

anti trafficking review

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Issue—Following the Money: Spending on Anti-Trafficking

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Anti-Trafficking Interventions in Nigeria and the Principal-Agent Aid Model

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Lessons Learnt from 10 Years and 50 Million Dollars of Grant Making to End Human Trafficking

What Would be the Best Way to Use 10 Million Dollars in the Counter-Trafficking Sector?

Strategically Working in Parallel to Traffickers

Prevention and Victim Compensation

Money, Money, Money

review

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ANTI-TRAFFICKING REVIEW

Special Issue

FOLLOWING THE MONEY: SPENDING ON ANTI-TRAFFICKING

Issue 3 September 2014

The *Anti-Trafficking Review* (ISSN 2286-7511) is published by the Global Alliance Against Traffic in Women (GAATW), a network of over 100 NGOs worldwide focused on advancing the human rights of migrants and trafficked persons.

The *Anti-Trafficking Review* promotes a human rights-based approach to anti-trafficking. It explores trafficking in its broader context including gender analyses and intersections with labour and migrant rights. It offers an outlet and space for dialogue between academics, practitioners, trafficked persons and advocates seeking to communicate new ideas and findings to those working for and with trafficked persons.

The *Review* is primarily an e-journal, published annually. The journal presents rigorously considered, peer-reviewed material in clear English. Each issue relates to an emerging or overlooked theme in the field of anti-trafficking.

Articles contained in the *Review* represent the views of the respective authors and not necessarily those of the editors, the Editorial Board, the GAATW network or its members. The editorial team reserves the right to edit all articles before publication.



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Editorial: How is the money to combat human trafficking spent?

Mike Dottridge

This Issue—Following the Money: Spending on anti-trafficking

This edition of the *Anti-Trafficking Review* explores what happens to the money that is allocated by governments and private donors to stop human trafficking and to assist people who have been trafficked.

It has been an honour to play the role of guest editor, though it has not been easy to steer a route between amazement (at the sums apparently involved), concern (at the lack of real insight into how money is allocated and spent) and cynicism (at what appear to be rather modest achievements).

It was challenging for potential authors to choose a method of analysing anti-trafficking spending. Should they simply describe what money is available and the drawbacks of the ways which donors make it available to organisations to use? Some authors take this descriptive approach. Should articles be about the efficiency and effectiveness of aid flows in general, in which case the shortcomings in anti-trafficking funding may mirror the generic flaws in aid flows? Only one author (Ucnikova) has tackled this. Or, should studies focus on the way the purse strings are controlled by a small number of donors who appear poorly informed about the needs of trafficked persons or the factors that cause them to be trafficked? Several of the articles touch on this (e.g. those of Hoff and Nwogu).

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Early on, it became apparent to the editorial team that people working for large organisations with anti-trafficking programmes were wary of contributing articles on this topic. In this sense, although the *Anti-Trafficking Review* aims to promote public debate, we have not yet found the best way of opening up a debate about funding, for practitioners evidently fear that writing about their own sources of funding could result in the tap being turned off! So, it is mainly the Debate section that tackles the question of funding strategies. Even these contributions do not make assessments of the various actors involved (donors and the organisations they fund) in as full and frank a way as is needed.

The articles in this edition represent a start on the topic of anti-trafficking funding, but a great deal remains to be explored.

Data on the Money Allocated to Stop Human Trafficking

Since Issue 2 of the *Anti-Trafficking Review* was published in September 2013, there have been significant developments, intellectual and financial, in the field of anti-trafficking. Along with related issues such as forced labour and modern-day slavery, human trafficking is attracting greater academic interest. As a result, the *Anti-Trafficking Review* was joined in its field early in 2014 by a journal entitled *Slavery Today: A Multidisciplinary Journal of Human Trafficking Solutions*. We welcome this arrival. All of us publishing in this area have a responsibility to ensure that the level of scholarship in our articles is appropriately high and that we contribute to building an evidence base concerning the issues about which we write. This remains a challenge in a field where it is often difficult for practitioners to get a wider perspective about who is doing what and why, and where some authors offer a personal vision of what needs to be done, but without providing as much evidence as they should.

On the funding front, in September 2013 three private foundations announced the establishment of a new Freedom

Fund to support efforts to eradicate what they label as 'modern slavery' (including human trafficking), allocating USD 30 million to the Fund themselves and suggesting the Fund should attract (from others) and spend USD 100 million by 2020. One of the organisations backing this fund, Walk Free, reports that, by its reckoning, donor countries in the Organisation for Economic Co-operation and Development (OECD) are allocating a total of about USD 120 million each year 'to combat modern slavery internationally'.¹ While it is difficult to be sure that every dollar spent on anti-trafficking is counted, it is important to note that to this total must now be added the considerable and increasing funding being made available to the sector outside of normal government aid channels.

A report by the International Labour Organization, *Profits and Poverty: The Economics of Forced Labour*,² estimated in May 2014 that the illegal profits from exploiting forced labour total USD 150 billion each year, indicating that exploitation is an entrenched characteristic of today's global economy. A simplistic sum—dividing these profits by the amount invested in stopping human trafficking—might suggest that not enough is being spent. However, USD 120 million in OECD government spending is already a vast amount to spend when relatively little is known about the effectiveness of much anti-trafficking programming. With so much money available, it seems appropriate that this edition of the *Anti-Trafficking Review* looks at what happens to the money.

A critical problem identified by the editors in assembling this journal is the almost complete lack of transparency among governments, international organisations and civil society concerning funding for anti-trafficking. Some simply refuse to

¹ Walk Free Foundation, Global Slavery Index 2013 — Progress Update (see 'OECD Spending Barometer', retrieved 22 July 2014, <http://www.globalslaveryindex.org/update/#results>). See details of the study in Ucnikova's article in this issue.

² International Labour Organization, *Profits and Poverty: The Economics of Forced Labour*, retrieved 22 July 2014, http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_243201/lang-en/index.htm?shared_from=shr-tls

make current and complete information available. This makes the task of assessing 'value for money' almost impossible.

When potential authors learnt of the theme of this edition, some commented that neither anti-trafficking organisations nor academics had much idea about how much money donors were allocating to support anti-trafficking work. Some were aware that a report by the United States (US) Government Accountability Office in 2006 had estimated that USD 373 million had been budgeted by the US authorities to support anti-trafficking work outside the US in the years 2001–2005,³ but few knew where to obtain up-to-date data.

For this reason, the editor and guest editor took on two unusual tasks. They prepared an article ('Do We Know Where the Money for Anti-Trafficking is Going?') for discussion at a workshop in Europe attended by anti-trafficking practitioners. The editor also prepared a 'Global Funding Information Sheet' containing details of web sources on budget allocations (by government or private donors) or spending that related fairly directly to anti-trafficking. This was disseminated to potential authors and others in July 2013 and a July 2014 version is available at http://www.gaatw.org/publications/ATR_funding_factsheet.07.29.2014.pdf

The 'Global Funding Information Sheet' is a stand-alone piece of research in its own right. It reports on the sums allocated to combating trafficking at the national level in over eighty countries (with some information available from government websites, but mostly only from the US government's annual *Trafficking in Persons Report*). It cites sources for the larger amounts provided by both government and private donors for 'international' spending (in the form of grants to international

³ US Government Accountability Office, Human Trafficking: Better data, strategy, and reporting needed to enhance US anti-trafficking efforts abroad, page 9; 'Report No. GAO-06-825 to the Chairman, Committee on the Judiciary and the Chairman, Committee on International Relations', House of Representatives, Washington DC, July 2006, retrieved 2 July 2014, www.gao.gov/new.items/d06825.pdf

organisations, bilateral aid or grants to organisations operating in one or more countries). It suggests that by 2011, before private donors such as Walk Free and Humanity United began allocating substantial amounts to anti-slavery activities, the annual amount for such 'international' spending topped USD 65 million (including almost USD 15 million by the European Union (EU) and USD 51 million by the US). We hope this information on donor spending will continue to be useful to both researchers and donors.

Thematic Articles Section

Only one author, Ucnikova, reports on funding from a global perspective, presenting information about aid flows from the top twelve aid-donating OECD countries for the decade 2003–2012, though she does not describe changing spending patterns during this period. Reflecting the interests of the organisation where the author works, Walk Free, the article analyses aid flows to the 'anti-slavery' sector without analysis as to how this overlaps with the anti-trafficking sector. She identifies a total of USD 1,238 million spent over ten years, but does not mention how much was contributed by the EU's twenty-eight Member States to the various trafficking-related budgets of the EU, which might take the total over the decade to nearer USD 1,500 million. Not surprisingly, the largest contributions identified by Ucnikova have come consistently from the US, reported as USD 687 million over the decade. More surprisingly, perhaps, the next largest donors are reported to be Norway, estimated at USD 127 million (NORAD figures suggest USD 109 million to the anti-trafficking sector, confirming that government donors are more inclined to account for spending in terms of 'anti-trafficking', than the slavery terminology favoured by this author), and Japan, at USD 112 million. The variations detected among the twelve donors are interesting, though there is little scrutiny of how the aid has been used (notably, the measures conventionally checked by evaluators: 'efficiency', 'effectiveness', 'impact' and 'sustainability'), for the author's view is that the aid allocations

for combating ‘modern slavery’ are inadequate, contrasting the sum of USD 1,238 million with total recorded aid flows of USD 916,407 million during the same decade.

Two articles scrutinise expenditure at a national level. The first, by Sharapov, compares expenditure in two European countries, Ukraine and the United Kingdom (UK), demonstrating how different the expenditure of the two has been and attributing this to the quite different interpretations by the respective governments of what human trafficking involves and what actions are appropriate to stop it. These interpretations are heavily influenced by the countries’ different geographic positions: one (Ukraine) a country from which people have been trafficked (and to which badly abused people have returned home in need of further assistance); the other (the UK), a country of destination where the authorities regard human trafficking as an ‘immigration crime’.

The second country-specific article, by Nwogu, focuses on Nigeria, one of the first countries in Africa to organise an official response to its citizens being trafficked and one of the few with a specialist anti-trafficking law enforcement agency (NAPTIP). The author describes the difficulties she encountered in obtaining data about anti-trafficking allocations and expenditure (with numerous requests left unanswered) and the fact that NAPTIP is still regarded by anti-trafficking specialists outside Nigeria as under-funded, even though other government agencies in Nigeria consider NAPTIP to be far better off than themselves.

The three remaining articles all focus on the predicaments of non-governmental organisations (NGOs) engaged in anti-trafficking work and, in one case, in supporting the rights of sex workers. Surtees and De Kerchove review the experience of a group of NGOs in the Balkans that a private donor, the King Baudouin Foundation (KBF, based in Belgium), financed for almost a decade. KBF’s money went toward a programme to re-integrate trafficked persons, part-financed in recent years by Germany’s Development Cooperation Agency (GIZ). The difficulties experienced (by this network of fifteen NGOs with considerable expertise) in establishing sustainable funding may lead readers

to conclude that they are being punished rather than rewarded for their expertise. The article notes that the situation in 2013 was much the same as in 2006, when the King Baudouin Foundation commissioned an evaluation of anti-trafficking efforts in the Balkans and concluded that, in spite of donors spending millions of euros to combat human trafficking, only limited funds were available to support trafficked persons while they rebuilt their lives.

Hoff reviews the funding challenges experienced by member organisations of La Strada International (LSI). The situation she describes sounds like a game of snakes and ladders, with all manner of restrictions on what can be funded and some major hurdles to jump, such as the US government's anti-prostitution pledge (requiring organisations based outside the US that seek US funding to agree an organisation-wide policy opposing prostitution). The EU's various budgets are reported to be the main source of income for most LSI member organisations, but the EU takes a long time to decide on competitive tenders, so its grants are not helpful when there is a need to react fast to new developments. Hoff worries that a large proportion of donors' resources are channelled via international organisations (where a portion is consumed by administrative costs) and that not enough reaches trafficked persons or local communities. She refers to ways in which specialist anti-trafficking NGOs have been pushed aside, sometimes by government policies (denying NGOs foreign funding) and sometimes when inter-governmental organisations compete with NGOs to provide similar services.

Finally, Clancey, Khushrushahi and Ham describe the experience of a Canadian organisation supporting the rights of sex workers and their difficulties in accessing funds allocated for 'anti-trafficking' in Canada. The authors examine the side-effects of the assumptions and prejudices of anti-trafficking donors, pointing out that several Canadian donors, both private and statutory, make an unwarranted assumption that most women engaged in transactional sex in Canada have been trafficked and frame their calls for applications accordingly. The authors are concerned about the consequences for immigrant sex workers, whom they describe as 'anti-trafficked'. Noting that the Canadian federal

government currently makes CAD 6 million (USD 5,520,000)⁴ available to implement its anti-trafficking plan, the authors reflect on the dilemmas faced by the NGO: should it even apply for funding when the applications are framed in anti-prostitution discourse, and should it dedicate any resources (mainly the time of its volunteers) to challenging the conflation of trafficking with prostitution, instead of concentrating on providing services to the women they support?

The article criticises two specific donors, so the editors wondered whether these should be invited to respond before the article was published. However, as several of the articles report on perceived donors' weaknesses, we concluded that they, along with others mentioned in the *Anti-Trafficking Review* articles, could respond in a future edition, should they wish to do so.

The Debate Section: What would be the best way to use ten million dollars?

The five contributions to the Debate section offer personal views on what strategies should be adopted by donors supporting anti-trafficking initiatives. The contributors were invited to summarise how they thought USD 10 million could best be used. Most of the authors can be seen to be advertising their wares. This was not unexpected, for they were asked to present their personal view on how money should be spent. Indeed, it was desirable, for, in the anti-trafficking field, where strategies seem to be determined more by ideology than by evidence of impact, it is still vital to consider innovative and different ways of investing money in stopping trafficking and the related exploitation. The approaches taken by the five are markedly different, although most mention the importance of donors taking into account both evidence of trafficking and evidence about a project's impact.

⁴ Converted using a rate of CAD 1 = USD 0.92 on 8 August 2014.

Representing a donor already involved in supporting the new Freedom Fund (Humanity United, established in 2005), Newcomb comments on past flaws among donors: their lack of coordination; their aversion to risk (and consequently to financing new and untested methods); and the large amounts spent on public information activities (so-called 'awareness raising'). He calls for more transparency (including 'candour about the failures as well as about the success') and more innovation, requiring donors to sometimes increase the risks they are willing to take to ensure better results.

Friedman emphasises the significance of innovation, but also stresses the importance of achieving results—actual reductions in the number of people trafficked. He uses the example of a single country, Bangladesh, to suggest how donors' money could be used to reach clear conclusions on where future investments should be scaled up. Tournecullert calls on donors and anti-trafficking organisations to analyse the benefits that traffickers offer to their victims, so that anti-trafficking organisations match these advantages—what he calls 'working in parallel' to traffickers. He urges donors to be more flexible and to enable funded organisations to respond rapidly to new trafficking patterns. He comments that closer relationships between donors and the organisations they support would result in greater trust and help bring this about.

Ellinger and Sharma also argue for closer and longer-term relationships between donors and the organisations they fund, along with greater clarity about each project's expected results. They want more benefits to accrue directly to trafficked persons and other migrants (implying that less should go to the various actors in the anti-trafficking industry and the criminal justice system). Finally, Varia argues her case specifically with respect to migrant domestic workers, concluding that too much emphasis has been given over the past decade to funding criminal justice responses, at the expense of prevention, protection, compensation and rehabilitation. She argues that extra money should be channelled specifically to benefit victims of abuse and potential victims (i.e., on compensation and prevention). She suggests priority be given to upholding basic labour rights in sectors of employment where these are neglected and would

allocate funds specifically to workers' rights groups 'to keep relentless pressure on governments' to enact required changes.

Concluding Remarks

Readers will detect some common messages from our authors: large amounts of money are available, but the proportion available to pay for assistance is far too small. None of the authors specialise in criminal justice responses, so, not surprisingly, they comment that the proportion of anti-trafficking funds allocated to developing criminal justice systems is too great. But only one article (Nwogu) comes close to reviewing these proportions in any detail.

In general, donors are criticised as too bureaucratic and inflexible, and for not insisting that better evidence is made available about the results of activities that have been funded. However, none of our authors tackle the thorny question of how donors should reach agreement on what is 'effective' and on the lack of consensus on this at international level.

In view of the theme for this edition, it is surprising that no authors chose to focus on how money intended to stop human trafficking has been used inappropriately (for some certainly has). For example, a court case in the US state of Missouri in 2012 criticised two NGOs for failing to use donations for the intended purpose (stopping child trafficking). In May 2014 the magazine *Newsweek* carried a headline, 'Sex, Slavery and a Slippery Truth' (*Newsweek*, 21 May 2014), suggesting that the founder of a Cambodian anti-trafficking NGO had told lies about her own past to secure international support and funding for her organisation.⁵ On a rather larger scale, we received no articles about the ways in which United Nations (UN) organisations used a donation of USD 15 million from the Emirate of Abu Dhabi (in the United Arab Emirates), known as the UN Global

⁵ The NGO concerned raised and spent more than USD 3 million a year in 2010 and 2011. See: <http://www.somaly.org/financials> (retrieved 8 August 2014).

Initiative to Fight Human Trafficking (UN.GIFT), that was intended to provide key support for international efforts to stop human trafficking. Talking to those involved and reading between the lines of an evaluation of the UN.GIFT, one gets the impression of a huge missed opportunity, with money used neither efficiently nor effectively.⁶ The view expressed by Newcomb in the Debate section suggests that anti-trafficking organisations need to find ways of expressing collective disapproval of 'bad practice', so that criticism is not perceived to be simply ideological or personal.

Both the 'Global Funding Information Sheet' and the article by Ucnikova confirm that substantial amounts continue to be allocated by some governments to stopping human trafficking. However, virtually no analysis has been carried out about which second-tier organisations are the main beneficiaries or how many tiers there are in the sub-contracting hierarchy before money is put to use (and what proportion of the money is consumed by the administrative charges of the various organisations involved), though the information published by the US Office to Monitor and Combat Trafficking in Persons concerning the USD 19.3 million allocated in grants for the US fiscal year 2013 shows that 44% went to international organisations, where staff costs are high.

Anti-trafficking practitioners probably have little interest in doing this sort of analysis, so we will have to hope that academics or donors will take up the challenge. Still at the macro level, none of our articles analyse the purposes for which anti-trafficking money has been used; for example, what proportions are intended for different purposes, such as law enforcement, prevention or protection/assistance. Consequently, we are still unable to answer some basic questions about the strategic use of donors' money: has there been an overall reorientation over the past five years

⁶ The official evaluation (In-depth evaluation of the United Nations Global Initiative to Fight Human Trafficking) was accessed on 30 June 2014 at http://www.unodc.org/documents/evaluation/indepth-evaluations/Indepth_evaluation_of_the_United_Nations_Global_Initiative_to_Fight_Human_Trafficking_2011.pdf

from focusing on the sex industry to other sectors where trafficking and forced labour occur? Is less money (or more) being allocated in 2014 to pay for assistance to trafficked persons than in previous years and what are the reasons for any changes?

Finally, for advocates of human rights, it remains clear that aid flows to stop human trafficking continue to be decided with next-to-no consultation with the main people concerned—those who are trafficked. Immense challenges lie ahead when donor decisions still do not appear to be anchored in human rights considerations or even in meaningful evidence about results.

Mike Dottridge, 6 August 2014

Mike Dottridge is the former director of Anti-Slavery International (1996–2002), resident in the United Kingdom. He is the author of numerous publications on child trafficking, child labour and human trafficking and has worked as a consultant for several international organisations and non-governmental organisations. In 2002, he was one of a group of UN ‘experts’ convened to prepare the United Nations (UN) High Commissioner for Human Rights’s *Recommended Principles and Guidelines on Human Rights and Human Trafficking*. He is currently a trustee on the UN Voluntary Fund on Contemporary Forms of Slavery. On various occasions he has criticised the harm provoked by poorly designed anti-trafficking initiatives and in 2007 edited the Global Alliance Against Traffic in Women’s publication entitled *Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World*.

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Thematic Articles

Giving us the ‘Biggest Bang for the Buck’¹ (or Not): Anti-trafficking government funding in Ukraine and the United Kingdom

Kiril Sharapov

Abstract

The focus of this paper is on government anti-trafficking policies and funding allocations in two case-study countries, Ukraine and the United Kingdom (UK). The paper discusses specific ways, or ‘vectors’, in which human trafficking has been discursively constructed by national policies and the solutions that have been offered to counteract it. It relies on publicly available information and information obtained via Freedom of Information requests from public authorities in these countries to explore the extent to which anti-trafficking funding allocated by national governments supports or unsettles such representations. A broader definition of human trafficking has been encoded into anti-trafficking policies in Ukraine, implicating migratory pressures and violation of irregular migrants’ human rights as the root causes of trafficking. However, the ability of the government to act upon this definition is limited by the ongoing socio-economic and political crises in Ukraine. This is in comparison to the politicised construction of trafficking by the UK government as a threat from international organised crime and ‘illegal’ immigration. The paper concludes that governments in both

¹ In the 2013 United States (US) Department of State Trafficking in Persons (TIP) funding call, Luis CdeBaca, US Ambassador-at-Large to Monitor and Combat Trafficking in Persons, explained: ‘We aim to support projects that will give us *the biggest ‘bang for the buck’*’ (see: US State Department, *FY 2014 J/TIP Solicitation*, retrieved 3 December 2013, <http://www.state.gov/j/tip/rls/rm/2013/215003.htm>)

countries put their anti-trafficking money where ‘their mouths are’: crime, immigration and victim care in the UK, and awareness raising, victim care and training of ‘frontline professionals’ in Ukraine.

Key words: human trafficking, migration, neoliberalism, human rights, policy analysis

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Introduction

In exploring ‘where the money goes’ within the context of government anti-trafficking policies in Ukraine and the United Kingdom (UK), this article departs from the accepted representations of human trafficking in Western policy-making and some scholarly work as a phenomenon in its own right—‘modern slavery’—which, as its ‘old’ predecessor, can be fully understood and eradicated. Instead, the article approaches trafficking as an outcome and, at the same time, a reflection of structural problems generated by, in Bauman’s words, ‘profit-driven, uncoordinated and uncontrolled globalisation’ and neoliberal economic growth, which ‘does not translate into the growth of equality’.² Within this context, the paper explores how anti-trafficking policies in the UK construct trafficking as an issue of crime, immigration and victim suffering; whilst in Ukraine, it is explained, predominantly, by low awareness of trafficking and exploitation of Ukrainian migrant workers abroad. The paper argues that the corresponding allocations of government funding serve to stabilise such unilinear representations, rather than approach trafficking as a symptom of normalised relations of exploitation

² Z Bauman, *Collateral Damage: Social Inequalities in a Global Age*, Polity Press, 2011, p. 50.

folded into the everyday reality of the modern capitalist way of life, where ‘race’, ethnicity, nationality, gender and immigration status remain social and economic referents of becoming a ‘casualty’ in ‘the inflammable mixture of growing social inequality and the rising volume of human suffering marginalised as “collateral”’.³

The two case-study countries were selected on the basis of their geopolitical location (European Union/non-European Union), their relation to the flow of trafficked people and irregular migrants in Europe (destination/origin), their different approaches to conceptualising what human trafficking is, and the ideological and politicised construction of the UK borders’ vulnerability to the threat of the ‘wrong people’⁴ coming from countries such as Ukraine. Methodologically, the paper relies on a combination of publicly available information on anti-trafficking government funding allocations in Ukraine and the UK, and, given the scarcity of the data available in the public domain, on the information obtained via Freedom of Information (FOI) requests submitted to public authorities in both countries. Critical discourse analysis⁵ was employed to analyse these documents to identify predominant themes, or vectors, within national anti-trafficking policy discourses: what trafficking is represented to be, and what solutions are offered within the policy-making discourses. The anti-trafficking funding allocations are then analysed within the contexts of these discourses to explore the extent to which they reinforce such specific representations and ‘truths’ of what trafficking is and how it can be eliminated. The ‘endpoint’ for the policy analysis in this paper is November 2013; any subsequent policy developments in the case-study countries have not been reflected upon.

³ Ibid.

⁴ Further references to ‘the wrong people’ are based on the language used by the UK government in its 2011 Human Trafficking Strategy. In advocating the strengthening of the UK border as one of the primary means of combating human trafficking, the Strategy suggests that only ‘the right people’ should be ‘allowed to come to the UK’, making the UK border impenetrable for, one may assume, ‘the wrong people’. See: UK Government, *Human Trafficking: The government’s strategy*, TSO, 2011, p. 17.

⁵ N Fairclough, *Critical Discourse Analysis: The critical study of language*, Routledge, 2010.

Anti-Trafficking Policies: What is trafficking represented to be?

Anti-trafficking policy-making arenas represent a space where diverse and conflicting motivations, perspectives and interests by anti-trafficking 'stakeholders' come together to produce specific discourses to define what human trafficking is and how to fight it. Formalised in international and national policy documents, reinforced by powerful media imagery of abuse, suffering and rescue,⁶ and organised around the dichotomies of legal/illegal, trafficking/smuggling, freedom/slavery, forced/voluntary, these circuits of knowledge translate into regimes of expertise and control directed at:

- Men and 'women and children'⁷ exploited for their labour, who, when 'rescued'⁸ and assessed to be 'genuine victims', may receive care they 'deserve', or, otherwise, are prosecuted for any offences they committed and 'repatriated' to their country of origin;
- Criminals, blamed for human trafficking, acting as organised groups;
- In some contexts, men who pay for sex;
- Almost never at consumers of non-sexual goods and services provided by victims of trafficking or exploited migrant workers;⁹

⁶ R Galusca, 'Slave Hunters, Brothel Busters, and Feminist Interventions: Investigative journalists as anti-sex-trafficking humanitarians', *Feminist Formations*, vol. 24(2), 2012, pp.1-24; J L Small, 'Trafficking in Truth: Media, sexuality, and human rights evidence', *Feminist Studies*, vol. 38(2), 2012, pp. 415-443; R Weitzer, 'The Social Construction of Sex Trafficking: Ideology and institutionalization of a moral crusade', *Politics & Society*, vol. 35(3), 2007, pp. 447-475.

⁷ A term coined by Cynthia Enloe to refer to the infantilised collective subject 'womenandchildren' who are accustomed to being 'helped' by society or men. See: C Enloe, 'Womenandchildren: Making feminist sense of the Persian Gulf Crisis', *The Village Voice*, 25 September 1990.

⁸ Due to the scope of this paper and word limit, inverted commas are used to highlight the contested meaning of a term or concept without providing a discussion of their contested nature.

⁹ For labour exploitation within the context of 'continuum', see: C Skrivankova, *Between Decent Work and Forced Labour: Examining the continuum of exploitation*, Joseph Rowntree Foundation (JRF), 2010.

- Rarely at businesses benefiting from exploitable labour directly or through the various patterns of offshoring;¹⁰ and
- Never at national governments for their role in producing the condition of migrant irregularity through the neoliberal policies of ‘managed migration’¹¹ and regimes of ‘differential rights’.

Individualised and presented as a story of abuse, powerlessness and suffering, such representations are unable to capture the complexities of individual decisions to migrate or acknowledge the location of migrants on the continuums of agency, ‘irregularity’¹² or free-forced labour.¹³ On a structural level, the dominant anti-trafficking discourse fails to recognise trafficking as one of the symptoms of ‘fundamentally illiberal realities of self-conceived liberal societies’,¹⁴ in which the distribution of wealth is patterned by rigid systems of social stratification on the basis of gender, nationality, ‘race’, ethnicity and dis/ability.

Anti-trafficking policies, including national policies in the UK and Ukraine, indicate the recognition of trafficking as a problem in need of institutional and policy responses. Problem recognition and subsequent agenda-setting are, however, inherently political processes with actors outside and within governments attempting to shape the agenda. The scope of this paper does not permit a detailed analysis of how the dominant international and national anti-trafficking discourses evolved. However, some of the major contextual influences upon anti-trafficking developments in the UK and Ukraine will be mentioned, followed by an overview of what trafficking is represented to be by the anti-trafficking policies in these countries.

¹⁰ See: J Urry, *Offshoring*, Polity, 2014.

¹¹ See: M Geiger and A Pecoud (eds.), *The Politics of International Migration Management*, Palgrave Macmillan, 2012.

¹² V Squire, ‘The Contested Politics of Mobility’ in V Squire (ed.), *The Contested Politics of Mobility: Borderzones and irregularity*, Routledge, 2012.

¹³ B Anderson and R Andrijasevic, ‘Sex, Slaves and Citizens: The politics of anti-trafficking’, *Soundings*, vol. 40, 2008, pp. 135–145.

¹⁴ J O’Connell Davidson, ‘Troubling Freedom: Migration, debt, and modern slavery’, *Migration Studies*, vol. 1(2), 2013, p. 177.

National Anti-Trafficking Policies: Contextual influences

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children¹⁵ (Trafficking Protocol) remains the most significant anti-trafficking agenda-setting document internationally. It has been near universally adopted as a guiding framework for the development of national legislative and policy responses. In keeping with the spirit, though not necessarily the exact text of the Protocol, these developments follow a narrow interpretation of trafficking as applying primarily to women and children; trafficked across international borders for the purposes of sexual exploitation, and perceived as victims, requiring assistance and help. Within politicised and ideological contexts of national politics, this interpretation materialised into a crime-immigration-victim assistance triad of national anti-trafficking policies imbued with racial, sexualised and colonial undertones, and accompanied by a media panic of victimhood and rescue.¹⁶

At the national level, non-governmental organisations (NGOs) were among the first to recognise human trafficking as a problem in need of government response. In the UK, four NGOs—Amnesty International, Anti-Slavery International, the National Federation of Women's Institutes and United Nations Children's Fund (UNICEF) UK—came together to urge the government to sign up to the Council of Europe Convention,¹⁷ which guaranteed assistance to victims of human trafficking. The initial framing of trafficking as an issue of human rights, slavery, and violence against women and children coalesced, nevertheless, around vulnerability and victimhood. In response, the UK government has been actively engaging in its own process of meaning-creation by constructing trafficking as a problem of organised crime and illegal immigration within

¹⁵ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000.

¹⁶ L M Agustin, *Sex at the Margins: Migration, labour markets and the rescue industry*, Zed Books, London, 2007.

¹⁷ Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, CETS No: 197, 2005.

the paradoxical context of the growing reliance on low-paid exploitable migrant labour on the one hand,¹⁸ and the continuing racialisation¹⁹ of immigration policies, tabloid journalism and public opinion in the UK, on the other. The use of ‘stratified rights’²⁰ as an integral part of the UK government’s attempt to ‘manage migration’, the increasing public hostility towards migrant workers,²¹ the continuing de-regulation of the UK labour market,²² and the promotion of market and self-reliance values by the government represent some of the key elements of the context within which anti-trafficking policies are being developed and implemented.

Similar to the UK, Ukrainian NGOs played a key role in the anti-trafficking agenda-setting, including La Strada Ukraine, which became one of the leading national anti-trafficking organisations and, through the wider network of La Strada International, in Eastern Europe and the former Soviet Union.²³ The complexity of the ongoing socio-economic and political

¹⁸ A Geddes, et al., *Forced Labour in the UK*, JRF, 2013.

¹⁹ Fox, Morosanu and Szilassy define ‘racialisation’ as occurring ‘when the category of ‘race’ is invoked and evoked in discursive and institutional practices to interpret, order, and indeed structure social relations. ‘Race’ in this sense is not an essential trait of migrants, but rather the socially constructed contingent outcome of processes and practices of exclusion... Racialization does not require putative phenotypical or biological difference; it can also make use of (and/or construct) cultural traits as a basis of differentiation.’ See: J E Fox, L Morosanu and E Szilassy, ‘The Racialization of the New European Migration to the UK’, *Sociology*, vol. 46(4), 2012, pp. 680–695.

²⁰ ‘Stratified rights’ are understood as a system of legal statuses ‘which governs eligibility for particular rights; the actual realisation of rights formally associated with these different locations; and the shifting character of the whole regime both with respect to the delivery of rights and the broader practice of governmentality’. See: L Morris, ‘Britain’s Asylum and Immigration Regime: The shifting contours of rights’, *Journal of Ethnic and Migration Studies*, vol. 28(3), 2002, p. 410.

²¹ European Commission against Racism and Intolerance (ECRI), *ECRI Report on the United Kingdom*, Council of Europe, 2010.

²² See M Wilkinson and G Craig, ‘Willful negligence: Migration policy, migrants’ work and the absence of social protection in the UK’ in E Carmel, A Cerami, T Papadopoulos (eds.), *Migration and Welfare in the New Europe: Social protection and the challenges of integration*, Policy Press, 2012.

²³ A Hrycak, ‘Foundation Feminism and the Articulation of Hybrid Feminisms in Post-Socialist Ukraine’, *East European Politics and Societies*, vol. 20(1), 2006, pp. 69–100.

transformations in Ukraine has had a profound impact on the dynamics of internal and external migration, and, consequently, on the way in which trafficking has been conceptualised as a problem. The World Bank places Ukraine at number two among the top ten emigration and immigration countries in Europe in 2010, with an estimated 6,563,100 emigrants and 5,272,500 immigrants (14.4% and 11.6% of the population respectively).²⁴ Similar to other countries with high levels of overseas employment, outgoing labour migration is an integral and indispensable feature of the Ukrainian economy as a remittance-based external source of capital.²⁵ Anti-trafficking policy developments in Ukraine have also been shaped by growing problems of racism,²⁶ bleak economic outlooks, political instability and the continuing displacement of people due to increasing socio-economic inequality in the region.

The role of national framing contexts and of larger frameworks of neoliberal movements of labour, resources and capital globally remain largely unacknowledged within official anti-trafficking discourses. These discourses represent human trafficking as an aggregation of individual acts of deceit, criminality, abuse and rescue rather than a direct consequence of a neoliberal system, which organises social, economic and political life around the neoliberal view that 'bodies and values are stakes in individual games of chance and that any collective agency (other than the corporation) is an impediment to the production of value'.²⁷ Within this context, the UK government's suggestion that UK businesses are exploited by traffickers and their enablers to 'run their trade'²⁸ signifies a normative direction around which anti-trafficking policies in the 'developed world' are being built, normalised and stabilised by funding allocations.

²⁴ World Bank, *Migration and Remittances Factbook 2011*, Washington DC, 2011, p. 25.

²⁵ OECD, *International Migration Outlook*, 2006, p. 140

²⁶ ECRI, *ECRI Report on Ukraine*, Council of Europe, 2010.

²⁷ E Povinelli, *Economies of Abandonment: Social belonging and endurance in late liberalism*. Duke University Press, 2012, p.183.

²⁸ UK Government, *Human Trafficking: The government's strategy*, TSO, 2011, para. 19, p. 8.

Human Trafficking Policies in Ukraine and the UK: Definitional and anti-trafficking vectors

Aradau,²⁹ in discussing the politicisation of trafficking as a socially constructed category, applies the concept of ‘vectoring’ to metaphorically describe a force acting in a certain direction. This article uses the notion of vectoring to foreground some elements of migration, crime and prostitution that get heavily vectored into representations of human trafficking in ‘specific institutional configurations and in economic, social and political processes’. Drawing upon this approach, the following policy documents from Ukraine were analysed and coded using NVivo software to identify key themes, or vectors, embedded in these policies: Law of Ukraine ‘On Combating Trafficking in Human Beings’,³⁰ State Targeted Social Programme on Combating Trafficking for the period until 2015,³¹ Annual³² and Half-Annual Reports³³ on the State of Implementation of the State Programme, and thirty-seven responses to FOI requests submitted to central ministerial departments, regional administrations and police forces.

Qualitative critical discourse analysis has yielded the following ‘trafficking as an issue of’ vectors in Ukrainian policies. Trafficking is a matter of:

- Low awareness of human trafficking and dangers of labour exploitation among migrants (these include Ukrainian citizens intending to seek employment abroad), general public, and ‘frontline’ professionals;
- Labour exploitation of Ukrainian citizens abroad including violation of their human rights;
- Crime and crime control;

²⁹ C Aradau, *Rethinking Trafficking in Women: Politics out of security*, Palgrave Macmillan, Basingstoke, 2008, p.14.

³⁰ Parliament of Ukraine, *Law of Ukraine ‘On Combating Trafficking in Human Beings’*, 2011.

³¹ Government of Ukraine, *State Targeted Social Programme on Combating Trafficking in Human Beings for the period until 2015*, 2012.

³² Government of Ukraine, *Annual Report on the State of Implementation of the State Programme in 2012*, 2012.

³³ Government of Ukraine, *Half-Annual Report on the State of Implementation of the State Programme in 2013*, 2013.

- Lack of employment opportunities in Ukraine as a factor in both external and internal migration;
- Vulnerability of certain groups of population to exploitation; and
- Domestic violence and gender-based discrimination.

A number of *anti*-trafficking vectors—‘trafficking can be eliminated by’—were also identified. These represent the main directions of the Ukrainian authorities’ anti-trafficking work and respond to how the problem of trafficking was discursively constructed in the first place:

- Development of legislation, policies and institutions at central and regional levels;
- Law enforcement and crime control to disrupt trafficking and related crimes;
- Management of external and internal labour migration processes;
- Labour market initiatives to reduce vulnerability of unemployed persons to forced labour;
- Awareness raising;
- Partnership with NGOs;
- Provision of protection and support to victims of trafficking aimed at ‘reinstating’ their human rights; and
- Cooperation with international law enforcement agencies.

In a similar way, the following UK policy documents and responses were analysed—Human Trafficking: The Government’s Strategy;³⁴ Human Trafficking: Inter-Departmental Ministerial Group Reports 2012³⁵ and 2013;³⁶ seventy-two responses to FOI requests from central ministerial departments, thirty largest (by population) local councils in the UK, and all of the forty-five territorial police forces. All requests were submitted as part of the UP-KAT project

³⁴ UK Government, *Human Trafficking*.

³⁵ UK Government, *First Annual Report of the UK Government Inter-Departmental Ministerial Group on Human Trafficking*, TSO, 2012.

³⁶ UK Government, *First Annual Report of the UK Government Inter-Departmental Ministerial Group on Human Trafficking*, TSO, 2013.

research.³⁷ Vectors identified in ‘trafficking as an issue of’ were:

- International organised crime: with criminals ‘targeting the UK from overseas’ to maximise the exploitation of victims and evade law enforcement;
- ‘Illegal’ immigration with the majority of immigrants bearing responsibility for ‘illegal’ border crossing and therefore liable to prosecution; a minority of whom—subjected to force, threats or deception—may be recognised as victims of human trafficking;
- Threat: UK and its borders are targeted by organised criminals and ‘illegal’ immigrants;
- Prostitution and brothels linked to organised crime networks, and men who pay for sexual services from trafficked women;
- Victims: naïve, desperate and powerless;
- Poverty, poor education and lack of employment in countries of origin making ‘some individuals’ more vulnerable to exploitation.

The key *anti*-trafficking vectors include:

- Strengthening the UK border—using ‘immigration powers to remove foreign nationals’, ‘closely scrutinising’ and ‘systematically targeting’ anyone suspicious ‘who plans to cross our border’;
- Targeting criminals and ‘*their* victims’;
- Rescuing and caring for ‘genuine victims’;
- Addressing ‘poverty, war, crisis and ignorance’ in countries of origin via project-based development assistance and cooperation with their governments.

The ‘what’s the problem represented to be’ approach to policy analysis by Bacchi suggests that what policies do not say is as important as what they postulate about the ‘problem’.³⁸ The

³⁷ UP-KAT, ‘Understanding Public Knowledge and Attitudes towards Trafficking in Human Beings’ is funded by the FP7 EU Programme and led by Kiril Sharapov. For more information, see: <http://cps.ceu.hu/research/trafficking-in-human-beings> (retrieved 6 August 2014).

³⁸ C Bacchi, ‘Policy as Discourse: What does it mean? Where does it get us?’ *Discourse: Studies in the cultural politics of education*, vol. 21(1), 2010, pp. 45–57.

scope and purpose of this paper do not allow further discussion of policies as 'fictions' offering a specific—partial and incomplete—version of truth. However, some of the omissions from the anti-trafficking policies in the UK and Ukraine must be mentioned to foreground the discussion of anti-trafficking funding allocations.

In recent years, critical accounts have emerged appraising the role of symbiotic 'nation state-corporate power' formations within neoliberal systems of inequality, which demand and benefit from low-paid labour provided by irregular, informal workers.³⁹ The role of the UK government, businesses and consumers⁴⁰ in what Berman describes as 'an economy of "irregular" migration in the interests of global labour markets'⁴¹ remains one of the key silences in the UK anti-trafficking policy. The UK government has failed to take any meaningful action⁴² in response to the growing evidence of UK companies' reliance on forced labour—directly or through outsourcing and subcontracting.⁴³ Anti-trafficking policy in Ukraine, although limited in its capacity to deliver meaningful change given the scale and geography of migratory movements in and out of Ukraine and the deteriorating economic and political situation in the country, introduces a broader understanding of what human

³⁹ D Harvey, *A Brief History of Neoliberalism*, Oxford University Press, 2005; R Cohen, *Migration and Its Enemies: Global capital, migrant labour and the nation-state*, Ashgate, 2006.

⁴⁰ Guardian, 'Who Pays the Price for our Cheap Goods?' *The Observer*, 13 October 2013; G Wylie and P McRedmond, 'Introduction: Human Trafficking in Europe' in G Wylie and P McRedmond (eds.) *Human Trafficking in Europe: Character, causes and consequences*, Palgrave Macmillan, 2010, p. 8.

⁴¹ J Berman, *Biopolitical Management, Economic Calculation and 'Trafficked Women'*, *International Migration*, 48: 84–113, 2010, p. 86.

⁴² Phillips discussing the culling of transparency in UK company supply chains in the Eradication of Slavery Bill by the UK Parliament in 2013, in N Phillips, *The Transparency in UK Company Supply Chains Bill: Three lessons*, 28 June 2013, retrieved 20 February 2014, <http://thetraffickingresearchproject.wordpress.com/2013/06/28/the-transparency-in-uk-company-supply-chains-bill-three-lessons/> or the UK government's failure to introduce a legally binding requirement for companies to monitor supply chains in its Draft Modern Slavery Bill, see: <https://www.gov.uk/government/publications/draft-modern-slavery-bill> (retrieved 6 August 2014).

⁴³ See: S Scott, G Craig, A Geddes, *The Experience of Forced Labour in the UK Food Industry*, JRF, 2012; S Scott, G Craig, A Geddes with L Ackers, O Robinson and D Scullion, *Forced Labour in the UK*, JRF, 2013.

trafficking is. By linking it with push and pull factors of migration, including poverty, unemployment and gender-based violence on the one hand, and exploitation of migrant workers and violation of their human rights on the other hand, the policy makes a clear connection between trafficking and broader socio-economic and political processes, ignoring, however, the structural context of neoliberalism which, unacknowledged, constrains what the policy can achieve irrespective of its funding priorities discussed below.

Anti-Trafficking Funding in Ukraine

The Ukraine's State Programme⁴⁴ provides for anti-trafficking activities to be funded from a variety of sources, central and local budgets, and in accordance with its three-year funding allocation plan for 2013–2015.⁴⁵ In the process of qualitative analysis, activities envisaged by the programme and corresponding funding allocations were coded into the twelve categories listed in Table 1 (on p. 29). The available evidence suggests that not all of the activities have been allocated direct funding, as they remain 'mainstreamed' into operational budgets of respective government agencies. These included some of the key anti-trafficking vectors, such as law enforcement in relation to human trafficking, activities to stop prostitution (as a remit of regional law enforcement units), and a range of activities which can be broadly clustered under 'labour migration', such as awareness raising among unemployed Ukrainian citizens and those intending or seeking employment abroad. Table 1 indicates that the largest proportion of the planned anti-trafficking funding in Ukraine is allocated to victim care and assistance, followed by awareness raising, and training of frontline professionals.

The extent to which the actual spending conforms to the priorities identified by the State Programme, i.e. whether

⁴⁴ Government of Ukraine, *State Targeted Social Programme*.

⁴⁵ The exchange rate of USD 1 = UAH 8,21 (7 December 2013) was used in all subsequent calculations involving Ukrainian Hryvna.

the amounts budgeted have actually been formally allocated, is difficult to assess on the basis of the available information. However, a range of activities undertaken by Ukrainian authorities as listed in the analysed documents suggests that there has been a concerted effort by the central and regional governments to commit resources, though limited in terms of their monetary value, to the main priorities identified by the Programme. The effectiveness of these undertakings in preventing trafficking and assisting victims, described in the Ukrainian legislation as 'persons who suffered from [the process of] the sale of people', is yet to be evaluated by the government itself or independently.

Table 1: Anti-Trafficking Activities Envisaged by the State Programme of Ukraine and Corresponding Funding Allocations (including central and local budgets, and other sources)⁴⁶

Activities Envisaged by the State Programme of Ukraine	Planned funding for the whole programme (2013-2015)		Planned funding for 2013	
	USD	%	USD	%
Institution building	-	-	-	-
Monitoring of implementation	96,588	9.62	30,639	9.58
International cooperation	-	-	-	-
Partnership work with NGOs	-	-	-	-
Victim care	445,890	44.41	141,438	44.22
Research	19,885	1.98	557	0.17
Training	215,482	21.46	68,047	21.27
Awareness raising	219,659	21.88	77,092	24.10
Addressing vulnerability	6,548	0.65	2,077	0.65
Labour migration	-	-	-	-
Activities to stop prostitution	-	-	-	-
Law enforcement	-	-	-	-
Overall:	USD 1,004,052	100%	USD 319,848	100 %

⁴⁶ The data grouped, summated and presented in Table 1 have been drawn from the State Targeted Programme.

In addition to the analysis of the Programme, the following central ministries and departments were contacted to obtain information on anti-trafficking policies, budgets and activities in 2012 and 2013: Ministries of Social Policy, Foreign Affairs, Internal Affairs, Health, Youth and Sport, Culture, Justice, State Border Guard Service of Ukraine and State Migration Service—all designated as responsible for the implementation of the Programme. Three Ministries—Foreign Affairs, Youth and Sport, and Culture returned ‘no information held’ responses. The State Border Service and the State Migration Service of Ukraine received no dedicated anti-trafficking funding in 2012 or 2013.

The Ministry of Internal Affairs—one of the two central departments designated within the Programme to receive dedicated anti-trafficking funding—provided an overview of its anti-trafficking activities in the first eight months of 2013. However, it failed to provide any information on anti-trafficking funding or budgets. The direct anti-trafficking allocation to the Ministry earmarked by the Programme comprises USD 108,877 for 2013–2015, including USD 34,526 to be allocated in 2013.⁴⁷ It is not clear whether this funding was in fact allocated from the under-performing state budget.

The Ministry of Health received no dedicated anti-trafficking state funding in 2012 or 2013; medical assistance to victims of trafficking however was provided free of charge. The Ministry was to receive USD 102,314 from the International Organization for Migration to enable the provision of medical services to victims at one of its specialised hospitals.⁴⁸

The Ministry of Social Policy, as a national anti-trafficking coordinator in Ukraine, received no dedicated anti-trafficking funding from the State Budget of Ukraine in 2012; however, USD 50,183 was allocated from local budgets.⁴⁹ The Programme has purportedly allocated USD 256,119 directly to the Ministry

⁴⁷ Government of Ukraine, *State Targeted Social Programme*.

⁴⁸ As indicated in the official response by the Ministry of Health to a FOI request.

⁴⁹ As indicated in the official response by the Ministry of Social Policy to a FOI request.

for the period 2013–2015, including USD 87,693 planned for 2013. But only USD 62,119 was allocated in 2013;⁵⁰ it also remains unclear how each of the Ministries identified by the Programme as direct recipients of anti-trafficking funding (Social Policy and Internal Affairs) was to benefit from this allocation.

In addition, the Programme provides for USD 111,341 to be allocated from ‘Other Sources’ in 2013.⁵¹ However, the national anti-trafficking coordinator has not made any information available on what these sources are and how much money has been allocated.

In terms of its administrative division, Ukraine is subdivided into twenty-seven regions, with all of them designated as responsible for the implementation of the Programme. Subsequently, twenty-seven FOI requests were sent requesting information on the availability of dedicated anti-trafficking policies, funding and activities in 2012 and 2013. Seventeen responses were received: one administration with no dedicated anti-trafficking programme or funding, four administrations where activities were undertaken and mainstreamed through day-to-day budgets, one administration which provided data for 2013 only, and eleven administrations which provided data for both 2012 and 2013. In 2012, USD 35,549 was allocated by ten regional administrations; for 2013, USD 57,698 was planned by eleven regional administrations.⁵² A range of anti-trafficking activities undertaken or planned for 2013 included: awareness raising on ‘unsafe’ immigration and labour rights of migrant workers among various groups of the population; training of ‘frontline’ professionals; prevention of gender-based violence and violence against children; provision of social services to vulnerable groups; provision of assistance and care to victims of trafficking. To assess the extent of the anti-trafficking law enforcement activities at the regional level, twenty-seven regional departments of the

⁵⁰ As indicated in the official response by the Ministry of Social Policy to a FOI request.

⁵¹ Government of Ukraine, *State Targeted Social Programme*.

⁵² The data have been summated based on the information contained in responses to FOI requests.

Ministry of Internal Affairs of Ukraine were contacted. Twelve departments responded with outlines of the anti-trafficking activities undertaken, which, in all cases, were mainstreamed into their day-to-day operational budgets.

At the time of writing, it was impossible to identify how much money was going to be allocated within local budgets in 2013 against the programme's forecast of USD 57,671,⁵³ or whether the reduced allocation of USD 62,119⁵⁴ from the state budget would be 'topped-up' or reduced even further; no information was available on USD 144,183⁵⁵ earmarked as 'Other Sources' for 2013. The incompleteness of the available data on actual, as opposed to planned, anti-trafficking spending in Ukraine makes the interpretation of central and local governments' anti-trafficking funding commitments difficult. However, relying on the information on planned allocations considered through the lens of anti-trafficking activities undertaken and reported by the Ukrainian authorities, it is possible to conclude that the state anti-trafficking funding in Ukraine has been designed to support anti-trafficking activities aimed at four core groups: victims of trafficking; the general public, including vulnerable groups described by the national anti-trafficking coordinator as 'people in difficult life circumstances'; frontline professionals providing services to victims of trafficking or vulnerable groups; and those facilitating the crime of human trafficking, both individuals and organisations. Activities associated with the first three groups appear to be the main funding priorities of the State Programme of Ukraine, with law enforcement activities funded through central and local operational budgets.

It should also be mentioned, that unlike the UK, where government funding remains the main source of financial support for anti-trafficking activities, Ukraine has been receiving assistance from a range of international agencies, including the United States (US) Department of State via its US Agency for International Development and Trafficking in

⁵³ Government of Ukraine, *State Targeted Social Programme*.

⁵⁴ As indicated in the official response by the Ministry of Social Policy to a FOI request.

⁵⁵ Government of Ukraine, *State Targeted Social Programme*.

Persons (TIP) funding mechanisms. The scope of this paper does not extend to non-governmental anti-trafficking funding; however, the data published by the US Department of State suggests that Ukraine, assessed as a tier 2 watch list country in the *2013 TIP Report*, received about USD 12 million from the US government in anti-trafficking funding between 2003 and 2011,⁵⁶ or, on average USD 1.3 million annually.

Anti-Trafficking Funding in the UK

The UK government's Strategy on Human Trafficking, covering the period 2011–2015, and published in July 2011,⁵⁷ despite its clear message of impending threat to the UK from traffickers, criminals, 'wrong people', organised criminal groups and 'their' victims, provides no information as to where the government's financial anti-trafficking commitments lie. The only time the issue of funding is mentioned is in relation to the annual allocation of USD 3.3 million per year towards victims' support and care in England and Wales.⁵⁸ In order to gauge the extent of anti-trafficking activities and of money trails, FOI requests were submitted to the following public authorities: local authorities representing the thirty-largest council populations as of 2010 (out of fifty-five); forty-five UK police forces, and most of the central ministerial departments. The devolution policy in the UK means that a range of powers is transferred from central to regional authorities in Scotland, Wales and Northern Ireland, which,

⁵⁶ Based on the data available from US State Department website: <http://www.state.gov/j/tip/rls/other/index.htm> (retrieved 6 August 2014).

⁵⁷ UK government, *Human Trafficking*.

⁵⁸ UK government, *Human Trafficking*, p. 3 and p. 11. The government awarded the contract to administer this funding to the Salvation Army—'a Christian denomination charitable organization organized in a quasi-military structure'; for more details, see: <http://charitywatchuk.wordpress.com/2013/03/06/salvation-army/> (retrieved 6 August 2014). Its stated charitable objective is 'the advancement of the Christian religion and the advancement of education, the relief of poverty, and other charitable objectives beneficial to society or the community of mankind as a whole'; in 2012 financial year, its overall declared income stood at USD 295,871,080; see: www.charitycommission.gov.uk (retrieved 6 August 2014). The exchange rate of GBP 1 = USD 1.63 was used in all calculations involving British pounds.

together with England, make up the UK. The analysis below is based on the information obtained from the UK central government departments and may not therefore reflect the full extent of funding allocated by authorities in Scotland, Wales and Northern Ireland through their devolved decision-making powers.

Out of the thirty local authorities, twenty-seven responded including twelve councils with no allocated funding, anti-trafficking strategies or activities; thirteen councils had no dedicated budgets but considered anti-trafficking activities as integrated/mainstreamed into central budgets. Out of these, ten councils did not have a separate strategy and undertook no anti-trafficking activities. Trafficking was represented as an issue of vulnerability, sexual exploitation and/or domestic violence. The remaining three councils undertook a range of initiatives that included intra-agency cooperation, training and development and awareness raising. Only two councils provided details of their specific anti-trafficking allocations, with one council establishing a dedicated Crime Reduction Officer whose remit included human trafficking. Another council allocated funds towards awareness-raising activities among the general public, local businesses, local communities and frontline workers. Overall, human trafficking appears to remain a low priority (if at all) for the councils surveyed, when assessed by the availability of specific strategies, resources, and the range and scope of anti-trafficking activities undertaken. On rare occasions where councils did recognise trafficking as relevant to their operations, it was interpreted as an issue of safeguarding vulnerable children and adults.

Out of the forty-five UK police forces contacted, thirty-two responded within the legally prescribed time limit. Only two reported having dedicated anti-trafficking funding: Thames Valley Police allocating USD 40,750 in 2012, and Metropolitan Police allocating about USD 3.9 million in 2012 and USD 3.9 million in 2013. The remaining thirty forces described anti-trafficking work as part of various work-streams funded through day-to-day policing, investigative and prevention budgets. The majority of forces undertook no specific anti-trafficking activities; where activities were undertaken, they were restricted to safeguarding victims, training of staff, and reactive rather than proactive

investigations. The only two police forces with established anti-trafficking units were the Police of Scotland and the Metropolitan Police, with the latter proactively and reactively investigating cases of trafficking and operating across London, the UK and internationally.

Responses received from central government departments are summarised in Table 2, indicating the extent of their funding commitments towards anti-trafficking work.

Table 2: Anti-Trafficking Activities and Budgets of the UK Government Central Departments⁵⁹

Name	Availability of dedicated anti-trafficking policies, funding or activities	Allocated funding in 2012/13 financial year, ⁶⁰ USD ⁶¹
Cabinet Office	Not available	0
Department for Culture, Media and Sport	Not available	0
Department for Business, Innovation and Skills	Not available	0
Department for Communities and Local Government	Not available	0
Revenue and Customs	Not available	0
Office of Fair Trading	Not available	0
Department for Work and Pensions	Not available	0
Department for Education	Not available	0
Home Office	Awareness raising Policing one-off cost General policing Immigration UK Human Trafficking Centre Victim care: contribution to the Salvation Army	150,982 7,610 Mainstreamed Mainstreamed Redacted 2,446,630

⁵⁹ The data grouped, summated and presented in Table 2 have been drawn from responses to FOI requests.

⁶⁰ In the UK, the financial year runs from 1 April to 31 March for the purposes of corporation tax and government financial statements.

⁶¹ The exchange rate of GBP 1 = USD 1.63 was used in all calculations involving British pounds.

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Ministry of Justice	Victim care: contribution to the Salvation Army	2,446,630 ⁶²
Department of Health	Awareness raising Research/victim care (2012-2015)	130,400 733,337
Department for International Development	Project-based approach, projects outside UK, calculated on a project-life basis, not just 2012. Two projects in Asia: Two projects funded via Anti-Slavery International (2012-2013 and 2013-2014)	17,085,534 (including 15,963,942 allocated to 'Work in Freedom' project) ⁶³ 891,421
Foreign and Commonwealth Office	Projects overseas, in 'priority' countries, addressing potential victims' vulnerability	209,302
Gangmasters Licensing Authority	Not available	0
Allocated funding in 2012-2013 financial year, excluding : <ul style="list-style-type: none"> - Multi-year projects by Departments of Health and International Development - UK Human Trafficking Centre funding - The cost of operational policing and immigration controls by the Home Office (costs are mainstreamed into central budgets) 		5,391,554
Allocated funding in 2012-2013 financial year, including : <ul style="list-style-type: none"> - Multi-year projects by Departments of Health and International Development, and excluding : <ul style="list-style-type: none"> - UK Human Trafficking Centre (HTC) funding - The cost of 'day-to-day' policing and immigration controls by the Home Office 		24,101,847

Funding allocations by police forces, councils and central departments were coded using the following five codes:⁶⁴

- Awareness raising: USD 281,545
- Law-enforcement and immigration: USD 3.95 million excluding (a) the mainstreamed costs of policing and immigration and (b) funding allocated to the UK HTC

⁶² According to the official response by the Home Office to a FOI request, contributions to the Salvation Army by the Ministry of Justice and the Home Office represent two separate, matching, contributions with the total of USD 4,893,260.

⁶³ Including USD 15,963,942 allocated for the project 'Work in Freedom' between February 2013 and April 2017 to deliver a programme intended to help prevent 100,000 women and girls from India, Bangladesh and Nepal from being trafficked through economic, social, and legal empowerment. For more information, see: <http://devtracker.dfid.gov.uk/projects/GB-1-203857> (retrieved 6 August 2014).

⁶⁴ The data grouped, summated and presented below have been drawn from responses to FOI requests.

- Victim care: USD 4,890,326
- Research: USD 733,337
- International projects (data for multiple-year projects): USD 18,186,257

Given the redaction of the data in relation to one of the key anti-trafficking government agencies—UK Human Trafficking Centre (part of the Organised Crime Command within the recently created UK National Crime Agency⁶⁵)—and the fact that the cost of policing and immigration control related to human trafficking has been mainstreamed through the Home Office’s central budgets, the data above represents only a partial account of the UK anti-trafficking spending. Overall, however, it appears that the allocation of public anti-trafficking funding in the UK reflects the way in which trafficking has been constructed as a stand-alone phenomenon of international crime, illegal immigration and migration control, victim rescue and assistance, and the project-based assistance as part of the international development portfolio.

Conclusion

In applying critical discourse analysis to explore specific ways in which human trafficking has been constructed in national anti-trafficking policies in Ukraine and the UK, this paper sought to identify the extent to which anti-trafficking money allocated by national governments supports or unsettles such representations. No attempt was made to assess whether the amounts allocated were ‘in tune’ with the number of victims of trafficking recognised as ‘genuine’ by the restrictive criteria set out by national governments. These remain areas for further research, including the issues of accountability and how the outcomes of publicly funded anti-trafficking interventions are measured and assessed. Instead, the paper focused on the discursive construction of national anti-trafficking

⁶⁵ See the UK HTC webpage: <http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre> (retrieved 6 August 2014).

policies which has been taking place within: (a) complex and inter-related contexts of neoliberal globalisation and its production of inequality; (b) a largely internationally 'agreed' definition of what human trafficking is and its prostitution-immigration-crime anti-trafficking triad; and (c) unique socio-economic and political national contexts. A number of definitional ('trafficking as a matter of') and anti-trafficking ('trafficking can be eliminated by') vectors have been identified in both cases.

In the UK, human trafficking is represented as a matter of national threat, international crime, 'illegal' border-crossing, and victim care available to 'genuine' victims. Corresponding anti-trafficking measures focus on preventing criminals and their victims from crossing the UK border; targeting, prosecuting and deporting criminals and 'illegal' immigrants; rescuing and assisting 'genuine' victims of trafficking, and distributing international development aid to run anti-trafficking projects in some of the 'source' countries.

The anti-trafficking policies in Ukraine have not escaped the influence of the Trafficking Protocol and of the brouhaha surrounding its development and adoption provoking the spectacle of sexualised violence, unabated criminality and borders crawling with the unwanted 'Others': prostitution, crime, illegal border-crossing and victim care form the 'skeleton' of the Ukrainian policy. They are not, however, represented as a sign of the impending doom of crime, violence and invasion of 'illegal' immigrant 'scroungers'. Instead, the Ukrainian policy asserts links between human trafficking and socio-economic inequalities and exclusions, both within and outside Ukraine, which produce stratified forms of belonging and citizenship. This, in turn, legitimises and normalises exploitation of deportable migrant labour.

The analysis of the available data on government anti-trafficking spending in both countries suggests, to quote a well-known idiom, that the governments do put their money where their mouths are. The question remains, however, whether governments' 'anti-trafficking mouths' are in the right place, and if not, why and how this could be changed. In the UK, the money

appears to be spent on crime prevention and border 'management' by way of shutting and 'offshoring' the UK border, rescuing 'genuine' victims, and allocating development aid to run anti-trafficking projects in countries of origin. Anti-trafficking funding in Ukraine is not only restricted in terms of allocation of funds, but also in its scope, with focus on awareness-raising, victim care and assistance, and training of frontline professionals. The inability of the Ukrainian state to prevent exploitation of its citizens abroad or to improve the economic situation within the country, which could stem and potentially reverse the continuing outflow of Ukrainian workers, has a limiting effect on the capacity of its anti-trafficking policies to deliver meaningful change. These policies, however, represent a good starting platform for addressing the structural dimension of trafficking: exploitation of labour rooted within the neoliberal paradigm, which implicates businesses, governments and consumers in the production of migrants' vulnerability by capital and state. From this perspective, locating, explaining and eliminating exploitation of any kind of labour—physical, sexual or emotional—becomes a primary concern and, as noted by Anderson and Davidson,⁶⁶ there is no reason—moral or analytical—to distinguish between the exploitation of 'illegal', irregular or smuggled immigrants, victims of trafficking, or racialised and 'othered' 'legal' migrants whose human rights are violated. How far we are from recognising and addressing the evil of exploitation we have created, instead of actively constructing the evil of 'being illegal' or 'being the Other', remains an open question. By addressing broader systems of exploitation, could we finally achieve the 'biggest bang for the buck'?

⁶⁶ B Anderson and J O'Connell Davidson, *Is Trafficking in Human Beings Demand-Driven? A multi-country pilot study*, Migration Research Series no. 15, International Organization for Migration, Geneva, Switzerland, 2003.

Kiril Sharapov is Marie Curie Research Fellow at the Centre for Policy Studies, Central European University in Budapest,⁶⁷ Hungary, on research leave from Glasgow Caledonian University, United Kingdom (UK), where he holds a position as Lecturer in Sociology. Having secured funding from the European Commission, he is currently leading a two-year project investigating public understanding of human trafficking in Hungary, Ukraine and the UK. Kiril holds an MA in Human Rights from Central European University, and a PhD in Politics from the University of Glasgow.

Email: kiril.sharapov@gcu.ac.uk and sharapovk@ceu.hu

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Anti-Trafficking Interventions in Nigeria and the Principal-Agent Aid Model

Victoria I Nwogu[†]

Abstract

Following the rising profile of trafficking in persons globally and Nigeria's position as a critical country in the African region, significant—though insufficient and poorly spent—funding has been deployed towards tackling the problem. This funding, however, is provided in a 'principal-agent' relationship by donors to the government of Nigeria and anti-trafficking organisations. Donors (the principals) fund organisations (the agents) to do work they deem important, though organisations tend to have significantly different needs and preferences for the funding. The consequence is that interventions paid for by these funds are 'not fit for purpose', making their outcomes often invisible, undesirable or unsustainable. An ancillary and critical issue related to anti-trafficking funding in Nigeria is accountability, or rather a lack of accountability. Where key actors in addressing trafficking are not accountable to beneficiaries, they miss out on critical feedback to help them improve services or design appropriate interventions.

Key words: Nigeria, NAPTIP, WOTCLEF, WOCON, IOM, UNODC, UNICEF, principal-agent, accountability, anti-trafficking, funding

[†] With the kind research assistance of Ize Adava, Head of Public Relations and Resource Mobilization at the Lift up Care Foundation (LUCAF) in Nigeria. Her research interests include: HIV prevention, trafficking and migration (relating to health and wellbeing), human rights and gender. Email: twizad4ever@yahoo.com

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Introduction

Nigeria is a significant country in terms of anti-trafficking work, with a larger number of emigrants and trafficked persons compared with other countries on the African continent.² To match this, a significant amount of funds has been channelled to Nigeria since 2001 to finance anti-trafficking interventions. In terms of these interventions, Nigeria has recorded many firsts, such as being the first in Africa to enact anti-trafficking legislation in 2003 and the first to establish a specialised, multi-functional anti-trafficking agency, the National Agency for Prohibition of Traffic in Persons and Other Related Matters (NAPTIP), which today is the focal agency for all anti-trafficking efforts in Nigeria. Nigeria was also the first country in Africa to record successful anti-trafficking prosecutions, with 220 convictions to date.³ It leads the Economic Community of West African States (ECOWAS)⁴ in finding lasting sub-regional solutions to international trafficking and migration. At the national level, a National Policy on Protection and Assistance to Trafficked Persons (subsequently 'Protection Policy') was adopted in 2008 with the aim of providing 'appropriate and relevant services that will empower [victims of trafficking] for effective integration into their various communities'.⁵

² United Nations Office on Drugs and Crime (UNODC), *Global Trafficking Patterns*, 2006, p. 22.

³ N M Akede, 'No Safe Haven for Human Traffickers in 2014—(NAPTIP BOSS)', press release, NAPTIP, 9 Jan 2014, retrieved 1 April 2014, <http://www.naptip.gov.ng/nosafehaven.html>

⁴ The Economic Community of West African States created in May 1975 to promote economic trade, national cooperation and monetary union, for growth and development throughout West Africa.

⁵ NAPTIP, *National Policy on Protection and Assistance to Trafficked Persons in Nigeria*, 2008, p.4. In 2009, ECOWAS Ministers, drawing inspiration from Nigeria, adopted a similar policy with identical objectives and content.

This article discusses funding for anti-trafficking efforts in Nigeria to date and its impact. Ultimately, we will show that certain areas are 'favoured' for funding above others, e.g. prevention, prosecution and voluntary return of migrants, as opposed to promoting safe migration⁶ or effective victim re-integration, though the latter is the purported aim of the Protection Policy. The article also speaks to how the anti-trafficking 'players' have been obliged through aid dependency to focus on certain aspects of intervention and ignore others. Funding is provided in a 'principal-agent' relationship by donors to the government of Nigeria and other anti-trafficking organisations.

No studies have been made specifically of funding (impact, sufficiency, nature and accountability) and anti-trafficking work in Nigeria, although references to sufficiency of funding for anti-trafficking efforts feature in most of the available donor reports by for instance different United Nations (UN) agencies and successive United States (US) Department of State *Trafficking in Persons Reports (TIP Reports)*. Human trafficking as a phenomenon cannot be studied or addressed outside the broader human development framework, as the problem has cause-and-effect links to other issues that underpin development such as: good governance and rule of law, poverty, gender and other social inequalities, health, corruption, globalisation, migration and economic growth.⁷ This article places anti-trafficking funding within a larger discourse of development funding and makes the

⁶ If this study were to expand in scope to closely examine prevention funding, it is likely that findings would reveal that in the Nigerian context significant funding has been geared towards preventing or discouraging migration, rather than to safe migration programming, which recognises that migration is a choice and a valid option for many people.

⁷ Human trafficking does not occur in a vacuum. It is driven by socio-economic factors and, in turn, impacts on society in diverse ways. Inevitably, any discourse on human trafficking will certainly touch on development issues to some degree. In a note, Human Trafficking: A brief overview, 2009, the World Bank found that the problem of human trafficking cuts across a range of development issues, from poverty to social inclusion, to justice and rule of law issues, and thus has relevance for practitioners throughout the development community. The note therefore offered 'some potential orientations for the World Bank Group to further engage this issue in its operations'. See: http://siteresources.worldbank.org/EXTSOCIALDEVELOPMENT/Resources/244362-1239390842422/6012763-1239905793229/Human_Trafficking.pdf (retrieved 7 August 2014).

argument that anti trafficking funding in Nigeria has suffered from many of the pitfalls of other development programmes.

In his seminal work, *The White Man's Burden*, William Easterly finds that: 'Rich-country politicians control the foreign aid agencies. To make the relationship between rich-country politicians and aid bureaucracies more precise, think of principals and agents (an agent is anyone who acts on behalf of another person, the principal...). Think of the rich-country politician as the principal and the aid bureaucrat as the agent. The big problem... is that the principal is the rich-country politician and not the real customers, the poor in poor countries.'⁸ The principal-agent relationship described by Easterly is problematic for sustainable development because investments are not driven by knowledge or experience of realities on the ground and the real needs of the people. In making his argument, Easterly separates donors and other development actors into two categories, the 'planners' and the 'searchers'. The planners propose solutions in a top-down approach through grand 'plans' by people (bureaucrats, foreign aid agencies or transnational companies) often completely removed from local contexts underpinning the problems for which they offer solutions. Searchers on the other hand find solutions for specific needs through a bottom-up approach and often work without donor funding. For Easterly, accountability is equally problematic because it is often accountability to a bigger political agenda in the donor country, rather than the people for whom aid is intended. He expresses shock at how little growth (or improvement) exists to show for 'massive' amounts of aid flows to developing countries. Citing various examples throughout the book, Easterly illustrates how community-driven initiatives or local innovations by 'searchers' can prove to be more successful and sustainable. Others, such as Sachs, propose a sweeping increase in aid allocations.⁹ Easterly's recommendations for the future of aid caution against the high

⁸ W Easterly, *The White Man's Burden: Why the West's efforts to help the rest have done so much ill and so little good*, Oxford University Press, 2007, p. 148.

⁹ J Sachs, *The End of Poverty: Economic possibilities for our time*, Penguin Books, New York, 2005. Collier, however, strikes a balance between the views of Easterly and Sachs and proposes that disbursing large volumes of aid alone is not the answer. For Collier, there needs to be more involvement of the

propensity for corruption and aid diversion if channelled through bureaucracies. Rather, he proposes decentralisation, backing piecemeal local innovation, abandonment of the one-size-fits-all grand plans, and increased focus on accountability.

In the Nigerian anti-trafficking sector, donors (the principals) fund anti-trafficking organisations (the agents) to do work they have determined is important, though the organisations discussed in this article have different needs and preferences for how the funding is used. The article further discusses how, without accountability to beneficiary communities or constituencies, anti-trafficking funding does not meet specific needs, and efforts often become unsuccessful and unsustainable.

It is not within the capacity of this study to examine all anti-trafficking efforts in Nigeria. The author approached the main anti-trafficking players (government, non-governmental, inter-government organisations and donors covering the different aspects of trafficking and ensuring geographical scope) in Nigeria via email and visits to conduct interviews. However, direct information received through survey questionnaires sent out between November 2013 and March 2014 was minimal. Of the six main anti-trafficking non-governmental organisations (NGOs)¹⁰ contacted, only two¹¹ responded with detailed information. NAPTIP provided very broad information that is already in the public domain. No donor organisation responded, and of four

foreign donors in a combination of approaches requiring: more risk-taking by aid agencies, military interventions in conflict-ridden countries to protect democracies, the setting of standards and regulations to encourage good governance reforms and free trade policies that also grant preferential access to exports for the bottom billion countries. P Collier, *The Bottom Billion: Why the poorest countries are failing and what can be done about it*, Oxford University Press, 2007.

¹⁰ These are GPI, WOTCLEF, COSUDOW, WOCON, Idia Renaissance, and IRRRAG identified by the UNODC as established, well-known, reliable and serious, tend to work well with each other and coordinate their activities with government ministries and agencies. See: UNODC, *Measures to Combat Trafficking in Human Beings in Benin, Nigeria and Togo*, 2006, p. 100, retrieved 8 August 2014, http://www.unodc.org/pdf/human_trafficking/ht_research_report_nigeria.pdf

¹¹ WOCON and Idia Renaissance.

UN agencies approached only one provided detailed information, whilst one other referred us to their general website where there was no specific information on their funding in Nigeria. This article therefore relied on additional sources such as donor reports, news reports and academic studies.

Principals and Agents: Stemming the flow or creating diversions?

The rise in awareness about human trafficking in Nigeria started in the late 1990s. Titi Atiku Abubakar, wife of the former vice-president of Nigeria, recalls the trip she undertook to study in Rome, Italy, from 1986–1987. Her observation of Nigerian women engaged in sex work on the streets of Rome changed the direction and focus of her working life. In 1999, she stood on her husband's ascendancy to the office of vice-president to establish the Women Trafficking and Child Labour Eradication Foundation (WOTCLEF).¹² Meanwhile, Bisi Olateru-Olagbegi, Executive Director of the Women's Consortium of Nigeria (WOCON), contributed to the first research study on the trafficking of women in Nigeria¹³ and launched the first national campaign against trafficking of women in 1997.¹⁴ Having confronted a problem of complex proportions, the pioneers of anti-trafficking interventions in Nigeria decided to act. Their efforts would require funds to meet specific objectives in an ecosystem of interventions that would need more (or different) aid than the aid givers were willing to grant.

Since the late 1990s, the main funders of anti-trafficking interventions in Nigeria have been the US Office to Monitor and Combat Trafficking in Persons, the European Union (EU),

¹² 'Atiku & I, Our Love Story—Titi Abubakar', The Street Journal Magazine, 2008, retrieved 26 February 2014, <http://nigeriabusinesscommunities.com/profiles/blogs/2179753:BlogPost:2814>

¹³ As part of an African Regional Study on trafficking commissioned by the UN Special Rapporteur on violence against women, its causes and consequences, Radhika Coomaraswamy.

¹⁴ See WOCON's website <http://www.womenconsortiumofnigeria.org> (retrieved 8 August 2014).

UN Global Initiative to Fight Human Trafficking (UN.GIFT), and the governments of Canada, France, Italy, Netherlands, Norway, Spain, Sweden, Switzerland and the United Kingdom (UK). Trafficking has remained a problem for Nigeria. The European Commission's Eurostat *Trafficking in Humans Beings* report highlights Nigeria among the top two countries of origin for victims of trafficking brought to EU countries from outside the EU.¹⁵ Similarly, the UK Border Agency's National Referral Mechanism (NRM) statistics have, since its inception in 2009, consistently placed Nigeria amongst the top three countries with the highest numbers of trafficked persons in the UK (i.e. those referred to the NRM).¹⁶

On a global level, the adoption of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in 2000 provided impetus for world governments and civil society to take more concerted action to address trafficking. Following hard on the heels of the Protocol was the first *TIP Report* published annually by the US State Department's Office to Monitor and Combat Trafficking in Persons. The report serves as a watchdog over the performance of the rest of the world in addressing trafficking. Resources have followed documentary commitment from governments. In 2010, the US State Department's total global funding on the subject was USD 109.5 million, with 22% spent locally and 78% on global programmes in over 80 countries. Of the global package, 19% was spent in Africa.¹⁷ The EU, under its Migration and Asylum Thematic Programmes initiative, dedicated EUR 348 million (USD 466.32 million),¹⁸ from 2007 to 2013, to—among other migration-related objectives—protecting migrants against exploitation and exclusion and supporting the fight against trafficking in human

¹⁵ European Union, *Trafficking in Human Beings*, Eurostat, 2013, p.10.

¹⁶ United Kingdom Human Trafficking Centre, National Crime Agency (UK), National Referral Mechanism Statistics 2013, 2014, pp.3–4, retrieved 26 February 2014, <http://www.nationalcrimeagency.gov.uk/publications/139-national-referral-mechanism-statistics-2013/file>

¹⁷ Office to Monitor and Combat Trafficking in Persons Washington, DC, U.S. Government Anti-Trafficking in Persons Program Funding, June 2011, retrieved 26 February 2014, <http://www.state.gov/documents/organization/167319.pdf>

¹⁸ Amount converted using a rate of EUR 1 = USD 1.34 on 7 August 2014.

beings.¹⁹ Other countries have also contributed significant amounts through bilateral agreements or multilateral donations via UN agencies or funds. The catch related to this global funding is that the measures it supports are often ‘not fit for purpose’, a phrase used by the Anti-Trafficking Monitoring Group (a UK group) to describe anti-trafficking measures in the UK under the Council of Europe Convention on Action against Trafficking in Human Beings.²⁰ This study echoes the UK monitoring efforts in asking if the anti-trafficking funding in Nigeria is ‘fit for purpose’. This research shows that not only are decisions about funding often top-down, but anti-trafficking-related funding in general appears to be focused on diversionary efforts: promoting the politics of foreign donors, skirting around the real issues and avoiding tangible solutions.

As has been observed in other development and aid fields, a significant reason why funding does not always meet the needs of its intended beneficiaries lies in the design of the larger funding system. Funding decisions are most often made at the pinnacle of bureaucracies (in donor countries), and then handed down to foreign aid agencies (most often in developing countries), in the form of a principal-agent relationship. Easterly found that: ‘Voters in the rich country and their representatives are the ones who choose the actions of the foreign aid agency. They love the Big Plans, the promises of easy solutions, the utopian dreams, the side benefits for rich-country political or

¹⁹ EU, ‘Migration and Asylum Thematic Programme’, retrieved 30 March 2014, http://ec.europa.eu/europeaid/how/finance/dci/migration_en.htm

²⁰ The Anti-Trafficking Monitoring Group, *Wrong Kind of Victim? One Year On: An analysis of UK measures to protect trafficked persons*, 2010, pp. 7, 13. The report concluded that in practice, the UK had not established a system led by the principle that a person who has been trafficked has experienced abuse and requires time to recover before being exposed to the rigours of an immigration system that is designed to identify and remove people without entitlement to remain in the UK. The existing system is satisfying neither the provisions of the Convention nor the key principles of the rule of law itself. Pockets of local good practice contrast with the centralised system that lacks any formal coordination and seems to be failing to refer trafficked persons to assistance and protection. The system has so far failed to contribute significantly to either an increase in prosecutions or wider knowledge on trafficking. Further, the structures in place for children seem to have made it more difficult to protect child victims of trafficking.

economic interests, all of which hands the aid agency impossible tasks.²¹ There is very little consultation with people and practitioners on the ground—least of all with trafficked persons—to assess the most critical needs or the most effective initiatives to fund.²² The EU Migration and Asylum Thematic Programmes initiative, for instance, usually issues a call for proposals to identify potential initiatives to fund in yearly cycles. NGOs, UN and government institutions that apply have no say in these objectives and tend to adjust or abandon whatever strategic objectives they may have set for themselves in order to pursue the available funds.

A Nigerian official of the United Nations Office on Drugs and Crime (UNODC) observed, rather pragmatically, in response to the research question on how decisions on distribution of funds to the organisation's different operational areas are made: 'Distribution of our funding mostly depends on donor's priority areas or donor's interest, so to say.'²³ A United Nations Children's Fund (UNICEF) project, on the other hand, chose the more sustainable approach of community diagnostics and beneficiary consultation in designing and implementing the Nigeria Protection and Participation Programme—Child Protection Services Project (2003–2006). With a total budget of approximately USD 1.3 million, funded by the Swedish International Development Agency (SIDA), the project aimed at preventing trafficking by empowering youth at risk and giving them opportunities to learn and work in their home

²¹ W Easterly, op. cit. p. 149. See also D Mosse, 'Is Good Policy Unimplementable? Reflections on the Ethnography of Aid Policy and Practice', *Development and Change*, vol. 35, issue 4, 2004, pp. 639–671.

²² Whilst it is acknowledged that consultation with trafficked persons can be difficult, it is also slowly gaining traction as a critical element of the rights-based approach to accountability. See, for instance: R Surtees, *After Trafficking: Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Sub-region*, United Nations Inter-agency Project on Human Trafficking/NEXUS Institute, Bangkok, 2013, retrieved 7 August 2014, [http://www.nexusinstitute.net/publications/pdfs/After%20trafficking_Experiences%20and%20challenges%20in%20\(Re\)integration%20in%20the%20GMS.pdf](http://www.nexusinstitute.net/publications/pdfs/After%20trafficking_Experiences%20and%20challenges%20in%20(Re)integration%20in%20the%20GMS.pdf)

²³ Email response, UNODC official, Nigeria, 7 February 2014.

states.²⁴ The project evaluation report observes that: ‘The project does not focus on the more high-profile rescue and rehabilitation type operations often practiced under the child trafficking heading. Instead, it seeks to prevent harm from happening in the first place... Unfortunately, donors have been reluctant to support this type of preventive programme due to their lower profile: no traumatised victims can be put on display, there is no drama. It is therefore encouraging that UNICEF Nigeria has resisted the temptation to please potential donors, and argued for an approach that is likely to be more sustainable than most rescue-and-rehabilitation programs have turned out to be.’²⁵ In designing the project, UNICEF conducted participatory studies between 1998 and 2003 and a community appraisal led by twenty-four youth from the potential beneficiary pool in 2003. The main implementing partner of the project was Idia Renaissance, which has long-standing experience in working with youth in Edo state (routinely cited as the main area in Nigeria from where young women are trafficked).

Not only are funding decisions top-down, but they also often align with donor country priorities.²⁶ Migration debates are highly political, and the nature of anti-trafficking funding has often tacitly (and sometimes quite overtly) advanced a foreign policy of stemming migrant flows towards donor countries. US State Department funding of anti-trafficking efforts, for instance, has been heavily criticised for ties to US foreign affairs agendas,²⁷ but also more generally, anti-trafficking funding has been linked to receiving countries’ immigration priorities. Though not funding Nigeria specifically

²⁴ UNICEF, Evaluation of UNICEF’s SIDA-funded child protection/trafficking programme in West Africa, 2007, p.5.

²⁵ Ibid., p.12.

²⁶ P Hjertholm and H White, ‘Survey of Foreign Aid: History, trends and allocation’, discussion paper, Department of Economics, University of Copenhagen, 2000, p.3.

²⁷ See: Chuang, Janie A, ‘The United States as Global Sheriff: Using unilateral sanctions to combat human trafficking’, *Michigan Journal of International Law*, vol. 27, no. 2, 2006, <http://ssrn.com/abstract=990098>; AM DeStefano, *The War on Human Trafficking: US policy assessed*, Rutgers University Press, 2007, pp. 40–42.

at the moment, donor resources from the US for anti-trafficking in Africa broadly focus on what are supposedly 'voluntary' returns, investigations and prosecutions, and prevention through awareness.²⁸ Tracing the history of EU cooperation with third countries in relation to migration management, Stephen Sterkx, in just one example, identifies the use of High-Level Working Group Action Plans in the late 1990s to establish dialogues with the most important countries of origin of migrants and asylum seekers.²⁹ Following these Action Plans, in 2002, the governments of Spain and the UK proposed making development aid dependent on third countries' efforts to combat illegal immigration and the mainstreaming of migration in all the EU's external relations. The proposition was accepted by all countries, except for the condition to impose sanctions for non-cooperating countries.³⁰

With a look at how anti-trafficking programming in Nigeria has reflected this funding trend, from 2011 to 2012, the International Organization for Migration implemented the project Enhancing Multi-stakeholder Cooperation to Fight Human Trafficking in Countries of Origin and Destination within the framework of the UN.GIFT, with the participation of Austria, Belgium, France, Germany, Nigeria, Switzerland and the UK. The overall objective of the project was 'to stem irregular migration by preventing and combating trafficking in human beings between Nigeria and selected European

²⁸ Though the largest anti-trafficking funder globally, the US Office to Monitor and Combat Trafficking in Persons has not funded Nigeria in its current 2013 programme cycle, though it did commit USD 4.7million for seven projects in Africa in 2013, covering 24–36 month cycles. This is a significant reduction, of over 70%, from its total funding to Africa in 2010. The majority of the funds were deployed for prevention-related awareness raising, capacity building trainings for law enforcement, legislative reforms and referral mechanisms. Only one of the seven projects is dedicated in part to victim support and re-integration. Office to Monitor and Combat Trafficking in Persons, Projects Funded during Fiscal Year 2013, 2 October 2013, retrieved 20 February 2014, <http://www.state.gov/j/tip/rls/other/2013/215002.htm>

²⁹ S Sterkx, 'The External Dimension of EU Migration Policy: Expanding fortress Europe?' in J Orbie (ed.), *Europe's Global Role: External policies of the European Union*, Ashgate, London, 2009, pp. 117–138.

³⁰ Ibid., p.122.

countries.’³¹ As noted by other examples in our study, the focus on prevention of migration and trafficking effectively excludes work that is urgently needed for victim re-integration. Some of the challenges noted by the Project were: ‘Lack of specific grants to support empowerment activities (vocational training, reinsertion to school, business set up) for VoTs [victims of trafficking] where needed, challenges with NAPTIP and other NGOs in providing rehabilitation support for VoTs with international referral ...limited capacity of NAPTIP’s legal unit in prosecuting trafficking cases, limited capacity of Shelters’ staff to provide psycho-social and rehabilitation support to mentally handicapped VoTs, particularly with foreign VoTs, inadequate follow-up assistance to former VoTs who have been reintegrated.’³²

The EU is currently a major funder of Nigerian anti-trafficking measures, and a primary funder of UNODC’s projects in the country. In August 2011, UNODC received an EU grant of USD 6,864,000 for a four-year programme aimed at ‘promoting better management of migration in Nigeria by combating and reducing irregular migration that occurs, inter alia, through trafficking in persons (TIP) and smuggling of migrants (SOM)’.³³ Anti-smuggling and anti-trafficking efforts are intertwined for the same purpose of reducing outward migration.

In October 2012, the government of Nigeria, UNODC and the EU launched a three-year anti-trafficking campaign throughout Nigeria entitled ‘I am Priceless’. According to UNODC’s website, the campaign is aimed at raising awareness about the reality, dangers and possible impact of irregular migration, as a consequence of either being smuggled or being a victim of trafficking in persons. Curiously, UNODC’s

³¹ See: <http://www.iomvienna.at/en/aktivitaeten/bekaempfung-des-menschenhandels/abgeschlossene-projekte/555-europe-nigeria-project-enhancing-multi-stakeholder-cooperation-to-fight-human-trafficking> (retrieved 23 July 2014).

³² IOM, A Brief on Activities Undertaken by IOM Nigeria at National Level on VoTs, provided by IOM official in Nigeria via email on 6 February 2014.

³³ Email response, UNODC official, Nigeria, 7 February 2014.

threat assessment report,³⁴ which largely informs the campaign, noted that poverty, desperation and weak governance fuel trafficking amongst young people in West Africa. While information campaigns can be useful, Nigeria is already saturated with them.³⁵ When faced with the harsh economic realities of life in Nigeria today, an awareness campaign will not do much to discourage a young person from seeking a better life abroad.³⁶

The EU is also currently funding a number of NGO anti-trafficking projects in Nigeria. Of the six NGOs contacted, only WOTCLEF had information on this funding stream available on their website.

WOTCLEF is a national organisation with a presence in thirteen states of Nigeria. Its mission is to work 'towards the elimination of trafficking in persons, child labour, abuse of the rights of women, children and the spread of HIV/AIDS.'³⁷ The NGO has a small rehabilitation centre for child victims of trafficking in the Abuja and offices staffed by volunteers in four other states. The shelter in Abuja can accommodate thirty persons, and it only receives children below eighteen years of age. The objective of WOTCLEF's EU-funded project can be summarised as targeting school-going children, their parents, teachers and other caregivers and law enforcement officers with information and awareness to prevent human trafficking.³⁸ The aim is to reach 8,230 people within the

³⁴ UNODC, *Transnational Trafficking and the Rule of Law in West Africa: A threat assessment*, 2009, p. 3.

³⁵ NAPTIP has a public enlightenment unit (one of its four main units) which manages nationwide television campaigns and adverts. Over the past thirteen years, there has been one television sit-com, several movies (of the popular Nigerian home video category) and numerous school outreach activities on the subject.

³⁶ Illustrative is the story of Faraenatu Amedu, captured in the BBC World Service radio documentary, *Desperate Dreams* in 2008 (retrieved 30 March 2014, http://www.bbc.co.uk/worldservice/documentaries/2008/01/080115_desperate_dreams_part_two.shtml) who, upon returning to Nigeria—and back to the desperate financial circumstances that led her to migrate in the first place—without adequate care and support to guarantee her economic independence, was presumed to be re-trafficked two years later.

³⁷ See: <http://www.wotclefng.org>, retrieved 26 February 2014, now suspended.

³⁸ Ibid.

Federal Capital Territory with information. While this is a laudable initiative, it is not the most-needed resource for the organisation or for anti-trafficking efforts in Nigeria. Abuja, like many other cities in the country, is affected by child trafficking, but it is not a critical source of child trafficking in or outside Nigeria.³⁹

WOTCLEF's donations link on its website offers a glaring clue as to where their real needs—and the needs of their clients—lie. WOTCLEF is the only NGO that provides re-integration services specifically to trafficked children through its shelter in Abuja. A fact-finding mission (by the Anti-Trafficking Legal Project (ATLeP) delegation)⁴⁰ visited the shelter in 2011 and observed extreme challenges in terms of space, staff capacities and facilities. Available equipment was old and ill-maintained, and children were required to take turns preparing their meals as the organisation had limited helpers. WOTCLEF coordinator, Veronica Umaru, informed the delegation that while they used to sponsor children to university level, the NGO could no longer afford to do this as it is now being run largely on the personal funds of the founder. The plea on WOTCLEF's donations link⁴¹ is for food items, clothes, toiletries, stationery items, children's books, scholarships for the children, a new freezer, volunteers to offer counselling support to children in the shelter, vehicle maintenance, painting to make the shelter more child-friendly, a power inverter, equipment for the skills training centre, first aid drugs and staff salaries. These demands would approximately cost an

³⁹ See: UNODC, *Measures to Combat Human Trafficking in Nigeria, Benin and Togo*, op.cit. pp. 11–28; UNICEF, *Factsheet on Child Trafficking in Nigeria*, 2007; NAPTIP Factsheet (undated), retrieved 8 August 2014, <http://www.naptip.gov.ng/docs/FACTSHEET0001.pdf>. These documents indicate that the main source regions for child trafficking victims are states in the south, the far north and western Nigeria; and also largely from rural rather than urban cities.

⁴⁰ From 19–26 February 2011, the author of this article led a fact-finding mission to Nigeria with a delegation from the Anti-Trafficking Legal Project (ATLeP), UK, and Women's Link Worldwide. The mission was funded by the Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights. During the mission, the delegation visited shelters, and conducted interviews with NAPTIP, immigration, NGOs and UN organisations.

⁴¹ See: <http://www.wotclefng.org>, retrieved 26 February 2014, now suspended.

interested donor no more than 20 million NGN (about USD 122,000) a year. However, these objectives appear not to suit the interests of donors.

Nigerian government spending on anti-trafficking efforts through NAPTIP,⁴² though significant, has not been adequate to meet demands, especially for victim assistance services. According to the 2013 *TIP Report*: 'The Government of Nigeria allocated the equivalent of approximately US\$11.9 million to NAPTIP, a slight increase from the 2011 budget, and an additional equivalent of approximately USD 160,000 to help evacuate Nigerian victims of trafficking who were stranded in Côte d'Ivoire. State governments also contributed the equivalent of approximately USD 15,900 in additional funds to support NAPTIP efforts during the reporting period.'⁴³ Compared to the spending of other governments within the region, the spending of the Nigerian government in this area is significant. However, pitched against the scale of the problem and thereby the demand for NAPTIP services (for example, number of trafficked persons received by the agency requiring re-integration services, the state of the agency's facilities and the capacity-building needs of agency staff), government spending on anti-trafficking is insufficient to have the required impact. Successive US *TIP Reports* since 2009 have found the agency to be severely under-funded, especially in the areas of victim protection and prosecutions. The 2011 *TIP Report* noted: 'Despite a reported government appropriation of more than USD 7 million in funding to NAPTIP, the organization's inadequate operational capacity suggested a significant disparity between projected funds and actual disbursements to the agency. Throughout the year, investigators often were not provided funding for travel or access to a vehicle to investigate trafficking cases, and the agency relied

⁴² NAPTIP, in response to our enquiries, provided information on their activities from 2009 to 2012, their partnerships and their strategic plan for 2012 to 2017, but no information on funding. This left the author with only the *TIP Report* as the sole source of information on NAPTIP funding. Other channels of government spending on anti-trafficking efforts include specialised units within immigration and police, but information from these sources is not easily accessible.

⁴³ US Department of State, *TIP Report* 2013, p. 286, retrieved 8 August 2014, <http://www.state.gov/documents/organization/210741.pdf>

almost entirely on foreign donor funding for training its staff.⁴⁴ By 2013, the *TIP Report* noted: 'Overall, NAPTIP spent roughly one-fifth of its operational budget, or the equivalent of approximately USD 666,000, on victim protection and assistance during 2012.'⁴⁵ Helpfully, from this figure one could extrapolate that the total NAPTIP budget for the year might be five times greater than USD 666,000, amounting to USD 3,333,000.

The 2014 *TIP Report*⁴⁶ observed that in 2013, the equivalent of approximately USD 20,000 was disbursed to only forty seven victims (out of 777 victims identified for assistance during the year) for purposes ranging from vocational training to school tuition, although not necessarily in equal amounts. The number of victims who benefitted is disproportionate to the total number of victims identified by NAPTIP within the same year, all of whom were eligible to receive funds for re-integration. Furthermore, the amount represents a significant reduction from the disbursement of the previous year in which USD 22,000 was made to only ten persons at an average of USD 2,200 per person.⁴⁷ The disbursement in 2013 is approximately USD 425 per person representing an 80% reduction. More so, it is not clear what criteria were used to select only forty seven victims to receive support out of hundreds.

The Nigerian government does not fund NGO efforts to address trafficking in persons.

⁴⁴ US Department of State, *TIP Report 2011*.

⁴⁵ *TIP Report 2013*, op. cit.

⁴⁶ See: US Department of State, *TIP Report 2014*, <http://www.state.gov/documents/organization/226848.pdf>, launched on 20 June 2014, retrieved on 23 July, 2014.

⁴⁷ *TIP Report 2013*, op. cit.

Anti-Trafficking Efforts in Nigeria, Aid Dependency and the Accountability Quagmire

Aid has its good and bad sides. The good side of foreign aid to the anti-trafficking sector in Nigeria is that it has fostered research, amplified information about the phenomenon to much of the population, spurred the development of legislation and structures to advance interventions, helped NGOs to start off and others to build on seeds already sown.⁴⁸ However, anti-trafficking groups in Nigeria have a strong aid dependency.⁴⁹ With this dependency comes the question: 'To whom are anti-trafficking interventions in Nigeria accountable?'

Easterly dwells in detail on charity-based aid, observing that lack of feedback (from intended beneficiaries) and poor accountability (to intended beneficiaries) is one of the most critical flaws in aid.⁵⁰ The outcomes are often bad and may do more harm than good. Criticisms of foreign aid include: creating dependency cycles, stifling of local growth, limiting the ability of organisations to fundraise locally, creating a lack of local identity or weak resonance with the people NGOs claim to help, and even corruption—the rise of 'fake' groups established to capture some of the abundant foreign aid. An Open Democracy article states that: 'International solidarity is a wonderful idea, and the notion of transferring resources from North to South for good causes is morally attractive. The mechanics of doing this properly, however, are far more complex.'⁵¹

The anti-trafficking 'industry' in Nigeria does not escape the morass of lack of aid accountability. Many of the Nigerian anti-trafficking NGOs, including the ones cited in this article, are limited to various degrees by insufficient funding.⁵² NAPTIP, a government body, also remains under-resourced from year

⁴⁸ UNODC, *Measures to Combat Human Trafficking in Nigeria, Benin and Togo*, 2006, op.cit. p. 83.

⁴⁹ Ibid.

⁵⁰ W Easterly, op. cit., pp. 14, 332; brackets added.

⁵¹ K Dupuy, J Ron and A Prakash, 'Foreign Aid to Local NGOs: Good intentions, bad policy', *Open Democracy*, 2012, retrieved 26 February 2014, <http://www.opendemocracy.net/kendra-dupuy-james-ron-aseem-prakash/foreign-aid-to-local-ngos-good-intentions-bad-policy>

⁵² UNODC, *Measures to Combat Human Trafficking in Nigeria, Benin and Togo*, op.cit. p. 83.

to year in the area of victim assistance and protection.⁵³ Accountability is essential in ensuring that donor funding and organisational spending meet the stated purpose. As Dupuy et al. have cautioned: 'Over time, many local NGOs became top-down groups nourished from abroad, rather than local products of a popular, grass-roots civic movement.'⁵⁴ Nowhere is this truer than in anti-trafficking work in Nigeria, where we have seen anti-trafficking organisations such as NAPTIP, WOTCLEF, Idia Renaissance and even UN agencies align their interventions with the objectives and priorities of donors, thereby advancing foreign donor policies.

What do trafficked persons really need, and do anti-trafficking interventions serve these needs? A Terre des Hommes report observed that after the repatriation of 261 Beninese children 'rescued' from a stone quarry in Nigeria in 2005, the traffic in children between Nigeria and Benin did not decline.⁵⁵ The practice had flourished for over two decades and had become acceptable in the eyes of the different local populations, as it was rooted in their harsh economic realities. In one interview, a village inhabitant observed: 'When families don't have enough money to send a child to school, even if the child works well, they take the child out of school and send him to Nigeria, (meaning—to the stone pits).' While another village inhabitant asked: 'What are we going to receive from the people who won't allow us to send our children away?' Trafficked persons and vulnerable groups are asking the same questions of anti-trafficking organisations today. When Neil Howard interviewed community members in Benin in 2010,⁵⁶

⁵³ Successive US *TIP Reports* since 2009 have found the agency to be severely under-funded, especially in the area of victim protection and prosecutions. The question of under-funding is relative: anecdotal reports suggest that other Nigerian law enforcement agencies regard NAPTIP as much better funded than themselves. See page 10, paragraph 3 for a discussion of this.

⁵⁴ K Dupuy, J Ron and A Prakash, 'Foreign Aid to Local NGOs: Good intentions, bad policy', Open Democracy, 2012, retrieved 27 August 2014, <https://www.opendemocracy.net/kendra-dupuy-james-ron-aseem-prakash/foreign-aid-to-local-ngos-good-intentions-bad-policy>

⁵⁵ O Feneyrol, *Little Hands of the Stone Quarries: Investigation of child trafficking between Benin and Nigeria*, Terre des Hommes, 2005, p.21,32

⁵⁶ N Howard, 'Accountable to Whom? Accountable for What? Understanding anti-child trafficking discourse and policy in southern Benin', *Anti-Trafficking Review*, issue 1, Global Alliance Against Traffic in Women, 2012, pp.43–59, <http://antitraffickingreview.org/index.php/atrjournal/article/view/21/23>

he found that the dominant institutional narrative which drives anti-trafficking interventions (that so-called victims of trafficking are unsuspecting and need to be protected by efforts to stem illegal migration) ignores the realities of so-called victims and their communities (i.e. a need to migrate and find work in the face of grinding poverty). In one of Howard's interviews with young labour migrants, their disdain for incongruous institutional interventions is apparent, **'Do NGOs, white people or the government come here and say that it's (migration for work) bad? Yes, loads. Why? Because they see that it can be hard, but they offer us no alternative. What do you say to them? When they come and speak to us, their words go in one ear and come out the other. We listen and then we ignore them.'**⁵⁷

An example of community-led anti-trafficking prevention was supported by the Women's Consortium of Nigeria (WOCON) in Lagos state. WOCON, in partnership with the International Labour Organization's International Programme on the Elimination of Child Labour (ILO-IPEC) Project, began the programme 'Withdrawal and Re-integration of Children in Domestic Service and Prostitution' in 2002 in the town of Shaki, Oyo state. This rural border town was known for trafficking of children to Côte d'Ivoire, Guinea and Mali to work as hawkers and domestic servants. A comprehensive programme of open-air campaigning, market outreach and a consultative forum was conducted to raise awareness among the town's inhabitants. The community pointed out that one of the major reasons for child trafficking was the lack of income generating ventures available to them. WOCON proposed the commercialisation of honey, an abundant product in the town, to provide employment for the adult population. WOCON staff then made a representation to the state government on behalf of the Shaki community for the grant of cooperative credit facilities to assist the community in honey production. At the end of the programme, not only did the community vow to stop placing their children and wards in the hands of traffickers, they also established severe

⁵⁷ Howard's interview questions in bold, op. cit. p. 49.

sanctions against those who violated the agreement. Since then, WOCON has used the success of this programme as a model to be replicated in other rural communities in Nigeria.⁵⁸ An impact evaluation of the initiative would be welcome to determine if the success of the programme has been sustained.

Eyben and Ferguson⁵⁹ propose five categories of institutions or persons to which bilateral aid agencies, in particular, should be accountable: taxpayers in the donor country, government in the donor country, government in the recipient country, poor people in the recipient country, and the international human rights framework. The reality is different however. The International NGO Training and Research Centre (INTRAC) has found that: 'Whilst in theory accountability to local constituencies is important, in practice the funding processes hijack the accountability mechanisms and re-orient them towards Northern donors.'⁶⁰ Not only is programmatic direction determined by the donors, accountability is solely to them. No one is asking trafficked persons in Nigeria what they want before designing interventions; in the same vein, no one is accountable to them when projects—ostensibly for their good—fail to achieve much good in the end.

Conclusions and Recommendations

This article opines that while trafficking in human beings is acknowledged as a problem of significant national and global proportions by successive government institutions and NGOs in Nigeria, response to it is driven by donor aid in a model that mirrors Easterly's postulation of a principal-agent relationship. Initial observations suggest that anti-trafficking

⁵⁸ WOCON, Nigeria, retrieved 26 February 2014, <http://www.womenconsortiumofnigeria.org/node/index.php?q=children>

⁵⁹ R Eyben and C Ferguson, 'How Can Donors Become More Accountable to Poor People?' in L Groves and R Hinton, *Inclusive Aid: Changing power and relationships in international development*, Earthscan, London, 2005.

⁶⁰ INTRAC UK, 'Briefing Paper No. 6', July 2004, retrieved 26 February 2014, <http://cercle.lu/download/partenariats/INTRAC1autonomy1or1dependence.pdf>

funding has neither been sufficient to meet the scale of the problem nor relevant to the specific needs of groups at risk of trafficking, or of returnee trafficked persons. More so, the focus of funding has not sufficiently addressed the issue of promoting positive migration, protecting the rights of potential migrants and migrant workers, and ensuring a positive development outcome of migration for all.

Many critics of foreign aid in Africa vehemently demand that it be completely cut. Moyo, for instance, generally proposes trade instead of aid.⁶¹ Whilst this may help in some areas, such as overall economic growth with the potential to reduce poverty, in other areas such as emergencies and humanitarian crises (where government resources are inadequate to meet demand) or specific human rights promotion and protection (where advocates need to maintain credibility and independence), it would be a very unwise decision. Recommendations here are not to cut funds to anti-trafficking interventions in Nigeria but to make them more effective and, where possible, seek alternatives—especially with the attendant value of preserving organisational relevance and autonomy.

- Anti-trafficking interventions in Nigeria are not looking at the 'bigger picture'; the proliferation of awareness raising campaigns will do nothing to stop a young person from migrating, or a family from giving away their child when they are in desperate economic situations. Umaru of WOTCLEF was right when she cited widespread poverty as part of the cause of human trafficking,⁶² but her organisation does nothing to address this root cause; neither does it align itself with the broader human rights, development and anti-corruption efforts in Nigeria. There is a need to link anti-trafficking efforts to the broader

⁶¹ D Moyo, *Dead Aid: Why aid is not working and how there is another way for Africa*, Farrar, Straus and Giroux, New York, 2009.

⁶² M Paul, 'WOTCLEF Blames Increase in Human Trafficking on Poverty', Daily Times online, retrieved 20 February 2014, <http://www.dailytimes.com.ng/article/wotclef-blames-increase-human-trafficking-poverty>

questions of poverty reduction and good governance in Nigeria.

- One of the many problems of aid identified by Easterly includes the *planners'* mentality of questioning: 'What the end of poverty requires of foreign aid.' He re-phrases the question as: 'What can foreign aid do for poor people?' In the same vein, what can donor funds do for potential migrants and other vulnerable groups? Or, what can donor funds do to ensure successful return and re-integration of trafficked people? The question posed by a village inhabitant in the Terre des Hommes research in 2005 is the same question being asked of anti-trafficking organisations today: 'What are we going to receive from the people who won't allow us to send our children away?' Why is it proving too difficult for trafficking prevention initiatives to make this clear link and deploy funds to address it? Anti-trafficking donors could focus more on community-driven initiatives identified through the bottom-up approach proposing tangible and sustainable solutions to specific problems.
- Foreign donors should be facilitators rather than dictators of the anti-trafficking sector in Nigeria. Top-down decision making in funding support has not helped the situation. It appears from observation that the fulcrum of support to Nigeria to date has been prevention, not only of trafficking but also of migration. Foreign donors should instead observe keenly the stated needs of NGOs and their local constituencies, and channel support accordingly, especially needs borne out of locally grown ideas and innovations that are already working well. This approach would benefit from the recognition that some NGOs may either represent a constituency or fail to represent their constituencies effectively.
- To ensure their independence, anti-trafficking organisations in Nigeria could also fundraise locally to meet their specific needs. The potential pitfall with this approach is that certain issues may resonate negatively with local sensitivities or priorities and thereby may not

attract local funding (for instance, where local philanthropists may value providing education to young people over protecting sex workers or lesbian, gay, bisexual and transgender rights).

- Foreign donors must promote accountability first to trafficked persons involved with the projects they fund, secondly to the human rights framework and then to themselves. This could be achieved through requiring concrete evidence of effective consultation with a project's intended beneficiaries throughout the project life cycle, and innovative as well as independent monitoring and evaluation mechanisms built into project design.

Victoria Ijeoma Nwogu has been a Global Alliance Against Traffic in Women (GAATW) Board Member for Africa since 2008. She is a longstanding advocate for the rights-based approach to anti-trafficking interventions in Nigeria, and has contributed to shaping policy and legislation on the issue. Since 2011, Victoria has been a visiting Professor at the Legal Studies Department of the Central European University (CEU) in Budapest, Hungary, where she lectures a course on 'Human Rights in Africa with a Special Focus on Gender Issues'. Victoria has conducted research on diverse human rights issues and contributed to publications and conferences within the human rights community on gender and migration, human trafficking and women's rights in general. Most notably, she co-authored the anthology, *Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World* (GAATW, 2007). Email: vickylegal@yahoo.co.uk

The content of this article does not reflect the views or policies of the UN, its Member States, or contributory organisations, nor does it imply any endorsement. The opinions and ideas expressed in this article are grounded in the research and technical work of the author in the anti-trafficking field.

Who Funds Re/integration? Ensuring sustainable services for trafficking victims

Rebecca Surtees and Fabrice de Kerchove

Abstract

This article discusses the critical importance of re/integration services in the lives of trafficked persons and as central to an effective anti-trafficking response. It outlines how support and resources for re/integration services have so far not been widely available and the impact of this on trafficked persons. The article also discusses different strategies used within one re/integration initiative—the Trafficking Victims Re/integration Programme (TVRP)—to promote sustainable re/integration services given the limited (and now declining) funding for re/integration in the Balkans. These strategies, which have met varying degrees of success, include: (1) advocating for government funding; (2) leveraging private-sector funding and contributions; and (3) establishing social enterprises to fund re/integration services. The article concludes by advocating greater attention to re/integration services for trafficked persons, including working creatively and collaboratively with civil society, government, the private sector and donors, to ensure that re/integration services are conceptualised, implemented and funded in ways that are sustainable and, thus, offer critical support to trafficked persons.

Key words: re/integration, trafficking, funding, donors, sustainability, social enterprises, government, private sector, Balkans

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Introduction¹

A great deal of money has been spent on anti-trafficking efforts in the Balkans since the late 1990s. Funding has come, most commonly, from international donors aimed, to a large extent, at trafficking prevention and supporting law enforcement and the criminal justice response. Less funding has been available for victim protection, particularly long-term re/integration services for trafficking victims. Yet this aspect of the anti-trafficking response is critical in terms of addressing the severe consequences of human trafficking as well as preventing re-trafficking and continued vulnerability.

Against this backdrop, in 2007 the King Baudouin Foundation (KBF) in Belgium initiated the Trafficking Victims Re/integration Programme (TVRP), to fund non-governmental organisations (NGOs) working on re/integration of trafficked persons in the Balkans. The intention was to support and enhance the technical capacity of organisations, while at the same time ensuring longer-term sustainability of re/integration services. Given the dearth of resources for re/integration work (from bilateral and private donors and national governments), the priority was to ensure that trafficked persons have access to long-term, ongoing services needed to recover and move on from trafficking and re/integrate into their families and communities.

¹ This article reflects our experiences (and sometimes frustrations) while working to enhance re/integration support for trafficked persons in the Balkans, within the framework of the Trafficking Victims Re/Integration Programme (TVRP), funded by King Baudouin Foundation (KBF) and the German Development Cooperation Agency (GIZ), commissioned by the German Federal Ministry for Economic Cooperation and Development (BMZ). Thanks are especially due to TVRP partners for their ongoing efforts in this field of work: Different and Equal (Albania), Tjeter Vizion (Albania), Vatra (Albania), Medica Zenica (Bosnia and Herzegovina), Zemlja Djece (Bosnia and Herzegovina), Animus (Bulgaria), Nadja Centre (Bulgaria), Centre for Protection of Victims and Prevention of Trafficking in Human Beings, PVPT (Kosovo), Hope and Homes (Kosovo), Adpare (Romania), Young Generation (Romania), Atina (Serbia), Centre for Youth Integration (Serbia), Open Gate (Macedonia) and Equal Access (Macedonia). We would also like to acknowledge the contributions to the TVRP of our colleagues at KBF, GIZ and NEXUS Institute. Thanks also to Rebecca Napier-Moore and Mike Dottridge for their research of anti-trafficking funds and their editorial review.

This article discusses the critical importance of sustainable, long-term re/integration services in the lives of trafficked persons and as central to any effective anti-trafficking response. Re/integration is a long-term, multi-year and complex process, which requires many mutually reinforcing services and ongoing case management. As a consequence, re/integration is very costly and thus necessitates adequate and reliable funding. And yet these funds have not been forthcoming for various reasons, including: a failure to distinguish between (short-term) assistance and (long-term) re/integration; the complex, messy and unpredictable nature of re/integration work; the risk of failed re/integration; the high cost of re/integration services and case management; lack of budget allocation from national governments; a lack of interest in re/integration from international donors and foundations and so on.

Given the limited funding for re/integration services, different strategies have been used within the TVRP to promote sustainability—namely, (1) advocating for government funding of re/integration services; (2) leveraging private sector funding and contributions; and (3) establishing social enterprises to fund re/integration services. These strategies have met with varying degrees of success (and failure), impacting sustainability of re/integration services and, by implication, the lives and recovery of trafficking victims. While the importance of re/integration has been highlighted in other studies,² it remains largely under-studied, under-theorised

² See: L Bjerkan, *A Life of One's Own: Rehabilitation of victims of trafficking for sexual exploitation*, Fafo, Oslo, 2005; A Brunovskis and R Surtees, *A Fuller Picture: Addressing trafficking-related assistance needs and socio-economic vulnerabilities*, Fafo and NEXUS Institute, Oslo and Washington, DC, 2012; A Brunovskis and R Surtees, *No Place Like Home? Challenges in family reintegration after trafficking*, Fafo and NEXUS Institute, Oslo and Washington, DC, 2012; A Brunovskis and R Surtees, 'Coming Home: Family reintegration of trafficked women and girls', *Qualitative Social Work*, 2012; A Brunovskis and R Surtees, *Leaving the Past Behind? When victims of trafficking decline assistance*, NEXUS and Fafo, Washington, DC and Oslo, 2007; NB Busch-Armendariz, MB Nsonwu and HL Cook, 'Human Trafficking Victims and Their Children: Assessing needs, vulnerabilities, strengths, and survivorship', *Journal of Applied Research on Children*, 2011; T Caouette and Y Saito, *To Japan and Back: Thai women recount their experiences*, International Organization for Migration (IOM), Geneva, 1999; A Derks, *Reintegration of Victims of Trafficking in Cambodia*, IOM, Geneva, 1998; A

and a low priority for most donors. We stress again the importance of re/integration services as part of any anti-trafficking response, drawing on our experiences from the TVRP in the Balkans over several years. Examples are drawn from direct interviews with trafficking victims assisted through the TVRP, as well as from the 2006 assessment, TVRP partner-organisations' reports, TVRP issue papers and the 2011 TVRP programme evaluation.³ We have also drawn on empirical research on re/integration of trafficked persons to enhance the argument and balance our internal and potentially biased perspective on the issue, due to our involvement in the project.

The importance of re/integration

Re/integration⁴ refers to the process of recovery and economic and social inclusion following a trafficking

Lisborg, *Re-thinking Reintegration: What do returning victims really want and need?* GMS-07 SIREN report, United Nations Inter-Agency Project on Human Trafficking (UNIAP), Bangkok, 2009; A Lisborg and S Plambech, *Going Back – Moving On: A synthesis report of the trends and experiences of returned trafficking victims in Thailand and the Philippines*, International Labour Organization (ILO), Bangkok, 2009; S Miles, H Sophal, L Vanntheary, O Long Heng, J Smith-Brown and D So, *The Butterfly Longitudinal Research Project. A Chab Dai study on reintegration*, Chab Dai Coalition, Cambodia, 2012; R Surtees, *After Trafficking: Experiences and challenges in the (re)integration of trafficked persons in the Greater Mekong Sub-region*, UNIAP and NEXUS Institute, Bangkok, 2013; R Surtees, *Listening to Victims: Experiences of identification, return and assistance in SEE*, ICMPD, Vienna, 2007; *Terre des Hommes, Supporting Child (Re)integration*, A Terre des Hommes policy paper, Tdh, Lausanne, 2009.

³ R Surtees, *An Evaluation of Victim Assistance Programmes in SE Europe*, KBF and NEXUS Institute, Brussels and Vienna, 2006; R Surtees, *Life Beyond Trafficking: Lessons from the King Baudouin Foundation's Trafficking Victims Re/integration Programme*, KBF and NEXUS Institute, Brussels and Washington, 2011; R Surtees, *Re/integration of Trafficked Persons Series*, including six studies: Handling 'difficult' cases, 2008; How can our work be more effective, 2008; Developing monitoring and evaluation mechanisms, 2009; Supporting economic empowerment, 2012; Ethical principles in the re/integration of trafficked persons, 2013; Working with trafficked children and youth, 2014, KBF and NEXUS Institute, Brussels, Vienna, Washington.

⁴ Re/integration includes settlement in a stable and safe environment, access to a reasonable standard of living, mental and physical wellbeing, opportunities for personal, social and economic development and access to social and emotional support. Successful re/integration centres around empowerment,

experience.⁵ It goes beyond direct assistance. 'It provides for a victim's safe, dignified and sustainable reinsertion into society and a normalised life.'⁶ This commonly involves receiving a range of services over time, including shelter or other accommodation options, medical care, psychological assistance, legal assistance, education and/or professional/vocational training, economic assistance, livelihood opportunities (e.g. job placement, income generation), family mediation/counselling and support to secondary beneficiaries.⁷ Re/integration is a long-term process because, in addition to addressing physical and psychological impacts of trafficking, it must address limited livelihood options at home (which often triggered the initial migration)⁸ and complicated family and community environments. As one trafficked woman explained: 'We have to start a brand new life, that's why we need so much help and for a long time.'⁹ The time required

assisting trafficked persons to become independent and self-sufficient. See: R Surtees, *Re/integration programmes in SE Europe – A background paper for the King Baudouin Foundation*, KBF and NEXUS Institute, Brussels and Vienna, 2006. The Council of Europe Convention on Action against Trafficking in Human Beings refers to reintegration in requiring State Parties to make their best efforts 'to favour the reintegration of victims into the society of the State of return, including reintegration into the education system and the labour market, in particular through the acquisition and improvement of their professional skills.' Art. 16(5), Council of Europe Convention on Action against Trafficking in Human Beings, 2005, CETS No. 197. This article and the TVRP use the term 're/integration' (elsewhere as (re)integration) to accommodate both re/integration into a familiar community and integration into a new community or country.

⁵ Trafficked persons are those who have suffered the crime of human trafficking as outlined in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, 2000.

⁶ Direct assistance is short-term and generally includes temporary accommodation, the provision of temporary documents, travel grants to allow victims to return home, and basic or emergency healthcare. IOM, *The IOM Handbook on Direct Assistance for Victims of Trafficking*, IOM, Switzerland, 2007, p. 81.

⁷ See: R Surtees, *Monitoring Anti-Trafficking Re/integration Programmes: A manual*, KBF and NEXUS Institute, Brussels and Vienna, 2010, p. 28; IOM, *The IOM Handbook on Direct Assistance for Victims of Trafficking*, 2007.

⁸ See: Brunovskis and Surtees, *A Fuller Picture*; Brunovskis and Surtees, *Coming Home*; Brunovskis and Surtees, *No Place Like Home*; Lisborg, *Re-thinking Reintegration*; Lisborg and Plambech, *Going Back – Moving on*; and Surtees, *After Trafficking*.

⁹ See: Surtees, *Life Beyond Trafficking*.

for re/integration (up to three years),¹⁰ the myriad services required (including different services over time) and the need for long-term case management (i.e. staff) means that re/integration is costly and complex.

Re/integration services are often key to trafficked persons' abilities to recover and move on with their lives. For some, re/integration services are their primary (and sometimes sole) source of support, as one woman explained:

As I am alone, without family support, without a place to live, starting life from the beginning, it is very important for me to have long-term support. In addition to training, I needed a place to live and, in my opinion, rent support is something that makes us feel well and secure, at least to give us time to save some money from salaries and be able to start to pay rent. All of that costs a lot. But there is no other way to economically re/integrate a [trafficking victim].¹¹

By contrast, some trafficking victims go unassisted and struggle not only to recover but also, sometimes, to survive.¹² One young woman, trafficked for prostitution, considered entering street prostitution after escaping trafficking because she did not receive assistance and her family could not support her: 'When I was at home with my parents we did not have enough to eat and I used to look out on the street and think about the choices I had. And the street looked like a way to make money.'¹³ Lack of re/integration services is an abdication of responsibility by the state to protect trafficked

¹⁰ TVRP organisations provide re/integration support over a period of up to 36 months—the crisis phase (0–3 months); transition phase (4–12 months); and re/integration phase (13–36 months). While not all services are offered in all phases, the combination of services at these different stages cumulatively contributes to sustainable re/integration. See: Surtees, *Monitoring Anti-Trafficking Re/integration Programmes*, p. 24.

¹¹ Surtees, *Life Beyond Trafficking*.

¹² These instances differ from victims who decline services, for various reasons. See: Brunovskis and Surtees, *Leaving the Past Behind*.

¹³ Surtees, *Listening to Victims*, p. 189.

persons under international human rights law. It has serious and long-term implications for trafficked persons, their families and communities.

Background of the TVRP

A 2006 evaluation of anti-trafficking efforts in the Balkans, commissioned by the KBF, found that, in spite of donors spending millions of euros to combat human trafficking, re/integration services were underdeveloped, with limited funds for organisations working on long-term re/integration.¹⁴ What funds were available for assistance were generally short-term (one- to two-year project cycles, although re/integration takes years), in limited amounts (in spite of re/integration being labour intensive and involving multiple, ongoing and costly services)¹⁵ and focused on shelters (often high-risk closed shelters, rather than open shelters and community-based re/integration responses despite the fact that re/integration takes place in people's families and communities).¹⁶ Observations from NGOs interviewed in 2006 are illustrative:

Although there are a number of donors, the funding resources are limited, especially concerning grants, which are getting smaller and mainly are funding short-term projects with a duration of six months to one year.

Survivors are in a bad state when they come to us and they need longer-term care but the institutional support is limited. We want to concentrate on re/integration but no one wants to provide funding for this and so we do an array of activities.¹⁷

¹⁴ R Surtees, *Evaluating Anti-Trafficking Victim Assistance in Southeastern Europe: A strategic planning paper for the King Baudouin Foundation*, KBF and NEXUS, Brussels and Vienna, 2006.

¹⁵ Ibid., p. 31.

¹⁶ One reason some trafficking victims declined assistance was because they did not wish to stay in a shelter; therefore they only accepted community-based support. See: Brunovskis and Surtees, *Leaving the Past Behind*.

¹⁷ Surtees, *Evaluating Anti-Trafficking Victim Assistance in Southeastern Europe*, p. 20.

One of the largest donors in the region was the Swedish International Development Agency (SIDA), which funded assistance for trafficked persons, largely through the International Organization for Migration (IOM) throughout much of the 2000s. While the scope of this protection effort was significant,¹⁸ it was evaluated in 2003 as generally providing short-term ‘Band-Aid’ assistance, not sustainable re/integration support.¹⁹ It also raised questions about the high cost of funding through an international organisation and the impact on sustainability. Similarly, a 2010–2011 evaluation of IOM counter-trafficking programmes funded by the Norwegian Agency for Development and Cooperation (NORAD) noted that IOM did not routinely collect information on the longer-term impacts of their programmes, including re/integration. The same evaluation recognised that the short project time frames made it difficult to assess outcomes and that no information was found about the lasting impact of assistance services.²⁰

European Union (EU) funds for re/integration have been minimal. The main potential EU funding source for re/integration is through the DAPHNE programme, initiated by the Directorate General Justice for projects to assist victims, including for human trafficking. However, no current TVRP organisations report having received DAPHNE funds for re/integration programming. Some re/integration organisations in the Balkans have been funded through other EU programmes—e.g. Community Assistance for Reconstruction, Development and Stabilisation (CARDS) and Instrument for Pre-accession Agreement (IPA)—but these are pre-EU accession programmes that cover a range of issues

¹⁸ C Wennerholm and E Zillen, *IOM Regional Counter-Trafficking Programme in the Western Balkans*, SIDA Evaluation 03/37, Swedish International Development Cooperation Agency Department for Central and Eastern Europe, 2003, p. 10, retrieved 13 November 2013, <http://www.sida.se/Publications/Import/pdf/sv/IOM-Regional-Counter-Trafficking-Programme-in-the-Western-Balkans.pdf>

¹⁹ Wennerholm and Zillen, p. 10.

²⁰ J Berman and P Marshall, *Evaluation of the International Organization for Migration and its Efforts to Combat Human Trafficking*, Report 11/2010—Evaluation, Oslo, Norwegian Agency for Development Cooperation, 2011, pp. 54–55.

beyond human trafficking. Other programmes are only indirectly related to trafficking (e.g. AENEAS is for migration and asylum; EIDHR²¹ is about democracy and human rights), and these can be hard to fit with re/integration programming. One NGO spoke about their experience of seeking EU funds: 'We have applied for funds for vulnerable groups or for human rights under EIDHR but we haven't seen any funds for reintegration from the EU.'²² The bottom line is that there is no specific funding for re/integration work, which means organisations often need to squeeze their projects into criteria that do not necessarily apply to their work, or expand their work beyond their expertise and mandate.

Even when assistance is funded, it is rarely allocated to actual services, as one organisation explained:

Lately we are facing the challenge of finding donors that support [re/integration] services....Donors are more interested in financing activities connected to the creation of policies, networks and platforms, lobbying for changes in the law. This makes it even harder for NGOs that work on re/integration to secure funds.²³

Furthermore, in 2006, when the KBF evaluation was conducted, a number of donors were pulling back from assistance work, insisting that as governments in the region stabilised politically and economically, responsibility for service provision (for trafficked persons and the population generally) must increasingly be taken up by national governments. While certainly there was a need to encourage the assumption of state responsibility for social services, such an approach was seldom accompanied by a well-planned transition or exit strategy. For example, following accession to the EU in 2007, NGOs working on re/integration in Romania and Bulgaria found it difficult to access funds for

²¹ From 2000 to 2006: 'European Initiative for Democracy and Human Rights'; since 2006: 'European Instrument for Democracy and Human Rights', European Commission, retrieved 12 December 2013, <http://www.eidhr.eu/>

²² Email correspondence with TVRP-funded NGO, December 2013.

²³ Email correspondence with TVRP-funded NGO, December 2013.

their re/integration work. Large donors, like the United States Agency for International Development, withdrew and EU funds did not fill the gap, nor did governments allocate adequate funds for re/integration services. The Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA) reports that, while the Romanian government provided public funding to NGOs for assistance to trafficking victims in 2007 and 2008, there was a substantial drop in funding from 2009 by both foreign donors and the Romanian government.²⁴ In 2011, one TVRP partner organisation reported no improvement in funding opportunities for re/integration services.²⁵ In 2013, an official of the Romanian National Anti-Trafficking Agency reported a 'legal impediment' to government funding of NGOs that assist trafficked persons.²⁶ In sum, re/integration services (by the state or NGOs) remain inadequate, with governments not yet assuming responsibility for this work.

Aiming for Sustainability: Ensuring access to re/integration services

Recognising the significance of re/integration services and, equally, the limited and declining funding available for this, KBF implemented the TVRP to improve the quality and sustainability of re/integration services in the region. The TVRP primarily assists country nationals to re/integrate into their families and communities, although in some cases services also supported foreign nationals who were staying (temporarily or permanently) in the country where they were

²⁴ Group of Experts on Action against Trafficking in Human Beings (GRETA), Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Romania, First evaluation round, Council of Europe, Strasbourg, 2012, p. 31.

²⁵ Internal report, TVRP, 2011.

²⁶ ANITP (Agenția națională împotriva traficului de persoane, National Agency against Trafficking in Persons) Presentation to Round-table to follow-up Council of Europe (GRETA) recommendations, Bucharest, 3 October 2013.

exploited. Most of those assisted are women and girl victims of trafficking for sexual exploitation, the most commonly identified trafficking victims in these countries. However, services are available to victims of all forms of trafficking regardless of nationality, sex and age, and organisations have increasingly recognised and sought to assist trafficked men and boys, as well as victims of other forms of exploitation like labour and begging.

The TVRP initially funded nine NGOs in Albania, Bulgaria, Kosovo, Macedonia, Romania and Serbia. Funding local NGOs (rather than international organisations working with NGO partners) was a carefully considered decision, especially in terms of long-term sustainability.

From 2007 to 2011, KBF provided grants totalling EUR 875,000 (USD 1,170,000).²⁷ Since 2011, the programme has been co-funded by GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit or German Development Cooperation Agency) commissioned by the German Federal Ministry for Economic Cooperation and Development (BMZ) in the framework of its Regional Programme on Social Protection and Prevention of Human Trafficking (SPPHT), in Bosnia and Herzegovina, Kosovo, Serbia and Macedonia, four of the five TVRP countries.²⁸ From 2011 to 2014, grants to re/integration NGOs totalled: EUR 763,870 (USD 1,023,586).²⁹ While the GIZ programme is not exclusive to re/integration of trafficked persons,³⁰ it does include re/integration as part of social protection work and the pooling of KBF and GIZ resources

²⁷ Surtees, *Life Beyond Trafficking*.

²⁸ The large budget and overlapping mandate of the SPPHT and TVRP had the potential to create (or further exacerbate) competition between NGOs and lead to duplicative (and/or an oversupply) of re/integration services.

²⁹ A total of EUR 1,630,000 (USD 2,184,200) was provided in grants to NGOs between 2007 and 2014. R Surtees, *Re/integration of Trafficked Persons: Working with children and youth*, KBF, NEXUS and GIZ, 2014. An exchange rate of EUR 1 = USD 1.34 was used to convert all currencies in this article on 6 August 2014.

³⁰ SPPHT aims to develop a comprehensive age and gender sensitive social service system, catering to the needs of people affected by or at the risk of human trafficking. SPPHT is commissioned by BMZ from December 2010 until November 2015.

increased the financial scope of the TVRP, allowing more NGOs to be supported and to extend the programme to Bosnia and Herzegovina. The TVRP has, since 2011, funded eleven NGOs in Albania, Bosnia and Herzegovina, Kosovo, Macedonia and Serbia. The KBF/GIZ support is, in all cases, only partial funding for re/integration services, an average amount of EUR 25,000 (USD 33,500) per organisation per year. TVRP partners' annual budgets range from EUR 35,000 (USD 46,900) to EUR 350,000 (USD 469,000—for operating costs); expenditures specifically for re/integration services range from EUR 25,000 (USD 33,500) to EUR 180,000 (USD 241,200). While this was a function of KBF being a relatively small donor, it was also a conscious decision to provide consistent funding over time and in amounts consistent with current and anticipated funding levels. Nonetheless, KBF (and more recently BMZ through GIZ's SPHT Programme) was, for most organisations, providing, in addition to technical assistance, core funding and continuity over time, backstopping when agencies were unable to access other funds for re/integration services.

The TVRP also engaged NGOs in strategising the long-term sustainability of re/integration services, with varying degrees of success.³¹ Strategies included: (1) advocating for government funding of re/integration programmes and services; (2) leveraging private-sector funding and contributions; and (3) establishing social enterprises to fund re/integration services. However, this was not uncomplicated. Some organisations faced funding crises, with staff and beneficiaries left to absorb the impact. One organisation, in 2009, managed to ensure uninterrupted services only because staff went without salaries for months and contractors agreed to defer payments. In 2012, another organisation was forced to temporarily offer only crisis intervention due to lack of funds. The TVRP was designed to accommodate these challenges and the long-term nature of a transition to sustainability. The programme calibrated the introduction of

³¹ R Surtees, *Taking Stock. Evaluating KBF's TVRP in the Balkans, 2006–2010*, KBF and NEXUS Institute, 2010.

sustainability requirements to an uncondusive (and, at times, openly hostile) government and business environment. When it finishes at the end of 2014, it will have run for eight years. During this period, organisations received a consistent base of funding while working towards long-term sustainability of re/integration services.

The following sections explore each strategy used to ensure sustainable re/integration services. By laying bare these experiences (both successes and failures), we hope to offer suggestions as well as cautions in building and funding sustainable re/integration services for trafficked persons.

1. Advocating for Government Funding of Re/integration Programmes and Services

When the TVRP started, there was little government support for re/integration services or programmes. NGOs had taken on re/integration work, traditionally a government's domain, because states were not adequately doing so. In late 2006, when the first grant applications were submitted to the KBF, only one organisation was receiving government funds. Moreover, this was municipal funding and a function of specific advocacy rather than a state-wide approach. Even strategic partnerships with state agencies for individual re/integration services—like employment centres and hospitals—were limited, as one organisation explained at the time:

In spite of the state's greater engagement...the major portion of the provision of services is still dependent on NGOs. Hence, foreign donors need to be acquainted with the real situation in order to help adequate mechanisms and services to be provided by NGOs until the state builds its capacities to do so.

A 2007 study of victim assistance in the Balkans found that trafficking victims faced problems in accessing even the most basic state services and receiving minimal state support. Where services were available, bureaucratic procedures impeded access.

Lack of government support was partly due to a deficit in government budgets in many service areas—e.g. social services, health, education—which affected the population at large. It may also have been due, at least in part, to the (often inaccurate) assumption that trafficking victims were foreign nationals rather than one's own country nationals.

Lobbying governments to support re/integration programmes and services has been a key, and indeed requisite, activity of the TVRP and some significant successes have been realised. Some organisations receive government funds for their programmes; others receive in-kind contributions, like public buildings for office space, shelters or a day centre or contribution of utilities and other expenses.³²

The 2007 United States Department of State *Trafficking in Persons (TIP) Report* noted that governments in the region largely relied on NGOs to provide re/integration services to trafficking victims and makes no mention of government funds to NGOs for re/integration work. However, the 2011 and 2012 *TIP Reports* showed that governments were funding some re/integration services, as documented in the table below.

Table 1: 2011 and 2012 Government Funding of Re/integration, in USD

	2011	2012
Albania	9,775* to shelters for trafficked persons (for food expenses) ³³	7,280 to shelters for trafficked persons (for food expenses) ³⁴
Bosnia and Herzegovina	46,000 for services for victims of sexual violence, including trafficking ³⁵	69,000 to assist foreign trafficking victims; USD 46,000 to assist domestic trafficking victims (including NGO grants) ³⁶
Kosovo	153,000 for victim assistance ³⁷	198,000 for victim assistance ³⁸
Serbia	54,700 for victim assistance ³⁹	81,400 for victim assistance ⁴⁰
Macedonia	14,000 for victim assistance ⁴¹	35,000 for victim assistance ⁴²

*all amounts in USD

³² United States Department of State, *Trafficking in Persons Report 2007*.

Importantly, governments are increasingly offering re/integration services, like medical care, counselling, legal aid and so on. In 2012, the Albanian government reportedly spent USD 280,952 on social services for adult trafficking victims, albeit through the government reception shelter, which then refers victims to one of three re/integration NGOs (none of which received funding).⁴³ And, in 2011, the Serbian government adopted the Law on Social Protection, designating trafficked persons a category of vulnerable persons, entitling them to rights and benefits under the social protection system.

Some states provide more funds than others. One organisation in Kosovo, supporting abused and trafficked children, received from the Ministry of Labour and Social Policy 50% of its budget in 2011 and 57% in 2012. By contrast, in 2012, the Macedonian government allocated a very small amount of funds for assistance—USD 35,000, divided between five NGOs.⁴⁴ An additional EUR 5,300 (USD 7,102) was provided for rent and utilities to the NGO operating the government shelter, while the shelter operating costs are approximately EUR 70,000 (USD 93,800; leaving the NGO to raise more than EUR 55,000 [USD 73,700] from other sources).⁴⁵

The provision of government support has been neither linear nor assured. State funding has waxed and waned due to budget constraints, as well as changes in government and political priorities. Some organisations received state funds for re/integration services one year but not subsequently. In

³³ United States Department of State, *Trafficking in Persons Report 2012* (2012 *TIP Report*), p. 64.

³⁴ United States Department of State, *Trafficking in Persons Report 2013* (2013 *TIP Report*), p. 68.

³⁵ 2012 *TIP Report*, p. 92.

³⁶ 2013 *TIP Report*, p. 101.

³⁷ *Ibid.*, p. 225.

³⁸ *Ibid.*

³⁹ *Ibid.*, p. 323.

⁴⁰ *Ibid.*

⁴¹ 2012 *TIP Report*, p. 230.

⁴² 2013 *TIP Report*, p. 244.

⁴³ *Ibid.*, p. 68.

⁴⁴ *Ibid.*, p. 244.

⁴⁵ Email correspondence with TVRP partner NGO, November 2013.

2010, the Serbian government promised funds for re/integration services for trafficked victims, which led international donors to cease funding the TVRP-supported re/integration programmes. When government funds did not materialise, the re/integration organisation struggled to stay open and provide adequate services.⁴⁶ One centre for vulnerable and trafficked children in Serbia received, in 2012, about 42% of its budget from a municipal social welfare department, an amount that was reduced to 18% in 2013, due to the dismissal of the mayor and city government of Belgrade.⁴⁷

Additionally, trafficked persons face administrative barriers in accessing re/integration services. Access to state services requires identity documents, which are taken away from many trafficked persons during exploitation and cannot be re-issued without permanent residency (and many do not have a fixed address because they do not own their homes or are not living with their families). Also, trafficked persons may be required to self-identify as trafficking victims to state agencies, which many are unwilling to do because of concerns about confidentiality and discrimination.

There are also structural factors that inhibit government funding of re/integration services. With decentralisation, services and funds are to be provided at a local level and yet resources do not always exist locally. There is also often a lack of trained and sensitised human resources to ensure the provision of high quality and adequate re/integration services at the local level. In many countries, changes of government often lead to staff turnover (or dismissal), which can work against positive developments.

Moreover, some governments continue to abdicate responsibility for social services to NGOs and rely on international donors to

⁴⁶ Email correspondence with TVRP partner NGO, November 2013.

⁴⁷ Email correspondence with TVRP partner NGO, November 2013.

fund services for trafficking victims.⁴⁸ Consider, for example, the comment of one high-ranking government official responsible for anti-trafficking activities. When pressed about his government's very low funding of services in an interview during a monitoring visit in 2011, he said: 'We won't fund NGOs doing re/integration because if we do that, then the donors will leave.' Such statements and attitudes raise questions about the extent to which individual NGOs can ensure sustainable re/integration services, even so many years after such discussions and efforts began. It also demonstrates lack of cooperation between governments and the civil society, so crucial for sustainability.

2. Leveraging Private-Sector Funding and Contributions

Securing private-sector donations has been another strategy toward sustainability—fundraising from local businesses and from private donors, like foundations. In late 2006, only a few organisations had approached private businesses for donations and in-kind contributions and had faced many challenges. By contrast, in 2013, all organisations proactively sought support from local businesses. Most commonly this comprised in-kind contributions—e.g. free dental services for beneficiaries, reduced fees for professional training courses, donations from or discounts at local stores (clothes, shoes, food, hygiene supplies), building supplies for renovating a shelter and so on—although some organisations also received monetary contributions. While this was usually in small amounts (contributions of a few hundred euros), some organisations in Albania, Serbia and Bosnia and Herzegovina received contributions from private businesses ranging from EUR 2000 (USD 2,680) annually to several thousand euros. In 2012, one

⁴⁸ When GIZ initiated the SPPHT, there were concerns that a large influx of donor funds would undermine government commitments and advances in assuming responsibility for re/integration services. KBF and GIZ agreed to partner and co-fund the TVRP to ensure coordination and avoid such conflicts. Given GIZ's existing relationships with governments, the partnership also had the potential to contribute to government responsibility for re/integration work, i.e. assistance from state social services and by funding NGOs offering re/integration services.

Serbian organisation received EUR 10,000 (USD 13,400) from a local business and, in 2013, EUR 8,000 (USD 10,720) of in-kind contributions of food, clothing and furniture.⁴⁹

Nonetheless, there are challenges, including complicated administrative procedures and lack of tax exemptions for business donations. One organisation was required to prepare invoices for 'promotional services' to receive donations from private businesses, otherwise the company would be taxed on its donation. This is also unpredictable funding—one NGO in Serbia received almost EUR 15,000 (USD 20,100) in private-sector contributions in 2012 but less (not quite EUR 10,000/USD 13,400) in 2013—which complicates long-term planning.⁵⁰ Moreover, staff costs constitute a high percentage of re/integration budgets, as case management, which underpins successful re/integration, is labour intensive. Some organisations struggle to leverage funds for staff salaries; many private donors prefer to fund 'tangible' contributions.

Leveraging the support of foundations has been far less successful in spite of concerted efforts to advocate for the involvement of foundations in protection and re/integration.⁵¹ Few foundations are willing to support re/integration services. To some extent, this seems to be due to the complexity of the issue. It is an expensive undertaking with a high risk of failure, which seemingly does not appeal to many foundations. It is also less visible and less appealing than other types of anti-trafficking work, like awareness and prevention activities. Moreover, sustainable re/integration programmes require long-term involvement and relatively large budgets with unpredictable results, which does not fit with the fast-changing priorities of many private foundations as well as with a general focus on short-term projects or on policy work. There is also an assumption within philanthropic circles that this issue is being tackled by multi-lateral and bilateral

⁴⁹ Email correspondence with TVRP partner NGO, November 2013.

⁵⁰ Email correspondence with TVRP partner NGO, November 2013.

⁵¹ Exceptions include: Oak Foundation, ProVictimis Foundation and the Sigrid Rausing Trust. Postcode Foundation (Sweden) and Mary Ward Loreto Foundation (Albania) are scheduled to fund re/integration in Albania in 2014.

donors, as well as large international organisations, and that the leverage of private foundations would be limited. At the same time, official statistics about the seemingly low numbers of recognised victims (and the even lower numbers of those successfully re/integrated) dissuade donors from venturing into such complex work. In addition, at a recent TVRP seminar on sustainability of re/integration services,⁵² some foundation representatives (those affiliated with businesses) stressed the need for re/integration NGOs to link any funding proposals to the foundation's or business core work and mandate, which is not an easy fit for social service provision and re/integration.

One overarching challenge of private sector fundraising is that it is labour intensive work, with uncertain and highly variable outcomes. As such, it is not always an option for smaller organisations with fewer staff who need to focus on their project work and do not have resources to take on this additional task. While volunteers might contribute to fundraising, this requires appropriate training, monitoring and oversight, which also involves human resources.

3. Establishing Social Enterprises to Fund Re/integration Services

Social entrepreneurship is increasingly acknowledged as an innovative strategy towards economic development and social wellbeing.⁵³ Social enterprises can contribute to the long-term financial sustainability of NGOs in that profits can fund social services for trafficked persons and the enterprise can potentially serve as a safe and protected workplace for them.

Social enterprises have increasingly been implemented by TVRP-funded organisations, which have set up an internet

⁵² Sustainability Week on Protecting Victims of Human Trafficking and Improving Social Inclusion—Partnering for Sustainable Social Services, KBF, GIZ SPPHT, Jahorina, Bosnia and Herzegovina, 23–26 September 2013.

⁵³ C Borzaga, G Galera and R Nogales (eds.), *Social Enterprise: A new model for poverty reduction and employment generation. An examination of the concept and practice in Europe and the Commonwealth of Independent States*, United Nations Development Programme, European Research Network, 2008.

café, tour guiding, restaurant, bakery, catering, a printing company, and a car wash. However, results have been mixed, not least because of the lack of a legal framework for social enterprises. This means that they are taxed as regular businesses and even as 'big businesses', as is the case in Albania. Additional difficulties have been due to lack of start-up capital and professional capacity for, and interest in, managing a business, which, regardless of its social aims, must function competitively in a business environment. Recent economic crises have further threatened the viability of social enterprises.

Moreover, some difficulties are specific to anti-trafficking organisations and their beneficiaries—not least that beneficiaries may lack the education and professional skills required to work in such enterprises and their physical and psychological condition may impede their productivity. It is also an open question as to when it is appropriate for beneficiaries to staff such endeavours, for some staff, depending on how they are introduced to the role, may identify beneficiaries as trafficked, exposing them to discrimination and possibly violence. Critically, setting up a social enterprise requires often very significant adjustments in the management of anti-trafficking NGOs, or at least the social enterprise component, and also requires capacity building and significant capital investment.

Results for social enterprises have been mixed. One TVRP organisation, in 2011, set up a bakery as a social business to train and provide work experience to beneficiaries and also to eventually make a profit to fund social services. They received EUR 33,000 (USD 44,220) in private and charitable donations but faced many challenges not least because staff, who lacked business experience and expertise, worked on this venture (often in addition to their re/integration work). The bakery was initially housed in the shelter kitchen but, in 2013, they opened a public bakery/shop front. The business broke even, partly because they have now hired a professional business manager to operate the business. Nonetheless, significant challenges remain in terms of the blurred lines between beneficiaries and staff, and also because

the business and social services components often diverge in philosophy and approach.

Conclusion

This paper has discussed the generally inadequate funding and support for re/integration services, a critical component of protection efforts in anti-trafficking. These resources have not been forthcoming for various reasons, including a failure to distinguish between short-term assistance and long-term re/integration; the complex, messy and unpredictable nature of re/integration work; the risk of failed re/integration; the high cost of re/integration services and case management; lack of budget allocation from national and local governments; and a lack of interest in re/integration from international donors and foundations. This failure has necessarily impacted the lives of many trafficked persons who rely on services and support to recover from the crime of trafficking.

This article has also discussed how organisations and institutions can be and, to varying degrees, have been successful in moving towards a more diverse and sustainable funding base for re/integration support and services. Certainly re/integration organisations in the Balkans have made significant strides in the direction of long-term sustainability of high-quality and professional re/integration services for trafficked persons—services from both the state and NGOs. However, this has not been without complications; it is neither a linear nor an inevitable trajectory. NGOs in the Balkans have, at times, struggled to keep much-needed re/integration services available to trafficked persons. And trafficked persons have, at times, been unable to access services and support needed to recover and move on from their trafficking experience.

This discussion is intended to be helpful in considering how sustainability of re/integration services might be fostered in different settings, albeit with requisite adaptations to individual settings and contexts. The recognition of the long

time frame and intensive labour required in re/integration service provision and case management is key. Equally important is a funder's willingness to accommodate the crises and problems faced along the way, including the vagaries of public and private sector support and the difficulties in establishing economically viable social enterprises. One reason that it has been possible to achieve some measure of sustainability for re/integration services in the Balkans is linked to the donors' technical support and backstopping of re/integration support through uncertain, transitional times—when NGOs, governments and the private sector were figuring out their respective roles and responsibilities as well as possible partnerships and cooperation. This highlights that the move towards sustainability is a process that is likely to be longer and more complex in countries and regions with weaker state structures, lower state budgets and less developed social protection systems.

The authors, therefore, conclude this article with a call for greater attention to re/integration—not only in terms of funding from national governments and donors but also in terms of working alongside organisations and institutions to discuss, explore and support long-term sustainability of re/integration services. Re/integrating into one's family and community after a trafficking experience is often a slow and painful process. It is messy and complicated and fraught with setbacks and failures. In addition to coming to terms with their exploitation, trafficked persons face many challenges in their social environment and in forging a viable livelihood. As a consequence, re/integration work is slow moving, labour intensive, unglamorous and intensely complex. Each experience of successful and sustainable re/integration is a hard-won success. And yet it is in these hard-won successes that the fight against trafficking is realised. Re/integration services must be reliably and widely available to all trafficked persons who wish to receive them, and they must be of the highest possible quality. While the cost of re/integration services is great, the cost of not supporting (and funding) re/integration—for trafficked persons and society generally—is far greater.

Rebecca Surtees is an anthropologist and senior researcher at NEXUS Institute, a human rights policy and research centre in Washington DC, United States, and serves as regional advisor for the Trafficking Victims Re/integration Programme (TVRP) in the Balkans, which is funded by the King Baudouin Foundation and Deutsche Gesellschaft für Internationale Zusammenarbeit. She has conducted research on various aspects of human trafficking in Southeast Asia, Southeastern Europe, the former Soviet Union and West Africa, including on re/integration. Email: rsurtees@nexusinstitute.net

Fabrice de Kerchove is Project Manager at the King Baudouin Foundation (KBF) in Brussels, Belgium. In this capacity, he is in charge of the Foundation's programmes in the Balkans. This includes grant-making and policy initiatives on human trafficking, such as the Trafficking Victims Re/integration Programme, and on the European integration of the Balkans. Since 2009, he has been also responsible for various projects on the integration of migrants in Belgium. Before joining KBF in 1995, he worked as a freelance consultant in the arts and publishing. He studied art history in the Université libre de Bruxelles, Belgium, and arts management at New York University, New York, United States.
E-mail: dekerchove.f@kbs-frb.be

Do Evidence-Based Approaches Alienate Canadian Anti-Trafficking Funders?

Alison Clancey, Noushin Khushrushahi, Julie Ham

Abstract

As a sex worker support organisation, SWAN (Supporting Women's Alternatives Network) Vancouver's relationship to anti-trafficking funding remains ambivalent, particularly given the history of anti-trafficking measures that have jeopardised the rights of sex workers. In this article, we share how we, as a small grassroots group, attempt to work through these ambivalences in dialogue with donors. Although SWAN Vancouver works with women who are often perceived to be trafficked (i.e. Asian women in sex work), it is rare for members of SWAN Vancouver to come across any case in the sex-work sector that has the hallmarks of trafficking, such as coerced work. Instead, our anti-trafficking work has mainly involved identifying the harms and human rights violations caused by repressive or misguided anti-trafficking measures. We reflect on our dialogue with two Canadian funders (a federal government agency and a national public foundation) that have considerable resources and immense power to influence what anti-trafficking practices are implemented in Canada. We analyse how these two funders and their adoption of an anti-prostitution analysis of trafficking will likely result in punitive consequences for immigrant sex workers, and therefore increase the need to assist women who have been anti-trafficked rather than trafficked.

Key words: funding, anti-trafficking, anti-prostitution, accountability, sex work, donors, funders

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Introduction

The Canadian Women's Foundation conducted National Angus Reid public opinion polls that have uncovered the following: 70% of Canadians agree that women are brought into Canada from other countries and forced to work in prostitution against their will.¹ — Canadian Women's Foundation

Adult women involved in the sex industry may also be at risk of domestic trafficking. Through gang involvement, they may be forced into prostitution. They may also be forced by a pimp whom they consider to be a boyfriend. In both situations, forced prostitution is trafficking.² — Status of Women Canada

These two quotes are taken directly from funding calls for anti-trafficking work in Canada in 2012 and 2013. Currently, these two funders—along with a federal and a provincial government funding body—offer the largest amounts of anti-trafficking funding available in Canada. As a mainly volunteer-run sex-worker support organisation based in Canada, the Supporting Women's Alternatives Network (SWAN) is always on the lookout for funding opportunities to enable its work supporting immigrant and migrant women in indoor-based sex work, i.e. massage parlours, micro-brothels (run out of apartments and rental properties) and residential

¹ Canadian Women's Foundation, 'End Sex Trafficking', retrieved 12 December 2013, <http://www.canadianwomen.org/trafficking>

² Status of Women Canada, *Local Safety Audit Guide: To Prevent Trafficking in Persons and Related Exploitation*, Public Safety Canada, retrieved 13 December 2013, <http://www.publicsafety.gc.ca/cnt/rsracs/pblctns/lcl-sfty-dtgd/index-eng.aspx>

sites.³ Unfortunately, the majority of funding calls we encounter in Canada reflect an anti-prostitution analysis of trafficking, in which sex work is either confused with trafficking or considered one of the main drivers of trafficking.

SWAN Vancouver's relationship to anti-trafficking funding remains ambivalent, particularly given the history of anti-trafficking measures that have jeopardised the rights of sex workers.⁴ We work with the stereotypical archetype of the trafficked woman in Vancouver, i.e. Asian women who speak English with non-Western accents, and it is precisely our work with these women that places us within the anti-trafficking landscape. While the vast majority of women we have interacted with have not been trafficked, we feel obligated to participate in anti-trafficking discourses. Other sex worker support organisations in the SWAN Vancouver area face similar challenges in securing funding, even for socially acceptable services such as 'exiting' programmes for sex workers.⁵

This leaves us in a difficult position. Given that there are very limited funding possibilities to support our core services (direct support, outreach, information resource development), anti-trafficking funding is the most plausible source of funding for SWAN Vancouver's work. However, we experience two key dilemmas. First, should we, as a grassroots organisation that supports sex workers' rights, apply for and

³ See: <http://www.swanvancouver.ca> (retrieved 5 August 2014).

⁴ See: T O'Doherty, 'Criminalisation and Off-Street Sex Work in Canada', *Canadian Journal of Criminology and Criminal Justice*, vol. 53, no. 2, 2011, p. 217; N Suthibhasilp, L Petroff, D Nipp, *Trafficking in Women, Including Thai Migrant Sex Workers in Canada*, Status of Women Canada, Canada, 2000; E Jeffreys, 'Anti-Trafficking Measures and Migrant Sex Workers in Australia', *Intersections: Gender and Sexuality in Asia and the Pacific*, vol.19, 2009.

⁵ S Petrescu, 'Safe haven for sex workers forced to close as outreach society PEERS sees funding cut', *Times Colonist*, 2 September 2013, retrieved 2 September 2013, <http://www.timescolonist.com/news/local/safe-haven-for-sex-workers-forced-to-close-as-outreach-society-peers-sees-funding-cut-1.610121#sthash.WKk9Yjil.dpuf>. R Matas, 'Vancouver prostitutes to lose agency that helps them leave trade', *Globe and Mail*, 6 September 2012, retrieved 12 December 2013, <http://www.theglobeandmail.com/news/british-columbia/vancouver-prostitutes-to-lose-agency-that-helps-them-leave-trade/article4183614/>

accept any funding that is framed around a problematic and harmful discourse that promotes an anti-prostitution and anti-migrant agenda? Second, given our limited resources, should we actively participate in trying to change these anti-prostitution and anti-trafficking frames when we can instead use that effort to provide direct services to the women we serve?

In this article, we aim to address these two questions by reflecting on our dialogue with two Canadian funders that have considerable resources and power to influence how anti-trafficking practices are implemented in Canada. Although strides are being made in support of sex workers' rights,⁶ there currently exists a highly problematic 'moral crusade' against sex work in Canada—a crusade that continues to conflate sex work and human trafficking in funding processes. We analyse how these two funders and their adoption of an anti-prostitution analysis of trafficking will likely result in punitive consequences for immigrant sex workers. We also describe our approach in addressing the dilemmas we face to share our experience in advocacy, which aims to address the issue of human trafficking without harming the rights of sex workers.

Methodology

Our analysis is put forward through a 'thick description' of two illustrative case studies that reveal various dimensions of a situation in a particular context.⁷ The first funder we discuss is Status of Women Canada, a federal government agency, and the second, Canadian Women's Foundation, is a large, national public foundation. By providing description and contextual analysis, we reveal how these funding bodies use national anti-trafficking funding applications as tools to

⁶ 'Supreme Court strikes down Canada's prostitution laws,' CBC News, 20 December 2013, retrieved 7 April 2014, <http://www.cbc.ca/news/politics/supreme-court-strikes-down-canada-s-prostitution-laws-1.2471572>

⁷ L Davey, 'The Application of Case Study Evaluations', *Practical Assessment, Research & Evaluation*, vol. 2, no. 9, 1991; C Geertz, *The Interpretation of Cultures: Selected essays*, Basic Books, New York, 1973.

promote an anti-prostitution conceptualisation of human trafficking. We then discuss how these funding opportunities create ethical dilemmas for SWAN Vancouver.

Situating SWAN Vancouver

SWAN Vancouver occupies a unique intersectional location among sex worker organisations, women's rights and immigrant services organisations in Vancouver, Canada. While SWAN Vancouver is home to a number of dynamic sex-worker organisations, it remains the only organisation in Vancouver focused on supporting immigrants who have citizenship or permanent resident status, or migrants who have temporary status in the country, such as visitor or student visas. These women typically work in indoor establishments such as massage parlours or residential sites.

Our work largely supports Asian women. In the context of indoor sex work in Canada, Asian women who do sex work are still perceived to be the default trafficking victim regardless of their citizenship status or length of time in the country. This puts us in a unique position in the anti-trafficking sector in Vancouver. In actuality, our work involves working with immigrant or Canadian-born citizens, permanent residents, citizenship applicants, government-recognised refugees, temporary migrants or visitors and international students. It is rare for SWAN Vancouver to encounter a trafficking case in the sex-work sector. As a result, our advocacy efforts when confronted with the issue of trafficking have largely involved identifying the harms caused by repressive anti-trafficking measures (e.g. in dialogue with donors, in public education fora). In Vancouver, the most obvious example of punitive anti-trafficking efforts remains the 2006 law enforcement raids of 18 Asian massage parlours that aimed to identify victims of trafficking.⁸ Instead, none of the 78 women arrested were reported to be in breach

⁸ '18 massage parlours raided, 100 arrested', Vancouver Sun, 9 December 2006, retrieved 12 December 2013, <http://www.canada.com/vancouver/sun/news/story.html?id=431cc5d2-4496-4400-b367-403d9a07a454>

of immigration laws or trafficked. This extensive law enforcement effort should provide a valuable lesson in the dangers of: (a) grounding anti-trafficking efforts in ethnic stereotypes, and (b) attempting to 'help' victims through workplace raids, arrest and detention.

Nonetheless, despite such misplaced efforts to identify trafficking victims, human trafficking remains a politically useful issue for abolitionists, one that continues to justify heavy-handed law enforcement action. The city of Vancouver is an especially politicised environment when it comes to pro-sex-worker rights groups and abolitionist groups. This polarisation became especially prominent in the lead-up to the 2010 Winter Olympics hosted in Vancouver. Despite the large body of evidence showing no link between major sporting events and human trafficking,^{9 10 11} the issue of human trafficking became a 'hot topic' with the media before, during, and after the games.¹² As sociologist Ronald Weitzer notes:

As is typical of moral crusades, activists (and now government officials) have presented questionable statistics and anecdotal horror stories as evidence of a worldwide epidemic of coerced prostitution. The crusade's sweeping claims are contradicted by academic research on the sex industry, including comprehensive reviews of the scholarly literature.¹³

⁹ C Brackenridge et al., 'Child Exploitation and the FIFA World Cup: A review of risks and protective interventions,' 2013, retrieved 5 August 2014, http://www.brunel.ac.uk/__data/assets/pdf_file/0008/316745/Child-Protection-and-the-FIFA-World-Cup-FINAL.pdf

¹⁰ J Ham, 'What's the cost of a rumour? A guide to sorting out the myths and the facts about sporting events and trafficking', Global Alliance Against Traffic in Women (GAATW), 2010, retrieved 5 August 2014, <http://www.gaatw.org/publications/WhatstheCostofaRumour.11.15.2011.pdf>

¹¹ GAATW Canada, 2010 Winter Games Analysis on Human Trafficking, 2013, retrieved 5 August 2014, <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/wntntr-gms-2010/index-eng.aspx#sii>

¹² K Wallace, 'Human trafficking alive and well for the 2010 Olympics', Vancouver Observer, 2 February 2010, retrieved 7 April 2014, <http://www.vancouverobserver.com/politics/commentary/2010/02/02/human-trafficking-alive-and-well-2010-olympics>

¹³ R Weitzer, 'The Social Construction of Sex Trafficking: Ideology and institutionalization of a moral crusade', *Politics & Society*, vol. 35, no. 3, 2007, p. 468.

This problematic discourse is not only reflected in the media—it is also clearly reflected under the current Conservative government’s approach to sex work: ‘Canadians also know that prostitution victimises women and threatens the safety of our communities. Our Government will vigorously defend the constitutionality of Canada’s prostitution laws.’¹⁴

In a sad but unsurprising move, on 22–23 January 2014, 26 police forces across Canada undertook massive raids in the ‘workplaces and homes of sex workers to find victims of human trafficking’; the raids targeted over 330 women involved in the sex industry.¹⁵ These raids took place after a landmark decision that declared Canada’s prostitution laws unconstitutional on 20 December 2013, and have come to represent anti-trafficking approaches in Canada which:

- First, conflate sex work and human trafficking.
- Second, put out funding calls to demonstrate a pro-active attempt to address human trafficking.
- Third, allocate funding to organisations that actively work against sex workers.
- Finally, create an environment in which human trafficking becomes a convenient phrase used to re-purpose false information about sex work, thereby slowing our ability to understand human trafficking in Canada.

Context: Canada’s National Action Plan to Combat Trafficking

In June 2012, the federal government launched the National Action Plan to Combat Trafficking.¹⁶ The purpose of the

¹⁴ Government of Canada, ‘2013 Throne Speech: October 16, 2013’, retrieved 18 October 2013, <http://www.speech.gc.ca/eng/full-speech>

¹⁵ G Galloway, ‘Human trafficking crackdown seen by some sex workers as bullying tactic’, *Globe and Mail*, 27 January 2014, retrieved 7 April 2014, <http://www.theglobeandmail.com/news/politics/human-trafficking-crackdown-seen-by-some-sex-workers-as-bullying-tactic/article16539174/>

¹⁶ Government of Canada, National Action Plan to Combat Human Trafficking, 2012, retrieved 12 December 2013, <http://www.publicsafety.gc.ca/cnt/rsrccs/pblctns/ntnl-ctn-pln-cmbt/index-eng.aspx>

National Action Plan is to consolidate federal government efforts to combat human trafficking, identify victims, protect the most vulnerable, and prosecute perpetrators. To oversee over CAD 6 million (USD 5,587,373) in annual funding, a Human Trafficking Taskforce has replaced the Interdepartmental Working Group on Trafficking, which had previously overseen Canada's anti-trafficking efforts. The National Action Plan is based on the international '4Ps' framework—prevention, protection, prosecution and partnership. However, crime fighting and a criminal justice approach figure prominently. In the first year, the RCMP (Canada's national police force) and Canadian Border Services Agency received CAD 5.4 million. The government did not allocate funding for victim services in 2012–2013. In 2013–2014, the government allocated 'up to [CAD] 500,000' for victim services.¹⁷ With little funding for community-based support services in this highly competitive funding stream, SWAN Vancouver sought other funding sources.

The list below highlights the best-known anti-trafficking funding sources for community-based support organisations in Canada.

Government sources

Federal

- Department of Justice — Victims Fund
- Department of Public Safety — Contribution Programme to Combat Child Sexual Exploitation and Human Trafficking
- Status of Women Canada — Women's Programme
- United States-Embassy-Ottawa, Public Affairs Section — Community Partnership Grants

Provincial

- Ministry of Justice — Civil Forfeiture Crime Prevention and Remediation

National public foundation

- Canadian Women's Foundation

¹⁷ Public Safety Canada, National Action Plan to Combat Human Trafficking, retrieved 23 March 2014, <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/ntnl-ctn-pln-cmbt/index-eng.aspx>

Status of Women Canada Case Study

In late 2012, one of the funders, Status of Women Canada, issued a call for anti-trafficking funding proposals. Status of Women Canada is a federal government agency that promotes equality for women. Focusing its efforts in three priority areas, it works to advance equality for women by increasing women's economic security and prosperity, encouraging women's leadership and democratic participation, and ending violence against women and girls.¹⁸ In the past decade, Status of Women Canada has shifted its mission and politics from human rights to a violence against women framework, a shift that reflects the political direction of Canada's Conservative government, which has been in power since 2006. Indicative of such change, Status of Women Canada has been one of the strongest governmental proponents of the prohibition of sex work through anti-trafficking initiatives such as increasing penalties for sex work.

'Working Together: Engaging communities to end violence against women and girls' was Status of Women Canada's 2012 funding stream for preventing and reducing the domestic trafficking of women and girls through community planning.¹⁹ Included with the call for proposals was a *Local Safety Audit Guide: To Prevent Trafficking in Persons and Related Exploitation*, which was an instructional guide to aid in the completion of the funding application. The guide's instructions were interspersed with a particular ideological perspective on sex work and human trafficking. The 'Continuum of Prevention Options for Trafficking and Exploitation' suggests a number of preventative approaches applicants could include in their funding applications: patrolling and surveillance of hot spots; regulation of bars, massage parlours, beauty salons etc.; and regular inspection and enforcement.²⁰

¹⁸ Status of Women Canada, 'Who We Are', retrieved 23 March 2014, <http://www.swc-cfc.gc.ca/abu-ans/who-qui/index-eng.html>

¹⁹ Status of Women Canada, 'Working Together: Engaging communities to end violence against women and girls', retrieved 12 December 2013, <http://www.swc-cfc.gc.ca/fun-fin/cfp-adp/2012-2/index-eng.html>

²⁰ Ibid.

Rather than preventing human trafficking, our experiences have shown that these approaches can harm sex workers and foster environments where human trafficking can occur. For example, continued surveillance of licensed massage parlours force some women to not carry condoms, or work in underground sex-work sectors in an attempt to evade police attention.

Status of Women Canada's guide mentions law enforcement throughout as a necessary stakeholder in anti-trafficking efforts, but does not acknowledge the harm stemming from traditional law-enforcement approaches, with raids of sex-work businesses being a key example. The guide does refer to a series of raids that resulted in the arrest of 'illegal' migrants, documented in a 2000 Status of Women Canada-funded research project, 'Trafficking in Women, Including Thai Migrant Sex Workers in Canada':

Some women who choose to migrate to Canada may similarly find themselves forced to work in the sex industry, but the numbers are difficult to estimate. In 1997 a series of raids on massage parlours in Toronto resulted in the arrest of Thai and Malaysian women who were illegal migrants recruited to work in the sex trade.²¹

However, other research findings and recommendations from this research report warning against the use of police raids is not included in the instructional guide. The research found: 'Canadian police agencies and the judicial system treated the women as criminals, as well as patronising them because of their sex, race and occupation. [...] Their rights to due process were violated.'²² This research revealed how police

²¹ Toronto Network Against Trafficking in Women, Multicultural History Society of Ontario, Metro Toronto Chinese and Southeast Asian Legal Clinic, *Trafficking in Women, Including Thai Migrant Sex Workers*, Status of Women Canada, Canada, 2000, p. 25, retrieved 12 December 2013, <http://ccrweb.ca/en/trafficking-women-including-thai-migrant-sex-workers-canada>

²² Ibid.

raids resulted in the abuse and harassment of sex workers, and increased women's debt when women's earnings were confiscated by law enforcement. In the above 1997 example: 'The women were left in jeopardy with no assistance from state authorities.'²³ Although the guide does not specifically endorse the use of police raids as a preventative strategy, we were concerned that excluding evidence against the use of police raids, coupled with numerous mentions of law-enforcement approaches, may facilitate the development of aggressive law-enforcement approaches.

Additionally, the guide included an entire section on addressing demand. Stating that 'demand is at the root of trafficking and related forms of exploitation since the greater the demand, the greater the profits for the exploiters', Status of Women Canada explicitly suggested applicants address the following questions in their projects: How many Johns²⁴ (sic) are there in your city? How big is the problem? What services and policies are needed to reduce demand?²⁵

An approach that seeks to end demand for sex work to reduce trafficking jeopardises sex workers' income and safety, and ignores significant structural factors and root causes of human trafficking such as gender inequality, poverty, increasingly stringent immigration policies and, in Canada among indigenous girls and women, colonialism.²⁶ Sex workers'

²³ Ibid.

²⁴ The purchasers of sexual services.

²⁵ Status of Women Canada, 'Working Together: Engaging communities to end violence against women and girls', retrieved 12 December 2013, <http://www.swc-cfc.gc.ca/fun-fin/cfp-adp/2012-2/index-eng.html>

²⁶ J Ham, Moving Beyond 'Supply and Demand' Catchphrases: Assessing the uses and limitations of demand-based approaches in anti-trafficking, GAATW, Bangkok, 2011, retrieved 12 December 2013, http://www.gaatw.org/publications/MovingBeyond_SupplyandDemand_GAATW2011.pdf ; S Dodillet and stergren, 'The Swedish Sex Purchase Act: Claimed success and documented effects'. Conference paper presented at 'Decriminalizing Prostitution and Beyond: Practical experiences and challenges', The Hague, Netherlands, 3–4 March 2011, retrieved 12 December 2013, <http://www.petraostergren.com/upl/files/54259.pdf> ; Sex Workers Project at the Urban Justice Center, What is "Demand" in the Context of Trafficking in Persons?, retrieved 12 December 2013, <http://www.sexworkersproject.org/downloads/20050301TraffickingDemand.pdf> ; S Thing, P Jakobsson and A Renland, 'When Purchase of Sex is a Crime: About new legal measure and its impact on harm reduction among sex

rights groups, researchers, and human rights-based anti-trafficking organisations have found that initiatives to end the demand for commercial sexual services have not reduced trafficking or violence against sex workers.²⁷ Instead, they increase law enforcement's power over sex workers, threaten their working conditions by diminishing the number of respectful clients without reducing the number of predators, and ultimately silence the concerns, priorities and knowledge of sex workers.

SWAN did not submit an application to Status of Women Canada. We determined that the language used in the funding call did not support the call's stated objective to prevent and reduce the trafficking of women and girls through community planning, and there was little space to 'translate' community needs into Status of Women Canada's anti-prostitution language. We felt the funding call would effectively exclude organisations that work from a sex workers' rights perspective. Furthermore, we felt the approaches proposed in the application would likely result in human rights violations against groups that are meant to be protected by anti-trafficking measures. In a letter to the Status of Women Canada dated 24 October 2012, SWAN expressed its concerns that the Status of Women Canada funding would not effectively counter trafficking but instead, only strengthen punitive approaches to sex work and stymie efforts to counter human trafficking. We asked for an opportunity to discuss our concerns, but did not receive a response. Our concerns were justified in 2013–2014. One of the groups Status of Women funded was PACT-Ottawa,²⁸ a coalition that includes Ottawa Police. On January 28, 2014, Ottawa Police issued a

workers in Sweden and Norway'. Presented at International Harm Reduction Association's 22nd International Conference, Beirut, Lebanon, 3–7 April 2011, retrieved 12 December 2013, <http://myweb.dal.ca/mgoodyea/Documents/CSWRP/CSWRPEUR/When%20purchase%20of%20sex%20is%20a%20crime.%20IHRA%202011.doc>

²⁷ Ibid.

²⁸ Status of Women Canada, 'Harper Government takes action to combat human trafficking in Ottawa', 2013, retrieved 23 March 2014, <http://www.swc-cfc.gc.ca/med/news-nouvelles/2013/0624-eng.html>

press release on behalf of the 26 police forces that were involved in the January 22 and 23, 2014 Canada-wide raids mentioned previously; PACT-Ottawa called the police effort a 'necessary strategy'.²⁹

Canadian Women's Foundation Case Study

In 2013, another funding opportunity came to our attention. The Canadian Women's Foundation is the country's only national public foundation dedicated to improving the lives of women and girls. Canadian Women's Foundation works in three key areas: ending violence against women, moving women out of poverty, and building strong resilient girls through funding, researching and promoting best practices. Since 1991, the Canadian Women's Foundation has funded over 1,000 programmes across Canada and is now one of the ten largest women's foundations in the world.^{30 31} Its national reach and influence is considerable.

Recently, the Canadian Women's Foundation expanded its mandate to include ending human trafficking. The Canadian Women's Foundation is investing CAD 1.92 million in anti-trafficking initiatives³² that focus solely on domestic human trafficking for the purpose of sexual exploitation, although their efforts targeting massage parlours^{33 34} may

²⁹ Megan Gillis, 'Hunting "sex slavery" victims', Ottawa Sun, 28 January 2014, retrieved 25 May 2014, <http://m.ottawasun.com/2014/01/28/hunting-sex-slavery-victims-headline-underline-web-headline>

³⁰ Canadian Women's Foundation, retrieved 12 December 2013, <http://www.linkedin.com/company/the-canadian-women%27s-foundation>

³¹ The Robinson Group, 'Our Contribution', retrieved 30 March 2014, http://therobinsongroup.ca/our_contribution/

³² Canadian Women's Foundation, retrieved 19 July 2014, <http://www.canadianwomen.org/taskforce>

³³ CBC News, 'Winnipeg massage parlours, escort services target of new rules', CBC, 10 February 2014, retrieved 25 May 2014, <http://www.cbc.ca/news/canada/manitoba/winnipeg-massage-parlours-escort-services-target-of-new-rules-1.2531377>

³⁴ G Leo, '2 cities, 2 very different approaches to massage parlours', CBC, 27 March 2014, retrieved 25 May 2014, <http://www.cbc.ca/news/canada/saskatchewan/2-cities-2-very-different-approaches-to-massage-parlours-1.2587572>

impact migrant or immigrant sex workers. The Canadian Women's Foundation's funding is significant, as is their power to influence the development of anti-trafficking initiatives across the country. The Canadian Women's Foundation's anti-trafficking initiatives include funding community organisations that support victims, conducting research and finding solutions in six priority areas: (1) service needs and gaps for trafficked and sexually exploited women and girls; (2) public awareness and prevention strategies; (3) relevant legal and policy issues; (4) sector capacity building and training; (5) government policy and funding; (6) philanthropic strategy. The Canadian Women's Foundation also created a national task force that will develop a National Human Trafficking Strategy. At the time of writing, the task force was planning to make recommendations in spring 2014.

The Canadian Women's Foundation's anti-trafficking initiatives have caused great concern among anti-trafficking and sex workers' organisations. 'Facts' on the Canadian Women's Foundation's human trafficking website³⁵ are not empirically supported but will ground their National Human Trafficking Strategy:

- Girls that are trafficked for the purpose of sexual exploitation are victims of child abuse.
- The average age is 13 and is getting younger.

Other assertions, emailed nationwide, rely on inaccurate assumptions that are harmful to sex workers:

We define sexual exploitation as the exchange of sex or sexual acts for drugs, food, shelter, protection and other basics of life primarily through street level survival sex.³⁶

³⁵ Canadian Women's Foundation, 'End Human Trafficking', retrieved 12 December 2013, <http://www.canadianwomen.org/trafficking>

³⁶ M. Adams, personal communication, 18 June 2013.

The Canadian Women's Foundation included the above definition in its national online survey to 'gather an important national snapshot of the number of women and girls that are trafficked and sexually exploited'.³⁷ With survey questions such as: 'What types of services are available to men who purchase sex (johns/consumers) in your community?', we would argue the Canadian Women's Foundation is more invested in abolishing sex work rather than countering human trafficking. Although the use of a research tool, such as a survey, connotes a 'neutral' information sharing strategy, the number of leading and close-ended questions left almost no discursive space for perspectives that do not confuse sex work with trafficking. The Canadian Women's Foundation's conflation of sex work and trafficking was further legitimised when both provincial and federal governments promoted the Canadian Women's Foundation's survey.³⁸

SWAN Vancouver decided not to participate because of the strong bias and lack of rigour reflected in the survey's design. SWAN Vancouver made an in-person request on 27 February 2013 and an email request on 10 May 2013 to meet with the task force to discuss all of our concerns. Our requests went unanswered. We followed up with a letter that voiced our concerns about the task force's national consultation process, particularly how the task force has excluded community efforts that do not seek to eliminate sex work. We also inquired about the unsubstantiated 'facts' promoted on its website. The Canadian Women's Foundation responded with a letter that listed all the groups that were consulted but did not respond to the questions regarding the conflation of trafficking and sex work, the consequences this has for anti-trafficking

³⁷ Canadian Women's Foundation, 'Service Provision for Human Trafficking and Sexually Exploited Women and Girls' [survey, now closed], retrieved 8 August 2013, <https://www.surveymonkey.com/s/VLVWW28>

³⁸ British Columbia Office to Combat Trafficking in Persons, *Staying Current*, Summer 2013, retrieved 8 August 2013, <http://www.pssg.gov.bc.ca/octip/docs/StayingCurrent.pdf>; Public Safety Canada, *Canada's Anti-Human Trafficking Newsletter*, July 2013, retrieved 8 August 2013, <http://www.publicsafety.gc.ca/cnt/rsrccs/pblctns/hmn-trffckng-nwslttr-2013-03/index-eng.aspx>

efforts, and the unsubstantiated ‘facts’ on its website. In February 2014, three months before the end of the consultation process, the Canadian Women’s Foundation met with six western-Canada-based sex-worker support organisations. Despite having had an opportunity to voice our concerns, to date the Canadian Women’s Foundation has not demonstrated an evidence-based approach or insight into the possible consequences of using anti-trafficking work as a vehicle to promote anti-prostitution ideology.^{39 40}

Discussion: From rhetoric to responsibility

Throughout this paper, we have highlighted how limited funding opportunities are for organisations like SWAN Vancouver in Canada, including the problematic assumptions of funding calls that effectively constitute a continued moral crusade against sex work. In this section, we address how we, as an organisation, attempt to challenge this pervasive and problematic discourse.

SWAN Vancouver members are all volunteers with the exception of three paid part-time staff members, and we work collectively to determine the organisation’s strategic direction. This includes identifying priorities to support women in indoor sex work within an increasingly challenging financial climate for grassroots organisations. Our funding is largely based on a patchwork of small grants, and like similar small organisations, we face three key financial challenges: systemic barriers to accessing funding opportunities, political impediments due to a lack of rights-based anti-trafficking frameworks, and ethical considerations around whether to accept such funding or not.

³⁹ CBC News.

⁴⁰ G Leo.

At the systemic level, SWAN Vancouver's grassroots nature, its limited resources and staffing can make it challenging to learn of, access and apply for funding opportunities. Since the majority of our efforts are focused on outreach and direct support, there are few opportunities—and very little time—to actively fundraise or seek out grant opportunities. Furthermore, there are few sizeable grants available for social services as a result of massive funding cuts over the last few years.⁴¹ Of the few grants that are available to support sex workers, most federal, provincial and foundation-based funding fails to account for the range of human trafficking, which includes trafficking for labour exploitation, domestic servitude and organ trafficking.⁴²

This leads to the second most prominent barrier for acquiring funding—the underlying political imperative that conflates human trafficking and sex work in order to abolish the latter. The Status of Women Canada and Canadian Women's Foundation calls for proposals are key examples of how human trafficking has become the latest in a series of 'trendy' issues to be addressed when it comes to women's rights issues in Canada. Unfortunately, as we have outlined in the previous section, both proposals rely on empirically inaccurate information about sex work and human trafficking.

In a letter dated 4 June 2013 to the Canadian Women's Foundation after their outreach to anti-prostitution groups and their misleading national survey, Esther Shannon, a long-time feminist and former member of the Assistant Deputy Ministers' Committee on Prostitution and Sexual Exploitation of Youth (2003–2007), stated clearly:

As with all organisations engaged in anti-trafficking efforts, the CWF [Canadian Women's Foundation] has a high level of responsibility to seek out evidence-based findings on this highly complex issue. The CWF has

⁴¹ S Petrescu (2 September 2013), op. cit.

⁴² D Haynes, 'The eye of the beholder: How bad data, scrambles for funding and professional bias shape human trafficking law and policy', 10 May 2012, retrieved 10 May 2012, <http://traffickingroundtable.org/2012/05/the-eye-of-the-beholder-how-bad-data-scrambles-for-funding-and-professional-bias-shape-human-trafficking-law-and-policy/>

the same level of responsibility when it comes to determining how its anti-trafficking work engages with issues related to sex work. Finally, the CWF must work to engage with all organisations with expertise on these issues.⁴³

Status of Women Canada did not respond to concerns put forward by Shannon and SWAN Vancouver. The unwillingness or inability to address our concerns demonstrates a lack of responsibility in ensuring evidence-based work is financially supported in the fight against human trafficking. By muddying understandings of sex work and human trafficking and not including the voices of sex workers who do not self-identify as exploited or trafficked, both the Status of Women and the Canadian Women's Foundation are fostering a (tired) discourse filled with misinformation that does a disservice to the realities, needs and priorities relevant to both trafficked persons and adult sex workers. This presents a serious ethical quandary about the responsibility of funding organisations and recipients to move beyond poorly-designed research initiatives and towards appropriate and relevant advocacy. It also brings us back to the two key dilemmas we highlighted at the beginning of this article:

1. Should we, as a grassroots organisation that supports sex workers' rights, apply for and accept any funding that is framed around a problematic and harmful discourse that promotes an anti-prostitution and anti-migrant agenda?
2. Given our limited resources, should we actively participate in trying to influence and change these anti-prostitution and anti-trafficking frames when we can use that effort to provide direct services to the women we serve?

Although SWAN Vancouver has managed to continue its work despite no consistent or large pools of funding, the reality is we cannot fully support immigrant, migrant and trafficked women without this money. Furthermore, because human

⁴³ For more information, contact Esther Shannon at emls@shaw.ca

trafficking has become a 'trendy' issue, we recognise that only a few 'experts' are consistently called upon to re-purpose false information about sex work and human trafficking in Canada. This pattern negatively impacts understandings of the issue and the steps needed to ensure that responses to trafficking are grounded in a human rights-based approach.⁴⁴ Additionally, because staff turnover and staff changes are a regular occurrence at these funding organisations, our experience has shown that knowledgeable staff members are often replaced by those with little or no understanding of human trafficking linkages that encompass the issue. These individuals are often influenced by groups that have vocal political opinions that align with the current government approach to sex work. This appears to be the case of Status of Women Canada, an organisation that has previously funded projects that support the rights of sex workers (including SWAN Vancouver).

As a result, SWAN Vancouver must constantly consider the opportunity cost of applying for such funding. We carefully examine each funding call in order to determine whether there is an opportunity to shed light on the needs, realities and experiences of the women we serve. Should we succeed in securing funding, we then face an additional dilemma: how do we balance our funders' expectations with our focus on much-needed support, such as access to legal information, health services and immigration assistance? As challenging as it often is, the question of 'should we' apply for such funding then becomes a question of 'how can we' use our funding applications to support sex-worker rights and evidence-based anti-trafficking approaches. With regard to the second question, we always opt to use our funding to support women directly despite the fact that doing so might affect our ability to tap into more consistent funding resources.

Although our primary focus will always remain on providing direct support to indoor sex workers, we have also recognised the importance of dialogue with law enforcement, community organisations and student groups in order to

⁴⁴ D Haynes (10 May 2012), op. cit.

elevate an understanding of what human trafficking is and is not. Instead of challenging the status quo at a federal government level, SWAN Vancouver has become more active in roundtable discussions at the municipal and local levels. This is challenging work and can often be disheartening when seemingly positive discussions get sidetracked by misinformation or anti-prostitution political rhetoric—but it remains one of the few avenues that we have to insist on evidence-based approaches to human trafficking in Canada.

However, it remains critical that these funders embrace the implicit responsibility they have as donors: to work through their own ideologies and judgments about sex work. Unfortunately, the Canadian Women's Foundation and Status of Women Canada case studies represent a squandered opportunity to organisations like SWAN Vancouver, one in which significant pools of money could be used to address human trafficking or, at a minimum, prevent collateral damage to sex workers from punitive anti-trafficking measures. Instead, it is likely that an aim to reproduce an anti-prostitution ideology will fail to translate into appropriate advocacy, policy, laws and ultimately support services that respect the linkages of labour, globalisation, poverty and migration within the context of a trafficked person's life. In this way:

'[H]uman trafficking then becomes a top down issue, when it needs to be bottom up—driven by the real needs recognised by victim service providers (and specifically including those victim services providers who are *not* soliciting federal funding, to provide objective data), and voiced by the victims themselves.'⁴⁵

Conclusion

The argument that misinformed anti-trafficking measures can cause more damage than help has been a growing global

⁴⁵ Ibid.

refrain since the Global Alliance Against Traffic in Women's (GAATW) 2007 report *Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World*, particularly among sex-worker rights organisations. Additionally, the idea that anti-trafficking provides a convenient platform for donors, organisations, celebrities and other stakeholders to accrue social capital or boost their visibility has also been noted.⁴⁶ The reality is that this evidence of 'collateral damage', as well as the weakness of the sex work-trafficking link, has been enforced and reinforced through rigorous research over the last two decades—but such research continues to be ignored by some funders.

Our experiences as a small, grassroots collective engaging with donors on new anti-trafficking initiatives reflect these concerns. Given our reliance on grant-based funding and the power imbalance between us and our donors, we wanted to document how we weigh our responsibility to call for evidence-based, rights-based approaches in anti-trafficking against the risk that doing so will exclude us from much-needed funding opportunities. These decisions are made on a daily basis by us and also by other service providers in our community. We hope that revealing these decision-making processes will encourage more frank discussion about funder accountability and power dynamics between funders and funding recipients.

⁴⁶ E.g. C Hames, F Dewar and R Napier-Moore, *Feeling Good About Feeling Bad: A global review of evaluation in anti-trafficking initiatives*, GAATW, Bangkok, 2011, retrieved 12 December 2013, http://www.gaatw.org/publications/GAATW_Global_Review.FeelingGood.AboutFeelingBad.pdf. S DasGupta, "'Your women are oppressed, but ours are awesome': How Nicholas Kristof and Half the Sky use women against each other", *Racialicious*, 8 October 2012, retrieved 22 July 2014, <http://www.racialicious.com/2012/10/08/your-women-are-oppressed-but-ours-are-awesome-how-nicholas-kristof-and-half-the-sky-use-women-against-each-other/>. R Galusca, 'Slave Hunters, Brothel Busters, and Feminist Interventions: Investigative journalists as anti sex-trafficking humanitarians', *Feminist Formations*, vol. 24, no. 2, 2012, pp. 1–24. AE Moore and MG Grant, 'Nicholas Kristof: Half the sky, all the credit', *POSTWHOREAMERICA*, 1 October 2012, retrieved 22 July 2014, <http://postwhoreamerica.com/nicholas-kristof-half-the-sky-all-the-credit/>. G Soderlund, 'The Rhetoric of Revelation: Sex trafficking and the journalistic expose', *Humanity: An International Journal of Human Rights, Humanitarianism, and Development*, vol. 2, no. 2, 2011, pp. 193–211.

In as much as the funding we receive shapes and strengthens our work, the anti-trafficking funding we are excluded from (such as those espousing an anti-prostitution ideology) also shapes the political and practical environment we work in. As Status of Women Canada and the Canadian Women's Foundation fund projects that reflect an anti-prostitution, anti-migrant approach to trafficking, we are concerned that more anti-trafficking projects will result in negative consequences and human rights violations against sex workers and immigrants, and therefore, increase the need to assist women who have been anti-trafficked rather than trafficked.

Alison Clancey is the Executive Director of SWAN Vancouver and has a Masters in Social Work.

Email: info@swanvancouver.ca

Noushin Khushrushahi is a Board Member of SWAN Vancouver and has a Master of Arts in Asia-Pacific Policy Studies.

Email: noushink@hotmail.com

Julie Ham is a Board Member of SWAN Vancouver, and PhD candidate in Criminology in the School of Political and Social Inquiry, Monash University. Email: julie.ham@monash.edu

All three authors are members of SWAN Vancouver (www.swanvancouver.ca), a community support organisation that works with and for immigrant and migrant women in sex work.

Where is the Funding for Anti-Trafficking Work? A look at donor funds, policies and practices in Europe

Suzanne Hoff

Abstract

Little is known about the amount of money spent on anti-human-trafficking programmes today, much less what the impact of this funding is. As precise information is largely lacking, available data mainly derives from organisational experiences from the field. As the author works for La Strada International, a Europe-based non-government organisation (NGO) network against trafficking in human beings, this article focuses on funding in Europe, reflecting the experience of anti-trafficking NGOs concerning funding patterns, current donors, donor policies and criteria, and, where possible, how this has impacted La Strada's work. The article looks at (inter)governmental, public and private funding, looking at problematic policies to do with geographical restrictions or restrictions on what funds can be spent on. Throughout the region there are inefficiencies in funding and a great need for impact evaluations to ensure future funds are well spent.

Key words: human trafficking, anti-trafficking, funding, donors, NGOs, impact, Europe, CEE countries

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It is difficult to find out how much funding currently goes to anti-trafficking work and how much has been spent in the past. There is no adequate overview available of funding given to anti-trafficking work, globally or at regional levels, though attempts are being made by different stakeholders, including the Global Fund to End Slavery¹ and the European Commission (EC), to estimate amounts granted and in the latter case to also define the impact of such grants.²

This article looks at trends in funding for non-governmental organisations (NGOs) providing counter-human-trafficking programmes and services since the 1990s, particularly through the lens of a large NGO network based in Europe, La Strada International (LSI). The article looks at donors, their policies and criteria and, where possible, how this has impacted NGO work, particularly that of the La Strada network.

The Funding Climate: From golden years to economic crisis

In the 1990s there seemed to be a lot of funding available for civil society in Central and Eastern Europe, partly possibly

¹ Global Fund to End Slavery is an initiative of the Walk Free Foundation in Australia, see 'About the Foundation', retrieved 30 July 2014, <http://www.walkfreefoundation.org/about>. See the initial estimate that 'in 2012, spending by Organisation for Economic Co-operation and Development (OECD) donors on combating slavery internationally is estimated to be less than US\$ 100 million annually.' This does not include domestic spending or that by non-OECD donors. Global Fund to End Slavery, 'About', retrieved 10 March 2014, <http://www.fundtoendslavery.org/about>

² The European Commission, a major donor for anti-trafficking work regionally and globally, is scheduled to conduct a comprehensive review in 2014 of funded projects to map the geographical areas, fields, different actors and types of projects, as well as their outcomes and recommendations. This review is planned within the framework of the 'EU Strategy towards the Eradication of Trafficking in Human Beings (2012–2016)', retrieved 30 July 2014, http://ec.europa.eu/anti-trafficking/EU+Policy/New_European_Strategy. *The Trafficking in Persons (TIP) Report* of the United States government includes figures on annual funding provided by many national states to anti-trafficking programmes, but excludes an overall estimate of the total funding provided annually by the surveyed states. For the 2014 report see: <http://www.state.gov/j/tip/rls/tiprpt/2013/index.htm> (retrieved 30 July 2014).

because NGO sector representatives were seen as 'agents for positive change' and benefited from the neoliberal agenda of 'rolling back the state'. People were to take responsibility for their own lives and not to rely on the state to provide them with everything, which resulted in the outsourcing of many social services.³

The increased support for civil society was also a result of its role in new European political developments, as civil society advocated for more freedom, democracy and human rights and initiated social support programmes for citizens, addressing the impact of these changes, including human trafficking.

Many of the current European NGOs, addressing the issue of human trafficking, were established around or after 1990, including LSI's member organisations in Bulgaria, Czech Republic, Poland and the Ukraine.⁴ Most of these organisations were financially supported by foreign aid. The Matra programme of the Dutch Ministry of Foreign Affairs, for example, was launched in November 1993 and supported many civil society groups in 'transition countries' in Europe, including support for follow-up La Strada programmes. As human trafficking was a new issue for donors, it was relatively easy for NGOs to access funding and decide how to spend it, of course within the limits of donor criteria.

Around and after 2000, the funding climate changed for NGOs in Central and Eastern Europe (CEE). Firstly, many development and aid organisations changed their policies and moved to other world regions, particularly to Sub-Saharan Africa, partly related to their commitment to the United Nations (UN)

³ C Agg, 'Trends in Government Support for Non-Governmental Organisations: Is the "Golden Age" of the NGO Behind Us?', UNRISD, June 2006, retrieved 30 July 2014, <http://www.unrisd.org/80256B3C005BCCF9/search/E8BC05C1E4B8AD6FC12571D1002C4F0B?OpenDocument>

⁴ In Western European countries, anti-trafficking NGOs were set up earlier, in particular those that focused on older-style slavery in the past, such as the UK-based Anti-Slavery International, which was established in 1839 as Anti-Slavery Society to campaign against slavery worldwide. NGOs addressing migrant rights were set up later.

Millennium Development Goals. Secondly, after 2004 and 2007, following the extensions of the European Union's (EU) borders, absorbing 17 new Member States, donors perceived that less money was needed for NGOs, arguing that the NGOs in new EU countries would no longer need their help, as there were now funding opportunities from the European Commission and other sources.

Many donor organisations, like the United States Agency for International Development (USAID) and the Dutch agencies Oxfam Novib and ICCO, which in the past supported European anti-trafficking initiatives, including La Strada, phased out their programmes in Europe, with exception of the Balkans and some former Soviet Republics. In 2009 the Dutch Matra programme shifted attention to new candidate or potential candidate countries.⁵

Another external factor impacting European civil society more recently is the economic crisis that started in 2008. A broad-based UN-funded survey undertaken in 2009 measured the impact of the crisis on the operating capacity of civil society organisations (CSOs) around the world.⁶ The report revealed that 'although some CSOs have seen increased funding, overall the survey finds a worsening financial situation for CSOs in the period 2008–2010... [and] grants from existing sources decreased.' A number of CSOs reported substantial reductions in their funding in the wake of the crisis, stating concern that this threatened their ability to deliver the services and activities required.

As a result of the weak economic situation, governments and donor agencies have made cuts in their funding programmes and in development aid in general. Due to this, financial sustainability remains an issue of concern for NGOs.

⁵ Ministry of Foreign Affairs, *Matra Modernised*, Southeast and Eastern Europe and Matra Programme Department Ministry of Foreign Affairs, 16 October 2009, p. 6, retrieved 30 July 2014, <http://www.minbuza.nl/en/appendices/key-topics/matra-programme/matra-programme-modernised.html>

⁶ E M Hanfstaengl, *Impact of the Global Economic Crises on Civil Society Organisations*, NGO Committee for Social Development, 2010, retrieved 4 August 2014, <http://ngosocdev.wordpress.com/2010/01/28/174/>

Current Anti-Trafficking Donors

Before looking at the current donors funding anti-trafficking NGO work, it is important to state that anti-trafficking NGOs have relied on money from a variety of sources, including grants from international and national governments, foundations, individual donors and, increasingly, corporations.

1. European Commission Grants

For the last two decades, the European Union has been a major donor for anti-trafficking initiatives both from NGOs and other stakeholders in the field. In general the European Commission's anti-trafficking funding has focused on putting anti-trafficking legislation into practice; investigation and prosecution; and support, protection and assistance to victims.⁷

A current major funding programme accessed by anti-trafficking NGOs operating within the EU is the 'Prevention of and fight against crime' (ISEC) programme.⁸ It is estimated that in 2011 this programme granted over EUR 6.5 million (USD 8,711,666)⁹ for anti-trafficking programmes.¹⁰ La Strada International and

⁷ European Commission, 'EU Projects and Funding,' retrieved 30 July 2014, <http://ec.europa.eu/anti-trafficking/EU+Projects///;jsessionid=9mjpS0zLR1zsQvzWfCXdxYBJ751mP2z25nnpn28l9CHCdIHnWmvFp!-1961964761?&category=Programme>

⁸ ISEC had a budget of EUR 600 million (USD 803,991,548) for the period 2007–2013 and contributed to citizens' security through projects that prevent and combat crime. Terrorism, human trafficking, child abuse, cybercrime, illicit drug and arms trafficking, corruption and fraud are a particular focus. European Union, 'Prevention of and Fight against Crime (ISEC)', retrieved 30 July 2014, http://ec.europa.eu/dgs/home-affairs/financing/fundings/security-and-safeguarding-liberties/prevention-of-and-fight-against-crime/index_en.htm

⁹ All amounts converted on 30 July 2014 using www.xe.com and rounded to nearest dollar.

¹⁰ Calculated from ISEC Grants Awarded 2011 spreadsheet, 18 October 2012, retrieved 30 July 2014, http://ec.europa.eu/dgs/home-affairs/financing/fundings/pdf/isec/isec-grants-awarded-2011_en.pdf. This spreadsheet lists trafficking projects in a general call, as well as some in a specifically Trafficking in Human Beings call. Other information on ISEC Grants is available at 'European Commission Prevention of and Fight Against Crime: Funding', retrieved 30 July 2014, http://ec.europa.eu/dgs/home-affairs/financing/fundings/security-and-safeguarding-liberties/prevention-of-and-fight-against-crime/index_en.htm

its members were recipients, either as main applicants, or through cooperation with other stakeholders.¹¹

Another important European Commission programme that has funded many anti-trafficking NGOs in Europe is the DAPHNE programme entitled 'Measures to combat violence against women, young persons and children.'¹² The maximum DAPHNE budget in 2013 was EUR 18,504,000 (USD 24,798,330), of which EUR 11,404,000 (USD 15,283,067) was available for action grants for transnational projects and EUR 1 million (USD 1,340,091) for operating grants to support the annual work of NGOs or other entities.¹³ It is unclear how much of this funding supported anti-trafficking programmes directly.

Further, the European Instrument for Democracy and Human Rights (EIDHR) and the thematic programme 'Migration and asylum,' brought together under EuropeAid, spent EUR 3.534 million (USD 4,735,245) in 2011 on anti-trafficking grants and contracts for organisations operating outside the European Union. In 2011, the Instrument for Pre-Accession Assistance (IPA) spent EUR 1.7 million (USD 2,277,867) on an anti-trafficking project in Turkey and possibly supported more

¹¹ From 2010 until 2012, LSI received a grant of around EUR 300,000 (USD 401,966) for its COMP.ACT programme, European Action Pact for Compensation for Trafficked Persons, aiming to increase access to compensation for trafficked persons. In addition in 2013 LSI obtained a similar two-year grant for the project 'NGOs & Co, NGO-business engagement in addressing human trafficking'.

¹² From 2014, the DAPHNE programme was incorporated in the Fundamental Rights and Citizenship Funding Programme, which maintains objectives to include combating violence against women. R Bastos, Report on the Daphne Programme: Achievements and future prospects, European Parliament A7-0006/2012, retrieved 30 July 2014, <http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A7-2012-0006&language=EN>

¹³ European Commission, 'Commission Implementing Decision of 30.11.2012 concerning the adoption of the financing decision for 2013 of the specific programme "DAPHNE III" as part of the general programme "Fundamental rights and Justice"', Brussels, 30 November 2012, C(2012) 8543 final, retrieved 30 July 2014, http://ec.europa.eu/justice/newsroom/files/daphne_wp_2013_en.pdf

anti-trafficking projects.¹⁴ Currently, the European 7th Framework Programme (2007–2013) for Research and Technological Development (FP7) supports several research studies on human trafficking.¹⁵ The European Commission programmes AGIS¹⁶, CARDS¹⁷, TACIS¹⁸ and PHARE¹⁹ have also funded anti-trafficking work.

Although the European Commission has been a major donor, it has not been easy for NGOs to obtain grants from the Commission. This is due in part to the complexity of the application procedures and criteria of the various ‘calls for applications’. It takes particular fundraising expertise and time to successfully apply for a European Commission grant, skills and resources which the majority of small, medium and even large anti-trafficking NGOs do not sufficiently have. The

¹⁴ The Instrument for Pre-Accession Assistance (IPA) has an overall budget of EUR 11.5 billion (USD 15,408,365) for the period 2007–2013. Beneficiaries of IPA are Albania, Bosnia and Herzegovina, Croatia, Iceland (as of 2011), Kosovo, The Former Yugoslav Republic of Macedonia, Montenegro, Serbia and Turkey. Commission to the European Parliament, the Council, and the European Economic and Social Committee, 2011 Annual Report on Financial Assistance for Enlargement, European Union, 2012, pp. 7 and 27, retrieved 31 July 2014, http://ec.europa.eu/enlargement/pdf/key_documents/2012/2011_ipa_annual_report_with_annex_new_en.pdf

¹⁵ Over EUR 53 billion (over USD 71 billion) has been made available between 2007 and 2013 for research, in the form of co-financing for research related to cooperation, ideas, people, capacities and nuclear research. European Union, ‘EU Funding’, retrieved 4 August 2014, http://europa.eu/about-eu/funding-grants/index_en.htm

¹⁶ AGIS was a European Commission framework programme to help police, the judiciary and professionals from the EU Member States and candidate countries to cooperate in criminal matters and in the fight against crime.

¹⁷ The CARDS programme is intended to provide community assistance to the countries of Southeastern Europe with a view to their participation in the stabilisation and association process with the EU.

¹⁸ In 1991, EU launched the programme TACIS (Technical Assistance to the Commonwealth Independent States). TACIS ended on 31 December 2006.

¹⁹ PHARE (Programme of Community aid to the countries of Central and Eastern Europe) was established in 1989 on the basis of a decision by the Council of Ministers of the European Union. The aim being to support the economic and political transformation of Poland, Hungary and, from 1990, the Czechoslovak Federal Republic. At the Copenhagen Summit of 1993, the programme was included among the means for expediting the accession preparations of EU candidate countries; it was further expanded in 1996 to encompass 13 countries of Central and Eastern Europe, and became the main form of financial and technical cooperation between the EU and candidate countries in the pre-accession period.

required staff time for preparing and writing applications must be paid from other sources. Further, there is often some pre-financing and or co-funding²⁰ needed from the organisation, which makes these grants less accessible for smaller NGOs, as they do not have the capital to pay for expenses that are not reimbursed by the Commission for months or even a year or more.

Moreover, most EU funding is available for NGOs working in EU Member States only, although the EU has developed different funding programmes, or cooperation agreements, with third countries including accession countries.²¹ For ISEC and DAPHNE and most European funding calls, organisations established in third countries can only participate as Associate Partners on a non-cost basis. None of their costs incurred as part of the project can be eligible for EU co-financing.²²

La Strada regularly works with NGOs in non-EU countries, as part of the organisation's mandate and programmatic work, and this policy has been an obstacle to secure equal involvement of these countries in La Strada's work.

Another challenge is that competition for these grants is strong and NGOs have to compete with many different stakeholders to obtain a grant, including big governmental actors and research institutes. Increasingly (commercial) project agencies are also applying for anti-trafficking grants, particularly submitting applications for anti-trafficking

²⁰ 'An action is always financed by the EU budget or the European Development Fund. However, other partners may, and indeed should, co-finance the action together with the EU. These partners are essentially Member States or third donor countries, partner countries and international organisations. Private organisations, such as foundations and charities, could also provide co-financing.' EuropeAid, '3.2. Co-financing of actions by other partners,' European Commission, retrieved 31 July 2014, <http://ec.europa.eu/europeaid/companion/document.do?chapterId=76>

²¹ European Commission Directorate-General Home Affairs, 'Prevention of and Fight against Crime 2007–2013, Action Grants 2011, Targeted Call for Proposals, Trafficking in Human Beings- THB', retrieved 31 July 2014, http://ec.europa.eu/dgs/home-affairs/funding/isec/call_2011/thb_call_for_proposals_2011.pdf

²² Ibid.

research and international events. These agencies specialise in European funding programmes and have skills and financial resources to invest in applications, hiring external freelance (NGO) experts and academics to support them.

As a result, a large part of the granted money goes to coordination and management costs, while only a small part remains for national implementation of the programmes. Local NGOs are often requested to join the project and take up the latter task. The invited NGOs can hardly oppose or demand more funding, knowing that, if they do, other NGOs will be offered an invitation in their place. Some NGOs are invited to cooperate, without any financial remuneration, and feel they must do so to ensure 'damage control,' in the hope that their influence steers badly conceived programmes in the right direction. Moreover, competition has increased with recent cuts in EU funding.

EU funding is mostly granted to specific projects under specific criteria (e.g. with mandatory international cooperation, and under the condition that a project is innovative and cannot have started before the grant agreement is signed). The well-intentioned, thoroughly debated specific objectives and criteria of EU grants seem to lead to the development of similar projects in Europe; and resulted in an increase in events and conferences on the issue. Moreover, as EU grants last up to a maximum of 24 or 36 months, projects and actions often stop once the funding is over, leaving specially created tools, websites and databases behind. There is often no follow-up funding available and thus NGOs do not have the capacity to continue these new resources or initiatives. Recently, LSI had to freeze its European COMP.ACT project,²³ as follow-up funding requested at ISEC was rejected twice.

²³ From 2009–2012, LSI coordinated the project COMP.ACT, European Action for Compensation for Trafficked Persons, in 14 countries, aiming to ensure access to justice, in particular compensation for trafficked persons. See <http://www.compactproject.org> (retrieved 4 August 2014).

It should be stressed, that European funding has had a major impact on anti-trafficking NGOs and anti-trafficking work. It is clear that due to this funding, anti-trafficking NGOs have extended their networks and international cooperation; have been able to share practices and skills; and regardless of the procedural difficulties, have built capacity and been able to deliver some services which they would not have been able to do without the funds. Moreover, EU funding has supported the establishment of national anti-trafficking frameworks and referral and cooperation between the different stakeholders.

However, except for operating grants, EU grants render ineligible direct operating costs or core costs, such as the cost of providing regular social assistance, like psychosocial, shelter, medical and legal assistance for trafficked persons or telephone helplines. The available funds do not currently cover the varied work addressing human trafficking. Also the lengthy timelines for decision making make EC grants not suitable for ad hoc services or for projects that require quick reaction to new developments.

2. Support from International Governmental Organisations

Alongside the European Commission, other major international governmental agencies have provided funding for NGOs addressing the issue of human trafficking, including the Organisation for Security and Cooperation in Europe (OSCE), the Council of Europe and the UN.²⁴ The UN Global Initiative to Fight Human Trafficking's (UN.GIFT) small grants facility awarded around USD 500,000 to NGOs in 2010.²⁵ It is estimated that the UN Voluntary Trust Fund for Victims of Trafficking

²⁴ In particular, UN Office on Drugs and Crime (UNODC)/UN.GIFT, UN Development Programme (UNDP), UN Women and the UN Democracy Fund (UNDEF) have supported NGOs in Central and Eastern Europe in their anti-trafficking work.

²⁵ UN.GIFT, 'UN.GIFT Guidelines for the UN.GIFT Call for Proposals from Civil Society Organisations', UN.GIFT, retrieved 31 July 2014, http://www.ungift.org/docs/ungift/proposal_guidelines.pdf

allocated grants worth about USD 1 million in 2011.²⁶ The UN Voluntary Fund on Contemporary Forms of Slavery awarded 55 grants to NGOs to support their work in 2013, totalling USD 607,500. The total awards for 2014 were reportedly reduced to USD 400,000, with more than half going to trafficking-related projects.²⁷

Despite the positive fact that so many international governmental organisations are working on the issue of human trafficking, and new funding programmes have been launched, one negative effect is significant to note. Donors use international organisations to channel funding, which implies that much of the money goes to management and coordination costs, instead of to local communities, trafficked persons and direct work. Moreover some of the established UN programmes also compete with NGOs for funding and only a few NGOs were able to access funding for direct assistance work with trafficked persons from the funds designed for that.

3. (Foreign) National Governmental Funding

In addition to funding from the European Commission and international governmental organisations, anti-trafficking NGOs have obtained grants from national government aid agencies in countries other than their own. In some cases funding comes directly from a statutory aid agency, and in other cases it is channelled via the ministry of foreign affairs. The earlier mentioned Matra programme of the Dutch Ministry of Foreign Affairs, the Austrian Development Agency (ADA), the Department for International Development (DFID) in the UK, the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) in Germany, the Swiss Development

²⁶ UN Voluntary Trust Fund for Victims of Human Trafficking, 'Meetings and Decisions of the Board', retrieved 31 July 2014, <https://www.unodc.org/unodc/en/human-trafficking-fund/Meetings-and-Decisions-of-the-Board.html>. Grantees are listed in UNODC and UN Voluntary Trust Fund for Victims of Human Trafficking, '12 Winners of the 2011 Small Grants Facility', UNODC and UN Voluntary Trust Fund for Victims of Human Trafficking, 2011, retrieved 31 July 2014, https://www.unodc.org/documents/human-trafficking/Fund/SGF_Projects_2011.pdf

²⁷ Board of Trustees of the Fund, Presentation to Member States, Geneva, 21 November 2013.

Cooperation Agency (SDC) and the Swedish International Development Cooperation Agency (SIDA) have all invested in anti-trafficking programmes in Europe and beyond.

The Neighbourhood Programme Department of the Danish Ministry of Foreign Affairs should also be mentioned here. From 2006 until 2013, the Danish government funded a large multi-million Euro anti-trafficking programme in Belarus, Ukraine and Moldova, supporting the International Organization for Migration, OSCE and La Strada members, along with other local NGOs. In addition to these European governmental donors, there are national governments outside Europe that fund anti-trafficking work in Europe, in particular the United States State Department and the Canadian Department of Foreign Affairs and International Trade (DFAIT). Many NGOs in Europe are currently partly funded by one or more of these agencies. Again this funding is often for specific projects, but sometimes these projects, also cover part of the organisation's core costs, like helpline services and shelters.

Although it is positive that governments fund civil society abroad, this has caused problems of distrust at home. Writing about trafficking in the Balkans, academics Mertus and Bertone point out that 'the international donor community also has caused competition between NGOs and governments for foreign funds earmarked for anti-trafficking projects. Governmental representatives are 'distrustful of NGOs relying on foreign donations and accuse them' of exaggerating the country's social problems 'to obtain more funding.' However NGOs have little recourse as the governments do not provide their own funding to support the work of the organisations.²⁸

a. Hindering NGOs' Access to Funding

In some European countries, particularly former Soviet Union countries, there are national policies in place that make it difficult in general for NGOs to obtain or accept foreign aid. Some governments create restrictive policies to silence

²⁸ J Mertus and A Bertone, 'Combatting Trafficking: International efforts and their ramifications' in HR Friman and S Reich eds, *Human Trafficking, Human Security*, and the Balkans, University of Pittsburgh Press, Pittsburgh, 2007, pp. 55–56.

human rights defenders,²⁹ while others aim to maintain control over how money is spent in their country. Russia has put into place a complete or near-complete prohibition on funding of civil society from non-domestic sources. On 2 July 2008, Russian President Vladimir Putin issued a decree removing the tax-exempt status of 89 of the 101 NGOs with tax-exemptions. As of 1 January 2009, these organisations were to be taxed 24% on received grants. Now foreign donors must be included on a government list if they are to give money to tax-exempt organisations. Additionally legislation from 2012 requires that all organisations that receive foreign funding and are engaged in political activity register as 'foreign agents.'³⁰ Further from 1 January 2013, new legislation allows for the closure of organisations which receive funding from United States (US) citizens or entities.'³¹

Similar types of laws are or have been in force in several countries, including in Belarus, Moldova, and Uzbekistan,³² and in January 2014 such legislation was proposed by former president Victor Yanukovych in the Ukraine. This was later cancelled due to strong opposition and his later deposition by the Ukrainian parliament.

There also exists national legislation in the region which demands that international aid be channelled through government ministries or agencies. Although foreign donors can fund civil society in several countries, they cannot donate money directly to NGOs. Rather, their funding must go through government channels, often a sort of government-operated

²⁹ Front Line Defenders, 2013 Annual Report: Global Trends in 2012 for human rights defenders, Front Line Defenders, Dublin, 2013, retrieved 31 July 2014, http://www.frontlinedefenders.org/files/frontline_annual_report2013_0.pdf

³⁰ S Marinova, 'Russia: No Country for Charitable Souls,' Eurasianet, 1 August 2008, mentioned in Front Line Defenders, 'Russia: Foreign agent law,' retrieved 31 July 2014, <https://www.frontlinedefenders.org/node/24298>

³¹ Front Line Defenders, op. cit., p. 4.

³² R B Vernon, 'Closing the Door on Aid,' *The International Journal of Not-for-Profit Law*, Volume 11, Issue 4, 2009, retrieved 31 July 2014, http://www.icnl.org/research/journal/vol11iss4/special_1.htm#_ftn6. Varying legal measures limiting what, when, and how foreign donors may give to civil society groups also exist in Algeria, Moldova, Egypt, Eritrea, Ethiopia, Russia, Uzbekistan, Venezuela and Zimbabwe.

‘bank’ that receives foreign donations and then, theoretically, distributes them to domestic NGOs. This sometimes prohibits donors from ensuring that their funds go to the desired purpose or that they go to a non-profit purpose at all. Sometimes it is the donor’s wish to involve the government. This criterion has made NGOs more dependent on support from and cooperation with governmental bodies, negatively impacting the independence of NGOs, especially in certain European countries.³³

Government agencies also impose other restrictions on what money can be used for. Strict regulations define which costs NGOs can incur and what cannot be funded. Paradoxically, in European countries where foreign funding is restricted, domestic funding for civil society is also limited or non-existent.

It is important to note however that increasingly governments are pushed by (inter)national governmental actors to take sufficient action, including financial commitment to fight human trafficking, including to fund assistance and re-integration programmes. The annual *Trafficking in Persons (TIP) Report* is explicitly described as ‘the U.S. Government’s principal diplomatic tool to engage foreign governments on human trafficking.’³⁴

b. US Trafficking In Persons Report and the Prostitution Pledge

The US government ‘uses the *TIP Report* to engage foreign governments in dialogues to advance anti-trafficking reforms and to combat trafficking and to target resources...’ The US ranks countries on a three-tiered schema to define their commitment and evaluate efforts against trafficking in human beings.³⁵ In 2014, several European countries were not given the

³³ L Kovalchuk of La Strada Ukraine: ‘This has proven not to be sustainable, as it resulted in the dependency of NGOs on the state bodies.’ LSI Newsletter, 20 March 2014, retrieved 31 July 2014, <http://lastradainternational.org/dynamic/images/La%20Strada%20Newsletter%20Issue%2032.pdf>

³⁴ US Department of State, *TIP Report*, US Department of State, retrieved 31 July 2014, <http://www.state.gov/j/tip/rls/tiprpt/>

³⁵ ‘TIER 1 - Countries whose governments fully comply with the Trafficking Victims Protection Act’s (TVPA) minimum standards. TIER 2 - Countries whose governments do not fully comply with the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those

best-performing tier 1 status: Albania, Azerbaijan, Bulgaria, Croatia, Hungary, Kosovo, Kyrgyz Republic, Latvia, Lithuania, Malta, Moldova, Montenegro, Portugal, Romania, Tajikistan and Turkey were ranked tier 2; Belarus, Bosnia and Herzegovina, Cyprus, Turkmenistan and Ukraine were placed on the tier 2 watch list, and in Europe, only Russia was placed on tier 3.³⁶

This ranking system is intended act as a push factor for states to ensure more commitment, including financial commitment, to anti-trafficking programmes. States are encouraged to contribute more, and the US government also awards funding to places and programmes it deems to have the highest needs. As one of the largest anti-trafficking donors globally, the US government awarded a total of over USD 19 million in 2013 to fund 35 international grants; more was spent on domestic projects.³⁷ Only one country-specific grant in 2013 was awarded to an organisation in a European country (Armenia), however this grant went to OSCE, not to an NGO.

The US *TIP Report's* ranking system is disputed, and according to critics the tier system rather shows the ranking of the status quo of the US's current foreign relationships, instead of their commitment against human trafficking.³⁸ This is important to take into account, as the ranking might guide donors in defining where to invest their anti-trafficking funding best.

standards. TIER 2 WATCH LIST - Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards. TIER 3 - Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so.' US State Department, 'Tier Placements', *TIP Report 2013*, US State Department, retrieved 31 July 2014, <http://www.state.gov/j/tip/rls/tiprpt/2013/210548.htm>.

³⁶ US Department of State, *TIP Report 2014*, US Department of State, retrieved 31 July 2014, <http://www.state.gov/j/tip/rls/tiprpt/2014/226649.htm>

³⁷ US Department of State, 'International Grant Programs', US Department of State, retrieved 10 March 2014, <http://www.state.gov/j/tip/intprog/index.htm>

³⁸ Global Alliance Against Traffic in Women (GAATW), *Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World*, GAATW, 2007, p.30, retrieved 31 July 2014, http://www.gaatw.org/Collateral%20Damage_Final/singlefile_CollateralDamagefinal.pdf. A recent quote is apt: 'Cuba, North Korea, Sudan, and Burma are regularly sanctioned,' while more "friendly" countries with significant amounts of slavery and trafficking (India, Pakistan, and Nigeria for example) are not', K Bales and R Soodalter, *The Slave Next Door: Human trafficking and slavery in*

While funding provided by a government for anti-trafficking work can be closely linked with national political interests and debates, governments also use grants to promote their own policies. NGOs obtaining US State Department support are required not to advocate for legalisation of prostitution and must sign an 'anti-prostitution pledge'.³⁹

According to the 'pledge', funding cannot be used to promote or advocate for the legalisation or practice of prostitution or trafficking for sexual exploitation. Moreover recipients of the grant have to have a policy in place in which they explicitly oppose prostitution and trafficking for sexual exploitation. The policy has been criticised by many, including La Strada International. The pledge conflicts with LSI's guiding principles, but more importantly violates international human rights norms, including the Universal Declaration of Human Rights.

4. Domestic Funding for National Anti-Trafficking NGOs

Whether pushed by others or not, increasingly governments seem to fund the anti-trafficking work of NGOs based in their own country. Often this is a result of established national anti-trafficking legislation and national action plans to combat human trafficking.

Current international and European anti-trafficking legislation urges governments to cooperate with civil society⁴⁰ but does

America today, University of California Press, 2009, p. 237. See also: A Weiss, 'Ten Years of Fighting Trafficking: Critiquing the Trafficking in Persons Report through the case of South Korea', *Asian-Pacific Law and Policy Journal*, 5 November 2012, retrieved 31 July 2014, <http://www.hawaii.edu/aplpj/2012/05/11/787/>

³⁹ G Soderlund, 'Running from the Rescuers: New U.S. Crusades Against Sex Trafficking and the Rhetoric of Abolition', *NWSA Journal*, Volume 17, Number 3, 2005, pp. 64–87, retrieved 31 July 2014, <http://muse.jhu.edu/journals/nwsa/ummary/v017/17.3soderlund.html>. Open Society Foundation, Sex Work and Trafficking: A Donor-Activist Dialogue on Rights and Funding, Event report, 11 December 2008, retrieved 31 July 2014, <http://www.opensocietyfoundations.org/reports/sex-work-and-trafficking-donor-activist-dialogue-rights-and-funding>

⁴⁰ Council of Europe, Article 12: Assistance to Victims, 'Council of Europe Convention on Action against Trafficking in Human Beings CETS No.: 197', Council of Europe, retrieved 31 July 2014, <http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=197&CM=8&CL=ENG>

not require states to fund NGOs for their services. The Council of Europe convention on action against trafficking in human beings in Article 12 states: 'Each Party shall take measures, where appropriate and under the conditions provided for by its internal law, to cooperate with non-governmental organisations, other relevant organisations or other elements of civil society engaged in assistance to victims.' Furthermore, Article 35 states: 'Each Party shall encourage state authorities and public officials, to cooperate with non-governmental organisations, other relevant organisations and members of civil society, in establishing strategic partnerships with the aim of achieving the purpose of this Convention.'⁴¹

National referral mechanisms in place also recognise the role of non-state actors, including NGOs. Nevertheless, often well-intentioned state anti-trafficking programmes and measures, in which the role for national NGOs is recognised and defined, lack adequate budgets for implementation.

a. Social Contracting

Another trend visible in national government support for NGOs in Eastern Europe (not dissimilar to West European practices) is 'social contracting' of NGOs by their government. This entails an agreement between NGOs and governments, in which NGOs receive funding and contracts to run specific social services for trafficked persons. The development of the social contracting system is intended, according to one government, to 'provide a legal basis for closer practical cooperation between state and non-state service providers.'⁴²

In much of Europe, civil society and international organisations provide specialist rehabilitation and re-integration services. For example, in several La Strada countries; in Bulgaria, the Czech Republic, Moldova, the Netherlands and Poland, the government has contracted anti-trafficking NGOs providing

⁴¹ Council of Europe Convention on Action against Trafficking in Human Beings, Warsaw, 16.V.2005, retrieved 4 August 2014, <http://conventions.coe.int/Treaty/en/Treaties/Html/197.htm>

⁴² Danish Ministry of Foreign Affairs, Programme Against Human Trafficking in Eastern and South Eastern Europe — Belarus, retrieved 4 August 2014, <http://danatip.org/belarus>

these services, and in Belarus the system was just recently set up. In Ukraine such a system is still under discussion. In general, NGOs have to apply specifically, often annually, to run certain services, which are then accredited by the state and provided with funding. Several NGOs, like La Strada Czech Republic or LEFÖ (an organisation for migrant women in Austria), run national counselling centres and shelters that are officially recognised and part of the state's social programme.

A difficulty is that the government decides which NGOs should run the services. Moreover the government decides which services are or are not needed, funding levels and the levels of compensation that can be paid to victims. In some countries, like in Belarus, the funding amounts are rather low, and 'obtaining accreditation is more of a symbolic issue, than a financial issue.'⁴³

In some countries this 'social contracting' leads to major competition among NGO service providers and in some cases even between NGOs and governmental actors. A new development is that governments have created or established close relationships with their 'own' NGOs to which they provide funding or use to solicit funding from others. Critics call those 'GONGOs' or Government-Organised NGOs.⁴⁴

5. Other Donors

Many anti-trafficking organisations receive funding from large or small independent donor agencies and private foundations, including the Oak Foundation, the Swiss Pro Victimis foundation, Chrisliche Ostmission, the CEE Trust, Filia and the Friedrich Ebert Stiftung or the Belgian King Baudouin Foundation. None of these fund anti-trafficking

⁴³ Personal correspondence with staff member at La Strada Belarus.

⁴⁴ A government organised non-governmental organisation (GONGO) is an NGO that is set up by a government to mirror an NGO. This facilitates access to foreign aid and can mitigate international relations issues. N Steinberg, 'Background Paper on GONGOs and QUANGOs and Wild NGOs,' World Federalist Movement Institute of Global Policy, 2001.

to the scale of the European Commission for instance, but their contribution and the diversity in funding sources they lend is important. The King Baudouin Foundation for example funds anti-trafficking programmes in the Balkans, and spent EUR 494,074 (USD 663,227) on anti-trafficking activities there in 2012.⁴⁵

Other donors are or have been important women rights funders, such as Mama Cash in the Netherlands and the Global Fund for Women in the US. Some of these no longer fund anti-trafficking projects in Europe. The CEE Trust left the region entirely, and in 2013 the UK-based Sigrid Rausing Trust (which funds efforts to support human rights) decided to no longer focus on human trafficking within its Women's Rights Programme, but rather on other forms of violence against women. In general, funding from independent donor agencies relieve anti-trafficking NGO dependency on (inter)governmental funding and helps to create a more stable and varied donor base. Although some agencies have criteria for their grants that are difficult to meet, they tend to be more willing to fund core costs or direct services to trafficked persons.

6. Corporations

In Europe there is an increasing awareness that the private sector should become more engaged, including financially engaged, in the fight against human trafficking.

Currently LSI is working on a two-year ISEC-funded project, called 'NGOs & Co — NGOs and private sector engagement against trafficking in human beings.' Within the framework of this project, LSI conducted a survey among 27 anti-trafficking NGOs in Europe on the nature of their cooperation with the business sector. The survey revealed that 'most respondents reported to

⁴⁵ King Baudouin Foundation's website has links to funding data for 2009, 2010 and 2012. King Baudouin Foundation, 'Calls for Projects AVoT', retrieved 31 July 2014, <http://www.kbs-frb.be/call.aspx?id=293255&langtype=1033>

have benefited from one-off, short-term engagements and sponsorships at a rather modest scale' from the business sector. Businesses offered financial or in-kind donations of products and services, such as: free medical support from hospitals for trafficked persons, website or telephone hotline hosting services, free airtime on TV, free space in print media, transportation or event venues and provision of products, including food and hygiene supplies.⁴⁶

Next to sponsorship and in-kind funding, there are some examples of the private sector providing grants to anti-trafficking programmes, mainly in the US. In 2011, Google donated USD 11.5 million to ten organisations working on the issue, including USD 250,000 to La Strada International.⁴⁷ Moreover in 2013 Google granted USD 3 million to the Global Human Trafficking Hotline Network.⁴⁸

In 2012, Microsoft distributed USD 185,000 among six academics to research the role of technology in human trafficking.⁴⁹ These are just two examples, but there are more, and it is expected that the private sector will increasingly fund anti-trafficking initiatives. On the basis of recent experience, and of the announcement in 2013 of a new USD 100-million Global Fund against Slavery, it seems reasonable to predict that the proportion of funds for anti-trafficking initiatives that comes from private foundations and the private sector is going to grow.

Although this is promising, cooperation with the private sector also brings ethical questions for NGOs, such as how to ensure that the effect of a business' contribution is to support the mission of the organisation, rather than to cause

⁴⁶ La Strada International, 'Assessment Results: NGO initiatives and practices in engaging the business sector in addressing human trafficking', La Strada International, 2014, retrieved 31 July 2014, <http://lastradainternational.org/?main=documentation&document=3018>

⁴⁷ L Horn, 'Google Donates \$11.5 Million to Fight Slavery, Human Trafficking', *PC Mag*, 11 December 2011, retrieved 31 July 2014, <http://www.pcmag.com/article2/0,2817,2397617,00.asp>

⁴⁸ Google Impact Awards, 2012, op cit.

⁴⁹ Microsoft Research, 2012, op cit.

any harm, and how to know that business's income is not reliant on forced or exploitative labour. Moreover, experience shows that most businesses are not keen to provide direct grants to NGOs, and instead look for other ways to cooperate and engage.

Does Funding Cover the Needs of Trafficked Persons and Anti-Trafficking NGOs?

As indicated, there are many and various donors for NGO anti-trafficking work, but they come and go, and there are fluctuations in what they support. Donors change their policies and change priorities, as well as their focus countries and regions. Donors often earmark funding and define in detail which activities they provide funding for and which ones they do not, leaving limited flexibility for anti-trafficking organisations to freely choose or to use money for urgent needs. It is difficult to find donors that want to support core or overhead costs, in particular it is difficult to obtain funding for direct assistance and support, including medical and juridical care (if not covered by states), basic support and shelter services, as well as hotline services. A lot of funding currently goes instead to coordination of projects and programmes, consultants, conferences, project meetings and research. In order to get certain staff or core costs funded, core staff members are involved in project work, and increasingly core costs are presented as project costs and covered by project grants.

It is clear that donors' and anti-trafficking organisations' priorities are not always aligned when it comes to how to spend money. Governments can have clear motives behind their anti-trafficking funding, such as self-promotion, or, in the case of anti-trafficking, moral commitments that impose restrictions on spending. Also, some national governments put restrictions on how NGOs in their countries use foreign funding. As many different stakeholders are working on the issue, there is competition for the available funding. All of this affects anti-trafficking NGOs and their work on a daily

basis. NGOs find themselves having to make organisational and staff changes, or make cuts to programmes and services. They revise priorities due to the fact that donors want to fund other activities. Sometimes a lot of additional work is taken up, in order to ensure income, with the risk that there is less staff time for core work. In the past decade there have been several occasions when La Strada shelters were closed down, or services stopped and staff contracts terminated, due to lack of sufficient funding.

European anti-trafficking NGOs, including the members of La Strada International's network, have never felt that it has been easy to secure funding for their anti-trafficking organisations and programmes. On the contrary, anti-trafficking NGOs in Europe in general lack sufficient funding and seem to face a constant struggle to survive each year, much less to provide quality services. Some do not survive, and in recent years several anti-trafficking NGOs have disappeared from the field or have started to work on other issues, dropping their anti-trafficking programmes. Those that do survive are often supported by a few traditional donors, without having access to alternative resources, or sufficient reserves, making them quite dependent on these donors and not financially sustainable.

The Association for Women's Rights in Development's latest research on women's rights NGOs found many organisations had to cut activities or staff due to funding limitations and that many organisations were over-reliant on project support, rather than long-term or flexible funding. In their survey, 48% of respondents had never received core funding, and 52% had never received multi-year funding. However, they saw an increasing reliance among many women's organisations on self-generated resources, from income-generating activities, membership fees or other sources, thus demonstrating the

⁵⁰ A Arutyunova and J Miller, 'Beyond Investing in Women and Girls', Association for Women's Rights in Development, 2014, retrieved 31 July 2014, <http://www.awid.org/News-Analysis/Friday-Files/Beyond-Investing-in-Women-and-Girls>

shift away from relying primarily on external funding sources.⁵⁰ It is essential that anti-trafficking NGOs ensure that they become financially sustainable and have funding for core costs and for direct (social) assistance work for trafficked persons. More flexibility from donors is required here. Crucially, more money should also be available to evaluate the impact of anti-trafficking programmes, but not at the cost of anti-trafficking programming. As stated there is no adequate data on how anti-trafficking funding is spent, and it is also not clear how the funds that are currently available are put to use by anti-trafficking NGOs. Trafficked persons may or may not benefit from the funding.

In 2002, the UN High Commissioner for Human Rights stressed the need for monitoring and evaluation, calling on states and, where applicable, international government organizations and NGOs to consider establishing mechanisms to monitor the human rights impact of anti-trafficking laws, policies, programmes and interventions.⁵¹ A Global Alliance Against Traffic in Women study from 2007, *Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World*, pointed out that initiatives which were nominally supposed to stop trafficking actually had numerous negative rather than positive effects for people who had been trafficked, as well as other groups of people such as migrants and sex workers.⁵²

This and other work⁵³ confirms that more consideration is needed,

⁵¹ Guideline 1, Paragraph 7, of the High Commissioner's Recommended Principles and Guidelines on Human Rights and Human Trafficking. Addendum to the Report of the United Nations High Commissioner for Human Rights to the Economic and Social Council, UN document E/2002/68/Add.1, 20 May 2002. The Recommended Principles and Guidelines on Human Rights and Human Trafficking are found at <http://www.ohchr.org/english/about/publications/papers.htm> (retrieved 4 August 2014).

⁵² GAATW, *Collateral Damage*, op. cit.

⁵³ A Gallagher and E Pearson, Detention of Trafficked Persons in Shelters: A legal and policy analysis, SSRN, 2008, retrieved 31 July 2014, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1239745. A Ahmed and M Seshu, 'We have the right not to be "rescued"...'When anti-trafficking programmes undermine the health and wellbeing of sex workers', *Anti-Trafficking Review*, Issue 1, GAATW, 2012, pp.149–165. J Ham, M Segrave and S Pickering, 'In the Eyes of the Beholder: Border enforcement, suspect travellers and trafficking victims', *Anti-Trafficking Review*, Issue 2, GAATW, 2013, pp. 51–66.

not only from states and donors, but also from anti-trafficking NGOs, to look at the impact of their work. Unfortunately, currently such impact studies are rare, partly due to lack of resources. In general, evaluations concentrate on assessment of quantitative indicators instead of qualitative ones, counting what evaluators call ‘outputs’ rather than their longer-term ‘outcomes’ or results. However, in recent years, some tools⁵⁴ have been developed, in particular for the anti-trafficking field, which NGOs can and should use to monitor the impact of their work.

In the long-run, better understanding of the impact of services delivered and actions taken can help to prevent human trafficking, but also ensure that funds are used responsibly and effectively.

Suzanne Hoff has been International Coordinator of the International La Strada Association (La Strada International), a European network against trafficking in human beings, since the network was established in 2004. From 2002–2004, Hoff coordinated an international La Strada programme, which ran from 1995, on behalf of the Dutch Foundation against Trafficking of Women (STV, now COMENSHA), while undertaking advocacy work for the organisation. As International Coordinator, she coordinates the international secretariat and network activities, including the development of LSI’s anti-trafficking policies, strategies and programmes. Her responsibilities further comprise international representation, financial management and fundraising for anti-trafficking work. Suzanne Hoff has an academic background in East European policies and journalism.

⁵⁴ For instance, M Wijers and L Chew, *The Right Guide: A tool to assess the human rights impact of anti-trafficking laws and policies*, Aim for Human Rights, 2010, retrieved 31 July 2014, <http://www.humanrightsimpact.org/trafficking>

OECD and Modern Slavery: How much aid money is spent to tackle the issue?

Martina Ucnikova

Abstract

The Organisation for Economic Co-operation and Development (OECD) donor countries spend millions of dollars each year on programmes to end modern slavery across the globe. Exactly how much is spent, however, has previously been unclear. The Walk Free Foundation has conducted research to estimate how much these countries are spending.

This article examines international spending on modern slavery programmes by twelve OECD countries, explores how countries report on modern slavery funding and, ultimately, hopes to serve as a building block for broader discussions about donor spending on anti-slavery initiatives.

A major finding of the article is that between 2003 and 2012, donor countries contributed a combined average of USD 124 million annually, predominantly funding projects in Southeast Asia, Eastern Europe and Sub-Saharan Africa.

Key words: modern slavery, international development assistance, foreign aid, OECD, DAC, donor governments, human trafficking, IATI

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Introduction

How much money exactly—or even roughly—is spent on anti-trafficking initiatives? While there have been many calls¹ for increased spending to assist the estimated 29.8 million people living in modern slavery and vulnerable populations,² there is very little research examining how much governments are actually already spending, both domestically and internationally, through aid contributions.

In 2014, the Walk Free Foundation undertook research to examine some of these questions. How much money is spent internationally on modern slavery projects and programmes annually? Who are the major donors? Is expenditure proportionate to the size of the problem or the complexity of the response required?

This article focuses on research undertaken on one specific sub-issue: development spending on modern-slavery-related projects over the past decade by major Organisation for Economic Co-operation and Development (OECD) donor countries.³ It resulted in several key findings. First, as a result of this research, it is estimated the leading OECD donor

¹ A number of recent statements by government agencies and anti-slavery organisations called for increased funding based on good quality research and monitoring and evaluation (M&E). See: Save the Children, Amnesty International, Anti-Slavery International and Global Alliance Against Traffic in Women, *10 Year Goals for the Global Initiative To Fight Human Trafficking: Submission to the Global Initiative to Fight Human Trafficking*, 2008, p.2, retrieved 10 March 2014, retrieved 14 March 2014, http://www.gaatw.org/publications/NGO%20Submission_GIFT_Goals.pdf. The White House Office of Faith-Based and Neighborhood Partnerships, President's Advisory Council on Faith-Based and Neighborhood Partnerships: A New Era of Partnerships, The White House Office of Faith-Based and Neighborhood Partnerships, 2010, p. 104, retrieved 15 May 2014, www.whitehouse.gov/sites/default/files/microsites/ofbnp-council-final-report.pdf

² The Global Slavery Index, 'Index 2013', 2013, retrieved 2 February 2014, <http://www.globallslaveryindex.org/findings/#overview>

³ Australia, Austria, Canada, Finland, France, Germany, Japan, the Netherlands, Norway, Sweden, the United Kingdom and the United States. The OECD countries spend further funds combating slavery domestically and some through regional channels such as the European Commission; however, this has been not included in this research.

countries together spend an annual average of USD 124 million on international development projects combating modern slavery, which takes into account both human trafficking and other slavery-like practices. Second, the sector is disproportionately funded by three countries—the United States (US), Norway and Japan—which together account for almost 75% of international development assistance on modern slavery. Third, for countries included in the study, spending on modern slavery is only a tiny proportion of their total development assistance: with the largest spender (as a proportion of Overseas Development Assistance contributions) being Norway (0.36%), followed by the US (0.27%) and Australia (0.26%).

This article begins by explaining the methodology used to gather the data reported. It then proceeds to examine the key findings and offers an analysis of the findings and recommendations.

Methodology

Countries were selected for inclusion in this study based on the size of their 2012 Overseas Development Assistance (ODA) contributions.⁴ The countries included in the final estimates are: Australia, Austria, Canada, Finland, France, Germany, Japan, the Netherlands, Norway, Sweden, the United Kingdom (UK) and the US.

This research has used the terminology of ‘modern slavery’ as the basis of its analysis. As used by the Walk Free Foundation, ‘modern slavery includes slavery, slavery-like practices (such as debt bondage, forced marriage and sale or exploitation of children), human trafficking and forced labour’.⁵ As such, programmes focused on slavery, forced labour

⁴ See: OECD, ‘Aid Statistics’, n.d., retrieved 3 June 2013, <http://www.oecd.org/dac/stats/>

⁵ The Global Slavery Index, ‘What is Modern Slavery?’, 2013, retrieved 2 February 2014, <http://www.globalslaveryindex.org/about/#modernslavery>

and human trafficking were clearly within the scope of this research. Programmes relating to irregular migration, border strengthening and similar issues were included but only if they were predominantly focused on combating one or more modern-slavery-related issues.

In order to answer the question of how much money OECD donor governments are spending on modern slavery, research drew on data from several sources. Initially, it involved an analysis of primary and secondary source material, both qualitative and quantitative, a content review of reports published by individual governments and non-governmental organisations (NGOs). Individual governments' reports were sourced from departments of Foreign Affairs, Labour, Justice, Home Affairs and development agencies. Additional reports were sourced from various NGOs and United Nations (UN) agencies, including the Group of Experts on Action against Trafficking in Human Beings (GRETA), International Labour Organization, International Organization for Migration, the UN Global Initiative to Fight Human Trafficking (UN.GIFT) and the UN Voluntary Trust Fund for Victims of Trafficking in Persons. These reports included departments' annual reports, website information, archives and National Action Plans.

Individual government departments responsible for addressing modern slavery issues in all twelve countries were contacted and invited to comment on the findings generated from desk research. Eight out of the twelve governments responded to our request for feedback: Austria, Australia, Finland, France, Germany, Sweden, the UK and the US. For the four countries that did not respond, publicly available data was used to estimate their spending on modern slavery.

The data-set we compiled on expenditure is available in full at the Global Slavery Index website.⁶ Over 2,000 individual projects

⁶ The Global Slavery Index, 'OECD Spending Barometer', 2014, retrieved 7 July 2014, <http://d3mj66ag90b5fy.cloudfront.net/wp-content/uploads/2014/05/OECD-Spending-Barometer.xlsx> See also additional data and wider project details at: The Global Slavery Index, 'International Spending', 2014, retrieved 12 June 2014, <http://www.globalslaveryindex.org/update/#international-spending>

on modern slavery, dated between 2003 and 2012 were included in the final estimates.⁷ It is this data-set that forms the basis of all analysis in this article.

To standardise currency and financing periods, conversion to US dollars and adjustment to calendar year intervals were necessary. For projects with multi-year durations, it was not possible to identify a yearly spend, so an estimated yearly average was used. Projects with a multi-year duration, starting prior to 2003 or finishing after 2012 were included in the total, based on the annual average spend per year within the research time frame.⁸

The research findings are limited both by data availability and the scope of the research itself. In terms of data availability, there has been very little research on funding, so there was fairly limited existing research to draw on. As discussed later on, while data on expenditures were sourced directly wherever possible from governments, it can be very difficult to disaggregate funding on modern slavery from other expenditures. As with other areas of international development, international spending on modern slavery is often managed by a range of government departments, making spending difficult to trace, calculate and aggregate. Spending on modern slavery is also rarely disaggregated from broader development spending, and the OECD does not separately code types of modern slavery spending.

In terms of limitations of the scope of this research, while other countries contribute towards eradicating modern

⁷ The timeframe reflects the reporting cycle of most governments, where reports become available up to six months after the end of a financial or calendar year.

⁸ Calculations for individual countries vary. For the US, a cumulative total of 1,959 projects with funding allocation between 2002 and 2012 was used to determine the final estimate. All numbers were rounded to the nearest tenth. Data came from a variety of sources, all listed in the 'OECD Spending Barometer', op. cit. Significant data sources for instance, are United States Department of State, 'Archives', retrieved 7 July 2014, <http://2001-2009.state.gov/g/tip/rls/rpt/index.htm>; Japan Ministry of Foreign Affairs, 'Japan's Actions to Combat Trafficking in Persons', Ministry of Foreign Affairs, Tokyo, n.d., retrieved 7 July 2014, http://www.mofa.go.jp/policy/i_crime/people/pamphlet.pdf

slavery, this research was focused on a dozen of the world's leading donors to provide the first estimate of what is likely the majority of OECD development assistance spending on modern slavery. It does not account for any internal country spending on modern slavery or programmes addressing issues like education and health that contribute towards reducing vulnerability to enslavement.

Findings

USD 124 million spent annually

Based on our analysis, cumulative spending by OECD donors on modern slavery over ten years amounts to USD 1.2 billion.⁹ To reach an estimate of an annual spend, this amount was divided by the number of years in the study (ten). The result is an estimated USD 124 million spent each year on programmes on modern slavery.

US government tops the list of donors

In the ten-year period examined, the country making the largest annual contribution is the US, spending an average of USD 68.7 million per annum, followed by Norway (USD 12.7 million), Japan (USD 10.3 million), Australia (USD 7.7 million), the Netherlands (USD 6.5 million), the UK (USD 5 million), Sweden (USD 4.3 million), Canada (USD 4.1 million), France (USD 1.8 million), Germany (USD 1.2 million), Austria (USD 1.1million) and Finland (USD 200,000).¹⁰

Proportion of overall aid spending on modern slavery is less than 1%

The twelve countries included in the scope of this research make cumulative annual ODA contributions of USD 78 billion.¹¹

⁹ For per project and country breakdown, see: The Global Slavery Index, 'OECD Spending Barometer', 2014.

¹⁰ The actual annual spending of USD 123.6 million was rounded up to the closest one—USD 124 million.

¹¹ Based on 2012 ODA figures. See: OECD, *Aid Statistics*, OECD, n.d., retrieved 03 June 2013, <http://www.oecd.org/dac/stats/>

Of this, less than 1% is directed towards combating modern slavery. Norway's contribution as a proportion of its total ODA was the highest at 0.36%, while Germany's was the lowest at 0.01%.¹²

Three countries account for over three-quarters of all spending

Over the period 2003–2012, three countries accounted for almost 75% of all modern slavery aid assistance. Together, the US, Norway and Japan provided USD 91.7 million annually, out of a total USD 124 million annually.

Projects funded vary in scope and focus

Not surprisingly, the scope, focus area, duration, form and time of disbursements for individual anti-slavery projects vary considerably. The funding starts from as little as USD 700 to cover research and travel costs for a journalist from Georgia, to USD 20 million multi-year contributions for an anti-trafficking project in the Mekong region.¹³ An average amount disbursed per project is not possible to derive from the data gathered, as some countries only report on their cumulative annual totals, rather than individual projects.

While multiple US government agencies work on modern slavery issues around the world and contribute a total averaging USD 69 million each year, the US State Department's Office to Monitor and Combat Trafficking in Persons (J/TIP) leads global diplomatic engagement and spending with an average

¹² Global Slavery Index, International Spending, 2014.

¹³ See: P Bazeley and M Dottridge, 'Asia Regional Trafficking in Persons (ARTIP) Project Independent Completion Report', Department of Foreign Affairs and Trade, 2011, p. 1, retrieved 9 April 2014, <http://www.aisaid.gov.au/countries/eastasia/regional/Documents/asia-regional-trafficking-in-persons-report.pdf>; The US Department of State, *United States Government Funds Obligated in FY 2005 for Anti-Trafficking in Persons Projects*, 2006, p. 8, retrieved 9 April 2014, <http://2001-2009.state.gov/documents/organization/78573.pdf>

annual spend of USD 20 million.¹⁴ However, it receives on average 270 applications for funding annually with organisations requesting over USD 230 million.¹⁵ Individual projects can last for multiple years, making it difficult to determine how much funding is disbursed each year.

Multiple definitions of modern slavery

There is variation in nomenclature used by countries to record spending on combating modern slavery. In a majority of OECD countries, including France, Germany and Japan, the term ‘human trafficking’ or ‘trafficking in persons’ is used, as agreed in the 2000 Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.¹⁶ The US government uses the terms ‘human trafficking’, ‘contemporary slavery’ and ‘modern slavery’.¹⁷ The UK government is shifting towards using the umbrella term ‘modern slavery’, highlighted by the introduction of the Modern Slavery Bill.¹⁸ This difference in terminology makes it challenging to gather comparable figures across states.

Disaggregation of data

Due to limited Development Assistance Committee codes,¹⁹ it was not possible to disaggregate spending on the various

¹⁴ Based on 2009–2012 spending, see: ‘International Programs to Combat Trafficking in Persons’, Office to Monitor and Combat Trafficking in Persons, 2012, p.2, retrieved 10 March 2014, <http://www.state.gov/documents/organization/194938.pdf>

¹⁵ Ibid.

¹⁶ United Nations Office of the High Commissioner for Human Rights, *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*, United Nations Office of the High Commissioner for Human Rights, n.d. retrieved 15 April 2014, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx>

¹⁷ The US Department of State, *The “3P” Paradigm: Prevention, Protection and Prosecution*, 2010, retrieved 14 April 2014, <http://www.state.gov/j/tip/rls/fs/2010/143248.htm>

¹⁸ UK Home Office, *Draft Modern Slavery Bill*, 2013, retrieved 15 April 2014, <https://www.gov.uk/government/publications/draft-modern-slavery-bill>

¹⁹ The Development Assistance Committee is an OECD development forum that monitors and evaluates international development funding. The DAC and Corporate Social Responsibility code lists are used by donor countries to report on their aid allocation and flows. See: OECD, *Development Co-operation Directorate (DCD_DAC)*, retrieved 12 June 2014, <http://www.oecd.org/dac/>

forms of modern slavery. Even existing codes do not have data available for every year or country. As identified through engagement with several governments, this was due in some cases to no funding being made available that year, but in some instances it was due to lack of reporting on the issue.

More comprehensive data is also needed to clarify the direction of anti-slavery spending flows. The most detailed and consistent data on the location of funded projects was provided by Austria, Canada, Sweden, the UK and the US pertaining to programmes in Southeast Asia, Eastern Europe and Sub-Saharan Africa. Australia and Japan focus almost universally on South and Southeast Asia with only a handful of projects funded in other regions. Austria, Canada, Sweden and the US spread their efforts more broadly and fund projects in Eastern and Southern Europe, Western and Southern Africa, as well as Southeast Asia. The remaining countries, Finland, France, Germany, the Netherlands and Norway, only included data on cumulative totals for anti-slavery projects, excluding a further breakdown by region or country. As previously noted, a wide range of projects, from one-off contributions to multi-year commitments, was identified. While it was possible to identify some funding patterns, a clear analysis of all projects included was beyond the current scope of this research.

Countries do not report internationally on their funding to combat modern slavery

The absence of a comprehensive international donor reporting framework means reporting on modern slavery funding at an international level does not occur. The US Department of State's annual *Trafficking in Persons Report* provides the most comprehensive information on domestic and international spending on modern slavery by country, but it is still not complete. Funding is only a small part of the overall country narrative on prevention, protection and prosecution. Occasionally government reports provide fragmented insights into how much has been spent within

these specific areas.²⁰ However, project descriptions tend to be too broad to determine the exact category of modern slavery.

With the recent shift towards online reporting platforms, a number of countries are publishing data online via the International Aid Transparency Initiative (IATI) organisational standard framework that allows for aid data to be compared.²¹ IATI is aiming to support a more transparent aid sector by working with donor countries, recipient countries, civil society organisations and other stakeholders. The IATI Data Registry is a centralised database of government and NGO funding linked to all donor countries' internal databases, and provides access to information on aid allocation, volume, and conditions. Nine countries included in this research (Australia, Canada, Finland, France, Germany, the Netherlands, Sweden, the UK and the US) have joined the initiative already. Despite this, information on modern slavery funded projects was not available, and gaps remain in how spending is reported.

Lack of a universal reporting system

The IATI Standard is a promising attempt to bring together donor governments, NGOs and implementing countries to co-operate on aid reporting. As identified previously, nine countries are already using the IATI platform for their reporting. Sweden and the UK appear to be leading efforts to report modern slavery spending. OpenAid.se, operated by the Swedish Ministry of Foreign Affairs and the Swedish International Development Cooperation Agency (SIDA), is a

²⁰ For a detailed report on Canada, see: *Public Safety Canada, Public Safety Canada Quarterly Financial Report* for the quarter ended December 31, 2011, 2012, retrieved 15 April 2014, <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/qtrtl-fnncl-rprt-20111231/index-eng.aspx>. For detailed reporting on Japan, see: Ministry of Foreign Affairs, *Japan's Actions to Combat Trafficking in Persons*, n.d. p.10, retrieved 15 April 2014, http://www.mofa.go.jp/policy/i_crime/people/pamphlet.pdf

²¹ For more detail, see: IATI, *IATI Standard*, n.d., retrieved 15 April 2014, <http://iatistandard.org/>

web-based platform providing detailed information on how the Swedish government distributes aid funding around the world. The search tool allows a user to see exactly where aid funding is going. Each funding commitment is given a unique SIDA reference number and provides information about the region, partnering organisation, duration of the contribution, paid totals, as well as individual amounts distributed on a per-annum basis. This system provides a simple and instant overview of how the money is spent, as well as additional government and partner organisation documents, allowing for further transparency and accountability. Total disbursements per sector can also be accessed and compared with other sectors.²² Similarly, the UK provides DevTracker, a resource for detailed data on aid expenditure, funded by the UK government.²³ However, unlike Sweden, which has funding data available for the past decade, the UK data only dates back to 2008. With the availability of additional data for all countries, it would have been possible to conduct further research into funding patterns, regional allocation of resources and a breakdown by individual types of slavery.

Lack of Development Assistance Committee (DAC) Codes

As with individual country governments, the OECD-DAC framework does not presently account for a range of emerging issues and, as the DAC has acknowledged, does not reflect the current needs of the global development agenda.²⁴ Only three codes used within the DAC framework cover modern slavery: child soldiers—prevention and demobilisation (15261), combating child labour (16020.07) and victims of trafficking

²² For more detail, see: Open Aid, n.d., retrieved 15 April 2014, <http://www.openaid.se/en/organizations/multilateral-organisation>

²³ For more detail, see: Department for International Development, What is the Development Tracker?, Department for International Development, n.d. retrieved 15 April 2014, <http://devtracker.dfid.gov.uk/about/>

²⁴ OECD, Modernising the DAC Development Finance Statistics, DAC Senior Level Meeting 2–4 March 2014, Paris, pp.4–5, retrieved 16 April 2014, [http://www.oecd.org/dac/externalfinancingfordevelopment/documentupload/SLM%20Dev%20Fin%20DAC\(2014\)9.pdf](http://www.oecd.org/dac/externalfinancingfordevelopment/documentupload/SLM%20Dev%20Fin%20DAC(2014)9.pdf)

(15150/15150.07/15130.06).²⁵ This narrow focus on one aspect of modern slavery (children) and the broad category of ‘victims of trafficking’ draws an inaccurate picture of modern slavery spending by states from DAC reporting.

A globally coordinated strategy is missing

Funding on modern slavery is usually directed towards a single country, despite the often transnational nature of the issue. Some regional and multi-country efforts were identified, such as the UN Action for Cooperation against Trafficking in Persons (UNACT, formerly known as UNIAP), the Department for International Development funded Work in Freedom programme, and the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP). However, country-specific projects are far more common.

While there are international treaties that provide some basis for coordinated global action, these are not matched by a central coordinating mechanism or entity with a focus on funding. The guardian of the UN Convention against Transnational Organized Crime, and the UN Trafficking in Persons Protocol, is the UN Office on Drugs and Crime (UNODC). While the UN Convention against Transnational Organized Crime contains a soft obligation to ‘enhance’ cooperation on this issue through funding and financial and material support, the reality is that this is not backed up by a strong coordination mechanism. According to the 2012

²⁵ Individual disbursements are only available for child soldiers—prevention and demobilization (15261), which amounts to USD 94.9 million (2003–2012). Other codes do not offer a breakdown by sub-sector and are often too broad in scope. See: OECD, ‘Aid statistics’, retrieved 03 June 2014, <http://www.oecd.org/dac/stats>. OECD aid activities can take many forms. Often there is no specific information offered on the individual activities or what is covered other than a broad sector classification (human rights), purpose code (victims of trafficking), recipient country, policy objectives and a short project description. Classification does not cover the individual aspects of the programme, such as the type of goods or services provided. See: OECD, Development Aid at Glance, OECD, p. 8, retrieved 03 July 2014, http://www.oecd-ilibrary.org/development/development-aid-at-a-glance-2008_dev_glance-2008-en

Global Report on Trafficking in Persons, published by the UNODC, the number one challenge to comprehensive responses to human trafficking is the limited capacity to allocate sufficient resources on projects tackling the issue.²⁶ Upon reporting in 2012, UNODC had allocated approximately USD 3 million to their anti-trafficking activities for the financial period 2012–2015, while at the same time, they estimated USD 20 million was needed to fund their thematic programmes.²⁷ The UN administers two funds focused on combating modern slavery and helping human trafficking victims: the UN Voluntary Trust Fund for Victims of Human Trafficking (managed by UNODC)²⁸ and the UN Voluntary Trust Fund on Contemporary Forms of Slavery (managed by the Office of the UN High Commissioner for Human Rights).²⁹ However, their limited funding deprives them of the institutional gravity to play a greater role on a global scale.

As other commentators have noted,³⁰ while donor countries may communicate and coordinate their funding with contractors and implementing countries on a project basis, there is often a lack of cooperation both locally and between donor countries internationally. For example, there are currently only a handful of examples of projects where

²⁶ UNODC, *Partnership Opportunities*, UNODC, 2010, p. 88, retrieved 25 June 2014, http://www.unodc.org/documents/human-trafficking/UNODC_Partnership_Opportunities.pdf

²⁷ Note that one budget item includes and does not disaggregate counter-smuggling activities. UNODC, *Fundraising Strategy 2012–15*, UNODC, 2012, p. 41, 44 retrieved 25 June 2014, https://www.unodc.org/documents/donors/Fundraising.Strategyv._final_print_version.5_Sep.2012.pdf

²⁸ For the financial year 2011, the UN Voluntary Trust Fund for Victims of Trafficking in Persons received contributions in total of USD 463,408. See: United Nations, *Annual Report*, United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, 2011, p. 33, retrieved 15 April 2014, http://www.unodc.org/documents/human-trafficking/Fund/UNVTF_2011_Report_eBook.pdf

²⁹ Based on contributions and pledges received from 11 July 2012 to 12 July 2013, the second of these funds received USD 457,012 in total. See: United Nations, United Nations Voluntary Trust Fund on Contemporary Forms of Slavery Report to the Secretary-General, United Nations, 2013, p. 4, retrieved 15 May 2014, <http://daccess-dds-ny.un.org/DOC/UNDOC/GEN/N13/420/96/PDF/N1232096.pdf?OpenElement>

³⁰ See: A Gallagher and P Holmes, 'Developing an Effective Criminal Justice Response to Human Trafficking: Lessons from the Front Line,' *International Criminal Justice Review*, vol. 18, no. 3, pp. 318–43.

country 'X' is addressing modern slavery and its pre-conditions, for example in a context of migrant workers, in a source country, while country 'Y' addresses issues in the areas receiving these workers. The majority of funding is often disbursed through a country's development agency and department of foreign affairs, but for several countries, police, immigration and interior departments are also funding modern slavery projects overseas—again adding to the complexity of coordination both locally and at a global level.

Analysis and Recommendations

The need for a global strategy and coordination

A comprehensive global strategy to combat modern slavery is needed. Many recipient countries have national action plans to address modern slavery,³¹ complementing national and international legal frameworks. The treaty obligations provide an important level of coherence to funding and projects that is then reflected in national action plans. However, this in itself seems insufficient given the often transnational nature of the issue and modest funding relative to the scale of the problem. More frequent dialogue and communication are needed along with collaborative coordination between donor countries, implementing governments, NGOs, international organisations (IOs) and experts.

In addition, strong leadership is needed to coordinate the global response. Presently, insufficient budgets prevent existing IOs and specialised UN funds from taking a lead on the issue, and countries' spending shows that modern slavery is a peripheral issue for most of them.³² An impending

³¹ United Nations, *UN.GIFT.HUB Global Initiative to Fight Human Trafficking*, United Nations, 2014, retrieved 12 May 2014, <http://www.ungift.org/knowledgehub/en/governments.html>

³² The United Nations Plan of Action to Combat Trafficking in Persons is a first step towards a cohesive approach to combatting modern slavery. However, the plan has not been fully implemented by all governments and has failed to address the need for increased funding. See: United Nations, General Assembly resolution 64/293, *United Nations Global Plan of Action to Combat Trafficking in Persons 2010*, A/RES/64/293 (12 August 2014) http://www.unodc.org/documents/human-trafficking/United_Nations_Global_Plan_of_Action_to_Combat_Trafficking_in_Persons.pdf

opportunity to change this pattern and focus on modern slavery is coming in 2015 when the international community endorses a new set of development goals.

The need for increased funding

The analysis of OECD donor spending on modern slavery validates what many in the sector have long suspected: donor spending is not proportionate to the scale of the problem.

Very few estimates have been undertaken of the actual cost of fully responding to all forms of modern slavery. In a global context, Kevin Bales, Professor of Contemporary Slavery at the Wilberforce Institute for the Study of Slavery and Emancipation, UK, estimates at least USD 13.5 billion is required to eradicate slavery worldwide.³³ In terms of what is needed, the cost of protection, liberation and re-integration of modern slavery victims varies by country; however, it costs approximately USD 500–600 per person, in countries like Ghana.³⁴ At current spending rates, it will take over 100 years to achieve that target.

While it is essential to increase international attention, resources and funding on modern slavery, there also needs to be a broader funding base. Three countries provide over three-quarters of the overall funding on international assistance projects focused on modern slavery. With such a small number of donors providing the bulk of support, there is a risk of large cuts to an already significantly under-resourced sector if just a single donor re-orientes their funding priorities.

Private-sector funding is likely significant

While it was beyond the scope of this research to examine private-sector spending on modern slavery, the relatively modest scale of government spending suggests private-sector

³³ K Bales, *Ending Slavery: How We Free Today's Slaves*, University of California Press, September 2007, p. 55.

³⁴ Ibid.

spending on modern slavery may be a considerable proportion of total funding on modern slavery. In recent years there have been several large private contributions by corporations and foundations. Humanity United has contributed USD 17.5 million towards modern slavery projects since 2011 and the Legatum Foundation has invested nearly USD 12.8 million across three modern slavery projects.³⁵ The Google Innovation Award also provided USD 11.5 million on countering trafficking in 2011, and in 2013 Google provided a further USD 3 million on a joint project with NGOs, the Polaris Project, Liberty Asia and La Strada International.³⁶ The Freedom Fund—a private donor fund—was established in 2013, with USD 30 million in initial contributions from the Walk Free Foundation, Humanity United and the Legatum Foundation. The Fund managers aim to secure donations totalling USD 100 million and put this to use by 2020.

Adoption of best practice for reporting systems

While the data available on modern slavery has improved in recent years, there are still substantial quantitative and qualitative gaps. In terms of modern slavery funding, data

³⁵ Humanity United has contributed over USD 15 million on modern slavery projects since 2011. Spending from 2011 can be found: Humanity United, *Humanity United 2011 Performance Report*, retrieved 22 July 2014, <http://www.humanityunited.org/performance-report2011/>; Investment funding from 2012: Humanity United, *Humanity United 2012 Performance Report*, retrieved 22 July 2014, <http://www.humanityunited.org/performance-report2012/investments.php>. For 2013 spending: Humanity United, *Humanity United 2013 Performance Report*, retrieved 22 July 2014, <http://www.humanityunited.org/performance-report2013/investments.html>. Legatum Foundation has invested more than USD 12 million across three modern slavery projects. See: The Freedom Fund, '100 Million Freedom Fund to Combat Modern-Day Slavery', retrieved 22 July 2014, <http://www.freedomfund.org/2013/09/100-million-freedom-fund-combat-modern-day-slavery/>. Legatum, 'Ghana Child Labour', retrieved 22 July 2014, <http://www.legatum.org/initiative/Ghana-Child-Labour>. Legatum, 'North India Human Liberty', retrieved 22 July 2014, <http://www.legatum.org/initiative/North-India-Human-Liberty>; and The Freedom Fund, '100 Million Freedom Fund to Combat Modern-Day Slavery'

³⁶ Funding over a multi-year period. See: D Molko, 'Google joins fight against slavery with 11.5 million grant', CNN, 14 December 2011, retrieved 15 May 2014, <http://www.edition.cnn.com/2011/12/14/us/google-anti-slavery-grant>. 'Data Collaboration to Disrupt Human Trafficking,' Google, 2013, retrieved 7 July 2014, <http://www.google.org/global-impact-awards/polaris-project/>

on internal and international spending should ideally be disaggregated by target group and forms of modern slavery, region and project duration. This will help to avoid a situation where, for example, all resources are directed at female children, but none at male adults or boys as victims of this crime. At the same time, published data should capture how much funding has been committed at the start of the project, actual financial disbursement per annum and a total spent upon completion of a project. Reporting systems used by countries like Sweden and the UK should be used as a benchmark.

If all countries used consistent reporting methods, data would be comparable and possible gaps in funding easier to identify. The OECD DAC Committee could potentially play an important role in changing the status quo. As noted previously, the OECD DAC Committee Framework captures only a very limited proportion of anti-slavery spending. There is an urgent need for modernisation and implementation of dedicated codes related to all modern slavery issues.

Conclusion

This research is a first attempt to estimate the spending of OECD donors on modern slavery as part of their aid programmes. It hopes to serve as a building block for broader discussions about donor spending on anti-slavery initiatives. Now that we know how much is being spent, is it enough? At the most basic level, if implementation of human trafficking, forced labour and slavery laws is required in all countries where modern slavery is most prevalent and resources are scarce, the cost of achieving even this element of the response is likely to far exceed USD 124 million per year. However, for governments to make the 29.8 million people living in modern slavery a priority, it will likely also require global leadership to develop and coordinate a strategy that will address this transnational problem. At present, this role is currently filled by the US, the world's largest single-government funder of projects and programmes globally to end modern slavery. Its

leadership could be elevated still further. The 2013 report of the US President's Advisory Council on Faith-Based and Neighborhood Partnerships had as its top recommendation that: 'the Obama Administration lead the effort to elevate and bring to scale the fight against modern-day slavery at home and abroad'.³⁷ It also noted: 'We can imagine the creation of a Global Fund to Eradicate Modern-day Slavery inspired by the success of the Global Fund to Fight AIDS, Tuberculosis and Malaria.'³⁸

This research has revealed that simple changes to the existing reporting systems are crucial to improving understanding of the modern slavery response at a global level, including its impact. The study also identified several areas requiring further research—the scale of private sector spending, where current spending is targeted, to which forms of modern slavery it is targeted and how effective it has been.

Martina Ucnikova is a Fund Analyst with the Walk Free Foundation. She is responsible for the development of the Global Fund to End Slavery. She also teaches politics and international relations at the University of Notre Dame in Australia. Email: martina.ucnikova@walkfree.org

³⁷ President's Advisory Council on Faith-Based and Neighborhood Partnerships, Building Partnerships to Eradicate Modern-day Slavery, President's Advisory Council on Faith-Based and Neighborhood Partnerships, 2013, p. 16, retrieved 15 May 2014, www.whitehouse.gov/sites/default/files/microsites/ofbnp-council-final-report.pdf

³⁸ Ibid., p. 18. The Walk Free Foundation has also proposed the establishment of a Global Fund to End Slavery.

Debate Section: What would be the best way to use ten million dollars?

Debate: Lessons Learnt from 10 Years and 50 Million Dollars of Grant Making to End Human Trafficking

Randy Newcomb

On 26 September 2013, Humanity United, with our partners Legatum Foundation and Walk Free, announced the creation of the USD 100 million Freedom Fund to combat human trafficking around the world. This fund is the first of its kind, organised by three private foundations and borne in part from Humanity United's experience as a donor over the past decade, during which time we provided more than USD 50 million to fund anti-trafficking efforts globally.

During this time, we also worked closely with the donor community as well as organisations and activists working on the frontlines of the struggle to end human trafficking. Over this period, four themes have emerged that help us better understand how to more effectively work and provide grants to combat human trafficking.

Uncoordinated Donor Funding

Early in our work on this issue, we recognised the seemingly sporadic ways in which donor funding is organised to support anti-trafficking efforts. Unfortunately, all too often both private and public funds are awarded with little coordination among donors and few, if any, discussions among the broader donor community about larger-scale strategies and promising solutions. Public and private donors are seemingly guided more

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by internal priorities and criteria rather than by how they can collectively strengthen and sustain the most effective solutions. Beyond the dramatic inefficiencies, duplication and confusion this uncoordinated action produces, it creates a ripple effect across the entire anti-trafficking movement that nearly guarantees that sustainable solutions and effective organisations have little chance of achieving larger impacts.

In response to the lack of coordinated donor funding, one of the guiding propositions of The Freedom Fund is to foster aligned strategies among private donors in order to encourage growth of the most promising anti-trafficking solutions around the world. Taking a page from the playbook of donors in the global public health space or emerging donor partnerships to address climate change, The Freedom Fund aims to significantly reduce, if not end, human trafficking through far greater coordination. Any donor or set of donors bringing ten million dollars to address human trafficking practices will gain far more leverage and impact through coordination rather than operating in isolation.

Aversion to Risk

Over the past decade, we have also learnt a great deal about the aversion to risk that is displayed by many donors despite the shortage of proven approaches to combat trafficking. In an effort to mitigate against risk, many donors have a tendency to place a very high premium on a grantee's reputation, perceived impact or demonstrated efficacy. This emphasis can have the unintended consequence of growing the capacity of only a select group of organisations that may, in fact, be more successful at marketing and far less successful at actually ending trafficking. Furthermore, this shifts attention away from those organisations that bring a level of creativity and new solutions to anti-trafficking practices. In such a young field where solutions are in short supply, donors would be well-served to look beyond what looks like a safe investment, to also develop and pilot unconventional ideas and early-stage efforts.

To some, it may seem inconsistent to call for coherent philanthropic efforts to fund anti-trafficking organisations *and* greater risk-adjusted grant making. Obviously, few prudent donors will dedicate their entire portfolio to high-risk activities. However, aligned funding among donors with a portfolio of resources dedicated to higher-risk activities could trigger innovation in ways that is not now being achieved. If we have any hope of discovering new approaches, promising strategies and innovative tools to support a world free of human trafficking, the donor community is well served to dedicate a portion of the proposed ten-million-dollar budget to adopt greater comfort with risk—encouraging organisations to dream big, fail smart and capture lessons learnt.

Beyond Awareness Building

From our experience as a grant maker, we have noted an abundance of funding proposals focused solely on building awareness of human trafficking. Obviously awareness building is an important and necessary activity, particularly as the public becomes more educated, and policy makers seek information to inform their legislative action. However, all too often the proposed anti-trafficking interventions stop at awareness building without proposing any lasting solutions.

An underlying assumption seems to suggest that *if only we knew more we would do more*. Clearly knowing more is a first step toward reducing trafficking. However, it is not enough to simply call for more awareness of the problem. Far more leadership is needed. The very organisations that are the closest to human trafficking in countless corners of the world must be the same organisations that lead donors and broader public constituencies towards effective solutions.

Of course human trafficking is a difficult and complex problem and solutions at any scale can be fleeting. However, in the same fashion that public health practitioners, climate change advocates and those in other human rights communities are advancing solutions, anti-trafficking organisations must

move beyond describing the intricacies of the problem to advising, guiding and offering long-term solutions that will end the wholesale practice of human trafficking.

For example, the United States-based National Human Trafficking Hotline run by the Polaris Project (and funded by Humanity United) is building on the success of its efforts in the United States to coordinate with similar hotlines in Southeast Asia and Europe to standardise data, identify trends and share statistics. This new innovation will create further transparency in illicit transnational human trafficking networks and provide additional global coordination to disrupt those very networks. This innovation demonstrates one of the better examples of an organisation that is unyielding in pursuing solutions rather than solely building awareness.

Increased Transparency

Finally, while the general public, civil society organisations and social activists call for greater transparency among governments and corporations, organisations that work on the frontlines of human rights abuses will be well-served by demonstrating the very transparency they seek from others. Of course, many argue that the very nature of this work requires far greater levels of privacy and confidentiality. Yet, all too often limited transparency is carried to the extreme when engaging with donors. By restricting or orchestrating access to communities where programmes operate, or reporting only on programme success with limited candour about programme failure, the lack of transparency can impede learning. Funding can be jeopardised if donors sense they cannot trust the accuracy of reporting or have restricted or highly orchestrated access to organisations. Achieving this level of transparency requires a supportive and trustworthy partnership from both grantees *and* donors. This is very likely an outcome the donor community will best influence by valuing the learning and benefits that actually come from failure. Rewarding transparency and candour about the failures as well as the successes will likely be the most influential approach to augmenting honesty in relationships.

In conclusion, while the modern anti-trafficking movement is relatively new (compared with other human rights, public health and environmental efforts that have been around for decades), funding strategies are just beginning to form and gain traction. Focusing on even a few practices, such as those suggested above, will not only boost the impact of ten million dollars of funding, it will also attract additional resources and provide much needed support to promising solutions. While our actions and intentions are always focused on combating trafficking, we can learn and implement new approaches to achieve the long-term outcome to which we all aspire.

Randy Newcomb is President and CEO of Humanity United, a private foundation founded by Pam and Pierre Omidyar.

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Debate: What Would be the Best Way to Use 10 Million Dollars in the Counter-Trafficking Sector?

Matt Friedman

For me, it is essential that the first question related to this query be: 'What are we really hoping to achieve with our available resources?' In the past, this question would have been answered in terms of the deployment of the traditional '3 Ps': prevention interventions, prosecution efforts and protection initiatives. Programme efforts under these headings are often designed to prevent people from being trafficked, put criminals in jail and help victims after they leave the exploitative environment. But few interventions explicitly state 'the goal is to reduce the number of people in human trafficking/slavery-like conditions'. The goal must be the reduction of overall victims.

The second question I would ask: 'What can be done to achieve the most impact in reducing the number of trafficked persons, with the least amount of resources?' In other words, I would seek to put in place a programme that is both cost effective and impactful. With limited funding available globally, every dollar must count.

The third question would be: 'Are there new or revised ways of addressing this problem?' In the past, a range of traditional approaches and partnerships has been used repeatedly. Yet, by any conceivable measure, many of these traditional approaches have not come close to reaching their full potential. For example, according to a range of evaluation reports, only a small proportion of victims are being helped to escape their situation and an even smaller

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number of traffickers have been brought to justice. To address the problem, innovative approaches need to be tested, refined and rolled out. This includes experimenting with bringing the private sector into the response in a very comprehensive manner. Like the criminals who engage in this illicit trade, the counter-trafficking community needs to be continuously evolving.

To begin the planning process, I would focus on the maths. According to the International Labour Organization (ILO), there are approximately 21 million people in human trafficking/slavery-like conditions today,¹ of whom an estimated 11.7 million are in Asia. Thus, to get the greatest impact from this funding, I would target Asia, where the highest concentration of cases can be found, and focus on countries with the highest prevalence, namely India, China, Pakistan, Bangladesh or Thailand.

With 78% of victims in forced labour versus 22% in forced prostitution,² I think it is important to concentrate on the former. Forced labour is where the greatest number of human trafficking victims can be found and where, with the right approach, we can potentially achieve the biggest reductions. For example, if the private sector is able to identify and address the problem of human trafficking among a range of large manufacturing companies, many more victims can be identified than we are seeing in most sex trafficking raids.

Throughout Asia, there are a number of industries that are regularly associated with human trafficking, including the electronics, garment, seafood packing and fishing industries. Anti-trafficking measures and governments in these countries and beyond need to focus on these industries. Acknowledging that each industry requires a unique response, however, I would first concentrate on only one to avoid diluting my efforts and wasting precious funding. The garment industry continuously receives attention in the news,

¹ ILO, Special Action Programme to Combat Forced Labour (SAP-FL), *ILO Global Estimate of Forced Labour 2012: Results and Methodology*, June 2012.

² Of the forced labour, 10% is state-imposed, 68% is in the private sector. *Ibid.*

so my ten-million-dollar programme efforts would directed towards this industry.

Of the countries listed above, China and Bangladesh have the greatest number of garment workers globally.

I would start with Bangladesh for the following reasons: I spent five years working there and have seen this problem first-hand in the garment industry; the country is relatively small; it has a strong track record of unions and civil society participation in development efforts; the government tends to be open to international support; the labour movement is flexible and active; and there have been a number of high-profile media stories on the garment industry over the past three years. At present, approximately four million people, mostly women, work in Bangladesh's USD 19 billion-a-year, export-oriented, ready-made garment industry.³

My next step would be to identify: (1) the extent of the problem in Bangladesh; (2) who is already working in the field; and (3) what the gaps are. I would do this by organising a six-week needs assessment at a cost of USD 50,000.

While the government has a central role to play in addressing forced labour within the garment industry, between its own resources and those supplemented by various United Nations-supported initiatives (ILO, International Organization for Migration (IOM), and United Nations Children's Fund) there are already efforts in place to develop and refine labour policies and provide capacity building and ongoing technical support. In addition, Bangladesh has a range of in-country and foreign non-governmental organisation/donor support in place and can expand union efforts across most manufacturing sectors. With these efforts already active, I would focus many of my resources on getting the private sector involved in the response—both inside and outside of Bangladesh. The activities would include:

³ R Paul and S Quadir, 'Bangladesh urges no harsh measures over factory deaths,' Reuters, 4 May 2013, retrieved 27 August 2014, <http://www.reuters.com/article/2013/05/04/us-bangladesh-factory-idUSBRE94304420130504>

- **Awareness raising and training (USD 50,000):** Carry out regular training of global corporations and their sub-contractors who source workers from Bangladesh to expand their general awareness and to sensitise them about the negative impacts of forced labour on their reputation. Much of the cost of this component can be covered by recipients of the training. In Hong Kong, this contribution has been demonstrated. The Mekong Club, a Hong Kong-based counter-trafficking organisation that works with the private sector (and in which the author plays a role), has been able to convince corporations to invest in audits and training activities for their supply chain staff.
- **Third-party audits:** Through the above general awareness and training initiative, I would demonstrate why brand-name companies need to conduct comprehensive third-party audits that will illuminate the real conditions faced by workers. These audits would go beyond the ‘soft tick’ provided by many social auditing firms (the consequences of which have recently been made all too clear in Bangladesh) to take a proper look at labour conditions within supply chains from top to bottom, with specific emphasis on migrant worker conditions. Since this expense would be covered by the private corporations themselves, there would be limited outside funding required for this part of the project. The Mekong Club has trained over 5,500 people in 48 companies to understand the importance of auditing supply chains to help reduce human trafficking/slavery.
- **Technical support to address exploitation in supply chains (USD 300,000):** If issues were identified during the third-party audits, technical support would be offered to help garment contractors and sub-contractors to improve labour standards and conditions. In some extreme cases, the severity of the problem may warrant legal remedies and closure of the facility. Already there are examples in Bangladesh where better management has allowed companies to improve profits and raise worker standards simultaneously. The project would

provide technical support using in-country labour specialists.

- **Multi-stakeholder efforts (USD 50,000):** As the project gains momentum, it would facilitate multi-stakeholder initiatives that link private sector business, workers, labour, civil society and governments to focus on a combined effort that brings the community together to achieve positive change.

The guiding principles for this effort would include: being as cost efficient as possible, understanding the problem, leveraging what already exists, getting partners to use their own resources (private sector), and placing emphasis on addressing the entire problem across the overall sector.

So back to the basic question of how to spend 10 million dollars. As we have seen with our efforts to fix other major public health and human rights issues, just throwing money at a problem is not usually the answer. In the fight to end human trafficking, I believe a lot can be done to address the issue without much funding. Sometimes we have to ask ourselves: 'Do we really need boatloads of money to make a difference?'

In the case of Bangladesh, much of what is proposed can be done with less than USD 500,000. But because of the scale of the problem there, the impact of this project could be substantial.

Just because we have ten million dollars does not mean we should spend it foolishly. Rather, we must be smart and systematic in the way we address this problem. Once we have identified and implemented programmes that have a demonstrated impact on the problem, we can then expand. A systematic and targeted approach within a comprehensive strategy, which does not just 'address' global slavery but actually reduces it, will ensure our limited resources are used to achieve our goal—reducing the number of victims in human trafficking/slavery-like conditions.

Matt Friedman is an international human trafficking expert with more than 25 years of experience as an activist, programme designer, evaluator and manager. He is currently the Chief Executive Officer for The Mekong Club, an organization of Hong Kong-based private-sector business people who have joined forces to fight human trafficking in Asia. From 2006 to 2012, Friedman was the Regional Project Manager of the United Nations Inter-Agency Project on Human Trafficking (UNIAP) in Thailand, an inter-agency coordinating body that links the United Nations system with governments and civil society groups in Cambodia, China, Lao People's Democratic Republic, Myanmar, Thailand and Vietnam. Prior to this (1991–2006), Friedman worked for the United States Agency for International Development (USAID) in Thailand, Bangladesh and Nepal.

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Debate: Strategically Working in Parallel to Traffickers

Vincent Tournecueillert

Let's be realistic, counter-trafficking teams will never be as effective as the proactive and flexible networks of outlaws that violate the rights of millions of people each year. The 'bad guys' operate without the same financial limitations such as bureaucratic red tape and donor criteria, and take advantage of patchy and often uncoordinated border surveillance that is chronically untrained in detecting trafficking in persons. Non-governmental organisations (NGOs) involved in the fight against human trafficking—and in direct contact with presumed victims (their status is not assessed until at a stage later than this initial contact)—are in a diametrically opposite situation. They must carefully abide by the national and international legal frameworks that their criminal antagonists ignore. Donors and national authorities operate within the constraints of geographic target areas and funding cycles. Since counter-trafficking actors neither create the markets nor devise the routes for trafficking, their strategic cross-border (or long distance) partnerships are always a few steps behind the traffickers, if not many steps behind, and rarely efficient.

In counter-child-trafficking projects, we have learnt that 'strategically working in parallel'¹ to traffickers is one way of effectively challenging the various advantages that traffickers

¹ This idea of 'strategically working in parallel' was developed in D Stoecklin and V Tournecueillert, *Child Trafficking in South Eastern Europe: The development of good practices to protect Albanian children*, Terre des hommes and Ndihmë Për Fëmijët, 2004, p. 7, retrieved 5 August 2014, <http://tdh-childprotection.org/documents/child-trafficking-in-south-eastern-europe-the-development-of-good-practices-to-protect-albanian-children>

offer to people. The more that NGO counter-trafficking teams can mirror the trends that are affecting people at high risk of trafficking in the real world, the better they can detect and protect victims, prevent re-trafficking, exchange intelligence that can eventually be used to support prosecutions and collect first-hand information for advocacy campaigns.

This strategy of working in parallel is tailored to the population at risk of being trafficked and to presumed victims. If traffickers abuse trust and use deception, then social workers must (re)build relationships of trust with vulnerable children (and their families) or adults. Since a criminal venture involving exploitation can last for years, services providing protection and assistance must also be available over the long term. Traffickers can badly damage their victim's sense of identity and self-confidence, and therefore project teams have to be able to accompany survivors in redeveloping their confidence and levels of agency. Exactly like traffickers, counter-trafficking teams should work across borders, often between less and more developed countries, and form complex networks, well-rooted in local communities. There are numerous other examples of how the counter-trafficking response should match the traffickers' tactics.

Following the logic of working strategically in parallel to traffickers, international donors should invest in counter-balancing powerful criminal organisations. But what donor today is able to quickly provide financial support so that a situation analysis is undertaken as soon as a new transit route is detected (or a new pattern of recruitment or exploitation)? Which donor is able to support services and salaries in a coordinated way in countries of origin, transit and destination, especially if these countries are in different political and financial zones (for example, inside and outside the European Union (EU), which has separate budget lines supporting anti-trafficking work along a single route)? Which institution will ensure ten years of *modus operandi*—to go the distance that is required to ensure appropriate case management of children and young people who have suffered from some of the worst

forms of exploitation and abuse? Ten million US dollars might even not be enough for one single ten-year counter-child-trafficking project.

Since traffickers adapt their methods quickly when new counter-trafficking measures and projects are launched, which agency is ready to modify its strategy and assessments as quickly as the phenomenon moves? We have all heard about projects that set about tackling a pattern of recruitment that was about to disappear or had already been stopped. And which donor will support service providers in carrying out paradigm-changing research (for example, moving the focus from counter child trafficking to protection of children on the move)?

We all know that traffickers generate extraordinary amounts of money. So which donor is prepared to finance counter-trafficking teams with the same flexibility and consistency? Should donors build alliances in different locations to cope with their own limitations and rules to support the full range of activities that are needed, agreeing on common reporting formats? Is the United States Trafficking Victims Protection Reauthorization Act compatible with the EU's anti-trafficking programmes? And what about the position taken by the leading private foundations, such as the ones that in September 2013 announced they were preparing to spend up to 100 million dollars combating slavery in the world today?

Are donors able to trust counter-trafficking teams? Are the projects they propose reliable? Very few of them have had the opportunity yet to show their reliability over the long term, from basic prevention and protection schemes to contributing to the reinforcement of national protection systems and transnational cooperation. Furthermore, are donors willing to give proper amounts of funding to support evaluations of these efforts?

Moving from counter-trafficking to migration, and designing suitable responses to the movement in space and time of people who make risky life choices in changing environments, trying their luck, sometimes falling under the control of

traffickers or into exploitation—these are the challenges of today for those ready to protect the most vulnerable populations, especially children who are on the move. The actors involved need to design highly flexible, yet consistent, strategies and continue to mobilise resources over the long term. Donors should know, or be able to find, the service providers who have the capacity to do this and who are reliable, supporting service providers' efforts to be close to the people who need help: as close as traffickers are able to get to them.

Vincent Tournecuillert is Regional Child Protection Advisor (MENA and Afghanistan/Pakistan regions) in the Terre des Hommes Foundation (Tdh). He created the Regional Office of Tdh for Central and Southeast Europe in 2006 and has worked for the past twelve years in transnational child protection issues within Europe and with neighbouring countries. As a former journalist, Vincent Tournecuillert was an international freelance reporter in countries in crisis (including those in the Balkans and Central Africa). He joined the NGO world in 1995 and has since worked in northern Iraq, Bosnia and Herzegovina, Yemen, Albania and Morocco.

The content of this article does not reflect the views or policies of the Terre des Hommes Foundation, nor does it imply any endorsement by the Foundation. The opinions and ideas expressed in this article are grounded in the field work of the author in the fields of both anti-child trafficking and protection of children on the move.

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Debate: Prevention and Victim Compensation

Nisha Varia

Afroza, a Bangladeshi woman who worked for sixteen years without getting paid and was not allowed to go home to visit her family. Keni, an Indonesian woman whose employers injured her with a hot iron, leaving disfiguring third-degree burns all over her body. Kartika, an older Sri Lankan woman whose employers made her work around the clock without pay, shaved her head to humiliate her and gouged pieces of flesh out of her arm with knives.

These are some of the women whose faces and stories still haunt me after ten years of investigating human rights abuses against migrant domestic workers in Asia and the Middle East.

When the *Anti-Trafficking Review* posed the question of how I would spend ten million dollars to fight trafficking, I tried to think about what could have helped these particular women and the hundreds of other domestic workers I have met, who were abused, exploited and, in some cases, trafficked. If I had ten million dollars to fight trafficking, I would spend it on victim-centered measures: prevention and compensation.

Forced labour and human trafficking are complex and entrenched, and there is no one magic programme that, if funded, would fix the problems. Instead, a holistic approach is needed to address many facets of prevention and response.

Arresting, prosecuting and punishing abusive employers, recruiters and others involved in trafficking is a critical part

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of accountability, deterrence and justice. However, too many governments, international agencies, donors, and civil society groups have pursued a criminal justice response to forced labour and trafficking, while neglecting prevention as well as protection, compensation and survivor rehabilitation.

Afroza, Keni and Kartika all received some assistance from state authorities, but it was well after they had already endured long periods of confinement or savage abuse that had changed their lives forever. Like many of the other empty-handed and traumatised survivors I have met in shelters, airports and deportation centres, their top priorities were to be reunited with their families, to receive their long-overdue wages, and to much-needed healthcare. When I asked Kartika what recommendations she would make to the government, she said she did not want any other Sri Lankan woman to go through what she had experienced.

One way to prevent trafficking is to look at where this exploitation flourishes. It is no mystery. Exploitation often happens in sectors that are poorly regulated and inadequately monitored—for example, domestic work, fishing and agriculture. When governments exclude these workers from standard labour protections such as a minimum wage, safe working conditions, a weekly day off or limits on working hours, they are giving tacit permission to employers to exact excessive work in hazardous conditions for a pittance. They are letting employers know that there will be no labour inspectors checking on them, and no clear authority for workers to turn to for help.

Similarly, when governments do not require businesses to conduct due diligence to prevent, monitor and respond to abuse in their operations or supply chains, they are sending a signal to these businesses that anything goes.

When governments prohibit the right to form or join unions, they are limiting workers' ability to exchange information with each other, and to build collective power to balance out a lopsided power dynamic with employers in order to negotiate for safer and fairer working conditions.

And when governments create programmes for temporary migration in which visa conditions tie workers to individual employers, they exacerbate this power imbalance instead of addressing it. Employers wield inordinate control over a worker's fate, and temporary migrants are much less likely to access information about their rights or know where to turn to for assistance in cases of abuse. Other immigration practices, such as disproportionately harsh penalties for immigration offences and routine immigration detention, contribute to leaving victims of forced labour, including labour trafficking, afraid to seek help from authorities.

A frequent misconception is that trafficking takes place mostly through organised crime, hidden in the shadows. Some trafficking fits that description, but other types take place in the context of more widespread, and often normalised, labour rights abuses. Legal gaps and restrictions in many countries—for example, labour laws that exclude domestic workers or deportation policies that deter migrants from reporting workplace abuse—fuel this exploitation, instead of stopping it.

The risk of focusing on legal reform is that it is slow, and can easily get mired in politics, bureaucracy and apathy. Having good laws in place only makes a difference when there is adequate political will, training and capacity for rigorous enforcement.

I would spend part of the money supporting workers' rights groups to keep relentless pressure on governments to enact these changes. For example, I would allot funds to strengthen nascent groups in the Gulf to reach out to migrant domestic workers with information and services, and to amplify their voices in the media and with host-country governments. I would promote partnerships between trade unions, advocacy groups and community organisations in labour-sending countries to strengthen their political voice and ability to pressure their governments to adopt and implement reforms.

These groups should be able to provide a constructive and more realistic alternative to the well-meaning but often

counter-productive campaigns that dehumanise survivors of abuse as ‘modern-day slaves’ and obscure the politics around workers’ rights, safe migration and gender discrimination.

But until the day when we have won the battle against trafficking, I would ensure that the rest of the money reaches the hands of survivors like Afroza, Keni and Kartika directly, through supporting victim compensation funds that are easily and quickly accessed.

Nothing can take away the grievous harm they have suffered. Instead of making them jump through hoops for temporary and limited government assistance, or leaving them empty-handed while focusing on lengthy criminal proceedings, getting these funds to victims could give them the time and resources they need to heal and rebuild their lives.

Nisha Varia is a senior women’s rights researcher at Human Rights Watch.

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Debate: Money, Money, Money

Nina Ilona Ellinger and Seeta Sharma

The question: 'What would be the best way to use ten million dollars?' leads to many other questions when related to anti-trafficking work.

What should the money be spent on? Who should be appointed to spend the money? And, perhaps most importantly, who should be the beneficiaries? In other words, are the ten million dollars to prevent trafficking of people meant for activities to stop smuggling of people, to stop unwanted migrants, or to protect and uphold people's rights when they move across borders and need to be protected from trafficking? Would the money be best spent on anti-trafficking work, or would it be better spent on strengthening the rights of all migrants to minimise the risk of trafficking?

As a team under DanChurchAid (DCA) South Asia, we worked together from 2006–2011 on a regional Asia programme funding migrant rights and anti-trafficking work. The organisation developed a regional pilot programme—Fighting for Rights—together with a number of Asian partner organisations, who took the clear decision to focus on upholding the rights of people moving across national borders. Partner organisations were identified in origin, transit, as well as destination countries. The programme activities covered interventions such as providing information to potential migrant workers in cooperation with local governments, and through various means including radio broadcasting and local theatre groups; and legal support to migrants in distress situations; support to homecoming migrants. This was in addition to national and international advocacy for migrants' rights. The programme included partner organisations in nine countries

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who met regularly to discuss and clarify understanding, approaches and inter-connections within anti-trafficking work in the context of migrants' rights.

Involving Rights-Holders

If we were working together again in a joint donor capacity, we would set up systems to ensure that the ten million dollars is spent effectively—systems that not only monitor planning, budgeting and accounts—but more importantly, ensure that spending goes towards ensuring the rights of the intended right-holders—migrants and trafficked persons.

Having ten million dollars to spend on anti-trafficking work does not necessarily mean that good work will be done for trafficked persons. The purpose of funding must be clear and unambiguous, focusing on upholding people's rights. We have seen too often that some donors have other agendas, such as prevention of illegal migration or criminalisation of sex work. So while the activities are presented as prevention of trafficking, the results may in fact ignore, or even violate people's rights instead of upholding them and protecting the victims of human rights violations.

Rights-based work must always closely involve the people who are right-holders. Ways must be developed to involve and organise migrant workers, trafficked persons and sex workers, so they are active parties in finding solutions and identifying their needs. Money is too often spent meeting needs identified by organisations with good intentions of 'saving' others, but without any explicit way of finding out if the intended beneficiaries approved or even felt they benefited.

A Programme Approach with Donor/Non-Governmental Organisation Partnerships at the Centre

Rights-work is best done when donors and partners come together to work as a united force. Choosing partners and the combination of partners carefully is important as well as working in a proper partnership modality. Even if the roles may be the traditional ones of a funding provider and a recipient, having a 'partner'-type relationship is crucial to meaningful rights-based work. Though money creates power in any relationship, donors must work hard to foster equality in partnerships. We would spend ten million dollars working with a long-term 'programme approach', in which we develop relationships and networks with clusters of organisations in order to bring about systemic change, rather than immediate benefits for a limited number of directly involved participants only. A programme approach means moving from one-off projects (which are what donors typically fund) to a programme with long-term interventions, developed and implemented in partnership with a number of likeminded organisations with different and complementary strengths. Some organisations are in a position to do coordinated advocacy at international levels. Others operate at local levels, giving key insights and working directly for rights in communities and providing much-needed services. Working together is key.

A programme approach will enable donors, experts and specialised organisations to develop a contextual analysis of an issue, thereupon prioritising a few areas on which to work with a number of different partner organisations. It would also provide scope for forging non-traditional partnerships, which means including, for instance, individual researchers, activists, governments and trade unions. At times, the work of different partners may not seem related, or partners may not see the need to work with each other. On many occasions, partners are in 'competition' with each other and have not together developed an analysis of the larger context, or stepped outside their 'niche' to explore other more holistic ways of addressing a migration and trafficking situation.

Recognising the unique value of each partner, maintaining long-term partnerships as well as non-funded partnerships, developing cooperation with other networks, building alliances and strengthening networking are therefore critical to creating synergy in the programme approach. This also includes networking beyond time-bound projects and direct partners. Long-term core funding can help free groups to achieve this, thereby encouraging new ideas, reflection and learning. This can also enable partners to overcome some of the barriers that prevent them from sharing and networking with each other. Building the capacities of partners through networking or direct inputs is a long-term investment.

A programme approach increases effectiveness, as donors encourage coordination and give long-term stable commitment to organisations. Donors should not only fund groups to work together and learn from each other—including learning from their mistakes—they should also provide core funding to these partners (the most valuable of resources for organisations), so the organisations and their staff can develop systems and capacities to deliver. In addition to organisational support, there should be sufficient funding for internal as well as external communication. Finally, we strongly suggest that the ten million dollars be spent over a long-term period, with mutual commitments for long-term cooperation. It is important to acknowledge in the cooperation agreement that human rights are only achieved after struggle, that it is difficult to foresee the length of time needed to achieve systemic change and that success can never be guaranteed. Thus, long-term partnerships and lots of alliance building are needed. Partnership is not only about funding but also international solidarity and support when human rights defenders get into trouble. Good donors must dare to take a political stand. Ten million dollars spent in these ways, particularly through a programme approach, can achieve what perhaps even twenty million cannot.

Nina Ilona Ellinger worked with refugees in Denmark from 1978–1990 and has worked in the development sector since then. She has been engaged in women’s issues and active as speaker and writer in development education, with a special interest in anti-trafficking and women’s rights. Nina has managed development funds as Project Coordinator for Kvindernes Ulandsudvalg (KULU) Women and Development from 1990–1996 and as Asia and Central America Programme and Training Coordinator for Mellemfolkeligt Samvirke (MS) Danish Association for International Cooperation from 1996–2002. She was posted in Nepal as Country Director of MS Nepal between 2002 and 2005 and in Delhi as Regional Representative to South Asia for DanChurchAid from 2005–2011.

Seeta Sharma has been working on trafficking issues since 1999. She was first with Save the Children (United Kingdom) where she was involved in programming for trafficking of children in labour, particularly in domestic work. From 2006–2012, she worked with DanChurchAid where she was responsible for establishing and implementing a regional migration programme across countries in South and Southeast Asia and the Middle East. She is currently working with the International Labour Organization in India on various migration projects.

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GLOBAL ALLIANCE AGAINST TRAFFIC IN WOMEN
P.O. Box 36, Bangkok Noi Post Office
10700 Bangkok, Thailand
Website: www.antitraffickingreview.org

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