

# TRANSNATIONAL LAW AND HUMAN TRAFFICKING



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# INDEX

1. INTRODUCTION
2. NIJ's Role in Human Trafficking Research
3. Types of Human trafficking
4. Challenges in Prosecuting Cases.
5. Instruments of International Law
6. Compliance with International Law
7. Enforcement of International Law: The Regional Solution
8. Enforcement of International Law: Obstacles
9. Actors & Activities in the Anti-Human Trafficking Movement
10. Cases of human trafficking.
11. Conclusion

## **Introduction**

The United Nations defines **human trafficking** as the recruitment, transportation, transfer, harboring, or receipt of persons by improper means (such as force, abduction, fraud, or coercion) for an improper purpose including forced labor or sexual exploitation.

**Human smuggling**, a related but different crime, generally involves the consent of the person being smuggled. These people often pay large sums of money to be smuggled across international borders. Once in the country of their final destination, they are generally left to their own devices. Smuggling becomes trafficking when the element of force or coercion is introduced.

The U.S. Government defines human trafficking as:

- Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.
- The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

This modern slave trade is a threat to all nations. A grave human rights abuse, it promotes breakdown of families and communities, fuels organized crime, deprives countries of human capital, undermines public health, creates opportunities for extortion and subversion among government officials, and imposes large economic costs.

## **NIJ's Role in Human Trafficking Research**

Through the funding of rigorous research, NIJ is committed to assisting with the detection and prosecution of human traffickers. NIJ-funded research projects focus on:

- The nature and extent of human trafficking
- Detecting and investigating traffickers
- Prosecuting traffickers
- Services for trafficking victims.

Human trafficking is a largely hidden crime that has only recently gained the attention of law enforcement, human rights advocates, and policymakers. Research in the field continues to evolve and has focused almost exclusively on the victims. Reliable data are needed, especially about the characteristics of victims and perpetrators, the mechanism of operations, and assessments of trends. In addition, law enforcement officials must overcome substantial legal, cultural, and organizational barriers to investigating and prosecuting trafficking cases. These barriers, and strategies to overcome them, are still being identified.

### **Types of Human trafficking**

There are several broad categories of exploitation linked to human trafficking, including:

- Sexual exploitation, means taking the advantage of sexuality and attractiveness of a person to make a personal gain or profit. It is the abuse of a position of vulnerability, differential power, or trust for sexual purposes.
- Forced labour, refers to situations in which persons are coerced to work through the use of violence or intimidation, or by more subtle means such as accumulated debt, retention of identity papers or threats of denunciation to immigration authorities.
- Domestic servitude, labor trafficking, which takes multiple forms including domestic servitude, forced labor in agriculture, fishing, construction, manufacturing, and forced labor in the adult entertainment industry, exists throughout the United States, and persists with relative impunity due to underreporting, lack of investigation by law enforcement, and lack of awareness among the general public.
- Organ harvesting, It is a criminal offense to traffic body parts, or perform transplants from any source not legally affiliated with a hospital or other medical facility, but legality doesn't deter either side of these transactions.
- Child related crimes such as child sexual exploitation, forced begging, illegal drug cultivation, organised theft, related benefit frauds etc
- Forced marriage and illegal adoption (if other constituent elements are present)

### **Challenges in Prosecuting Cases**

State prosecutors were reluctant to use new human trafficking laws and instead charged offenders with offenses they were more familiar with, such as rape, kidnapping or pandering. No state prosecutor in the study had ever prosecuted a labor trafficking case. Background characteristics of the victims often influenced prosecutor decisions about charging, so most cases identified by local law enforcement were prosecuted federally.

The Police for prosecuting cases will consider the range of legal measures available to support and protect trafficked victims and will make appropriate applications to the court to enable victims to give their best evidence. When necessary the PPS will also ensure that an appropriate interpreter or translator is provided to enable victims to give evidence at court, to translate correspondence or to translate for a victim at any meetings with the prosecutor.

The PPS recognizes the need for a multi-agency response to the challenges of dealing with human trafficking. The PPS works with the police, the Organised Crime Task Force (OCTF), other colleagues in the criminal justice system and the voluntary sector in identifying ways to increase disruption, prevention, investigation and prosecution as well as improving victim and witness care and protection. It is recognised that non governmental organisations will often have greater experience of victims and their differing needs and that a criminal justice route is not the only way of responding to trafficking; criminal (and civil) law may need to be used in conjunction with support services for victims.

The PPS is a key member of the OCTF and its human trafficking sub-group. The OCTF is a forum which brings government, law enforcement and a range of agencies together to set priorities for tackling organised crime in Northern Ireland, including Human Trafficking. The Human Trafficking Sub Group includes representatives from the Police Service of Northern Ireland (PSNI), the Department of Health Social Services and Public Safety (DHSSPS), the Department of Justice (DOJ), the Department of Employment and Learning, (DEL) the Home Office, the UK Human Trafficking Centre (UKHTC), the Gangmaster Licensing Authority (GLA) and An Garda Síochána.

The PPS also assists the Department of Justice in ensuring that Northern Ireland is compliant with relevant European Union Directives. It also co-operates with agencies and organisations that are responsible for monitoring the UK's compliance, for example GRETA – the Group of Experts on Action against Trafficking in Human beings and the Anti-trafficking monitoring group.

The researchers provide several recommendations for improving the identification of human trafficking, including:

- Prioritizing human trafficking identification in communities and law enforcement agencies
- Providing institutional resources specifically for human trafficking
- Using proactive investigation strategies

They also identified several strategies to improve investigations, including:

- Providing adequate and comprehensive victim services, including adequate shelters
- Developing long-term plans to help survivors reintegrate into society
- Improving law enforcement training, especially on interviewing techniques
- Establishing open relationships between police and prosecutors

### **Instruments of International Law**

International law is a powerful conduit for combating human trafficking. The most reputable and recent instruments of international law that have set the course for how to define, prevent, and prosecute human trafficking are the United Nations Convention against Transnational Organized Crime and its two related protocols: the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, and the United Nations Protocol against the Smuggling of Migrants by Land, Sea, and Air, which entered into force in 2003-2004. The United Nations Office on Drugs and Crime (UNODC) created these conventions, which have supported international law's ability to combat human trafficking. In support of enforcing these instruments, the UNODC established the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) in 2007.

Instruments that have dealt with human trafficking date back to the abolition of slavery. They include provisions within the Slavery Convention (1926) and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956). Additional tools of international law that include segments against the trafficking of persons include: the Universal Declaration of Human Rights (1948), the International Covenants on Civil and Political Rights (1966), The United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949), and the Convention on the Elimination of all Forms of Discrimination Against Women

(1979). These instruments laid the foundation for the contemporary conventions and efforts to eliminating trafficking.

International human rights instruments are treaties and other international documents relevant to international human rights law and the protection of human rights in general. They can be classified into two categories: declarations, adopted by bodies such as the United Nations General Assembly, which are not legally binding although they may be politically so as soft law;<sup>[1]</sup> and conventions, which are legally binding instruments concluded under international law. International treaties and even declarations can, over time, obtain the status of customary international law.

International human rights instruments can be divided further into global instruments, to which any state in the world can be a party, and regional instruments, which are restricted to states in a particular region of the world.

Most conventions establish mechanisms to oversee their implementation. In some cases these mechanisms have relatively little power, and are often ignored by member states; in other cases these mechanisms have great political and legal authority, and their decisions are almost always implemented. Examples of the first case include the UN treaty committees, while the best exemplar of the second case is the European Court of Human Rights.

Mechanisms also vary as to the degree of individual access to them. Under some conventions, e.g. the European Convention on Human Rights – individuals or states are permitted, subject to certain conditions, to take individual cases to the enforcement mechanisms; under most, however (e.g. the UN conventions), individual access is contingent on the acceptance of that right by the relevant state party, either by a declaration at the time of ratification or accession, or through ratification of or accession to an optional protocol to the convention. This is part of the evolution of international law over the last several decades. It has moved from a body of laws governing states to recognizing the importance of individuals and their rights within the international legal framework.

The Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights are sometimes referred to as the international bill of rights.

The Council of Europe Convention on Action against Trafficking in Human Beings is a regional human rights treaty of international human rights law by the Council of Europe. The Convention aims to:

- Prevent and combat all forms of human trafficking, including, but not limited to sexual exploitation and forced labour, whether national or transnational, whether or not connected with organised crime.
- To protect and assist victims and witnesses of trafficking.
- To ensure effective investigation and prosecution.
- To promote international co-operation against trafficking.

In particular, the Convention requires national co-ordination measures, awareness raising, measures to identify and support victims and a "recovery and reflection period" during which trafficked persons will not be expelled from the receiving state.

The Convention establishes a monitoring mechanism (the Group of Experts on Action against Trafficking in Human Beings, or GRETA) consisting of 10 to 15 members elected by the states parties.

The Convention opened for signature on 16 May 2005, and entered into force on 1 February 2008. As of June 2017, it has been ratified by 47 European states. Every state in the Council of Europe has ratified the treaty except the Russia. Belarus, a non-Council of Europe state, ratified the convention in 2013. The Convention is also recalled by the Convention on preventing and combating violence against women and domestic violence.

Also, we can see, The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (also referred to as the Trafficking Protocol or UN TIP Protocol) is a protocol to the Convention against Transnational Organised Crime. It is one of the three Palermo protocols, the others being the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol against the Illicit Manufacturing and Trafficking in Firearms.

The protocol was adopted by the United Nations General Assembly in 2000 and entered into force on 25 December 2003. As of September 2016 it has been ratified by 170 parties.

The United Nations Office on Drugs and Crime (UNODC) is responsible for implementing the protocol. It offers practical help to states with drafting laws, creating comprehensive national anti-trafficking strategies,

and assisting with resources to implement them. In March 2009, UNODC launched the Blue Heart Campaign to fight human trafficking, to raise awareness, and to encourage involvement and inspire action.

The protocol commits ratifying states to prevent and combat trafficking in persons, protecting and assisting victims of trafficking and promoting cooperation among states in order to meet those objectives.

### **Compliance with International Law**

One of the most problematic issues of eliminating trafficking is compliance with international law. Measures for compliance with international treaties include signature, ratification, and enforcement of international agreements. Once a state signs and ratifies a treaty, it is subject to monitoring by U.N. committees, which receive input from non-governmental organizations (NGOs). Additionally, states are expected to submit regular reports regarding their level of compliance with the treaty. The United Nations Human Rights Council also issues mandates to thematic working groups, special rapporteurs, and country rapporteurs, which help to monitor compliance with or abuses of certain treaties. As of 2008, there are 143 parties to the United Nations Convention against Transnational Organized Crime, 119 parties to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and 112 parties to the United Nations Protocol against the Smuggling of Migrants by Land, Sea and Air. The Trafficking Protocol is unique from other treaties because it was created as a law enforcement instrument, which, in theory, gives it more influence than aspirational agreements. Provisions within the Trafficking Protocol state that parties must: take action to penalize trafficking, protect victims of trafficking, and grant victims temporary or permanent residence in the countries of destination. Therefore, if a state is a party to the Convention and its Protocols, it has an obligation to create legislation that supports these provisions at the domestic level.

One major distinction of the Trafficking Protocol is that it maintains that persons do not have the right to choose to be trafficked, or for their children to be trafficked. This distinction helps to clarify the line between smuggling and trafficking. However, if the person was smuggled, then kept as a forced laborer, the crime constitutes trafficking. Another aspect of the Trafficking Protocol is that a person does not have to be directly forced or threatened into being trafficked. If a person can prove that he or she had no alternative means other than to comply, then it falls within the provisions of Trafficking Protocol. These aspects of the Trafficking Protocol allow for a broader definition of human trafficking, making compliance more straightforward. Standards about how trafficking victims should be treated are outlined in two comprehensive documents that draw from various international law instruments: the “Human Rights Standards for the Treatment of

Trafficking Persons” and the “Recommended Principles and Guidelines on Human Rights and Human Trafficking.” These two documents were produced to ensure that trafficked persons were treated as victims rather than as criminals. The Special Rapporteur on trafficking in persons, especially in women and children, is one intermediary that works towards ensuring that the victims’ rights are protected, and takes action against violations of these rights. Numerous NGOs throughout the world also take on the complex task of monitoring the violations of human rights with respect to human trafficking. Through the reports generated by these organizations, the U.N. is able to more fully assess who is complying with or in violation of international law.

### **Enforcement of International Law: The Regional Solution**

Success in the global fight against trafficking in drugs and humans, as well as the associated problems of transnational organized crime and money-laundering, required interlocking national, regional and international strategies rooted in global cooperation, the Third Committee (Social, Humanitarian and Cultural) was told today, as it wrapped up its discussion on crime prevention, criminal justice and international drug control.

Throughout the wide-ranging debate, many of the more than 40 speakers emphasized the benefits of a comprehensive approach to combating the threats posed by drug trafficking and organized crime. Peru’s representative said drug trafficking should clearly be fought in a synchronised manner on multiple fronts. Notwithstanding statistics from the United Nations Office on Drugs and Crime (UNODC) that pointed to declines in the global production of cocaine and heroin, anti-drug efforts should be intensified.

He said drug trafficking was not only unavoidably associated with violence and organized crime, it was, in several countries, linked to terrorist activities. It was also connected to other criminal activities, like money laundering, arms and human trafficking, and corruption. Against such a backdrop, he argued, as many other speakers had, that alternative development programmes should be a major pillar of the global effort to curb the drug trade.

Many speakers said that, to ensure their sustainability, such alternative development programmes should be adequately financed and sufficiently expansive in scope. To that end, they welcomed the Political Declaration and Plan of Action adopted at the fifty-second session of the Commission on Narcotic Drugs and applauded its recognition of the need for cooperation between developed and developing countries.

Enforcement of international law in regards to human trafficking is most effective and efficient when it is incorporated into regional and domestic legislation. Regional and domestic instruments that have played a key role in the prevention and elimination of human trafficking include: the United States Victims of Trafficking and Violence Protection Act (2000), the Council of Europe Convention on Action against Trafficking in Human Beings (2008), and the European Convention for the Protection of Human Right and Fundamental Freedoms (1950). Regions throughout the world are also making cooperative efforts to end trafficking. For example, in 2005, the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT), a sub-regional group composed of China, Laos, Thailand, Cambodia, Myanmar, and Vietnam, was established. Its purpose is to create policies for the anti-trafficking measures in the region, allowing each state to create legislation that is in agreement with these provisions. The domestic and regional instruments are aimed to combat human trafficking through provisions that are in line with the international agreements against human trafficking, while tailoring their enforcement and monitoring methods to the needs of the region or state.

For example, in Colombia, CLAUDIA BLUM remarked on the links between illicit drug trafficking and other forms of organized crime, and pointed out that combating the world drug problem required addressing those crimes that generated violence and corruption. Colombia had fought drug trafficking for over three decades, having advanced a comprehensive strategy based on reducing both supply and demand. 2008 was the year with the most achievements, where 230,000 hectares of coca plants were eradicated, which led to a decrease in cocaine production by about a quarter compared to 2007. The Government used aerial spraying and destroyed crops by hand. It also controlled the trade of chemical precursors and set up alternative development projects.

In another country, for example, Cuba, LAUDIA PEREZ ALVAREZ said the global economic and financial crisis had created more favourable environments for criminality. Thus, to fight crime, it was necessary to first fight for a more just and equitable international economic order. No country could tackle terrorism, drug trafficking, trafficking in persons and the operations of money-laundering and arms smuggling alone. Thus, the restructuring of the current international order, along with increased international cooperation was needed. Cuba was totally willing to collaborate in every serious and coherent future effort to fight drug trafficking at regional and international levels. That fight must be based on the full respect for the sovereignty and territorial integrity of States, as well as the understanding that the drug problem could not be solved by focusing on production locations or intermediary centres, but on the consumption points.

## **Enforcement of International Law: Obstacles**

International cooperation in law enforcement has assumed an increasingly important role during the last decade. The reason for this is simple. Just as developments in communications, transportation, and finance have increased international commerce and tourism, they have also increased illicit commerce and criminal exploitation of national boundaries. Incidence of international crime, on an increasingly sophisticated and organized level, has grown rapidly during the last fifteen years and poses substantial problems for law enforcement worldwide.

One lesson the United States has learned is that international crime cannot be effectively fought from inside our borders. We have learned, for example, that we cannot effectively combat narcotics trafficking without the cooperation and assistance of all of those nations which are involved in the traffic of narcotics, and the movement of cash proceeds derived from their sale. The lesson of narcotics trafficking applies with equal force to all other areas of international crime. Thus, it has become common place to observe that cooperation in law enforcement among nations is essential, particularly with those types of crime which are international by nature, such as narcotics trafficking, organized crime, money laundering, and terrorism.

### *Narcotics and Organized Crime*

In the last ten years, U.S. efforts at combatting narcotics trafficking, organized crime activities, and related money laundering have been significantly strengthened by joining forces with many other countries which have common experience with these problems. Today we share information on a daily basis with law enforcement officers in many countries, and we have conducted and are conducting joint investigations and prosecutions leading to the interdiction and dismantling of numerous international criminal cartels.

### *Terrorism*

An initial problem affecting cooperation in terrorism cases is that, although many nations have experienced terrorist incidents, until the recent advent of state-sponsored terrorism such crimes were routinely viewed as domestic or local problems, arising out of local political unrest, or religious, or racial divisions. Most often, therefore, such terrorism problems were dealt with through local political and police channels, and most

countries have been quite resistant to outside interest or participation in these matters, which are often regarded as interference.

In the end, the ingrained political control over the subject of terrorism permeates through all aspects of state responses, and impedes the process of cooperation. The effects of that process are equally evident in the different legal modes of international cooperation.

### *The Political Offense Exception*

In extradition cases, the political offense exception problema comes to the fore when all other aspects of the extradition are met, but the defendant claims that he is being prosecuted for a political offense. The political offense exception to extradition is designed to protect individuals from abuse by barring their return to countries where either the legal system is inherently unfair, where they would be subject to racial or religious discrimination, or where their act was merely one of political expression or opposition.

### *Self-Help*

Given the difficulties inherent in the use of extradition and mutual assistance process in terrorism, it is not surprising that the United States has, in the last several years, resorted to means of "self-help" to secure jurisdiction of terrorists directly.

Anti-trafficking laws are problematic to enforce because victims of trafficking are hesitant to identify traffickers for fear of repercussion. Furthermore, trafficking is a crime that transcends borders, and therefore jurisdictions. Applying international law to a person who resides in another state is a costly and complex endeavor. Additionally, human trafficking usually violates several laws, and is not a one-time event. Building a case against traffickers can take a great deal of time, resources, and energy. In countries where resources are limited, these complexities can hinder enforcement of anti-trafficking laws.

Another dilemma of enforcing anti-trafficking laws is the lack of training of the local enforcement officers within the state. Even if the state has implemented anti-trafficking laws, it is not likely that the border patrol officers, federal agents, and local police officers are well-versed in international or domestic laws in regards to human trafficking. Victims of trafficking are often treated as criminals or illegal immigrants, and either

arrested or deported. Additionally, since trafficking victims are usually not in their country of origin, there is often a language barrier between enforcement officers and the victims, making information-gathering problematic.

The vast resources needed to ensure that the officers are able to properly enforce anti-trafficking laws are limited or unavailable in most states. However, one of the goals of the UN.GIFT is to help build awareness of the issue and provide technical assistance. The assistance would include: draft legislation, manuals for various law enforcement agencies and victims, and fact-sheets for raising awareness. States, such as the United States, have already begun implementing awareness programs for law enforcement officers. Additionally, NGOs throughout the world play a crucial role in raising awareness about and monitoring human trafficking.

### **Actors & Activities in the Anti-Human Trafficking Movement**

In sum, the findings from this study indicate that in general, anti-trafficking actors are taking multiple actions in each type of activity and in each region of the world. However, the relatively low robustness ratios reported above suggest that all types of anti-trafficking actors could expand the range of actions they pursue in each activity, as long as additional actions are appropriate and strategic in light of the actors' political and operational contexts. There may be several reasons why enforcement was the least prevalent anti-trafficking activity worldwide in this study.

A recent news article reported that although thirtythree U.S. states now have anti-trafficking laws, very few convictions have been made (Teichroeb, 2008). Part of the problem is that most of these laws require prosecutors to prove that traffickers used "force, fraud or coercion," except when the victim is a minor.

However, the policy director for state of Washington's Attorney General, claimed that Washington's five-year old anti-trafficking law has only been put to use once (in a pending case) because prosecutors are not getting referrals from police. The reporter's summary of the situation was that "The biggest impediment seems to be that police and prosecutors don't recognize trafficking victims when they encounter them, instead seeing victims of other crimes such as sexual assault" (Teichroeb, 2008).

In a meeting this month regarding the lack of trafficking convictions, officials from Washington's Attorney General's Office, county prosecutors, police, and social service providers agreed more must be done to educate police and prosecutors. Teichroeb reported: "Law enforcement are [sic] not necessarily empathetic

with the victims,' said John Goldman, a former Spokane County sheriff, who trains officers to recognize human trafficking. 'They see it as an immigration problem.'

Prosecutors are more likely to pick 'low-hanging fruit' and file charges they know how to handle, rather than risk an untested law, Goldman said. Police and other first responders also need education in how to elicit information from victims, especially those who don't speak English." Such problems with enforcement of anti-trafficking laws are likely to be common across the US and in at least some other countries.

### **Cases of human trafficking**

Human trafficking is one of the fastest growing criminal industries in United States, but the victims' stories are hard to tell. Many don't want to come forward to authorities, or the media, for fear that they might be killed for telling what they know.

One woman, a 35 year old mother of two little girls, agreed to tell her story to WRAL Investigates, as long as she was not identified. She says she was flown to the U.S. from Mexico after answering an ad online that promised a work VISA and an education scholarship, but that's not what happened when she arrived in Georgia in 2005.

The woman says she was taken from the airport to a home, where she was held captive and forced to perform sex acts. She says other women and children, some of whom spoke languages she was not familiar with, were also held there.

"They raped us anytime they wanted to," she said. "They began to beat us, and I received a lot of hits in my head. When I began to come to and realize what was happening, I didn't have clothes and I was in chains."

The woman says she remained a prisoner for three months.

"There was a lot of torture," she said. "They fractured my arms. They burned me. They burned my legs."

The woman was able to run away, but another woman fleeing with her was not able to escape.

"When we ran from the house, we were stabbed several times, and one of my friends was stabbed in the back and her lung, and she died," the woman said.

After fleeing her captors, the woman was so severely injured, she was in the hospital for months, didn't speak for almost two years and was in a wheelchair for almost three years. Finally, she reached out for help. It's help that she hopes others will now get at places like the Salvation Army, thanks to an increasing amount of attention to this very serious problem

Another case, is the Irina's one, she was working as a waitress at a local coffee for one thousand dollars per month. The mother of Irina had some suspicions but they rapidly assured her that her daughter was under good conditions. Renat warned also the mother of Irina to whom the preparations of the trip that had costed a lot of money and cancelling it would have the cost of one thousand dollars.

Having arrived to her destination, Irina thought that she would not be a waitress but prostitute. They took her passport from her and threatened her to punish her if she denied obeying or was tried to escape. Irina's life turned into a series of rooms of hotel, clubs of alternate, "madams" and clients, until finally she tried to escape. She stole her documents and some money and called to a taxi. As soon as Irina entered the airport, was stopped by the police. One of the "madams" was with the policemen and was claiming that Irina had stolen money from her. Without making questions, the police ordered Irina to return with the "madam". It was resold to another owner of a hotel and punished with a new debt of ten thousand dollars to compensate her bad behavior. When in the Federation of Russia the news that Renat had been arrested after the Irina's mother's claim, new threats and abuses were added.

However Irina did not give up escaping. After six months of martyrdom, finally she managed to put in touch with the Embassy of the Federation of Russia. There she met that her name was figuring in the list of "missing people" of Interpol for months.

With the help of the International Organization for the Migrations (OIM) and the Embassy of the Federation of Russia, Irina was repatriated under safety measures. Her case was investigated by the police and nowadays it is submitted to the courts.

The ONUDD fights against this kind of cases making campaigns of information and tries to reinforce the capacity of the governments to prevent these stories happen again. The projects of the ONUDD offer support to the victims, as Irina, to achieve her reincorporation to the society.

## **Conclusion**

Although human trafficking is a complex issue, the international legal instruments have been implemented to aid trafficking victims and to combat this worldwide epidemic. Even states that are not a party to the United Nations Convention against Transnational Organized Crime and its two related protocols are obligated to protect the rights of trafficked persons under provisions in the Universal Declaration of Human Rights, which comprises customary international law. The issues of compliance and enforcement of anti-trafficking

laws are problematic, but not impossible to overcome. Initiatives through the UN.GIFT will provide supplemental funds to states to combat the issue of trafficking, but states cannot rely solely on UN programs as the solution to human trafficking. Regional efforts are promising, because trafficking is a transnational crime, and coordinated efforts are essential to targeting the sources of trafficking and convicting traffickers. States must honestly recognize their role in combating this world-wide epidemic, because trafficking continues to negatively impact millions of people every year. Trafficking, like pollution, is everyone's problem. The world collectively objected to slavery, and it will require a collective effort once again to abolish the practice of human trafficking.