⁸ Whilst the military benefit from the Fusion Doctrine, they do not lead the fusion itself. Nevertheless, the Doctrine allows for a better quality of instructions to be provided to the military. The resultant responses seek to utilise the full toolkit available to the UK government across departments in addressing the root causes of insecurity. Fostering a concerted response across government and utilising the wealth of expertise and skills across domains, the Fusion Doctrine represents a significant opportunity within UK security to sensitise the military to the broad spectrum of issues active in an operational environment.

The Fusion Doctrine has explicitly recognised that data-driven approaches (relying on diverse sets of information from within and outside government) will be essential;¹⁹ a key point for the remainder of this article. Within this framework, the third sector (which includes a number of humanitarian actors) is highlighted as housing capabilities that the government can draw on within their responses.²⁰ It is also important to note that human trafficking is outlined within the National Security Capability Review (NSCR) that articulated the Fusion Doctrine as a key concern for the UK. In this sense, we can appreciate the growing attention towards non-traditional threats and recalibration of the UK's security apparatus as a whole fusing the UK Home Office, and defence approaches as well as other such domains.

3. Human trafficking as a human security issue

Accepting human trafficking as something the military should concern itself with and as something it should engage with non-military stakeholders on, compliments the ongoing momentum for operationalising human security. Before unpacking the relationship between human trafficking and human security, readers of this article should recall that the work of the military extends beyond warfighting. The military execute a number of functions. Though warfighting might be one that is most obviously attributable to the organisation, they have notably engaged in other works, from managing checkpoints, providing assistance to domestic public services during the COVID-19 pandemic²¹ to humanitarian functions, such as food distribution and road construction (as demonstrated in Operation Trenton in South Sudan that will also have a bearing on issues such as human trafficking, by offering better physical

¹⁸ UK Cabinet Office, *National Security Capability Review*, 2018, p.10

¹⁹ UK Cabinet Office, *ibid.* p.10.

²⁰ *Ibid.*

²¹ MOD, 'Guidance: COVID Support Force: the MOD's continued contribution to the coronavirus response', 30 October 2020. Accessed 14 December 2020. <https://www.gov.uk/guidance/covid-support-force-the-mods-continued-contribution-to-the-coronavirus-response>.

security²²). As with humanitarian actors, their activities to be effective and human rights focused, must be underlined by a respect for the local context and a desire to tackle the root causes of human insecurity. As has been demonstrated from conflicts such as NATO's intervention in Libya in 2011, this failure to appreciate and understand this context has contributed to organised crime, including human trafficking.²³ As such, this article should not be read as a call to increase military engagement on the issue of human trafficking – concerns certainly exist regarding the democratic accountability of militaries and their appropriateness as the responding agents.²⁴ Rather this article is concerned with increasing the understanding of human trafficking and how it frustrates the human security agenda in order to compliment NATO's and UK's evolution towards human security. In turn, this article advocates for the inclusion of open humanitarian data within existing planning and analysis processes (war-fighting and otherwise). This is ultimately an attempt to ground planning and analysis work in human security and avoid counter-productive responses, as demonstrated in the aforementioned Libyan context.

The argument put forward in this article rests on the existence of a clear connection between human trafficking and human security, the latter which is having a re-birth since its UN emergence in 2004. Traditionally security was a narrow construct focusing on borders and states. Similarly, traditionally human trafficking was seen as a form of organized crime that threatened state security by compromising states' control over their borders, promoting irregular migration and unauthorized access to territory. Today human trafficking is predominantly framed as a human rights violation, whilst human security marks a departure from traditional understandings of security which see security as the security of the state against physical threat. Instead, the human security approach places the human population as the referent object and the central beneficiary of security. Conceptually, this enables international, domestic, local and even personal issues to become securitised.²⁵ Recognising that insecurity thus arises from any domain that may impact human well-being, the UN General Assembly has outlined human security as an approach for 'identifying and addressing widespread and cross-cutting challenges to the survival, livelihood and dignity.' Which demands 'people-centred, comprehensive, context-specific and

²² Sengupta, K., 'UK first country to put 'human security' at core of defence policy,' *The Independent*, 14 April 2019. Accessed 14 December 2020, <https://www.independent.co.uk/news/uk/politics/human-security-defence-policy-uk-army-military-mod-a8855556.html>.

²³ Reitano, T. & Shaw, M. 'Libya the politics of power, protection, identity and illicit trade.' *United Nations University Centre for Policy Research*, 2017, Accessed 14 December 2020, https://collections.unu.edu/eserv/UNU:6427/Libya_politics.pdf.

²⁴ e.g. Orford, A. 'Feminism, Imperialism and the Mission of International Law', *Nordic Journal of International Law*, Volume 71, Issue 2, 2002, Pages 275–296, p.275.

²⁵ Newman, E., 'Human Security: Reconciling Critical Aspirations With Political 'Realities'', *The British Journal of Criminology*, Volume 56, Issue 6, November 2016, Pages 1165–1183, p.1165.

prevention-oriented responses that strengthen the protection and empowerment of all people.²⁶ When discussing survival and dignity, human trafficking looms large.

Moreover, analysis of the human security environment creates an opportunity to study human trafficking in a holistic manner – firstly, by anticipating its emergence through the understanding of the conditions in which it proliferates, and secondly, by appreciating the ways in which the harms of THB manifest in first and second order effects. By viewing human trafficking through the lens of human security one can gain better insight into the expansive reach of its harms. The cross-cutting challenges that erupt from the human trafficking industry encroach on human rights, undermine societies as a whole, erode governmental integrity and perpetuate cultures of corruption.²⁷ Moreover, the fostering of misogynistic and exploitative practices can permeate and dehumanise communities and have impacts beyond the immediate physical and emotional violence contained within human trafficking.²⁸ Human trafficking is recognised by the UK military as a central concern within their approach to human security.²⁹ In addressing their concerns regarding human trafficking, emphasis is placed on its manifestation in conflict and crisis as well as the cross-cutting effects which destabilise social cohesion and exacerbate vulnerability. The gendered impacts are also highlighted, as well as the fostering of violent and criminal cultures.³⁰ Within this prism, it possible to identify how the threats not captured by more traditional conceptions of security are no less relevant to well-being and stability – thereby demonstrating the value of approaching human trafficking as a human security issue. As a result of such dynamics, addressing human trafficking is an integral feature in bringing about and promoting human security.

4. Approaching human trafficking in conflict through a human security lens

Resultantly, there are different ways to monitor THB in conflict settings. Perhaps quite obviously, one can view THB as indicated through its manifestation. Numbers of recorded instances of human trafficking, numbers of victims in safe houses or calls made to hot lines (where such measures are in place), monitoring income received from human trafficking, and the numbers of child soldiers are all such examples. Two distinct challenges emerge. As outlined in greater detail below, these figures can be very difficult to obtain, particularly within conflict zones. Even in non-conflict settings, stakeholders struggle with data on human trafficking. For instance, in the EU the precise number of victims of trafficking remains unknown, forcing

²⁶ UN General Assembly. 2012. Follow-up to Paragraph 143 on Human Security of the 2005 World Summit Outcome. A/RES/66/290, 25 October 2012, paragraph 3.

²⁷ Pati, R. Human trafficking: An issue of human and national security. *Nat'l Sec. & Armed Conflict L. Rev.*, 2013., 4, 29. p.34.

²⁸ Vale, G. 'Liberated, not free: Yazidi women after Islamic State captivity' *Small Wars & Insurgencies*, 2020, 31(3), 511–539.

²⁹ MOD, *note 13*, p.40.

³⁰ MOD, *id.*

stakeholders to treat statistics with doubt due to poor or unavailable data. Moreover, as Kelly highlights, our knowledge of the magnitude of trafficking is limited by our “infant” research method; we still rely on overviews, commentaries and limited data from service providers, rather than mature sociological studies.³¹ The other challenge is what to do with this information – addressing human trafficking as it has emerged will often be reactive, adopting law enforcement approaches or disrupting trafficking routes. As demonstrated in the Libyan context in which human trafficking is linked to the financing of vying factions and communities following the fracturing of the Gaddafi-era political ecosystem,³² without addressing the underlying drivers, THB will continue to manifest in contexts where efforts to address the underlying drivers are lacking.³³

A separate (but complimentary) approach is to consider THB as abstracted from its direct manifestation. In this sense, THB can be viewed through its causal drivers, the same drivers that underpin so many other elements of human insecurity. For instance, where displacement occurs as a result of conflict and migration increases, THB will likely be more prevalent.³⁴ People fleeing their homes or attempting to send family members out of conflict zones are at higher risk of falling victim to traffickers. Equally, we can expect that sexual exploitation, including child prostitution, may increase with the increase in demand from relatively well-off personnel such as peacekeepers or foreign militaries³⁵, and increase in supply where local economies have been devastated and women do not have options for employment.³⁶ It is possible to also guess, based on historical analysis, that organ trafficking may increase as fighters seek to attend to their hurt combatants. Student researchers at UC Berkley uncovered Fatwas (a ruling on a point of Islamic law given by a recognized authority) bearing ISIS insignia which stated that ‘ISIS combatants harvesting organs from the bodies of the enemy-infidels or removing organs from living apostates, even if this might cause their death, was permissible.’³⁷ In this respect, militaries should be attuned to human trafficking as a form of harm that often accompanies and stems from the issues that militaries are tasked with addressing in the operational environment.

³¹ Kelly, E. *Journeys of Jeopardy: A Review of Research on Trafficking in Women and Children in Europe*. IOM Migration Research Series, no. 11. Geneva: International Organization for Migration. (2002), p.7

³² Wieltchnig, P., & Muraszkievicz, J., *Human Trafficking as a Conflict Financing Measure. Decent Work and Economic Growth, 2020, 1–10*. p.5.

³³ Reitano, T, & Shaw, M., note 28, p.12. Accessed 28 July 2020, https://collections.unu.edu/eserv/UNU:6427/Libya_politics.pdf. Accessed 14 April 2020.

³⁴ Latham-Sprinkle, J., *et al.* Migrants and their Vulnerability to Human Trafficking, Modern Slavery and Forced Labour. International Organization for Migration, 2019. 1-112.

³⁵ Allred, K. J. ‘Peacekeepers and prostitutes: How deployed forces fuel the demand for trafficked women and new hope for stopping it.’ *Armed Forces & Society*, 2006, 33(1), 5-23.

³⁶ Rehn, E., & Sirleaf, E. J., *Women, war and peace*. New York: UNIFEM, 2002.

³⁷ Scheper-Hughes, Nancy. “Neo-Cannibalism and ISIS: Organs and Tissue Trafficking During Times of Political Conflict and War.” 2012. *ELPAT Congress Proceedings*.

However, any form of prediction regarding where and how human trafficking occurs or may occur in conflict is easier said than done (particularly from the comfort of university offices). THB along with other insecurities, often emerge as the result of an array of interconnected and compounding drivers, with specific and localised contexts acting as the ultimate determinants. Fundamentally, there is no algebraic formula that allows for the calculation of conditions that will result in THB. As succinctly put by an interviewed member of military staff when asked how the military assesses which human security issues – of which as aforementioned THB is part of - are causing violence and instability, they stated: ‘we don’t do this in any scientific way. It is based on broad axioms that poverty and grievance *et cetera* lead to conflict. There is no empirical measure.’³⁸ Perhaps this latter challenge might demonstrate one of the benefits of data-driven approaches to understanding the human security environment. As one overlays information across a number of issues (for example, socio-economic conditions, social vulnerabilities and physical violence) it is possible to identify correlations and gain a more three-dimensional understanding of how human security threats interact. However, it also points to the need to compliment a data-driven approach with multidisciplinary analysis – utilising social sciences to appreciate the relationships between information and how it interacts with and determines THB practices.

5. *Developing a data-driven approach to analysis*

Data-driven approaches are understood in this article as the use of hard evidence to make strategic decisions based on data analysis and interpretation. That data can come in a number of forms (statistics, narratives, images, etc.) and from an array of sources. The routine use of data in trying to understand human security issues such as human trafficking, can radically alter, or even support the traditional methods of assumptions, experiential intuition, informal exchange of information amongst stakeholders and subjective opinions. It is also no longer a novel approach, with data analytics being used across the globe to better tackle human trafficking. The Polaris Project in the US for instances uses data for the purpose of identifying patterns, trends, correlates, and predictors. Data visualisation (bar charts, pie charts, thermodynamic charts, radar charts) is also used widely by stakeholders so as to intuitively illustrate the social phenomena varying with time and space behind data and help to find out the potential development pattern.

Militaries have been looking towards data-driven approaches to advance their efforts to appreciate the human security environment, including within the context of human trafficking.³⁹ This is unsurprising, as there is a global enthusiasm that data driven approaches can make

³⁸ Interview conducted by authors with UK military personnel with expertise in human security, online, 24 January 2020.

³⁹ MOD, *JSP 1325: Human Security in Military Operations*. Ministry of Defence, 2019, p.42. Accessed 28 July 2020, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770919/JSP_1325_Part_1_2019_O.PDF

policies or processes smarter, more holistic, refined and predictive.⁴⁰ In recognising that data-driven approaches can be developed to improve identification, planning and analysis of human trafficking in conflict, it is also necessary to confront the challenges that arise in the use of data.

Though the collection of data from confidential sources remains possible, this article is focused primarily on open data (data that is publicly available). As humanitarian open data platforms become increasingly prevalent, the information available across all domains of human security can be filtered into planning and analysis. Nevertheless, certain regulatory frameworks will regulate the use of data, such as the UK's Regulation of Investigatory Powers Act 2000 which requires the military's collection and use of data and intelligence to be necessary, proportionate, and compatible with human rights. However, where datasets do not contain personal data, there will be less legal and ethical prohibitions on their use in military planning and analysis. Indeed, it is important to note that the number of sources that explicitly address human trafficking are few in number, therefore the article also looks to whether datasets on other human security domains can be used to support this analysis.

6. Challenges in the use of data

Data has been viewed as an almost utopian solution to the world's ills. Imbued with herculean abilities, it is considered as the cure in-and-of-itself. The Conflict Early Warning and Response Mechanism (CEWARN)⁴¹, however, provides an example of how recourse to data by itself will not result in better humanitarian responses. As explained by Kasaija, CEWARN was 'designed to cover both early warning and response, including: the promotion of information and collaboration among member states on early warning and response on the basis of timeliness, transparency, cooperation and free flow of information; gathering, verifying, processing and analysing information about conflicts in the region; and communicating all such information and analyses to decision-makers of IGAD policy organs and national governments of member states.'⁴² While the system excelled at collecting data – producing vast databases – it did not have sufficient personnel to 'effectively analyse them or take meaningful early action.'⁴³ CEWARN can therefore act a cautionary tale that prior to engaging in such efforts, the technical and organisational requirements necessary for drawing actionable insights from data analysis must be considered. Recognising these challenges, it is necessary to ask 'what technical and organisational requirements are necessary when leveraging data for planning and analysis?'

⁴⁰ Smith, G. J., *et al.* 'The challenges of doing criminology in the big data era: Towards a digital and data-driven approach.' *The British Journal of Criminology*, 2012, 57(2), 259-274.

⁴¹ A co-operative initiative of the seven IGAD (Inter-governmental authority on development) member countries. For more information see: <https://www.cewarn.org/>

⁴² Phillip Apuuli Kasaija, 'The Intergovernmental Authority on Development's Conflict Early Warning and Response Mechanism', *African Security Review*, 2013, 22:2, 11-25, p.12

⁴³ Himelfarb, Sheldon. "Can Big Data Stop Wars Before They Happen?." *Foreign Policy* 25 (2014). Accessed 28 July 2020, <https://foreignpolicy.com/2014/04/25/can-big-data-stop-wars-before-they-happen/>.

From our conversations with military personnel, data-driven human security analysis defence planners must: gather enough reliable data, at the right level of detail, relevance, and timeliness in order to assess what is important, and thereby delivering actionable insights to inform defence planning, including fostering a collaborative response with government and non-government partners. As will be reiterated throughout, this is an inherently difficult challenge.

i. Gathering enough data

Various methods have been tested to address this challenge and fill the informational void on human trafficking data, such as the Multiple Systems Estimation.⁴⁴ However as already mentioned, it is impossible to measure human trafficking precisely.⁴⁵ Its illegality leads perpetrators to attempt to evade detection,⁴⁶ states' policies of deporting victims deter victims from coming forward,⁴⁷ victims do not always realise they are victims⁴⁸ and, especially in the context of a conflict, they may not live to tell their story. This presents a particular challenge for data gathering on THB, where the human trafficking's 'dark figure' (instances of human trafficking that have not been detected) remains impossible to capture.⁴⁹ Moreover, it is often easier to obtain information within the countries of destination as opposed to the areas where the original crime occurred or the transit zones.⁵⁰ This is partially due to the existence of special victim identification systems and stronger reporting practices within Europe for instance.⁵¹

The inherent difficulties in data collection have been somewhat recognised by the UK military, who seek information from their own domestic sources as an initial touchpoint.⁵² The Home Office, as well as the National Crime Agency and National Counter Terrorism Security Office are among those consulted. Furthermore, the UK military views such agencies as having a

⁴⁴ For more information see: Silverman B. (2014). *Modern Slavery: an application of Multiple Systems Estimation*. Accessed 28 July 2020, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/386841/Modern_Slavery_an_application_of_MSE_revised.pdf

⁴⁵ Merry, S. E., *The seductions of quantification: Measuring human rights, gender violence, and sex trafficking*. University of Chicago Press, 2016, p.112.

⁴⁶ Van Dijk, J., *et al.* 'Multiple systems estimation for estimating the number of victims of human trafficking across the world', UNODC, 2016. p.3.

⁴⁷ United States Department of State, *Trafficking in Persons Report, 2020*, p.186. Accessed 28 July 2020, <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>.

⁴⁸ Bradley, M, Human trafficking: Why do so many victims refuse help. *BBC News*, 2013, Accessed 28 July 2020, <https://www.bbc.com/news/uk-england-24548143>.

⁴⁹ UNODC, *Global Report on Trafficking in Persons 2018* (United Nations publication, Sales No. E.19.IV.2). p.34.

⁵⁰ Van Dijk, J., *et al.*, *ibid*, note 46, p.8.

⁵¹ *Ibid*. p.9

⁵² Interview conducted by authors with UK military personnel with expertise in human security, online, 5 June 2020.

much more holistic understanding of THB, including the underlying theoretical frameworks and typologies used to navigate human trafficking.⁵³ Such actors track the issues, and share information at the national level, with the military only very recently tasked with the security aspect of THB. Indeed, within this process, the military also attempts to collect information on the push factors that fuel THB more typically related to conflict and violence. Within these activities, wider socio-economic conditions are considered alongside a gradient of how it affects regions, with much of this analysis stemming from general information on migration. Moreover, military interviewees reported the challenge of building up an informed picture where information sources are not stable – thereby impeding the ability to develop sustained analysis of the situation.

It is in this respect that analysis of the human security environment, reinforced with information from the humanitarian sector, can help to address this gap and provide a fuller understanding of the wider societal conditions that indicate or capture the impacts of human trafficking. A number of open-source information sources exist that can allow for actors to build up this understanding. For instance, ReliefWeb and the Humanitarian Data Exchange (HDX) open platform are able to bring in information from actors operating in different capacities on a diverse range of issues – thereby allowing for a richer multi-sectoral understanding. The HDX platform, managed by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), was launched in 2014. The platform enables the sharing of open humanitarian data across organisations, ranging from UN agencies to civil society organisations. Within this platform it is possible to obtain information on issues ranging from geo-spatial data on medical facilities to disaggregated statistics on sexual and gender-based violence (SGBV) across the globe. Initiatives such as these allow for the use of big data to identify trends across issues and overlay information to build an appreciation of causality. As such information ranging from disaggregated statistics on a country or region to geographic data such as camp and population flows is available in a manner that is conducive to data visualisation.⁵⁴ Such data sharing activities are a new forefront for analysis of cross-cutting issues, however, a lack of standardisation across datasets limit the ability to create a common picture.⁵⁵ Nevertheless, gathering and organising this collected data to allow for its analysis, visualisation and communication to decision-makers is an intensive process in terms of time, money and energy. This is particularly true where the collected data is not obtained in a structured format.

Despite these benefits, reliance on this information is imperfect. As one attempts to gather this information, it quickly becomes apparent that information will often be gathered unevenly. This asymmetry can result from challenges in gathering information in the first

⁵³ Interview conducted by authors with UK military personnel with expertise in human security, online, 5 June 2020.

⁵⁴ Zwijnenburg, W., *et al.* Solving the jigsaw of conflict-related environmental damage: Utilizing open-source analysis to improve research into environmental health risks. *Journal of Public Health*, 2019, p.4.

⁵⁵ Telford, S., ‘Opinion: Humanitarian world is full of data myths. Here are the most popular.’ Devex. 25 January 2018. Accessed 28 July 2020, <https://www.devex.com/news/opinion-humanitarian-world-is-full-of-data-myths-here-are-the-most-popular-91959/>.

place, for instance, where access to a region is difficult or the issue carries a stigma (such as SGBV), as well as a lack of prioritisation (and insufficient awareness) of certain issues, such as the effects of conflict on the environment. Additionally, the existence and availability of datasets and the insights that may arise from this information, often depend on whether the particular human security issue has come under the radar of decision-makers, civil society organisations, political leaders and others. For instance, the health risks arising from environmental harm in conflict remains a neglected area of study, with a lack of attention reflecting a low priority given to the issue.⁵⁶ The funding provided, creation of mandates, prioritisation or even knowledge that an issue is relevant to analysis are all dependent on such actors paying due attention to the issue. Importantly within the context of human security, a ‘bottom-up’ to human security is preferred, in the sense that it is for the population to determine the issues that impact their security⁵⁷ and even what it means to be ‘secure.’ A difficulty however arises: there is a practical over-dependence on data gathered by ‘non-local’ organisations, using questionnaires determined at a non-local level dependent on the organisation’s operational priorities. This may risk failing to capture the true human security threat perceptions, priorities and grievances of local populations, and appreciating the subjective opinions of the local population.

Engagement with humanitarian and human rights practitioners therefore offers an avenue to hone this more contextualised and grassroots knowledge. These relationships should be fostered with those practitioners with a knowledge of the local context beyond those with a more international focus. A better, more localised, contextualised and nuanced collection of data from diverse sources would allow for the development of a rich understanding of where human trafficking may arise in the operational environment. As such, by identifying the causal drivers it is more likely that militaries can take efforts to actively counter the root cause and reduce one of the strands of harm that cascade and contribute to human insecurity.

ii. Detail, relevance or timeliness

Determining and obtaining the ‘right’ or appropriate level of detail necessary for the analysis of the human security environment at each strategic, operational and tactical level of planning and decision-making remains a concern. This resides as a balancing act between the oversimplification and excessive granularity of information. The former impedes the ability to identify the chains of causation, merely presenting high-level understandings that human trafficking is worsened by unemployment but providing no real information on how this is particularly manifesting. The latter risks presenting voluminous and complex information that is not easily understandable to decision-makers. In today’s information-driven environments, the latter point is especially important. When making the shift from manual research and analysis to

⁵⁶ Zwijnenburg, W., et al. *ibid*, note 46, p.4 & 8.

⁵⁷ OCHA, *Human Security in Theory and Practice Application of the Human Security Concept and the United Nations Trust Fund for Human Security*, 2009, p.11. Accessed 28 July 2020, <https://www.unocha.org/sites/dms/HSU/Publications%20and%20Products/Human%20Security%20Tools/Human%20Security%20in%20Theory%20and%20Practice%20English.pdf>.

a more data-driven approach, special care will be needed to avoid the trap of false precision, which is to say that simply having ‘more information’ or ‘more data’ is unlikely to be sufficient by itself.

More complexity does not necessarily make for better decisions or better understanding. Balancing grappling with this complexity on the one hand, with the need to communicate clear and readily interpretable and actionable insights for decision support on the other hand, is key. Similarly, efforts to acquire and process increasingly large amounts of data, in combination with increasingly disaggregated and granular data at the local level, must be tempered by efforts to ensure the relevance of that data for human security analysis is maintained. The quality of relevant, valuable and actionable insights around human security will be as important as their quantity. In addition, the speed of data acquisition, processing, and delivery of insights must be timely enough to match the tempo of decision-making (e.g. according to the battle rhythm) and to ensure that the situational understanding of the human security environment is as reflective of the current reality as possible. Finally, an operational environment may consist of a diverse multitude of communities, each embodying a range of social, economic, ethnic, linguistic, physical and other characteristics that can shape the human security threat and vulnerability landscape at the individual or community level.⁵⁸ Targeted research at the highly local level may be necessary to develop this depth of understanding, although theoretically determining what information is necessary also remains a challenge for planners, analysts and personnel on the ground.

One of the difficulties that arise when using open humanitarian data, is that often the data sets that are accessible on platforms such as HDX will lag by a year or two. More ‘real-time’ datasets are available through on more ‘events-based’ information, such as the recording of attacks through ACLED.⁵⁹ However, information on structural dynamics will be less current and therefore might not be suitable for analysis of fast-paced changes or rapid deterioration in emergencies. Additionally, as is often the case, financial constraints appear to limit the extent of research and analysis. Often, data collection is only utilised for a discrete event, such as election monitoring, or funding is limited to a discrete time frame, for instance, a two to three-year research period.

Such restrictions may limit the ability to identify the second or third tier impacts of an issue, by focusing attention on a specific event, it places emphasis on issues as they have arisen as opposed to structural dynamics and long-term trends that have led to the event. With particular relevance to the collection of qualitative information, building trust within the community is essential for gathering a full set of information. As reported by members of PAX, social stigmas can hamper the ability to collect information on issues such as sexual violence, and researchers have been viewed as ‘spies’ on occasion. These considerations may act to impact the relevance

⁵⁸ Chung & Hunt 2012 ‘Justice and Health Inequalities in Humanitarian Crises: Structured Health Vulnerabilities and Natural Disasters’ in Lenard, P. T. (2012). *Health Inequalities and Global Justice*. Edinburgh University Press.

⁵⁹ For more information, please see the following website: <https://acleddata.com/#/dashboard>

and detail of the data that humanitarians are able to obtain, and in this sense, awareness of these limitations must be recognised. However, it is of note that the request for actors to make their data available with regular periodic frequency is a lobbying point of actors such as the UNODC.⁶⁰ This will ideally result in an increasing recognition that a coordinated and timely reporting process will result in better analysis.

iii. Assessing issue importance

Having gathered a wide range of relevant data and determined how much detail is needed, it may still be difficult to determine each human security issue's relative importance. There appear to be at least three readily identifiable, basic dimensions to determining the importance of human security issues in defence planning. The first would be something akin to an 'objective' assessment of human security threats—that is, the range of issues as they present themselves at face value. However, the nature of human security is highly contextual, so what constitutes "important" or "high priority" from a threat assessment perspective will depend very much on the particularities of the local context. Owing to the people-centric core of human security, the second dimension to assessing importance would be to understand what the local population itself considers to be the priority human security issues from its own perspective. The third dimension to assessing importance would involve determining the impact upon the mission plan and/or upon the ability to carry out the commander's intent.

At present, however, the level of institutional knowledge in the defence sector concerning how to understand and assess the impact of human security issues upon military operations appears to be at an early stage of development, leaving much of this kind of assessment down to pre-existing understandings of particular contexts and threat perceptions, to lessons gleaned from individual experiences, and to the issue-specific knowledge of individual planners, analysts and subject matter experts (SMEs). There is, therefore, the challenge that defence planners will miss the opportunity to 'see' the importance of particular human security issues and to factor them into mission planning. This concern was expressed during end user feedback, where a particular user explained that there is currently no scientific approach or set of empirical measures used to assess the extent to which human security issues are driving further conflict, violence and instability. Ultimately, according to this user, there is a general reliance on 'broad axioms' such as the understanding that poverty and grievances can foster conflict.

Another aspect of assessing importance is understanding the local population's vulnerability and/or resilience to human security threats. For example, where water resources become contaminated (i.e. the threat factor), a local population with the ability to access and purchase bottled water is likely to be affected less severely (i.e. higher resilience and lower vulnerability) than a poorer community with no such recourse. Fully understanding these vulnerabilities and resilience levels and incorporating them into a human security environment assessment will be a challenge in and of itself. Contextual differences, the difficulty in foreseeing how any particular community will respond, and the political and social differences regarding the

⁶⁰ UNODC, *Global Report on Trafficking in Persons* 2012 (United Nations publication, Sales No. E.13.IV.1), p.80.

ability to access policy levers or a governmental or quasi-governmental lack of desire or capacity to assist a marginalised or threatened community, will all be relevant factors.

iv. Actionable insights to inform defence planning

The next challenge is to ensure insights and situational understanding can be integrated within Defence planning cycles and communicated to decision-makers to update the mission plan accordingly. Of course, developing and communicating an understanding of the human security environment does not necessarily produce (nor is it intended to produce) ‘answers’ about courses of action. Once situational understanding is achieved within the decision-making cycle, what happens next is largely a question of the overarching mission objectives, priorities and the commander’s intent. Ultimately, from a human security analysis capability development perspective, a longer-term challenge is that an understanding of the human security environment would remain just that—an ‘understanding,’ which merely serves to ‘sensitise’ Defence personnel to human security issues, but which fails to deliver actionable insights and intelligence.

Several stakeholders told the authors that while the relevant theoretical understandings of human security, the structural drivers of conflict, social and political grievances, second-order and cross-cutting security cascades allow human security issues to be framed at the conceptual level, decision-makers want actionable insights for mission planning. This means that as defence actors integrate human security considerations more comprehensively within analysis, mission planning and decision-making processes, this will require developing an organisational, cultural, even intuitive understanding of what variations in the human security actually mean for the planning and conduct of operations. As one end user explained to the authors, an important way forward here is to ensure that Defence human security advisors and experts are always ‘in the room’ when mission planning takes place. In the longer-term, much in the same way as the theory and practice of terrorism, insurgency and irregular warfare have become part of the canon of modern military operations, so too would human security need to acquire this level of assimilation and fluency across Defence and within the minds of commanders and decision-makers. Where this is fused within the ‘commander’s intent—’ reportedly the reference point for military personnel in operational planning, a reliance on humanitarian data issues will be placed on a higher footing. This provides an opportunity to better integrate a respect for humanitarian issues, and thus specialists, across military hierarchies. Fostering a respect for open data gathered from human rights and humanitarian practitioners therefore better mainstreaming human security into military cultures, beyond a disproportionate focus on war-fighting issues.

7. Relationships with humanitarian actors and civil society

Going beyond the availability of open data, humanitarian actors and civil society actors have acted as a key source of information for militaries. Human security indeed recognises the need for multisectoral response to address human insecurity. This approach is also complimented

by the Comprehensive Approach Doctrine within NATO⁶¹ and the UK strategic policy of the Fusion Doctrine.⁶² In this respect, security and stability concerns can only be addressed when militaries operate in concert with non-military actors, including governmental and external actors. Interviewed military personnel reported however, that in practice the military does not cooperate well with others. Rather, the military often tries to take the lead in such activities and replicates, sub-optimally, the activities that other organisations do better.⁶³ Nevertheless, implied within the Comprehensive Approach Doctrine and Fusion Doctrine is the need to share information – though the contours of this relationship are not clearly defined.

Humanitarian actors and civil society organisations will largely be deeply engaged in human security or human security adjacent issues. For instance, ‘in Iraq, Yazidi religious leaders, working together with the UN and NGOs, have welcomed Yazidi women and girls who were abducted and forced into sexual slavery by ISIS back into their community.’⁶⁴ Another example is ‘Geneva Call, an NGO, is working directly with non-state armed actors around the world to encourage their respect for international humanitarian norms in armed conflict, in particular as it relates to preventing and ending child recruitment. The organisation regularly provides training to non-state armed actors.’⁶⁵ As such, they represent an invaluable source of information for militaries through their open publications and wider engagement, particularly where they are better able to liaise directly with communities and potentially armed groups.

There is no formal process for identifying the relevant organisations at present. Currently, the military conduct an analysis of the environment and research the organisations working within this area. In making the decision on whether to engage with such groups, and the extent of such engagement, there are three primary considerations, as stated by an interviewed member of military staff: 1) do the values of the military and the organisation align, 2) is there mutual trust between the organisations, 3) what do the organisations gain, and can requests for the transaction be satisfied (such as funding, facilities or resources). Where the military and other actors are sufficiently aligned across these factors then the military can make efforts to establish a relationship that may include the sharing of data and analysis. However, organisations’ neutrality policies may mean that they avoid data/analysis sharing with the military.

Indeed, the degree of interaction will also depend on the type of operation, and the operational demands required. For instance, within war fighting missions, recourse to NGOs will be lower down the list of priorities (though not necessarily excluded), due to considerations such as the need for confidentiality or limited time available. The concern here, however, is towards

⁶¹ NATO, Allied Command Operations Comprehensive Operations Planning Process (COPD), Interim V 2.0 (Draft, 4 October, 2014).

⁶² UK Cabinet Office, National Security Capability Review, 2018, p.10.

⁶³ Interview conducted by authors with UK military personnel with expertise in human security, online, 5 June 2020.

⁶⁴ Oppermann, J. ‘Conflict and Humanitarian Settings’ Delta 8.7. Accessed 28 July 2020, <https://delta87.org/resources/policy-areas/conflict-humanitarian-settings/>

⁶⁵ *Ibid.*

situations where analysis of the human security impacts, particularly those arising from the military's own actions, are less acknowledged. This has been a repeated mistake in military operations, where the lack of contextual knowledge and arguably imperialist arrogance resulted in considerable regional destabilisation and harm, including acting as a catalyst for human trafficking. War fighting activities are often those that create the human security issues that then lead to long term impacts such as THB. The exclusion or limiting of human security analysis from such operations is therefore a cause for concern.

The operational context will also have a bearing on the extent of information on the wider human security objectives and impacts of a mission. Interviewed military personnel highlighted that in war-fighting operations, though recourse to NGOs to gather information on underlying human security dynamics is not excluded, it is placed lower down the list of priorities. Certainly, issues such as confidentiality and limited available time influence this lower prioritisation. This presents an interesting dilemma. Though distinctly linked to international humanitarian law (the law of armed conflict), *jus ad bellum* (the law regulating the ability to enter war) and human rights law (amongst other such domains), human security is perhaps seen as 'best practice' - an extension of 'hearts and minds' policies as opposed to strict obligations. It therefore exists to the extent that it is valued by the military itself and enshrined within their policies and procedures. The challenge is therefore to foster a respect for human security analysis, embed human security specialists throughout organisational structures, and fuse human security analysis and procedures within military practices. Indeed, proactive engagement with the humanitarian sector should be valued within the military. This engagement can assist in building capacity to collaboratively address human trafficking through non-militaristic means, gathering open data on issues that may not otherwise be readily be available to military actors and can allow for the input of those with wider expertise of the humanitarian setting.

8. Humanitarian data on human trafficking

Within the context of human trafficking, it is possible that open humanitarian data can be utilised in a number of ways. Firstly, data on instances of human trafficking is notoriously difficult to obtain in a robust and stable manner, as stated above. Nevertheless, information gathered from the humanitarian sector can be used as a proxy for this more direct information. In this sense, data can be combined across issues that bear a connection to human trafficking. This can allow for risk analysis of the recognition of potential hotspots for human trafficking, for instance, through the filtering of known causal drivers, such as the lack of economic opportunity, localised violence and displacement amongst others.

Datasets that directly address human trafficking exist, including the newly published dataset entitled Contemporary Slavery in Armed Conflict (CSAT), produced at Nottingham University, which contains information on slavery and trafficking in 171 conflicts from 1989 to 2016. It offers robust information on the issue of human trafficking in a conflict setting. However, it is key to acknowledge other examples that better illustrate how datasets can be utilised to provide more general human security information that can subsequently inform work

and awareness on human trafficking. The environmental and food security data that is produced by the Famine Early Warning Systems Network, as well as the World Food Programme can provide a much richer understanding of vulnerability. These insights can cover a wide number of human security considerations, including economic vulnerability where communities may be more agrarian or pastoral, and areas that are likely to produce migration and displacement and as a result of drought, flooding or land degradation. Additionally, the datasets produced by ICF International's Demographic and Health Surveys Program contains a multitude of information that can be used to complement understandings of human trafficking environments, such as child labour, gender-based violence, education. The extortion of migrants and displaced persons mean the datasets provided by groups such as the Global Internal Displacement Data and UNHCR's datasets on Data on forcibly displaced populations and stateless persons can help to understand where vulnerability and a higher likelihood of human trafficking exists. These are just a few of the many datasets that can enrich human security and human trafficking insights. As the shift towards open humanitarian data platforms continues, the availability of information across the full spectrum of human security will increase and help to provide increasingly sophisticated and nuanced understandings of the operational environment.

Where these datasets are combined and analysed, there may also be some predictive value. Indeed, data analysts working on conflict and violence (ACLED) have stated that they have been able to utilise events-based data to make conflict prediction, though noted that this could only be done with shorter term predications (of approximately two weeks). Dutch based NGO PAX also stated that such predicative value was possible, particularly with regard to subjective information on the potential for conflict. Emphasising that perceptions of safety were innately intertwined with the likelihood of conflict. In this sense, quantitative data can be bolstered through the collection of answers to 'softer' questions on whether the respondent feels safe.

However, with regard to both of these considerations, the interviewed military personnel highlighted that in order to utilise this information in the context of human trafficking, they are reliant on theory to understand how an issue links to human trafficking. This is particularly complex with second order effects, where they need to develop a nuanced understanding of the causal mechanism to develop a detailed operational strategy to break the chain of events. Especially where a number of causal drivers are intertwined, the options for intervention are enlarged. Without a theoretical underpinning to inform responses, there is a limit to what they can do with gathered data. Here, criminological or sociological models and frameworks can help to guide their activities, or at the very least, their understanding.

Regardless of how advanced or exhaustive data collection activities have become, multidisciplinary analysis is necessary to transform the data into actionable understandings. This presents one of the ways in which collaboration between the humanitarian and military sector. Each sector will have access to different sets of information and individuals. For instance, while humanitarian actors may be better able to engage directly with local communities, military personnel will often be better able to engage with parliamentarians and governmental ministers.

Bringing together analysis from across these sectors can help to provide a fuller appreciation of the human security environment. Indeed, whilst confidentiality will need to be safeguarded, the sharing of analysis as opposed to the datasets themselves may help to keep the individual information as well as the sources confidential.

9. Recommendations

Though militaries can undoubtedly improve their process for the immediate collection of information on and relevant to human trafficking, this article places an emphasis on the improvement of the wider awareness needed to pre-emptively understand human trafficking, including prior to its occurrence. Human security related data remains difficult to collect independently by the military. However, by utilising the information gathered by the humanitarian sector, and building on the ethos of the fusion doctrine, it is possible to fuse these considerations into military planning and analysis. This demonstrates why military personnel will need to go beyond their own sources and place real value on engagement with humanitarian actors. In this respect, a focus on the humanitarian concerns articulated within the concept of human security should continue to be fostered within the military. Several ways to achieve this are advocated within this article, namely, through the establishment of a wider respect for the concept of human security, its organisational entrenchment within the military through the establishment of human security units and dedicated personnel, the development of relationships with non-military actors (internal and external), and the development of a normative focus on the population-centric, bottom-up approach that is fostered through processes to collect this information.

Data can ultimately become one of the ways of instilling this value for human security within military planning and analysis. By harvesting this information and filtering it into map visualisations for instance, it brings information on wider socio-economic issues under their radar. Additionally, it may provide a greater awareness that a military response will not necessarily erase some of the underlying drivers, but rather exacerbate them. Further, the use of data can be used to identify trends in information that can be used for response prioritisation. This can be utilised in order to determine both objective conditions within the area of concern (i.e., mortality rates, socio-economic statistics) as well as qualitative information on the sentiments of the population. For instance, a rise in the newspaper coverage of a thematic issue can be used to identify how much an issue has attained status within media discourse. Within the context of the human trafficking this can act to capture issues such as increasing dehumanisation of a population or exacerbated vulnerability in a manner that places populations at increased risk of being trafficked. Identifying these threats pre-emptively or at an early stage can allow for the amelioration of aspects of human insecurity and prevent such issues from spilling over into other forms of insecurity, as outlined above.

The creation of a specific Human Security Cell, as currently developed within the UK military can help to improve the awareness, respect and capabilities on human security in the military context on several fronts. Firstly, by placing dedicated human security specialists within

the military context, this can highlight the need for human security analysis with institutional support and recognition. Moreover, the development of an imbedded knowledge base with dedicated activities including the collecting of human security data can help to address the need for information in war-fighting situations, by having the requisite information at hand. By developing an understanding of human security impacts in a given situation this can produce ‘in-house’ knowledge that can be filtered into military planning in a way that would be less time and resource intensive and would not compromise confidentiality, thereby allowing human security analysis in war-fighting planning without direct immediate recourse to NGOs (though NGO analysis of human security situations should still be collected where possible).

Moreover, by establishing a Human Security Cell, the military will be better able to foster stable relationships with the humanitarian and civil society sectors where appropriate. Indeed, the mandate of a Human Security Cell may point to a greater overlap of values, thereby facilitating an easier establishment of relationships and trust. As mentioned by interviewees in the humanitarian sector, concerns were relayed that relationships with the military have been difficult, in part due to a ‘closed-off’ and ‘defensive’ attitude towards concerns of their activities. Rather, an openness of dialogue was considered necessary, including a sharing of data needs that would allow those working in the humanitarian field to work to address these issues, such as gathering information on community perceptions and providing analysis of this information to the military. On the part of the military, the Human Security Cell can help to entrench a respect for engaging with the humanitarian sector in a meaningful manner. It can act to formally establish this in the institutional framework for human security in the military with structured responsibilities and positions that allow for these insights to move from more junior to senior levels of staff.

Another issue that was raised by the same organisation was that more reciprocal relationships would be conducive in this sector. The reciprocity here was related to the sharing of analysis, namely conclusions, measurements and contexts (as opposed to the individual datasets themselves, for confidentiality reasons). It was raised that militaries and humanitarian actors have different access to arenas, namely, that UN Peacekeeping missions are better able to liaise directly with parliamentarians and governmental ministers, whilst humanitarian actors are better able to engage directly with communities. The sharing of such analysis could therefore provide a more holistic and multisectoral understanding of conflict environments. Ultimately, where these reciprocal relationships are fostered, and the military’s dedication to human security demonstrated, greater trust will be a natural by-product. In turn, there will be new opportunities for data sharing and the exchange of insights and analysis. As stated by the head of the HDX platform, Sarah Telford, ‘trust, not technology, is at the heart of data sharing.’⁶⁶

Human trafficking both influences and is influenced by a wide array of dynamics in the conflict environment. Attempts to address and prevent instances of THB should involve not only tackling the actual occurrences, but also addressing the structural drivers that exacerbate victim vulnerability and allow perpetrators to operate. As mentioned above, the concept of human

⁶⁶ Telford, S., *ibid* note 55.

security provides one such avenue for building such a nebulous and holistic understanding, though the expansive and perhaps vague nature of the concept can inhibit its effectiveness for actionable insights. It is here that the use of data can assist responsible actors in the humanitarian or military sectors. Not only can it be used to ground the general assumptions on causal drivers in more objective foundations, but its presence can act to highlight the importance of these issues in the decision-making process – helping to instill a paradigm shift towards the respect and protection of human security particularly within the military context.

Within this context, leveraging data across human security domains can help to achieve the following:

- Develop early warning for incidents of human trafficking⁶⁷
- Identify areas of concern for human trafficking
- Help for military planning and analysis, in immediate, mid and long-term manner
- Foster multisectoral analysis
- Strengthen awareness of causal drivers

This article has looked towards the challenges and opportunities in achieving this, as well as current practices amongst a select number of organisations. What has been discovered is that coordination and relationship building with the humanitarian sector can help to inform military planning in a way that can help to ameliorate impacts on well-being that result from military activity and to focus on the root causes of harm in a preventative manner. In doing so, a data-driven approach to human trafficking responses in the defence sector can inculcate a new culture, which places a premium on human well-being and agency, as opposed to a current military focus on fighting in direct conflict with the values of humanitarian actors.⁶⁸

The Fusion Doctrine presents an opportunity for the incorporation of this multisectoral approach necessary to truly address human trafficking in a meaningful manner. As strategy becomes inherently more multisectoral and long-term consequences built into planning, data-driven approaches to human security can help to hone the tools at militaries' disposal to address the complex array of factors that cause human trafficking in a complex world.

⁶⁷ UNODC, *ibid* note 6, p.40.

⁶⁸ Watson, A., & Karlshøj-Pedersen, M. Fusion Doctrine in Five steps. *Oxford Research Group*, 2019, p.12.