“Created in the image of God, treated like slaves….”

The Caritas Internationalis Commitment on Combating Trafficking in Human Beings

Vatican City, October 2005
1. The Caritas Internationalis Commitment on Combating Trafficking in Human Beings

Combating trafficking in human beings is of relevance to the principle of human dignity, to the fight against poverty and to the promotion and defence of human rights. All these elements are at the very heart of the mission and work of Caritas.

The above relevance to the Confederation’s mission, the analysis of the trafficking phenomenon in the following chapters and the inspiration derived from the sources described below, lead the Caritas Internationalis Confederation to affirm the following Commitment on Combating Trafficking in Human Beings

Caritas Internationalis and its Member Organisations strongly condemn trafficking in human beings as a criminal act, which violates basic human rights and the inviolable dignity and integrity of the human person.

Caritas Internationalis and its Member Organisations acknowledge the need and commit themselves jointly to take decisive and effective actions:

• in raising public awareness and enabling people to take necessary actions with regard to trafficking in human beings, and thus preventing trafficking;
• in advocating for alternatives for vulnerable groups
• in assisting and protecting trafficked persons;
• in advocating for the rights and for the protection of trafficked persons, for effective anti-trafficking legislation and measures, for effective enforcement of such legislation and measures;
• in advocating for migration policies and economic policies that reduce vulnerability of people to trafficking
• and in networking with authorities and with Churches and relevant actors in international civil society to jointly elaborate effective partnerships to challenge the human trafficking phenomenon.

Caritas Internationalis bases its Commitment to Combating Trafficking in Human Beings on the following elements in its Strategic Plan “Preparing for the Third Millennium – Renewing the Caritas Confederation”, which was adopted at the CI General Assembly of 1999:

• In the section on the Vision (a world “in which exclusion, discrimination, violence, intolerance and dehumanising poverty are no more” and where “all people, especially the poorest, the marginalised and the oppressed, find hope and are empowered to come to the fullness of their humanity as part of a global community”)
• In the section on the Identity and Role of the Confederation (“We seek to be receptive to the signs of the times, and to adapt our working methods, structures and actions to meet the challenges of the new millennium …”)
• In the section on the 5 core Guiding Values (“The first is our emphasis on the dignity of the human person as our foundational moral value…”)
The Caritas Internationalis Commitment on Combating Trafficking in human beings is further inspired by and based on the directions given by the Church and in the Catholic Social Teaching, amongst others in the following texts:

- "The trade in human persons constitutes a shocking offence against human dignity and a grave violation of fundamental human rights. It is an affront to fundamental values that are shared by all cultures and peoples, values rooted in the very nature of the human person" (Pope John Paul II, Vatican City, 15 May 2002)

- "The solemn proclamation of human rights is contradicted by a painful reality of violations, wars and violence of every kind, in the first place, genocides and mass deportations, the spreading on a virtual worldwide dimension of ever new forms of slavery such as trafficking in human beings, child soldiers, the exploitation of workers, illegal drug trafficking, prostitution. Even in countries with democratic forms of government, these rights are not always fully respected" ²

- "In regard to children, great care should be taken not to place them in workshops and factories until their bodies and minds are sufficiently developed. For, just as very rough weather destroys the buds of spring, so does too early an experience of life’s hard toil blight the young promise of a child’s faculties, and render any true education impossible” ³

- "Trafficking in persons – in which men, women and children from all over the globe are transported to other countries for the purposes of forced prostitution or labour – inherently rejects the dignity of the human person and exploits conditions of global poverty” ⁴

The Caritas Internationalis Confederation agrees on the above commitment while acknowledging and realising the following characteristics of the network:

- The network of the 162 Member Organisations of Caritas Internationalis is a positive and potentially strong resource in this field and the most effective use should be made of it.

- In their daily work, Caritas International Member Organisations are in direct daily contact with people and groups who are most at risk of being trafficked as well as with people who are in trafficked situations or who have been trafficked and are facing the consequences of that ordeal.

- The network covers and encompasses a rich and varied diversity of experiences, combining experiences from countries or regions of origin, transit and destination of trafficked persons.

- Trafficked persons may seek help from different services offered by Caritas, such as migration services, assistance for homeless people, general counselling offered in parishes.

- In some Member Organisations there are ongoing and well-established assistance programs in place for trafficked persons, most notably for trafficked women. Other Member Organisations are starting to work in these fields. These experiences can be effectively used to build the capacities of those organisations who wish to start anti-trafficking work.

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⁴ ("Strangers no longer: Together on the journey of hope" – A joint US/Mexico bishops pastoral letter, November 2002
The trans-national dimension of the global crime of trafficking in human beings requires the combined efforts of responsible actors in the countries of origin, the countries of transit, and the countries of destination of the trafficked people.

In this sense the Caritas Internationalis network has the unique potential and – by default – the obligation to engage in a coordinated global effort to combat trafficking in human beings. In doing so, Caritas Internationalis welcomes all the efforts, initiatives, programmes by other actors or institutions that prevent or combat trafficking in human beings.

In the sense of its commitment expressed above, Caritas Internationalis welcomes the recommendations set out in various relevant international conventions or treaties and other legal instruments and also commits to contribute to their further development, their ratification and their transposition into national laws, their implementation and their enforcement, together with other Christian, inter-religious and NGO partners.

2. Definitions and background.

Trafficking in human beings is a growing and very serious global problem that violates human dignity and human integrity. Trafficking constitutes the present day version of slavery.

In this respect it is important to understand that trafficking in human beings does not always or not necessarily involve the crossing of international borders. There are many examples known where people living in extreme poverty in – for instance – remote and impoverished rural areas are trafficked or sold into bondage and are exploited elsewhere within the same country.

Caritas Internationalis adopts the definition for trafficking in human beings as set out in the protocols to the UN Convention against Trans-national Organised Crime. According to this Convention, “trafficking in human beings” means:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation includes, at a minimum, the exploitation or the prostitution of others.

5 The most notable international conventions, treaties and other legal instruments, relevant to the issue of trafficking and exploitation of human beings, are – amongst others - :

- ILO’s Forced Labour Convention, 1930 (No. 29)
- ILO’s The Abolition of Forced Labour Convention, 1957 (No. 105)
- ILO’s The Worst Forms of Child Labour Convention, 1999
- The UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children (2000), supplementing the UN Convention against Trans-national Organised Crime
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the UN General Assembly resolution 45/158 of 18 December 1990. This Convention entered into force on 1 July 2003
- The Recommended Principles and Guidelines on Human Rights and Human Trafficking, issued by the UN Economic and Social Council, 20 May 2002
- The UN Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

6 In December 2000 the UN adopted two protocols supplementing the UN Convention against Transnational Organized Crime, one to prevent, suppress and punish trafficking in human beings, especially women and children, the other one against smuggling of migrants.
or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

„Smuggling of migrants,” means the procurement, in order to obtain, directly or indirectly, a financial or other benefit, from the illegal entry of a person into a state of which the person is not a national or not a permanent resident.

While smuggling and trafficking are clearly interconnected, they are two different phenomena. It is important to distinguish between ‘trafficking’ and ‘smuggling’ of humans. ‘Smuggling’ is the term that refers to the practice of transferring people across international borders without following the legally required entry or departure procedures. However, this practice of ‘smuggling’ is often carried out with at least a minimum level of consent by the people who are smuggled.

‘Smuggling’ may however be one element within the ‘process chain’ of trafficking, when such trafficking involves crossing international borders. If the element of subsequent exploitation, enforced by coercion, use of force or threat of force becomes manifest, the person in question must be considered to have fallen victim to the crime of trafficking person, regardless of any prior level of consent that he or she may have expressed with regard to the act of crossing an international border without following the legally required entry or departure procedures.

But what distinguishes ‘trafficking’ from ‘smuggling’ is that in the case of ‘trafficking’ there is always the element of coercion, force or the threat of force by the traffickers and the abduction or other forms of limitation of freedom of movement of the trafficked person, and the consistent practice of violence, abuse and exploitation.

Once a person is trafficked, escape from that situation is always very difficult and often fraught with danger. Survivors of trafficking almost invariably face a multitude of challenges, if they manage to escape the clutches of those that are trafficking or exploiting them:

- Denial of access to legal rights and basic human rights
- Criminalisation, persecution and penalisation
- Denial of access to legal protection
- Denial of access to medical protection and counselling services
- Any assistance is often conditional upon cooperation with authorities, regardless of the danger that this may expose the trafficked person to
- Stigmatisation and discrimination, not only of the trafficked person but also of his or her family and environment

Trafficking in human beings is a rapidly growing and highly lucrative “international business” which inevitably leads to the destruction of the lives of hundreds of thousands of persons. The phenomenon is of international dimension and can only be adequately addressed by the combined efforts of internationally joined forces.

In order to effectively deal with this human tragedy, Caritas Internationalis encourages its Member Organisations to acknowledge trafficked persons as persons who urgently require assistance, protection and advocacy.

This document aims to provide a foundation for a Caritas Internationalis commitment on combating trafficking and to identify possible strategies and instruments to be developed, implemented and used for co-operative work between the Confederation and its individual Member Organisations.
3. ‘Drivers’ and ‘root causes’ of trafficking in human beings

Like many social ills, trafficking in human beings is a multi-faceted, multi-dimensional phenomenon, that has many different ‘drivers’ (or ‘root causes’), which have a tendency to reinforce each other.

There are ‘drivers’ of human trafficking which are typical for the countries or regions of origin of trafficked persons, ‘drivers’ which are typical for the countries or regions where trafficked persons are trafficked to, and ‘drivers’ which apply universally, in countries or regions of origin, countries or regions of transit and/or countries or regions of destination.

Typical ‘drivers’ of human trafficking in countries or regions of origin (the ‘supply’ or ‘push’ factors) include:

- Abject poverty, especially the feminisation of poverty
- A lack of political, social and economical stability
- A lack of reasonable and realistic prospects for human development
- Situations of armed conflict and oppression
- Domestic violence and disintegration of the family structure
- Gender discrimination and low status of women in different cultures
- Lack of access to education and information
- Vulnerability of society
- The HIV-AIDS reality and the vulnerability of children

Typical ‘drivers’ of human trafficking in countries or regions of destination (the ‘demand’ or ‘pull’ factors) include:

- The expense of social charges that employers need to pay for the social protection of regularly employed workers
- Increasing demand for cheap and exploitable labourers, amongst others for the construction, agricultural and industrial sectors
- Increasing demand for cheap and exploitable domestic labourers
- A rise in the demand for sex workers in a highly lucrative and globalising sex industry
- Eroding moral norms and values and cynical consumerism in consumer-driven societies where violence and abuse of people tend to be condoned or at least accepted as a ‘fact of life’ and are not sufficiently challenged by authorities, public opinion, educators and the Church.

Typical ‘drivers’ of human trafficking that are universal of nature and therefore equally apply in countries or regions of origin, of destination and of transit (the ‘catalyst’ factors) include:

- Ever more limits and obstacles to legal migration channels to countries with stronger economies and/or regions with better prospects
- A lack of public awareness of the dangers of trafficking among the public at large and among the vulnerable target groups in particular
The high profit potential for those engaged in the criminal activity of human trafficking (no or low ‘investment’, high return)

The sophisticated organisation, resources and networking capacity of criminal networks engaged in human trafficking, facilitated and fuelled by the Internet and other mass communication tools

A lack of effective anti-trafficking legislation, and even if such legislation exists, a lack of proper and effective enforcement of such legislation by the responsible authorities, often as a result of corruption.

Global economic policies that foster exclusion of marginalised people

Disintegration of social protection networks as a result of the abandonment of such social protection networks by states and by national politics

Widespread corruption in countries of origin, of transit and of destination among the persons capable or responsible to combat trafficking.

Strategies aimed at combating trafficking in human beings should be holistic, multi-disciplinary, multi-dimensional and should try to encompass and address all or most of the above ‘drivers’.

When designing such strategies, a particular challenge is posed by the complexity of effectively addressing the ‘demand’ side of the phenomenon. The ‘market’ for trafficked persons is global, diverse and often highly ‘individual’. The ‘users’ or ‘clients’ of trafficked persons are therefore hard to identify and to confront or target as a ‘group’. In many cases these ‘clients’ may even be unaware that the person that they ‘use’ is a victim of the crime of trafficking. This challenge therefore requires a broad scope of the efforts in public awareness raising, through the media, through education programs, through public debate and through the Churches.

4. Especially vulnerable groups: women and children.

Recognising that trafficking in human beings knows no boundaries in terms of age and gender, the Caritas Internationalis Confederation, in its commitment to combat this global crime nevertheless places a special focus on combating trafficking of women and children, given their specific vulnerability and given the cruelty and perversity to which trafficked women and children are particularly subjected.

4.a. Special emphasis on trafficking in women

Traffic in women is only one appearance form of the problem of trafficking in human beings. However, it is a form of trafficking of particular concern to Caritas, since trafficked women suffer some of the worst and most perverse abuses of their physical integrity and their human dignity, especially if they are trafficked for sexual exploitation purposes.

In the process of being trafficked and exploited, trafficked women are very often systematically and violently threatened, abused and raped, imprisoned and forced to exploit themselves sexually, without any realistic option to negotiate any protection against contracting or spreading HIV AIDS and other sexually transmitted diseases.

Sexual exploitation and forced prostitution are among the most predominant reasons and purposes for women to be trafficked. It should be recognised, however, that women are trafficked for a wide variety of purposes, and not exclusively for the purpose of sexual exploitation. Other purposes, equally condemnable and equally devastating, for which women are trafficked include, amongst others:

- Exploitation and forced labour in industry (e.g. ‘sweatshops’ in the textile industry or other manufacturing sectors)
• Exploitation and forced labour in domestic servitude
• Exploitation and forced labour in the agricultural sector
• Exploitation as forced beggars
• Arranged marriages and ‘mail order bride’ schemes
• Removal of organs for the illicit organ trade
• Illicit trafficking of narcotics and drugs (drug couriers)

Following their situation of being trafficked, trafficked women are generally criminalised and penalised, stigmatised and denied access to legal, medical or social assistance and reintegration services. Their realistic prospects to reintegrate into their home societies and build up a normal family life and social or economic activities are reduced to practically zero.

According to estimates from the International Organisation on Migration (IOM) some hundreds of thousands of women and children are trafficked annually by worldwide criminal networks. The social and economic position of women in many countries makes them most vulnerable to false promises and to easy exploitation. In many cases women leave their country or home region in the hope of being able to find respectable gainful employment in order not only to sustain themselves, but also to support their families back home.

Women in this situation become merchandise and may well live in conditions similar to slavery. This is wholly unacceptable. It involves exploitation, restriction of freedom and/or debt bondage.

Even if a woman was smuggled across international borders with her (initial or subsequent) consent and she ends up being trafficked, she should not be criminalised, since the extent of the exploitation to which she is subjected is often unimaginable.

Being trafficked causes extreme physical, mental, emotional and social suffering not only to the trafficked women themselves but also to their families. The suffering caused by trafficking lasts a lifetime.

4.b. Special emphasis on trafficking in children

Children are especially vulnerable to falling victim of the crime of trafficking for several key reasons:

a. Children are often subjected to decisions made for them by adults:

   I. It is not uncommon in poor countries that poor parents ‘rent out’ or ‘sell’ their children. Regardless of the generally good intentions of the parents, who often enter into such an arrangement out of desperation and with the child’s best interest at heart, these arrangements frequently degenerate into human trafficking and severe exploitation of the children

   II. Children who become orphaned or displaced in war-torn countries or regions are frequently stolen by traffickers

   III. Children who become orphaned or displaced in areas struck by natural disasters frequently fall prey to traffickers

7 According to the UN Convention on the Rights of the Child, persons under 18 years of age are legally defined as children. In the context of the present document, the same age definition is maintained.
b. Children in poor and/or dysfunctional families frequently run away and in the process they risk being picked up by traffickers. Sometimes they manage to cross international borders on their own, but are picked up by traffickers in the country to which they ran away.

The most important reasons and purposes why children are being trafficked include amongst others:

- Sexual exploitation, including child prostitution and paedophilic pornography
- Exploitation in servitude
- Exploitation in the fishing industry or in farm work
- Exploitation in drug dealing, drug running or drug trafficking
- Exploitation as child soldiers in armed conflict
- Exploitation as ‘camel jockeys’ for camel races (this happens specifically in the countries around the Persian Gulf) or as ‘performers’ in circus shows
- Deliberate mutilation and subsequent exploitation in begging and peddling
- The removal of their organs for the illicit organ trade

Quite apart from the terror, the violence and other forms of extreme cruelty and risks to which trafficked children are subjected, they are also deprived of the love of the family, so important in their young life, and of the opportunity to receive a proper education. Therefore, the effects of being trafficked are most devastating in their lives.

A particular challenge lies in the fact that, in whatever way children may have become trafficked, they are often very difficult to identify and find, and they are frequently mistaken for simple ‘runaways’ or undocumented unaccompanied children. Very often, they do not understand themselves what is happening to them, nor are they able to articulate their situation.

In many countries where such children are identified and located, there are state controlled child protection services. These services tend to immediately expedite the situation through existing social services, without due research into the child’s background. The right questions are rarely asked and such children are therefore very often not recognised as victims of the crime of trafficking. Typically, they are repatriated and returned to the adults who failed to take care of them in the first place; or they are placed in detention as juvenile delinquents; or they are placed in foster care where their trauma is either not known or understood.

Meanwhile, their traffickers are rarely apprehended and as a result, it happens very often that these children are subsequently ‘recycled’ into the trafficking trade and go through the ordeal again.

5. Caritas Internationalis Strategy for Combating Trafficking

Caritas Internationalis encourages its Member Organisations to provide adequate professional services to trafficked persons according to their individual needs. The anti-trafficking strategy of Caritas Internationalis and its Member Organisations should be based on the following main strategic ‘pillars’ of activities:

1. Prevention and awareness raising: supporting and undertaking prevention activities, predominantly through awareness raising. Distinction should be made with regard to different strategies of prevention and awareness raising:
   - awareness raising targeted at risk groups (e.g. to people who actively intend to migrate in search of a job away from home, within or outside one’s own country, to migrants in an
irregular situation, or to groups who due to their circumstances are more at risk of falling victim to the crime of trafficking).

- awareness raising targeted at various groups of **educators and professionals** (such as doctors, priests, nurses, non specialised social workers and government officials), thus building an effective network of consistent and long term awareness raising
- awareness raising targeted at the **general public** and also at the **broad and diverse ‘demand side’** of the customers demanding sexual services or a cheap and exploitable source of labour.

Regardless of the targets and focus of the awareness raising, particular attention should be paid to the dangers of domestic violence, as this is often a breeding ground and catalyst for trafficking in human beings.

2. **Assistance to trafficked persons:** providing secure shelter for trafficked persons in the countries of destination, transit and origin (for repatriated trafficked persons); providing individual social, medical, psychological, and legal assistance, as well as vocational training to empower trafficked persons professionally. Effective assistance requires trans-national cooperation and networking; in this respect networking and cooperation with religious orders of sisters will be particularly valuable and effective. Fully respecting the religious plurality of trafficked persons, effective assistance should also pay particular attention to the spiritual healing of the trafficked persons and to their full spiritual and mental rehabilitation, in order to enable them to deal with the lifelong suffering that invariably is caused by trafficking.

3. **Advocacy:** Political advocacy work is as important as the assistance for trafficked persons, and should particularly address the root causes of trafficking, with a focus on **advocating for alternatives for vulnerable groups.** Advocacy in countries of destination and towards international institutions should specifically aim at ensuring that appropriate legislation is in place and is being properly enforced at national and international level to protect trafficked persons, to punish traffickers and to guarantee the rights of trafficked persons but also towards **migration policies and economic policies that reduce vulnerability of people to trafficking.** Finally, advocacy should highlight the need for protection and assistance for the trafficked persons.

4. **Networking:** Caritas Internationalis welcomes cooperation with organisations that pursue similar objectives. Caritas Internationalis stresses the necessity to work, both nationally and internationally, in interdisciplinary networks, where the cooperation between authorities, NGOs and International Organisations improves. At the same time there is a need to network within the Church and Church-related organisations, in order to strengthen collaboration and coordination of different efforts, as well as with ecumenical partners in other Churches. Networking should aim at improving the trans-national assistance and protection to trafficked persons. Networking is also a tool for joint advocacy work in seeking the improvement of legislation at international and national levels and their enforcement.

6. **Caritas Internationalis instruments and tools to combat trafficking**

In order to implement the strategy outlined in chapter 5 of this commitment paper, Caritas Internationalis endeavours to develop and to put into place and at the disposal of its Member Organisations adequate instruments and tools.

Such instruments and tools will developed and put into place in line with the overall Caritas Internationalis strategic activities:
• **Forum.** Caritas Internationalis will provide or facilitate relevant and appropriate periodic opportunities for dialogue and exchange between its Member Organisations on the issue of trafficking in human beings.

• **Capacity Building.** Caritas Internationalis will provide or facilitate capacity building services to Member organisations in the field of anti-trafficking work.

• **Advocacy.** Caritas Internationalis will support the advocacy work of its member organisations engaged in combating trafficking and will put to their disposal the resources of the Confederation with regard to advocacy, including the involvement of the permanent delegates at international institutions.

• **Facilitating Cooperation:** Caritas Internationalis will facilitate cooperation among its own member organisations and with relevant other agencies to strengthen the Confederation’s work in combating trafficking.

An important instrument for the Caritas Internationalis Confederation will be the creation of a separate and detailed periodic (annual or bi-annual) work plan that will transform the commitment in chapters 3 and 4 and the four strategies described in chapter 5 into concrete, precise and effective action in all the regions of the Confederation.

Such a work plan will propose detailed objectives, activities and indicators for the work at the level of the Confederation and its regions, and will be ordered in accordance with the above main strategies of the Confederation, in order to facilitate feeding into the overall Confederation multi-year work plan.

Caritas Internationalis further recommends its member organisations that are engaged or wish to become engaged in combating trafficking in human beings to make maximum use of another, already existing instrument and tool within the Caritas Internationalis network:

**COATNET – an international and ecumenical network, currently integrated into the structures of Caritas Europa**

As of 01 January 2004 COATNET has become a network integrated into the structures and operating under the legal authority of Caritas Europa. In the years 2004 and 2005 many new partners have joined this growing network as ‘users’, including many Caritas Internationalis Member organisations from CI regions other than Europe. At present (September 2005) the COATNET network comprises Caritas Member organisations from the regions North America, Europe, Africa, MONA and Asia, and soon there will be users from all 7 CI regions.

Participants in COATNET actively implement prevention and awareness raising activities, they assist trafficked women and support their re-integration, they do advocacy work and networking in their countries. COATNET aims at exchanging best practice, doing joint prevention measures and facilitating the assistance of trafficked women (return, provision of safe shelters, reintegration and legal matters) across borders. At trans-national level participants in COATNET encourage other Christian organisations to take action in this field and provide relevant assistance where wished.

COATNET is running a multilingual website ([www.coatnet.org](http://www.coatnet.org)) where it aims to reach governmental and non-governmental organisations working in the field, groups at risk, trafficked women and the general public in order to provide them with relevant information. This resource also increases the visibility of the action of Christian Organisations in this field.

For the rapid exchange of more confidential information and the co-ordination of actions in assisting trafficked women, the partners in the project use an Intranet facility, which has a closed user-structure and is accessible only with a password.
Over recent years, a strong and fruitful ecumenical cooperation has developed in the fight against trafficking in women – most prominently with the partner organisation CCME (Churches’ Commission on Migrants in Europe), which as an ecumenical agency mainly encompasses Protestant, Anglican and Orthodox Churches and their related organisations.

The ecumenical cooperation against trafficking has not only produced valuable practical results for the participating organisations, but is an encouraging sign of joint Christian witness, which is also manifested and visible through a joint logo.

Currently over 30 Caritas Internationalis and CCME organisations are using the facilities of COATNET and developing common activities as a network. This network could and should be enlarged in line with the interests of Member Organisations to take action in combating trafficking in women. It should increasingly become a platform/focal point to develop activities as well as a source of information for Member Organisations of Caritas Internationalis and other Christian organisations already working in the field.