

Human Trafficking for Domestic Servitude

Patterns of Deception and Coercion and their Impact on Victims

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Research note submitted to
The Office to Combat Trafficking in Persons
British Columbia

May 25, 2014

This research note highlights observed patterns in the methods used by human traffickers in deceiving, coercing, and generally exercising control over their victims, with particular reference to situations of trafficking in person for labour exploitation and domestic servitude. It also describes the impact of these methods on survivors of labour trafficking and discusses how victims cope as best as they can, sometimes in unexpected ways, with the coercion, deceit, intimidation and exploitation they are subjected to.

Since the adoption and wide ratification of the United Nations Protocol against Trafficking in Persons,¹ a lot of research has been conducted on patterns of human trafficking and the related victimization. Some of that research was conducted on behalf of the UNODC, IOM, ILO, OSCE, ICCLR² and other international organizations, as well as by national governments and academics. Some of it has focused on the methods used by human traffickers to gain and exercise control over their victims and exploit them, as well as on indicators that law enforcement officials and others could use to identify victims of human trafficking, labour trafficking and forced labour.³ That research forms the basis of the present report.

For the purpose of this note, human trafficking refers to the behaviour whose criminalization is required under the United Nations Protocol on Trafficking in Persons. Canada is a party to that *Convention against Transnational Organized Crime* and its protocols and the relevant offences are found in the Canadian *Immigration and Refugee Protection Act* and in the *Criminal Code* of Canada. The presence of deception or coercion is a key element of the offence of trafficking in person in both the Canadian criminal law and the United Nations protocol⁴; it is in fact an element that distinguishes it from other offences such as migrant smuggling.

¹ *Protocol against Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime* (2000); also referred to as the “Palermo protocol”.

² UNODC (The United Nations Office on Drugs and Crime), the IOM (the International Organization on Migration), ILO (International Labour Office), the OSCE (the Organisation for Security and Co-operation in Europe), and the ICCLR (International for Criminal Law Reform and Criminal Justice Policy, Vancouver, a United Nations affiliated Institute)

³ International Labour Office and European Commission (2009). *Operational Indicators of Trafficking in Human Beings*. Also: UNODC (2008). *Anti-Human Trafficking Manual for Criminal Justice Practitioners*. New York: United Nations.

⁴ Article 3 of the Trafficking in Persons Protocol defines the crime as follows:

“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

Coercion may first evoke images of violent kidnapping and forcible confinement of victims. However, the methods used by human traffickers to deceive, intimidate, coerce and generally exercise control over their victims are often much more subtle and complex than that. These methods affect the victims' psychological state and undermine their self-confidence. This research note examines various methods of coercion or control used by human traffickers. Some of these methods are particularly pernicious and effective in the case of victims of labour exploitation and domestic servitude.

The present note answers three main questions that are typically relevant to the investigation and prosecution of trafficking in persons for labour exploitation and domestic servitude:

- What makes victims of human trafficking for the purpose of domestic servitude particularly vulnerable?
- What are the main methods of control and coercion used by human traffickers in general and, more specifically, in the cases of domestic workers?
- What are the typical ways in which victims of human trafficking react to and cope with the coercion and the fear?

1. Vulnerability of victims of domestic servitude

Women and children are particularly vulnerable to human trafficking. Women and girls are the primary targets for exploitation as domestic workers. Each year, tens of thousands of women and children throughout the world are trafficked. They are tricked, coerced, abducted, sold and, in many cases, forced to live and work under slavery-like conditions as prostitutes, domestic workers, sweatshop labourers or wives. Victims are typically recruited as a result of their undesirable life situation and their vulnerability to exploitation.⁵ Victims of human trafficking for labour exploitation often have several things in common which make them more vulnerable to this kind of victimization. These include poverty, a lack of education and marketable skills, chronic

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 or services, slavery or practices similar to slavery, servitude or the removal of organs" (my emphasis).

⁵ See: Report of the Special Rapporteur on violence against women, its causes and consequences, Ms Rhadika Coomaraswamy, 12 February 1997. E/CN.4/1997/47, p. 15.

unemployment, single parenthood, coming from a disrupted or dysfunctional household, a desire or at least a willingness to relocate themselves or make some personal sacrifices in order to improve their situation.⁶

Human traffickers use various means to lure and entrap victims, including persuasion, deception, threats and physical violence or coercion. Different individuals may be involved in the process, including recruiters, intermediaries, transporters, employers, and even families and friends. These methods of entrapment vary considerably from country to country and from situation to situation.⁷ They are influenced by cultural factors, local circumstances, and popular beliefs. The methods evolve and adapt constantly to changing circumstances. As a result, getting good information on patterns of activity and on the methods used by human traffickers has proven somewhat difficult.⁸ However, some recent studies based on the information provided by victims or obtained from police files now offer a more precise picture of recognizable patterns.

Recruitment is obviously a key stage in the whole human trafficking process. The most likely recruiters are people whom the potential victims already know, typically someone who is known locally or someone with whom the victims already have a relationship (a neighbour, friend, previous casual employer, or teacher) and whom the victims believe can be trusted (e.g., an employment placement and recruitment agency they frequently see advertised in a publication that they think is trustworthy).

The recruiters are often women who present all the outward signs of success (nice clothes, jewellery, money to spend, nice home, etc.) and flaunt those as proof that they know how to succeed and could be persuaded to help others. They may befriend their potential victims or offer to help them find a job or a

⁶ Zimmerman, C., Yun, K., Shvab, I., Watts, C., Trappolin, L., Treppete, M., Bimbi, F., Adams, B., Jiraporn, S., Beci, L., Albrecht, M., Bindel, J., and Regan, L. (2003). The health risks and consequences of trafficking in women and adolescents. Findings from a European study. London: London School of Hygiene & Tropical Medicine (LSHTM).

⁷ International Labour Office (2002). *Unbearable to the Human Hearth - Child Trafficking and Actions to Eliminate It*. Geneva: ILO, International Programme on the Elimination of Child labour (IPEC)

⁸ I.O.M (2005) *Data and Research on Human Trafficking: A Global Survey*. Washington, D.C.: International Organization for Migration. See also: Lehti, Martti. (2003). *Trafficking in Women and Children in Europe*. Helsinki: European Institute for Crime Prevention and Control; and, Jokinen, A., Ollus, N., and K. Aroma (eds)(2011). *Trafficking for Forced Labour and Labour Exploitation in Finland, Poland and Estonia*. Helsinki: HEUNI.

school or some other coveted opportunity. The victims and their family are eventually tricked into believing that the recruiter is doing them some kind of favour.

Social networks, including family, friendship and acquaintances, play a large role in the recruitment of migrant workers.⁹ Relatives, family, friends and acquaintances may play a role in both the recruitment and exploitation of the migrant workers. In many instances, it may simply be a way to bring relatives into the country under the camouflage of work. However, since family ties facilitate dependence and vulnerability, some of these situations degenerate into systematic exploitation.¹⁰

For domestic work, the migrant workers are often recruited by placement agencies charging exorbitant fees and often retaining the individual's wages to cover the recruitment and transportation costs and various other fees.¹¹ In other cases, the victims are workers who followed their employer when the latter travels or moves to another country. In the majority of cases the workers have migrated of their own volition (and often legally) and have become victims of trafficking on their way to or at their destination country.¹² Fraudulent job offers, false promises, and abuses of cultural traditions are often part of the recruitment process.

Crooked employment agencies and employers typically offer false promises and contracts and rarely place the person being recruited in a position to understand, let alone negotiate, the contract in question. Licensed and unlicensed recruiters may extort money from the workers to facilitate their immigration and they may actually facilitate the immigration process, by corrupting public officials, falsifying travel documents and making misleading

⁹ Vogiazides Louisa and Charlotta Hedberg (2013). "Trafficking for Forced Labour and Labour Exploitation in Sweden", in Ollus, N., Jokinen, A. and M. Joutsen (eds.). *Exploitation of Migrant Workers in Finland, Sweden, Estonia and Lithuania: Uncovering the links between recruitment, irregular employment practices and labour trafficking*. Helsinki: HEUNI, pp. 171- 237.

¹⁰ Jokinen, Anniina, Ollus, Natalia and Minna Viuhko (2011). "Work on Any Terms: Trafficking for Forced Labour and Exploitation of Migrant Workers in Finland", in Jokinen, A., Ollus, N., and K. Aroma (Eds). *Trafficking for Forced Labour and Labour Exploitation in Finland, Poland and Estonia*. Helsinki: HEUNI, pp. 31-164, p. 71.

¹¹ Vaz Cabral, G. (2002). *Les formes contemporaines de d'esclavage dans six pays de l'Union Européenne – Autriche, Belgique, Espagne, Grande-Bretagne, Italie*, Études Recherches, IHESI.

¹² ILO (2005). *Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work 2005*, p. 46.

statements to both workers and employers.¹³ The review conducted by the RCMP in 2010 found that the majority of trafficking allegations for labour exploitation involved third party agencies, such as recruiters, placement agencies or “labour leasing” agencies.¹⁴ Third party agencies were found to misrepresent information to both the foreign workers and the employers. Foreign workers had been exposed to financial exploitation, harassment and misinformation about job-opportunities. Live-in caregivers are especially vulnerable to being lured by non-existent job opportunities.¹⁵

Deception tends to be the traffickers’ preferred and most efficient method of controlling their victims. Deception is often made easier by the victims’ poor education, lack of experience, desperation, and willingness to believe in any promise of a better life. Deception tends to take place in the early stages of the trafficking process, before the victims’ exploitation has actually started. Most cases of trafficking for domestic servitude start by deceiving the victims about the nature of the opportunity that they are being offered. At some point, usually when the exploitation actually begins, the victims realize they have been deceived and the extent of their victimization. However, deception, in one form or another, usually continues throughout the exploitative relationship.

Both women and children are recruited and exploited by human traffickers in the performance of domestic tasks and services, mostly in private households under physical and psychological coercion. Because one of the distinguishing features of domestic work is that it takes place out of sight, in domestic households, domestic servitude is a nearly invisible form of human exploitation. It is very difficult to detect due to the hidden nature of the work provided by the victims as well as their social isolation.

Because one of the distinguishing features of domestic work is that it takes place out of sight, in domestic households, domestic servitude is a nearly invisible form of human exploitation. Domestic servitude is very difficult to detect because of the victims’ near total isolation and the hidden nature of their work. Furthermore, that particular labour sector is often poorly regulated and is especially prone to various forms of labour exploitation.¹⁶ The nature of

¹³ Dandurand, Y. (2013). *Corruption and the Smuggling of Migrants – Issue Paper*. Vienna: United Nations, United Nations Office on Drugs and Crime.

¹⁴ Royal Canadian Mounted Police (RCMP). (2010) *Human Trafficking in Canada: A Threat Assessment*. Ottawa: Royal Canadian Mounted Police.

¹⁵ ICCLR (2013). *Towards Human Trafficking Prevention: A discussion document*. Vancouver: International Centre for Criminal Law Reform and Criminal Justice Policy.

¹⁶ The work of the International Labour Office shows that, in most countries, domestic work is poorly defined and regulated and that the rights of the domestic workers

domestic work is such that it can easily lead to exploitation and, in some cases, servitude. The workplace is a household and the migrant workers typically live with their employer. Their workplace becomes their living place, something which can influence their autonomy and private life and places them in a situation of availability for non-stop service. Their tasks are linked to the needs of the people who live in the household and are not clearly defined. These duties often also include unsafe tasks.

The worker-employer relationship is often informal and, in the absence of proper regulation, is mostly defined by the private employer.¹⁷ In many cases, that relationship is based on a verbal agreement rather than on a written contract. When a contract exists, it is often treated as a pure (and unenforceable) formality to satisfy immigration authorities. If there is an employment contract, there is in fact often more than one contract: an official contract to satisfy the authorities and another contract based on a totally different agreement (with different conditions) or based on the unfavourable working conditions and wages that the employee could expect in his/her country of origin.¹⁸ In such circumstances, the employer/employee relationship is not defined in terms of obligations, protection and responsibility, but in terms of exploitation, dependency and owed “gratitude”.¹⁹ In many instances, the migrant worker is not even aware of the existence or the terms of her employment contract. This is often because the contract is in a language that the workers do not understand, the contract was not clearly or truthfully explained to them, or they were asked to sign the contract without reading it

tend to be poorly protected. The situation of domestic workers varies depending on the national and cultural context. See: ILO (2010). *Decent Work for Domestic Workers*, Report IV (1).

¹⁷ This is why the new ILO’s *Convention Concerning Decent Work for Domestic Workers*, 2011 (No. 189) calls for national legislation and regulations that require that migrant domestic workers who are recruited in one country for domestic work in another receive a written job offer, or contract of employment that is enforceable in the country in which the work is to be performed (Article 8), and requires State parties (Article 9) to take measures to ensure that domestic workers:

- (a) are free to reach agreement with their employer or potential employer on whether to reside in the household;
- (b) who reside in the household are not obliged to remain in the household or with household members during periods of daily and weekly rest or annual leave; and
- (c) are entitled to keep in their possession their travel and identity documents.”

¹⁸ See: Jokinen, A., Ollus, N., and K. Aroma (eds)(2011). *Trafficking for Forced Labour and Labour Exploitation in Finland, Poland and Estonia*. Helsinki: HEUNI.

¹⁹ Anderson, B. (2007). “A Very Private Business: Exploring the Demand for Migrant Domestic Workers”, *European Journal of Women’s Studies*, 14, p. 255-56.

and were never provided with a copy of it. In some instances, the workers do not even know for sure whether what they signed was effectively an employment contract or some other document.

Migrant domestic workers are rarely in a position to genuinely negotiate the terms of their employment contract.²⁰ Adding to the power imbalance between the migrant domestic worker and the employer is the fact that migrant workers are often recruited from countries where the status of the domestic workers and their working conditions are appalling and yet socially accepted. This predisposes the migrant workers working in Canada to accept working and living conditions that are totally unacceptable in this country.

In the domestic work context, as opposed to many other forms of labour exploitation, the exploitation is not just the result of the services that the workers are forced to provide, but also of the overall working and living conditions (food, accommodation, hours of work, salary, whether the salary is paid in full and how it is paid, variety of work, family and cultural attitude, social treatment, etc.).

The traffickers, in cases of domestic servitude, can involve individuals or members of a whole family who play different roles in the exploitation of the victim. Except when a recruitment agency is used, the person who “hires” the victim is typically the one who maintains control over the victim and organizes his or her exploitation.

The hidden and isolated nature of domestic work also prevents these workers from getting information about their rights and seeking advice or assistance. Often, their only sources of information are the employment agency, their employer, or another ill-informed migrant worker.

2. Main methods of coercion

Success for human traffickers depends on their ability to control their victims. In some instances, it may appear that the victim consents but closer investigation shows that the consent was rendered irrelevant through the use of coercion, fraud, deception or other improper means.

Trafficking in persons for the purpose of domestic servitude can take different forms and vary depending on the context in which it takes place and the cultural backgrounds of the victims and the traffickers. The nature, form and

²⁰ OSCE (2010). *Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude*. Vienna, OSCE, Office of the Special Representative and Coordinator for Combating Trafficking in Persons, p. 13.

extent of exploitation of the victims also vary, but the means of coercion and the methods of subjugation are surprisingly similar.²¹ Coercion and denial of freedom are used to subjugate victims of human trafficking and place them in a situation of vulnerability and total dependence.

It is important to understand the situation of victims, their relationship with those who are exploiting them, the personal costs for them of coming to Canada (legally or illegally), the debt that they most likely incurred in order to come to Canada and the consequences for them and their family of not paying back that debt. It should be kept in mind that the fear of deportation and its consequences is ever present in the minds of victims of labour trafficking. It is also crucial to understand how powerful the prospect of a better life and the promise of permanent residence in Canada are in convincing migrant workers to endure exploitation, coercion and mistreatment. For many migrant workers the ultimate goal may not be the short-term goal of earning wages, but the longer-term goal of permanent resident status. This can obviously be used by unscrupulous employers (false promises of sponsorship, withdrawal of sponsorship, threatening to fire or deport the worker, etc.) to manipulate and exploit migrant workers.²² The fear of deportation and all its detrimental consequences is clearly a major factor in the victims' frequent decision not to report their victimization to the authorities.²³

Non-physical methods of control over the victims are frequently used depending on the victim's susceptibility and context.²⁴ It is crucial to understand histories and relationships between offenders and victims and the situations that enable these relationships to be manipulated for criminal purposes.²⁵ Furthermore, victims of labour trafficking may not necessarily see

²¹ OSCE (2010). *Unprotected Work, Invisible Exploitation*, p. 11,

²² Canadian Council for Refugees (2013). *Migrant Workers: Provincial and Federal Report Cards*. Montreal, Canadian Council for Refugees. Also: David, F. (2010). *Labour Trafficking*. Canberra: Australian Institute of Criminology.

²³ Alberta Federation of Labour (2009). *Entrenching Exploitation: The Second Report of the Alberta Federation of Labour Temporary Foreign Worker Advocate*. Edmonton, Alberta Federation of Labour, p. 17. Also: Sikka, Anette. *Labour Trafficking in Canada: Indicators, Stakeholders, and Investigative Methods*. Ottawa, Public Safety Canada, 2013.

²⁴ Aronowitz, A., Theuermann, G. and E. Tyurykanova (2010). *Analysing the Business Model of Trafficking in Human Beings to Better Prevent the Crime*. Vienna: Organization for Security and Co-operation in Europe.

²⁵ Simmons, F., O'Brien, B., David, F. and L. Beacroft (2013). "Human trafficking and slavery offenders in Australia", *Trends and Issues in Criminal Justice*, No 464, p. 10.

themselves as victims, but rather as workers in a difficult situation striving to regain control over their lives.²⁶

The threat of deportation plays a role in coercing migrant workers. The threat of denunciation and deportation creates a situation where the migrant workers may not be physically constrained, but where their freedom of movement is nevertheless curtailed.²⁷

Human traffickers are prone to use psychological and emotional control tactics to manipulate their victims and lock them into a state of psychological and physical dependency. These methods include intimidation and threats, lies and deception, emotional manipulation, and subjecting victims to unsafe, unpredictable, and emotionally threatening events. In situations of domestic servitude, verbal and emotional violence, isolation, denial of a private life and individual autonomy, prohibition of communication with their family and various forms of daily harassment and reproaches undermine the victim's sense of self-efficacy, self-worth and personal dignity.²⁸ Various forms of physical and psychological abuse take place in the overall context of excessive workloads, sleep deprivation and poor living conditions. These tactics served to keep victims in a state of permanent fearfulness, uncertainty about their immediate and long-term future, and therefore obligated to obey the demands of those who exploit them.

Some of the methods used by traffickers to keep their victims under control involve keeping them isolated and preventing them from making contacts for help, or developing new relationships. Victims may be physically confined by the traffickers. Confinement may be used at first, at least until the victims' spirit has been broken and they become convinced that they are powerless to escape and incapable of getting help. In any event, their movements are typically restricted and monitored and they often feel physically disoriented or lost. They may only be allowed to go to certain places, at certain times, with certain people, to perform certain activities. They are constantly under some form of surveillance or another.

Victims are typically not allowed to contact their family. If they are, the contacts are monitored or the victim is only permitted to communicate with

²⁶ See: Skrivánková, K, (2010). *Between Decent Work and Forced Labour: Examining the Continuum of Exploitation*. York, Joseph Rowntree Foundation.

²⁷ Andrees, B. (2008). *Forced labour and trafficking in Europe: How people are trapped in, live through and come out*. International Labour Office, Geneva, ILO, p. 25.

²⁸ ILO (2008). *Forced Labour and Trafficking in Europe: How people are trapped in, live through, and come out*.

pre-approved messages. The victims are often told lies about their family; for example, they may be told that their parents have died, are sick, are under arrest or investigation, or are refusing to see them anymore. Sometimes these lies are accompanied by trick pictures, false letters, etc. In many cases, victims are told that the money they have earned is being sent to a family member because their family is desperate for the help (e.g., urgent need of health care). The victims are of course not allowed to contact their family in order to verify these stories.

The traffickers may sometimes make a small concession to maintain control over the victim. They may allow victims to keep a small amount of money or “privileges” such as making a phone call. In some instances, they may allow victims to send small remittances in order to make them more compliant and to avoid raising suspicion. Where concessions are made there is often some kind of powerful threat, implied or direct, in the background.

Such constraints are imposed partly to prevent victims from seeking help, but partly also, and perhaps even more importantly, as part of a strategy to isolate them and prevent them from getting any human/social support. This is often exacerbated and facilitated by the fact that victims are often culturally and linguistically isolated in their place of work.

Some of the methods of control and denial of freedom used by traffickers in situations of domestic servitude are as follows:

- Violence and threats of violence
- Physical confinement and restriction of movement
- Dependency
- Psychological and emotional manipulation
- Collusion
- Debt bondage
- Isolation
- Exploitation of religious and cultural beliefs and superstition

They will be briefly reviewed below.

Violence and threats of violence

Victims are sometimes subject to violence before and during the trafficking process. In domestic servitude cases, assaults, “physical punishment”, and various threats are commonly used by “employers” to control victims. The traffickers use threats of various kinds to control victims. The threat of serious violence or death should the victim attempt to escape the situation is also commonly used. A threat can target the victim or his/her family or friends, as

the traffickers may know the family or may have a long reach in their ability to inflict injury. The traffickers may have demonstrated their ability to use violence. Even when they are not in a position to carry out the threats, the victim may believe they are. The effect of these threats on the victims should not be underestimated.

Dependency

In a domestic servitude situation, the victims are typically physically dependent on their employer for everything, from food and daily subsistence, to lodging, to movement, transportation and contact with the outside world. Traffickers cultivate and constantly emphasize that dependency. They also seek to transform their victims' physical dependency into a deep psychological and emotional dependency that will seal their total control over them. It follows that one of the strongest signs of the vulnerability of victims of domestic servitude is their near total dependency on those who exploit them.

Note that, when challenged by authorities about the nature of their relationship with the victims, those who have trafficked and exploited them often try to pass their crude manipulative and exploitative tactics for some kind of caring or protecting behaviour (e.g., "we did not let her go out alone because we were worried about her getting lost", etc.).

Restriction of movement and physical confinement

By definition, the trafficking process (or domestic servitude) involves removing control from victims. Limiting the victims' freedom of movement is essential to that process. This is achieved by a variety of measures, some of them psychological (e.g., disorientation; disinformation about the ability of the victim to move freely in the country; interdiction to leave the premises accompanied by some threats of violent or painful consequences) and some of them physical (physical confinement; removal of passport and identity documents; no access to means of transportation or communication).

The removal/confiscation of a victim's passport or other identity documents is very significant in that regard. The traffickers often lead their victims to believe that they will face immediate deportation or worse should the authorities catch them without these documents. In many countries, there can be negative legal and other consequences for not carrying valid identification documents.

Psychological and emotional manipulation

Their situation of dependence and complete lack of autonomy renders victims of domestic servitude extremely vulnerable to various forms of psychological

abuse and emotional harassment or manipulation. The modes of manipulation can be simple, but they can also be quite subtle and effective when based on situational factors or on cultural values and beliefs that are not always immediately evident to an observer. For example, an insistence on having the worker fed exclusively from table scraps (when there are any) is not just about bad nutrition, but also and oftentimes mainly about reinforcing the existing power imbalance and the victims' feelings of inferiority as well as their psychological and emotional dependency.

For example, a victim may be lied to about her health, given false test results that may falsely suggest that she has contracted a serious (or "shameful") disease. The traffickers may control a victim through some kind of emotional blackmail, threatening to humiliate the victim in the eyes of her family. They may, for example, take compromising pictures of the victim and threaten to send these pictures to her family or relative if she tries to escape or contact her family. They may threaten to denounce the victim to the local "authorities" for some real or imagined offence. The purpose of all this is to convince the victim that there is no point in trying to escape and that, even if she could escape, her family would suffer and would in any case probably not accept her back.

Collusion

Victims are likely to be easier to control if the traffickers involve them in colluding with what they are being forced to do. Victims who have been deceived may be particularly vulnerable to collusion control. The victim who has been "helped" to enter a country illegally or on the strength of a false declaration, or who is unsure about her legal status in the host country is hesitant to ask for help from the authorities.

Debt bondage

Debt bondage can take different forms. It involves charging fees to victims for transport, accommodation, food and a range of other "expenses" that have allegedly been incurred by the traffickers (and the recruiting agency). These expenses are often completely fictitious or greatly exaggerated. It may also involve a small "loan" given or claimed to have been given to the victim's family at the time of the recruitment, before or after. Interest charged on the "debt" is frequently very high and further charges are added to a debt that the victim will find impossible to pay off.

Another aspect of this form of bondage is how human traffickers deal with the question of the remuneration of their workers/victims. They may go to great lengths to justify not paying any wages at all, by claiming that the wages are being paid to a recruitment agency or directly to a member of the victim's family. They may produce false or fabricated receipts of payment. They may

claim that there are holding the wages and investing them for the benefit of the victims. They may fine the workers/victims or deduct all kinds of unreasonable expenses from their earned wages. They may try to delay payment of wages until the end of the employment contract, several years hence. In many cases, the wages owed to the victims is what holds them in the abusive situation because of a faint hope they hold on to, with some encouragement by the traffickers, that the wages will eventually be paid.

Isolation

Migrant domestic workers victims of trafficking are already isolated by the nature of their work in a private household, away from home and family, often not speaking the local language, lacking money and with few opportunities to make contacts with anyone outside the household. Traffickers seek to increase this sense of isolation. They prevent the victims from contacting their family. They restrict the victims' access to communications equipment such as a phone or an internet connection. They may take away from them the contact information they need to communicate with relatives. They do not allow unsupervised social contacts, limit the victims' access to information, and limit the victims' ability to leave the work premises. In brief, the traffickers attempt to exercise control over all of the victims' relationships at the same time as they subject them to demeaning, dehumanizing and oppressive relationships within their everyday work and living environment.

Exploitation of religious and cultural beliefs and superstition

In some cases, control is exercised over the victims by using religious beliefs or superstition. They will be made to believe that someone has the magical power to control them (through Voodoo or other superstitious magical practices) or withhold some personal item from them which they believe can be used against them by those who control them. In other instances, victims are prevented from taking part in religious services and this can have a serious effect on the psychological well-being of those victims for whom religion is an important part of their lives.

A blend of control measures

As can be seen, control over the victims of trafficking is maintained in a number of ways. Not every method is used in each case. Instead, the traffickers vary their methods as time goes by or as the situation and the mental state of the victims evolve. Traffickers frequently use a blend of control measures. This blend varies according to the individual victim, the nature of the exploitation or type of trafficking, the stage of the trafficking process, the nature of the location, and opportunities presented by circumstances.

A UNODC training manual offers the following example:

“Deception might be used when recruiting or obtaining victims (‘It’s bar work. It is really well paid over there and it’s easy’). This might be blended with collusion (‘Don’t tell anyone where you are going because we have to bribe someone to get a work permit’) and debt bondage (‘Don’t worry about the permit. You can pay us back when you get paid’). As the trafficking progresses, some control measures will no longer work or traffickers may need to change the approach and emphasis. At a destination location it may not be possible to deceive a victim anymore (‘There is no bar work. You must work in the fields’). Control could become more threatening or violent (‘You are not grateful. We do not like people who are not grateful’ or ‘Work or my friend will beat you’). Debt bondage may change (‘We paid for the permit. Now we give you a place to eat and sleep. You owe us more money’).”

Controls of these kinds render the victims fearful, confused and much less capable of making their own decisions. This and many other factors may explain the victims’ frequent hesitation and sometimes apparent unwillingness to seek help. Even after they are rescued, some victims remain for some time under the traffickers’ psychological control and may hesitate to tell their story or trust the authorities.

Indicators of human trafficking

Based on observed patterns of deception and coercion used by human traffickers, the United Nations has compiled lists of indicators associated with trafficking in persons. Not all the indicators are necessarily present in every situation involving trafficking in persons. The presence or absence of anyone of these indicators is obviously not sufficient to prove or disprove that human trafficking is taking place. However, some of these indicators, such as the ones below, can be used by practitioners to identify trafficking in persons for the purpose of labour exploitation:²⁹

People who have been trafficked may:

- Believe that they must work against their will;
- Be unable to leave their work environment;
- Show signs that their movements are being controlled;

²⁹ Source: UNODC (2008). *Anti-Human Trafficking Manual for Criminal Justice Practitioners*. New York: United Nations. See also: ILO (2008), *Forced Labour and Human Trafficking: Handbook for Labour Inspectors*; and, International Labour Office and European Commission (2009). *Operational Indicators of Trafficking in Human Beings*.

- Feel that they cannot leave;
- Show fear or anxiety;
- Be subjected to violence or threats of violence against themselves or against their family members and loved ones;
- Suffer injuries that appear to be the result of an assault;
- Suffer injuries or impairments typical of certain jobs or control measures;
- Suffer injuries that appear to be the result of the application of control measures;
- Be distrustful of the authorities;
- Be threatened with being handed over to the authorities;
- Be afraid of revealing their immigration status;
- Not be in possession of their passports or other travel or identity documents, as those documents are being held by someone else;
- Have false identity or travel documents;
- Be found in or connected to a type of location likely to be used for exploiting people;
- Be unfamiliar with the local language;
- Not know their home or work address;
- Allow others to speak for them when addressed directly;
- Act as if they were instructed by someone else;
- Be forced to work under certain conditions;
- Be disciplined through punishment;
- Be unable to negotiate working conditions;
- Receive little or no payment;
- Have no access to their earnings;
- Work excessively long hours over long periods;
- Not have any days off;
- Live in poor or substandard accommodation;
- Have no access to medical care;
- Have limited or no social interaction;
- Have limited contact with their families or with people outside of their immediate environment;
- Be unable to communicate freely with others;
- Be under the perception that they are bonded by debt;
- Be in a situation of dependence;
- Have acted on the basis of false promises.

People who have been trafficked for the purpose of domestic servitude may:

- Not be free to leave their employment
- Live with a family;

- Not eat with the rest of the family or be given only leftovers to eat;
- Have no private space;
- Sleep in a shared or inappropriate space;
- Be reported missing by their employer even though they are still living in their employer's house;
- Never or rarely leave the house for social reasons;
- Never leave the house without their employer;
- Be subjected to insults, abuse, threats or violence;
- Have the wages withheld by employer;
- Do not have access to their own passport or identity documents;
- Do not have a valid or enforceable employment contract.

3. Victims' response to coercion

In many cases, the use of the various forms of coercion and deception mentioned above results in the victims' belief that there is nothing that they can do to save themselves from the exploitative situation, an effect which is often referred to as "learned helplessness". Victims adopt different tactics and emotional responses to cope with or to survive their ordeal. They also frequently report symptoms of depression, suicidal thoughts, and other symptoms of mental fragility and distress.

Several studies have confirmed that victims of human trafficking often blame themselves for having failed to recognize the deceptive or threatening recruitment tactics used by traffickers, or for not having escaped the exploitative situation in which they find themselves. These feelings of shame, confusion and guilt may prevent them from seeking help, contribute to their low self-esteem, and make them wary of trusting others.³⁰

For many victims of human trafficking, the experience is traumatic. The traumatic experience triggers survival responses which engender symptoms of extreme anxiety that can later inhibit memory and recall. Traumatic experiences suffered by victims of trafficking in persons are often complex, multiple and can occur over a long period of time. For many individuals who are trafficked, abuse or other trauma-inducing events may have started long before the trafficking process. The impact of that "trauma" on memory may

³⁰ Zimmerman, C., Yun, K., Shvab, I., Watts, C., Trappolin, L., Treppete, M., Bimbi, F., Adams, B., Jiraporn, S., Beci, L., Albrecht, M., Bindel, J., and Regan, L. (2003). *The Health Risks and Consequences of Trafficking in Women and Adolescents. Findings from a European Study*. London: London School of Hygiene & Tropical Medicine (LSHTM), p. 43.

have significant effects later when victims are questioned by law enforcement officials, asked to provide evidence, or testify as witnesses.³¹

After experiencing the constant control of the traffickers, their violence or threats of violence, and being completely unable to enjoy privacy, make decisions for themselves, leave the household, or make contact with their own family or with anyone to whom they could relate outside of the household, the victims often become psychologically unable to make the decision to leave the situation and to carry out that decision. This learned helplessness is not only debilitating but it is also reinforced by the fact that many victims do not know where to go or even exactly where they are, are unaware of their rights in the host country, often fear punishment or deportation, do not know anyone they can trust and do not believe that they can trust local authorities, consider themselves indebted, are still hoping that they might be able to collect the wages owed by the “employer”, and fear the consequences that their escape from servitude may have on their own family.

People who do not understand the precarious and debilitating situation in which victims of domestic servitude typically find themselves may ask: “What stops these domestic workers from leaving or calling for help?” In reality, the fact that victims of domestic servitude have had their self-efficacy, self-confidence and autonomy completely shattered by the traffickers’ constant harassment and subjugation tactics is sufficient to explain why some victims find it so difficult to leave a situation of exploitation and escape their abusers.

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³¹ In essence, the trauma overwhelms the victim’s psychological and biological coping mechanisms. This occurs when a person’s internal and external resources are inadequate to cope with the traumatic experience.