

INTRODUCTION

Migrant smuggling is a rapidly growing issue that deserves attention and investigation. The 2015 Trafficking in Persons report indicated “there are 232 million migrant workers globally, and that this number will continue to grow.”¹ Unfortunately, the vulnerability of migrants makes them especially easy to traffic, leading to a high number of migrants being exploited for sexual purposes.² International law has largely focused on a crime-based approach to trafficking, consequently focusing on state safety through strengthened border controls and prosecution of traffickers. Unfortunately, this method has been inadequate as it lacks an equal focus on protection of victims and prevention of human trafficking.³ In order to successfully moderate and prevent future human rights abuses, the international arena should shift its focus to the socioeconomic roots and vulnerability of trafficked victims.

Part I of this essay provides a brief overview of the difference between trafficked persons and migrant smuggling. Part II then describes the nature of the international response and the drafting of both United Nations Protocols that relate to human trafficking and migrant smuggling. The limitations of the international response are revealed by examining the crime-based approach that leads to a lack of protection and prevention. Part III enters into a discussion about the vulnerabilities of migrants and the socioeconomic circumstances that often lead to their exploitation. Part IV presents existing legislation that could enhance socioeconomic rights of the vulnerable and increase migrants’ rights in destination countries. It also examines why countries are hesitant to ratify and enforce the established legislation. Finally, in Part V, this essay explores places and perspectives the international community might look to in seeking to decrease the vulnerability of migrants to *prevent* human trafficking in the future. Alternate methods, such as bottom-up development, are examined as a way to decrease human trafficking by increasing the agency of stereotypical targets.

I. DIFFERENTIATING BETWEEN TRAFFICKED PERSONS AND MIGRANT SMUGGLING

It is important to distinguish the difference between human trafficking and migrant smuggling as the victims fall under different law. Trafficking in persons is defined in the *Protocol to Prevent, Suppress and Punish Trafficking Persons*

¹ United States Department of State, *Trafficking in Persons Report July 2015*, 18.

² “Human Trafficking & Migrant Smuggling: Understanding the Difference,” Office to Monitor and Combat Trafficking in Persons, US Department of State, last modified July 27, 2015.

³ Jonathan Todres, “Widening Our Lens: Incorporating Essential Perspectives in the Fight against Human Trafficking,” *Michigan Journal of International Law* 53 (2011): 55.

Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol) as:

The recruitment, transportation, transfer, harbouring [*sic*] or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour [*sic*] or services, slavery or practices similar to slavery, servitude or the removal of organs.⁴

In addition, when a child (defined as less than 18 years of age) is induced to engage in commercial sex, it is regarded as a trafficking crime regardless of whether force, fraud, or coercion is used.⁵

The Office to Monitor and Combat Trafficking in Persons clarifies that no movement is required in human trafficking. This distinguishes it from migrant smuggling which entails that a person that is moved across an international border. In migrant smuggling, the individual “voluntarily enters into an agreement with a smuggler to gain illegal entry into a foreign country.”⁶ These individuals are often taken advantage of and trafficked, thus creating an overlap between human trafficking and migrant smuggling that is important for policymakers to note as migrants may not be granted the protections that trafficked victims receive.⁷

II. INTERNATIONAL RESPONSE

As introduced in the preceding section, the international response to combat human trafficking is the Palermo Protocol, while the international response to combat migrant smuggling is the *Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention against Transnational Organized Crime* (Smuggling Protocol). The former’s statement of purpose is:

(a) To prevent and combat trafficking in persons, paying particular attention to women and children; (b) To protect and assist the victims of

⁴ United Nations General Assembly, Resolution 55/25, “United Nations Convention against Transnational Organized Crime,” 32, Nov. 15, 2000.

⁵ “Human Trafficking & Migrant Smuggling: Understanding the Difference,” Office to Monitor and Combat Trafficking in Persons, US Department of State.

⁶ Ibid.

⁷ Ibid.

such trafficking, with full respect of their human rights; and (c) To promote cooperation among State Parties in order to meet those objectives.⁸

In contrast, the latter's statement of purpose is "to prevent and combat the smuggling of migrants, as well as to promote cooperation among States Parties to that end, while protecting the rights of smuggled migrants." The Protocols contain similar wording, both calling for a '3P' paradigm of prosecuting traffickers, protecting victims, and preventing the crimes.⁹

Although both Protocols call for the '3P' paradigm, international enforcement has emphasized the prosecution of traffickers. This may be due to the light in which human trafficking was seen and thus the Committee in which the Protocols were drafted. As early as 1904, treaties and agreements were approved in regards to human trafficking.¹⁰ However, human trafficking was perceived to be linked with highly organized, transnational criminal groups and networks, so the agreements required states to criminalize trafficking and sexual exploitation.¹¹ Subsequently, in 1998 the United Nations General Assembly established the intergovernmental Ad Hoc Committee on the Elaboration of a Convention Against Transnational Crime, which was designated to draft the Convention Against Transnational Crime and the Smuggling of Migrants and Trafficking Protocols. Instead of designating these Protocols to a human rights body, they were placed within the arena of international law, leading to their continued crime-focused origins.¹²

However, pimps are generally not connected with organized crime.¹³ They may have been connected with organized crime in the early 1900s, but over the years pimps found it easier to operate within smaller, flexible criminal networks that allow for decentralization and enable them to adapt quickly to changes in demand and law enforcement pressures.¹⁴ Paradoxically, the stricter border

⁸ UN General Assembly, Resolution 55/25, "United Nations Convention against Transnational Organized Crime," 32.

⁹ *Ibid.*, 41.

¹⁰ Anna M. Gallagher, "Triply Exploited: Female Victims of Trafficking Networks—Strategies for Pursuing Protection and Legal Status in Countries of Destination," *Georgetown Immigration Law Journal* 99 (2004).

¹¹ Biljana Meshkovska et al., "Female Sex Trafficking: Conceptual Issues, Current Debates, and Future Directions," *The Journal of Sex Research* 52 (2015): 387, doi: 10.1080/00224499.2014.1002126; Gallagher, "Triply Exploited," 101-02.

¹² *Ibid.*, 101-02.

¹³ Meshkovska et al., "Female Sex Trafficking," 387.

¹⁴ Anne T. Gallagher, "Exploitation in Migration: Unacceptable but Inevitable," *Journal of International Affairs* 68 (2015): 59, 2015.

controls that resulted from the transnational crime approach only push women who seek to migrate into the hands of people who could exploit them, as it creates an underground market for migration.¹⁵

In order to expand upon the origins of the crime-based policies, Biljana Meshkovska and Melissa Siegel, graduate students at the Maastricht Graduate School of Governance, along with Sarah Stutterheim and Arjan Bos, faculty of Psychology and Educational Sciences at the Open University of the Netherlands, discuss three dominant approaches that states have taken in regards to the sex trafficking industry and use these to explain policy outcomes. These approaches view trafficking as an issue of state security, an issue of migration, or an issue of human rights. In the state security approach, Meshkovska et al. contend that trafficking was pegged as a transnational, organized criminal activity and therefore an issue of state security. In order to combat the perceived international crime, international law focused on criminalization which led to two policy responses from states: stricter border controls and raids of establishments where supposedly trafficked women are kept. The second approach views sex trafficking as a result of women's increased migration, which again, leads to policy that embraces tighter borders and pushes women who seek to migrate into the hands of sex traffickers. Lastly, many view sex trafficking as a human rights abuse, but there is still large debate on whether sex work can be voluntary. Policies that seek to allow women to choose aim toward addressing the root issues of sex trafficking such as poverty, educational opportunities, and gender discrimination.¹⁶

The state-based approach has been taken, and as a result, there have been increasingly strict border controls.¹⁷ In order to protect their own security, states have focused on prosecuting traffickers and migrants, which may be harmful as it inhibits thought processes on what can be done to *protect* victims and *prevent* human trafficking.¹⁸ Unfortunately, the emphasis on criminal law provisions, as compared to the victim assistance and prevention provisions, results in a dichotomous approach that is unlikely to make a significant difference in reducing human trafficking.¹⁹ This is because the root causes of international human trafficking, such as poverty, development, and equality, are not elaborated upon in the Palermo Protocol, and international human trafficking law fails to address why vulnerable persons migrate.²⁰ Until the international community can address those issues, it does not seem that human trafficking will be significantly reduced.

¹⁵ Biljana Meshkovska et al., "Female Sex Trafficking," 385.

¹⁶ *Ibid.*, 385-386.

¹⁷ *Ibid.*, 385.

¹⁸ Todres, "Widening Our Lens," 55.

¹⁹ *Ibid.*, 57.

²⁰ *Ibid.*, 58.

III. THE ISSUE OF VULNERABILITY

Vulnerability leads to trafficking. Thus, in order to address the issue, the international community must shift from a state security approach to a human rights approach. Vulnerable women are exploited along the entire process of trafficking, beginning within their home society and continuing through their time as a trafficked victim.²¹ Meshkovska et al. suggest that we should attempt to better understand the terms *vulnerability* and *exploitation* to better understand human trafficking.²²

The majority of victims in trafficking and commercial sexual exploitation are women and children who have few resources, poor education, and limited or no access to health care. They are from marginalized populations, including minorities, the poor, refugees, displaced persons, and other vulnerable groups.²³ Among these are largely women who, in many societies, face unequal employment, gender discrimination, and lack of access to basic resources. Their poor living conditions and oppression create a “push factor” for these women to leave and result in women choosing to migrate from their home countries.²⁴

Unfortunately, globalization has only exacerbated the exploitation of vulnerable women. Globalization has had adverse effects on women in developing countries, pushing them into the informal sector and manufacturing in order to keep up with the demand of trade liberalization.²⁵ In addition, globalization has closed gaps in travel and communication leading to “pull” factors for migrants. The demand for cheap labor fuels the “pull” factor as it calls for migrants to leave their countries and work abroad in hopes of a better life as any job is seen to be better than their current conditions.²⁶

These “push” and “pull” factors determine a number of women’s decisions to migrate. Traffickers are then able to take advantage of these women’s desire to leave and exploit them in ways that the women did not expect.²⁷ Even the women who are willing to work in the sex industry do not expect the kind of exploitation to which they are subjected.²⁸ The traffickers seek to make a profit and do not

²¹ Ibid., 53-76; Jorge A. Bustamante, “Immigrants’ Vulnerability as Subjects of Human Rights,” *The International Migration Review* 36 (2002): 333-54.

²² Meshkovska et al., “Female Sex Trafficking,” 391.

²³ Jonathan Todres, “The Importance of Realizing ‘Other Rights’ to Prevent Sex Trafficking,” *Cardozo Journal of Law & Gender* 12 (2006): 888, 2015.

²⁴ Janie Chuang, “Beyond a Snapshot: Preventing Human Trafficking in the Global Economy,” *Indiana Journal of Global Legal Studies* 13 (2006): 140-42, 2015.

²⁵ Ibid., 143.

²⁶ Ibid., 144-45.

²⁷ Ibid., 140-42.

²⁸ Gallagher, “Exploitation in Migration,”

think of the needs of the women. Consequently, an average sex-trafficked woman works every day of the week, 13 hours a day, with five clients per day.²⁹

Migrants are often trapped in these situations under the control of their traffickers. Although not all smugglers are in the business of human trafficking, the one thing they do have in common is their position of power over migrants.³⁰ The smugglers often charge high fees for their migration, creating a debt for the migrants once they reach their destination country. When the migrants do reach the migration country their identification is sometimes taken.³¹ In addition, the migrants often cannot speak the language of the country into which they are smuggled, leaving them reliant on their smugglers for any communication.³² Furthermore, migrants are often in countries illegally, and this prevents them from going to the authorities as they are sometimes identified as irregular migrants and mistreated. The strengthening of border controls only adds to this complex issue because it closes off the ability of migrants to reach a country where they can receive protection.³³ These factors compound to leave migrants completely vulnerable to the whims of their smugglers, who then have the capability to exploit them for profit in the way that they choose.

In addition to being vulnerable to their smugglers, migrants are also vulnerable in foreign countries due to the power differentials in place between citizens and non-citizens. Based on the idea of sovereignty, governments often prefer to give nationals more rights than migrants. When a state establishes a distinction between nationals and non-nationals it creates power differentials. Those with power retain the social norms and consider those that stray from those norms as “deviants.” The vulnerable populations, in this case the migrants, can become labeled as “deviants” and are excluded from gaining power within the society.³⁴ If migrants can gain any type of power within their respective society, they may be less likely to endure extensive exploitation in the form of their labor or services.

IV. POLITICAL LIMITATIONS OF THE INTERNATIONAL RESPONSE

The international arena is well aware of the increasing occurrence of human rights abuses against migrants. Nonetheless, their response to the problem has been minimal.³⁵ The reason for this may be that states benefit from migration

²⁹ Meshkovska et. al, “Female Sex Trafficking,” 389.

³⁰ Gallagher, “Exploitation in Migration,” 60-61.

³¹ Meshkovska et al., “Female Sex Trafficking,” 388-89.

³² Gallagher, “Exploitation in Migration,” 60-62.

³³ *Ibid.*, 60-65.

³⁴ *Ibid.*, 346-47.

³⁵ *Ibid.*, 337-38.

or that they are hesitant to change their crime-based policies for state safety, or perhaps a combination of the two.

The vulnerability of migrants in foreign countries subjects them to exploitation in terms of the type of work they are forced to do and their hours, and accordingly a low charge for services. Due to the nature of the low cost, there is a high demand for their services and an increasing number of migrants. If their vulnerability were to be reduced, it is likely that the demand for migrants would decrease and the result would be fewer migrants. Nonetheless, nationals benefit from the vulnerability of migrants and are therefore unlikely to change the status quo.³⁶

Governments have not ratified the documents necessary to curb the vulnerability of migrants. Jorge Bustamante, former UN special rapporteur on migrants' rights and faculty member at the University of Notre Dame, notes that the *International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families* concluded with a document of IOM that stated 'political realities' were hindering the protection of migrant workers. The document sought to curb these 'political realities' of things such as xenophobia and racism and provide protection for migrant workers. However, IOM has not been ratified by a large number of countries. This leaves an obvious gap between awareness of the violation of human rights for migrants and the 'political realities' that prevent governments from ratifying respective legislation. Bustamante argues that closing this gap will require pressure from the international community.³⁷

Lobbyists have also attempted to pass legislation that would empower trafficked migrants by protecting them against prosecution, but states have been hesitant to pass it under the false idea that it would limit their ability to control their borders. Janie Chuang, professor of law at American University, Washington College of Law, contends that the unwillingness and refusal of states to adjust migration policies demonstrates the shift toward civil and political rights over cultural, social, and economic rights.³⁸

International legislation exists for many of the vulnerability problems discussed earlier in this essay, but it is not always adopted. Jonathan Todres, associate Professor of Law at Georgia State University College of Law, highlights that to combat gender-based violence and discrimination, there is the Convention on the Elimination of All Forms of Discrimination against Women;³⁹ to combat all other forms of discrimination there exists the International Convention on the Elimination of All Forms of Racial Discrimination;⁴⁰ to combat the inadequacy of

³⁶ Ibid., 334.

³⁷ Ibid., 348-49.

³⁸ Chuang, "Beyond a Snapshot," 149.

³⁹ Todres, "The Importance of Realizing 'Other Rights,'" 893.

⁴⁰ Ibid., 896.

birth registration there is the International law in Convention on the Rights of the Child, the International Covenant on Civil and Political Rights, and the African Charter on the Welfare of the Child;⁴¹ to ensure health rights there exists the International Covenant on Economic, Social, and Cultural Rights; and to provide the right to education there are non-discrimination clauses of the Convention on the Rights of the Child, the International Covenant on Economic, Social, and Cultural Rights, the African Charter on the Rights and Welfare of the Child, and the Universal Declaration of Human Rights.⁴² It appears that if the international arena were to focus on enforcing the scope of this already established international body of law, it could significantly improve the conditions of the marginalized and prevent them from entering trafficking.

V. RECOMMENDATIONS

The solutions to migrant smuggling and human trafficking are complex and difficult to implement. Nonetheless, there are significant steps that the international community can take to moderate these issues. These involve reducing both “push” and “pull” factors by focusing on the approach to human trafficking, increasing development efforts, and increasing the rights of migrants in destination countries.

The first and overarching step that must be taken to moderate migrants’ human rights abuses is switching the conversation from a crime-based perspective to one that looks at vulnerability and exploitation. Recently, the dominant conversation regarding human trafficking has been on the wording of the Palermo Protocol and the issue of consent. The two main groups in disagreement about the meaning of consent are the Coalition Against Trafficking in Women International (CATW) and the Human Rights Caucus. The former group believes that the sex industry is exploitative and therefore a violation of human rights whereas the latter believes that taking consent away from women is disempowering and plays into the lack of agency of many women around the world.⁴³

While this debate is important and has sparked the conversation of agency, it is a conversation within the boundaries of the crime-based approach. It lacks, however, the ability to delve into the root causes of the trafficking of migrants, such as examining aspects of the vulnerability that lead to consent. For example, it overlooks the issue that many trafficked women do consent to working in the sex industry to escape their circumstances at home.⁴⁴ Within these conversations, we see a state security approach being taken toward human trafficking with an emphasis on punishment rather than prevention. Thus it is clear that in order to

⁴¹ Ibid., 898.

⁴² Ibid., 904.

⁴³ Meshkovska et al., “Female Sex Trafficking,” 382-83.

⁴⁴ Chuang, “Beyond a Snapshot,” 140-42.

increase the prevention aspect of human trafficking, there is a need for the human rights approach.

Once the international community embraces a human rights approach, there are multiple steps that can be taken. The first of these should be the enforcement of current international law regarding vulnerability and implementation of the UN Sustainable Development Goals.⁴⁵ Poverty plays a significant role in the vulnerability and exploitation of individuals, and socio-economic development is likely to reduce their vulnerability. Thus, development, including sustainable development and community partnerships, is key to reducing poverty and vulnerability, which are risk factors related to human trafficking.⁴⁶ This reduces the “push” factors that lead to migrants seeking out routes to leave their home countries, sometimes even at the cost of being trafficked.

In congruence with increasing socioeconomic development, states can increase the rights of migrants in their countries. As discussed previously, the protections and preferences given to nationals that are generally understood as rights of sovereignty create the idea of the “other” and can justify abuses of migrants’ rights and creation of their vulnerability, which is associated with the low cost of services or labor they deliver. If governments increase the rights of non-nationals to the level of nationals, they will subsequently reduce the idea of the “other” and increase migrants’ rights, which in turn could increase their cost of services.⁴⁷ This could reduce the demand for migrant labor and take away a portion of the “pull” factors.⁴⁸

The specific policies that can increase migrants’ rights are the abolition of recruitment fees for migrants, the abolition of legal status tied to a specific job, the abolition of exclusion of migrants from labor laws, and legal protection for migrants in destination countries. Recruitment fees are often used to lure migrants into moving abroad, trapping them in unescapable debt when they arrive. The sponsorship systems that tie legal status to a certain job create immobility for migrants, and the exclusion of migrants from labor laws leads to their exploitation. In addition, the lack of legal protection for migrants in destination countries hinders them from coming forward if and when they are exploited.⁴⁹ These policies aim to tighten borders to prevent human rights abuses. Yet the result is not prevention, but rather the lack of protection for migrants that do make it to destination countries.

⁴⁵ Todres, “The Importance of Realizing ‘Other Rights,’” 885-987; Todres, “Widening Our Lens,” 53-76.

⁴⁶ *Ibid.*, 73-74.

⁴⁷ Bustamante, “Immigrants’ Vulnerability,” 333-34.

⁴⁸ Todres, “Widening Our Lens,” 61-63.

⁴⁹ Gallagher, “Exploitation in Migration,” 67-70.

In addition, Anna Gallagher, a North American attorney based in Spain teaching refugee and migration law in Europe and consulting to the Jesuit Refugee Service, contends that migrants should be able to become refugees or declare asylum status. The elements that a refugee must prove are, “a well-founded fear of persecution; Because of one of the five grounds: race, religion, nationality, membership in a particular social group or political opinion; That she is outside her country of origin; and That she is unable to or unwilling to avail herself of the protection of that country.”⁵⁰ Most migrants meet this status as they often fear persecution from their traffickers which they are involved with due to their social group (usually low-class women of a specific country), they are outside their country of origin, and their country is usually unable or unwilling to provide them protection from the traffickers.⁵¹ Unfortunately, many states prefer to deal with the issue as one of law enforcement rather than as a protection issue and therefore require the cooperation of the victim and ‘essential’ information that they may not have.⁵² In states such as Italy, however, victims of trafficking receive an unlimited right of residence not dependent on the caliber of information they can provide the police.⁵³ This is a human rights approach that enhances the rights of migrants and provides a route for them to receive protection if they go to the authorities. Many states would not want to enact this type of policy because it might weaken their border controls, but over time it might actually decrease the amount of migrants in the country due to Bustamante’s analysis that increasing rights also decreases vulnerability, leading to higher cost of migrant labor and therefore less demand for that labor.

A complementary route to the government’s policies to reduce “pull” factors involves consumers evaluating the supply chain. Fortunately, the 2015 Trafficking in Persons Report addresses the issue of demand and creates a call for action stating:

Governments, the private sector, and individuals can all make a difference when it comes to addressing human trafficking in supply chains. Each has the unique ability to leverage economic power to influence existing markets, and create new ones, where workers can enjoy decent work and human dignity, and are free from coercion and the exploitation associated with human trafficking.⁵⁴

⁵⁰ Gallagher, “Triply Exploited,” 104.

⁵¹ Ibid., 108-16.

⁵² Ibid., 120-21.

⁵³ Ibid., 119.

⁵⁴ United States Department of State, *Trafficking in Persons Report July 2015*, 13.

The private sector and individuals might be able to have leverage of migrant's rights in the future by closely evaluating the supply chain and looking into the things they purchase.

The ideal method of reducing the vulnerability of migrants would be an affirmative action plan. However, Bustamante contends that until the international community is willing to ratify legislation to protect migrants, the UN should create an intermediate mechanism toward a solution of the 'political realities.'⁵⁵ Hopefully, this intermediate mechanism will push countries to provide greater equality for migrants and prevent future human rights abuses.

CONCLUSION

The international community should switch from its crime-based approach to a human rights approach and subsequently focus on the socioeconomic roots and vulnerability of trafficked victims. Although the crime-based approach was integral in combatting transnational crime, pimps are no longer part of larger transnational networks but rather work in small, dynamic groups, making the crime-based approach inadequate. Due to the nature of the crime, it may be difficult to find and prosecute all of the offenders and strengthening border controls has only pushed vulnerable individuals into the hands of smugglers, many of whom traffic migrants. Thus, the international response should equally focus on *protecting* victims and *preventing* the crime from happening. This can be done in a number of ways including reducing "push" and "pull" factors, enforcing current legislation aimed at moderating discrimination and increasing the rights of migrants in destination countries.

Reducing the "push" and "pull" factors will *prevent* migration from taking place and reduce the amount of migrants being trafficked. It is evident that many of the migrants smuggled choose to leave their home countries due to these "push" and "pull" factors, but it is also important to note that their likeliness of leaving due to those factors is linked to their socioeconomic positions and vulnerability. In addition, current international legislation has the potential to moderate discrimination and enhance the rights of people in their home countries. This will empower individuals and decrease their likelihood of exploitation. Also, increasing the rights of migrants in destination countries could increase the cost of their services and subsequently decrease the demand for their labor. Lastly, when migrants have rights within destination countries, they are more likely to report to local authorities and receive protection if they are being trafficked.

The common link between each of these three solutions is a reduction of vulnerability. Therefore, future conversations on human trafficking and migrant smuggling should focus on how the international community can reduce the

⁵⁵ Bustamante, "Immigrants' Vulnerability," 350.

vulnerability of individuals. This conversation has been going on for quite some time but has not necessarily been examined in regards to migrant smuggling and human trafficking.

For example, the Millennium Development Goals sought to eradicate extreme hunger and poverty, achieve universal primary education, promote gender equality and empower women, reduce child mortality, improve maternal health, combat HIV/AIDS, malaria, and other diseases, ensure environmental sustainability, and develop a global partnership for development.⁵⁶ Although these goals were not specifically aimed at reducing human trafficking and migrant smuggling, they sought to improve specific areas of life that subsequently reduce vulnerability. Therefore, goals such as these can be correlated with *prevention* of human trafficking.

Additionally, there are a substantial number of NGO's that seek to empower individuals and create agency which results in a reduced likelihood of an individual being trafficked or smuggled. Many of the successful NGOs focus on "bottom-up" approaches that place agency within the individual, but "top-down" approaches have a necessary place for amending legislation and creating initiatives in the international community.⁵⁷

The "bottom-up" approaches have been increasingly successful and have thus been implemented by world organizations. In April 2015, the World Bank announced its partnership with religious leaders in attempts to eradicate extreme poverty by 2030, demonstrating the need for a more holistic model of development.⁵⁸ This type of development includes "bottom-up" approaches, and contrary to previous types of development that had a material focus, it takes into consideration holistic models that seek to empower people at the individual level. This leads us into the conversation of development, which is beyond the scope of this essay, but it is relevant to the topics of human trafficking and migrant smuggling as it deals with vulnerability and agency.⁵⁹ Future research should focus on the specific links between development, human trafficking, and migrant smuggling and how development can be used as a *preventative* measure of human trafficking and migrant smuggling. It is evident that the future of development is focused on reducing vulnerability and will therefore have a significant impact on the reduction of trafficked victims.

⁵⁶ "Goals, Targets and Indicators," Millennium Project, UN Secretary General, accessed Nov. 15, 2015, <http://www.unmillenniumproject.org/goals/gti.htm>.

⁵⁷ For more on "bottom-up" and "top-down" approaches, please see William Easterly, 2014.

⁵⁸ "Global Religious and Faith-Based Organization Leaders Issue Call and Commitment to End Extreme Poverty by 2030," World Bank Press Release, Apr. 9, 2015.

⁵⁹ For more on development, please see Bryan L. Myers, 2011, and Steve Corbett and Brian Fikkert, 2012.

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