Spring 5-1-2012

Examining the Challenges to the Anti-Human-Trafficking Movement in Russia

Stephen Alexander Barton

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A Capstone Project Submitted in Partial Fulfillment of the Requirements of the Renée Crown University Honors Program at Syracuse University

Stephen Alexander Barton

Candidate for Bachelor of Science Degree and Renée Crown University Honors

May 2012

Honors Capstone Project in Economics; International Relations; and Russian Language, Literature, and Culture

Capstone Project Advisor: _____
Brian Taylor, Associate Professor

Capstone Project Reader: _____
Chris Rohlfs, Assistant Professor

Honors Director: _____
Stephen Kuusisto, Director

Date: _____

Abstract

This paper examines the success of the anti-human trafficking movement in curbing the enslavement and trade of Russians to other parts of the country and world. This paper outlines how and why human trafficking is a major human rights and security issue for Russia and the "destination" countries to which traffickers send their victims. The anti-trafficking movement in Russia, which gained strength in the late 1990s through grassroots organization and international backing, successfully lobbied the Russian government to pass the country's first anti-trafficking legislation in 2003. This paper analyzes the many challenges this law has faced, while also focusing particularly on whether Russian legislation has had any effect on sex trafficking to the United States through a regression analysis of immigration data from the U.S. Census. Finding that the law has had very little effect on decreasing trafficking from Russia to the United States, this paper offers some concluding policy recommendations for Russia and the United States.

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Preface

Although I began my study of Russia during the first semester of my sophomore year, I did not consider it as I began brainstorming potential topics for my Capstone project. I focused instead on issues generally applicable to behavioral economics, compiling them in a list saved to my computer desktop. I hoped to design a project á la *Freakonomics* that would cast surprising insight on a seemingly everyday subject. None of my early ideas even involved human trafficking or any related subjects.

This changed shortly after I completed Middlebury College's Davis School of Russian, an intensive summer language institute. For nine weeks, I was completely immersed in the Russian language, forbidden to speak, read, or hear English for the duration of the term.

During my time at Middlebury, I encountered Russian culture in various ways. Some of these interactions were formal and organized by the Davis School: I learned about Russian customs in "Good Manners Club" and I attended several film screenings every week. Other interactions were less formal: I spent many hours each week speaking with the "bilinguals", two native Russian graduate students who acted as TAs, about their experiences growing up and living in Russia. It was through these various encounters with Russian culture that I began to view it as possibly misogynistic and patriarchal.

My latent concerns about the role of women in Russian society were painfully validated by the personal stories of the two "bilinguals" with whom I had grown very close during the program. One of the young women described her

narrow escape from sexual assault in her hometown of Irkutsk. The other, who lived in St. Petersburg for five years, told me that she feared walking up and down the stairs of her apartment building in the city because "there is no escape" on the stairs.

It is within this context that I encountered the anti-trafficking work of *New York Times* columnist Nicholas Kristof during the following fall semester. Although I had already been a regular follower of his column, his invitation to speak at Syracuse University during that semester motivated me to look further into his body of work. I came across his and his wife's most recent book, *Half the Sky*, which partly examines sex trafficking and forced prostitution.

Their work inspired me to incorporate my coursework in international relations, economics, and Russian studies with my burgeoning interest in human trafficking into a cohesive Capstone project. Given my extensive volunteer work at the Advocacy Center, this topic seemed like an even more logical choice.

I originally aspired to do personal research in Russia by applying for a U.S. State Department Critical Language Scholarship, which would have funded me to travel to Russia and study the language for a summer, but I was unsuccessful. Since the deadline to apply for funding from Honors prior to the summer had already passed, I chose not to make my own independent plans to do research in Russia because I was not comfortable with the prospect of spending thousands of dollars that I hoped *might* be refunded to me by Honors during the fall funding cycle.

Disappointed, I began to consider other ways in which I could make my research more unique or productive. Around this same time, I received an invitation to participate in the Distinction program in the Economics department. I seized upon this offer as an opportunity to design a regression analysis of trafficking in Russia that would include the costs and benefits to the Russian government of pursuing more vigorous anti-trafficking reform.

Last fall, this project evolved away from a cost-benefit analysis as I began to read more about the anti-trafficking legislation passed by the Russian government in 2003. Most of the literature I read used the low number of cases prosecuted under the law as evidence of its complete failure, but I thought it would be worthwhile to analyze whether the law has specifically affected trafficking from Russia to the U.S. Given that it is riskier to transport trafficked humans across borders than within a country, I reasoned that the threat of the law might still work as a negative incentive for trafficking, despite the fact that prosecution is still unpopular among law enforcement.

With the help of my reader in the Economics department, Professor Chris Rohlfs, I began to contemplate how I could measure the amount of trafficked Russians entering the U.S. I eventually decided to use Census data and focus specifically on sex trafficking, which has a more consistent demographic than labor trafficking – young, single women. I compiled immigration and demographic data from 1990 – 2009 and set to work writing a program in STATA that would clean and analyze the numbers. As I had very little programming experience prior to this point, I struggled greatly to design a program that would

carry out exactly what I wanted and I relied heavily on the expertise of Professor Rohlfs.

Meanwhile, I continued to explore the current literature on trafficking, both in Russia and internationally. I also expanded my general familiarity with scholarly work on Russia by taking a graduate class on Russian and post-Soviet politics with my advisor, Professor Brian Taylor. The class had a grueling reading schedule, but it introduced me to theories and hypotheses that challenged my existing assumptions about Russia and the post-Soviet space.

Toward the end of the fall semester, I began seriously writing about the emergence and persistence of human trafficking in Russia, but my progress was minimal. Although I wish I had started writing earlier, I do not see how that would have been possible, given my busy extracurricular schedule. There were other challenges, too. As a notoriously slow writer who is constantly editing his work as he writes, I found that my progress was not nearly as quick as I had hoped. I realized that I would need several hours per sitting to digest and process the literature before I could start writing in earnest, but I rarely found more than a couple free hours per week to devote to the project.

As a result, I found myself in January with a disappointingly small number of written pages, but a solid framework that simply needed filling. My advisor, Professor Taylor, advised me to force myself to write in small increments throughout each week, slowly chipping away at my outline. This was a pretty unsatisfying course of action, but it was the only realistic option available, as I

was already behind schedule. Slowly, the project began to approximate a complete thesis, which is precisely what I present to you now.

Despite the difficulties I have discussed, I am proud of what I have achieved through my research. Although this project does not make a significant contribution to the literature on human trafficking, it does offer a thorough analysis of the challenges trafficking poses to the Russian government and its people. This thesis synthesizes components from many different articles and books on trafficking, presenting them cohesively in a manner that is easily digested and understood. Although the econometric analysis included in this project fails to produce any groundbreaking insight into the transnational trafficking of Russians, its results are still interesting.

Acknowledgments

I am entirely indebted to my parents, who raised me in a household filled with positive reinforcement. From a very young age, my mother instilled within me a strong love of reading, which I hold directly responsible for my intellectual growth, while my father taught me the value of dedicating oneself to work without complaining, a teaching I see reflected today in my leadership style. Meanwhile, my brother has teased, fought, and bothered me just enough to give me a thick skin, while also encouraging me in all of my endeavors.

At Syracuse University, I owe a very large debt of gratitude to my advisor, Professor Brian Taylor, and my reader, Professor Chris Rohlfs. Were it not for their patient guidance, this project would never have reached completion. I want to specifically thank Professor Taylor for his assistance in finding interesting and relevant literature to support and enhance this work. I also would like to express my deep appreciation for Professor Rohlfs's programming expertise, which I frequently called upon to clarify the more complex aspects of my regression analysis.

I would also like to thank Professor Susan Wadley, who saw enough potential in me as a high school senior to invite me to attend Syracuse on the Coronat Scholarship. I hope that I have repaid even half this debt through my contributions, academic and otherwise, to this institution and city. My life has been forever changed for the better by the incredible opportunities that Professor Wadley has offered me.

Finally, I must acknowledge my junior year history teacher, Mrs. Nancy Carney, who taught me to always question my assumptions, while also helping me realize the true extent of my personal work ethic. I consider myself a more informed and committed global citizen, thanks to the instruction and guidance of Mrs. Carney.

I dedicate this work to her.

Advice to Future Honors Students

My most important piece of advice is simple: Choose a topic that will not depress or disillusion you. My topic, human trafficking, gradually became less inspiring to me as I delved further into my research. Naturally, Capstone projects tend to address complex world problems with no clear solutions, but I believe there are an abundance of issues less emotionally distressing than the sexual exploitation of women and children (to say nothing of labor trafficking or the bondage of male victims). At times, I found myself struggling to continue work on my project, especially as I resigned myself to the fact that my work would not produce any measurable change in the lives of the trafficked Russians about whom I was reading and writing.

Speaking of which: I also advise you to stop believing that your project will produce groundbreaking results that will change the world. While this is an admirable goal, it can become a further source of disillusion, as you gradually realize that you have neither the time nor resources to produce a project akin to *The Origin of Species* or *The Clash of Civilizations*. I sincerely hoped that I could identify a gap in the existing literature on human trafficking in Russia and fill it with my own insightful research. While I was fully capable of noting that which is lacking in the current research, I was far less capable of putting forth work that I personally believed would further the current scholarly discussion to my satisfaction. I attribute this to my lack of firsthand research and my shortcomings as a programmer (which hindered my ability to write a truly robust economic analysis).

Finally: Start reading as soon as possible. If you want to produce a highly polished end product, you ought to start reading the relevant academic literature as soon as you choose your topic. Sadly, this must involve sacrificing your more cherished reading material for academic journals and textbooks (unless that is already what you enjoy reading). A rich and thorough grounding in the current scholarly work involving your topic will lead to a more well-rounded thesis that incorporates – yet expands upon – the existing academic theory.

And that, my friend, is probably the best you can hope to achieve with your Capstone project!

Chapter 1

Trafficking in an International Context

Human trafficking is a phrase that most Americans have heard before, thanks in no small part to voices like *New York Times* columnist Nicholas Kristof, who has characterized trafficking as the "modern form of slavery" in calling for a global abolitionist movement ("The Face of Modern Slavery").

Although human trafficking has a lengthy history, the international anti-trafficking campaign is a relatively recent phenomenon. The International Organization for Migration (IOM), which was founded in 1951, led the way in combating trafficking in the early 1990s by empowering its 146 member states to organize regional meetings, share information, and develop anti-trafficking policies (Kyle and Koslowski). The concerted effort of this agency and others eventually led to the passage of several important pieces of legislation that have quickened the pace and strength of the anti-trafficking movement in the past decade.

A Problem of International Scope

In November 2000, the United Nations adopted the Protocol to Prevent, Suppress, and Punish Trafficking in Persons (Palermo Protocol), which requires parties to "prevent and combat trafficking" through anti-trafficking legislation, mass media campaigns, economic development, resources for victims, and support for nongovernmental organizations (NGOs) and other civil society organizations committed to anti-trafficking activities (General Assembly Resolution 55/25 35).

Around this same time, the United States government passed the Victims of Trafficking and Violence Prevention Act (TVPA) and called for the U.S. State Department to begin releasing an annual Trafficking in Persons (TIP) Report, which places countries into three tiers according to the extent of their "governments' efforts to reach compliance" with the TVPA and penalizes with sanctions those countries that do not comply with the minimum standards (2011 Trafficking in Persons Report 11).

The latest TIP Report includes 184 countries and the Palermo Protocol has 117 signatories, two striking numbers that speak to the pervasiveness of human trafficking in the modern, globalized world.

The global anti-trafficking movement has been gradually gaining strength during the past two decades. The passage in the U.S. of the TVPA and the adoption of the Palermo Protocol twelve years ago has had a "real if incremental impact around the world" by placing human trafficking in the minds of American and foreign diplomats alike (Kristof and WuDunn 67). These documents have

strengthened the international anti-trafficking agenda, while also spurring the passage of individual anti-trafficking laws in many countries.

However, major gaps in countries' laws and policies persist, and an enduring and comprehensive solution continues to elude policy makers. Although 116 countries have passed legislation to prohibit all forms of trafficking, nearly the same amount (104) do not have policies to prevent deportation, a complete abdication of UN-mandated responsibility to protect victims "from revictimization" (National Human Trafficking Resource Center; General Assembly Resolution 55/25 35).

This disparity between international convention and national law is indicative of a greater problem: Legislation that is not sufficiently broad enough to capture all of the illicit activity that human trafficking can entail. Not only do such discrepancies place individual countries at odds with the international anti-trafficking movement, but they also weaken the ability of each country's law enforcement agencies to properly prosecute individuals and organizations that engage in trafficking. In 2010, the State Department outlined the basic principles that make a good anti-trafficking law, the most important of which are:

- A broad definition of the concept of "coercion" that covers its many manifestations.
- A well-articulated definition of trafficking that… incorporate[s] all forms of compelled service in addition to forced prostitution. The definition should *not* include related but distinct crimes, such as

alien smuggling or prostitution. (2010 Trafficking in Persons Report 13)

The biggest challenge faced by many countries is to define human trafficking broadly enough to cover all of its forms without overlapping too much with other, distinct crimes. In order to do this, some countries look to the precedent set by the UN and the U.S. twelve years ago with the Palermo Protocol and TVPA, respectively.

Defining Trafficking

The Palermo Protocol and TVPA each employ a surprisingly broad definition for human trafficking that incorporates hidden demographics not commonly associated with the crime. The Palermo Protocol defines trafficking as:

> "… 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 shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced

labour or services, slavery or practices similar to slavery, servitude

or the removal of organs." (Resolution 55/25 32)

The clause that follows states that a victims' consent to any of the forms of exploitation outlined above does not change the act's illegality. Taken together, these two stipulations outlaw far more than just the forced sexual prostitution that is often associated with human trafficking. Some countries and organizations have adopted this definition verbatim for their own legislation or policies, as the Council of Europe did in 2005 (Convention on Action Against Trafficking in Human Beings 8).

In its own legislation, the American government further clarifies and expands upon this definition by explicitly including forced labor, sex trafficking, bonded labor, debt bondage, involuntary domestic servitude, forced child labor, recruiting child soldiers, and child sex trafficking (Victims of Trafficking and Violence Protection Act of 2000). Importantly, the State Department declares that "a victim need not be physically transported from one location to another in order for the crime to fall within" the American government's definition of trafficking (2011 Trafficking in Persons Report).

These definitions are a far cry from the popular conception of human trafficking, which been shaped by Hollywood in recent years with such movies as *Taken* and *Slumdog Millionaire*. Although these films provide increased visibility to the plight of victims of sex trafficking, they also create strong misconceptions about the breadth and nature of human trafficking.

A common assumption is that human trafficking only entails the forced prostitution of women and girls, but the U.S. State Department, with the help of the International Labour Organization (ILO), has found that "for every trafficking victim subjected to forced prostitution, nine people are forced to work" and that women comprise "56 percent of the world's trafficking victims" (2010 Trafficking in Persons Report 8, 34).

Size of the Trafficking Industry

International Scope of the Problem

Given the very nature of human trafficking, which occurs across a shadowy network of non-state actors, it is impossible to know the actual number of victims across the world. By one estimate, there are 9.8 million people thought to be "exploited by private agents and enterprises" across the world, approximately 2.5 million of which are in forced labor because they have been trafficked (Belser 5). By another count, there are "an estimated half-million to 4 million victims annually" (Shelley, "Human Trafficking" 12). The UN states that a "conservative estimate of the crime puts the number of victims at any one time at 2.5 million" ("FAQs", United Nations Office on Drugs and Crime), while the U.S. State Department uses a slightly broader definition of trafficking to estimate 12.3 million "adults and children [are] in forced labor, bonded labor, and forced prostitution around the world" (2010 Trafficking in Persons Report 7).

There is even more variation in estimates of the monetary value of the international trafficking industry. ~~Accordingly, estimates~~Estimates about the annual profit of the global human trafficking industry range from $7 billion (Malarek; Hughes) to $27 billion (Belser) to $31 billion (UNIAP), to name just a few numbers.

These estimations target a constantly amorphous number, with victims of trafficking entering, escaping, dying, or becoming enslaved again on a regular basis. Trafficking is a crime almost universally acknowledged to exist on a large scale in nearly every single corner of the world, but there is no clear consensus as to the size or value of this underground industry.

This confusion led to the creation of the United Nations Inter-agency Project on Human Trafficking (UNIAP), which led a contest that called for proposals for estimating the number of trafficking victims in the Great Mekong Sub-Region in Thailand. The winning methodological approaches tended to rely on networks of local informants and ethnographic mapping, but such strategies may not be readily applicable outside of the unique Mekong River basin (SIREN Methodology). All three winning entries outlined strategies that required a significant dedication of time and resources, which makes their application on a larger scale rather unrealistic, given the current attitude of most governments toward anti-trafficking initiatives.

Nonetheless, some government and international groups have taken on this challenge by developing rather innovative estimation methods in an effort to quantify the total number of trafficking victims across the world at any given

time. One of these organizations, the State Department, uses a sophisticated methodology for its TIP reports to create a "weighted average of aggregate, flow, and rates data" that extrapolates the annual average number of victims across the world from reported incidents (Belser, Kutnick, and Danailova-Trainor 5). Although this approach suffers from some issues (e.g., the aggregate, flow, and rates estimates are not very comparable because they employ different methodologies and assumptions), the State Department's strategy is unique in that it incorporates the duration of trafficking times in an attempt to create a more accurate prediction than more static analyses. The ILO, another leading analyst of human trafficking data, multiplies "the total number of reported cases by the average number of victims per reported case" while also incorporating predictions about the average duration of trafficking derived from reported statistics (Belser, Kutnick, and Danailova-Trainor 9).

However, every estimate suffers from an unknown level of error because it is impossible to know the ratio of reported to unreported victims. One estimate places the ratio at 1:10, but there is no realistic way to confirm this (Belser, Kutnick, and Danailova-Trainor 23). Even though the work by the ILO and State Department enjoys some level of convergence, this uncertainty will always remain an obstacle to accurately estimating human trafficking.

Conclusions

The efforts of the IOM, UN, and the American government have led most countries around the world to recognize that human trafficking is a serious crime and draft legislation addressing it. The Palermo Protocol and TVPA have built international consensus around the definition of human trafficking, which broadly includes sex slavery, labor exploitation, involuntary servitude, bondage, and even the removal of organs.

Anti-trafficking efforts still suffer from the difficulty of identifying exactly how many victims exists and how much revenue their exploitation generates. Various organizations and agencies have developed compelling methodologies, but uncertainty about the ratio of reported to unreported cases will always hinder statistical analyses. Some critics charge that anti-trafficking agencies exploit this quandary to mask the intentional inflation of statistics (Feingold).

Ultimately, there is at least one concrete conclusion that may be drawn from both the qualitative and quantitative work that has been done on trafficking: It is a crime that affects every country and every demographic group, whether directly or indirectly.

Chapter 2~~1~~

The Origins of Trafficking in Russia

Human trafficking may affect all countries of the world, but it is of particular concern to Russia, whose unique geographic size and location have made its borders vulnerable to illegal trafficking and migration.

Russia has become a "source, transit, and destination country for men, women, and children subjected to trafficking in persons" (2010 Trafficking in Persons Report 279). It is estimated that "between 20,000 and 60,000" Russian women become victims of traffickers every year, and no less than 500,000 have been trafficked from the country since the collapse of the Soviet Union (Tyerdova 331). Russian women have been trafficked into "prostitution in over 50 countries" (Hughes 627).

It is difficult to know the extent to which human trafficking existed in the Soviet Union because of the closed nature of the regime, but literary sources like Alexander Solzhenitsyn's *Gulag Archipelago* and historical accounts have described labor camps and other forms of mass exploitation that existed under the Communist system. After the collapse in 1991, labor exploitation in Russia quickly became international, with various developments leading to a flourishing human trafficking industry that suffers few restrictions.

Post-Soviet Economic Deprivation

Trafficking in Russia traces its origins to the collapse of the Soviet Union, which devastated the Russian economy and increased poverty across the country. The 1990s were characterized by rapid increases in income inequality, with the richest becoming spectacularly wealthy and members of the middle and lower classes suffering from unemployment or deflated wages (White).

Despite the sharp decline wages for most working Russians, there is evidence that Russians, on average, were still earning more than their country could even afford during the 1990s (Tikhomirov). The economy was able to stumble along, its deepest weaknesses masked by ongoing governmental reform, until the financial crisis of 1998. Although "levels of poverty were at their highest in 1992", the Russian economy suffered another setback in 1998, when the ruble was devalued to the point that real incomes lost a third of their value (White 185).

Many middle class citizens suddenly found themselves out of work and on the street, but women were especially impacted by the economic deprivation of the 1990s. Unemployment was "much higher in the female labor force" following the collapse of the labor market in the 1990s (Tyerdova 333). If they were lucky enough to retain their employment, many women still "shouldered the double burden of work and home" (Shelley, "Trade in People" 233). The official Soviet ideology of gender equality disappeared, replaced instead by a "rejection of the most feminist aspects of communism, an embrace of nationalism, and the emergence of only a small women's movement" (Johnson 17).

As one analysis found in Ukraine, economically disadvantaged women have been partly motivated to engage in irregular migration by "the success stories of migrants from destination countries" (Vijeyarasa 54). This same motivating factor surely played a role in Russia, which was similarly exposed to attractive foreign labor markets after the Soviet Union's collapse. The unemployment of women after the Soviet collapse influenced a sharp rise in the number of "abandoned and orphaned children and youth confined to children's homes," many of whom were actively targeted by traffickers because of their vulnerability (Shelley, "Trade in People" 239).

The middle class is "small but probably growing", but it continues to be limited by the hiring practices of Russian firms (Hanson 887). During the oil-driven boom period of the mid-2000s, "fast recovery in working hours and the wide use of overtime work limited employment growth", as the same or fewer numbers of workers were working more hours to sustain productivity (Gimpelson and Kapeliushnikov 7). The effects of these practices reverberate across the lower and middle classes, as the "majority of trafficking victims [from Russia] are from lower socioeconomic strata", but "many of them also have college degrees" (Tyerdova 336-337). Although human traffickers typically target the most economically disadvantaged members of society, they continue to have favorable access to middle class citizens, despite the strong growth of the Russian economy in the past decade.

Rise of Organized Crime

The severe economic deprivation in Russia in the 1990s simultaneously led to the proliferation of organized crime groups. Previously law-abiding citizens turned to desperate measures to support themselves: By the end of the 1990s, there were an estimated 3,000 criminal gangs with a total membership of 60,000 (White). The sudden growth in organized crime in the 1990s "to a large extent simply reflected its eruption from the shadows, as it could no longer operate behind the scenes within" and alongside the Communist Party (Galeotti 419).

The high profitability of the human trafficking industry, with its relatively low costs and risk, attracted the attention of these organized crime groups (Winterdyk, Recihel, and Perrin). Mafia syndicates, which were already adept at meeting unfulfilled demands after many years of smuggling scarce goods in the Soviet Union, began to expand into human trafficking while "retain[ing] the same methods of doing business based on corruption and protection schemes" (Hughes 628). With their strong links to "the surviving Communist power structure," these organized crime groups coalesced around a mix of "traditional organized crime, individuals from the same region, corrupt government officials and members of the diaspora community" to facilitate human trafficking (Shelley, "Trade in People" 235).

Organized crime networks often "make use of the skills, routes, existing contacts and corrupt networks developed in certain markets in specific countries and expand into other illicit markets", as in the case of the Russian mafia and

human trafficking (Aronowitz 178). Russian organized crime simply added human trafficking to its trade in counterfeit money, smuggled arms, and drugs, relying on existing trade routes to further "weaken the moral and practical integrity of national borders" (Galeotti 425). There is little doubt that the Russian mafia also "network[s] with other criminal groups to facilitate movement of trafficked persons" across Russia's insecure borders (Winterdyk, Reichel, and Perrin 63)

Softening of Borders

The collapse of Soviet borders in 1991 enabled massive growth in human trafficking during the 1990s, as post-Soviet governments "lacked organized and efficient regulatory agencies to hinder" the exploitation of emigrating citizens (Hughes 628). At the same time, Russia officially adopted a more open attitude toward the emigration of its citizens that contrasted greatly from the former Soviet system. The Constitution of the Russian Federation of 1993 recognized the freedom of Russian citizens to travel abroad and leave the country freely (Ivakhnyuk 12).

Russians enjoyed visa-free travel within the Commonwealth of Independent States, while border controls in Western Europe, which had been recently loosened by the Schengen Agreements, lowered the barriers for Russians hoping to enter countries previously forbidden by the Iron Curtain of the Cold War (Heleniak).

Facing severe economic deprivation and increasing exposure to the globalized market, Russians began to exit their country. Human traffickers capitalized on this "unprecedented mobility" by promising "luxury and economic prosperity" in the West to struggling Russians who sought to reverse their fortunes (Shelley, "Trade in People" 232; Tyerdova 337).

The collapse of the Soviet Union in 1991 enabled massive growth in human trafficking during the 1990s, as borders opened and post-Soviet governments "lacked organized and efficient regulatory agencies to hinder" trafficking (Hughes 628)

The high profitability of the human trafficking industry attracted the attention of existing organized crime syndicates, which emerged from the Soviet-era shadow market. These mafia groups, which were already adept at meeting unfulfilled demands after many years of smuggling scarce goods in the Soviet Union, began to expand into new industries such as human trafficking while "retain[ing] the same methods of doing business based on corruption and protection schemes" (Hughes 628).

These groups, with their strong links to "the surviving Communist power structure," coalesced around a mix of "traditional organized crime, individuals from the same region, corrupt government officials and members of the diaspora community" to facilitate human trafficking and other crimes (Shelley 235).

The supply of individuals vulnerable to human trafficking also increased greatly. The economic deprivation of the 1990s especially impacted women, who lost the gender equality that had been actively promoted by Soviet ideology, but

still "shouldered the double burden of work and home" (Shelley 233).
Unemployment was "much higher in the female labor force" following the
collapse of the labor market in the 1990s (Tverdova 333).

Given these trends, it is not surprising that the "majority of trafficking
victims [from Russia] are from lower socioeconomic strata", but "many of them
also have college degrees" (Tverdova 336-337). The growing unemployment of
women after the Soviet collapse was accompanied by a sharp rise in the number
of "abandoned and orphaned children and youth confined to children's homes,"
many of whom were actively targeted by traffickers because of their vulnerability
(Shelley 239).

Immigration – and with it, trafficking – also moved in the opposite
direction. As Russia's economy rebounded in the 2000s, it became an attractive
destination for immigrants from its post-Soviet neighbors who did not have the
blessing of abundant natural resources to sell at record-high prices. In recent
years, Russia has had "upward of 500,000 migrant laborers from Central Asia,
mostly in Moscow and west Siberia", whose influx has continued despite the
threat of exploitative working conditions, a low standard of living, and prejudice
and racism (Kotkin 216).

Since the collapse of the Soviet Union, Russia has experienced "net
immigration from the other former Soviet states and net emigration to countries
outside the former Soviet Union", which has provided major opportunities for
criminal groups to traffic and smuggle humans across Russian borders, in all
directions (Heleniak 146).

<u>Conclusions</u>

The weakening of the Russian economy after the Soviet collapse created an environment ripe for exploitation. Women and children suffered particularly from the economic crisis of the 1990s, which sharply increased female unemployment and child homelessness.

Organized criminal groups, which grew in strength and number during the 1990s, leveraged their existing trade networks to quickly establish a presence in the international shadow economy for trafficked humans. The Russian mafia capitalized on the vulnerability of impoverished women and children, in addition to members of all socioeconomic classes who simply hoped to change their fortunes by moving abroad after the collapse of the Russian economy.

The concurrent loosening of border controls among the post-Soviet states and Western Europe further exacerbated the exploitation that migrants suffered at the hands of criminal organizations. By collaborating with foreign criminal organizations, the Russian mafia and other criminal groups were able to move trafficked humans across Russia's weak borders without much hassle.

Chapter 3

The Growth of Anti-Trafficking Efforts in Russia

On paper, Russia has committed to combating trafficking. As "one of the first signatories to" the Palermo Protocol, Russia ratified its commitment even before the U.S. did (2001 Trafficking in Persons Report 95). Although political capital for anti-trafficking initiatives is scarcer than it was a decade ago, Russia still supports organizations dedicated to combating human trafficking within its borders.

But this was not always so. After the collapse of the Soviet Union in the early 1990s, the Russian government was in no position to effectively regulate migrations across its border, instead giving precedence to economic stability and other policy priorities. The pressure for trafficking reform came from groups outside the Russian government, at the domestic and international level.

Domestic Pressure

Paradoxically, American groups were partly responsible for grassroots anti-trafficking efforts in Russia. In April 1997, Russia held a seminar on organized crime organized by the State Department's Burea of International Narcotics and Law Enforcement Matters that increased anti-trafficking collaboration between Russian law enforcement and the U.S. government (Human Rights Watch). Shortly afterward, the Russian Duma held its first parliamentary

roundtable on human trafficking through the co-sponsorship of American University, while Global Survival Network, an American human rights nonprofit group, held a conference that dramatically increased Russian awareness of trafficking (Johnson).

Although trafficking was already acknowledged to exist at this time, Russian women's rights groups began in earnest to focus more attention and resources on the problem at this time. Initially, anti-trafficking groups blamed the restrictive immigration policies of Western nations for the trafficking of Russians, who were desperate to escape the country by any means possible, and Russian lawmakers remained indifferent to focusing any attention on the problem at a domestic level (McCarthy, 2011).

This began to change as law enforcement agencies began voicing their concerns over the rampant growth in trafficking activity and their inability to effectively police it. As momentum for anti-trafficking grew in the late 1990s, "law enforcement began to admit that they had seen the problem, but were unable to do anything about it because it was not technically illegal under existing law" (McCarthy, 2011 55). These agencies began to increasingly pressure the government to reform of the criminal code so that they could comprehensively prosecute trafficking, rather than using pieces of existing legislation that did not completely capture the severity and extent of the crime.

The tireless work of domestic activists, who notably convinced Russia's special representative on human rights to begin speaking of trafficking as a violation of human rights, and the complaints of police officers and investigators

provided essential bottom-up pressure on the Russian government to introduce anti-trafficking policies.

International Pressure

Pressure from the international community was simultaneously increasing. Ever since the State Department released its first TIP Report in 2001, which placed Russia in the lowest tier and criticized it for doing "little to combat the problem of trafficking", Russia has felt pressure from the international community to improve its anti-trafficking efforts (2001 Trafficking in Persons Report 95).

Although the U.S. government had not yet formally linked sanctions to low TIP report ratings at this time, an advisor to the secretary of state warned Russian authorities that "sanctions were probable" (Johnson 132). Publicly, the Russian government responded to these low ratings and threats with scorn, but they quietly requested American assistance in drafting an anti-trafficking law (McCarthy, 2011).

The Russian government began to publicly consider human trafficking as a human rights and national security issue. President Vladimir Putin, who often butted heads with the U.S. and UN, was compelled by a growing international consensus on human trafficking to enlist the assistance of the American government in confronting the issue. It was, after all, "important [to Putin] for Russia to appear civilized" in this respect (Johnson 133).

Support from the U.S. proved especially crucial, as those involved in anti-trafficking negotiations in Russia have suggested that, "without the financial support from the US government for the roundtable discussions and conferences, [they] would not have gone anywhere because there would have been no one to pay for the discussions" (McCarthy, 2011 52).

Governmental Reform

Russian authorities increasingly began to realize that their existing criminal code and migration laws were inefficient in regulating trafficking and illegal immigration (Ivakhnyuk). In 2002, as pressure from domestic NGOs, law enforcement, and international organizations grew, the Russian government established an anti-trafficking Working Group headed by Duma deputy Elena Mizulina and comprised of other Duma representative; members of the Ministries of the Interior, Labor, and Justice; and domestic and international NGOs (McCarthy, 2011).

In working on anti-trafficking legislation, the Working Group adapted language from the Palermo Protocol and TVPA while also building upon the previous work of a Duma committee that had proposed trafficking-related amendments to the criminal code in 1999 that were ultimately rejected in 2001 (McCarthy, 2011).

The leadership of Deputy Mizulina and threats from Thomas Firestone, the Department of Justice's Resident Legal Advisor, pushed the Working Group

to ultimately present a final draft of amendments to the Criminal Code that had "more teeth" than previous iterations (McCarthy, 2011 82).

In December 2003, heeding the domestic and international pressure that had been building since the mid-1990s, the Russian government finally passed its first piece of anti-trafficking legislation, Federal Law No. 162-FZ.

Explaining Federal Law No. 162-FZ

Federal Law No. 162-FZ includes four articles that address different aspects of human trafficking. Article 127.1 defines trafficking in persons as "the buying-selling of a person or other actions committed for the purpose of such person's exploitation in the form of recruitment, transportation, transfer, harboring, or receipt of such person", whereas Article 127.2 penalizes "the use of labor of any person over whom power similar o the right of ownership is exercised" (Excerpts from Federal Law No. 162-FZ). Articles 240 and 241 concern recruitment into prostitution and the establishment of brothels and other venues for forced sex labor.

Each of these articles has varying levels of punishment, which are determined by aggravating factors. Under Article 127, the involvement of multiple victims or minors qualifies as a 1^t level aggravating factor, whereas death by negligence or commitment by an organized group is grounds for punishment under 2nd level aggravating factors (Excerpts from Federal Law No. 162-FZ). The

aggravating factors for Articles 240 and 241 involve whether the crime was transnational, involved minors, or entailed abuse of power. These punishments for

Table 1: Sentencing Under Federal Law No. 162-FZ

	Basic	1st Level Aggravating Factors	2nd Level Aggravating Factors
127.1 (Human Trafficking)	up to 6 years (after 11/2008)	3 to 9 years	8 to 15 years
127.2 (Use of Slave Labor)	up to 5 years	3 to 9 years	8 to 15 years
240 (Recruitment into Prostitution)	up to 3 years	up to 6 years	3 to 8 years
241 (Organization of Prostitution)	100,000 to 500,000 ruble fine	up to 6 years	3 to 9 years

(Adapted from McCarthy, 2010 17)

human trafficking and slave labor at their highest level are relatively severe, whereas the punishment for coercive prostitution is basically halved.

Russia rose into the mid-level tier in the State Department's 2003 TIP Report because of a "strong increase in political will to recognize and confront their trafficking problem", but it was placed on a "watch list" in 2004 because it fell short in establishing a comprehensive anti-trafficking policy that sufficiently protected victims and addressed corruption (2003 Trafficking in Persons Report 127; 2004 Trafficking in Persons Report). The Russian government was further criticized by feminist groups for its non-inclusion of "national commitments to prevention or social services for deported victims" in new legislation, as well as a

lack of any reference to victim consent, which is included explicitly in international convention (Johnson 135).

Despite their criticisms, many parties acknowledged that Federal Law No. 162-FZ was a commendable first step for Russia's anti-trafficking legislative efforts. In the same 2004 TIP Report that reduced Russia's tier ranking and criticized shortcomings of the law, the State Department declared that Russia is "making significant efforts to" comply with the minimum standards of the TVPA and Palermo Protocol (2004 Trafficking in Persons Report 168). President Putin promised that the law would "punish those who thrive on the exploitation of people and not those who, in difficult life situations, have fallen into the dirty hands of traffickers" (as translated in McCarthy, 2011 82).

Even at the New York Times, anticipation was high, long before the bill actually passed, for the Russian Duma to take "a much-needed step toward cracking down on… brutal human trafficking [with] a law that would require the government to warn Russians about the deceitful methods used to" draw victims into trafficking ("Outlawing Russia's Sex Traders"). The ILO was more measured in their praise of the law's effects on trafficking, stating that the "legal solution of those problems moved ahead but have not been completed" sufficiently, especially with respect to labor trafficking ("New Forced Labour in Russia").

In 2008, Federal Law No. 162-FZ was amended to eliminate "confusion over whether the buying-selling that occurred in a trafficking situation had to be connected to the goal of exploitation, or whether it could stand alone as a crime", in favor of the latter (McCarthy, 2011 269). The amendment also included

stipulations that raised the minimum sentence for human trafficking to six years, thereby classifying it as a "grave crime" under Article 15 of the criminal code, which gave law enforcement more freedom to investigate and prosecute suspected cases ("Criminal Code of the Russian Federation").

The passage of Federal Law No. 162-FZ has resulted in the allocation of funding for anti-trafficking initiatives and campaigns within Russia. A 2006 – 2008 anti-trafficking campaign financed a concert in St. Petersburg as part of MTV's EXIT Campaign to End Exploitation and Trafficking (among other similar concerts), sponsored a poster-making competition, increased collaboration between the IOM and the Federal Migration Service of Russia, and created IOM Information Centers, which provides legal counseling to victims of trafficking (United States Agency for International Development).

Conclusions

Anti-trafficking reform in Russia has grown out of a combination of domestic and international pressure, with Russian NGOs and activists leveraging the support of the UN, American government, and other groups to compel the Russian government to seriously address its trafficking problem. The concerns of law enforcement convinced Russian authorities to consider human trafficking as a national security problem, while the work of Russian activists also injected anti-trafficking discussions with human rights considerations

The financial support of the American government for legislative negotiations and the leadership of Deputy Mizulina within the Working Group

provided the final impetus for the passage of Federal Law No. 162-FZ in late 2003.

Although various groups have criticized Federal Law No. 162-FZ for its lack of clarity and important protections for victims, it has provided the law enforcement with a basic framework through which to investigate and prosecute trafficking crimes while also providing resources for public awareness campaigns. The law was amended in 2008 to increase sentencing and clarify the investigative process, but the political capital for additional trafficking legislation has been weakened in recent years by the financial crisis and other more pressing policy considerations.

Chapter 4

Analysis of Trafficking to the United States

Given that eight years have passed since the passage of Federal Law No. 162-FZ in December 2003, it should be clear by now whether the law has had any measurable effect on human trafficking in Russia. This analysis seeks to answer that very question by measuring the effect the law has had specifically on sex trafficking from Russia to the United States.

Whereas previous studies have examined the number of anti-trafficking prosecutions in Russia as evidence for the effect of Federal Law No. 162-FZ on illicit activity, this analysis incorporates immigration and economic data to consider whether sex trafficking to the United States has changed in any significant way since December 2003. Sex trafficking is the only form of the crime included in this analysis because it involves a relatively consistent demographic that is easier to identify and measure than the cohorts involved in labor trafficking and its other manifestations.

Methodological Approach

Ideally, this analysis would use a sample of young, Russian women self-reporting their status as sex slaves and the year they were trafficked, but no such data actually exist on a wide scale. Instead, U.S. census and American Community Survey (ACS) data are used to create a proxy indicator for the level of trafficked Russian women in the U.S. In other words, the "treatment" group in

this experiment includes single, Russian women, aged 30 and under, a demographic approximation of trafficked sex workers.

The regression analyzes the population levels of the "treatment" group relative to 2003, or the year Federal Law No. 162-FZ was passed by the Russian legislature. Year of interview is controlled in order to limit the effect of the decreasing sample size of the ACS in recent years. Population levels of the "treatment" group are compared relative to other demographic groups of interest: Married, Russian women of all ages; single, Russian men, aged 30 and under; single, Russian women over the age of 30, etc.

Data Description

Population data include five percent census samples observed in 1990 and 2000 and annualized data between 2001 and 2009 from the ACS. Both datasets are comprised of demographic information including ethnicity, gender, age, martial status, and year of immigration. This analysis also includes data from the World Bank, which is correlated with immigration data to determine whether it had any effect on the number of Russian immigrants entering the U.S. during the period of interest from 1991 to 2009

The results of the regression analysis, in addition to the economic data from the World Bank, are presented graphically so that changes in immigration trends after Federal Law No. 162-FZ was passed can be seen more clearly. The very basic results of the regression are presented first, followed by a more

complex analysis of its findings that is supplemented by economic data and on the economic motivators of trafficking.

Model

This analysis uses several variables that measure the interaction between immigration year, demographic year, and year of interview. The general model is as follows:

$$pop_{i,j,t} = \alpha_j * treat_i + \beta_j + \gamma_{i,t} + \varepsilon_{i,j,t}$$

Where:

$i = demographic\ group$

$j = year\ of\ immigration$

$t = year\ of\ interview$

$pop_{i,j,t} = demographic\ group * interview\ year * immigration\ year\ combination$

$\alpha_j = immigration\ year * demographic\ group\ coefficient$

$\beta_j = immigration\ year\ coefficient$

$\gamma_{i,t} = interview\ year * treatment\ group\ coefficient$

The level of observation in this analysis is a multiplicative combination of demographic group, year of interview, and year of immigration, which is represented by $pop_{i,j,t}$. The coefficient of interest, α_j , represents the interaction between year of immigration and demographic group. When it is multiplied with $treat_i$, it equals the excess numbers of the treatment group entering the U.S. for each year of immigration. Since year of interview is an omitted variable that

correlates with year of immigration, it is controlled through the   interaction variable.

The graphs included below plot the   coefficients for the "treatment" group of single, female Russians, aged 30 and under.

Findings

At first, the results of the analysis appear generally supportive of the hypothesis that Federal Law No. 162-FZ had a negative effect on the trafficking of young Russian women to the U.S. This is reflected in Figure 1, which plots the coefficients for the "treatment" group, or the regression-adjusted population,

Figure 1: Immigration levels of "treatment" group, 1991-2009
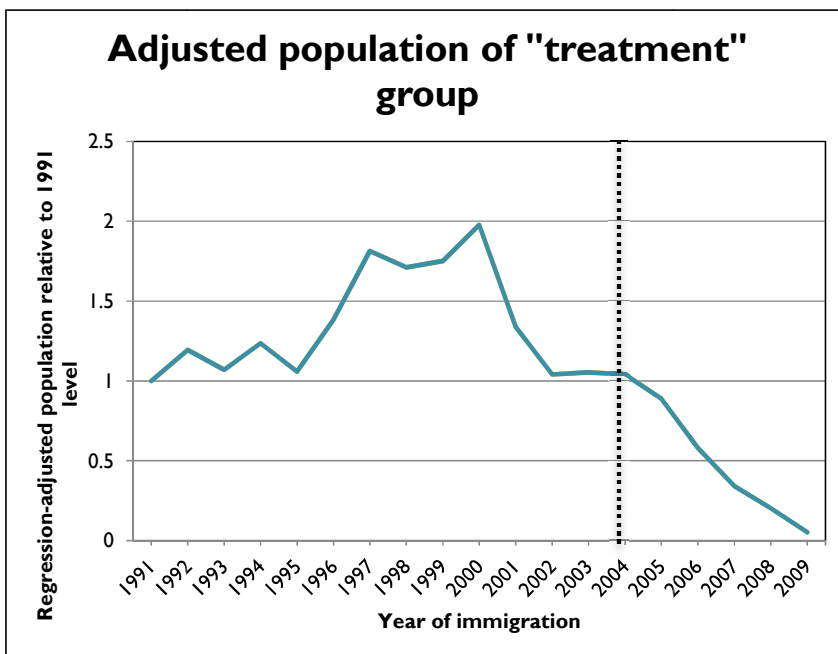
against year of immigration from 1991 to 2009. Although there is high variation in immigration levels for single, Russian women, aged 30 and under, from 1991 to 2002, they completely drop off after 2003. Given this evidence alone, the passage of Russia's first anti-trafficking legislation appears to have had a large effect on the "treatment" group.

However, the rest of the analysis casts doubt on this conclusion. When population levels of the "treatment" group are compared relative to other demographic groups of interest, the results show little difference between the groups. In Figure 2, the difference between the regression-adjusted population (coefficient) of the "treatment" group and that of young, married, female Russians is plotted against year of immigration for both groups.

**Figure 2: "Treatment" group relative to other demographic, 1991-2009**
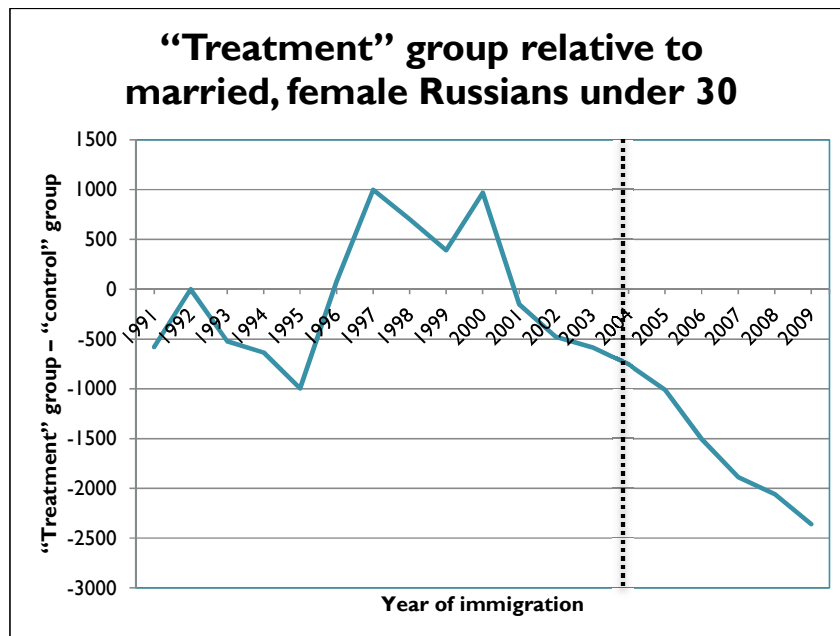
. Even though there are large deviations in 1995, 1997, and 2000, the general path of immigration for both groups appears very similar. This evidence generally favors the explanation that immigrants of all types from Russia were motivated by the same factors from 1991 to 2009, which severely weakens any arguments on behalf of Federal Law No. 162-FZ's unique significance. The deviations between the "treatment" group and different demographic groups were even smaller.

The possible effects of the law are further limited if economic indicators are considered. When immigration to the United States was at its highest between 1996 and 2000, the Russian economy was simultaneously contracting to its smallest level during the period of study (Figure 3). The real value of the Russian economy, which is plotted on the vertical axis in Figure 3, can be seen skyrocketing after 2004. Additionally, immigration for all demographic groups dropped off significantly around 2001, shortly after Russia began experiencing sustained GDP growth around 1999 (Figure 4). The real value of the Russian economy (Figure 3) lagged behind this growth in GDP because it was initially motivated purely by a "fivefold devaluation of the rouble in the course of a few months and, a little later, an upturn in oil prices in 1999 and 2000" (Hanson 870). After 2004, around the same time as passage of Federal Law No. 162- FZ, the Russian economy exceeded in 1991 value for the first time ever, as seen in Figure 4.

Figure 3: Russian GDP, 1991-2009
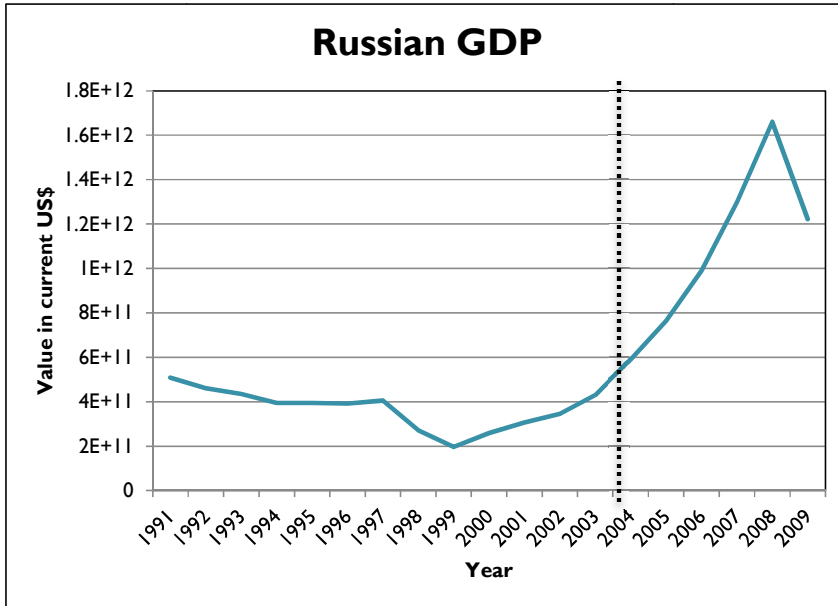
Figure 4: Russian GDP growth, 1991-2009
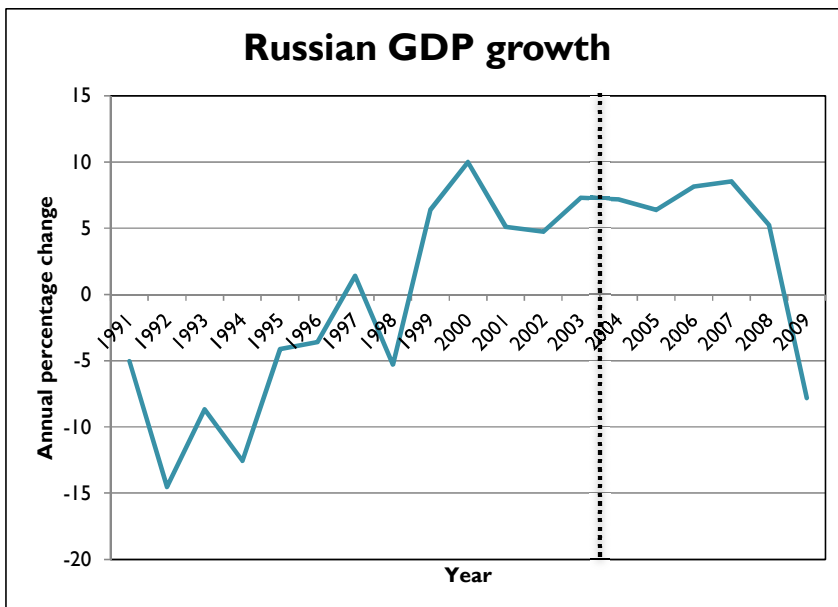
At the same time, unemployment among workers aged 15 – 24 had dropped to levels closer to the early 1990s after reaching a record-high of 27% in 1998; this can be seen in Figure 5, which plots the percentage of each gender group between the age of 15 and 24 against year.

Figure 5: Youth unemployment, 1991-2009
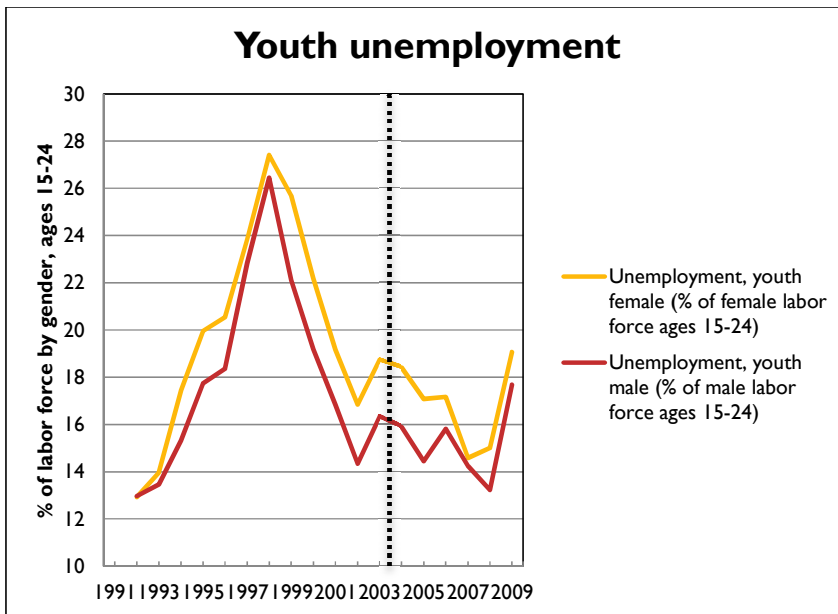
<u>Interpretation</u>

There are multiple conclusions that can be drawn from these results. On one hand, the economic performance could be seen as obscuring the true effect of Federal Law No. 162-FZ on human trafficking, as the analysis does not precisely measure sex workers trafficked into the U.S., but rather a proxy demographic group that may be subject to influences that do not affect human trafficking.

On the other hand, it might instead be true that the same factors that influence immigration also influence human trafficking. During economic downturns, people are more inclined to take risks to support themselves, often deciding to leave their home country in search of better work elsewhere. Although the stereotypical image of trafficking often implies that victims have been suddenly kidnapped and captured, "Modern-day trafficking frequently involves the economic migrant, who may even know that the tourist visa on which he or she travels has been obtained without disclosure of the intention to work in the destination country" (Vijeyarasa).

It is later the migrant unwittingly falls victim to a severe form of exploitation that he could not foresee and whose severity he could never have fathomed. As Russia Today reported, in a piece on a trafficking case in 2009, "In the nineties tempting offers of work abroad flooded the internet and are still found in abundance. Dubious employers promise high wages for working as waitresses or nurses, but upon arrival the women are stripped of their passports and forced into slavery" ("Human trafficking to rise due to financial crisis")

As Russia's economy suffered and its youth unemployment rate skyrocketed, young Russians fled the country in high numbers, with the "wish for a better life abroad that puts millions of people at the risk of ending up in exploitative work conditions" (Mahmoud and Trebesch). Traffickers tend to coalesce in high-migration areas, as Russia undoubtedly was in the mid-1990s, because they can enjoy the benefits of collaboration or free-riding with existing smuggling agencies and travel agencies (Tamura).

Conclusions

While this analysis does not find any convincing evidence that Federal Law No. 162-FZ affected human trafficking in a significant and unique way, it does provide supportive evidence for one important hypothesis from the existing literature: The risk of trafficking increases as immigration increases, especially in economically deprived areas. This is an important point of understanding for policy makers wishing to effectively combat trafficking.

<center>

Chapter 5

Policy Implications

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As the analysis of Federal Law No. 162-FZ shows, simply passing an anti-trafficking law and allocating a minimal amount of resources toward its enforcement cannot possibly succeed in effectively combating human trafficking.

This problem is not unique to Russia: The UNIAP estimates that, in 2008, "traffickers made an estimated $31 billion buying and selling humans," whereas only 0.5% of that number was spent internationally on anti-trafficking efforts (UNIAP). While this deficit of attention from policy makers is concerning, there is no assurance that simply spending more money on the problem will make it go away. There are no easy solutions to human trafficking.

If anti-trafficking efforts are to succeed in Russia, they must continue to generate public support in order to influence policy makers in the government. The anti-trafficking movement ought to develop strategies focusing on three general areas, which are presented in this chapter from most to least feasible.

Educating Potential Victims

Raising public awareness about the dangers of human trafficking is an essential and relatively easy means of combating the activity. Economists Tomas Omar Mahmoud and Christoph Trebesch have found that:

> Households in regions with higher awareness of the phenomenon of human trafficking are less likely to have a trafficked family member. The same is true for households which use the TV as main source of information on social and political issues. These findings, although not fully robust, underline the potential benefits of public awareness campaigns to counter human trafficking. ("The Economics of Human Trafficking" 180).

These results are particularly important from Russia, where television is predominantly the medium of choice across all demographics (White and Oates). While the passage of Federal Law No. 162-FZ resulted in various public anti-trafficking advocacy campaigns, none of them involved television (United States Agency for International Development).

Russian authorities ought to consider financing public service announcements that can be aired on government television channels. Russia has successfully applied for anti-trafficking funding in the past through the American government and other sources; the same strategy can be applied for a television advocacy campaign (Johnson).

There are reasons other than advocacy for publicizing the dangers of human trafficking. Corruption in Russia affects all levels and agencies of the government to the point that "the entrenchment and systematic nature of corruption in law enforcement forces means that no one has any incentive to combat it" (McCarthy 164). Given these restrictions, officers who have "attended

~~trainings on human trafficking, or are particularly committed to the trafficking issue, often cannot find support from their superiors" to prosecute it~~ (Some evidence suggests that public perception is unfavorable toward victims of trafficking. Not only does "the majority of the Russian population, including law enforcement officers, underestimate the scale of human trafficking", but the public is also "negatively biased against victims of trafficking" (Tyerdrova 339). Although some cases of human trafficking have been publicized and prosecuted in Russia, they are somewhat rare and skepticism remains regarding the potential consent of victims and their own personal liability for having been drawn into trafficking. During early negotiations over anti-trafficking legislation in the 1990s, some Russian law enforcement officials argued that sex trafficking was not a crime, as it was the choice of the victims to sell their bodies (McCarthy, 2011).

Clearly, human trafficking touches some sensitive gender norms embedded in Russian society. Advocacy efforts in Russia must combat the misconception that women trafficked into sexual slavery can be held liable for their condition if they initially consented to engaging in prostitution, while also publicizing cases where sex slaves were deceptively promised legitimate work abroad.

The latter point serves a double function: It weakens the belief that all trafficked sex workers initially agree to be prostitutes and educates high-risk communities about the dangers of traveling abroad for employment through illegitimate third parties. The belief that a better life exists just beyond the border is a strong "pull factor" in encouraging economically deprived migrants to take

irrational risks that typically lead to trafficking and labor exploitation

(Vijeyarasa).

An advocacy campaign could also explain that sex trafficking is one of

many forms of human trafficking. The existing media coverage of human

trafficking is predominantly "sensationalist, highlighting aspects of sex and

scandal" while making no mention of human rights violations (Johnson 136). An

effective televised public service announcement could frame the trafficking as a

human rights problem that often does not involve sexual exploitation.

Revising the Criminal Code

There is significant evidence that law enforcement agencies simply

struggle with their ability to use laws criminalizing human trafficking because

they are "poorly written" (McCarthy, 2011 173). Federal Law No.162-FZ adopted

wording from the Palermo Protocol and TVPA almost verbatim, without

consideration for how they might be applied more specifically to the unique

circumstances of Russia and its law enforcement agencies.

The result has been a notably poor prosecution record for trafficking cases.

Many police officers and judges have brought conflicting interpretations to

Russia's human trafficking law, with some arguing that all behaviors mentioned

in it – "recruitment, transportation, transfer, harboring, or receipt of such person"

[of persons] – must be proven for a suspected trafficker to be charged, a massive

logistical obstacle to the prosecution of trafficking cases ("Excerpts from Federal

Law No. 162-FZ"; McCarthy, 2011). The higher courts have yet to issue any clarifying explanations, which has led to "significant confusion over how the law is meant to be applied on the ground and interpreted in the courts" (McCarthy, 2011 181).

The criminal code must be clarified to address the reasonable questions and doubts of law enforcement agencies. Although international protocols on human trafficking make clear that consent of the victim does not alleviate legal responsibility for trafficking, this detail is also lacking in the Russian criminal code, leaving law enforcement officials to wonder how to prosecute those cases, for example, in which the victim did first agree to become a prostitute.

Police must also be discouraged from the relatively prevalent practice of prosecuting trafficking cases under prostitution or kidnapping laws. Although law enforcement has more familiarity with these articles, the penalties may be different and other articles do not fully capture the extent of the crime of trafficking. Cases "that could be considered trafficking or use of slave labor but are opened under these other articles often do not get media coverage," which further undermines any efforts to raise public awareness of trafficking (McCarthy, 2011 234). Additionally, this misrepresentation of trafficking cases skews statistics about prosecution and limits any accurate assessment of Russia's anti-trafficking progress.

While it would not be too difficult to revise the criminal code to clarify these issues, there is very little impetus within the Russian government to do so. The continued pressure of domestic NGOs, law enforcement, and international

agencies, whose combined efforts led to the initial passage of Federal Law No. 162-FZ, will be essential to convincing the Russian government that legislative reform is essential to effectively combating human trafficking.

Combating Corruption

Government corruption at all levels in Russia has been essential to the continued growth of human trafficking. Russia ranks "143rd out of 182 countries in Transparency International's 2011 Corruption Perceptions Index", with a level of corruption equivalent to Uganda and Nigeria (RIA Novosti). Strong, informal partnerships between organized crime and government officials completely hamper any efforts to reduce trafficking. Corruption in Russia affects all levels and agencies of the government to the point that "the entrenchment and systematic nature of corruption in law enforcement forces means that no one has any incentive to combat it" (McCarthy, 2011 164).

This corruption takes various forms, from payment for false documentation, visas, or the safe passage at border crossings to purposefully dismissing cases against traffickers (Aronowitz). The organized crime groups that typical deal in trafficked humans "tend to flourish where public officials are corrupt" (Winterdyk, Reichel, and Perrin 226). Given these restrictions, officers who are sincerely committed to the trafficking issue rarely can find support from superiors to investigate and prosecute crimes (McCarthy, 2011.

Fixing corruption is hardly a simple task, even for a government that has nominally committed itself to doing so many times in the past, and it will require the dedication of many officials and administrators at all levels of power. Given that Russian police officers "receive indisputably low wages, particularly when they first graduate", one potential anticorruption strategy may be to raise the pay of law enforcement officers to lower their incentive to accept bribes from organized crime groups (Beck and Lee 364).

However, this policy can only be effective if risks of engaging in corruption do not correspondingly rise. Former President Dmitri Medvedev pledged to downsize the police by 20,000 while also raising the salary of those remaining, but implementation of the reform was controlled by the head of the Interior Ministry (Frye 92). In this case, it is highly unlikely that the risks of corruption changed.

Potential Anti-Trafficking Strategies in Russia

Although American and European governments have pressured Russia to improve its anti-trafficking record in the past, such efforts often take a backseat to negotiations and issues deemed more important (e.g., nuclear disarmament, negotiations with pariah states, natural resource agreements).

<u>Conclusions</u>

An effective anti-trafficking strategy in Russia will require the employment of all three of these strategies. Although public awareness may be the most feasiable option, revising the criminal code and combating corruption are arguably more important.

The economic pressures that play such a large role in convincing potential migrants to solicit assistance from trafficking groups will never disappear, especially since Russia's resource-dependent economy is so vulnerable to price shocks. No amount of public awareness can ever fully convince high-risk communities not to engage in risky migration behavior. Instead, giving law enforcement officials the resources and support they need to effectively prosecute the crime may be a more comprehensive solution, but this can only be achieved by addressing corruption and clarifying the criminal code.

There are some government, law enforcement, and judicial officials who have strongly committed themselves to prosecuting human trafficking in Russia, but they lack the support and resources to do effectively. The fate of human trafficking – and, to some extent, organized crime and institutional corruption – depends on their empowerment through increasing international and domestic pressure for reform.

Glossary of Acronyms

UNIAP – The United Nations Inter-Agency Project on Human Trafficking

TIP Report – Trafficking in Persons Report

ILO – International Labour Organization

TVPA – Victims of Trafficking and Violence Prevention Act

IOM – International Organization for Migration

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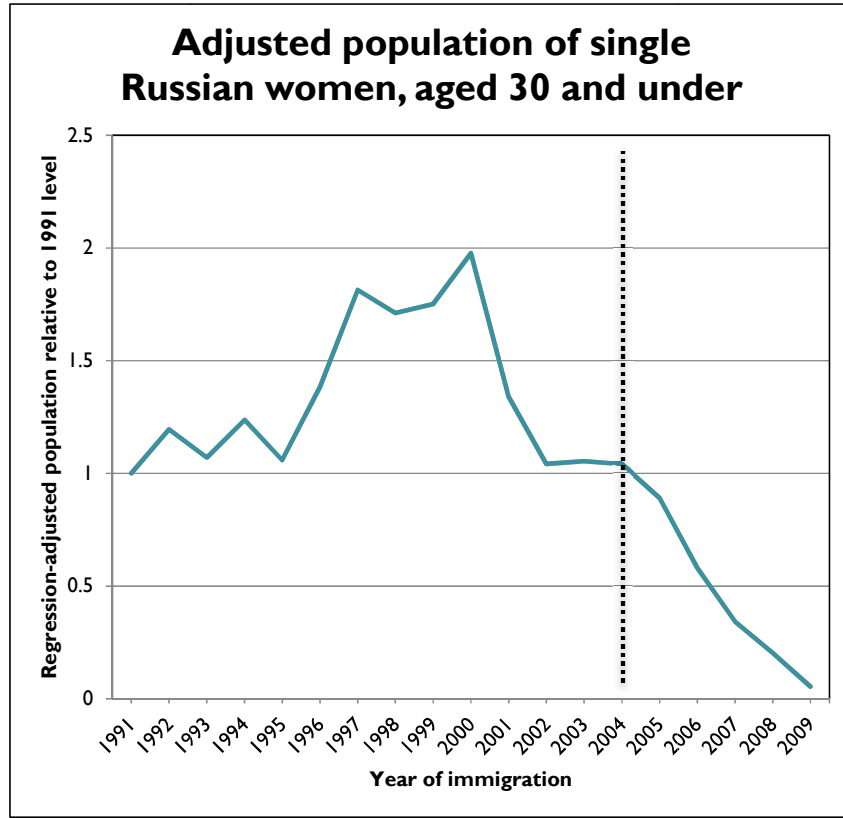
Appendices

Table 1: Sentencing Under Federal Law No. 162-FZ

	Basic	1st Level Aggravating Factors	2nd Level Aggravating Factors
127.1 (Human Trafficking)	up to 6 years (after 11/2008)	3 to 9 years	8 to 15 years
127.2 (Use of Slave Labor)	up to 5 years	3 to 9 years	8 to 15 years
240 (Recruitment into Prostitution)	up to 3 years	up to 6 years	3 to 8 years
241 (Organization of Prostitution)	100,000 to 500,000 ruble fine	up to 6 years	3 to 9 years

(Adapted from McCarthy, 2010)

Figure 1: Immigration Levels of "Treatment" Group, 1991 – 2009

Adjusted population of single Russian women, aged 30 and under

Year of immigration

Regression-adjusted population relative to 1991 level

Figure 2: "Treatment" group relative to other demographic, 1991 – 2009

"Treatment" group relative to married, female Russians

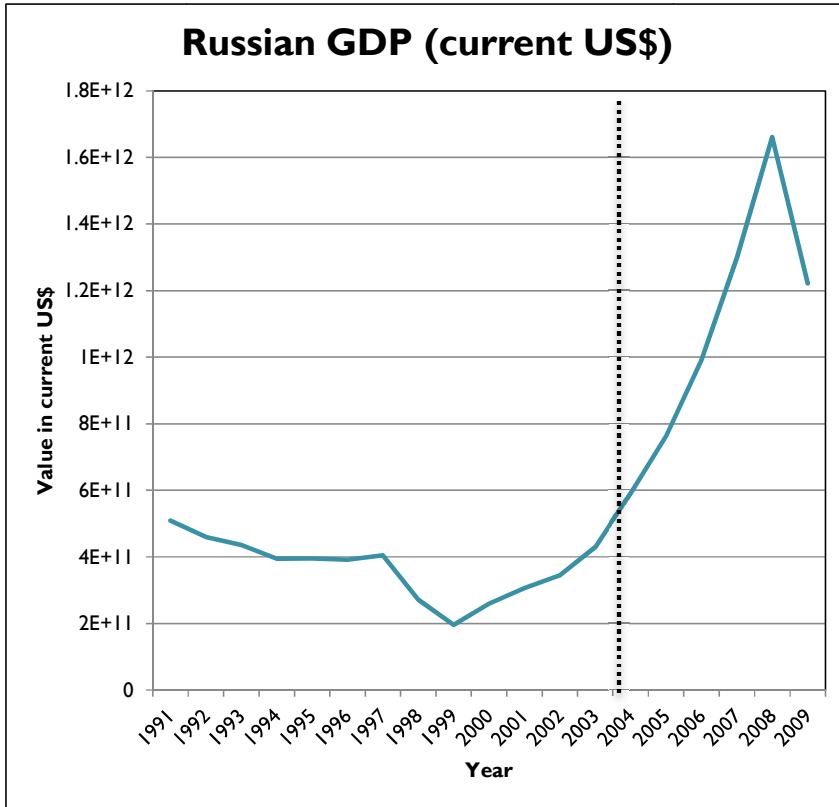**Figure 3: Russian GDP, 1991 – 2009**
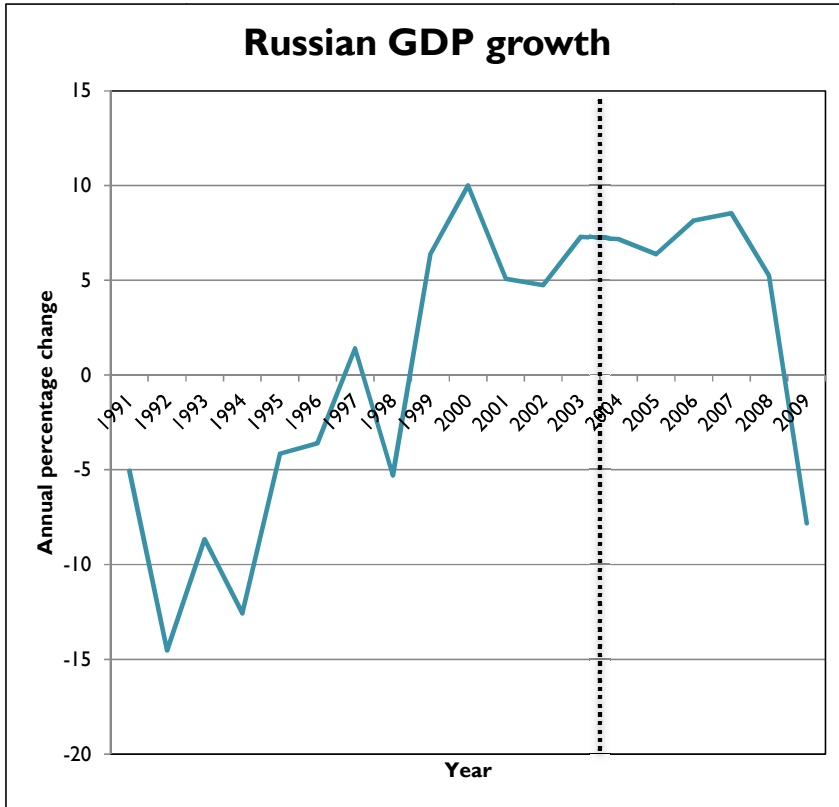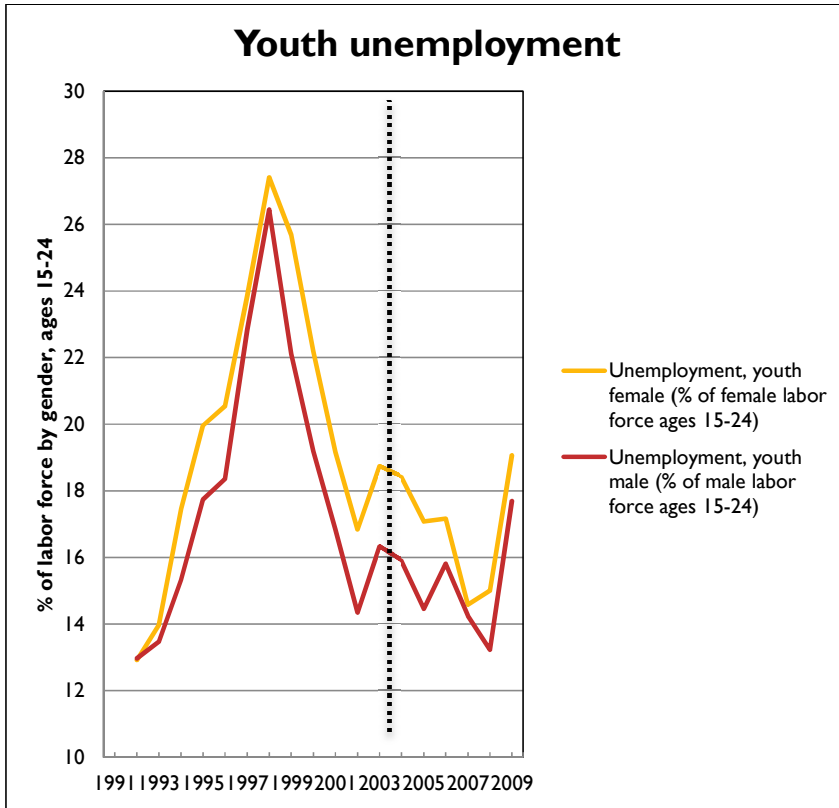

Russian GDP (current US$)
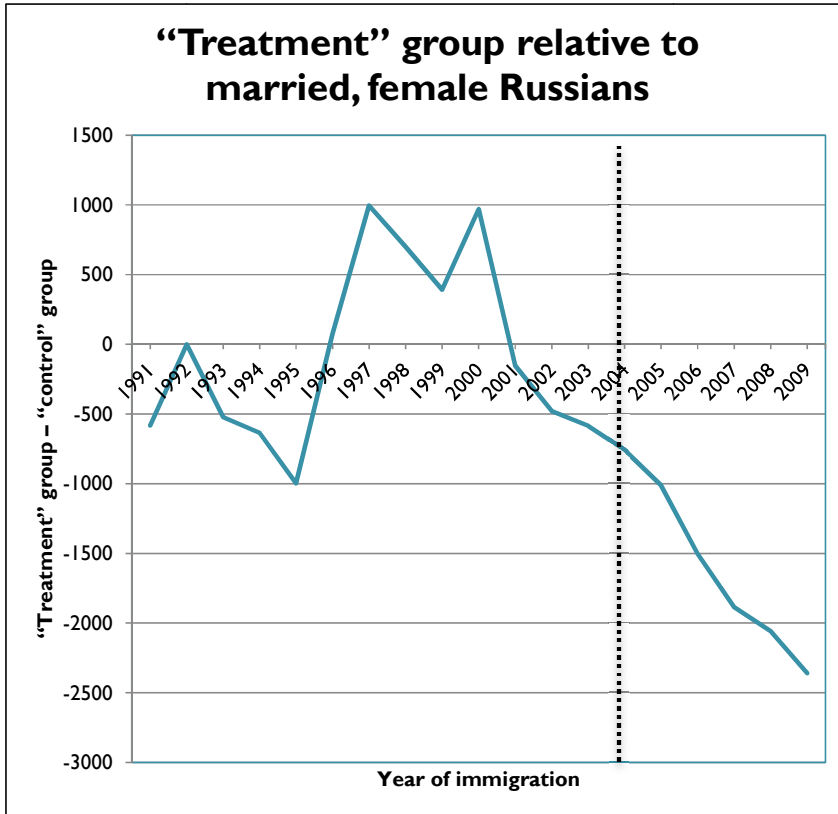
Figure 4: Russian GDP growth

Figure 5: Youth unemployment, 1991 – 2009

Capstone Summary

This project synthesizes much of the scholarly work that has been written on human trafficking, both in Russia and generally, while also incorporating a unique regression analysis that uses census and economic data to estimate the rate at which young, single Russian women are being trafficked into the United States for forced sexual labor. The paper concludes with a summary of policy implications for the Russian government and suggestions to improve anti-trafficking efforts in Russia.

The first chapter of the paper defines human trafficking while also outlining the progression of international efforts by the United Nations, United States, and other groups to stem its growth. This chapter also discusses disagreements over the size of the international trafficking industry and places it in an international context.

The second chapter focuses on the growth of trafficking in Russia after the collapse of the Soviet Union. This section describes the economic deprivation that defined the 1990s in Russia, while also addressing the rise of organized crime and other groups that began to engage in human trafficking during that time. This chapter also discusses the role of the collapse of Soviet borders and loosening of European borders in perpetuating human trafficking.

The third chapter addresses the progression of anti-trafficking efforts in Russia by charting the pressures that gradually led to the passage of Russia's first anti-trafficking legislation, Federal Law No. 162-FZ. This section outlines the

crimes included in this law's amendments to the criminal codes and their respective punishments.

The fourth chapter seeks to examine the effect of Federal Law No. 162-FZ on sex trafficking from Russia to the United States. This section uses a regression equation to estimate the rate at which Russians are being trafficked to the United States for prostitution. The analysis uses census data to generate a proxy "treatment" demographic group of single, Russian women, aged 30 and under, which is a general approximation for trafficked Russian sex workers. This "treatment" group is then compared against other demographic groups to analyze whether there are any significant deviations, especially with respect to the passage of Federal Law No.162-FZ in late 2003. This analysis also incorporates economic data to explain immigration and trafficking trends.

The fifth chapter concludes the project by outlining the policy implications of human trafficking for the Russian government. This section outlines three major implications, while also recommending different actions to address each of the problems, which range from public education to corruption and legal reform.

This project analyzes a wide variety of sources on human trafficking, while also presenting a regression analysis that is not found elsewhere in the existing literature. Although this regression analysis is unique, its findings do not offer any particularly insightful contribution to the existing literature on human trafficking in Russia. However, this analysis does corroborate existing theories on the dynamics of human trafficking, especially with respect to economic factors.

The policy implications outlined in this paper have been presented to some extent in other scholarly work on human trafficking, but the recommendations provided are unique to Russia.