

# Misidentification of men within the human trafficking discourse

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This research addresses social issues such as suppression, oppression, gender discrimination and gender inequality towards male victims of Human Trafficking who have been exploited for different purposes and by different means; who in accordance with the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* fall under the definition of victims of human trafficking but are facing discriminatory conduct on the part of the law enforcement, assistance and aid organizations and, thus, may not/do not have access to support services. This paper identifies a gap in existing research as well as in the aid sector and demonstrates that male trafficking constitutes a considerable part of the human trafficking flow. This paper provides a preliminary analysis of the trafficking literature from the perspective of male victims as well as explains some instances of misidentification of male victims of human trafficking on the basis of the concept of masculinity and the hierarchy of victimhood theory.

## Introduction

This paper forms a part of an independent research project on the invisibility of male victims of human trafficking, which will form the basis for the degree of Doctor of Philosophy at the University of Sydney. This research has recently been presented within the framework of the *Slavery Past, Present and Future* project (Inter-Disciplinary.net). Holding to the advocacy / participatory worldview, this research addresses important social issues, namely suppression, oppression, gender discrimination and gender inequality towards a group of people (male victims of Human Trafficking) who have been exploited for different purposes and by different means; who in accordance with the Trafficking Protocol fall under the definition of victims of human trafficking; but are facing discriminatory conduct on the part of the law enforcement, assistance and aid organizations as well as donors; and, thus, may not have access to support services, specialized rehabilitation centres, shelters, aid programs and corresponding institutions. This research is intertwined with a social change agenda and focuses on the needs of a marginalized group of individuals (male victims of human trafficking).

The overall aim of this research is to identify the causes and consequences of the invisibility of male victims of human trafficking by doing a thorough analysis of male trafficking discourses on the basis of concepts of masculinity, victimhood and victimization. This study will address

the types of exploitation men are subjected to, programs and policies designed specifically at assisting men and boys who have become victims of human trafficking, the assistance provided to male victims of human trafficking and how the international criminal justice system responds to male trafficking. This paper, however, will provide a literature review of studies that look at male trafficking and try to explain the misidentification of men through the hierarchy of victimhood theory and the concept of masculinity. Through this I attempt to substantiate that male trafficking constitutes a considerable part of the human trafficking flow and that human trafficking is much more complex and multidimensional than commonly acknowledged.

### **Misidentification**

The human trafficking discourse has been on the human rights agenda for quite some time. This has culminated in progressive research, which then initiated the development and implementation of policies, instruments and projects aimed at addressing harms that accompany violations to individual rights. This has also led to the formation of mechanisms and institutions aimed at assisting the victims of human trafficking. The first and main universal instrument that attends to all aspects of trafficking in persons today is the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (The Trafficking Protocol, 2000), which supplements the United Nations Convention against Transnational Organized Crime. The Protocol was adopted on November 15, 2000 and came into force on December 25, 2003. The Trafficking Protocol was adopted with the aim to prevent trafficking, punish the traffickers and protect the trafficked.

Even though the protocol was developed as a tool, which in an ideal world should prevent all possible forms of human trafficking and protect all possible victims, some sections of the protocol were designed in ways that contradict this assumption. Namely, the protocol emphasizes assistance to women and children and neglects men. One of the factors that has stirred my interest is its association with trafficking of women and children for the purpose of sexual exploitation. The way in which the human trafficking discourse was put together has created the pervasive assumption that the definition of human trafficking is synonymous with sexual exploitation of women and girls. This assumption has fuelled the way that many anti-trafficking actors address the issue; and has become a hindrance to identification and assistance to victims of other forms of exploitation and of different genders.

There is an indirect implication in the Trafficking Protocol that men are secondary addressers when it comes to assistance and protection of victims of human trafficking. This indirect implication is seen first and foremost in the name of the protocol, where it is directly implied that this protocol is to protect, suppress and punish trafficking in persons, especially women and children; and then throughout the protocol where women and children are highlighted as especially vulnerable. The following sections of the protocol identify women and children as a group that requires special consideration. Men are not indicated in the protocol as a potentially vulnerable group to human trafficking. In fact, the words man, men and male do not appear in the Protocol at any point. The only way of seeing that possible male victims are also addressed in the protocol is through the words human and person(s). These terms are not defined through gender. Human is equated with the term mankind and one of the meanings of person is the bodily form of a human being or an individual character (Webster, online, date accessed: 06/02/15). Thus, it is evident that men are not disregarded in the Protocol, they are simply not given special consideration. Men as well as women are subjected to forms of exploitation that constitute human trafficking. However, today's programs that are aimed at assisting male victims of human trafficking are either invisible or do not exist, whereas many human rights organizations have made assistance and aid programs available to female victims.

An interesting example of this would be my work at a Non-profit Organisation in Moscow dealing with migration related issues, which has led to this research.

When I began working I was involved in a project that aimed to assist migrants in distress in Russia to return to their home country. My role was to assist as an interpreter during the primary interviews and to take the project beneficiaries through certain steps of local official migration processes. Most beneficiaries that I worked with were adult men.

My first case was a middle-aged man from a country in Sub-Saharan Africa. I was not present at the initial interview, thus do not know for certain what was officially stated in his application form. But on our way to the Federal Migration Services office I found out that back home a stranger promised him that he would get a job in Moscow as a salesperson selling cocoa imported from Africa. The stranger seemed nice and promised to organize the visa and tickets, so the beneficiary borrowed some money from his friends and relatives. Upon arrival in Moscow he was supposed to be met by his employer at the airport, but there was no one there. So he stood waiting for hours in a foreign country with barely any money in his pocket, no ticket back home, no work permit and no knowledge of the local language. He felt tricked, deceived, deluded and alone. He then explained that somehow he managed to find compatriots, who leased him a bed, and in place of payment he worked for them as a leaflet distributor in the Moscow city centre.

He tried to earn the amount he was initially planning to earn for almost a year, but understood that this was not possible. He overstayed his visa and realized that he needed to find a way to get back home. Eventually he came to the organization in question.

The beneficiary was provided with assistance and safely returned to his home country, but as I later understood, it may have been more beneficial and helpful to provide assistance within the framework of a different project. According to the Trafficking Protocol trafficking in persons “shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” According to the UNODC human trafficking is a notion that comprises of three factors: activity, means and purpose (UNODC 2013), then in the case described above the activity was that the victim was recruited and transported; the means was fraud, deception and the abuse of a position of vulnerability; and the purpose, in this case, is a bit tricky to identify. If the two parts of the story were linked, if the man that had prepared the transportation had intentionally sent the victim to the recipient (the man who had provided lodging in return for work), then the purpose was exploitation of labour. Bearing in mind that no investigation on this case as a trafficking incident has been done, we cannot know that the transportation and receipt were linked. Nonetheless, the second part of the story – the unpaid labour in lieu of non-payment for the lodging (debt) can be seen as debt bondage, which is one of the conditions under which a trafficked victim can be exploited. Furthermore, “human trafficking can include but does not require movement” (TIP 2014). Therefore, bearing in mind all of the above, the beneficiary fits the human trafficking profile. It is important to note that this is not the only case of misidentification, but this story raises a lot of questions with regard to the investigation, the identification, the definition and the understanding of human trafficking and human trafficking victims. The issue of misidentification can be a result of different factors: it can be due to the local identification tools, local legislation, the aims of a specific program, misapprehension of what constitutes human trafficking, victim’s denial of deception or exploitation committed against him, victim’s rejection to receive assistance and many more.

### **Male Victims of Human Trafficking**

Existing studies that refer to the male trafficking phenomenon usually focus on physical labour exploitation. Although male trafficking is not restricted to the exploitation of manual labour, this section will predominantly focus on labour exploitation as most scholars who look at exploitation of men within the human trafficking discourse provide evidence of their exploitation in the following fields: construction work, agriculture, factories, mines and fisheries. However, some examples of male sex trafficking will also be provided in this section. The reference to women and girls in human trafficking literature still prevails over that of men; and literature that concentrates on male trafficking exclusively is still very limited. This demonstrates a gap in research, which needs to be addressed.

Shelley's (2010) Asian trafficking case study gives an example of adult men and young children being forced into slave labour in illegal mines and brick factories. Exploitation of adult men in this particular field is not novel. Several other scholars have focused on the exploitation of men specifically in brick kilns (Gupta 2003, Ercelawn and Nauman 2004, Aronowitz 2009). This type of exploitation of men is distinctive to the Asian region. Aronowitz (2009) affirms that there is an occurrence of male trafficking for the purpose of forced labour practices in brick kilns in China. In Brazil foreign victims tend to also be exploited in factories, whereas local male victims of internal trafficking are usually exploited in agricultural labour (Aronowitz 2009). Cullen-DuPont (2009) gives a broader picture of the different types of labour trafficking that men can become part of. Specifically fields, factories as well as trafficking of men and boys in the fishing industries (Cullen Du-Pont 2009). The latter is very typical in the following areas: the Black Sea, the Sea of Japan, the Andaman Sea, and the Gulf of Thailand; as well as on many other waters (Aronowitz 2009, Cullen Du-Pont 2009). In a case study offered by Cullen-DuPont it is argued that adult male victims may be of various age groups. For example male victims between the ages of 18 and 50 were found on a Russian fishing boat in the Sea of Japan. Male victims of the same age group were identified in the Balkans (Copic and Simeunovic-Patic 2012). Moreover, according to Copic et al. (2012) the majority of trafficked male victims in the Western Balkans are adults, which contradicts the common perception that male victims of human trafficking are usually children.

The above-mentioned types of labour exploitation are a frequent occurrence in academic works that illustrate different types of male trafficking. However, several scholars have revealed cases of male sex trafficking in different parts of the world. Consequently, such cases have been disclosed in Germany (Christophe Gille in Shelley 2010) and Russia (Surtees, IOM, 2008b) for example. However, sex trafficking of men is very rarely identified and male victims are seldom assisted (Surtees 2008). This could be due to several reasons. As human trafficking is mainly associated with women being trafficked for prostitution, in some countries the 'identification tools' are designed to identify the victims that fit the latter profile. Furthermore, according to scholars that have focused on male sexual exploitation, it is very difficult for a sexually assaulted man to (1) admit to himself that he has been assaulted and (2) to seek assistance from someone (Donnelly and Kenyon 1996, Monk-Turner and Light 2010, Bullock and Beckson 2011). This results from a man's ascribed role within a society. A semiotic approach defines masculinity through symbolic differences, contrasting 'masculine' and 'feminine' and neglecting the level of personality. Meaning, that masculinity is defined as 'not-femininity' (Connell 1995). Taking this statement into consideration, it is feasible to assume that men, whose characteristics or actions do not correspond to what the society has identified to be masculine, would be considered as non-masculine. This can be one of the reasons to a man's denial of deception or exploitation and rejection to receive assistance.

Nicola Piper (2005) points out the necessity of a gendered analysis within research on human trafficking. Piper affirms that men are usually treated as smuggled labour migrants, whereas the trafficking classification usually falls on women and children. Referring to Carling, Piper (2005) states that in gender research there is a tendency to assume that human trafficking studies usually centre upon women and very rarely on the two genders with regard to each other. This is reflected in various empirical case studies where male respondents are hardly ever included. Moreover, according to Rosenberg (2010), male victims are not identified as victims; rather they are seen as irregular migrants and are deported without an investigation of their case.

Rosenberg holds the opinion that even if men appear to be in the same situation as women who are identified as trafficked victims, men will never be considered as such because “the profile of trafficked persons is based on known victims” (2010: v) – meaning the types of victims that have already been identified. Women trafficked for prostitution have to date been seen as the main, if not only (by some anti-trafficking actors) profile of victims of human trafficking. Hence, there exists an assumption that trafficking is “of women for the purpose of prostitution, and therefore that is the profile which authorities look for when they look for trafficking” (Rosenberg 2010: v). Consequently, some scholars today tend to restrict trafficking to sexual exploitation of women. For example recent case studies related to human trafficking in Russia have predominantly focused on sex trafficking and women (Finckenaue 2001, Stoecker 2005, Tverdova 2011). However, the most frequent form of human trafficking in Russia is labour exploitation, where men constitute the majority (Levchenko 2009). Furthermore, looking at cases of sex trafficking, the Trafficking in Persons report (TIP 2014) claims that in certain Middle Eastern countries sex trafficking is more common among boys than girls. Statements like these affirm the importance of looking at human trafficking from a local perspective, rather than fitting every case into one global internationally perceived definition. Moreover, while it is evident that trafficking of women is more frequent than that of men, if we look at the 2012 International Labour Organization Estimate of Forced Labour (2012), which estimates that 20.9 million people today are victims of forced labour (sexual and labour exploitation), then women and girls constitute 55%, and men and boys 45% of the overall forced labour flow worldwide.

Rebecca Surtees (2008a, 2008b) states that regardless of the fact that there is profound evidence in many world regions that men too are victims of exploitation and are violated “in ways that constitute human trafficking” (Surtees 2008b: 16) the consideration of trafficking in males is far less common. Piper (2005) states that men are seldom considered as “potential victims of socio-economic pressures and structures leading to their being trafficked” (Piper 2005: 217). McEvoy, K & McConnachio (2012) have a theory about the hierarchy of victimhood, which suggests, “The ‘innocent’ victim is placed at the apex of a hierarchy of victimhood and becomes a symbol around which contested notions of past violence and suffering are constructed and reproduced.” Within the human trafficking discourse female victims are ‘innocent’ because they evoke more sympathy from the society due to the role they play as vulnerable and deserving of protection. Their ‘innocence’ is also triggered by the Trafficking Protocol, which highlights women as potential victims and disregards men. Consequently, men are placed at the bottom of this hierarchy as a masculine man is considered to be less likely harmed than a woman, is better able to shield himself from violence, is strong and always in control (Connell 1995, Groth and Burgess 1980, Smith et al 1988), which suggests that a man is less likely to be exploited.

Rebecca Surtees (2008b) argues that within the human trafficking discourse and practice, assumptions about gender, migration and vulnerability are emphasized in a way that female migrants that are subjected to exploitation are frequently seen as trafficked, whereas it is very common that male migrants who face the same kind of exploitation, violation and abuse are pictured as irregular migrants.

## Conclusion

This paper has attempted to explain the misidentification of men through the hierarchy of victimhood theory and the concept of masculinity. It has exposed human trafficking literature that focuses on men within the broader human trafficking discourse and revealed the scope of literature that centres exclusively on the male trafficking phenomenon. Although literature on male trafficking is very limited this paper shows that male trafficking exists and the extent of the involvement of men within the human trafficking discourse is much more complex and multidimensional than commonly acknowledged. To date male trafficking remains neglected in terms of assistance and aid, which impedes male victims of human trafficking from receiving the essential medical help, psychological and physical rehabilitation, in some cases reintegration and prevention of re-trafficking and secondary victimization. This study aims to advance an agenda for change to, in the long run, improve the lives of male victims of human trafficking by highlighting the instance of male trafficking as a genuine challenge to contemporary society.

## Bibliography

- Aronowitz, A. A. (2009). *Human Trafficking, Human Misery: The Global Trade in Human Beings*, Praeger.
- Bullock, C. M. and M. Beckson (2011). "Male victims of sexual assault: phenomenology, psychology, physiology." *J Am Acad Psychiatry Law* **39**(2): 197-205.
- Connell, R.W. (1995). *Masculinities*, University of California Press, Berkley Los Angeles.
- Copic, S. and Simeunovic-Patic, B. (2012). "Victims of human trafficking: Meeting victims' needs." *Human Trafficking: Exploring the International Nature, Concerns, and Complexities*. Boca Raton, FL: Taylor and Francis.
- Cullen Du-Pont, K. (2009). *Global Issue: Human Trafficking*. New York, Infobase Publishing.
- Di Nicola, A. (2007). Researching into human trafficking: Issues and problems. *Human Trafficking, USA and Canada*. M. Lee. Culmcott House, Willian Publishing: 49-72.
- Donnelly, D. A. and S. Kenyon (1996). "'Honey, We Don't Do Men': Gender Stereotypes and the Provision of Services to Sexually Assaulted Males." *Journal of Interpersonal Violence* **11**(3): 441-448.
- Ercealawn, A. and M. Nauman (2004). "Unfree Labour in South Asia: Debt Bondage at Brick Kilns in Pakistan." *Economic and Political Weekly* **39**(22): 2235-2242.
- Finckenauer, J. O. (2001). *Russian transnational organized crime and human trafficking*, Baltimore, MD: Johns Hopkins University Press.
- Groth, A. and Burgess, A. (1980) "Male rape: Offenders and victims." *American Journal of Psychiatry* **137**(7): 806-810
- Gupta, J. (2003). "Informal Labour in Brick Kilns: Need for Regulation." *Economic and Political Weekly* **38**(31): 3282-3292.
- ILO (2012). ILO Global estimate of Forced Labour, Results and Methodology. Switzerland, International Labour Office (SAP-FL).
- Kelly, L. (2007). A conducive context: Trafficking of persons in Central Asia. *Human Trafficking, USA and Canada*. M. Lee. Culmcott House, Willian Publishing: 73-92.
- Kleimenov, M. and M. Shamkov (2005). Criminal Transportation of Persons: Trends and Recommendations. *Human Traffick and Transnational Crime, Eurasian and American Perspectives*. S. Stoecker and L. Shelley. New York, Rowman & Littlefield: 29-47.
- Levchenko, O. P., Ed. (2009). *Human Trafficking and Legalization of Criminal Profits. Issues of Prevention: A Scientific and Practical Guide*. Moscow, Unity-Dana.

- Lindquist, J. and N. Piper (2007). From HIV prevention to counter-trafficking: Discursive shifts and institutional continuities in South-East Asia. *Human Trafficking in Usa and Canada*. M. Lee. Culmcott House, Willan Publishing.
- McEvoy, K. and McConnachio K. (2012). "Victimology in transitional justice: Victimhood, innocence and hierarchy" *European Journal of Criminology* 9(5): 527-538.
- Monk-Turner, E. and D. Light (2010). "Male sexual assault and rape: who seeks counseling?" *Sex Abuse* 22(3): 255-265.
- Piper, N. (2005). "A Problem by a Different Name? A Review of Research on Trafficking in South-East Asia and Oceania." *International Migration* 43(1-2): 203-233.
- Repetskaya, A. (2005). Classifying the Elements of Human Trafficking Crimes. *Human Traffick and Transnational Crime, Eurasian and American Perspectives*. S. Stoecker and L. Shelley. New York, Rowman & Littlefield: 47-63.
- Rosenburg, R. (2010). Trafficking of adult men in the Europe and Eurasia region: final report. *The Social Transition Series*. Washington (DC), Social Transition Team, Office of Democracy, Governance and Social Transition of the United States Agency for International Development (USAID/E&E/DGST).
- Shelley, L. (2010). *Human Trafficking: A Global Perspective*, Cambridge University Press.
- Smith R., Pine C., Hawley M. (1988) "Social cognitions about adult male victims of female sexual assault." *Journal of Sex research* 23(1): 101-112
- Stoecker, S. (2005). Human Traffick: A New Challenge for Russia and the United States. *Human Traffick and Transnational Crime, Eurasian and American Perspectives*. S. Stoecker and L. Shelley. New York, Rowman & Littlefield: 12-29.
- Surtees, R. (2008a). Trafficking of men — a trend less considered. The case of Belarus and Ukraine. *IOM Global Database Thematic Research Series*. Geneva, Switzerland, International Organization for Migration.
- Surtees, R. (2008b). "Trafficked Men as Unwilling Victims." *St Antony's International Review* 4(1): 16-36.
- TIP (2014). Trafficking in Persons Report. Washington (DC), U.S. Department of State Office to Monitor and Combat Trafficking in Person.
- Tiuriukanova, E. V. (2005). Female Labor Migration Trends and Human Trafficking: Policy Recommendations. *Human Traffick and Transnational Crime, Eurasian and American Perspectives*. S. Stoecker and L. Shelley. New York, Rowman & Littlefield: 95-115.
- Tverdova, Y. (2011). "Human Trafficking in Russia and Other Post-Soviet States." *Human Rights Review* 12(3): 329-344.
- United Nations (2000). Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children Supplementing the United Nations Convention against Transnational Organized Crime
- UNODC (2013). Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons. United Nations New York.
- Zakhari, B. S. (2005). Legal Cases Prosecuted under the Victimization of Trafficking and Violence Protection Act of 2000. *Human Traffick and Transnational Crime, Eurasian and American Perspective*. S. Stoecker and L. Shelley. New York, Rowman & Littlefield: 125-150.