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## RESEARCH ARTICLE

# Conflict and Migration: From Consensual Movement to Exploitation

Sasha Jespersen

Globally, the response to human trafficking has moved up the political agenda. The prime minister of the United Kingdom has referred to it as “the greatest human rights issue of our time”, which demands a response outside the constraints of politics. This is particularly the case in relation to conflict, where an additional urgency arises from people being forced into sexual slavery or combat. However, even in these contexts, political agendas are not abandoned and the response to trafficking comes second to other priorities, such as combatting violent extremism. The result is initiatives that don’t directly engage with the problem, and are thus not appropriately targeted. This article discusses the motives that have brought human trafficking in conflict to the attention of the United Nations Security Council (UNSC). By developing a typology of the different forms of trafficking present in conflict-affected contexts, it calls for a more nuanced response that engages with the dynamics of trafficking.

In December 2016, after an open debate, the United Nations Security Council (UNSC) adopted resolution 2331 condemning human trafficking in conflict. This is a laudable response to what has been described as “the greatest human rights issue of our time” and a “crime against humanity” (Davies 2014; May 2016). The open debate before the resolution was passed was one of the liveliest, with more than 70 speakers making statements (UN 2016a). The resultant emphasis on human trafficking in conflict will undoubtedly benefit those vulnerable to trafficking. However, the timing of the resolution and its focus on violent extremist groups raises questions on the motives of member states – is this a move to protect potential victims or another tool to tackle

violent extremism? Both of these activities are important in the current climate, but by merging them the focus becomes on a particular type of human trafficking, while failing to acknowledge other forms of exploitation common in conflict-affected states that fit the definition of human trafficking. The risk is that energy is focused on pursuing perpetrators of human trafficking as defined by the resolution, not those involved in other forms of exploitation. This article sets out a typology of human trafficking in conflict and calls for a broader response.

## A Question of Motives

With the UN Security Council adopting resolution 2331 in December 2016, the link between human trafficking and conflict has gained widespread recognition and calls for action. The timing of the resolution was pertinent – it was a strong statement against the

practices of the Islamic State of Iraq and the Levant (ISIL)<sup>1</sup> primarily, but also other violent extremist groups, such as Boko Haram, Al Shabaab and the Lord's Resistance Army.

The kidnap, sale and trade in persons by ISIL, particularly Yazidi's and other minority groups, has been condemned by the UN Special Representative on sexual violence in conflict (UN 2016b). However, the use of sexual slavery in conflict is not unprecedented. The most prominent case is the use of 'comfort women' by the Japanese military during World War II. These previous cases suggest that there is more at play regarding the current attention to human trafficking and conflict. Aside from condemning practices of slavery, the resolution also denounces ISIL and its practices, along with those of other violent extremist or terrorist groups. This is evident throughout the resolution, particularly as it references human trafficking as an "instrument to increase [ISIL's] finances and their power through recruitment and the destruction of communities" (UN 2016c).

The combination of human trafficking and other priorities is not dissimilar to the drafting of the Protocol to Prevent, Suppress and Punish Trafficking in Persons. Kotiswaran (2017: 3) highlights that although human trafficking, primarily in the form of sex trafficking, had long been addressed by states "this traditional concern converged with several developed states' interests in stemming illegal international labour migration to create a criminal law regime against "trafficking". Although the Protocol focused on preventing and punishing trafficking as well as protecting victims, the language related to criminality is more positive, whereas states should "endeavour to" ensure protection "to the extent possible" (UN 2000).

Similarly, in the UNSC resolution, protecting victims comes fourth in the call to member states after the ratification of international instruments on human trafficking; action to prevent, criminalise, investigate, prosecute and ensure accountability of those engaged in trafficking of persons; and the

investigation, disruption and dismantling of networks involved in trafficking (UN 2016c). The investigation and disruption of criminal actors is much easier for state parties to do, particularly as victim support can be lengthy and expensive. But in this context, it emphasises the importance of undermining the value of human trafficking to violent extremist groups. The result is a security-focused approach that targets the groups responsible.

Regardless of the emphasis on the security aspects of human trafficking by UN member states, several organisations have responded with enthusiasm, providing recommendations to the UN on how to respond. UN University in partnership with the Permanent Missions of the UK and Liechtenstein to the UN, organised a workshop to identify ideas for action from the Security Council (UNU 2016). The Freedom Fund also released a report with recommendations for the Security Council (Freedom Fund 2016). Both of these reports were released prior to the open debate and the adoption of the resolution. Both reports engage with high level strategies, such as the ratification of conventions and the pursuit of networks and financial flows. However, they approach the issue from different angles, engaging with the exploitation that arises as a result of human trafficking.

The Freedom Fund identifies human trafficking in conflict as one of the worst forms of exploitation, and highlights the "danger that the high-level discussions in international capitals will fail to translate into real protection and accountability for the most vulnerable" (Freedom Fund 2016: 20). This reiterates the need for protection of, and support for victims of trafficking.

While the Freedom Fund seeks to shift the emphasis back to those being trafficked, the debate has focused on human trafficking in conflict as a singular phenomenon. Even if the focus moves onto victims, the result will likely be a singular response. Human trafficking, and particularly human trafficking in conflict-affected areas encompasses a wide

variation in the dynamics of trafficking. This article seeks to unpack the different forms of trafficking present in conflict-affected contexts, developing a typology of human trafficking.

Some organisations advocating for action on human trafficking have already identified different categories. For instance, UN University disaggregates between human trafficking within and into conflict-affected areas, child recruitment, and human trafficking from conflict-affected areas (UNU 2016). This article seeks to go further, deepening the analysis on the form of exploitation and the level of agency of trafficking victims. Only by understanding the nuances of different forms of trafficking can action responding to it be targeted.

## A Typology of Slavery

Because the drivers of each form of slavery are multi-faceted, any response needs to engage with the specific of that type of slavery, as well as the different drivers. The forms of exploitation that are present in conflict have varying levels of control, agency and exploitation, and different perpetrators. The nature of conflict also changes the dynamics of agency, with many individuals willing to take risks that may result in their exploitation to escape an even worse reality. These nuances mean that the same strategy is not applicable to all forms of exploitation. The table below sketches out a typology of human trafficking in conflict, breaking down the different elements of each form. Each form is then discussed in more detail.

Type	Control	Agency	Exploitation	Perpetrators
<b>Migration away from conflict/political violence</b>	Migrants rely on smugglers/traffickers for their transportation, and experience varied levels of control.	Choose to travel, but vulnerable because of irregular status.	Extortion Sexual abuse Forced/exploitative labour Organ harvesting.	Network of smugglers, traffickers. Host communities.
<b>Sex trafficking into conflict</b>	Held in secure locations, difficult to leave.	Some may be openly recruited, others deceived with false offers of employment.	Sexual abuse, forced sexual exploitation.	Trafficking networks; UN missions; soldiers.
<b>Trafficking from refugee/IDP camps</b>	Varies – often held in secure locations in destination, such as brothels. Risk of debt bondage.	Desperate to leave – often deception/false offers of employment.	End up in exploitative labour/forced sexual exploitation.	Trafficking network.
<b>Kidnapping to sell</b>	Held by armed groups and sold on.	Kidnapped.	May be abused by armed groups. When sold treated as slaves.	Armed groups.
<b>Kidnapping for forced labour/ combat</b>	Held by armed groups. Violent initiation that ties to group. Threats if attempt to leave.	Kidnapped. Some handed over by families for survival or out of fear.	Forced labour – porters, cooks etc. Child soldiers.	Armed groups.

(contd.)

Type	Control	Agency	Exploitation	Perpetrators
<b>Kidnapping for sexual slavery</b>	Held by armed groups. Threats if attempt to leave.	Kidnapped.	Sexual slavery.	Armed groups (targeting of particular groups, e.g. Yazidi, Christian as tactic of war).
<b>Forced/ underage marriage</b>	Can be tantamount to handing over ownership.	Family see as form of protection. Cultural practice.	Sexual abuse; limitations on freedom; 'menace of penalty' if not behaving appropriately.	Families.

Human trafficking is complex, multifaceted and strongly tied to broader migratory flows. People smuggling has become a lucrative trade for organised crime groups moving people to safety. However, the involvement of organised crime groups has blurred the division between consensual, often paid for, irregular migration which exists at one end of a spectrum, and coercive or exploitative migration linked to human trafficking and slavery, which exists at the other. While conflict is pushing people into migration, migration is also creating tensions at migratory hubs, which makes migrants vulnerable to exploitation. The result is that individuals move in and out of categories linked to human trafficking or people smuggling as they move from their country of origin to their destination. The blurred distinctions between different categories is discussed below, considering the linkage with conflict – whether conflict is a push factor, a result of migration flows, or a hub of exploitative practices. The exploitative and coercive end of the migratory spectrum will be probed in more depth, looking at the implications for victims of trafficking or exploitation and how the current response to migration responds to their needs.

**Conflict as a Driver for Migration**

Although not the sole driver, conflict and political violence are widely recognised as a major factor in migratory flows, particularly

in the main migratory routes into Europe over recent years. During 2017, the top ten countries of origin for irregular arrivals into Europe via the Mediterranean were Syria, Nigeria, Guinea, Cote D'Ivoire, Morocco, Bangladesh, Gambia, Mali, Iraq and Algeria (UNHCR 2018).

Migration flows into Europe from West Africa are less affected by conflict and political violence. These flows tend to be dominated by economic migrants and trafficking victims. The distinction between these is blurred; economic migration can be exploitative, and migrants are engaging in 'survival sex' and other activities to fund their journey. Also, while migration may appear to be driven by economic factors, there are often multiple drivers involved – some of which are linked to structural violence.

While some people are fleeing instability, such as the conflicts in northeast Nigeria and northern Mali, this is not the majority. For example, trafficking from Nigeria primarily originates in Edo State in southern Nigeria, with women and girls recruited into sex work in Italy, Spain and other European countries. In contrast, although East Africa has some economic migration, the primary source has been Eritrea, where young men are avoiding conscription and political violence. The majority of recent flows however, originated in Syria, which remains the highest source of migration arising from people fleeing conflict.

Schmidt (2016) predicts that the balance between conflict and political violence or economic and environmental migration is likely to change as a result of climate change and globalisation. For instance, some predictions suggest that the Nigerian population will increase from 180 million to over 300 million by 2050, and the country is already facing serious economic and environmental pressures (UN 2017). As this pressure increases, more people are likely to find a way out. But conflict remains a major driver.

A deeper look at the regions feeding migration reveals that the role of conflict and political violence is likely to worsen. Although the relationship between the Ethiopian and Eritrean governments has normalised since late 2018, with forced conscription in Eritrea officially ended, political instability in Sudan has increased outward flows, and conflict in South Sudan has worsened.

Insurgency in Northern Nigeria continues despite government pronouncements that Boko Haram has been pushed back. Military campaigns in 2015 and 2016 had some success, but there was a resurgence of attacks in 2018 as a new faction – Islamic State West Africa Province – gained prominence (Maclean 2018). This has affected neighbouring countries, including Chad and Cameroon as well as North-eastern Nigeria (Reuters 2019). Violence also continues in Mali; conflict escalated throughout 2018 with hundreds of civilians killed, and violence spilling into neighbouring countries. In March 2019, over 157 Fulani villagers were killed in a massacre in Mopti; attacks have continued, with two attacks killing 18 civilians at the beginning of May 2019 (Reuters 2019).

This is not even considering Syria or Afghanistan, where people continue to leave. Despite several ceasefire attempts in Syria, 2017 was still particularly violent, with some estimates putting the death toll at 10,204 (SN4HR 2018). The first half of 2017 was also deadly in Afghanistan, with the highest rate of civilian deaths since the war began (Rasmussen 2017). In response, many civilians continue to seek safety elsewhere.

### **What does this have to do with human trafficking?**

People have always fled conflict. The *UNHCR Global Trends Report 2015* revealed that over the last 20 years, displacement has consistently been above 30 million people each year (UNHCR 2016). The majority of these are displaced internally, but the numbers seeking refuge in other countries has rarely dipped below 15 million per year (UNHCR 2016). However, the number of displaced persons has continued to rise, reaching a peak in 2016/17 of 65.6 million people forcibly displaced (UNHCR 2017).

With that many people on the move, the risk of exploitation also increases. Since the European migration crisis began in 2014, there have been numerous stories of ‘humanitarian smugglers’. Farrell (2015) interviewed Abu Rabih in Izmir, Turkey, where he charges US\$ 1200 to transport migrants to Greece. A Palestinian-Syrian, who left his life as a trader in Damascus because of the war, Rabih collects money from migrants and coordinates their lodging and transport from a beach near Izmir in rubber dinghies to Lesbos.

Rabih himself makes US\$200 per person, with the remainder paying for the vessel, engine, various middle men including bus drivers, low level smugglers and translators, and higher-level Turkish mafia networks that pay off law enforcement to keep the police away from the beaches (Global Initiative 2015). Although Rabih sees his role as humanitarian – assisting refugees in getting to their desired destination – the increasing role of organised crime networks higher up the chain has become increasingly prominent given the amount of money that can be made. Although some migrants are able to pay, or work until they can, some groups engage in further exploitation to maximise their profits.

Many people pay for their journey as they move from one segment to the next, seeking to work along the way to raise money for the next segment. This makes them vulnerable to exploitation, as irregular migrants they have few avenues for recourse if something

goes wrong. There are numerous reports of migrants engaging in survival sex, which has been documented in many transit countries, from Niger to Greece.

Another trend that has emerged is organ harvesting. An Eritrean smuggler that became a state witness revealed that migrants unable to pay for their journey were sold for €15,000 to Egyptian groups that removed and sold organs (Williams 2016). This has been substantiated by the discovery of mass graves in the Sinai.

Although trafficking in the Sinai has decreased following a crackdown by Egyptian authorities, organ harvesting continues. There are also reports from law enforcement that smugglers increase the price once migrants reach Libya, offering organ harvesting as a way to pay the difference if their families can't send additional funds.<sup>2</sup> This is not limited to people fleeing conflict.

From the Horn of Africa, many migrants have also worked in gold mines in Sudan, Chad and Libya to pay for their journey. They have very little control over the conditions they are working in, and may become further indebted to their 'employer' if they are provided with food and accommodation, but do not find any gold (Molenaar, Tubiana and Warin 2018).

In West Africa, Agadez in Niger has long been a migration hub, with migrants from all over the region passing through on their way to the Mediterranean coast. A long-standing industry of transportation and hotels has been created to service these flows. However, the rule of law vacuum that has opened in Libya creates many more risks for migrants. From Agadez, if migrants can't pay for the next leg of their journey, they are transported as cargo, with many reports that they are sold once in Libya (Graham-Harrison 2017). Even for those that have paid, there is no guarantee that their smugglers will not also sell them for extra cash, and because they are travelling illegally once they cross the Libyan border, there is no avenue for recourse.

Migration, particularly that driven by conflict and political violence — where people need to leave when they can, not when they have enough resources — places them at risk of exploitation at the hand of organised crime groups. These forms of exploitation begin to fit into definitions of trafficking, even though the migrants are willing, because of the deception and exploitation involved. But these types of exploitation are rarely considered in discussions of conflict and human trafficking.

### **Conflict making people Vulnerable to Trafficking**

The forms of exploitation discussed so far have been indirect to conflict, but a result of people fleeing conflict. Conflict also makes people vulnerable to trafficking — both into, and away from conflict zones.

The Bosnian war was notorious for women being trafficked into a war zone for sexual exploitation (see Mendelson 2005; HRW 2002; Smith and Miller-de la Cuesta 2011). Although there were never any prosecutions, girls from Romania, Ukraine, Moldova and other Eastern European countries were brought in to service the UN and military bases as sex slaves. Cases that were investigated by the International Police Taskforce involved officers from the US, Pakistan, Germany, Romania, Ukraine, government officials and criminal groups. Investigations were blocked, suspects were removed from missions and transferred, and victims were returned to their home countries.

At the time, "human trafficking" was not a widely used term. The majority of officers thought the women were merely prostitutes, but many had been trafficked for that purpose. This was not an isolated case. A number of UN missions came under scrutiny, including those in Sierra Leone and Uganda. Save the Children released a report in 2006 on UN peacekeepers in Liberia who had exchanged food for sex with girls aged 8 to 18 years (Washington Times 2006).

In the 1990s and early 2000s there was a surge of UN missions in conflict-affected states; training was often inadequate and

procedures weren't in place to ensure due process. However, sexual exploitation by UN missions continues to this day despite the negative coverage. In 2016, MINUSCA, the UN mission in Central African Republic came under scrutiny for sexual abuse. For example, officers involved in a mission focused on the protection of civilians were accused of abusing 108 women and children in one province between 2013 and 2015 (Benn 2016).

Although a number of procedures have been put in place to prevent abuse and punish those involved, MINUSCA revealed that UN missions continue to make civilians vulnerable to exploitation, particularly sexual abuse.

Women and children in refugee and IDP (Internally Displaced Persons) camps are also susceptible to human traffickers. Often at risk of, or subject to abuse in camps, offers of 'employment' elsewhere are very attractive. Although Benin City is renowned as the hub for human trafficking from Nigeria, there are reports of recruitment also occurring in Maiduguri (Vanguard 2017). Many women and girls have already been engaging in survival sex to support themselves. They are aware that the employment in Italy is likely to be sex work, but it is preferable to the uncertainty of the region, and they believe they can use it as a jumping off point to something else.

### **Conflict groups facilitating human trafficking**

Conflict groups have also directly contributed to human trafficking. Many conflict groups, particularly those engaged in kidnapping, have indicated plans to sell their captives on. For instance, following the kidnapping of over 200 girls from Chibok in northern Nigeria, in a video released online the leader of Boko Haram, Abubakar Shekau, threatened to sell the girls, tapping into the existing human trafficking network that operates from Nigeria (BBC 2014). However, as a number of the girls have since been freed or have escaped, there is no evidence

that this happened. Many of the girls have been forced into slavery, which is discussed below.

For ISIL, women and girls who are held as sex slaves are transported to different countries in the region. There are also cases where captured women and girls have been returned to their families in exchange for payment (UN 2016b). Although this is punishable by death, fighters have sold on their slaves. The UN reports that ISIL received US\$850,000 from Yazidi families in exchange for 200 women and girls that had been kidnapped, with estimates for 2014 ranging from 35 to 45 million dollars (UN 2016b).

### **Conflict groups engaging in slavery**

Direct involvement in slavery by conflict groups has become the most common link between conflict and human trafficking, and the primary focus of the UN Security Council resolution. This is most widely recognised in terms of forced recruitment of children – whether as soldiers, porters, cooks, lookouts or sexual slaves. Conflicts in the 1990s and 2000s were notorious for the use of child soldiers, particularly Sierra Leone, Liberia and also the Lord's Resistance Army in Uganda, which was publicised by the Invisible Children campaign.

The use of child soldiers continues, but it has changed somewhat. Conflict has shifted away from civil wars to violent extremism, where children continue to play a key role. Horgan and Bloom (2016) have documented the involvement of children in ISIL – from watching beheadings, training for combat, distributing weapons, and carrying out executions. These children belong to foreigners joining ISIL or supportive locals, but they also include runaways, abandoned children from nearby orphanages and those taken by force from their parents.

The difference here from earlier child soldiers is the ideological drivers of violent extremist groups means that parents often consent to their children's involvement. This may be influenced by the pressures of war,



such as the need to survive, but it means it's less coercive than earlier conflict groups that primarily kidnapped children. Forced recruitment of children still occurs, but there are many other recruitment methods also, and this is not limited to non-state armed groups. Ten national governments conscript youth into their national armies – Chad, Cote D'Ivoire, DRC, Libya, Myanmar, Somalia, South Sudan, Sudan, the UK and Yemen (Bloom 2015).

Another form of slavery arises from the use of women and girls as sex slaves. This is not new either. As discussed earlier, in World War II Japanese forces established 'comfort stations' in occupied territories with women and girls abducted or falsely recruited to be factory workers or nurses and forced to work as prostitutes. The stated aim was to comfort soldiers, prevent rape and avoid espionage. However, comfort stations were violent and coercive (Horn 1997). Enloe (2000) also discusses the intersection of military bases and prostitution, and the line between purchasing and coercing, which is sometimes blurred.

More recently, however, conflict groups have been targeting particular groups, part of a strategy that resembles the use of rape as a weapon of war. It degrades a segment of the population and contributes to genocide. ISIL has targeted Yazidi women and girls, which has been considered part of a genocidal strategy by the UN Human Rights Council, with over 3200 women and children held by the group. A report presented to the Human Rights Council records how organised slavery is within ISIL:

Captured Yazidi women and girls are deemed property of ISIL and are openly termed *sabaya* or slaves. ISIL made eighty percent of the women and girls available to its fighters for individual purchase, the apportioning being drawn directly from religious interpretation. ISIL sells Yazidi women and girls in slave markets, or *souk sabaya*, or as individual purchases to

fighters who come to the holding centres. In some instances, an ISIL fighter might buy a group of Yazidi females in order to take them into rural areas without slave markets where he could sell them individually at a higher price. The remaining twenty percent are held as collective property of ISIL and were distributed in groups to military bases throughout Iraq and Syria (UN HRC 2016).

Slave markets are organised by the Committee for the Buying and Selling of Slaves; information about how to participate in ISIL-run slave auctions is circulated to ISIL combatants, and ISIL troops who control slaves receive a US\$50 stipend per week (UNU 2016).

### **Forced Marriage and Underage Marriage**

Related to the use of (mostly) women and girls as sex slaves, some conflict groups have forced these slaves into marriage. In a similar strategy to ISIL, Boko Haram targeted Christian women and girls, kidnapping 276 school girls from Chibok in 2014. Many of these girls were forced to marry Boko Haram militants. There is reportedly a slave hierarchy, where those that refuse to marry become slaves of enslaved wives (UNU 2016).

This is not the only form of under-age marriage. Nine of the top 10 countries with the highest rates of child marriage are fragile states. Anti-Slavery International has found that the levels of abuse, exploitation and control experienced by children through early marriage often meet international legal definitions of slavery and slavery-like practices, such as forced labour and trafficking. This is particularly the case when employed by conflict groups, such as when girls are sold to become wives, or kidnapped to be sex slaves, which has been the case for both Boko Haram and ISIL. In these cases, there are clear indicators around ownership, exploitation and the limitations of freedom that have a clear link to the definition of slavery.

In other situations, the link is less clear cut. In some instances, families agree to early marriage as a form of protection – the need to protect girls from rape, pregnancy outside of marriage, influence from other communities and poverty. This is particularly relevant in situations of conflict and fragility, where girls are vulnerable. While this still results in human rights violations, differences arise in the girl's control over or ability to leave the relationship. In some cases, the agreement of the family for their child to marry is tantamount to handing over ownership, allowing exploitation and limitations on the child's freedom, and there may be the 'menace of penalty' if they do not conduct themselves accordingly, through the use or threat of violence. However, this is not always the case.

Overall, child and early marriage can constitute a form of modern slavery, but not in every case. It is always a human rights violation, but differences in the dynamics of ownership, exploitation and limitations on the child's freedom affect whether or not it is considered slavery.

### **Only Engaging with Specific Forms**

The discussion of the typology of human trafficking in conflict highlights the varied forms of exploitation, but also how different strategies would be required to target the diverse perpetrators. However, as discussed earlier, the UNSC resolution focuses on a particular form of human trafficking in conflict. This arises from how human trafficking is defined by member states.

Currently, human trafficking and modern slavery are used somewhat interchangeably.<sup>3</sup> In the UK, modern slavery has been adopted as an umbrella term to cover slavery, servitude, forced and compulsory labour and human trafficking. The Home Office states that "traffickers and slave drivers coerce, deceive and force individuals against their will into a life of abuse, servitude and inhumane treatment" (HMG 2015). The use of this term focuses on the practice of keeping someone in slave-like conditions, which suggests a

victim-centred approach. However, in reality the emphasis remains on the 'slavers', those perpetrating the exploitation.

The US State Department, which uses "trafficking in persons" as their umbrella term, claims that

human trafficking can include, but does not require, movement. People may be considered trafficking victims regardless of whether they were born into a state of servitude, were exploited in their home town, were transported to the exploitative situation, previously consented to work for a trafficker, or participated in a crime as a direct result of being trafficked. At the heart of this phenomenon is the traffickers' aim to exploit and enslave their victims and the myriad coercive and deceptive practices they use to do so (US 2018).

Accordingly, the emphasis is primarily on the 'means' of trafficking, rather than the 'end' result, which is the exploitation. Specific forms of trafficking discussed above, such as organ trafficking and forced marriage are also excluded from the definition.

For the UN Protocol,

"Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

It goes on to state that "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” (UN 2000). The consent of the trafficking victim is considered irrelevant when any of the means set out above have been used.

All of these definitions focus on the perpetrator. They constitute human trafficking as a crime that has a clear victim and a clear perpetrator. While that may be the case for instances of exploitation by armed groups, where there is a clear motive to exploit particular groups, it is not for the other forms of exploitation set out in the typology. For those forms of exploitation that are clear cut, the response is much more closely aligned with the response to violent extremism and even organised crime — a response that relies almost exclusively on security strategies.

The complications raised by agency and the lack of a clear perpetrator creates a challenge for policymakers, as the entry points for intervention are not as clear cut as when there is a clear security response. But the result is a deprioritisation of other forms of exploitation, and lack of focus on prevention and protection.

Exploitation is inherent in conflict, particularly contemporary wars which target civilians through sporadic attacks. As conflict actors increasingly engage in illicit activity to fund their activities, there is crossover with organised crime, including human trafficking, people smuggling and slavery. This is seen as particularly troubling when violent extremist groups are involved.

However, the problem with focusing on exploitation is it removes the agency of trafficking victims. O’Connell Davidson (2017: 159–60) points out that the core difference between the historical transatlantic slave trade and modern slavery is that those considered trafficking victims “invariably want to move, and generally have excellent reasons for wishing to do so”, citing research on debt-financed migration/debt bondage depending on the viewpoint, where migrants know the risks, but consider the potential benefits worthwhile. Reitano (2017) also questions the focus on exploitation, as in many African countries, what is labelled human trafficking

is “simply a quest for a better life” and “often what the international community labels as human trafficking are in fact locally acceptable labour practices that offer the only meaningful employment available”. This creates an overlap with people smuggling.

The complications raised by agency and the lack of a clear perpetrator creates a challenge for policymakers, as the entry points for intervention are not as clear cut as when there is a clear security response. But the result is a deprioritisation of the categories discussed above, and lack of focus on prevention and protection.

## Conclusion

The relationship between conflict and human trafficking is complex. Conflict and political violence remain key drivers for migration. There is more agency at this end of the migration spectrum. Even though people are forced to flee, they are not coerced into it. However, they are still vulnerable to exploitation, particularly as organised crime groups have become more involved. Moving along the spectrum to human trafficking and slavery, agency decreases with a corresponding increase in the risk of exploitation. This is an obvious point. But in the current context, it raises two challenges with the approach taken by the UNSC resolution.

First, non-state armed groups are often disrespectful of international law. If they can ever be identified as obeying international law, groups defined as violent extremist make a concerted effort to undermine it (Bargerter 2011). While international legal strategies may have some value post-conflict, when leaders of armed groups may be brought to justice, this does nothing to stop exploitation occurring.

Second, although practices like the use of child soldiers and sex slaves are not new, their use is qualitatively different and unashamed. Rather than being a utilitarian strategy to increase the size of the armed force or reward soldiers, they have now become a tactic of war, not dissimilar to how rape came to be recognised as a weapon of war. While the

focus of the UNSC resolution seeks to hold accountable those who perpetrate these acts, more focus is required on protection and prevention to stop it from happening.

The use of these practices by violent extremist groups is also only one part of the problem of human trafficking in conflict, but it is the most straightforward for identifying a response. However, other practices, including those set out in the typology above also need to be factored into the responses of member states. Although they may not equate to the same level of exploitation, they still represent a violation of human rights and deserve equal attention. The challenge is the agency of the 'victim' means the identification of a clear perpetrator undermines strategies that engage at that level. What is needed are strategies to protect people on the move, to prevent them from being exploited, and to undermine the enabling environment that encourages people to exploit those that are vulnerable.

## Notes

- <sup>1</sup> Also referred to as Da'esh, this article adopts the language used in the UNSC Resolution.
- <sup>2</sup> Interview, Addis Ababa, August 2016.
- <sup>3</sup> In this article, human trafficking is used because of the terminology used in the Security Council debate and resolution, which sparked the content.

## Competing Interests

The author has no competing interests to declare.

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