

JUSTICE: THE USE OF FOOD, EDUCATION, AND THE LAW TO COMBAT
HUMAN TRAFFICKING IN SUB-SAHARAN AFRICA

by

NICHOLAS A. GRANDCHAMPS

A thesis submitted in partial fulfillment of the requirements
for the Honors in the Major Program in Legal Studies
in the College of Health and Public Affairs
and in The Burnett Honors College
at the University of Central Florida
Orlando, Florida

Spring Term 2014

Thesis Chair: Dr. Gina Naccarato-Fromang

ABSTRACT

Human trafficking is an ever-growing crime in this century. It is estimated that there are 29.8 million slaves around the world today—16.36% of which are located in sub-Saharan Africa. The sub-Saharan region is a region in which human trafficking is combatted ineffectively due to a lack of food, lack of access to education, lack of post-education opportunities and lack of proper legislation. This thesis explores the environment in which human trafficking is taking place in sub-Saharan Africa, and proposes potential changes that will theoretically disallow human trafficking to take place in the region.

The only way in which an environment conducive to trafficking in persons will ever change is through establishing partnerships amongst governments, non-governmental organizations (NGOs), and other international organizations. Through the analysis of case law from the United Nations Human Trafficking Case Law Database, data from the World Bank, the United States State Department Trafficking in Persons Reports, the United Nations Global Reports on Human Trafficking, and various reports from NGOs, this thesis evaluates the approaches taken by various governments in sub-Saharan Africa to change the environment in which human trafficking thrives. Through raising awareness of the environment of sub-Saharan Africa, and by describing three ways in which human trafficking can be combatted effectively, such as the use of food, education, and the law, this thesis contributes not only to the legal discipline, but also to helping combat trafficking in persons effectively throughout the world.

DEDICATION

For the voiceless victims of human trafficking everywhere.

ACKNOWLEDGMENTS

I wish to sincerely thank all of those who made this thesis possible. To my committee members, Dr. Abby Milon and Dr. Mary Ann Eastep, thank you for serving on my committee and for your invaluable insight, time, and support. All of your contributions are greatly appreciated.

To my thesis chair, Dr. Gina Naccarato-Fromang, thank you for your words of encouragement, consistent guidance, and for challenging me to continue to reach higher in life. Thank you for all you have done; this thesis would not have been possible without your love and support.

To my mother, Myrielle Lemoine, thank you for your consistent love and kindness. Thank you for your support. Thank you for raising me to have a heart that is cognizant of the impoverished children in this world. Thank you for loving me unconditionally and for challenging me to reach higher than I ever dreamed possible.

To my mentors, Mr. Jack Gritter and Mr. Brian Katauskas, thank you for continuing to disciple me and continuing to challenge me to grow in my relationship with Jesus Christ.

To Altamonte Christian School, thank you for giving me the foundation I need to be successful in this world.

To all of my friends, family, and professors, thank you for continuing to stand by my side, and for your continued encouragement throughout my life.

And to my Lord and Savior, Jesus Christ, thank you for laying out this path before me, and for continuing to be the rock upon which I stand.

TABLE OF CONTENTS

INTRODUCTION	1
Significance	2
Threats to sub-Saharan Growth	6
HUMAN TRAFFICKING	9
The Process of Trafficking in Persons	10
<i>SEX TRAFFICKING</i>	13
<i>FORCED LABOR</i>	14
<i>ORGAN REMOVAL</i>	16
<i>CHILD SOLDIERS</i>	17
RESPONSE OF THE UNITED STATES	20
The Tiers	21
<i>TIER 1</i>	23
<i>TIER 2</i>	24
Mozambique	24
Nigeria	27
<i>TIER 2 WATCH LIST</i>	30
Kenya	31
<i>TIER 3</i>	34
PREVENTIVE POLICIES	36
Food	37

<i>SHORT-TERM ASSISTANCE</i>	38
<i>LONG-TERM DEVELOPMENT</i>	39
Feed the Future	41
<i>Feed the Future Progress: Mali</i>	42
Education	45
<i>HEALTH EDUCATION</i>	46
<i>EDUCATION AND FOOD</i>	46
<i>EDUCATION AND OPPORTUNITY</i>	47
The Law	48
<i>VICTIM IDENTIFICATION</i>	48
<i>REGION-WIDE LAWS AGAINST HUMAN TRAFFICKING</i>	49
<i>FOCUS ON THE ENTIRE CELL</i>	52
<i>FOCUS ON PARTNERSHIPS</i>	53
CONCLUSION	55
REFERENCES	57

INTRODUCTION

A combination of poverty, hunger, and poor education provides an environment in which human trafficking thrives. Further, nations without comprehensive laws to combat trafficking in persons are at risk of high levels of trafficking. Sub-Saharan Africa struggles in each of these areas. Food security is an issue. Many families are struggling to provide adequate amounts of food for themselves. Education is not attainable for all children in the sub-Saharan region, adding to an environment in which traffickers can manipulate children into unhealthy ways of life. Trafficking in persons is often not criminalized by the legislation in some sub-Saharan countries. All of these factors contribute to an environment in which human traffickers are thriving and exploiting men, women, and children of all ages.

It is often believed that the only groups working to put an end to these injustices are religious organizations or civic initiatives. However, there are numerous governments, government agencies, non-governmental organizations (NGOs), and various international organizations that have focused their attention on human trafficking and hunger in sub-Saharan Africa. NGOs such as Invisible Children, Falling Whistles, and International Justice Mission all oppose some aspect of human trafficking, and are diligently fighting to eliminate it in sub-Saharan Africa. Comparable organizations such as Change This World, Kids Against Hunger, and Stop Hunger Now are persistently fighting the effects of hunger on the sub-Saharan community. The United States and the United Nations each have departments committed to combatting trafficking in persons throughout the globe.

Many of these NGOs and government agencies work independently of each other. What if that is one of the problems? A question being asked is whether or not a change to the poverty

stricken environment of sub-Saharan Africa would in turn negate the ability of human traffickers in the region. An argument can be made that in order to curtail the effects of human trafficking, NGOs and governmental agencies need to establish lasting partnerships in order to change the environment in which human trafficking thrives in sub-Saharan Africa. This proposed environment change would be effectuated by utilizing food, education, and the law.

Significance

This study is significant for numerous reasons. Sub-Saharan Africa is considered a developing region. In 2012, the total population of the sub-Saharan region was 910.4 million people.¹ In 2010, there were 413.7 million people living on less than \$1.25 per day in the region.² With a large population, as well as a large number of people living in poverty (less than \$1.25 per day), the sub-Saharan region is an ideal environment for human trafficking to take place.

Human trafficking and global hunger are two injustices that the international community agrees are tragedies that should not take place in the 21st century. Human trafficking has an annual total market value that is estimated to be “in excess of \$32 billion.”³ The 2013 Global Slavery Index estimates that there are currently 29.8 million people in modern day slavery globally.⁴ Out of those 29.8 million, the 2013 Global Slavery Index estimates 16.36% are located in sub-Saharan Africa.⁵ Governments and international organizations are working together to combat these horrifying statistics, but much more needs to be done. Human trafficking often

¹ Poverty & Equity, sub-Saharan Africa, The World Bank

² Poverty & Equity, sub-Saharan Africa, The World Bank

³ The Advocate’s Handbook: A Blueprint for Building Your Advocacy Campaign, 2012

⁴ Walk Free Foundation, 2013

⁵ Walk Free Foundation, 2013

takes place in regions of the world that are extremely poor, where people are legitimately hungry and cannot adequately provide food or other essentials for themselves or their families.

At the beginning of this millennium (2000), the United Nations announced eight international development goals termed the Millennium Development Goals (MDG). Two of the goals are relevant to human trafficking and hunger in sub-Saharan Africa: the goal to eradicate extreme poverty and hunger, as well as the goal to achieve universal primary education. The Millennium Development Goal regarding the issue of hunger is to “halve, between 1990 and 2015, the proportion of people who suffer from hunger.”⁶ Globally, the Food and Agricultural Organization of the United Nations (FAO) estimated that there were about 842 million undernourished people from 2011-2013.⁷ However, there has been much progress since 1990 in the fight against global hunger. The improved undernourishment estimates from 1990 suggest that progress in reducing hunger has been more pronounced than previously believed.⁸ However, progress has slowed since 2007-2008.⁹ The FAO believes this slowdown was caused by the “transmission of economic shocks to developing countries and increases in domestic staple food prices,” and was not as pronounced as they were previously believed to be worldwide.¹⁰ However, there are some regions in which hunger rates have risen since 2007, rather than decreased, so there are still many obstacles to overcome in regards to reaching the MDG goal.¹¹

⁶ The Millennium Development Goals Report, 2013

⁷ FAO, IFAD and WFP, 2013

⁸ FAO, WFP and IFAD, 2012

⁹ FAO, WFP and IFAD, 2012

¹⁰ FAO, WFP and IFAD, 2012

¹¹ FAO, WFP and IFAD, 2012

The MDG is still believed to be attainable if the appropriate actions are taken to reverse the slowdown that has transpired since 2007-2008.¹²

Many of the countries where this slowdown occurred are located in sub-Saharan Africa. From 2005-2007, 212.8 million people in sub-Saharan Africa were considered undernourished.¹³ This number increased to 221.6 million from 2008-2010, and continued to increase to a peak of 222.7 million people from 2011-2013.¹⁴ Sub-Saharan Africa struggles to provide for those who cannot adequately feed themselves, and it is believed that the majority of those suffering are children.

Poor education is another facet that enables human trafficking to thrive in sub-Saharan Africa. The MDG goal to achieve universal primary education is to “ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling.”¹⁵ According to the United Nations 2013 Millennium Development Goals Report (MDG), 53% of children in sub-Saharan Africa were enrolled in primary education in 1990.¹⁶ In 2000, that percentage increased to 60%, and then in 2011, the number reached 77%.¹⁷ Despite the progress, these numbers are still alarming as the rest of the world is well over 90%. More than half of the world’s out of school children are located in the sub-Saharan region. An issue that the sub-Saharan region faces is the rapid growth of birth rates. More children are of primary school age, meaning there is a greater demand of children that need to be educated, while there

¹² FAO, WFP and IFAD, 2012

¹³ FAO, IFAD and WFP, 2013

¹⁴ FAO, IFAD and WFP, 2013

¹⁵ The Millennium Development Goals Report, 2013

¹⁶ The Millennium Development Goals Report, 2013

¹⁷ The Millennium Development Goals Report, 2013

are fewer teachers to educate the children and fewer adequate schools for the children to attend. Additionally, the 2013 MDG report found that household poverty, location, and gender each play a significant role in the lack of children attending schools.

The report found that children living in rural areas are nearly twice as likely to not attend school, than those who live in urban areas.¹⁸ Moreover, girls are more likely to be out of school than boys. Girls are typically needed to work at home, whether to fetch water or to help with everyday tasks, so they are less likely to enroll in primary schooling than are boys. Furthermore, many factors keep children out of school for certain periods of time, such as “the need for boys and girls during planting and harvest, lack of suitable school facilities, absence of teachers, and school fees.”¹⁹

Sub-Saharan Africa is also the region of the world with the highest rate of children not finishing school once they have started. According to the 2013 MDG Report, “slightly more than two out of five students who started primary school in 2010 will not make it to the last grade.”²⁰ The lack of education for young children leads to an entire generation without the ability to have a career and provide for themselves and their family. Because many young boys and girls do not go to school, or do not finish primary school, many are deceived into believing the lies of human traffickers and unknowingly end up being trafficked.

¹⁸ The Millennium Development Goals Report, 2013

¹⁹ World Development Indicators, 2013

²⁰ The Millennium Development Goals Report, 2013

Threats to sub-Saharan Growth

Apart from the aforementioned statistics, many deep-rooted aspects of sub-Saharan culture present themselves as threats to its growth and ability to combat trafficking in persons. Political corruption, continuous conflict and a tough living climate, all present threats to the growth of the region. These obstacles all lend themselves to the ability of traffickers to continue to conceal their trafficking patterns. Because governments have to worry about continuous conflict, economic growth and combatting issues of drought and famine due to a difficult living climate, there are not many resources left to focus on combatting human trafficking in the region.

Despite countless peacekeeping initiatives, and a great amount of investment by the international community, there is still substantial conflict in the sub-Saharan region. Presently, there is still conflict in many nations, including South Sudan, the Central African Republic, and the Democratic Republic of Congo, among others. A study conducted in 2000 by Ibrahim Elbadawi and Nicholas Sambanis of the World Bank found that “deep political and economic development failures—not tribalism or ethnic hatred—are the root causes of Africa’s problems.”²¹ The problems being referred to are the conflicts and civil wars that ravished the sub-Saharan region for decades.

Through analysis of a random effects probit model, Elbadawi and Sambanis estimated the likelihood of observing civil war during any five-year period from 1960-1999 in 161 countries. In a comparison of regions, “Africa has the highest incidence of civil war, especially if [combined with] the incidence of war in SSA (sub-Saharan Africa) and North Africa.”²² The

²¹ Elbadawi and Sambanis, 2000

²² Elbadawi and Sambanis, 2000

wars in Africa tend to be short and among the bloodiest, according to the report. The study found “only Asia has seen more war-related deaths than Africa in the last 40 years [1960-2000].”²³ Though, this estimate does not include deaths of civilians due to starvation, illness, and other maladies caused by war.

The consistent wars and conflicts in sub-Saharan Africa have led to increased numbers of internally displaced persons and increased levels of poverty. More and more people are forced out of their homes, and more and more children are not able to attend school or even stay in school because of consistent conflict breaking out in their country. The lack of political and economic development forces sub-Saharan nations to cause more harm to themselves. The ways in which the people go about bringing change only adds to the already prevalent and high levels of poverty. This environment of consistent war, because of political corruption and lack of economic development, is theoretically allowing human traffickers to hide behind the scenes and traffic humans without alarming an appropriate response from authorities.

Additionally, sub-Saharan Africa is home to a climate that is difficult to live in, as well as one in which it is difficult to raise crops. There have been many droughts and famines that have plagued the region, increasing the difficulty of providing adequate food for its people. Many Africans are dependent on rain fed agriculture, and lack of rain over a significant period of time leaves them hopeless. In sub-Saharan Africa, “the agricultural sector accounts for a large share of GDP, export earnings, and employment.”²⁴ Because many of the people living in the rural parts of sub-Saharan Africa rely on agriculture for their livelihoods, poor weather, extreme heat,

²³ Elbadawi and Sambanis, 2000

²⁴ International Food Policy Research Institute, 2009

droughts and famine all have an effect on increasing the level of poverty in the region. Other problems such as desertification (land degradation), changing weather patterns, and multiple climate zones affect the people of sub-Saharan Africa as well.

This type of difficult climate makes it problematic for people relying upon agriculture to meet their needs and it makes some parents reliant upon their children for assistance in the fields. Therefore, necessity in the home overrides the necessity for children to attend school. Even with the help of children, there is no guarantee that the crops will indeed grow, because there is no guarantee that the crops will receive rain. Families are unable to gain capital through the agricultural sector, which theoretically leads them to sell their children, or have their children work for human traffickers. A tough living climate, political corruption, and continuous conflict threaten the sub-Saharan region.

HUMAN TRAFFICKING

Human trafficking is known by many terms. It is important to identify what constitutes human trafficking and what does not. First, human trafficking is synonymously used with trafficking in persons (TIP). The legal and governmental term is trafficking in persons, whereas the common term is human trafficking. However, these terms reference the same types of events. In 2000, the United Nations Convention against Transnational Organized Crime (UNCTOC) produced three protocols; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing and Trafficking in Firearms. All of these protocols contain elements of international law that currently deal with human trafficking. The Palermo Protocols define trafficking in persons as:

“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. 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.”²⁵

²⁵ USAID Counter-Trafficking in Persons Policy, 2012

The United States State Department also has a working definition of trafficking in persons. The United States State Department defines severe forms of trafficking in persons in the Trafficking Victims Protection Act as,

“Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”²⁶

The United Nations and the United States of America define trafficking in persons by using these two similar definitions. In order to understand trafficking in persons, it is important to note the methods of human trafficking and how human traffickers have proliferated into an extremely complex business.

The Process of Trafficking in Persons

It has been found that trafficking in persons is conducted by “organized, sophisticated criminal enterprises.”²⁷ These enterprises have made trafficking the “fastest growing source of profits for organized criminal enterprises worldwide.”²⁸ Human trafficking methods vary around the world and depend on the types of ill practices that the traffickers engage in. Research shows that “economic and political instability greatly increases the likelihood that a country will

²⁶ Trafficking in Persons Report, 2013

²⁷ Victims of Trafficking and Violence Protection Act 2000: (H.R.3244), 2000

²⁸ Victims of Trafficking and Violence Protection Act 2000: (H.R.3244), 2000

become a source of trafficking victims.”²⁹ This is one reason for sub-Saharan Africa’s troubles with human trafficking.

It has been observed over time that there are some basic practices in use by traffickers. Traffickers tend to:

“Lure women and girls into their networks through false promises of decent working conditions at relatively good pay as nannies, maids, dancers, factory workers, restaurant workers, sales clerks, or models. [They] also buy children from poor families and sell them into prostitution or into various types of forced or bonded labor.”³⁰

Traffickers often target women and young girls. Reports say that 75% of human trafficking victims are women and young girls.³¹ Further research shows that “traffickers use promises of higher wages and good working conditions in foreign countries” as an attraction for women and young girls.³² The use of deception is key. The promise of prosperity and a better life deceives these women and young girls to believe that following a trafficker is best for their future.

Different regions are also known for different types of trafficking. Research finds that “trafficking for sexual exploitation is more common in Europe, Central Asia, and the Americas. Trafficking for forced [labor] is more frequently detected in Africa and the Middle East, as well as in South and East Asia and the Pacific.”³³ 58% of all trafficking is equated to sexual exploitation, while 36% of trafficking globally is attributed to forced labor. Trafficking takes

²⁹ Trafficking in Persons Report, 2002

³⁰ Victims of Trafficking and Violence Protection Act 2000: (H.R.3244), 2000

³¹ UNODC, Global Report on Trafficking in Persons, 2012

³² Trafficking in Persons Report, 2002

³³ UNODC, Global Report on Trafficking in Persons, 2012

place both domestically and globally. Notably, “between 2007 and 2010, almost half of the victims detected worldwide were trafficked across borders within their region of origin.”³⁴ Only about a quarter were trafficked inter-regionally.

The policing of trafficking has been a struggle for many governments as “one hundred and thirty-four countries and territories worldwide have criminalized trafficking by means of a specific offense in line with the Trafficking in Persons Protocol.”³⁵ Yet, the number of convictions for trafficking in persons is fairly low. Approximately 16% of the aforementioned countries did not record a single conviction between 2007 and 2010,³⁶ and it can almost be guaranteed that trafficking has taken place in all regions during that span of time.

In sub-Saharan Africa, children tend to suffer the most, as some international organizations report, “human trafficking in sub-Saharan Africa is characterized by a significant presence of child victims.”³⁷ Though, in the more southern parts of Africa, women are heavily trafficked for sexual purposes. From 2007-2010, “3,000 African trafficking victims were trafficked to Western and Central Europe.”³⁸ This is a fraction of the number of victims from sub-Saharan Africa, as most victims tend to be trafficked within the sub-Saharan region.

In sub-Saharan Africa, human trafficking disguises itself in many forms. Trafficking can be in the form of forced labor, sex trafficking, and even through the removal of organs. Forced labor is disguised in many ways, such as the use of child soldiers, debt bondage, as well as

³⁴ UNODC, Global Report on Trafficking in Persons, 2012

³⁵ UNODC, Global Report on Trafficking in Persons, 2012

³⁶ UNODC, Global Report on Trafficking in Persons, 2012

³⁷ UNODC, Global Report on Trafficking in Persons, 2012

³⁸ UNODC, Global Report on Trafficking in Persons, 2012

forced child labor and involuntary servitude. In many occurrences, it is believed that cultural customs make debt bondage and forced labor allowable. However, these situations are still crimes and are viewed as human trafficking by international standards. Countless cases exist in which a child is subjected to forced labor to provide for his or her family needs. Regardless of the culture, and regardless of the family needs, human trafficking is a crime. Traffickers hide behind the idea that forced labor is a cultural phenomenon.

SEX TRAFFICKING

Prostitution aims to “[obtain] economic profit from [forcing the] commercial sexual activity of another person.”³⁹ Adults and children are used as sex slaves all around the world, including sub-Saharan Africa. On a continent ravaged by war, conflict, and corruption, prostitution can go unnoticed, and sex slaves can be forgotten. Regardless of prior consent, the very instance a person is manipulated or forced to prostitute him or herself, that person has become a victim of human trafficking.

Sex slavery is diverse and sometimes accompanied by other forms of human trafficking. Often times, an individual will be forced to pay their debts through prostitution. Traffickers use fear tactics as well as the idea that one must pay off their “debts” incurred through “their transportation, recruitment, or even their crude ‘sale’.”⁴⁰ Based on this system, a sex slave will never be able to actually pay off his or her debt as they are continuously transported and sold and are accumulating more “debt.”

³⁹ UNODC, Global Report on Trafficking in Persons, 2012

⁴⁰ Trafficking in Persons Report, 2013

Sex slavery can also be found in much of the wars and conflicts taking place on the continent of Africa. Often times, young girls are taken as “wives” or concubines to the generals of militias and forced to have sex with them. An NGO doing extensive work to combat child slavery in Africa, Invisible Children, found that a known terrorist of the region, Joseph Kony, would abduct young girls and force them to become sex slaves for his military officers. In these situations, children are forced into being child soldiers as well as prostitutes and housewives for men.

These examples reveal just how interconnected human trafficking can become. Prostitution is one of the most widespread forms of human trafficking because it can be disguised behind other forms of trafficking, such as forced labor and forcing children to become child soldiers. Sex trafficking of minors results in devastating consequences, and can lead to many traumatic and life-altering consequences for a child, such as unwanted pregnancy and the acquisition of HIV/AIDS. Sex trafficking is one form of human trafficking that can ruin a person’s life to a point from which they can never recover.

FORCED LABOR

Forced labor is “all work or service which is exacted from any person under the menace of any penalty, and for which the said person has not offered himself voluntarily.”⁴¹ The last seven years have seen a rapid increase in forced labor trafficking worldwide. Forced labor is a unique form of human trafficking because it often encompasses other forms of human trafficking as well. Someone that is forced to work in sweatshops can also be used as a prostitute on the

⁴¹ UNODC, Global Report on Trafficking in Persons, 2012

streets. Children used as child soldiers, can also be forced to do labor by their captors.

Nonetheless, forced labor is a type of human trafficking often overlooked. Forced labor is often overshadowed by focus on sex trafficking, although it is just as prevalent in the world. Young women and girls are typically trafficked for sexual reasons, whereas young boys are typically trafficked for forced labor.

Traffickers commonly use a debt or bond as a method of coercion. The Palermo Protocols prohibit the use of a debt or bond as a threat for forced labor. Debt bondage is common and traffickers can often use the supposed debt of ancestors to coerce victims into working for them.

In addition, major sporting events require many infrastructure improvements, and many large-scale construction projects. South Africa was the host of the 2010 FIFA World Cup, an international soccer tournament that took much preparation. This event, as is the case with many others, engendered a large demand for cost-effective labor. Oftentimes, traffickers will recruit victims and force them to do cheap labor. The slaves can come from within the country, but are often migrant workers. With an influx of hundreds of thousands of people, human traffickers can use the slaves as prostitutes and sex slaves after the initial forced labor. It is known that these practices are used for large construction projects, but it is unknown just how frequently these practices are used in everyday construction work.

ORGAN REMOVAL

The removal of organs “might be carried out for commercial purposes, such as the trade in organs for transplants.”⁴² The prevalence of this type of human trafficking is highly unknown. The Global Report on Trafficking in Persons by the United Nations Office on Drugs and Crime found that only .2% of victims globally reported this kind of human trafficking in 2010.⁴³ Because governments already struggle to identify the more prevalent types of human trafficking (sex slavery and forced labor), it is not surprising to find difficulty in reporting about organ removal as well. The removal of organs is not considered trafficking in persons. For organ removal to be considered trafficking in persons, one must be recruited, forced and deceived for the exploitative purpose of removing an organ. Removal of organs from a corpse is not considered trafficking in persons; the removal must be from a live person to be considered trafficking in persons. However, in the sub-Saharan region, body parts from live bodies are considered to be much more valuable than parts from corpses. Because of this, live bodies are mutilated for the purpose of extracting organs.

This type of mutilation is seen in parts of sub-Saharan Africa, particularly Eastern and Southern Africa. Organ-related crime is the “mutilation of people to provide body parts for ‘muti’ purposes.”⁴⁴ The term “muti” is “a broad term encompassing various forms of traditional ‘medicine’ prepared and disbursed by healers without formal medical training.”⁴⁵ The belief behind this act is that the human body parts can “improve the health and/or prosperity” of one’s

⁴² UNODC, Global Report on Trafficking in Persons, 2012

⁴³ UNODC, Global Report on Trafficking in Persons, 2012

⁴⁴ UNODC, Global Report on Trafficking in Persons, 2012

⁴⁵ UNODC, Global Report on Trafficking in Persons, 2012

life and are hoped to prolong lives.⁴⁶ According to a report by the United Nations, women and children have been more frequently targeted for “muti” purposes than have men. People born with albinism are also at high risk for being trafficked. There is a belief in the region that the body parts of albinos are particularly powerful, compared to a person without the condition. The trafficking of organs is conducted in secret and is very difficult to report. There is very little official information reported, making it hard to describe accurate statistics on the issue.

CHILD SOLDIERS

Forcing children to be soldiers or wives in wars and conflicts is another form of human trafficking. The use of child soldiers is a longtime crime used by rebel groups in sub-Saharan Africa. The use of child soldiers is almost universally understood as unacceptable. Child Soldiers International, a United Kingdom based NGO working to prevent the use of child soldiers, defines a child soldier as:

“Any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes.”⁴⁷

Children are used as soldiers in many ways: conflict fighting, espionage, as messengers and even as concubines. A startling statistic reveals that 40% of child soldiers are actually females.⁴⁸ Boys are often used in espionage and conflict matters, while females are typically used as concubines or wives to generals of rebel groups, and this consequently results in unwanted pregnancies. An

⁴⁶ UNODC, Global Report on Trafficking in Persons, 2012

⁴⁷ Child Soldiers International, 2012

⁴⁸ War Child International, 2013

example of this can be seen by Joseph Kony's abduction of children for his rebel group, The Lord's Resistance Army. This group has been labeled as a terrorist group by the United States State Department and has caused much harm to the sub-Saharan region—most notably Uganda, South Sudan, the Central African Republic, and the Democratic Republic of Congo. The terrorist group began in the 1980's, and after the group's beginning, Joseph Kony assumed the leadership role. What is seen as a holy war to the members of the group, has actually led to children enslavement, children killing other children, theft of food and supplies from villages, and even the murder of their own family members to show loyalty to the group.⁴⁹ The communal bonds are then broken between the child and his or her family and the child is much less likely to try to return home to his or her family.

The psychological and physical damage that child soldiers experience is often to an irreparable extent. As a result, international agreements state that children under the age of 18 should not be allowed in war. Governments have responded positively to the removal of child soldiers from its armies. Governments in sub-Saharan Africa continually commit to making their armies childfree. Yet, rebel groups do not abide by these same international standards. Child soldiers are cheap and easy to manipulate. They do not require as much attention, and do not need as much food and water as an adult. Children are also indispensable. It is much easier for rebel leaders to strike fear within a child, than it is for the rebel leaders to strike fear within an adult. The use of children in rebellious conflicts is attractive to rebel leaders. The trauma of fighting and killing as a child soldier prohibits children from ever experiencing a normal life.

⁴⁹ War Child International, 2013

The child's circumstances and psychological state change forever. This heinous form of human trafficking must be stopped.

RESPONSE OF THE UNITED STATES

With the passing of the Victims of Trafficking and Violence Protection Act of 2000, and the establishment of the President's Interagency Task Force to Monitor and Combat Human Trafficking under the presidency of George W. Bush, the United States federal government has undertaken strong preliminary steps to combat human trafficking worldwide, and also specifically in sub-Saharan Africa. The priorities of this task force are outlined below:

- “Assist countries with the elimination of trafficking;
- Promote regional and bilateral cooperation for trafficking eradication; and
- Support service providers and NGOs in their trafficking prevention and victim protection efforts.”⁵⁰

The priorities of this task force exhibit the design of the office to work with other international organizations, NGOs, and federal governments. The United States is in the perfect position to be working with NGOs already on the ground in sub-Saharan Africa, and has already begun to do so in some realms.

The United States of America possesses the monetary capabilities and the ability to influence (especially in the Americas, as the United States of America is seen as a regional hegemon) other nations to combat human trafficking collectively. In 2001, the United States supported over “110 anti-trafficking programs in approximately 50 countries.”⁵¹ Assistance included:

⁵⁰ Trafficking in Persons Report, 2002

⁵¹ Trafficking in Persons Report, 2002

“Economic alternative programs for vulnerable groups; education programs; training for government officials and medical personnel; development or improvement of anti-trafficking laws; provision of equipment for law enforcement; establishment or renovation of shelters, crisis centers or safe houses for victims; support for voluntary humane return and reintegration assistance for victims; and support for psychological, legal, medical and counseling services for victims.”⁵²

The United States of America has responded tremendously to issues of human trafficking since the beginning of the new millennium. The foreign policy agendas of both the Bush Administration as well as the Obama administration specified a focus to combat human trafficking globally. Since 2001, the United States State Department publishes an annual Trafficking in Persons Report. In this Trafficking in Persons Report, the State Department places countries into categories differentiated by the state’s level of commitment to combatting human trafficking. An important aspect of this annual report is the Tier system. This report and the Tier system are ways in which the United States of America is working against human trafficking.

The Tiers

The United States State Department has compiled a list of four Tiers: Tier 1, Tier 2, Tier 2 Watch List, and Tier 3. Tier 1 is an ideal country that is diligently working to combat human trafficking in some way, while Tier 3 is a country that is not making any significant efforts. Every country in the world has been labeled in this Tier system. The best regions of the world, based on tier levels, are Western Europe and North America. Many of the worlds Tier 1

⁵² Trafficking in Persons Report, 2002

countries are located in these regions. Conversely, as of the 2013 Trafficking in Persons Report, there is not a single Tier 1 country in sub-Saharan Africa. The Tier system simply reports on a government's response to trafficking in persons, not necessarily on the gravity of the issue of trafficking in persons in the country. Therefore, a country with a Tier 1 ranking may still have human trafficking, such as the United States of America. Tier placement is simply based on meeting the minimum standards of the TVPA (Trafficking Victims Protection Act). The State Department assesses the following when placing countries into a Tier:

- “Enactment of laws prohibiting severe forms of trafficking in persons, as defined by the TVPA, and provision of criminal punishments for trafficking offenses;
- criminal penalties prescribed for human trafficking offenses with a maximum of at least four years' deprivation of liberty, or a more severe penalty;
- implementation of human trafficking laws through vigorous prosecution of the prevalent forms of trafficking in the country;
- proactive victim identification measures with systematic procedures to guide law enforcement and other government-supported front-line responders in the process of victim identification;
- government funding and partnerships with NGOs to provide victims with access to primary health care, counseling, and shelter, allowing them to recount their trafficking experiences to trained social counselors and law enforcement in an environment of minimal pressure;

- victim protection efforts that include access to services and shelter without detention and with legal alternatives to removal to countries in which victims would face retribution or hardship;
- the extent to which a government ensures victims are provided with legal and other assistance and that, consistent with domestic law, proceedings are not prejudicial to victims' rights, dignity, or psychological well being;
- the extent to which a government ensures the safe, humane, and to the extent possible, voluntary repatriation and reintegration of victims; and
- governmental measures to prevent human trafficking, including efforts to curb practices identified as contributing factors to human trafficking, such as employers' confiscation of foreign workers' passports and allowing labor recruiters to charge prospective migrants recruitment or placement fees."⁵³

These measures assist in the ranking of countries from Tier 1 to Tier 3. However, the Tier system does not assess the work of non-governmental actors.

TIER 1

Countries in Tier 1 are "countries whose governments fully comply with the TVPA's minimum standards for the elimination of trafficking."⁵⁴ Countries labeled as Tier 1 are characteristically well established and well known in the world, with strong governments.

Canada and the United States of America are Tier 1 countries in North America. Major European

⁵³ Trafficking in Persons Report, 2013

⁵⁴ Trafficking in Persons Report, 2013

powers under the Tier 1 category include France, Spain, the United Kingdom, Germany, Italy, and others. On the other hand, sub-Saharan Africa does not contain a single Tier 1 country. In fact, not a single country on the entire continent of Africa is classified as a Tier 1 country. This is problematic and proves just how hard combatting trafficking in persons is for governments in sub-Saharan Africa.

TIER 2

The governments of Tier 2 countries do not “fully comply with the TVPA’s minimum standards but are making significant efforts to bring themselves into compliance with those standards.”⁵⁵ A majority of the sub-Saharan nations are located in Tier 2. Countries in the West include Côte D’Ivoire (Ivory Coast), Nigeria, Senegal, Ghana, Sierra Leone, Burkina Faso, Togo, Benin, Cape Verde and Niger. In Central Africa, Cameroon, the Republic of Congo, and Gabon are placed in Tier 2. In the South, Botswana, South Africa, and Swaziland are Tier 2 countries. In the East, Ethiopia, Mauritius, Uganda, Mozambique, Malawi, and Zambia are placed in Tier 2. Further research of case law within Tier 2 countries provides a more in-depth look at the capabilities of legal systems to combat trafficking in persons.

Mozambique

The United States State Department categorizes Mozambique as Tier 2. Mozambique functions as a source, transit, and destination country for human trafficking. Currently, the government does not comply with the minimum standards for the elimination of human trafficking, but is working to become compliant. In 2012, the number of convictions for

⁵⁵ Trafficking in Persons Report, 2013

trafficking in persons nearly tripled in Mozambique.⁵⁶ Additionally, the government continued the training of its law enforcement officials in the police academy. This training was partnered with UNICEF, and was a two-week anti-trafficking course for all newly recruited officials. The government signed cooperative agreements with the sub-Saharan nations of Tanzania and Swaziland, which incorporate anti-trafficking components.

Mozambique enacted its trafficking law, The Law on Preventing and Combating the Trafficking of People, in 2008. This law prohibits “recruiting or facilitating the exploitation of a person for purposes of prostitution, forced labor, slavery, or involuntary debt servitude.”⁵⁷ Penalties for these offenses range from 16-20 years imprisonment, exceeding the penalty for rape crimes. Although this law is strong, the implementation of more provisions and further training of officials must take place for the law to reach its full potential.

Mozambique’s only human trafficking case reported in the United Nations Office of Drug and Crime’s Human Trafficking Case Law Database is the 2010 case, *Muiambo and Mahvahve* (*Muiambo and Mahvahve*, UNODC No.: MOZ001, 2010.). In the Mahvahve case, an 11-year-old girl was sold by her father, John Thaunde Mahvahve, as a security loan to a religious healer, Samson Chale Magona (known as “Samson Mangore”) in the district of Mossurize.⁵⁸ The Court considered the crime trafficking in persons. The Mahvahve case was heard in the Tribunal Judicial Provincial de Manica (Provincial Court of Manica). Under the 2008 Trafficking in Persons Law, Mangore was found guilty of trafficking in persons and sentenced to seven years

⁵⁶ Trafficking in Persons Report, 2013

⁵⁷ Trafficking in Persons Report, 2013

⁵⁸ Muiambo and Mahvahve, 2010

imprisonment. Additionally, Mahvahve was sentenced to six years imprisonment for trafficking in persons.

This type of crime is widespread in Mozambican society. The Mahvahve case was the first known case in which this crime resulted in a conviction and prison term in Mozambique. According to the government of Mozambique, the exchange of children for money is still a common practice in Chitsama, the location of this crime. It is believed that this decision issued by the Tribunal Judicial de Manica will indeed discourage future crimes of this nature.

The Mahvahve case is a positive step towards effectively combatting human trafficking in Mozambique. Because traffickers work in the entire region, it is not sufficient for Mozambique to combat trafficking only within its own borders. Mozambique must continue to work with the Tanzanian government, as well as the governments of South Africa and Swaziland, to stop the traffickers who are migrating their victims. In addition, the law enforcement officials on the borders of Tanzania need further training on aspects of victim identification. Although there were no reported instances of trafficking victims being detained, fined or jailed for crimes committed as a result of being trafficked, “the lack of formal identification procedures impaired the government’s ability to ensure that no trafficking victims received such penalties.”⁵⁹

The Mozambican government prioritizes partnerships with NGOs. The government relies on NGOs to provide shelter, counseling, food, and rehabilitation to victims. The only permanent shelter for child trafficking is managed by an NGO. It is encouraging to note that the government

⁵⁹ Trafficking in Persons Report, 2013

of Mozambique can effectively work alongside NGOs and help provide protection and shelter for trafficking victims.

Furthermore, the United States State Department found that the government of Mozambique did not do enough to reduce the demand for commercial sex acts within the past year. The State Department also found that the government of Mozambique employed an inadequate number of labor inspectors to investigate crimes related to forced labor trafficking. The labor inspectors in place lacked the necessary training and resources to adequately monitor forced child labor. The Mozambican government must improve in these areas in order for child trafficking to effectively be combatted. Much progress has been made in Mozambique, and the country has not been downgraded to the Tier 2 Watch List since 2010. The government must continue to work with NGOs and must continue to take proactive steps to combat human trafficking from a legal standpoint.

Nigeria

Nigeria is another country located on the Tier 2 List. Located in Western Africa, Nigeria is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking.⁶⁰ Typically taken from rural areas, women and young girls are used for domestic servitude and sex trafficking purposes, while young boys are forced into labor. In certain cases, “Nigerian women and children are taken from Nigeria to other West and Central African countries, as well as to South Africa, where they are exploited for the same purposes.”⁶¹ Many

⁶⁰ Trafficking in Persons Report, 2013

⁶¹ Trafficking in Persons Report, 2013

children from other West African countries, such as Benin, Ghana, and Togo, are trafficked to Nigeria and forced to do hard labor. In addition, Nigerian women and girls are trafficked to multiple countries in Europe for the purpose of sexual exploitation.

The government and law enforcement officials in Nigeria work to respond to the issue of human trafficking. Nigeria's National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP) devotes itself to combatting trafficking in persons. This agency benefited from an increase in funding in the fiscal year of 2012, showing the Nigerian government's acknowledgement of the issue of human trafficking in its country. However, there remains a lack of legislation that restricts the ability of judges to impose fines in lieu of prison time for traffickers. Additionally, the Nigerian Police Force struggles to properly identify victims of trafficking. The Ministry of Labor did not make any significant efforts to address the issue of labor trafficking within the past year. These reasons and others are why Nigeria is no longer labeled a Tier 1 country.

A case in Nigeria from 2009, *Federal Republic of Nigeria v. Favour Anware Okwuede* (*Federal Republic of Nigeria v. Favour Anware Okwuede*, UNODC No.: NGA009, 2009.), depicts the migrant sex trafficking taking place in Nigeria. In the *Okwuede* case, a 25-year-old woman, Favour Anware Okwuede, trafficked two 19-year-old girls from Nigeria to Niger for the purpose of sexual exploitation.⁶² The family members of the girls made an arrangement with the accused, Okwuede. Okwuede said she was looking for girls that she could take to Italy to work in a fashion-designing store and in a hairdressing salon. When the arrangements were made,

⁶² Federal Republic of Nigeria v. Favour Anware Okwuede, 2009

Okwuede took the young girls to Niger and forced them to work as prostitutes in a hotel room that she rented. The girls stopped cooperating, and Okwuede made plans to sell one of them to a woman in Niger. Fortunately, men from the Nigerian Union came and arrested Okwuede before she could continue to force the girls into prostitution.

The Federal High Court of Nigeria, located in Asaba, found Okwuede to be guilty of procurement for prostitution, organizing foreign travel that promotes prostitution, and deceitful inducement, under the country's Trafficking in Persons Law Enforcement and Administration Act.⁶³ In one of the victim's testimony, the Court had to consider some contradictions. However, the Court deemed that the contradictions were not material and thus believed the prosecution proved their case against the alleged beyond a reasonable doubt. Therefore, Okwuede was sentenced to "eight years imprisonment for procurement of prostitution, eight years for [organizing] foreign travel [that] promotes prostitution, and eight years for deceitful inducement."⁶⁴ This amounts to a total of 24 years imprisonment; yet, the Court took into account the fact that Okwuede was a first offender and young lady. The Court decided to use the sentencing for purposes of reformation, rather than punishment. In a statement, the Court stated, "I shall give the accused a second chance in life to look for more worthy things to do than getting involved in activities which demeans human beings and turn them to slaves all because of the greed to make money."⁶⁵ Therefore, rather than receiving three, concurrent eight year sentences,

⁶³ Federal Republic of Nigeria v. Favour Anware Okwuede, 2009

⁶⁴ Federal Republic of Nigeria v. Favour Anware Okwuede, 2009

⁶⁵ Federal Republic of Nigeria v. Favour Anware Okwuede, 2009

the Court sentenced Okwuede to five years imprisonment, taking into account the three years she had already served while awaiting trial.

The Trafficking in Persons Law Enforcement and Administration Act prescribes penalties of 10-15 years imprisonment, or a fine of approximately \$1,250 for sex trafficking related offenses.⁶⁶ To ensure that judges are not imposing fines or limiting prison terms for traffickers, the NAPTIP introduced amendments to the Nigerian anti-trafficking law. The amendments were proposed in 2011, and are still awaiting approval at this time. These amendments would have likely changed the outcome of the *Okwuede* case. Furthermore, NAPTIP authorities are working to ensure that victims are identified properly, and are not prosecuted for crimes that they committed under the circumstances of being trafficked. During the instances in which victims of trafficking were arrested, “NAPTIP worked with security services to remove victims from custody and provide them care.”⁶⁷ Because of the commitment to victim identification, the Nigerian authorities were able to encourage victims to assist in the investigation and prosecution of trafficking cases. Victim identification leads to more effective ways to prosecute traffickers in Nigeria, and effectively combat human trafficking.

TIER 2 WATCH LIST

The United States State Department explains that the Tier 2 Watch List is reserved for countries where:

⁶⁶ Trafficking in Persons Report, 2013

⁶⁷ Trafficking in Persons Report, 2013

“Governments do not fully comply with the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards, and the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecutions, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional steps over the next year.”⁶⁸

Countries in sub-Saharan Africa that are on the Tier 2 Watch List include The Gambia, Guinea, Liberia, and Mali in the West; Chad and Angola in Central Africa; South Sudan, Kenya, Rwanda, Burundi, Djibouti, Madagascar, Seychelles, Comoros and Tanzania in the East; and Namibia and Lesotho in the South.

Kenya

The United States State Department places Kenya on the Tier 2 Watch List. Kenya is a source, transit, and destination country for many forms of human trafficking. In October of 2012, the government enacted the Counter-Trafficking in Person’s Act. The Act contains laws that prohibit every type of human trafficking. Trafficking in persons is punishable by a minimum of

⁶⁸ Trafficking in Persons Report, 2013

15 years imprisonment, which is proportionate to other serious crimes such as rape. The enacted law addresses human trafficking seriously, but the actual government procedures do not.

Corruption has played a key role in Kenya's inability to effectively combat trafficking in persons. A lack of understanding trafficking in persons also hinders the ability of the Kenyan government to combat trafficking in persons. The government reported that it provided training on human trafficking to 30 officers in the police, immigration, and other ministerial legal departments. Kenya's rampant human trafficking problem cannot be solved with such vastly inadequate training. Government officials need specialized training so that cases can be handled in a progressive manner. In 2012, 15 child trafficking prosecutions were reported throughout Kenya.⁶⁹ This number is surely much lower than the actual number of cases that took place that year.

The United Nations Office of Drug and Crime's Human Trafficking Case Law Database contains only a handful of Kenyan cases regarding human trafficking. In the Kenyan case, *K.K.R v. Republic* (*K.K.R. v. Republic*, UNODC No.: KEN001, 2010.), a grown man abducted a 15-year-old girl and allegedly had sexual intercourse with her.⁷⁰ The K.K.R. case first went to the Resident Magistrate's Court where the defendant was found not guilty of defilement of a child, but was instead found guilty of child trafficking. The defendant was sentenced to 15 years in prison or a fine of KES 2,000,000 (USD \$23,500).⁷¹

⁶⁹ Trafficking in Persons Report, 2013

⁷⁰ *K.K.R. v. Republic*, 2010

⁷¹ *K.K.R. v. Republic*, 2010

The defendant appealed, and the K.K.R. case was next heard in the High Court of Kenya. The High Court found enough evidence to prove beyond a reasonable doubt that the defendant had sexual relations with the 15-year-old girl. The defendant was thus convicted of defilement of a girl under the age of 15, and child trafficking for sexual exploitation.⁷² The charges carried two sentences, one of 20 years and one of 15 years, that were to be served consecutively. The defendant appealed this ruling, and the K.K.R case moved to the Court of Appeal of Kenya.

The Court of Appeal reversed the conviction of defilement of a child. Because the charge of defilement of a child was overturned, it was no longer possible for the defendant to be charged with child trafficking for sexual exploitation. The evidence could not be proved beyond a reasonable doubt, so the convictions against the defendant were squashed and the imposed sentences were set aside.

In the case, *George Hezron Mwakio v Republic* (*George Hezron Mwakio v Republic*, UNODC No.: KEN002, 2010.), a man abducted a 15-year-old girl and took her to a nearby sisal plantation where he allegedly raped her.⁷³ After raping the young girl, the defendant then forced her to walk across the Kenya-Tanzania border. The Tanzanian police eventually rescued the young girl and returned her to Kenya. The minimum sentence for this offense is 20 years, but because of a prior rape conviction, the defendant was considered a repeat offender and was sentenced to 30 years imprisonment. The Mwakio case was appealed to The High Court of Kenya at Mombasa where the Court found there to be no error committed by the trial court; thus, the Court upheld the verdicts of defilement and child trafficking for sexual exploitation and

⁷² K.K.R. v. Republic, 2010

⁷³ George Hezron Mwakio v Republic, 2010

dismissed the appeal. The Mwakio case is an example of how the trafficking laws in Kenya can be enacted successfully, and can help bring justice for victims of this heinous crime.

Kenya still has much more work to do to ensure that the government, police force, and courts are able to effectively combat human trafficking in the country. As a country on the Tier 2 Watch List, Kenya exemplifies for other countries how to place true importance on issues of trafficking in persons.

TIER 3

Countries in this Tier are countries whose governments “do not fully comply with the TVPA’s minimum standards and are not making significant efforts to do so.”⁷⁴ Countries on this list are subject to sanctions put in place by the United States government. Sanctions imposed may include the United States government withholding or withdrawing, “nonhumanitarian, and non-trade-related foreign assistance.”⁷⁵ Tier 3 labeled countries also may face opposition from the United States regarding assistance from “international financial institutions such as the International Monetary Fund (IMF) and the World Bank.”⁷⁶ However, sanctions may be waved if necessary “to avoid significant adverse effects on vulnerable populations, including women and children.”⁷⁷ Additionally, a 2008 amendment to the TVPA mandates that a country ranked on the Tier 2 Watch List for two consecutive years and one that would consequently be ranked on that same list the third year, would fall into the Tier 3 category. This is titled an automatic

⁷⁴ Trafficking in Persons Report, 2013

⁷⁵ Trafficking in Persons Report, 2013

⁷⁶ Trafficking in Persons Report, 2013

⁷⁷ Trafficking in Persons Report, 2013

downgrade. The Secretary of State may institute a waiver for a country with credible evidence that the country is diligently working and has a written plan to combat trafficking in persons.

There are multiple sub-Saharan nations located in Tier 3, including Mauritania, Guinea-Bissau, Equatorial Guinea, Sudan, Eritrea, Central African Republic, Democratic Republic of Congo and Zimbabwe. The United Nations Human Trafficking Case Law Database does not contain any recordings of tried cases in any of these countries. It is unlikely for these countries to have any cases listed in the United Nations Human Trafficking Case Law Database because they do not comply with the minimum standards of the TVPA, do not make significant efforts to become compliant and many do not have any laws criminalizing trafficking in persons. A Tier ranking is not permanent. In order for countries to move out of this Tier, they must prove that they are making significant efforts to become compliant with the minimum standards of the TVPA.

PREVENTIVE POLICIES

Although human trafficking is a travesty that has plagued the world for centuries, it is an injustice that can be combatted effectively. Countless NGOs and governments around the world are working independently, and some co-dependently, to combat trafficking in persons. It is imperative that NGOs and governments continue to work collectively and build lasting partnerships that focus on combatting trafficking in persons.

The culture in which human trafficking thrives must change. Even considering the tremendous response from various parts of the world, many people remain uninformed about the injustice of human trafficking. Progress has been made at the legal level, as more and more countries within the sub-Saharan region are adopting legislation to address trafficking in persons. Some of this legislation specifically addresses trafficking in persons for children only, or only trafficking for sexual purposes, but excludes labor purposes.

The ongoing fight against hunger in sub-Saharan Africa progresses similarly. Nevertheless, continuous conflict, a growing population, and extreme levels of poverty cause hunger problems to intensify for the sub-Saharan region. Burundi, Comoros, and Eritrea have “extremely alarming” levels of hunger according to the 2013 Global Hunger Index.⁷⁸ Other countries still suffer from high levels of hunger, and these high levels of hunger produce devastating consequences on the current generation, as well as the next generation of sub-Saharan Africa.

⁷⁸ Global Hunger Index, 2013

The international community must come together to unite the sub-Saharan region in the fight against hunger and human trafficking. Partnerships must be created and must be sustained. Often times, NGOs come into the region, make a minimal or significant impact, and then leave without ensuring that their work is sustainable. Combatting human trafficking and hunger is very complex. If governments, NGOs, universities and law enforcement officials partner together, the process is simplified. Essentially, as more agencies and organizations work together, more work can be done, and less of a strain is put on a single aspect of the rebuilding process. The burden of cost reduces as partnerships increase.

There are three policies proposed to be effective in changing the environment in which human trafficking thrives. The use of food, education, and legal implementations can be effective in combatting human trafficking. The following sections will further explain how each could change the culture in which human trafficking continues to thrive.

Food

Hunger and malnutrition can force someone to do the unthinkable. When a human being cannot eat, he or she will go to extreme heights to obtain food. When parents cannot provide an adequate amount of food for their children, the thought of selling their child to a human trafficker, or simply sending them off to be a slave somewhere, becomes the only viable option. Often, the response to hunger and food security crises in sub-Saharan Africa is food packaging. There are many NGOs and governments that send money or large amounts of food packaging to countries in sub-Saharan Africa as a means of aid. This type of aid is a short-term response. Instead, the sub-Saharan region needs long-term development assistance for long-term solutions to long-term problems.

SHORT-TERM ASSISTANCE

Short-term plans are not the answer to the sub-Saharan regions issue. Long-term changes are essential. Packing meals that cost \$0.25 in developed countries is useful, but these meals will never solve hunger in sub-Saharan Africa unless there is sustainability. Short-term aid is a reactive response only. Sending in food aid to countries affected by famine, conflict, drought, and natural disasters works wonderfully to help counter the initial effects from the disasters, but it is unsustainable and useless in preventing future crises.

After multiple disasters, such as the Haitian earthquake in 2010 and the Philippine Typhoon of 2013, the entire world responded and sent aid money, food, water, missionaries, and medical personnel to help bring relief to the countries that suffered these disasters. The short-term relief sent to these countries works effectively, but does not solve the problem. A short-term solution cannot solve a long-term problem; it can only help to lessen the effects of the issues. Human trafficking and hunger are long-term problems that must be addressed accordingly.

Countless NGOs and religious organizations work around the world to produce as many meal packages as possible for those who are hungry and impoverished. Oftentimes, corruption prevents aid from reaching those struck by poverty. A country cannot become reliant on food packaging and emergency relief operations. Once a country becomes dependent on this type of aid, its citizens will never be able to grow out of poverty. Short-term solutions are attractive because they are easy to send and the effects are seen much earlier than those of long-term relief efforts. Even so, short term-solutions are necessary in this world, including in the sub-Saharan region.

The current state of sub-Saharan Africa requires immediate assistance. With droughts, famine, and extreme poverty all taking place in the sub-Saharan region, emergency food aid is highly necessary. Long-term investment in education and agricultural infrastructure will do nothing to assist in the immediate struggle. However, focusing on these short-term assistance programs, rather than working to develop a country past this level will never allow it to become self-sustainable. A child cannot live off of short-term food assistance for the rest of his life. In reality, short-term assistance can and will run out and the community remains without food sources or the means to obtain food. If the global response to poverty in sub-Saharan Africa does not shift to one of long-term development, hunger will continue to plague the region and human trafficking will theoretically continue to thrive.

LONG-TERM DEVELOPMENT

Long-term development plans are proposed for future use. The process many NGOs use to deliver food-packaged meals to parts of sub-Saharan Africa is by shipping containers. Rather than shipping a container full of pre-packaged meals, continuous work in a local village or town would be more beneficial to ensure the food is reaching where it is most needed. Oftentimes, containers of food never reach their intended destinations. The containers can be stolen, or corrupt people can gain possession of the food and sell it for profit. This type of corruption causes further conflict and can keep those who need food from ever receiving the aid.

Long-term relief is not attractive. It is very messy and takes a lot of patience. Yet, long-term solutions are the only valid options that can shift the current situation in sub-Saharan Africa. Rather than focusing on food packaging, and emergency relief programs, more attention should be given to increasing agricultural productivity and sustainability through greater

investment in agricultural training, resources and infrastructure. An ability to sustain the long-term reform must be built within the local community. The goal is not to build another United States of America, or another Great Britain, or even another France. The goal in sub-Saharan Africa should be to rebuild sub-Saharan Africa; to help the people re-stabilize the region and advance. The region's instability shall continue if the upcoming generation is coerced into slavery, does not have access to education, or is consistently hungry and worried about the next meal. Long-term reform must take place to create sustainability in such a way that the Africans are involved.

The United States of America and other world leaders have begun to do this in parts of sub-Saharan Africa. A campaign launched by the United States of America to more effectively combat hunger is the Feed the Future program led by the United States Agency for International Development (USAID). In Africa, this program works alongside the local governments to enact change. Long-term development in this region has faced many obstacles, such as the failure of the Green Revolution in Africa. Africa's terrain makes farming difficult and irrigation is a serious struggle. Additionally, corruption within many governments in sub-Saharan Africa makes long-term agricultural development even more difficult. *Enough* by Roger Thurow and Scott Kilman states, "much of the chronic, everyday hunger in the world is now a man-made catastrophe, caused one anonymous decision at a time, one day at a time, by people, institutions, and governments doing what they thought was best for themselves or sometimes even what they

thought was best for Africa.”⁷⁹ Despite the obstacles that sub-Saharan Africa faces, the work benefits the region and must be continued and sustained.

Feed the Future

Feed the Future is a campaign launched in 2009 by the Obama administration. At the 2009 Group of Eight (G-8) Summit, President Obama called on the global leaders to “reverse a decades-long decline in investment in agriculture and to strengthen global efforts to reduce poverty, hunger and undernutrition.”⁸⁰ Feed the Future believes that global hunger is solvable. The Agency for International Development leads many United States departments and agencies that work together, such as the Department of Agriculture, Department of State, and the Peace Corps. The initiative continued in 2012 with the launching of the New Alliance for Food Security, which is a shared commitment amongst G-8 leaders and African heads of state to achieve “sustained and inclusive agricultural growth and raising 50 million people in sub-Saharan Africa out of poverty by 2022.”⁸¹ The New Alliance further supports commitments by African leaders to implement country-led policies for food security, and aims to align G-8 commitments behind country plans to expand Africa’s potential for rapid and sustainable agricultural growth.⁸²

Feed the Future and USAID work in a few sub-Saharan countries: Senegal, Mali, Liberia, Ghana, Ethiopia, Uganda, Kenya, Rwanda, Tanzania, Mozambique, Zambia and Malawi. Feed the Future discovered that “growth in the agriculture sector has been found, on average, to be at

⁷⁹ Thurow & Kilman, 2009

⁸⁰ Feed the Future Progress Report, 2013

⁸¹ Feed the Future Progress Report, 2013

⁸² Feed the Future Progress Report, 2013

least twice as effective in reducing poverty as growth in other sectors.”⁸³ Therefore, this initiative will continue to work to help sub-Saharan nations become active in building resilience, especially for unpreventable issues like natural disasters. It then becomes possible to reduce the likelihood that a natural disaster or drought will instigate a need for humanitarian assistance. In the context of building resilience, USAID defines resilience as “the ability of people, households, communities, countries, and systems to mitigate, adapt to, and recover from shocks and stresses in a manner that reduces chronic vulnerability and facilitates inclusive growth.”⁸⁴ Resilience is built in a multitude of ways. Feed the Future believes resilience is enhanced through strengthening and diversifying livelihoods and increasing economic opportunities; improving health and nutritional status; and strengthening community-based management of risk, conflict, and the natural resource base.⁸⁵ Furthermore, promoting sustainable markets, strengthening the private sector’s ability to ensure that food flows from surplus to deficit areas both nationally and regionally, and effecting policy reform all help ensure that sub-Saharan Africa is being built for a resilient and sustainable future.

Feed the Future Progress: Mali

Mali, located in Western sub-Saharan Africa, is a wonderful example of a country focusing on long-term development. In 2002, USAID and Mali began working together to shift the country’s focus from an approach of food crisis management to one of fostering long-term food security. The relationship between Mali and USAID continues to this day through the Feed

⁸³ Feed the Future Progress Report, 2013

⁸⁴ Feed the Future Progress Report, 2013

⁸⁵ Feed the Future Progress Report, 2013

the Future program. The government of Mali shows real commitment to the development problems facing Mali and exemplifies what can be done in the rest of sub-Saharan Africa.

Mali struggles with poverty, as 51% of the population lives on less than \$1.25 a day. Overall, this is an improvement as 86% of the population lived on less than \$1.25 a day in 1994.⁸⁶ The percentage of paved roads doubled over the past 20 years, mobile phone subscriptions have risen significantly, and the rate of underweight children decreased as well.⁸⁷ Despite significant progress, Mali's development situation remains dangerous. At 26%, Mali is home to one of the lowest literacy rates in the world, and has one of the highest fertility rates for women at 6.6.⁸⁸ This fertility rate leads to a 3.6 percent annual population growth rate and a very large youthful population with 80% of Malians being under the age of 24.⁸⁹ Women are not well employed in the formal sector, and 70% of the population remains rural.⁹⁰ These challenges in Mali are tough to overcome, but great progress and long-term developmental steps have been taken.

Approximately 80% of the population depends upon the agricultural sector, but the agricultural sector only contributes to about 34% of Mali's Gross Domestic Product (GDP).⁹¹ The agricultural productivity in Mali varies across regions, but "common attributes are low productivity and high post-harvest losses."⁹² In response, the Feed the Future program works to improve the environment for agricultural growth, food security, and nutrition. There is a call for

⁸⁶ Feed the Future, Mali, 2011

⁸⁷ Feed the Future, Mali, 2011

⁸⁸ Feed the Future, Mali, 2011

⁸⁹ Feed the Future, Mali, 2011

⁹⁰ Feed the Future, Mali, 2011

⁹¹ Feed the Future, Mali, 2011

⁹² Feed the Future, Mali, 2011

Malian institutions to plan, develop, implement and monitor agricultural and food security strategies, as well as resolve land use conflicts.

Furthermore, Mali and USAID partner to promote “preventative strategies in order to improve care practices and dietary diversity.”⁹³ Work is being done to support the production of locally made infant complimentary foods in order to improve the distribution and availability of these foods that are usually too time consuming to prepare by mothers in the household. The lack of education and ability of mothers is detrimental to combatting food insecurity. Studies show that a mother’s “low educational attainment, limited control over household income, poor nutritional status, and little disposable time for breastfeeding or to prepare nutritious foods for her family are all factors that contribute to a poor household nutritional status.”⁹⁴ Both the government of Mali and USAID currently work to ensure that mothers are better equipped to increase the nutritional status of their homes as the rebuilding takes place.

Mali strives to increase the production of livestock, such as sheep, goats and cattle. Increasing livestock, an important export commodity for Mali, and increasing the development of dairy products helps to reduce the need to import powdered milk. This step revives Mali’s self-sustainability reducing its dependability on products from other countries.

The work done in Mali is extraordinary and has been mirrored in other sub-Saharan countries. The focus on long-term development allows the countries to evolve in preparation for

⁹³ Feed the Future, Mali, 2011

⁹⁴ Feed the Future, Mali, 2011

the future, and will change the current environment of consistent struggle and poverty into one of stability and strength.

Education

Education is precious to a child's growth. An education opens doors and unlocks opportunities that are otherwise unattainable. Although education statistics in sub-Saharan Africa have risen over the past 40 years, many children still grow up without a complete education. Children become more vulnerable to human trafficking when they are deprived of an education, or a means of using their limited education.

Much of sub-Saharan Africa lacks quality public school education. Private schools require tuition, and a daily school uniform dress code. Extremely poor families cannot afford to send their children to primary or secondary school, so those children are left to work at home or around the local village community to help earn money for the family. Oftentimes, these children get into more trouble, because they do not have any structure in their lives. Increases in both susceptibility to illegal activity and vulnerability to the coercion of human traffickers occur. Also, these children face greater risks of being sold to traffickers by their parents, because their parents cannot afford to feed and educate them.

Investing in good public schools in not only large sub-Saharan cities, but also in rural areas is advantageous to the region. Partnering with international universities can help with the long-term development of public schools in the region, and universities such as the University of Central Florida can invest in building partnerships with universities in the sub-Saharan region. Moreover, educational facilities can help feed children in a community, as well as educate children on the importance of hygiene, which can help reverse the high level of sickness caused

by poor sanitation skills. Poor health can lead a family to sell their child to a human trafficker who deceptively promises that they will provide medicine for their sick child.

HEALTH EDUCATION

Educating children on the importance of health and proper hygiene skills is vitally important. Improper hygiene and poor sanitation in a country can lead to high levels of sickness and eventually poverty, reflected in many parts of sub-Saharan Africa. The building and sustaining of good public schools in the poor regions of a country helps improve the health and sanitation skills of the region. Schools can provide health sanitation education to children, in addition to a normal education. A child's lifestyle can be improved by educating him or her on the importance of good hygiene. The number of children affected by water-borne diseases would reduce, increasing the number of children able to receive an education, and consequently reducing the number of children likely to be trafficked because their parents can no longer care for them due to an illness. Additionally, schools can be partnered with clinics so if a child does become ill, parents will have access to a local clinic, rather than traveling great distances to receive health care, or simply relying on untrained individuals within the village community.

EDUCATION AND FOOD

Schools cannot only be used for education and clinical purposes, but also for food provision purposes. There still exists the negative possibility of creating dependence on short-term assistance, rather than long-term development. Parameters would need to be implemented to ensure that the school food programs do not prohibit the advancement of long-term

development. If these parameters are set in place, then offering food in schools will result in positive outcomes.

In many parts of the world, schools can provide food without causing the community to become dependent upon short-term assistance. The combination of food and education is invaluable. Students need nutrition and sustenance in order to learn and retain knowledge. By providing meals at school, students' hunger is satisfied, and students' learning abilities are enhanced. Retaining information is extremely important. A child's attendance at school does not matter so much if he or she cannot retain learned information. Worries about the uncertainty of the next meal and distractions of current hunger negatively effectuate the retention of information. This is why food and education, combined, is imperative. The combination is powerful enough to change the environment of poverty in many parts of sub-Saharan Africa.

EDUCATION AND OPPORTUNITY

Statistics from the United Nations report on human trafficking state that in Eastern African countries, a "majority of the trafficked children are those who have either completed primary or secondary education, and have nothing to do."⁹⁵ Children must have opportunities to use their education. Education does provide children with opportunities, but if these opportunities are unattainable for them, then the education lacks purpose. Governments must educate their children and subsequently provide them with jobs in which they can adequately use their skills. Human trafficking thrives in societies lacking these educational benchmarks.

⁹⁵ UN.GIFT Human Trafficking, 2008

Opportunities for secondary school are also essential. Attainable secondary education engenders an environment opposite to the one in which human traffickers lure children. Primary school education accomplishes very little. The continuation of both children's education and post-education opportunities is essential. By establishing partnerships with businesses—local, regional, and international—post-educational programs can construct and maintain these opportunities. Through opportunities, children will be busier with newfound knowledge and experiences and less likely caught in the trap of trafficking in persons. Education revamps the environment of human trafficking, but only if opportunities following an education are possible for a child.

The Law

The judicial system is one of the most critical tools for combatting human trafficking. Without substantial penalties for trafficking in persons, traffickers will not deter from committing these abominable crimes. Four proposals in the legal realm are necessary for changing the environment in which human trafficking is taking place: victim identification, region-wide laws prohibiting human trafficking, law enforcement focus on the entire trafficking cell, and increased focus on building lasting partnerships.

VICTIM IDENTIFICATION

Governments must make identifying victims the main priority. When a victim is identified, they require proper treatment and attention. A victim cannot merely be viewed as a complainant in a criminal case, nor be identified as a criminal. Law enforcement agencies throughout sub-Saharan Africa need proper training to identify trafficking victims, and must be able to distinguish between a victim of forced sex trafficking and a voluntary prostitute. Sex

slave traffickers instill fear into their captives by telling them law enforcement officials will simply arrest and prosecute them if they attempt to seek help. Sex slaves develop an ingrained belief that no means of escaping exist and that there is no help for them from law enforcement. Therefore, the job of identifying victims becomes exponentially more complicated.

The extreme amounts of abuse, physical and emotional, that victims of human trafficking endure can often cause victims to not be able to accurately recall events, and can even affect their ability to formulate responses to questions about their experiences. This can make victim-focused efforts unattractive. Regardless of how difficult it can be to properly identify victims, governments must incorporate victim identification into their anti-trafficking strategy and offer trafficking victims more support.

By properly identifying victims, it will be much easier for law enforcement officials to encourage victims to assist in the investigation and prosecution of human traffickers. Victims can be encouraged to be witnesses in cases against their own traffickers and to identify other victims of trafficking. Because they have seen other victims and know of other human traffickers, victims can be the best combatants of human trafficking. A greater focus should be put on showing victims hope of rescue, and that law enforcement officials wish to help them, rather than prosecute them. Victims must be the focus and must be afforded their rights, needs, and requests for assistance in reestablishing their lives.

REGION-WIDE LAWS AGAINST HUMAN TRAFFICKING

Greater pressure must be put on all countries within the sub-Saharan region to adopt comprehensive laws that prohibit all forms of human trafficking. Some countries still have not adopted comprehensive laws to prosecute human traffickers. The Protection Project is a human

rights institute based at The Johns Hopkins University School of Advanced International Studies (SAIS). The Protection Project releases a review of the United States State Department's annual Trafficking in Persons Report. The Protection Project's 2013 review gives a comprehensive list of countries and the types of trafficking in persons legislation that is implemented in each country. Based on this list, it is possible to track which countries have comprehensive TIP laws, or simply have child-related laws, penal codes or statutes. Sub-Saharan countries with comprehensive trafficking laws include: Burkina Faso, Cameroon, Djibouti, Equatorial Guinea, The Gambia, Ghana, Guinea-Bissau, Kenya, Lesotho, Liberia, Madagascar, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Senegal, Sierra Leone, Swaziland, Tanzania, and Uganda.⁹⁶ Countries with anti-trafficking statutes prohibiting some forms of trafficking include the Democratic Republic of Congo, South Africa, and Zambia.⁹⁷ Countries that have anti-trafficking statutes and penal codes prohibiting only some forms of trafficking include Angola, the Republic of The Congo, Gabon, Rwanda, Seychelles, South Sudan, Sudan, and Zimbabwe.⁹⁸ Sub-Saharan countries that have provisions in their penal code criminalizing all forms of trafficking include the Central African Republic and Malawi.⁹⁹ Sub-Saharan countries with provisions in their penal code that only criminalize some forms of trafficking include Comoros, Côte D'Ivoire, Eritrea, Ethiopia, and Somalia.¹⁰⁰ Sub-Saharan countries that do not have sufficient provisions in either their statutes or penal codes, but have drafted law include

⁹⁶ The Protection Project Review of the Trafficking in Persons Report, 2013

⁹⁷ The Protection Project Review of the Trafficking in Persons Report, 2013

⁹⁸ The Protection Project Review of the Trafficking in Persons Report, 2013

⁹⁹ The Protection Project Review of the Trafficking in Persons Report, 2013

¹⁰⁰ The Protection Project Review of the Trafficking in Persons Report, 2013

Benin, Burundi, and Chad.¹⁰¹ Sub-Saharan countries that primarily have child-related laws include Botswana, Guinea, Togo, and Cape Verde.¹⁰² Some countries have provisions in penal codes and statutes that prohibit some forms of trafficking, while others have laws that are primarily for child-related offenses only. Without laws in place to prosecute traffickers, there is no reason to try to combat the issue legally. A stringent penalty will deter people from considering trafficking humans to be a valid career option.

Furthermore, if a country does not have laws that prohibit trafficking in persons and subsequently allow for the prosecution of traffickers, then victim identification is worthless. All nations require laws that allow for the punishment of traffickers. Without a possible punishment, nothing deters traffickers. International leaders must consider diplomatic ways to encourage all nations within the sub-Saharan region to implement laws that prohibit all forms of trafficking in persons.

The reality is that not all nations have the capacity to address the issue of human trafficking and in turn, they require assistance from other nations. Many nations lack the ability to evaluate their progress, so there is no way to assess the impact of which actions are working, and which actions are not working. Sub-Saharan Africa is home to eight countries not recognized as state parties to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations convention against transnational organized crime: The Democratic Republic of Congo, Eritrea, Sierra Leone, Somalia, South

¹⁰¹ The Protection Project Review of the Trafficking in Persons Report, 2013

¹⁰² The Protection Project Review of the Trafficking in Persons Report, 2013

Sudan, Sudan, Uganda, and Zimbabwe.¹⁰³ Globally, countries with no legislation or partial criminalization of trafficking in persons in the 2012 Trafficking in Persons Global Report totaled 28.¹⁰⁴ 60% of these countries (a total of 16 countries) are located in Africa. However, as a whole, the region has seen great progress in the last six years. In 2008, only 12 countries had domestic legislation that criminalized trafficking in persons.¹⁰⁵ This number increased to 23 in 2012, nearly doubling in a five-year span.¹⁰⁶ An increased effort must persist to capitalize on this progress and to make certain that the entire region writes laws prohibiting all forms of trafficking in persons.

FOCUS ON THE ENTIRE CELL

Because human trafficking is such a complex issue, many people are involved in the process. It is very easy for traffickers and victims to cross borders and work in many different countries and regions of the world. Oftentimes, catching a single trafficker does not inhibit the ability of the rest of the cell to continue their work. Law enforcement officials and workers in the criminal justice system must be “aware of the exact criminal act defined as trafficking in persons in order to identify cases properly.”¹⁰⁷ This means investigations must go further, and look beyond the exploiter. The entire cell must be taken down in order for the operation to cease. This means international cooperation must take place. Within the sub-Saharan region specifically, nations must work together to combat the interregional trafficking that is taking place.

¹⁰³ Office to Monitor and Combat Trafficking in Persons, United States State Department, 2013

¹⁰⁴ UNODC, Global Report on Trafficking in Persons, 2012

¹⁰⁵ UNODC, Global Report on Trafficking in Persons, 2012

¹⁰⁶ UNODC, Global Report on Trafficking in Persons, 2012

¹⁰⁷ UNODC, Global Report on Trafficking in Persons, 2012

Arresting exploiters is worthless if focus is not placed primarily on locating and prosecuting the entire trafficking cell. The cell will simply move and settle down elsewhere to continue their work in a more complex way. This is why victim identification and international cooperation are vitally important. Without taking the precautionary measures to combat human trafficking, law enforcement officials enable traffickers to hide their crimes more effectively. Each time only one member of a cell is caught, the remaining parts of the cell become more fortified and make arresting the entire criminal cell much more difficult. In order to change this habit of arresting and prosecuting single-members of a trafficking cell, a new and monumental focus should be directed toward building lasting partnerships throughout many governmental agencies, NGOs, international organizations, and workers in fields such as transportation, hospitality, and finance.

FOCUS ON PARTNERSHIPS

Governments, laws, and judicial systems alone will never adequately combat trafficking in persons. Greater emphasis must be put on partnerships between these different avenues. The President's Interagency Council on Women Development created a United States government policy in the late 1990's based on the "3P's": Prevention, Protection for Victims, and Prosecution for traffickers. In 2009, at the release of the State Department's Trafficking in Persons Report, former Secretary of State Hillary Clinton added a fourth "P," Partnership, recognizing that the only way in which governments can successfully combat human trafficking is through establishing partnerships with other stakeholders in the war against human trafficking. In their policy on countering trafficking in persons, USAID states, "partnerships and coordinating bodies need to focus on bringing together local, national, regional, and global

networks, and representatives of civil society, government, the private sector, labor unions, media, and faith-based organizations.”¹⁰⁸

Governments must continue to establish relationships with various food packaging NGOs, education-focused NGOs, and national and international legal NGOs. Building partnerships with the transportation industry, hospitality industry, and financial institutions is integral in effectively combatting trafficking in persons. Members working in the food industry and in the education field must begin to work together to change the environment of hunger and lack of education in many parts of sub-Saharan Africa. Members of the legal field must work to combat trafficking in persons by establishing partnerships with those who are in the proper position to identify victims of human trafficking, i.e. flight attendants, taxi drivers, hotel attendants, and bank tellers.

The beauty of NGOs and governments partnering together is visible in how governments can work in ways in which NGOs cannot, and vice versa. Establishing partnerships between the two will allow for a combination of efforts and an ability to reach new levels. Focusing on food, education, and the law, and refashioning an environment are necessary to combat human trafficking. Though, if not done in partnership, these goals are a lost cause. Establishing partnerships is the key to combatting trafficking in persons and is the only way in which the human trafficking conducive environment will ever change.

¹⁰⁸ USAID Counter-Trafficking in Persons Policy, 2012

CONCLUSION

The current environment of sub-Saharan Africa is conducive to the injustice of human trafficking; therefore, the environment must be changed and the traffickers must be forced to leave the region. Maladies such as hunger, lack of education or opportunities after one receives an education, civil wars and governmental corruption, and the lack of proper legislation and proper understanding of what trafficking in persons is, makes it extremely difficult to effectively combat trafficking in persons. Focusing on the long-term development of sub-Saharan Africa could theoretically eliminate the culture in which human trafficking thrives. This will take a substantial amount of time, an abundant amount of international support, and willingness from the African people.

Food security and agricultural sustainability must be the epicenter in all parts of the sub-Saharan region. Greater care must be given to ensure that all people, especially children, are able to adequately feed themselves. Additionally, education reform must take place in the sub-Saharan region, so that all children are able to attain an education and create a foundation upon which they can one day build a career. Laws prohibiting all forms of trafficking must be adopted in the countries that do not currently have them and must be enforced in the countries that already adopted such legislation. Law enforcement officials must be properly trained to be able to identify victims of human trafficking and focus must shift towards human trafficking cells rather than single actors of the cell. Furthermore, governments, NGOs, law enforcement officials, and all other stakeholders must continue to establish lasting partnerships that spread across many dimensions, and in effect, change the environment of sub-Saharan Africa.

It is important to note that the proposed environment change is not one of total reform of the culture of sub-Saharan Africa. The goal is not to make sub-Saharan Africa look like the West. Rather, the proposed environment change is to ensure that children in sub-Saharan Africa are growing in a land of opportunity in which human traffickers cannot hide behind the shadows of deceit. The change is one that allows sub-Saharan Africa to become sustainable and less-dependent on international support. The change is one that makes food security a priority, and makes education and opportunities a must. These changes are necessary to refashion the environment in which human trafficking thrives and will take substantial amounts of time and effort.

Human trafficking is not something that will be quickly eradicated. Terrorism and racism have been heavily combatted and have still yet to be defeated. Global hunger has been a dilemma that has perplexed people for generations, and human traffickers have become more sophisticated in hiding their crimes. Nonetheless, this does not mean that this generation cannot strive and take a more active approach to eradicate these injustices from the world. It will take extra time, some considerable work, and persistent passion, but the goal of eliminating human trafficking is surely attainable. The International Justice Mission's President meaningfully declares, "The victims of injustice do not need our spasms of passion, but our long obedience in one direction."¹⁰⁹ It is time that this generation collectively turns its full attention to efficiently and effectively fight the injustices of this world—together.

¹⁰⁹ The Advocate's Handbook: A Blueprint for Building Your Advocacy Campaign, 2012

REFERENCES

Child Soldiers International. (2012). *Louder Than Words: An Agenda for Action to End State Use of Child Soldiers*. London, United Kingdom: Child Soldiers International

Economic Outlook, Sub-Saharan Africa. The World Bank. Retrieved from website:

<http://data.worldbank.org/region/SSA>

Elbadawi, I. and Sambanis, N. (2000). *Why Are There So Many Civil Wars in Africa?*

Understanding and Preventing Violent Conflict. Journal Of African Economies, 9(3), 244-269.

FAO, WFP and IFAD. (2012). *The State of Food Insecurity in the World 2012. Economic*

Growth is Necessary but Not Sufficient to Accelerate Reduction of Hunger and Malnutrition. Rome, FAO. Retrieved from website:

<http://www.fao.org/docrep/016/i3027e/i3027e.pdf>

FAO, IFAD and WFP. (2013). *The State of Food Insecurity in the World 2013.*

The Multiple Dimensions of Food Security. Rome, FAO. Retrieved from website:

<http://www.fao.org/docrep/018/i3434e/i3434e.pdf>

Federal Republic of Nigeria v Favour Anware Okwuede, UNODC No.: NGA009. (2009).

UNODC. Retrieved from website: [https://www.unodc.org/cld/case-law-](https://www.unodc.org/cld/case-law-doc/traffickingpersonscrimetype/nga/2009/federal_republic_of_nigeria_v._favour_anware_okwuede.html?tmpl=old#)

[doc/traffickingpersonscrimetype/nga/2009/federal_republic_of_nigeria_v._favour_anware_okwuede.html?tmpl=old#](https://www.unodc.org/cld/case-law-doc/traffickingpersonscrimetype/nga/2009/federal_republic_of_nigeria_v._favour_anware_okwuede.html?tmpl=old#)

George Hezron Mwakio v Republic, UNODC No.: KEN002. (2010). The University of Queensland Human Trafficking Working Group. Retrieved from website:
http://www.unodc.org/cld/case-law-doc/traffickingpersonscrimetype/ken/2010/george_hezron_mwakio_v_republic_.html?tmpl=old

International Food Policy Research Institute. (2013). *2013 Global Hunger Index: The Challenge of Hunger: Building Resilience to Achieve Food and Nutrition Security*. Retrieved from website: <http://www.ifpri.org/sites/default/files/publications/ghi13.pdf>

International Food Policy Research Institute. (2009). *Climate Change: Impact on Agriculture and Costs of Adaptation*. Retrieved from website:
<http://www.ifpri.org/publication/impact-climate-change-agriculture-factsheet-saharan-africa>

International Justice Mission. (2012). *The Advocate's Handbook: A Blueprint for Building Your Advocacy Campaign*. Retrieved from website: <http://www.ijm.org/files/justice-campaigns/IJM-Advocates-Handbook.pdf>

K.K.R. v. Republic, UNODC No.: KEN001. (2010). The University of Queensland Human Trafficking Working Group and White & Case LLP. Retrieved from website:
http://www.unodc.org/cld/case-law-doc/traffickingpersonscrimetype/ken/2010/k.k.r._v._republic.html?tmpl=old

Muiambo and Mahvahve, UNODC: MOZ001. (2010). UNODC. Retrieved from website:
http://www.unodc.org/cld/case-law-doc/traffickingpersonscrimetype/moz/2010/muiambo_and_mahvahve.html?tmpl=old

Poverty & Equity, sub-Saharan Africa. The World Bank. Retrieved from website:

<http://povertydata.worldbank.org/poverty/region/SSA>

The Protection Project, The Johns Hopkins University, The Paul H. Nitze School of Advanced International Studies. (2013). *The Protection Project Review of the Trafficking in Persons Report*. Retrieved from website: <http://www.protectionproject.org/wp-content/uploads/2013/07/TPP-Review-of-TIP-Report-2013-Final.pdf>

Thurow, R., & Kilman, S. (2009). *Enough: Why the World's Poorest Starve in an Age of Plenty*. New York: Public Affairs, c2009.

United Nations. (2013). *The Millennium Development Goals Report 2013*. New York: United Nations Publishing Company.

United Nations, Office on Drugs and Crime. (2012). *Global Report on Trafficking in Persons 2012*. Retrieved from website: http://www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf

United Nations, Office on Drugs and Crime, Vienna. (2008). *UN.GIFT Human Trafficking: An Overview*. Vienna, Austria: United Nations.

United States Agency for International Development, Global Hunger and Food Security Initiative. (2011). *Feed the Future: Kenya FY 2011-2015 Multi-Year Strategy*. Retrieved from website: Feedthefuture.Gov

United States Agency for International Development, Global Hunger and Food Security Initiative. (2011). *Feed the Future: Mali FY 2011-2015 Multi-Year Strategy*. Retrieved from website: Feedthefuture.Gov

- United States Agency for International Development, Global Hunger and Food Security Initiative. (2013). *Feed the Future Progress Report 2013*. Retrieved from website: FeedtheFuture.Gov
- United States Agency for International Development. (2012). *USAID Counter-Trafficking in Persons Policy*. Retrieved from website: http://pdf.usaid.gov/pdf_docs/PDACT111.pdf
- United States Department of State, (2000). *Victims of Trafficking and Violence Protection Act of 2000* (H.R.3244). Washington, D.C. Retrieved from website: <http://www.state.gov/documents/organization/10492.pdf>
- United States Department of State, Office to Monitor and Combat Trafficking in Persons. (2002). *Trafficking in Persons Report 2002*. Washington D.C.
- United States Department of State, Office to Combat and Monitor Trafficking in Persons. (2013). *Trafficking in Persons Report 2013*. Washington, D.C.
- United States Department of State, Office to Monitor and Combat Trafficking in Persons. (2013). *Victim Identification: The First Step in Stopping Modern Slavery*. Retrieved from <http://www.state.gov/j/tip/rls/tiprpt/2013/210542.htm>
- Walk Free Foundation. (2013). *The Global Slavery Index 2013*. Australia: Walk Free Foundation. Retrieved from website: <http://www.globalslaveryindex.org>
- War Child International. (2013). *Child Soldier: Some Words Don't Belong Together*. Retrieved from website: <http://www.warchild.org.uk/issues/child-soldiers>
- World Bank. (2013). *World Development Indicators 2013*. Washington, DC. Retrieved from website: <http://databank.worldbank.org/data/download/WDI-2013-ebook.pdf>