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TRAFFICKING OF ADULT MEN IN THE EUROPE AND EURASIA REGION Final Report

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I hope that this report will serve as a useful tool in developing and improving programming for the identification of and assistance to adult male victims of trafficking throughout the region.

Ruth Rosenberg

EXECUTIVE SUMMARY

There is an increasing recognition throughout the world that it is not only women and children who fall victim to traffickers. Men migrate in large numbers and more and more studies indicate that many of these men are being exploited to a degree which was heretofore unrecognized. USAID commissioned this paper to shed light on the nature and extent of trafficking of men in the Europe and Eurasia region. It is expected that the paper will stimulate dialogue and provide guidance which can help to develop strong programs that address the needs of men who are vulnerable to trafficking or who have been trafficked and to measurably improve their lives.

Distinguishing Trafficking from Forced Labor and Labor Exploitation

As will be demonstrated in this paper, trafficking of adult men is primarily for the purpose of labor. Many reports try to distinguish trafficking for labor from other forms of labor exploitation and forced labor. The paper demonstrates that this distinction is a false one. And even when a clear distinction can be made, one has to ask, for what purpose? Is forced labor in any way less a violation of the rights of the individual? Is the victim any less in need of assistance and are the perpetrators any less criminally responsible for their actions? A report from the European Commission also questions making a distinction between trafficking and forced labor stating that making “such distinctions are utterly problematic when trying to consider policy interventions to prevent either trafficking or forced labour or services” (EC 2004, 49).

Because of the dearth of information available on trafficked men, the study relied to a large extent on studies of migrant workers. What these studies demonstrate is that the extent of exploitation against migrant workers is extensive and that the ways in which they are exploited and held in their workplaces constitutes human trafficking.

Underreporting of Trafficked Men

All signs indicate that the scope of the problem of trafficking of adult men could be far larger than current data indicate. There are many reasons for the underreporting of the number of adult male victims of trafficking. The main reason is that victims are never identified, but rather are treated as irregular migrants and deported without their cases being investigated. The second is that gender biases result in men not being identified as having been trafficked, even when they are in the same circumstances as women who are identified as having been trafficked. Another reason for the failure to identify trafficked men is that the profile of trafficked persons is based on known victims, which to date have been primarily women trafficked for prostitution. This leads to an assumption that trafficking is mainly of women for the purpose of prostitution, and therefore that is the profile which authorities look for when they look for trafficking.

Demographics of Trafficked Men

The report shows that there is no clear demographic profile of trafficked men. They can come from any country of the region and be trafficked to any country of the region or beyond. They tend to be between 20 and 50 years of age, but can also be older or younger. They are both single and married, educated and not, rural and urban. While it seems clear that anyone can be trafficked regardless of his demographic background, education or economic resources, there are some indications that successful migrants are more likely to have greater economic resources at the time of their migration than those who are trafficked. This and other differences between successful and trafficked migrants (such as the difference in recruitment described below) warrant more research.

Recruitment and Transport

Trafficked men are mainly recruited through personal contacts and newspaper advertisements. The data collected from trafficked persons do not provide enough detail to analyze the nature of the personal contact and the relationship between the person being trafficked and the recruiter. However, through interviews with those who work with trafficked men, it becomes clear that a personal contact often refers the man on to an intermediary unknown to both of them. Men are often recruited in groups, and when one person answers an advertisement or is approached by a recruiter he will be encouraged to refer friends and family to join the group. One interesting finding from a regional study by the ILO is that victims of forced labor and trafficking were more likely to rely on intermediaries for jobs abroad while successful migrants had more social capital and obtained their jobs via family and social connections (Andrees 2008).

Men are often trafficked within the region and to neighboring countries. As a result, land or sea transport is often used. Men also usually pay for their own travel in advance rather than relying on a loan from the recruiter. However, not having a debt to the recruiter does not protect a person from being trafficked. Studies also indicated that trafficked men primarily use legal documents to enter a country and that they often have legal work permits. However, their stay often becomes irregular with time, leaving them in a vulnerable position.

Forms of Trafficking and Types of Work

The vast majority of adult males are trafficked for labor. They labor primarily in construction and construction-related work and agriculture, but also in factories, food processing industries, on ships, in forestry, in oil extraction, and many other types of jobs (data from IOM Counter Trafficking Database; Surtees 2008a; Tiurukanova 2005; Anti-Slavery 2006; Hancilova et al. 2008; Pereira & Vasconcelos 2008). While not common, there are also cases of adult men being trafficked for other purposes including petty crime, illegal boxing or gambling, and sexual exploitation (Surtees 2008a; communication with IOM Macedonia; Tiurukanova 2005).¹

The heavy reliance on subcontracting for labor in both agriculture and construction makes these sectors particularly ripe for abuse. These subcontracting companies are set up in such a way that they can easily be dismantled if they come under investigation so as to escape repercussions and the larger corporation is not held responsible since the workers were not employed by them (Anti-Slavery 2006; Pereira & Vasconcelos 2008).

Exploitation & Abuses

Reports of exploitation and abuses suffered are consistent in studies of trafficked persons and migrant populations. Among the most commonly cited abuses were long working hours; low or no pay; excessive fees and fines; work-related accidents; injuries and health problems; denial of medical care; poor living conditions; limited and poor quality food; psychological, physical, and sexual abuse; and detention and confinement (communications with MGEC and IOM Ukraine, Russia, Moldova and Belarus; Astra et al. 2009; Surtees 2008a; Tiurukanova 2005 and 2006; Andrees 2008; OSCE 2009; Hancilova et al. 2008; Pereira & Vasconcelos 2008). The quotes below reflect a very commonly reported situation whereby male migrants work voluntarily, but are never paid or are paid drastically reduced wages. This should be seen as a modern form of human trafficking. It seems clear that the employers had no intention of paying them the agreed upon wage, meaning that the workers were deceived, thus meeting the conditions of the UN Protocol definition of human trafficking:

¹ A study of trafficking of males in Serbia also identified trafficking for the purpose of sexual exploitation, but of male minors not adults (Copic & Dimitrijevic 2009, 80).

...In construction – as a rule – workers are guarded, kept away from outside visitors. As they don't have documents they rarely leave the site. That is why they are exploited more brutally.

Generally workers are taken to a building site, kept in vans, and work from dawn till dark, hoping they will receive remuneration when the job is finished. There is no direct coercion. But there are many cases where, upon completion of a building, a bus arrives and takes all the workers away to be deported. (Tiurukanova 2005, 78)

In addition to being charged excessive fees for services, food, accommodation, and transport, workers are also sometimes charged fines. These fines may be imposed for work-related infringements or for violations of rules related to their accommodation and leisure time, such as fines for not making the bed, for leaving the premises without written permission or for drinking alcohol.

Abuses Accelerate over Time

One interesting finding is that the level and forms of exploitation often changed over time. In a recent case, a group of workers from Bosnia and Herzegovina, Serbia, and Macedonia report that they were treated well when they first arrived for work in Azerbaijan. While not paid what they were originally promised, they were paid the lower wages and were provided with dormitory housing and adequate food and water. As time went on, payment of wages was delayed until eventually they were no longer paid. Workers' freedom of movement became more and more restricted, reports of violence escalated, and other abuses followed (Astra et al. 2009; communication with Alovzat Aliyev and Gabriela Jurela). This situation is also confirmed in other reports which identify increasing abuses that are often related to migrants' changing migration status, so that as a migrant's status in the country became irregular, the abuses increased (Anti-Slavery 2006).

Control

Trafficked men are controlled through many of the means used to control trafficked women. The most commonly reported methods include: withholding wages, confiscation of passports or travel documents, threats to report workers to authorities, detention and confinement, physical and psychological abuse, and isolation (geographic, cultural and linguistic). The quote below describes how men are kept in their jobs through the withholding of wages. This man had 70 percent of his wages withheld for the duration of what was intended to be a three-year contract:

...in order to stop me leaving, I have to leave 70% of my wages with the employer... I can leave my employer, but I might be deprived of 70% of the money I have accumulated... [our employer] is constantly trying to threaten us, keep us under control, make us work more and quicker. (Tiurukanova 2005, 120)

While trafficked men are subjected to many forms of coercive and violent control, it is also important to point out that victims of trafficking can also be controlled through the promise of benefits to come, in other words through the use of carrots as well as sticks. For example, workers may be promised not only better wages in future, but also legalization of their stay in the country, help bringing in their families, or other such benefits. These benefits will never materialize in the case of trafficking, but they can keep workers complacent and working for many months.

Many studies reveal that the exploiters set up systems of forced dependencies in order to control workers. By providing workers with accommodation and food, the workers become dependent on the employer for more than just their wages. If they wish to change employers they will also lose their housing and means of subsistence (Anti-slavery 2006; Tiurukanova 2005; Pereira & Vasconcelos 2008).

Protection – Direct Assistance for Trafficked Men

A worrying perception around the region is that adult male victims of labor trafficking are either not in need of assistance or do not want it. There are clear indications in many countries, however, that men do indeed need assistance and will accept it if it is structured to meet their needs. In this region, though, there is a dearth of services available that are specifically tailored to the needs of male victims of trafficking. Most services designed for victims of trafficking were designed and tailored to the needs of female victims of trafficking, and mostly female victims who were trafficked for the purpose of sexual exploitation. The services tend to be shelter-based such that those not residing in shelters have a hard time accessing services. Indications are that trafficked men tend not to need shelters and if they did, there are few shelters designed to accept them, thus limiting men's access to services.

The types of services needed by trafficked men are similar those needed by women: repatriation, legal aid, medical services, counseling, vocation training, job placements or small business loans, etc. Of particular importance is assistance in claiming lost wages, help in finding income generating opportunities, medical care for work-related injuries, and counseling for themselves and their families. While people find men are resistant to counseling, they also find that many men can benefit from it.

Prosecution

All except one of the countries of this region has anti-trafficking legislation in place which covers labor trafficking.² Many states also use other related offenses for prosecuting trafficking cases (UNODC 2009b). However, even in countries where forced labor and trafficking for labor exploitation are clearly criminalized, few prosecutions take place (Anti-slavery 2006; OSCE 2009; OSCE 2006; Hancilova et al. 2008). One reason for the lack of prosecutions is the difficulties in proving cases of trafficking. There is often a lack of clear definitions or a lack of evidence. There may be no written contract or documentation of wages and the trafficked person may not even know the name of the person for whom they are working. Additionally, the cross-border nature of the crime can make prosecution difficult, especially when victims have already returned to their home country. Victims may also be unwilling to testify as they may lack faith in the justice system, fear reprisals or simply want to forget.

While in many countries men are more likely to consider going abroad, it is women who are considered more at risk for trafficking. Prevention efforts in the region have generally focused on trafficking of women. However, in recent years, there is greater awareness of trafficking of adult men (Warnath 2008; Rosenberg 2004). Most countries in the region report that their prevention campaigns have, as a result, become more gender neutral, not specifically targeting male or female victims of trafficking but still often using imagery of either women or children. In some cases they now use gender neutral imagery on campaign materials or avoid the use of people at all. In only a few cases have images of men as the victims of exploitation been used. In order to compensate for the strongly held beliefs that women and children are most vulnerable to trafficking it is important that prevention efforts be targeted specifically to trafficking of men.

Key Recommendations

Training and Procedures for Proactive Identification

Encourage a more proactive approach to identification of adult male victims of trafficking. Donors can support training and development of operational procedures for agencies involved in anti-trafficking efforts, especially for law enforcement, immigration officers and border guards, and labor, health, and

² Only Turkmenistan does not, which is also no longer part of USAID's Europe and Eurasia region.

safety inspectors. They should be trained to recognize potential situations of labor exploitation and trafficking. They should understand the obligations of employers and the rights of migrant workers, even those working illegally. Equally, training should address attitudes toward trafficked and exploited men. The same cultural and gender issues which make it difficult for men to accept assistance also make it difficult for some authorities to treat them with respect and to offer the necessary assistance. Developing procedures for identifying and handling cases ensures that the lessons learned during training will be translated into action. For example, procedures can obligate inspectors to routinely visit and interview potential victims of trafficking at work sites commonly housing migrant workers or other vulnerable populations, such as agricultural or construction areas.

Specialized Police Units

Specialized police units have been effective in assisting women trafficked into prostitution. In some countries with such specialized units, women report being treated respectfully by these forces while being mistreated and abused by local police units (Hancilova et al. 2008). Such specialized units could also be developed and trained to identify and assist male victims of trafficking. These units or other law enforcement agencies should routinely visit and conduct interviews in places where trafficked men are often mistakenly directed, such as detention facilities and prisons.

Reform of Legislation

Donors could fund activities to reform legislation so that it addresses the types of exploitation faced by irregular migrants. In countries of destination there must be increased protections for migrant workers and labor rights extended to all workers including those who work illegally and entitle workers – regardless of their status – to claim reparations for unpaid work and damages. Such regulations protect both the workers and the State. By forcing employers of irregular workers to adhere to the labor standards of the country it reduces the financial incentives for hiring irregular workers.

Regulation of Intermediaries

Some studies advise regulating intermediaries as a way of preventing trafficking (OSCE 2006). Licensing of recruitment companies does not guarantee the safety of those they help employ, however. While regulations of these services is needed, they are only effective if there are inspections and monitoring of their services, ways for people to complain and actions taken against those who violate the regulations.

Regulation of Subcontractors

Much of the exploitation of migrant workers seems to stem from a changing system of hiring workers in many countries of destination. Many of the sectors that hire a lot of male migrant workers, especially agriculture and construction, are seasonal and rely on a steady supply of temporary workers. Many companies and individuals now rely on smaller and smaller subcontractors to supply the workers they need. These subcontractors are small and very flexible firms that can “vanish” quickly as soon as they come to the attention of law enforcement (Andrees 2008; Pereira & Vasconcelos 2008). In some cases the employers work with the subcontracting organizations to knowingly exploit the workers, but in many cases they do not. One response to this is to provide for “joint liability” such that the person responsible for a workplace (such as a general contractor on a building site) is held responsible for the conditions of employment of foreign workers when the subcontractor who directly hired the worker cannot be held accountable.

Encourage the Investigation and Prosecution of Labor Trafficking Cases

Donors should encourage authorities to investigate and prosecute labor trafficking cases. Donors can also fund victim advocates to support victims in their pursuit of compensation and owed wages.

Anti-corruption Efforts

Given allegations of authorities' involvement in trafficking it is important to investigate and prosecute such cases in order to act as a deterrent that prevents authorities from abusing their power in the future. In Russia, in 2005, the government did successfully prosecute one such case against an officer of the Drug Control Service who was involved in trafficking five Uzbek citizens for the purpose of forced labor (OSCE 2006). Additional pressure is needed in order to address this intractable problem.

Organizing Migrant Workers

Efforts to organize migrant workers in countries of destination have worked to increase migrants' understanding of their rights. In some cases, unions have undertaken legal cases to provide compensation for exploited workers. In the U.S., an organization provides pro-bono legal services to migrant workers and conducts outreach to inform migrant workers of these services (OSCE 2009).

Awareness Raising and Hotlines

Because many victims of trafficking escape on their own and return home without being identified as trafficked or after having been deported (Rosenberg 2008), it is important to have mechanisms available in their country of origin which encourage victims to self-identify. Such campaigns and advertising for hotlines should make use of imagery that is inclusive of adult men. Gender neutral imagery alone may not be sufficient to compensate for the strongly held assumptions that trafficking is primarily about women in prostitution. Imagery should include images of adult men and of labor situations. Campaigns and hotlines can also be used for prevention.

Tailoring Assistance to the Needs of Men

There are many ways in which donors can support the development of assistance programs tailored to the needs of men. First, in many countries, small assessments can be undertaken to determine the needs of male victims in order to understand the kinds of assistance they need and want and how best to provide it to them.

To effectively tailor services to the needs of men, they need to be expanded beyond the shelter-based model. A number of alternatives to shelter-based services have been attempted in the region and include mobile clinics, drop-in centers, and use of local committees. In addition, the staff of existing assistance organizations may need to be trained on the specific needs of working with male victims of trafficking. They may need to change their methodologies and even the types of assistance offered in order to meet the needs of men.

In a number of countries, a family-based model of assistance has been successfully applied. Two types of family-based interventions were identified: (1) family counseling, which has been very effective in helping men's families better understand what they have been through and how they can assist in their recovery; and (2) small business grants. The grants are intended to assist families in finding sustainable livelihoods without the need for migration.

Further Research

Additional research on trafficked men would be helpful in improving our understanding of how to prevent trafficking of men and how to successfully assist trafficked men. Research in countries which have assisted trafficked men and in countries where prevention campaigns aimed at men have taken place would be useful. It would also be useful to undertake research into uncovering the differences between successful versus exploited migrants.

I. Introduction

A. Purpose of Report

There is an increasing recognition throughout the world that it is not only women and children who fall victim to traffickers. Men migrate in large numbers, and more and more studies indicate that many of these men are being exploited to a degree that was heretofore unrecognized.

USAID commissioned this paper to shed light on the nature and extent of trafficking of men in the Europe and Eurasia region.³ It is expected that the paper will stimulate dialogue and provide guidance that can help to develop strong programs that address the needs of men who are vulnerable to trafficking or who have been trafficked and to measurably improve their lives.

B. Methodology

The author contacted international organizations, local NGO and government agencies in countries throughout the region requesting information on adult male victims of trafficking identified in or coming from the counties of the region. Follow-up was conducted through written questionnaires and in telephone interviews with those whose initial responses indicated that the respondent was aware of significant levels of trafficking of men in the region.

In addition, IOM provided data on trafficking of adult men from the region. These data are drawn from IOM's central database in Geneva. Analysis of the data informs the findings of the report and provides for a quantitative analysis of many elements of trafficking of men, especially demographic information about known victims.

The report also benefits from many studies of forced labor and labor exploitation of migrants. Additionally, the author draws on some of her own experiences in implementing anti-trafficking programs in countries of the region.

C. Limitations

This report was restricted by the dearth of information available on trafficked men. There are few studies of trafficking of adult men in this region. As well, the identification of adult male victims of trafficking is a relatively new phenomenon in the region so that there is a limited amount of information available. Therefore the report relied to a large extent on studies of labor migrants in which migrants themselves have been interviewed. While these studies provide a wealth of information about the experiences of migrants and the extent of exploitation they suffer, they also have their limitations. First, most of these studies are not focused specifically on trafficking or exploitation, but on the experiences of labor migrants more generally. Second, interviewed migrants often displayed distrust or suspicion about the research and the researchers, especially when migrants are in irregular status in the country of destination at the time of the interviews. Their fear of the interviews being reported to authorities or employers likely led to underreporting of the abuses they suffered. Another limitation is a tendency on

³ Countries included in this region are: Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Georgia, Kosovo, the Republic of Macedonia, Montenegro, Moldova, Russia, Serbia, and Ukraine. In addition, this paper includes information on the Central Asian Republics, although the E&E Bureau no longer has responsibility for those countries, because of their proximity to the region and historical and cultural similarities.

the part of migrants, especially those who have already returned home, to exaggerate the best of what they experienced and downplay the negative (Andrees 2008). While one may assume that some migrants might exaggerate exploitations in an effort to engender sympathy or assistance on the part of the researchers, this did not appear to be the findings expressed by the researchers themselves. Rather, there was a general sense that exploitation was underreported, not over-reported. If such underreporting is the norm, given the extent of the exploitation disclosed, as described below, this is quite disturbing indeed.

Because men trafficked for labor are so often never identified as trafficked but treated instead as irregular migrants, the first part of the report focuses on the problems in trying to distinguish trafficking from labor exploitation. This is followed by a discussion of why trafficked men are so often unidentified.

As there have been few efforts made to serve the needs of adult male victims of trafficking there is also a dearth of information available on best practices to assist them. Experience in trafficking of women has shown that studying information revealed by victims provides considerable information about trafficking (Rosenberg 2008). When so few victims are identified, it limits the ability to learn about these neglected populations. Prevention suffers similarly, with few efforts having been made to specifically target prevention to men and therefore little to go on to assess best practices.

Having said that, there are important lessons to be learned from the efforts which have been made to date to prevent trafficking of men and to identify and assist them. The sections that follow will extract and summarize the main lessons learned from the available information.

II. Extent of Trafficking of Men in the Region

A. Distinguishing Trafficking from Forced Labor and Labor Exploitation

As will be demonstrated in this paper, trafficking of adult men is primarily, although not exclusively, for the purpose of labor. Many reports try to distinguish trafficking for labor from other forms of labor exploitation and forced labor. The discussion below will demonstrate that often this distinction is a false one. And even when a clear distinction can be made, one has to ask, for what purpose? Is labor exploitation or forced labor in any way less a violation of the rights of the individual? Is the victim any less in need of assistance and are the perpetrators any less criminally responsible for their actions? A report from the European Commission also questions making a distinction between trafficking and forced labor stating that making “such distinctions are utterly problematic when trying to consider policy interventions to prevent either trafficking or forced labour or services” (EC 2004, 49).

How one determines what is forced labor is a subject to which the ILO has devoted considerable resources. The Forced Labour Convention of 1930 defines forced labor as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily” (No. 29, Article 2). To further define this, recent ILO reports have tried to clarify what is meant by penalties in the modern context and what is meant by “offering himself voluntarily.” A 2009 report from the ILO specifies that such penalties includes not only physical harm, but also threats of reporting victims to authorities, economic penalties and confiscation of identity papers (ILO 2009). Forced labor may also be distinguished from labor exploitation by looking at the ability of the worker to exit the situation. An ILO report describes the worker’s ability to exit his labor situation as the ability to “revoke a labour agreement without losing any rights or privileges,” including in this, the right to promised wages. (Andrees 2008, 2). If the worker cannot exit his situation (without losing owed wages)

it would be considered forced labor. If the worker is free to leave without the loss of wages or other privileges then it is not forced labor.

Labor trafficking is usually considered a form of forced labor, but with the added dimension of recruitment and transport of the worker from one place to another, whether across an international border or within a country. Is recruitment and transport a necessary element to distinguish trafficked from non-trafficked forced labor? According to the Palermo Protocol definition of trafficking, there are three elements necessary to constitute trafficking:

- 1) The action of an exploiter OR intermediaries: this includes those who recruit, transport, harbor or receive the victim – and by receive one takes it to mean the final person in the chain, the one who ultimately exploits the victim's labor or services.

This means that there do not have to be intermediaries. A person can be trafficked by the one person who exploits his labor. A person can offer his services of his own volition to an employer. If that employer uses deceit, threats, force or other means to put the worker into a situation from which the worker cannot extract himself without risk of harm, this becomes a situation of human trafficking, regardless of the fact no one was involved in recruiting or transporting the worker. This conclusion is supported by many international bodies which now agree that trafficking should be determined based on the exploitation a person experiences and not on their recruitment or movement. For example, the United States Trafficking in Persons Report for 2008 states that

...servitude can also occur without the movement of a person. In analyzing trafficking in persons issues and designing effective responses, the focus should be on the exploitation and control of a person through force, fraud, or coercion – not on the movement of that person. Neither the international definition of trafficking in persons, as defined in the 2000 UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, nor the U.S. definition of severe forms of trafficking in persons, as defined in federal law, requires the movement of the victim. Movement is not necessary, as any person who is recruited, harbored, provided, or obtained through force, fraud, or coercion for the purpose of subjecting that person to involuntary servitude, forced labor, or commercial sex qualifies as a trafficking victim. (DOS 2008, 19).

Similarly, according to the European Commission:

Interpretations of the Trafficking Protocol that concentrate on the process of bringing a person into exploitation, rather than the final forced exploitation that they face, are in their nature flawed and limited. There is serious deficiency in the concept of trafficking if it focuses solely on the process of bringing another person into a situation of exploitation and does not address the use of forced labour or services, including forced sexual services, slavery, practices similar to slavery or servitude as such, where this has not been preceded by the other elements stipulated in the definition. From a human rights perspective, there is no reason to distinguish between forced labour and services involving “illegal migrants”, “smuggled persons” or “victims of trafficking.”

Thus to effectively counter trafficking, policy interventions should focus on the forced labour and services, including forced sexual services, slavery and slavery like outcomes of trafficking – no matter how people arrive in these conditions –, rather than (or in addition to) the mechanisms of trafficking itself. States should criminalize any exploitation of human beings under forced

labour, slavery or slavery like conditions, in line with the major human rights treaties that prohibit the use of forced labour, slavery, servitude, etc. (EC 2004, 53).

This is very important in making determinations in labor trafficking cases. Often the link between the recruiter or the person who organizes transport and those who exploit the labor cannot be easily proven. The exploited person himself may not know the details of the link between the actors involved in his exploitation. By removing the necessity of establishing such a link, states can investigate all such cases of forced labor and exploitation as potential situations of human trafficking.

- 2) The means of exploitation and control: this includes force and threats of force, coercion, abduction, fraud, deception, abuse of power, etc. There appears to be some confusion about the elements included in the Protocol in this regard. A person has been defrauded if they are lied to about conditions of work, the amount and frequency of remuneration, housing and food, and similar issues.

In a series of studies by the ILO of migrant workers who have returned to their countries of origin, the distinction is made between trafficked and non-trafficked forced labor. In both cases, they categorized migrants as victims of forced labor if they suffered any of the following: use of violence against the migrants him/herself; use of violence against others close to the migrant; debts to employer or intermediary; lack of freedom of movement; withholding of wages; threats of violence against the migrant; threats of violence against those close to the migrant; threats of being reported to the police; or threats of deportation. They distinguished those trafficked for forced labor if they were also either deceived about the destination country or deceived about the terms and conditions of the work. One could argue that anyone who suffers violence or threats of violence against themselves or others at the workplace, has their wages withheld, and is threatened with denouncement to the authorities or deportation, has been deceived about the terms and conditions of work. Therefore, while these ILO studies are excellent and tell us a lot about the exploitations suffered by migrant workers, this distinction between trafficked and non-trafficked victims of forced labor does not hold up against the Palermo Protocol. In fact, a further report by ILO, which consolidated the results of these studies, eliminated this distinction, combining both into a category of forced labor migrants who were also victims of trafficking (Andrees 2008).

- 3) The exploitation: The elements of labor exploitation included in the Palermo Protocol are forced labor or services and slavery or practices similar to slavery. While the Protocol does not define what is meant by these terms and how one can identify forced labor or practices similar to slavery in the modern context, the ILO references cited above do define forced labor.

Based on these definitions, it is clear that a great many of the labor migrants in and from this region are victims of human trafficking, as the studies reviewed for this report and described below will illustrate.

B. The Scope of Trafficking of Men

Studies reviewed for this paper demonstrate that a large percentage of migrant workers appear to be in situations as described above. Their wages are often withheld, arbitrary deductions are made from them, some never receive wages, and those still working have a strong belief that they will lose everything, including wages owed them, if they leave their employer. The following data from ILO-funded studies in the region exemplify the pervasiveness of these practices. It should be noted that these percentages refer only to the studies' participants; based on the sampling methods used they cannot be generalized to the larger population.

- In Albania, of the 162 migrants interviewed, 16.9 percent were victims of forced labor (Stephens & van der Linden, 2005, 7).^{4,5}
- In Ukraine, of the 161 migrants interviewed, 30.5 percent were victims of forced labor (Kiryan & van der Linden, 2005, 11).
- In Romania, of the 160 migrants interviewed, 17.9 percent were victims of forced labor (Ghinararu & van der Linden, 2004, 8).
- In Moldova, of the 80 male migrants interviewed, 52.5 percent were victims of forced labor (Michailov, et. al., 2005, 7).
- Based on interviews with 442 labor migrants in the Russian Federation, 10 to 30 percent of those interviewed experienced some of the elements of human trafficking. Given current estimates of illegal labor migration into Russia (Tiurukanova 2006, 34-35), it would be plausible to suggest that there may be over one million labor migrants in Russia experiencing some form of exploitation similar to trafficking. As noted above, however, the study's results were not generalizable to the larger population so that one cannot assume that the general population of illegal labor migrants experience similar levels of exploitation to that of the research group.

Trafficking for labour exploitation in the form of slave labour is the most frequent form of human trafficking in the Russian Federation and the most difficult to uncover. However, this aspect of human trafficking does not take priority either in prevention work, or in terms of its detection or protection of victims. On the contrary, it takes second place behind sex trafficking. (Tiurukanova 2006, 100)

What these studies demonstrate is that the extent of exploitation of migrant workers is extensive and that ways in which they are exploited and held in their workplaces constitutes human trafficking. Such indications that the scope of the problem of trafficking of adult men could be far larger than current data reflect are confirmed in other research as well. For example, studies in Ukraine indicated that the actual number of VoTs is 30 times higher than the identified number (communication with IOM Ukraine). One study in Ukraine found that, depending on the region, 30 to 70 percent of the male population of working age in the country had worked or was working abroad. Many public sector officials working with this population believe that the vast majority of the men who work abroad have been exploited and are in need of assistance upon their return (IOM 2006).

Similar circumstances can also be seen in a recent case of citizens from the former Yugoslavia, primarily from Bosnia and Herzegovina, who were employed on construction sites in Azerbaijan. These men will likely not show up in the official trafficking statistics of either country as they have not been officially recognized as victims of trafficking, nor in the statistics of the assistance NGOs since most of the men refused assistance.⁶ However, information gleaned from many sources who conducted investigations

⁴ The percentages cited here under estimate the actual number of victims of forced labor identified in the study. In these ILO country studies, a number of known trafficking victims were targeted for inclusion, not selected through the snowballing methods used to select the other labor migrants. As the number of known trafficked persons in the study was not clear, it was not possible to separate the trafficked persons targeted for inclusion from other study participants who were determined to be trafficked based on their interviews. Therefore, the entire category of trafficked persons was eliminated from inclusion in the figure cited here in order not to falsely inflate the numbers of migrants experiencing exploitation.

⁵ It should be noted, that while the ILO made a distinction in these reports between trafficked and non-trafficked victims of forced labor, using internationally recognized principles, both groups would be considered trafficked (see above).

⁶ At the time of publication of this report the Azerbaijan Migration Center is petitioning the prosecutor in Azerbaijan to investigate the case as a case of human trafficking and is working toward obtaining salaries and compensation for the workers.

into the case and interviewed the workers in both Azerbaijan and Bosnia and Herzegovina point to circumstances that amount to human trafficking, as defined above. While circumstances changed over time, by the time they were released, workers had been detained at the work site by armed guards, they had not been paid, and they were given smaller and smaller rations of food and water. Violence was also a part of many of the workers' experiences (Astra, et. al, 2009; communications with Alovzat Aliyev).

The data cited in the section above all point to the fact that the number of adult male victims of trafficking is probably far higher than estimated. Generally speaking, it is the perception of many anti-trafficking actors in the region that numbers of male victims identified in recent years seems to be growing (communication with IOM Moldova; Copic & Dimitrijevic 2009). Trafficking of adult men very likely affects any country with large numbers of migrants, whether its own nationals going abroad in search of work or foreigners coming in to work. The studies on migrant labor show that it is a highly exploited population with great vulnerability to trafficking and forced labor.

C. Underreporting of Trafficking of Men

Why do the statistics not support this conclusion, but rather seem to indicate that trafficking of women for sexual exploitation is far more common than trafficking of men?

1. Deported as Irregular Migrants

The first reason is that most men are trafficked for the purpose of labor and persons trafficked for labor, especially those who entered and work in the country illegally, are considered first and foremost as irregular migrants and are punished and deported for this without any consideration of their potential status as trafficked persons. Cases are often covered up, the victims summarily returned to their country of origin and the case recorded as one of irregular migration (Anti-slavery 2006; OSCE 2006; OSCE 2009). In Ukraine, 18 percent of the identified male VoTs had been deported from the destination country (IOM 2006, 7). A study in Georgia found that 16 percent of trafficked persons interviewed had also been deported (IOM 2001, 36).

2. Gender Bias

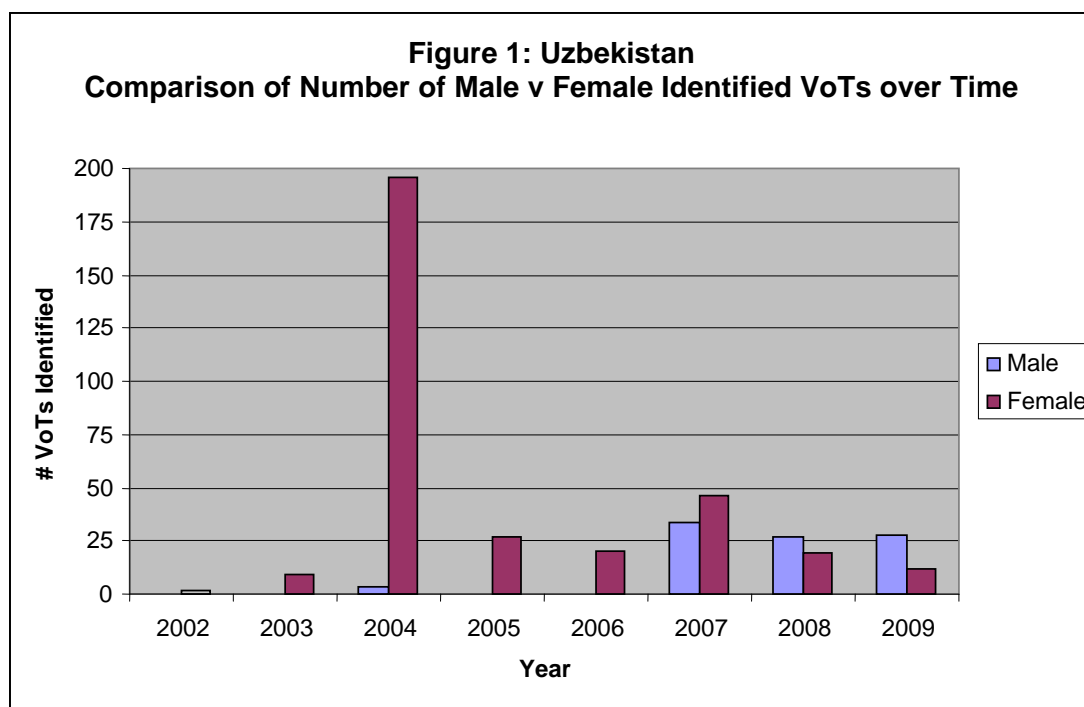
There are many indications of gender bias in making trafficking determinations. Men who suffer exploitation, physical abuse and threats, and a lack of freedom and control will generally not be identified as trafficked, while women in similar circumstances would be classified as trafficked and given the support and protection that status affords. Researchers in Serbia found a case where men and women, identified in the same group and under the same circumstances, were treated differently, with the men being charged with immigration violations while the women were not only not charged with such violations, but were also given temporary residence permits (Nikolić-Ristonović 2009). These gender biases are further explored throughout the report.

3. Demographics Based on Known “Types” of Victims

To date, the focus of anti-trafficking efforts in this region has been on women trafficked for forced prostitution and the trafficking of children. Public awareness campaigns, trainings for officials, and other anti-trafficking efforts have focused primarily on trafficking of women for prostitution and of children for prostitution and begging. This has led to great awareness of these forms of trafficking and special efforts to identify and rescue victims and convict perpetrators (Rosenberg 2008). Increased identification of women and children trafficked for these purposes, further reinforces the notion that all victims of trafficking will be women or children. People find what they look for, and as efforts have been primarily focused on trafficked women and children, they are the victims who have been found.

This finding is supported by other studies which show that many experts in countries throughout Europe will not categorize migrants who experience situations of exploitation and forced labor as having been trafficked (Anti-Slavery 2006; Tiurukanova 2005). Similarly, experts may refer to women trafficked for sexual exploitation as victims of trafficking, while using different terminology for persons who are recruited and exploited in similar ways but for purposes of labor (Hancilova, et. al. 2008). In a survey of OSCE member states, trafficking for forced labor was the least recognized aspect of human trafficking (OSCE 2006). As a result, the misconception that trafficking is primarily a problem of trafficking of women for sexual exploitation continues and those trafficked for labor exploitation are never recognized or recorded as such.

In countries where more efforts have been made to raise awareness of trafficking of men and to encourage identification of this population, the number of identified adult male victims of trafficking has increased (Rosenberg 2008). Using Uzbekistan as an example, one can see that the number of male victims has increased to the point that in recent years the number of male victims who were identified is greater than the number of female victims. Similarly a report of the Dutch Rapporteur on trafficking states that the increasing number of adult men identified as trafficked is due to increased attention and investigation in recent years of trafficking for purposes other than prostitution (NRM 2008).



Data Source: IOM Counter Trafficking Database

4. Hidden Locations

Another reason for the failure to identify male victims of trafficking, as proposed in a UNODC report, is that trafficking for labor may be less visible than trafficking for commercial sexual exploitation. Prostitution relies on demand from a consumer and therefore must be visible to those consumers. Labor that relies on trafficked persons is often hidden from the public view such as on rural farms or in remote mines and factories (UNODC 2009b). While many labor migrants are indeed in these closed places, many male victims of trafficking work in construction in large cities, working in plain sight of authorities and the general public and often side by side with other non-trafficked workers, both citizens of the destination country and foreigners. These victims may be much more visible than women

trafficked for prostitution, and yet they are often not identified, so this reason alone does not account for the vast underreporting of male trafficking.

In combination, however, these reasons make clear that underreporting of male victims of trafficking is likely and that until more of an effort is made to identify male victims and change procedures to ensure that irregular migrants are carefully screened for signs of trafficking and exploitation, underreporting will continue.

III. Who are the Victims: Demographic Trends

The demographic data reported here come from information gathered about identified and assisted adult male victims of trafficking. As such, they cannot be assumed to mirror the demographics of victims who are never identified or assisted. There may well be demographic differences between these populations that affect how likely they are to need or seek assistance.

Providing data on the demographics of identified male victims of trafficking proved a task equally difficult to providing data on the actual number of male victims of trafficking as described above. First, there are few consolidated sources of data. The best source of data is IOM's counter trafficking database. IOM consolidates data from countries around the world as reported by individual field offices. In recent years, however, IOM has been less involved in the provision of direct assistance to victims and therefore does not have access to specific details of individual cases to include in their database. Therefore, for many countries, the IOM data are no longer comprehensive.

As a result, the data that are available come from different sources, and these sources are not consistent. Some of these differences may be due to a lack of formal mechanisms for sharing data; others may be due to differences in defining trafficking or categorizing cases. It is not unusual for cases registered by the police as cases of illegal border crossing to be later recognized as human trafficking by other officials, NGOs, or international organizations.

Even within a single country, different actors and agencies may have vastly conflicting data. The data in the table below are from a report of male trafficking in Serbia and reflects the striking differences in reported numbers of victims by various agencies.

Agency	2003	2004	2005	2006	2007
Police	0	0	0	7	46
Agency for Coordination of Protection of Victims of Human Trafficking	0	0	0	0	7
Researchers ⁷	20	83	59	18	162

Source: Copic & Dimitrijevic, 2009, 66, 69 & 73

This table also demonstrates the large numbers of victims of trafficking who are never identified by the authorities. Two researchers, Copic & Dimitrijevic, interviewed a wide range of experts and authorities in Serbia and examined court documents. They identified distinct cases of trafficking from the interviews and court documents, cases which the authorities had not identified as trafficked.

⁷ These numbers do not include a further 403 adult males smuggled into Serbia during the same period which the researchers point out could be potential victims of trafficking, but as they had not yet been exploited cannot be concretely identified as such (Copic & Dimitrijevic 2009, 77-78).

Another problem with relying on data of identified victims to gather a demographic profile of trafficked men is that the data so far do not give a particularly accurate depiction. For every conclusion one might draw, there are numerous examples to contradict it. It would seem that there is as yet no clear demographic profile of trafficked men. Therefore caution should be used in drawing any conclusions from the data presented here.

A. Source and Destination Countries

All of the countries of the region have significant male migration and therefore have the potential to be countries of origin for male victims of trafficking. Most of the countries of the region have had confirmed cases of either human trafficking of adult men or of significant labor exploitation akin to trafficking. Such cases were identified in all but two countries of the region, Kosovo and Montenegro, which does not necessarily mean that these countries do not have a problem of trafficking of men, but rather that such data could not be found for this study.

Destination countries for men from the region are primarily in Europe and North America. There is also significant trafficking of men within the region itself. Only for Albania and Armenia could no recorded case of either trafficking or labor exploitation within their borders be found.⁸

Russia is the main destination country of the region. There are several reasons for this including more job opportunities and higher wages in Russia than elsewhere in the region, and many migrants from the former Soviet Union have linguistic and cultural ties there and often times family and friends, making it an appealing destination country for many potential migrants. The main countries of origin for male VoTs exploited in Russia are Uzbekistan, Ukraine, Belarus, Moldova, Tajikistan, and the Kyrgyz Republic. These are the same countries from which women trafficked for labor to Russia also originate (communication with IOM Russia). However, Russia receives labor migrants from throughout the region and beyond, including Armenia, Azerbaijan, Belarus, China, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, and Vietnam (Tiurukanova 2005).

Ukraine and Belarus are the countries in the region which have recorded the largest numbers of adult male victims of trafficking.⁹ Russia is the main destination country. For the years 2004 – 2009, 84 percent of the Belarusian male VoTs identified were trafficked to Russia (IOM Counter Trafficking Database). A national labor migration study in Moldova also showed that the majority of labor migrants went to Russia, 61.4 percent, and that a large majority of these were men, 72.9 percent (NBS Moldova 2008, 6).

It is important to note that many countries of the region, which may have started out as countries of origin or transit, become countries of destination over time. As noted with trafficking of women, the methodologies and manifestations of trafficking change over time so anti-trafficking actors throughout the region should be vigilant in looking out for these changes.

⁸ This could include internal trafficking of adult male nationals and not necessarily indicate trafficking of migrants into the country.

⁹ This should not be read to mean that they necessarily have a larger problem of trafficking of men than other countries of the region, as the higher numbers may be more indicative of their having a proactive approach in identifying adult male victims.

B. Age & Family Life

As Table 2 illustrates, adult male VoTs tend to be under 50 years of age, the vast majority under 40. However, older men have also been identified.

Age	Belarus	Kazakhstan	Russia ¹⁰	Serbia	TOTAL
18-29	180	6	316	6	40%
30-39	116	4	236	6	29%
40-49	112	5	180	7	24%
50-59	38	1	51		7%
60+	3	0	3		0%
TOTAL	449	16	786	19	1270

Source: IOM Counter Trafficking Database (data through December 2009)

About two thirds of the assisted victims from the countries highlighted in Tables 3 and 4 were or had been married. Just over a third were single when trafficked. As would be expected, younger men are more likely to be single and without children than older men. The motivations for migration may be different among these two populations. Young single men may migrate out of a wish to get away from rural life and to see the world or, in some countries, as a means of earning the money necessary to get married and establish a family (Olimova & Bosc 2003). Older men are more likely to migrate in an effort to earn money to support an existing family (Surtees 2008a).

Marital Status	Belarus	Kazakhstan	Russia ⁷	Serbia	TOTAL
Single	187	1	274	2	35%
Married / Committed Relationship	179	12	390	17	45%
Divorced / Separated / Widowed	97	4	126		17%
Unknown	9	1	16		2%
TOTAL	472	18	806	19	1315

Source: IOM Counter Trafficking Database (data through December 2009)

Country	Percentage with Children
Belarus	50%
Kazakhstan	61%
Russia ⁷	56%
Serbia	79%

Source: IOM Counter Trafficking Database (data through December 2009)

It is interesting to note that some data suggest that female migrants have slightly different demographics, with females being more likely to be single and to have dependent children. In Ukraine, for example, male VoTs were far more likely to be married or in committed partnerships than female VoTs – 67

¹⁰ These are data for Russia as a destination country and do not include Russian men trafficked abroad.

percent vs. 22 percent. Female VoTs, however, were more likely to have children – 52 percent of women compared to 32 percent of men (communication with IOM Ukraine). The data are not definitive on this point however. In Belarus, for example, female VoTs were also more likely to be single – 62 percent compared to 41 percent of male VoTs, but they were slightly less likely to have dependent children - men 52 percent, women 43 percent (communication with IOM Belarus).

One reason for women to be more often single than men is that two parent families may choose to send men for migration rather than women. As a result, women who migrate may be more likely to be single and especially single mothers who need income to support their children.

C. Education and Employment

Education levels of male victims of trafficking and male migrants more generally seems to vary widely across the region, with some countries’ migrants having high levels of education and others not. Data from IOM’s counter trafficking database indicates that male victims of trafficking generally have secondary or technical education as seen in Table 5.

Table 5: Highest Education Attainment amongst Identified Adult Male VoTs

Education	Primary	Middle	Secondary	Technical	University	Unknown
Belarus	0.8%	15.7%	12.5%	58.3%	9.3%	3.4%
Kazakhstan	16.7%	5.6%	61.1%	5.6%		11.1%
Russia ⁷	0.5%	16.5%	19.0%	53.2%	8.7%	2.1%
Serbia			10.5%	57.9%	31.6%	

Source: IOM Counter Trafficking Database (data through December 2009)

This is comparable with what has been found in studies of male migrants in the region. For example, of the 442 labor migrants interviewed for a study in Russia, most had high education levels – 18 percent higher education and 40 percent vocational training. Only 16 percent had incomplete secondary education or no education at all (Tiurukanova, 2005, 35). Most were employed before migrating with 31 percent having permanent jobs and 22 percent temporary ones (Tiurukanova 2005, 38).

A study of forced labor in Moldova found few educational differences between successful male migrants and men subjected to forced labor (Michailov et al. 2005). Other ILO studies in the region found that successful migrants generally had higher education than victims of forced labor but the differences were small, generally only one or two years of additional education (Ghinararu & van der Linden 2004; Kiryan & van der Linden 2005; Michailov et al. 2005; Stephens & van der Linden 2005).

One general population survey in Belarus proposes that those with lower education are at higher risk for trafficking. The research showed that they are more willing to go abroad for work; they believe the chances of becoming a victim are lower; they are more interested in salary than the type of work or their qualifications for it; and they are more likely to trust a friend, less likely to check the company’s license and less likely to take their Embassy’s contact details (Baturchik n.d.). What this might indicate is not that the more educated are protected from becoming trafficked, but that they are more likely to invoke their rights and seek redress if in such a position. A study of migrant workers in Kazakhstan found that migrants with higher levels of education tended to have a better understanding of their rights as workers (unpublished report from an international organization working in Central Asia).

There are inconsistent data related to how male and female VoTs compare regarding education, with some data showing male VoTs being more highly educated than female VoTs, and other data showing the opposite, but the educational differences are not great in any case.

D. Discrimination

Limited information on the effect of discrimination on vulnerability to trafficking was available for this report. There are some indications that minority populations might be at more risk. A study of labor migrants from Albania found that the minority Roma population was over-represented in the category of forced labor migrants, comprising 10.8 percent of respondents in this category (Stephens & van der Linden, 2005, 9), while making up an estimated 2.6 to 4.9 percent of the general population.¹¹ Their overrepresentation in the population of forced labor migrants could be linked to factors unrelated to discrimination per se, such as a higher tendency to migrate.

Trafficking of disabled men for begging has also been reported in several countries of the region (communication with IOM Russia, IOM Moldova, Gabrijela Jurela and Lavorka Marinović). Traffickers may be taking advantage of the low pension given to people with disabilities. Often such pensions are below minimum subsistence levels (Tiurukanova 2006). In some cases, they are taking advantage of the men's limited mental capacity or lack of family or state support.

Discrimination may also be a reason for migrating, with minority populations finding it harder to obtain gainful employment in their country of origin because of their ethnic identity. The example below of an ethnic Russian man in Uzbekistan illustrates how discrimination can serve as a push factor for migration:

...I have Uzbek citizenship... I earned little. I tried to create my own business (selling goods from Russia) but it failed. I worked in construction. But in Uzbekistan, this is not in demand as there are not many rich persons. In addition, nationalism and discrimination against foreigners is widespread in both soft and more aggressive forms. In soft forms, Uzbeks give more or less good jobs only to their relatives or persons belonging to their group. More aggressively [ethnic] Russians are subject to direct threats, constant oppression and are pushed from the country. But the main reason for coming to Russia was the absence of work (complete unemployment) and extremely low wages. (Tiurukanova 2005, 39)

E. Economic Status

A desire to earn money is, not surprisingly, the common denominator in most people's decision to migrate. Nearly 80 percent of male VoTs assisted by IOM Ukraine cited a desire to improve their living conditions as their main reason for migrating. Most intended temporary migration only, returning home after earning enough money (communication with IOM Ukraine).

Most studies show that the vast majority of victims of trafficking and exploited migrants consider themselves to be poor at the time of migrating. In Belarus, both male and female VoTs overwhelmingly considered themselves "poor" or "very poor" before being trafficked (87% of men and 85% of women). Further, most were unemployed at the time (77% of men and 71% of women) (communication with IOM Belarus). This was the also the case in Moldova where the vast majority of male VoTs consider

¹¹ No official statistics could be found, so this percentage is calculated using the World Movement for Democracy's (www.wmd.org) estimate of the current Roma population in Albania to be 80,000 – 150,000 and the population of 3,069,275 based on the 2001 census taken from the National Institute of Statistics (INSTAT) website (www.instat.gov.al).

themselves “poor” or “impoverished” and were either unemployed or in seasonal work at the time of their recruitment (communication with IOM Moldova). In Ukraine, 45 percent of male VoTs and 40 percent of female VoTs earned less than US\$100 per month prior to being trafficked and reported that this was barely enough “to make ends meet” (communication with IOM Ukraine).

There are, of course, exceptions. In a study of labor migration in Russia, many of those working under exploitative conditions describe their economic status back home as adequate (a very few even as “well off”) prior to their departure (Tiurukanova 2005). Many migrants are indeed employed prior to their departure (communication with IOM Ukraine). Such migrants cited a desire to earn more, often for very specific things such as the higher education of a child, purchase of an apartment, medical expenses of a family member, etc., as their reason for migration (communication with IOM Ukraine and confirmed by other studies such as Tiurukanova 2005; Hancilova et al. 2008).

A five country study by the ILO including Albania, Moldova, Romania, Russia, and Ukraine found that victims of forced labor and trafficking were more likely to perceive the economic situation at home as more impoverished than the cohort of successful migrants (Andrees 2008). It might be that this relative poverty makes migrants more vulnerable to exploitation, as they have more of a need to borrow money for travel expenses and may be more willing to put up with exploitative conditions. Economic status at the time of migration may be a critical factor that distinguishes successful migrants from unsuccessful ones and therefore is worthy of more attention.

IV. How Adult Men Are Trafficked in the Region

A. Recruitment

IOM data in the region indicate that the majority of male victims of trafficking are recruited through personal contacts. In 85 percent of the cases assisted by IOM Russia (including male and female VoTs), the VoT was recruited by a personal contact (communication with IOM Russia). However, interviews conducted for this report and confirmed in other studies, note that often a person is referred by a personal contact to a recruiting agency or agent. The personal contact is often not a recruiter or trafficker, but rather another migrant who may have been approached by the recruiter, seen an ad in a paper or otherwise learned about the job and was encouraged to bring friends or just wished to help them by informing them of the job opportunity (communication with IOM Ukraine; Surtees 2008a; Tiurukanova 2005). Therefore caution should be taken before assuming that most men are trafficked by friends or acquaintances.

Advertisements in newspapers are the second most common method of recruitment reported by adult male VoTs. Abduction and forcible recruitment are uncommon but not unheard of (Surtees 2008a; Tiurukanova 2005). Although not commonly reported, a study in Russia indicates that recruiters also approach migrants in public places – railway stations, markets, etc. – as the description below illustrates:

A man approached me at the market and proposed a job. He was unknown to me. He proposed good money and we discussed conditions. I agreed. They needed workers to build roofs in the localities near Moscow. They would pay good money, supply transport, food - everything. He asked to me to buy a ticket and said that they would reimburse all travel expenses and gave me his word of honour. He found five more people. He promised to pay 100,000 Roubles between the five of us. He drove us away to a house where we lived. After some time I began asking him about reimbursement of our transport costs, the tickets that we

had bought with our money. "All right, all right, tomorrow..." he would say. Then he asked for my documents, saying that he needed to register something. We gave him our documents. The money was still "tomorrow, tomorrow". We began asking for our documents - "Never mind, they are being registered." At the beginning, the work was quite normal... Then he asked if we had money. We answered affirmatively. He said: "Just now I cannot pay you, maybe you can buy your own food?" And he promised to pay us the following week. We worked and ate at our own expense. And then it turned out that he disappeared and new bosses came to this construction site. We met them for the first time, and they said that this site belonged to them. We demanded our payment for the work we had done, but they did not give us our money. (Tiurukanova 2005, 45)

Most country data seem to indicate that recruiters are usually nationals of the same country as those they are recruiting, although they are sometimes nationals of the country of destination. For example, in Belarus and Ukraine while the majority of victims are recruited by local nationals, many victims were recruited by foreign nationals, usually, although not exclusively, for offers of work in the recruiter's country of origin (Surtees 2008a). A study in Portugal found that Eastern European migrants are often recruited through organized criminal networks from their own countries which continue to extort the migrants after their arrival in the destination country (Pereira & Vasconcelos 2008).

In the regional study by the ILO, victims of forced labor and trafficking were more likely to rely on intermediaries for jobs abroad while successful migrants had more social capital and obtained their jobs via family and social connections (Andrees 2008). This was also confirmed in a study in Azerbaijan which found that trafficked persons more often relied on intermediaries. This is an important indicator of trafficking and worthy of further study to understand the differences between successful and exploited migrants in order to protect migrants and prevent trafficking. Having said that, many persons are successful when recruited through intermediaries and some persons are exploited or trafficked when assisted by family or friends, so caution is needed when using these as indicators of potential trafficking or in prevention campaigns.

Male victims of trafficking often pay a fee to an intermediary for their job placement and arrangement of transport. As noted in other studies, women trafficked into prostitution often do not pay the intermediaries a fee and the services they receive from the intermediaries are then held as a debt against them (Hancilova et al. 2008). However, paying a recruitment fee and one's own transport was no guarantee that one was not subject to exploitation or trafficking or even being saddled with unforeseen debts (Hancilova et al. 2008).

B. Transportation

As noted above, male victims of trafficking and exploitation often pay their own transportation costs and even fees to their recruiter, but many do not. In both cases the victims often accrued debts, either to the recruiter or to family or a third party (Surtees 2008a). In Moldova, in the majority of cases, transportation was paid by the recruiter and added to the debt owed (communication with IOM Moldova). Regardless of whether or not the migrant paid for his own transport, many organize their travel through agents who offer them packages including transport, visas and work contracts. Even those who pay for these services in advance may find themselves subjected to extortion on arrival (Pereira & Vasconcelos 2008).

Interviews conducted for this report indicate that male victims primarily use legal documents to enter a country. They may even have work permits. But eventually their stay becomes irregular, leaving the

migrants in a vulnerable position. This is consistent with other studies (Anti-Slavery 2006; Surtees 2008a).

As noted above, most male victims of trafficking in the region are trafficked within the region, often to nearby countries. As a result most travel by train or bus. In Ukraine, 50 percent of VoTs traveled by bus or train to their destination; only 11 percent traveled by plane. Most paid for transportation themselves, although in some cases the recruiter paid (communication with IOM Ukraine). This is confirmed in other countries of the region as well, with the inclusion of occasional travel by boat, especially to Turkey (communication with IOM Moldova). Use of land transportation makes sense since the vast majority of people in the region were trafficked to countries in the region. This is in contrast to the transport of women trafficked into prostitution, who are often transported by plane (communication with IOM Moldova).

C. Form of Trafficking and Type of Work

The vast majority of adult males were trafficked for labor. They labor primarily in construction and construction-related work and agriculture, but also for work in factories, food processing industries, on ships, in forestry, in oil extraction, and many other types of jobs (data from IOM Counter Trafficking Database; Surtees 2008a; Tiurukanova 2005; Anti-Slavery 2006; Hancilova et al. 2008; Pereira & Vasconcelos 2008).

According to an OSCE report, agriculture is particularly susceptible to forced labor and exploitation for the following reasons:

- It takes place in remote locations, therefore workers are physically isolated.
- It is often less regulated than other sectors with exemptions from some labor laws and fewer social security benefits. Inspections may be rare given the remote locations and lack of budgets for inspectors to travel or may even fall outside the jurisdiction of the labor inspection agency.
- It includes low levels of participation by trade unions or other workers' organizations.
- There is economic pressure for cheaper food (OSCE 2009).

The heavy reliance on subcontracting for labor in both agriculture and construction makes these sectors particularly ripe for abuse. Many studies site numerous examples of people trafficked by subcontracting companies for work in the public sector, in large private sector companies, and even in smaller private concerns and farms (Anti-Slavery 2006; Pereira & Vasconcelos 2008). This is especially true in Western Europe and North America, where companies have begun subcontracting large portions of the work force, even for work which takes place within their own establishments. These subcontracting companies are set up in such a way that they can easily be dismantled if they come under investigation so as to escape repercussions, and the larger corporation is not held responsible since the workers were not employed by it.

In addition to employment in traditional fields of work, there are also examples of adult men trafficked for other purposes including petty crime, illegal boxing or gambling, and sexual exploitation (Surtees 2008a; communication with IOM Republic of Macedonia; Tiurukanova 2005).¹² While few cases of trafficking of adult men for sexual exploitation have been recorded, they should not be dismissed. Two men identified in such a case in the Republic of Macedonia suffered significant long-term trauma as a result. The case also revealed that men, like women, may be trafficked for multiple types of exploitation.

¹² A study of trafficking of males in Serbia also identified trafficking for the purpose of sexual exploitation, but of male minors not adults (Copic & Dimitrijevic 2009, 80).

In this case, the men were also forced to work in construction during the day and then were further abused and exploited for commercial sexual exploitation at night (IOM unpublished).

D. Exploitation, Abuses, and Control

Reports of exploitation and abuses suffered are comparable in studies of trafficked persons and migrant populations. Among the most commonly cited abuses were long working hours, injuries and health problems, denial of medical care, poor living conditions, limited and poor quality food, low or no pay, excessive fees and fines, detention and confinement, and psychological, physical and sexual abuse (communications IOM Ukraine, Russia, Moldova and Belarus; Astra, et. al, 2009). These abuses are consistent with numerous other studies (Surtees 2008a; Tiurukanova 2005 and 2006; Andrees 2008; OSCE 2009; Hancilova et al. 2008; Pereira & Vasconcelos 2008).¹³

Both men and women trafficked for labor are subjected to a wide range of similar abuse and exploitation. Some reports indicate that women may be subject to more exploitative conditions or more vulnerable to becoming victims of forced labor or trafficking than men (Tiurukanova 2005; Andrees 2008). Women may also be more subject to violence and sexual exploitation than men (Andrees 2008; OSCE 2009; communication with IOM Belarus). However, other studies do not confirm this, finding few gender differences when it comes to vulnerabilities to exploitation and abuse (unpublished report from an international organization in Central Asia).

In addition to experiencing exploitation and abuses, VoTs have little control over their actions. Even when they recognize that they are in an untenable situation, they believe they have no way to exit the situation. While trafficked men are subjected to many forms of coercive and violent control, it is also important to point out that victims of trafficking can also be controlled through the promise of benefits to come, in other words through the use of carrots as well as sticks. For example, workers may be promised not only better wages in future, but also legalization of their stay in the country, help bringing in their families, or other such benefits. These benefits will never materialize in the case of trafficking, but they can keep workers complacent and working for many months.

Workers were also controlled through their lack of knowledge about their rights and the laws of the destination country (Pereira & Vasconcelos 2008). For example, many believed that their work permit was tied to their employer in countries where it was not (Anti-slavery 2006). Workers are also not aware that in many countries they have a right to receive the minimum wage for their labor and to basic protections afforded to other workers in the country, regardless of their immigration status.

I. Working Conditions and Hours

In study after study, the prevalence of migrant worker exploitation is shocking. The following are just a few examples. In Ukraine, 68 percent described their working conditions as “humiliating” (communications with IOM Ukraine). In Kazakhstan, 15 percent of migrants interviewed felt that their working conditions were “inhumane” (unpublished report by an international organization working in Central Asia). Studies indicate that immigrant workers are often given the most hazardous jobs and often without proper safety equipment (Pereira & Vasconcelos 2008; Astra et al. 2009). An astounding 100 percent of male victims assisted by IOM Ukraine reported facing hazards to their life or health and nearly all had no access to medical care:

¹³ Perhaps surprisingly, some countries, such as Moldova find that there has been a change in the treatment of women trafficked for prostitution with most now being treated more humanly and better than many victims of labor exploitation. They are often provided with better food, more money, decent living conditions and even a certain amount of freedom of movement (communication with IOM Moldova).

We had to ignore the safety rules. We had to work at a very quick pace and roof work had to be done in all weather conditions. We would hand-carry the building materials to the 2 and 3 floors and insufficient food gave us dim-outs and dizziness [sic].

It was very hazardous. We worked without hard hats or other personal safety means, the supervisors have always threatened to use violence and publicly punished those who would refuse to work extra hard. (communication with IOM Ukraine)

In a survey of 442 male and female migrant workers in Russia, more than half (54%) were either fully or partially deceived about the conditions of work, while only 10 to 13 percent considered their conditions of work to be normal with long hours, too physically demanding, dangerous, and unhealthy being the biggest complaints. A further 45 percent considered their work to be at least partly involuntary. Only 20 percent of these 442 migrants had not personally come across cases of forced labor. Additionally, 17 percent of the male migrants experienced restrictions on their freedom of movement. In the construction industry, an industry with a preponderance of male migrants, 43 percent reported some involuntary work and 28 percent reported restrictions on their freedom of movement. Thirty percent felt that it was impossible for them to resign from their job (Tiurukanova 2005, 46, 59, 75-76, 79-81). One expert interviewed for the research cited above stated:

...In construction – as a rule – workers are guarded, kept away from outside visitors. As they don't have documents they rarely leave the site. That is why they are exploited more brutally.

Nearly all of the studies of migrant workers and trafficking indicate that workers are subjected to very long hours. IOM data from Russia indicate that at least 85 percent of male victims of trafficking worked 12 or more hours a day, the vast majority seven days a week. For victims from Belarus the data are similar indicating that at least 75 percent worked 12 or more hours a day, again seven days a week. These estimates may be low as the data are missing for some victims, who might well have experienced similar conditions (IOM Counter trafficking database).

Interviews with exploited migrants from Bosnia and Herzegovina in Azerbaijan show that normal shifts were 12 hours a day but could be extended by the employer at will and the workers had no right to refuse. At one point the workers were forced to work 36 hours in a row (Astra et al. 2009 and communication with Alovzat Aliyev).

2. Living Conditions

Studies of trafficked men and other exploited migrants show that very often trafficked men are housed at or near the workplace (communication with IOM Ukraine, Moldova and Belarus; Astra et al. 2009). Also, terrible living conditions are commonplace, including overcrowding, sleeping on floors or in beds with strangers, lack of sanitation facilities or even running water, poor hygiene, and a lack of heating (Astra et al. 2009; communication with IOM Ukraine, Moldova and Belarus; Tiurukanova 2005; Anti-Slavery 2006; Pereira & Vasconcelos 2008).

We live in a van, which is not equipped with facilities. There is no water supply, in winter time we stoke a stove and cook dishes in the same place. (Tiurukanova 2005, 63)

Ostensibly, such living conditions ease labor exploitation through physically locating workers close to the site of exploitation, controlling their movement, and enabling employers to quickly abandon workers before paying full wages. By housing workers, employers can also control workers' leisure time and

intrude on workers' privacy (Astra et al. 2009; Anti-Slavery 2006). It also provides an opportunity for employers to subject workers to more fees and fines as described above.

Detention and Confinement

Restrictions on men's freedom of movement were commonly reported. Freedom of movement was totally denied or allowed only while accompanied in 92 percent of cases of trafficked men from Ukraine and 63 percent of Belarusians (Surtees 2008a, 75). In the Bosnia and Herzegovina case, the men were guarded by armed guards and had to have written permits to leave the premises (Astra et al. 2009 and communication with Alovzat Aliyev). The ILO country studies found that 92.1 percent of forced labor migrants lacked freedom of movement (Andrees 2008, 44).

Detention can also be used as a form of punishment:

In the construction site Center, there were metal containers where the main office of the Company used to be situated. One of these containers was on more than one occasion used as a detention unit. One worker who worked in Mingachevir was locked there for three days. His mistake was that he brought 0.5 liter of vodka, juices and food (meat) to the dorm wishing to treat his coworkers because he was going home. Some people were assigned to guard him while he was detained... (Astra et al. 2009, 18).

A study of 1500 migrant workers residing in Kazakhstan, over two thirds of which were men, found that only 23.5 percent felt free to leave their employer. Fully 25 percent did not feel free to do so, and another 46 percent gave ambivalent or contradictory answers (unpublished report from an international organization working in Central Asia).

Some studies show that freedom of movement may be restricted by methods other than armed guards or threats of violence. It can be restricted by the migrant himself out of a fear of being found by authorities, arrested and deported or by physical isolation and a lack of transport (Tiurukanova 2005; OSCE 2009).

Generally workers are taken to a building site, kept in vans, and work from dawn till dark, hoping they will receive remuneration when the job is finished. There is no direct coercion. But there are many cases where, upon completion of a building, a bus arrives and takes all the workers away to be deported. (Tiurukanova 2005, 78)

Isolation

Victims are often isolated from society and restricted from seeking assistance because of geographical distance, being confined, or through language barriers. Physical isolation was often cited as a barrier to seeking assistance as victims may be located far from any urban center and are without any means of transport to leave the workplace and seek assistance.

Language is also a significant barrier for many victims. In Ukraine, most victims did not speak the language of the country in which they were exploited with the exception of those exploited in Russia (communication with IOM Ukraine). Mongolian victims of trafficking find it very difficult to seek assistance in destination countries because of their lack of knowledge of other languages. In most cases, they seek assistance by contacting relatives back home who contact the anti-trafficking hotline to report their cases.

Some studies indicate that victims may be selected specifically because of their lack of knowledge of the local language in order to give traffickers or employers more control. Some migrants indicated that those who started to learn the language were fired (Anti-slavery 2006).

However, speaking the language does not protect a person from being trafficked. Reports around the region indicate that many people are trafficked and exploited in countries where they speak the language. Russia is a good example where many of the migrants from the former Soviet Union are not protected from being trafficked or exploited by their ability to speak Russian.

3. Financial Extortion

Finances are a primary method of exploitation and control. Exploitation may begin early in the migration process when potential migrants pay for visa services. Workers often pay for these and other services that are never received. For example, in a case of workers from Bosnia and Herzegovina who were exploited in Azerbaijan, many of them paid an extra \$250 to the recruiter for visas. However, they had to again pay for a tourist visa on arrival (US\$40), and for the vast majority the promised resident or work visas never materialized (Astra et al. 2009). Such payments are the start of a financial nightmare as a more sinister problem that potentially awaits migrants is the use of wages as a lever to further exploit and control them.

Many studies reveal that the exploiters set up systems of forced dependencies in order to control workers. A common threat made against exploited migrants is that they will not be paid if they leave or complain. The promise of pay to come is a commonly cited reason for staying at abusive workplaces. And the fear of not being paid withheld wages is a commonly stated concern amongst migrant workers (communication with IOM Belarus; Surtees 2008a; Tiurukanova 2005; Anti-Slavery 2006; Hancilova et al. 2008).

Non-payment of Agreed upon Wages

Nearly all of the studies reviewed for this report indicate that exploited migrants receive less remuneration than promised, often far less than minimum wages in the country of exploitation. This situation of the male migrants working voluntarily but never being paid or being paid drastically reduced wages is very commonly reported and should be seen as a modern form of human trafficking. While the workers were unaware, it seems clear that the employers had no intention of paying them the agreed upon wage, meaning that the workers were deceived, meeting the conditions of the UN Protocol definition of human trafficking.

The owner did not pay us once but since we had neither passports nor the money we simply could not leave. Having no passports and no money in Russia is no better than being under strong supervision. (IOM 2006, 6)

The ILO country studies revealed that 88.7 percent of forced labor migrants had their wages withheld (Andrees 2008, 44). In many cases wages are not paid at all, or have so many deductions for arbitrary fines and fees (see below), that the final payments result in the workers hardly being paid at all. It is not an uncommon practice for the employers to withhold wages for as long as they can, and then, when payment can no longer be withheld to extract further work, they contact immigration authorities (often anonymously) and notify them of the presence of irregular workers. Because most countries consider the migrants as irregular workers first and foremost they do not investigate the cases for exploitation or trafficking, but rather begin processing them for immigration violations and deportation (Surtees 2008a; Tiurukanova 2005). This practice amongst unscrupulous employers of irregular migrants is also common in other parts of the world (Rosenberg 2003).

Examples from a Russian forced labor study show how men in forced labor are kept in their jobs through the withholding of wages. One man had 70 percent of his wages withheld, while another had 50 percent withheld for the duration of what was intended to be a three-year contract (Tiurukanova 2005).

With the help of an intermediary at a cost of 5,000 Roubles I found work. I agreed to work for an employer for three years. If I change the place of work, I will lose 50 percent of my earnings, which is being kept by the employer until the end of my contract. But this clause was not agreed upon before....I am anxious about the 50 percent that the employer is keeping, they might not give me the money back at the end of my contract. (Tiurukanova 2005, 121)

Similarly in Tajikistan, a study in 2003 revealed that 18 percent of the adult population had gone abroad in search of work. In interviews with migrants, half of those who are hired workers abroad are paid late and 20 percent report receiving less than their promised wages or no wages at all (Olimova & Bosc 2003, 39).

Excessive Fees and Fines

Workers also cited debt bondage¹⁴ as a common form of control and exploitation. Employers used inflated interest rates to increase the debt, and added to it with fines, infringements and inflated costs for accommodation, food, transport, clothing, equipment and other necessities (Astra et al. 2009; Tiurukanova 2005; Anti-Slavery 2006; Hancilova et al. 2008; Pereira & Vasconcelos 2008; OCSE 2009).

Workers might also be charged with fines related to work, or, just as readily, for infringements related to other supports or services provided by the employers, such as accommodation, as the quotes below indicate:

Two workers used to work the night shift on the tin folding press. They brought in the material and got prepared for “winding” it, because they spent entire raw materials [sic]. At that moment, Rade Ljubičić¹⁵ entered the workshop and saw them standing and talking. He instantly said that they were doing nothing, that they finished their shift and that they should leave the workshop right away and go home. He additionally fined them with US\$ 500 each. He told them to come to the morning shift the next day and that they would be reduced to assisting worker [sic], which is paid less. The two workers tried to get their old jobs back with the mediation of one of the chiefs, but Rade Ljubičić immediately returned them to the assisting job, where they stayed until they returned home. (Astra et al. 2009, 15)

During his spare time, one of the workers went to sleep and left his clothes on the bed. Lipovac entered the dormitory and fined him with US\$ 50 for leaving clothes there, although there was no other place to put it. Another worker hanged his shirt on the bed because there was no room in the closet, and was also fined with US\$ 50. (Astra et al. 2009, 15)

It was not unusual for workers to be levied with heavy fines for breaking rules, even rules related to workers' leisure time. In some cases, the rules also frequently changed, making adherence to even these

¹⁴ Debt bondage is when a person's labor is demanded as a means of repayment for a loan and the value of the labor is not reasonably applied toward the debt or the debt is otherwise continuously inflated. “The status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined” (Article 1, 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery).

¹⁵ Rade Ljubičić was one of the bosses at the construction site.

arbitrary rules difficult (Astra et al. 2009, communication with IOM Ukraine). Numerous other examples of arbitrary fines were imposed on the workers from Bosnia and Herzegovina employed in construction in Azerbaijan as Table 6 below illustrates.

Table 6: Fines Imposed on a Group of Construction Workers in Azerbaijan

Punishable Act	Fine
<ul style="list-style-type: none"> • Failure to make the bed properly • Leaving personal items in the dormitory • Failure to take off shoes and put on slippers when entering the dorm • Use of toilette outside the dorm 	50 US\$
<ul style="list-style-type: none"> • Failure to produce a report at the end of the working hours • Using the toilette more than two times during the shift • Jumping the queue during lunch at the canteen • Stopping work for one minute • Leaving the workshop one minute earlier (two minutes = 200\$) • Coming late from town or shops (including on days-off) • Repeating the use of forbidden toilettes 	100 US\$
<ul style="list-style-type: none"> • Gossiping about the company’s management 	200 US\$
<ul style="list-style-type: none"> • Consuming alcohol outside the working hours (even small amounts, i.e. 1 beer) • Refusing an alcohol test • Refusing overtime work • Sleeping when it is not the sleeping time • Early termination of the “contract” • Failure to obey the time specified in the “permit to leave the camp”¹⁶ • Leaving the camp without a permit 	500 US\$

Source: Astra et al. 2009, 16

In the ILO country studies referenced earlier, 65.2 percent of forced labor migrants reported they had debts to employers or intermediaries (Andrees 2008, 44). By providing workers with accommodation and food, the workers become dependent on the employer for more than just their wages. If they wish to change employers they will also lose their housing and means of subsistence (Anti-slavery 2006; Tiurukanova 2005; Pereira & Vasconcelos 2008). The statement below by a Ukrainian victim of trafficking in Russia explains how being dependent on the employer for food and shelter can work as a form of control:

Further, fees and fines were not only exacted by recruiters and employers, but also by authorities. Workers were often harassed by authorities, and fees and bribes demanded from them. Reports of being beaten by the police for their money are not uncommon (unpublished report from an international organization working in Central Asia; Surtees 2008a).

4. Psychological, Physical, and Sexual Abuse

Many countries report violence and the threat of violence as a key element in the controlling of victims (communication with IOM Ukraine, Russia and Moldova; Hancilova et al. 2008). In the ILO country studies referenced earlier, 66.7 percent of forced labor migrants experienced violence against them, and 75.3 percent witnessed violence against others (Andrees 2008, 44). Public beatings and rape are used to make an example to the others (communication with IOM Moldova; IOM 2006). Many organizations and studies also find that rumors of terrible abuses may be used to control victims (Anti-slavery 2006). Many

¹⁶ Workers had to obtain permission to leave the workplace for any reason whatsoever, even during their non-working hours. Those who left without permission were fined as were those who returned later than was allowed in the permission slip.

exploited migrants blame violence, as well as the stress and hardships of the working and living environments, for the death of co-workers (Astra et. at. 2009; IOM 2006).

Below are just a few examples of the physical abuses reported:

We were beaten first and then told that we were purchased, so we had to reimburse it with onerous work. We wanted to leave the shop but they used tear gas spray containers and forced us to get back. Then, they poured acid on the leg of one of the workers and said that it was just a warning sign which would be followed by much stricter measures if we were not to start working. Otherwise we were not to leave this place alive, and there would always be other people who would take our place, said the owner.... (IOM 2006, 6)

Another worker was kept for the night and beaten in this premises[sic]. He previously received news from Bosnia and Herzegovina that his parents were ill. His wife did not have money for medicines and he could not send her any. When he returned to the dorm, he expressed loudly his discontent with the management and with his own position. We had a verbal conflict with the janitor, who notified Saša Lipovac. Saša Lipovac came with three disguised men to pick up the worker and take him to the construction site, where Božidar Vučenović and Rade Ljubičić already waited for them. The workers say that Božidar Vučenović was the first to start beating this man, who fell down after the first hit. They continued beating him up during the night and brought him back to the dorm the next day. He was not allowed to leave the dorm. This worker used his family and personal connections in Bosnia and Moscow and managed to leave Azerbaijan (Astra et al. 2009, 18).

In some countries, such violence appears to be widespread. A very small percentage of victims from Belarus (13.4%) and Ukraine (1.8%) reported no abuse or did not respond to the question (Surtees 2008a, 71). While in the UK, physical violence and constraint were rarely reported (Anti-slavery 2006).

Sometimes violence or threats of violence are also directed at the victims' families back home. Fear for their families or fear of retribution on their return was noted in interviews (Anti-slavery 2006; Tiurukanova 2005).

5. Escalation of Abuses over Time

One interesting finding is that the level and forms of exploitation often changed over time. In a recent case of a group of workers from Bosnia and Herzegovina, Serbia, and Republic of Macedonia, they report that they were treated well when they first arrived for work in Azerbaijan. While not paid what they were originally promised, they were paid the lower wages and were provided with dormitory housing and adequate food and water. As time went on, payment of wages was delayed until eventually they were no longer paid at all. Workers' freedom of movement became more and more restricted, reports of violence escalated, and other abuses followed (Astra et al. 2009; communication with Gabriela Jurela and Alovsat Aliyev). This pattern is confirmed in other reports which identify abuses which accelerate in relation to migrants changing migration status, so that as a migrant's status in the country became irregular the abuses would increase (Anti-Slavery 2006). An ILO study explains how the exploitation and abuse accelerate over time:

The chain of exploitation starts with deception about working and living conditions, followed by withholding of wages or other wage manipulations combined with threats of denunciation to the authorities (if the person was in an irregular situation). In cases where migrant workers resisted and demanded fair treatment, violence occurred in the form of an organized or spontaneous beating. (Andrees 2008, 22)

6. Multiple Exploiters

Some studies indicate that the exploitation and abuse were not necessarily from one source. Rather exploitation and abuses might be imposed by employers, criminal networks (especially those involved in the migrants' recruitment and transport), and corrupt law enforcement. It was not always clear if these different parties to the exploitation worked together or not, but the combination kept workers in exploitative conditions (Andrees 2008; Pereira & Vasconcelos 2008). Some studies also report that exploited migrants have been forced to provide free labor to authorities (Tiurukanova 2005; unpublished report by an international organization in Central Asia). The following example of a group of men from Eastern Europe exploited in Portugal illustrates this situation:

It was found that immigrant workers were not only subjected to scams in job placement, constant extortion and even violence [from the foreign smugglers], but were also exploited on the Portuguese labour market. Employers, usually Portuguese nationals, would hire them directly from the foreign traffickers/smugglers, put them to work in illegal and extremely precarious situations, not pay them, and, in this way, take advantage of their vulnerability. (Pereira & Vasconcelos 2008, 23)

7. Confiscation of Passports, Travel Documents, and Work Visas

Study after study indicates that employers typically hold workers' passports, often stating that they need the passports in order to obtain the necessary work permits and to regularize their stay in the country. However, the work permits and residents visas are never obtained and the confiscated passports are instead used as a threat against the workers (Communication with IOM Russia and Moldova; Tiurukanova 2006; Anti-slavery 2006; Hancilova et al. 2008; Astra et al. 2009).

Similarly, employers may use the withholding of return tickets and failure to obtain work visas as a way of controlling workers. In some cases, the migrants paid recruiters or employers for proper visas and believed that they had them, but these visas were never obtained (Astra et al. 2009; Anti-slavery 2006).

8. Threats to Report Workers to Authorities

Migrants in irregular status may be more vulnerable to exploitation as they are afraid to complain for fear of being reported to authorities. Migrants have spent significant time and resources getting to the country of destination. Even when they are being exploited and not being paid, they fear being reported to authorities as they hope to eventually get out of the abusive situation and into one of gainful employment. Nearly all of the studies which interviewed migrants from this region indicate that the traffickers threaten to report them to authorities if they complain or refuse to work (Tiurukanova 2005; Anti-slavery 2006; Hancilova et al. 2008; Pereira & Vasconcelos 2008). The ILO country studies, for example, indicated that 62.3 percent of forced labor migrants were threatened with being reported to police, and 59 percent were threatened with deportation (Andrees 2008, 44).

V. Protection: Direct Assistance to Trafficked Men

A. Constraints to Providing Assistance to Men

I. Do Men Need Assistance?

A worrying perception around the region is that adult male victims of labor trafficking are either not in need of assistance or don't want it. However, there are clear indications in many countries that men do indeed need assistance and will accept it if structured to meet their needs. In Ukraine, where they have assisted hundred of adult male victims of trafficking, IOM conducted a study on the needs of male

victims and found that male VoTs have problems with their health, psychological state, finances, employment, family conflicts, and access to compensation. The services they require therefore include: medical care, individual counseling and family therapy, job placement, vocational training or assistance in starting a business, assistance with alcoholism or drug addiction, legal aid, financial aid, and assistance with referrals to other institutions (communication with IOM Ukraine). In Belarus, assistance providers find that men are very direct about the assistance they need – especially in terms of medical care, vocational training and job placement – finding that they are only reluctant when it comes to counseling (communication with IOM Belarus). One judge in Serbia also indicated that male VoTs do need assistance, describing a group of foreign trafficked men as “scared, neglected and hungry” (Nikolić-Ristonović 2009).

2. Lack of Services for Men

Generally speaking, there is a dearth of services available that are specifically tailored to the needs of male victims of trafficking. Most services designed for victims of trafficking were designed and tailored to the needs of female victims, and specifically, to female victims trafficked for the purpose of sexual exploitation. This was noted in many countries of the region (IOM 2006; communication with service providers in Albania; Nikolić-Ristonović 2009).

Most providers indicate that their services are not restricted to women only and are available to men (with the exception in many cases of shelter services). Men are therefore being offered the same assistance by the same assistance providers as are women VoTs. In most countries in the region, however, men rarely avail themselves of these services.

Some service providers indicate that adult men are less inclined to accept assistance than women (Nikolić-Ristonović 2009). Many reasons for this are proposed in the literature, including that men’s gender and cultural roles may not allow them to accept help. Men feel they should be strong and self-reliant. Accepting assistance may be seen as a sign of weakness. Interviews with male victims of trafficking indicate that they believe men would be mocked for accepting assistance.

Many men don't tell about what happened to them. They are ashamed of the fact that they were tricked and lied to. They would never request assistance from organisations because they will be mocked and laughed at by their relatives. A man must manage his problems by himself. (Surtees 2007, 213)

Many men are ashamed of appealing for help, because our society does not really accept or approve of men who appeal for assistance. They must manage on their own. (Surtees 2007, 198)

Much of the assistance provided in the region is centered on shelter-based services. In some countries it may be difficult if not impossible for persons not residing in shelters to receive any assistance services (Rosenberg 2008). Service providers indicate that men are less inclined to want or need shelter services (shelter services are also rarely available for men, as discussed below). As a result, services in the region are not structured to meet the needs of men.

Some studies also find that men may reject offers of assistance as they do not see themselves as having been victimized. One study found that men not only rejected being identified as a victim but were also offended by the idea (unpublished report from an international organization working in Central Asia). Being labeled a victim is meant to convey that a person has had a crime committed against him or her. Surtees argues, however, that with this comes many negative attributes associated with being a victim,

such as weakness and powerlessness, attributes that are considered by many cultures to be feminine and are therefore rejected by men (Surtees 2008b).

Although many organizations seem to assume that because men often refuse the assistance they are offered they do not need or want it, other experts have found that male victims are quite open to assistance and that the psychological support of receiving assistance can have an even bigger impact than the concrete actions of the assistance itself (IOM 2006). In Ukraine, researchers found that the male victims they interviewed who had received assistance from local NGOs demonstrated effective rehabilitation. Additionally, in contrast to other studies of returned male victims of trafficking, in Ukraine, none of the male VoTs interviewed who were assisted by NGOs wanted to go abroad again (IOM 2006). Tailoring assistance to the needs of men and offering it in a way that will make it acceptable to men is critical.

B. Services for Men

I. Identification and Repatriation

Male victims of trafficking often seem to go unidentified, even when they come into contact with authorities. As noted above, male victims of trafficking and exploitation are often seen in countries of destination as, first and foremost, illegal migrants who knowingly worked in (and often entered) the country illegally. As a result, time is not taken to find out what abuses they may have suffered at the hands of local employers, who have also often broken many criminal as well as labor laws.

Some experts believe that another reason why male victims of trafficking are not identified is because anti-trafficking actors fail to take a proactive approach to identification. They do not go to places where male victims might be – such as detention facilities, prisons, or places of work. Rather they take a reactive approach, only identifying victims when they are brought to them or they come across them by chance (Nikolić-Ristonović 2009). Even when they do come across victims, there is much evidence to show that they still often fail to identify them. For example, a study in Albania found that 50 percent of victims of trafficking who were interviewed escaped their trafficking situation through a police raid or inspection, but that of these, only 5.6 percent were identified as having been trafficked and referred for assistance (Stephens & van der Linden 2005, 30).

Adding to the difficulty of identification is that migrants may not see themselves as trafficked or even overly exploited, but simply as doing what is necessary to get by (Anti-slavery 2006; OSCE 2009; unpublished report by an international organization in Central Asia). Some may object to being considered victims, finding the idea insulting and demeaning (unpublished report by an international organization in Central Asia, communication with IOM Moldova; Surtees 2007). Men may deny or reject their own victimization as they associate being a victim with so called “feminine” attributes such as passiveness or helplessness (Nikolić-Ristonović 2009).¹⁷ Others may fear repercussions from the traffickers or may not have enough faith in the rule of law that reporting the incident would have any results. Another theory proposed for men’s resistance to being identified as victims is that the migrants’ identity is rooted in their status in their country of origin and this may allow them to tolerate adverse conditions abroad knowing they are in a temporary situation (Tiurukanova 2005; Anti-Slavery 2006).

As is often the case with trafficked women, men may be afraid of being identified by authorities. They may fear arrest for crimes they committed while trafficked or because of their illegal status in the country. They may also fear being further abused by the authorities (Tiurukanova 2006; Tiurukanova

¹⁷ Gender issues or association with feminine attributes are not the only reason for rejecting ‘victim’ status. Many female victims of trafficking also reject the label of victim (c.f. Surtees 2007).

2005). Their fears may be well justified as, in the current reality, even if they are not arrested or abused, they may gain little by being identified as trafficked. Their goal is to earn a decent living, but in most cases, identification as trafficked results only in repatriation and little else, as few services are available and most victims are not in any way compensated, even for unpaid wages owed to them. As a result, they do not want assistance to return home, but want to stay in the country of destination and find better, more gainful employment (communication with IOM Moldova; unpublished report from an international organization in Central Asia).

While many male victims of trafficking are identified by police or other authorities, a very large proportion escape on their own (Rosenberg 2008). Data from IOM Ukraine indicate that 64 percent of male VoTs return home on their own without any assistance, nearly twice the percentage of female VoTs who returned home on their own (communication with IOM Ukraine). In Albania, a study found that over 30 percent were able to leave on their own (Stephens & van der Linden 2005, 30), and in Georgia a study found that over 50 percent returned on their own (IOM 2001, 36). Many of those who escaped on their own then faced serious obstacles in getting home once they escaped due to a lack of money, proper travel papers, etc. Many were charged with crimes related to their trafficking such as for immigration violations (Surtees 2008a). In Moldova, there was a case in which a group of victims trafficked for agricultural labor escaped on their own and spent two months walking home (communication with IOM Moldova).

Identification of victims who returned home on their own can be achieved by authorities after their arrival back home or by the victims themselves or their family and friends. NGOs in Ukraine are noting an increasing number of male VoTs who are self-identifying. In Belarus, where many men also escape or return home on their own, they are identified in several different ways:

- 1) Some men go to the police to report the exploitation and begin an investigation against the recruiters and traffickers. The police may then also refer them for assistance.
- 2) Some men see awareness raising materials and contact assistance providers directly.
- 3) Some men report to the Embassy or Consulate in the country of destination and they refer them to IOM or NGO partners for assistance (communication with IOM Belarus).

2. Accommodation

In Countries of Destination

Temporary accommodation, especially in the country of destination is generally lacking for trafficked men. Many shelters for trafficked persons are restricted to accommodating only women or children. This problem of temporary accommodation is cited in other studies (OSCE 2009).

Older male minors also face this problem as few countries have shelter services designed to accommodate them. When available they may be housed with adult men, which raises many concerns for the safety of the child. In other cases, they may be housed with women, as in the case of a 16 year old Ukrainian boy trafficked to Montenegro who was accommodated for a few days in a shelter for women while his travel documents were secured and then sent home unaccompanied to his family who were thought to be involved in his trafficking (Surtees 2008a).

There are however, some countries which have found ways of housing adult male victims of trafficking in need of temporary accommodation. With the help of an IOM funded project in Russia, which is the main country of destination in the region, the Medical Rehabilitation Center provided accommodation to both male and female VoTs in Moscow. On average, victims were accommodated there for one to two weeks. Some stayed only a night or two before being repatriated, while others needed more time, such

as to identify an organization to assist with reintegration (communication with IOM Russia). Serbia accommodates adult and teenage male victims of trafficking in a general shelter for foreigners, where other irregular migrants are also temporarily housed (Nikolić-Ristonović 2009).

In the Country of Origin

Accommodation for adult male victims of trafficking in their own countries is lacking throughout the region. In many cases, men did not seem to have the same need for accommodation once returned home as female victims of trafficking often do. They often had homes to return to, however, this is not always the case. For some male victims finding long term accommodation is their biggest assistance need (Surtees 2008a).

While shelter does not seem to be a service in much demand by men, there are noted exceptions in which men may need temporary accommodation while receiving other services which may not be available in their home towns, such as medical services, counseling, or vocational training (communication with IOM Moldova). There are also cases for which long term solutions are difficult to find. Such was the case of a Russian man trafficked abroad for begging. He had a disability and no relatives to whom he could return. He stayed in the shelter in Moscow for six months before a place was found for him at a home for people with disabilities (communication with Graziella Pavone).

3. Medical Services

Male victims of trafficking have need of medical services just as female victims do. Some of their medical problems are due directly to the trafficking experience and others not. Many countries have found that many male VoTs have workplace injuries and medical problems related to conditions of work and labor from their trafficking. In a study in Ukraine of 73 male VoTs, 71 percent had gastrointestinal disorders, 56 percent had “nervous breakdowns,” 26 percent had problems with their spines, 21 percent kidney diseases, 16 percent respiratory disorders, and 14 percent dental problems. Six percent acquired permanent disabilities as a result of their exploitation abroad. All of them attributed their medical problems directly to the working and living conditions they experienced while trafficked (IOM 2006). IOM Ukraine believes that addressing victims’ medical problems is paramount and that other services cannot be effective until a victim’s medical problems are addressed. IOM Russia has also found that a majority of male and female victims wish to receive medical care. This is consistent with other reports (Surtees 2008a).

Medical services for men may or may not be provided depending on the availability of funding for such assistance, or the way in which medical services are provided in the country. As with women, medical services for male victims of trafficking are often supported by international donors, which is not a sustainable approach. A better approach being explored in some countries is to reform legislation so that victims of trafficking are eligible for state-supported medical services (Rosenberg 2008).

4. Counseling

Many male migrants experience stress and depression, especially if returning home without money, which can be a cause of great shame (communication with MGEC, IOM Ukraine and Russia; IOM 2006; Surtees 2008a). In a study of 73 male Ukrainian VoTs, 100 percent complained of some psychological problems, including feeling insecure, having difficulties trusting themselves or others, difficulties sleeping, feeling emotionally unstable, feeling alone, experiencing conflict in the family, low self esteem, despair, hopelessness, shame and guilt, alcoholism, etc. In many cases the men had an easier time expressing what they thought other men who worked alongside them felt, rather than expressing how they themselves felt, as in the following quote:

They feel scorned or contempt by their wives, feel like losers who didn't meet the family expectations. The neighbors keep laughing. One wishes that the earth would rather swallow him up instead of showing up in front of others one more time. (IOM 2006, 9)

Expectations of men as providers for their families play an important role in their post-trafficking experiences and recovery. By returning home without the money they were expected to earn, the men and their families feel let down (IOM 2006). Men feel shame in not being able to provide for the family. This failure to meet their expected role can lead to conflict in the family upon the victim's return (communication with MGEC and IOM Ukraine).

Family problems are a common thread reported by former male victims of trafficking (communication with MGEC; IOM 2006; Surtees 2008a). This may be linked to the many other problems encountered by the men on their return. Financial difficulties, psychological trauma, and medical problems all increase the stress on the whole family. In Moldova and Belarus, service providers find that men are more accepted back into their families than female VoTs and that the families are more sympathetic to them than female VoTs trafficked for prostitution (communication with IOM Moldova and Belarus). However, this does not negate the potential stresses which the family is under when trafficked men return home.

While many sources referred to for this report indicate that many male victims of trafficking suffer from psychological problems and are in need of counseling, there are differences of opinion in the perceptions of whether or not men are receptive to receiving such services. Many providers find male victims to be particularly resistant to psychological counseling services (communication with IOM Russia, IOM Belarus, Astra; Surtees 2008a).

...there shouldn't be mentioned psychological assistance because many men are afraid of these words. (Surtees 2007, 215)

Whether men are truly resistant to counseling or whether it is the way in which counseling is presented to them is a subject which deserves further study. Sometimes perceptions are not borne out by the facts. For example, experts interviewed for a study in Ukraine believed that men have a harder time expressing themselves and sharing their feelings than women do. However, the researchers in Ukraine found that this was not supported by their own interviews with victims, who freely expressed their feelings and experiences (IOM 2006).

In Ukraine, the interviewed men, while all admitting to psychological problems, did not want "counseling," *per se*. Rather they wanted something they called "moral support," and 37 percent wanted to talk to a counselor or social worker. Similarly they wanted such emotional support from their family and friends (IOM 2006, 12).

Victims in Ukraine also expressed an interest in speaking with other men with similar experiences (IOM 2006), indicating that group counseling might be an effective tool for male VoTs.

Besides meeting a psychologist, a doctor and a lawyer, I would like to communicate with fellows, who know what I am talking about. (IOM 2006, 14)

In Ukraine, men have also expressed interest in family counseling. In Ukraine, 78 percent of interviewed male VoTs felt that assistance and counseling should be provided to the victim's family members as well (IOM 2006, 18).

In addition to taking care in how counseling is described to potential clients, there may also be a need to pay attention to the sex of the counselors. There is a divergence of views about whether or not the sex of the counselor impacts on men's interest in receiving services, especially counseling. One study implied that the use of male service providers may make it easier for men to accept assistance (Surtees 2008a). In Ukraine, male victims were asked about their preference of working with male or female counselors. Sixteen percent expressed a preference for male, 50 percent for female, and the rest did not have a preference (IOM 2006, 18). A service provider in Serbia, anticipating this issue, offered men a choice of male and female counselors but did not find that this affected their interest in counseling (communication with Astra).

5. Income Generation

As noted earlier, many victims would rather stay in their exploitative situations than return home empty handed. For those who return home, many want to urgently go abroad again in search of work. In an interview with a recently exploited man from Bosnia and Herzegovina who just returned home, one expert found that he was ready to accept another offer of employment abroad, and from the same recruiter, as he was desperate to earn money and blamed his exploitation abroad on the employer not the recruiter (communication with Gabriela Jurela). Similarly, an NGO in Serbia found that the victims exploited in Azerbaijan were all anxious to go abroad again in search of employment. However, Astra found that the men were interested in assistance in vetting such job offers and seemed to avoid those offers that appeared the most risky (communication with Astra).

Finding economic opportunities for trafficked men is obviously paramount. The quote below from an assisted victim of trafficking from Ukraine, well illustrates the importance of addressing men's economic needs:

A well paid job would be the best cure for low self esteem. And family support of course. Otherwise, man continues thinking that nobody he doesn't amount for anything [sic]. (IOM 2006, 14)

According to the survey of migrants in Russia, the main assistance needed is help finding a new job. Next comes issues related to employment such as assistance with exercising their labor rights, obtaining residence and work permits, etc. This is followed by accommodation, medical care, legal aid, leaving their employer, and repatriation (Tiurukanova 2005).

In Ukraine, 95 percent of the interviewed male VoTs had permanent jobs before going abroad. At the time of their interviews only 41 percent were employed. Sixty-nine percent reported that their financial situation was worse upon returning than it had been upon their departure. There were many reasons for this situation: they had to pay back money they had borrowed to go abroad, they sold critical assets to go abroad (such as their apartment or their car), they have significant medical expenses due to their experience abroad, medical problems that prevent them getting a job, psychological problems or alcoholism that makes it difficult to get a job, unemployment is high and they cannot get their old job back or find a new one (IOM 2006).

In order to regain financial security, 40 percent of the interviewed men from Ukraine wanted vocational training, 35 percent wanted job placement services, and others wanted help starting a business (IOM 2006). In Belarus also, male VoTs were mainly interested in vocational training – especially driving classes and job placements (communication with IOM Belarus).

Forty percent of VoTs in Ukraine, who took advantage of the assistance to start their own businesses were men (communication with IOM Ukraine). Support for men to start their own businesses was found to be especially important in rural areas and smaller villages where jobs are scarcer (IOM 2006).

IOM helped me start my own business. At this point, I am content – my work, my income, the working conditions, - there is simply nothing to regret. Now it all depends on me and I finally feel realized at work [sic]. (IOM 2006, 17)

Assistance for trafficked men might include a combination of job placement services, vocational training, micro credit programs, and job vetting, services similar to those needed by female victims of trafficking (c.f. Rosenberg 2008 for a detailed analysis of income generating services provided to victims of trafficking).

6. Justice

Providing justice for victims of trafficking is in everyone's interest. It ensures that the laws of the state are respected and the rights of the victims are protected. However, few cases of trafficking of men go to the courts and very few cases could be found in which men were awarded compensation. In Ukraine, 65 percent of the 73 men interviewed for a study tried in some way to get compensation. None succeeded, and many lost any hope of justice through official channels. Most stated that had they had emotional and legal assistance and signs of support from authorities, they would have sought damages in court (IOM 2006). In Azerbaijan, the Azerbaijan Migration Center, a local NGO is fighting to get the prosecutor to pursue a labor trafficking case. The process is stymied by the fact that the victims are being rapidly repatriated and they lack the legal documents necessary to award power of attorney to someone in-country to represent them. Therefore they depart without a chance to pursue justice, owed wages or compensation (communication with Alovzat Aliyev).

Rather than receiving justice, many male victims of trafficking are charged with crimes committed while trafficked, especially for illegal border crossing or illegal stay in the destination country. This is in sharp contrast to trafficked women who are now far less likely to be charged with such crimes. Researchers in Serbia found that adult male VoTs were charged with immigration offenses in over 16 percent of the cases of trafficking of adult men they studied, and this number is likely to be lower than the actual number of cases as in an additional 24 percent of the cases they studied there was no such information available (Nikolić-Ristonović 2009, 230).

In this same study, they found that many men convicted of immigration violations were not provided with interpretation for their court hearings, thus not allowing them to fully participate or explain their situation (Nikolić-Ristonović 2009). Not only is this a miscarriage of justice for the migrant, but also potentially resulted in authorities missing a chance to uncover cases of trafficking.

VI. Prosecution

A. Legislation

All except one of the countries of this region have anti-trafficking legislation in place which covers all or most of the forms of trafficking recognized in the UN Protocol.¹⁸ Many had such legislation in place even before the signing of the UN Protocol. In addition, many states also use other related offenses for prosecuting trafficking cases (UNODC 2009b).

Even in countries where forced labor and trafficking for labor exploitation are clearly criminalized, few prosecutions take place (Anti-slavery 2006; OSCE 2009; OSCE 2006; Hancilova et al. 2008). In Russia, while the human trafficking article of the criminal code does not exclude trafficking for labor or other purposes or trafficking of adult men, as of 2004 this article was only used for trafficking of women for sexual exploitation (Tiurukanova 2006). The same was also true in Azerbaijan (Hancilova et al. 2008). This trend is also noted in the Europe and Eurasia region where criminal justice responses to trafficking are higher than many regions of the world, but are still low when compared to the number of identified and estimated victims (UNODC 2009).

Experts and authorities in Russia recognize forced labor as a significant problem. However, few cases are ever brought to court and those few, not as trafficking violations. Police do not see the migrants as victims but as willing irregular migrants who got what was coming to them for breaking the law (Tiurukanova 2005). There are exceptions, however, and a few such cases have been prosecuted in Russia. However, penalties are often light. In one reported case a man convicted of treating four men as slave labor had a four year sentence reduced to seven months on appeal (OSCE 2006).

B. Constraints to Prosecuting Trafficking Cases

One reason for the lack of prosecutions is the difficulties in proving cases of trafficking. For example, there is often a lack of clear definitions for terms such as coercion, force, or abuse of vulnerability. These terms have been defined in various ways throughout the region with some countries opting for narrow definitions – such as defining vulnerability as relating to disability or youth as in the UK – or broadly as in Germany where they include “helplessness that is associated with their stay in a foreign country...” (OSCE 2006, 9-10). In general, however, a lack of clear definitions for these terms makes prosecuting cases difficult.

There is often a contradiction between the mandates of the authorities involved. Labor, health and safety inspectors may see violations of the rights of workers but do not have authority to act upon them. Police or immigration authorities tend to focus on the irregular status of the workers rather than on the violation of the workers’ rights at the workplace (Tiurukanova 2005; Anti-Slavery 2006; OSCE 2006). When inspections do take place and irregular migrants are found it is the migrants who are punished and rarely the employers (Pereira & Vasconcelos 2008).

Lack of written contracts may also impede prosecution, making it difficult to prove the existence of an employment relationship when no contract or documentation of wages exists (Pereira & Vasconcelos 2008). And yet in some countries of the region there are cultural barriers to making written contracts. In Azerbaijan, for example, it can be seen as a lack of trust to request a written contract (Hancilova et al. 2008). In other places, the written contracts contradict verbal agreements. For example, workers will

¹⁸ Only Turkmenistan does not which is also no longer part of USAID’s Europe and Eurasia region.

be told that the salary in the written agreement is lower than the actual salary to be paid in order to avoid taxes. Workers agree to sign such contracts when corruption of this sort is commonplace in their countries.

Also complicating prosecution efforts are that many trafficked persons do not really know for whom they are working. They may know them only by a nickname and the person they know may not be the business owner but rather a middle man (Hancilova et al. 2008).

Additionally, the cross border nature of the crime can make prosecution difficult, especially when victims have already returned to their country of origin (OSCE 2006). In Belarus, for example, while many men have reported their cases to the police, the police have a hard time prosecuting cases because the perpetrators are often not in the country and may be citizens of the destination country (communication with IOM Belarus).

Victims may also be unwilling to testify. They may lack faith in the justice system, fear reprisals, or simply not want the fight. A quote from a victim of trafficking from Ukraine exploited in Spain illustrates how a victim's frustration from their experiences with authorities prior to their being identified as trafficked may result in their being unwilling to testify:

In order to avoid paying, the owner called the immigration police and we were taken to a deportation center. Two days spent in a separate cell were the days without food, money and any papers. Then, for the daytime, they would take me to a general cell with 100 other inmates and would lock me back up in a separate cell for the night. After 20 days spent there, I no longer wish to have anything to do with any kind of public justice, neither theirs nor ours. Therefore, I will not testify either. (communication with IOM Ukraine)

VII. Prevention

Prevention is an important element of any anti-trafficking program. Generally speaking, prevention efforts in the region have been focused on sex trafficking of women and children and have neglected other forms of trafficking including trafficking of adult men (Warnath 2008). There is a long standing belief in this region that women are more at risk for trafficking than men. And while many people have a theoretical understanding that men can also be trafficked, they do not really believe it to be true.

Prevention encompasses many different types of interventions from policy reform to media campaigns, hotlines to law enforcement efforts. It is beyond the scope of this report to analyze prevention programming in general. For more information on prevention programming please see previous reports in this series, including by Stephan Warnath (2009) and by Ruth Rosenberg (2004).

A. Efforts Taken to Prevent Trafficking of Adult Men

While in many countries men are more likely to consider going abroad,¹⁹ it is women who are considered more at risk for trafficking, and, while prevention efforts to date in the region have generally focused on trafficking of women, in recent years, there is greater awareness of trafficking of adult men. Most countries in the region report that their prevention campaigns have, as a result, become more

¹⁹ In a study in Belarus, of the 8% of respondents who had worked abroad, 75% were men and of the 12% who seriously consider going abroad for work 56.6% were men. At the same time, as noted in the text above, men were not considered to be at risk of exploitation or trafficking abroad. (Baturchik n.d., 27, 30)

gender neutral, not specifically targeting male or female victims of trafficking. They usually include information on all types of trafficking including trafficking of men for labor. However, most countries report that such campaigns still use imagery of either women or children. In some cases they now use gender neutral imagery on campaign materials or avoid the use of people at all. In only a few cases have images of men as the victims of exploitation been used.

Evaluation of a prevention campaign in Belarus found that while 58 percent of respondents knew that trafficking for labor migration takes place, they still saw women and girls as the primary victims with only 1.8 percent believing that men could become victims of trafficking²⁰ – compared to 85.6 percent who thought girls could and 25.8 percent who thought women could. Very few people thought that one could be trafficked through a friend or acquaintance, and in fact, thought the most common way was through a dance or model agency (Baturchik n.d.). Most respondents indicated good knowledge of precautionary steps to take before going abroad – indicating the efficacy of such campaigns (checking the license of the company, informing family and friends, knowing the hotline number, etc.). However, women were more likely to follow the steps than men (Baturchik n.d.). This evaluation demonstrates that even in a country which has had a significant number of cases of trafficking of men, people still associate trafficking with prostitution and still believe that women are more vulnerable than men.

Some studies indicate that safe migration campaigns do result in calls from men as well as women, even when the campaigns targeted women (Tiurukanova 2006). However, in order to compensate for the strongly held beliefs that women and children are most vulnerable to trafficking it is important that prevention efforts be targeted specifically to trafficking of men. In Ukraine, there is a series of prevention spots, including posters, brochures, and public service announcements for television, that use images of adult men as targets of traffickers. Similarly, the experiences of adult male victims of trafficking were portrayed in a play performed throughout Moldova (communication with IOM Moldova).

In addition to incorporating imagery of adult men into campaigns and stressing trafficking of men in training programs, other methods have been found helpful in preventing trafficking of men. For example, in Ukraine, where they have been very successful in identifying and assisting male victims of trafficking, they have found that men may not be as willing to accept information provided by female trainers or facilitators and that is important to incorporate male trainers into any prevention campaign targeting men (communication with IOM Ukraine).

Providing prevention materials to prospective migrant workers is critically important. Many studies find that male migrants have a very limited understanding of their rights. A study in Ukraine found that most of the male VoTs interviewed did not have information about the risks of labor migration, the methodology of traffickers, etc. They also did not know how to check out the validity of a work offer or that they should not relinquish their passports to their employer. Nor did they know where they could turn to for help, including their own Embassy or Consulate (IOM 2006). This was true in Azerbaijan as well (Hancilova et al. 2008).

In Russia, this issue was addressed by setting up call centers and advertising them widely in both public places and government structures. The hotlines received over 13,000 calls, half of which were from foreigners and half from Russian nationals. Of the Russian nationals, 45 percent of callers were men. Of the foreign nationals, 61 percent of callers were men. The majority of calls were generally categorized as information for preventing human trafficking or more specifically for information about registration and work permits for foreigners. This demonstrates that men are interested in safe migration

²⁰ Only 2.9% thought that men could even face problems while going abroad.

information if it is advertised in a way which makes it relevant for them. In this case, the materials did not use imagery of women, were widely advertised in a variety of media outlets, and included leaflets in several languages used by migrants who may not speak Russian, such as Uzbek and Tajik. Distribution included venues targeting migrants such as migrant services centers (communication with Graziella Pavone).

B. Constraints to Prevention of Trafficking of Adult Men

People tend not to associate anti-trafficking messages with themselves. They also believe that victims are in some way to blame for their own trafficking and therefore, that it could not happen to them (Rosenberg 2004). This is supported by recent research in Belarus in which more than a third of respondents blamed victims for being trafficked, saying they were too trustful or careless. Interestingly, in this same study, a great many people who were interested in going abroad for work also estimated that the chances of becoming a victim were quite high. They also had greater personal knowledge of people who had been trafficked, but this did not reduce their own desire to go abroad (Baturchik n.d.).

With trafficking for labor exploitation it may be especially difficult to push home the message that labor migration comes with great risks for men as well as women. Those who have gone abroad and are successful can cancel the effects of prevention campaigns by spreading the word of their success (Baturchik n.d.). Those who are not successful tend not to talk about their experiences. As a result, people believe that most people who have gone abroad for work have met with great success and believe that they will too. Involving former male VoTs in outreach and prevention work may help to combat this. Sixty percent of interviewed male VoTs in Ukraine were interested in volunteering for a counter trafficking program (IOM 2006).

VIII. Recommendations

A. Training and Procedures for Proactive Identification

Donors should encourage a more proactive approach toward identification of adult male victims of trafficking. Donors can support training and development of operational procedures for agencies involved in anti-trafficking efforts and especially victim protection.

In most countries of the region, trafficked persons are primarily identified by law enforcement officials. Training of these officials to recognize trafficking of men is critical to ensuring that male victims are identified and assisted and the cases brought to justice. Training for police resulted in increased identification of male VoTs in Moldova (communication with IOM Moldova). Because of high turnover in law enforcement institutions, it is important that training be incorporated into police academies which train new officers as well as provide in-service training for existing officers.

The same is true for labor, health and safety inspectors. Many cases exist in which persons in a position of being able to identify male victims of trafficking have missed the opportunity, resulting in the person being kept in exploitation, as the example below illustrates:

You know, when I was exploited there [in the destination country], I once fainted and the owner took me to the hospital. There the doctor asked me why I didn't have any registration. I told him that my owner didn't let me leave the territory I worked. He seemed to have understood the situation I got into... I felt safe at that moment. I thought I would stay there for a long time

and I would be able to go home... I was there for three days. On the third day the doctor told me that the treatment was over and the costs were covered by a charity organization. When I went out of the hospital, I saw my owner waiting for me. Then he took me back to the place I had worked before. (Surtees 2007, 80)

Training on trafficking and identifying victims has generally not been provided to these stakeholders. Yet they too can be an active force in identifying trafficked men. Labor and health and safety inspectors should be trained to recognize potential situations of labor exploitation and trafficking. They should understand the obligations of employers and the rights of migrant workers, even those working illegally. A lack of recognition of the rights of migrant workers is illustrated by this quote from a Polish worker in Germany who was fired after he reported workplace irregularities to the authorities:

I went to the local labour inspectors with some colleagues. We reported that we work much longer[...] The labour inspectors examined the documents and left. We expected the control to be on behalf of the Polish workers. We wanted to take the [inspection] as an opportunity to deal with the injustice. But this did not happen. On the contrary! The [inspection] was not conducted to find out what irregularities the company was committing, but to send workers back! (as cited in Andrees 2008, 35)

Equally, training should address attitudes toward trafficked and exploited men. The same cultural and gender issues which make it difficult for men to accept assistance also make it difficult for some authorities to treat them with respect and to offer necessary assistance, as the situation below, described by a male victim of trafficking, illustrates:

Some of the policemen were laughing at us, saying that we were idiots, that only fools could end up in a situation of exploitation like that... Some policemen didn't understand that we were forced to work, that we were threatened with death... they didn't believe that our passports were taken by the exploiters... Many of the cops thought that we were robbers, that we were attempting to flee the country and that's why were concealing our true identities... Only one police officer took all the information he received from us in a serious manner.... (Surtees 2007, 82)

An example of good practice in this regard can be seen by the following example from Italy in which exploited illegal migrants were identified and assisted during a raid on a company being investigated for fraud and public safety:

A company was created by an Italian businessman to manufacture cosmetics. It was located in a remote area and exclusively employed illegal Romanian men and women. They were gradually recruited as needed, with an average of 12 at a time. (Only three employees were legally employed Italians.) The businessman accommodated these foreign workers in the building where production was carried out and paid them arbitrarily at his own discretion amounts that were less than half the remuneration provided for in normal employment contracts. The establishment was entered and seized by financial police who had been conducting the investigations with the Public Prosecutor. The investigation was not actually concerned with the exploitation of illegal immigrants but with business fraud and the safety of the products sold by Kevin Cosmetics. After the offence of incitement to illegal immigration for the purpose of profit had been established on the basis of the successful investigation, nine Romanian citizens were granted a temporary residence permit. They were supported by an NGO, which attempted to find work and accommodation for them. Ultimately the Romanian citizens were granted regular residence permits. Of decisive significance was the fact that the

NGO immediately took charge of the aliens who were no longer able to work or earn any income. (OSCE 2006, 14)

Equally important to providing training is the development of procedures for identifying and handling cases of trafficking of men. Without such procedures, training is often ineffective (Rosenberg 2008). Labor, health and safety inspectors and others could be encouraged and trained to routinely visit and interview potential victims of trafficking at work sites commonly housing migrant workers or other vulnerable populations, such as agricultural or construction areas.

When inspections take place, the emphasis should be on protecting the rights of workers and investigating the circumstances of their employment and their employer. Prosecuting the employer and gaining restitution for the workers before they are returned to their country of nationality would go a long way in combating two of the main ways in which migrants are exploited – through the withholding of their wages and then denouncing them to authorities so that they are deported without being paid.

B. Specialized Police Units

Specialized police units have been effective in assisting women trafficked into prostitution. In some countries with such specialized units, women report being treated respectfully by these forces while being mistreated and abused by local police units (Hancilova et al. 2008). Such specialized units could also be developed and trained to identify and assist male victims of trafficking. These units or other law enforcement agencies should routinely visit and conduct interviews in places where trafficked men are often mistakenly directed, such as detention facilities and prisons.

C. Reform of Legislation

Donors could fund activities to reform legislation so that it addresses the types of exploitation faced by irregular migrants. Migration policies often increase the profits of traffickers. In countries of destination there must be increased protections for migrant workers and labor rights extended to all workers including those who work illegally (Anti-slavery 2006). Legislation should entitle migrant workers – regardless of their status – to claim reparations for unpaid work and damages. Such regulation protects both the workers and the state. Employers hire irregular workers mainly for two reasons, either a labor shortage wherein no other workers can be found or in order to pay reduced wages or lower costs through non-payment of obligatory benefits²¹ or adherence to safety regulations.²² By forcing employers of irregular workers to adhere to the labor standards of the country it might, in the long run, discourage employers from hiring irregular workers or exploiting those they do hire.

Trafficked men, including those working illegally should be eligible for all forms of compensation available to local nationals – including compensation schemes, labor tribunals, mediated settlements, and criminal proceedings. The right of victims to pursue compensation is protected in international law. Many legal mechanisms are available for claiming compensation for lost wages as well as pain and suffering such as through criminal proceedings, civil courts, compensation funds, administrative procedures and mediated settlements. For more information on these mechanisms see Rosenberg 2008.

In Portugal, irregular migrants can bring a claim for unpaid wages and other violations of the labor law to the labor tribunal; such claims have been successful in providing migrant workers with compensation. In

²¹ “Benefits” refers to overtime pay, obligatory social benefits, and other costs regulated by law.

²² There are of course, employers who hire irregular migrants in an effort to help them, but one can assume that most employers make hiring decisions based on costs and benefits.

the U.S., workers have a right to basic labor standards such as the minimum wage and safe working conditions regardless of their immigration status. There have been many successful cases claiming restitution for men trafficked for labor in the U.S. (c.f. DOJ 2006). While there have been few such cases in the region covered by this report, there have been some. In 2006, for example, two men were awarded compensation of US\$6,000 from an Armenian court for their case of labor exploitation (communication with IOM Armenia).

Legislation should also be reformed to make the retention of passports or work permits by employers or recruiters illegal. Work visas should not be tied to specific employers or require documentation that obligates the worker to an employer. This keeps workers in exploitative conditions (Tiurukanova 2005, Anti-Slavery 2006; Pereira & Vasconcelos 2008). In the words of an Israeli judge adjudicating just such a case:

Indeed, one must conclude – painfully and shamefully – that the migrant worker became the employer’s serf; ... that binding workers to employers created a form of modern slavery. In this binding arrangement the state ...shackled the workers’ hands and feet to the employer who “imported” them – nothing less. The migrant worker turned from a subject of law – a person who has rights and obligations under the law – into an object of law, as if he were a piece of property. This arrangement infringed on the autonomy of workers, and practically denied them their liberty. According to the binding arrangement the workers became machines ... slaves of olden days, like the people who built the pyramids or rowed Roman ships into war. (OSCE 2006, 17)

Complicated immigration and employment regulations make it difficult for migrant workers to understand their rights and obligations and make them more dependent on intermediaries and employers (Anti-Slavery 2006). Simplifying regulations and providing clear information to migrants about their rights could help improve the status of migrant workers.

D. Regulation of Intermediaries

Some studies advise regulating intermediaries as a way of preventing trafficking (OSCE 2006). In Belarus, the criminal code was revised to increase penalties on persons organizing employment abroad.²³ At the same time, official recruitment agencies for foreign employment came under licensing requirements with the Ministry of the Interior. The Ministry posts on their website a list of all officially licensed agencies. Experts believe that employment secured through these licensed agencies is safe (communication with IOM Belarus). In a survey of 994 Belarusians, researchers found that over half of all respondents would check the license of the company before going abroad (Baturchik n.d.).

It should be noted that licensing of recruitment companies does not guarantee the safety of those they help employ. A study in Indonesia found that migrant workers hired through licensed recruiting companies also risked being exploited and trafficked (Misra and Rosenberg 2003). While regulations of these services is needed, they are only effective if there are inspections and monitoring of their services, ways for people to complain and actions taken against those who violate the regulations.

²³ Law of the Republic of Belarus № 15-3, 4 May 2005, On Amending Certain Codes of the Republic of Belarus to Increase Liability for Human Trafficking and Other Related Offences

E. Regulation of Subcontractors

Much of the exploitation of migrant workers seems to stem from a changing system of hiring workers in many countries of destination. Many of the sectors that hire a lot of male migrant workers, especially agriculture and construction, are seasonal and rely on a steady supply of temporary workers. Many companies and individuals now rely on smaller and smaller subcontractors to supply the workers they need. These subcontractors are small and very flexible firms that can “vanish” quickly as soon as they come to the attention of law enforcement (Andrees 2008; Pereira & Vasconcelos 2008).

In some cases the employers work with the subcontracting organizations to knowingly exploit the workers, but in many cases they do not. Thus employers may provide an avenue of identification and assistance for these trafficked individuals, as the example below from Portugal presents:

A case of exploitation was detected in 2005 involving about 50 Romanian immigrants working on farms in Central Portugal. They had been brought over by an organised group of Romanians. The immigrants had come of their own free will, but they were controlled and regularly subjected to extortion by members of the group who lived in the area and whose only job was controlling and getting money out of immigrants by threats of physical violence – against them or their relatives back home – and of being reported to the SEF²⁴. The work was seasonal and clandestine, and labourers were rotated around the farms. The farmers, who were members of a farmers’ association, were alerted to what was happening and reported it to the SEF. ... One of the network members was arrested, others were charged with coercion, and the workers who are still in Portugal have been asked to cooperate in the criminal investigation underway and then apply for a residence permit. (Pereira & Vasconcelos 2008, 54-55)

Portugal revised its legislation to provide for “joint liability” such that the person responsible for a workplace (such as a general contractor on a building site) is held responsible for the conditions of employment of foreign workers when the subcontractor who directly hired the worker cannot be held accountable (Pereira & Vasconcelos 2008).

F. Investigation and Prosecution of Labor Trafficking Cases

Donors should encourage authorities to investigate and prosecute labor trafficking cases. Donors can also fund victim advocates to support victims in their pursuit of compensation and owed wages. If evidentiary requirements for proving human trafficking are too high, prosecutors should use other statutes available to them for prosecuting the case, including labor laws as well as other laws governing other criminal acts (OSCE 2006).

G. Anti-corruption Efforts

Given allegations of authorities’ involvement in trafficking it is important to investigate and prosecute such cases in order to act as a deterrent that prevents authorities from abusing their power in the future. In Russia, in 2005, the government did successfully prosecute one such case against an officer of the Drug Control Service who was involved in trafficking five Uzbek citizens for the purpose of forced labor (OSCE 2006). Additional pressure is needed in order to address this intractable problem.

²⁴ Serviço de Estrangeiros e Fronteiras (Aliens and Borders Service)

H. Organizing Migrant Workers

Efforts to organize migrant workers in countries of destination have worked to increase migrants' understanding of their rights. In some cases, unions have undertaken legal cases to provide compensation for exploited workers. In the U.S., an organization provides pro-bono legal services to migrant workers and conducts outreach to inform migrant workers of these services (OSCE 2009).

In Portugal, trade unions have made efforts to reach out to migrant workers and to include them in the union. Some trade unions accept even undocumented workers as members. They have reported cases of exploitation and trafficking to the authorities, provided legal aid and mediation services, and conducted outreach into migrant worker communities in order to inform them about their labor rights, even translating the collective employment agreement into Russian (Pereira & Vasconcelos 2008).

I. Awareness-raising and Hotlines

Studies show that many migrants are not aware of their rights or that there are organizations available to assist them. Therefore, it is important to raise awareness among migrant workers in countries of destination about their rights – even as irregular migrants. Equally, it is important to provide such information in countries of origin before migrants' departure.

Because many victims of trafficking escape on their own and return home without being identified as trafficked or after having been deported (Rosenberg 2008), it is important to have mechanisms available in their country of origin which encourage victims to self-identify. Such campaigns and advertising for hotlines should make use of imagery that is inclusive of adult men. Gender neutral imagery alone may not be sufficient to compensate for the strongly held assumptions that trafficking is primarily about women in prostitution. Imagery should include images of adult men and of labor situations. In Ukraine, in areas where prevention and reintegration services for adult male VoTs exist, identification increased by 70 percent (communication with IOM Ukraine).

Even using gender neutral material can be effective if it is targeted to the right locations. In Belarus, local organizations providing assistance to VoTs have developed materials to inform people about the services available. The materials do not focus on men or women, but on the exploitations and abuses people have suffered. Many are simple materials that are printed on regular paper in the organization's own offices. These materials are then posted in places where returned victims are likely to go: employment bureaus, clinics and hospitals, vocational training and educational centers, etc. These have had a big impact with many victims of trafficking self-identifying through these materials and seeking assistance from the agencies (communication with IOM Belarus).

J. Tailoring Assistance to the Needs of Men

There are many ways in which donors can support the development of assistance programs tailored to the needs of men. First, in many countries, small assessments can be undertaken to determine the needs of male victims in order to understand the kinds of assistance they need and want and how best to provide it to them. In Belarus, service providers made many adjustments in order to tailor services to the needs of men. For example, they added new forms of vocational training, offered different medical examinations and treatment, and added male staff to work shifts at the Rehabilitation Centre (communication with IOM Belarus).

I. Community-Based Services

To effectively tailor services to the needs of men, they need to be expanded beyond the shelter-based model. As noted above, many of the adult male victims do not need or want to stay in a shelter and yet in most countries of the region, assistance is provided through shelter-based models. Therefore, assistance models need to be expanded in order to assist those who are staying elsewhere.

A number of alternatives to shelter based services have been attempted in the region and include mobile clinics, drop-in centers, and the use of local committees. These are discussed in more detail in Rosenberg 2008. In Ukraine there are public centers – 23 around the country – run by state social services. Victims of trafficking can stay at these centers for up to 90 days. They can receive counseling, medical care, food, legal aid, referrals to employment bureaus and other such services as budgets allow (communication with IOM Ukraine). In Belarus, IOM worked with the Red Cross Society on prevention and victim services. As they have representatives throughout the country and were able to provide services throughout as well.

2. Training for Staff

In addition, the staff of existing assistance organizations may need training to be prepared to meet the specific needs of male victims of trafficking (IOM 2006). They may need to change their methodologies and even the types of assistance offered in order to meet the needs of men.

3. Family-Based Assistance

Family-based models of assistance have been successfully applied for male victims of trafficking. Two types of family-based interventions were identified for this report. One is family counseling, which has been very effective in helping men's families better understand what they have been through and how they can assist in their recovery. The other assistance available to families is small business grants intended to assist families in finding sustainable livelihoods without the need for migration.

K. Further Research

Additional research on trafficked men would be helpful in improving our understanding of how to prevent trafficking of men and how to successfully assist trafficked men. Research in countries which have assisted trafficked men successfully and in countries where prevention campaigns aimed at men have taken place would be useful.

It would also be useful to undertake research into uncovering the differences between successful versus exploited migrants. While the ILO studies in the region began exploring this issue and uncovered some interesting insights, more research is needed to bring to light what could be very important lessons about what makes some migrants successful and others vulnerable to exploitation and trafficking.

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