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What is This?

Pathologies of Security Governance: Efforts Against Human Trafficking in Europe

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The trafficking of women and girls for the purpose of sexual exploitation has reportedly been booming in Europe since the 1990s. Governments, international organizations, and private actors have addressed the causes and consequences of sex trafficking in various ways. This article shows that the concept of security governance helps to understand efforts against human trafficking and their shortcomings. The anti-trafficking security governance system consists of five approaches: legal measures, prosecution, protection, prevention in countries of origin, and prevention in countries of destination. Although progress has been made, the security governance system is marked by several pathologies, especially a lack of programs that prevent trafficking in countries of origin and destination, insufficient protection for trafficked persons, and deficient networks bringing together the various actors involved in anti-trafficking. To make governance against human trafficking more effective, efficient, and just, the security governance system must be better balanced and networked.

Keywords human trafficking • governance • European security • crime • networks • Southeast Europe

Introduction

HUMAN TRAFFICKING ranks high on the European security agenda. Over recent years, the link between human trafficking and organized crime, fears over illegal migration, and the violent nature of trafficking have caused significant concern among policymakers and the public. This article examines strategies against human trafficking. It focuses on the trafficking of women and girls for the purpose of sexual exploitation, which has been at the center of the debate over trafficking. Human trafficking also encompasses the trafficking of men and boys for sexual exploitation, the

trafficking of males and females for labor exploitation, the 'mail-order bride' business, the trade in children offered for adoption, and the illicit trade in human organs.

This article conceptualizes efforts against sex trafficking and explains their shortcomings. The concept of security governance offers valuable insights. The first part of the article describes human trafficking and counter-efforts. The second part underlines the usefulness of the concept of security governance for analyzing counter-efforts. The third part shows that anti-trafficking efforts have evolved into a system of security governance that consists of five approaches: legal measures, prosecution, protection, prevention in countries of origin, and prevention in countries of destination. The fourth part underlines the pathologies of security governance that have hampered action against trafficking. The geographic focus is on Southeast Europe, a prominent region of origin and destination, and the European Union (EU), where many trafficked people arrive.

Human Trafficking and Counter-Efforts

The UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children was signed in December 2000 in Palermo, Italy, and entered into effect in December 2003. According to the Protocol,

> 'Trafficking in persons' shall mean the recruitment, transportation, transfer, harboring, 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 labor or services, slavery or practices similar to slavery, servitude or the removal of organs.[1]

The Protocol also stipulates that the 'consent of the victim of trafficking in persons to the intended exploitation set forth in paragraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (b) have been used'. A distinction is often made between human smuggling and human trafficking. The latter implies a more permanent relationship between trafficker and trafficked person and higher risks of deception and abuse than the former. In reality, of course, there are varying degrees of consent, and the distinction between smuggling and trafficking is not clearcut.

Over recent years, there have been numerous, and often sensationalist, reports on sex trafficking. Observers who describe trafficking as a modern slave trade (see, for example, Masci, 2004) tell stories of psychological and

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[1] See http://untreaty.un.org/English/notpubl/18-12-a.E.doc.

physical torture, rape, drugging, and murder. Such representations present trafficking predominantly as an organized-crime problem, neglect the social and economic conditions that lead women to migrate, and overemphasize the naïvité of 'sex slaves'. The anti-trafficking campaign has strong moralistic undertones and has been instrumentalized by a conservative Christian-feminist coalition in the United States whose aim is to abolish all forms of prostitution (for critiques, see Berman, 2003; Soderlund, 2005). Nevertheless, it is is true that many women work as prostitutes in brothels and private apartments, 'entertainers' in bars, and 'actors' in pornography films under appalling conditions.

Trafficked people generally come from places where economic and social difficulties make migration a popular choice. Women are often recruited by strangers or acquaintaces (often women themselves) who promise well-paid jobs abroad. Many of those who accept the offer to migrate have their passports taken away and receive no income at all for their work in the sex industry, or are forced to work off bogus debts. While some women expect to work in the sex industry when taking their decision to migrate, few anticipate the violence and exploitation to which many trafficked persons are exposed.

Owing to the clandestine nature of human trafficking and the paucity of systematic empirical research (Laczko & Gramegna, 2003: 181), there are no precise figures, and figures that do exist vary. The US government estimates the number of people trafficked across borders at 600,000 to 800,000, of whom 80% are female and up to 50% minors (US Department of State, 2005: 6). Most victims are thought to work in the sex industry. It is estimated that human trafficking yields almost $10 billion in profits every year (US Department of State, 2005: 13–14). The International Labour Organization (2005: 10) reports that of the 12.3 million people in forced labour worldwide, 2.4 million are victims of trafficking, both internally and across borders. The industry generates annual profits of over $32 billion.

In Europe, the dimension of the problem is unclear as well. In 2003, the EU reported that Balkan criminal networks traffick around 200,000 women per year for the sex trade (Solana, 2003: 9). This figure is probably exaggerated. In Bosnia and Herzegovina, for example, only 66 people were registered as potential victims of trafficking in 2005 (State Coordinator, 2006: 30). Germany, Europe's main country of destination (UNHCR, 2005: 63), counted 642 trafficked persons for the same year (Bundeskriminalamt, 2006). To be sure, most trafficking cases go unnoticed, and perceptions about the scale of the problem vary significantly. To stay with the example of Bosnia, while the European Union Police Mission (EUPM) says that it is unlikely that a very high number of women and girls are trafficked within Bosnia, the International Organization for Migration (IOM) states that trafficking in the country has been pushed underground and that it is still a big industry.[2]

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[2] Author interviews with representatives of international organizations, Sarajevo, August 2006.

Uncertainties and exaggerations notwithstanding, the problem has been increasing in Europe since the end of the East–West conflict. The countries of the former Soviet Union, Central Europe, and Southeast Europe have become main regions of origin, transit, and also destination. Women from other world regions have been trafficked through Southeast Europe, and women from Southeast Europe, particularly from Albania, Bulgaria, Moldova, and Romania, have been trafficked to the EU. Moreover, internal trafficking in Southeast Europe has risen sharply as well. In Kosovo and Bosnia, the presence of tens of thousands of peacekeepers and other international staff has exacerbated human trafficking. The primary reason is that some 'internationals' have fueled the demand for commercial sexual services, and that some of the women providing these services have been trafficked. The response of countries contributing personnel for NATO and United Nations operations has initially been one of neglect and denial (Mendelson, 2005; Vandenberg, 2005: 73–74; author interview with a trafficking expert of medica mondiale, 27 October 2006, Zurich).

Over recent years, numerous actors have joined efforts against human trafficking. Besides governments, international organizations (IOs) formulate, promote, and implement anti-trafficking programs. UN agencies, NATO, the EU, the Organization for Security and Co-operation in Europe (OSCE), the Council of Europe, and others are active in anti-trafficking. Moreover, non-state actors are deeply involved. Numerous nongovernmental organizations (NGOs) promote and implement policies, and businesses participate as well.

Actors' motivations to 'fight' trafficking varies. Governments are primarily concerned about links between human trafficking and other forms of crime, such as money laundering, drug trafficking, the illegal weapons trade, and document forgery, as well as the risk of profits from human trafficking financing terrorist activities. These fears are exacerbated, particularly in wealthy countries, by concerns about illegal migration. Many NGOs, in contrast, emphasize that human trafficking is a serious human rights violation, and that a focus on organized crime and illegal migration is inappropriate. International organizations play a prominent role in anti-trafficking not least because of significant funding opportunities. The same holds true for many NGOs. Last, and as mentioned above, moral outrage about sexual slavery and/or prostitution has also contributed to pushing human trafficking onto the security agenda.

There has been an increase in research on human trafficking over recent years. Authors (see Stoecker & Shelley, 2005; Haynes, 2004) often combine description (how has human trafficking evolved, and which countermeasures have been adopted?) with prescription (how can countermeasures be improved?). Unfortunately, many authors present long lists of actors and activities and arbitrarily single out presumed policy weaknesses. In other words, research on counter-trafficking is under-theorized.

International relations (IR) research, on the other hand, has not applied its theoretical and conceptual tools to human trafficking. This reflects the problem for IR of coming to terms with illicit non-state activities, which are marked by complex non-linearity and a lack of data (Friesendorf, 2005). IR scholars who do theorize human trafficking focus on criticizing the predominance of law enforcement in counter-trafficking (Berman, 2003). More theoretically informed works are needed to illuminate changing political practices and to reveal the pathologies of seemingly benign action. Security governance is a particularly promising concept.

Security Governance and Human Trafficking

One remarkable trend in international security after the end of the East–West conflict has been the growing importance of non-state actors pursuing criminalized activities across national borders. During the East–West conflict, security practices and security debates focused on military issues negotiated among a relatively small number of decisionmakers. The trafficking of women, drugs, or diamonds is different. More individuals and groups are involved, there is a higher degree of transnationalism, and trade patterns are very complex. There are thousands of human traffickers operating independently, within relatively hierarchical groups, or as part of decentralized networks. These traffickers exploit tens or even hundreds of thousands of women and girls, often in cross-border operations that violate countries' sovereignty. The causes of human trafficking are multifaceted, and so are the consequences. Negotiating and implementing arms control agreements was (and is) not easy, but negotiating and implementing adequate responses to human trafficking is even more difficult.

How can efforts against human trafficking be conceptualized and their shortcomings explained? The concept of security governance is particularly useful. According to Elke Krahmann, who has played a central role in developing the concept, security governance relates to the emergence of governance in general: 'Governance denotes the structures and processes which enable a set of public and private actors to coordinate their independent needs and interests through the making and implementation of binding policy decisions in the absence of a central political authority' (Krahmann, 2003: 11).

This definition refers to two elements that characterize efforts against human trafficking: the limits of hierarchical government and the participation of private actors in governance. Traditional national hierarchical decisionmaking and implementation structures are unable to reduce the transnational trafficking of people or goods. To address human trafficking

and other illicit activities of non-state actors, governments have to step up transnational cooperation, work together with NGOs and private businesses, and act within and alongside international organizations. Efforts against human trafficking are thus a prime example of the paradigmatic shift from government to governance (Czempiel & Rosenau, 1992) and, more specifically, security governance. The functional need to address the various causes and consequences of human trafficking effectively, efficiently, and justly, as well as institutional and ideological dynamics (some of which were mentioned above), have led to the incremental creation of a complex security governance system against human trafficking.

But what are the criteria for successful security governance against criminalized activities such as human trafficking, with success defined in terms of crime reduction? It is not enough to say that anti-trafficking efforts must be non-hierarchical and include non-state actors. It is important to specify what replaces hierarchy, and how the public and private actors constituting a security governance system are interlinked.

Three criteria can be derived from the theoretical literature on governance and networks and the empirical literature examining past and present strategies against criminalized non-state activities. The first criterion pertains to the need for transnational cooperation among various actors; the second to the need for well-balanced governance arrangements reflecting the nature of the problem that is to be addressed; and the third to the need for networks among actors pursuing any one governance approach (such as transnational law enforcement networks), as well as networks between actors pursuing different approaches (such as networks between police and human rights NGOs).

First, for security governance to be successful, and for crime transgressing national borders to be reduced, states must intensively cooperate with one another. However, transnational governance is not about one unitary state cooperating with another unitary state. Rather, fostering flexible forms of governance requires states to disaggregate into their functionally differentiated parts, as emphasized by Anne-Marie Slaughter (2004). On criminal matters, police officials, border guards, customs officers, prosecutors, judges, and intelligence agents cooperate with their foreign counterparts. Police forces of various countries, for example, were already exchanging information during the 19th century and before. Since the end of the East–West conflict, and particularly after 9/11, transnational police cooperation has been intensifying dramatically (Andreas & Nadelmann, 2006).

The complexity, and indeed messiness, of security governance is further enhanced by the presence of international organizations, NGOs, and private businesses in governance arrangements. States, even when disaggregated, can only do so much against complex security problems. They must draw on the expertise and material resources of IOs and private actors (Caparini, 2006). Reducing the risk that violent conflict erupts or re-erupts hinges on a

stable economy, and thus on private investments. Private companies must therefore be drawn into conflict prevention, post-conflict reconstruction, and peacebuilding efforts (Wenger & Möckli, 2003). With regard to human trafficking, women's rights groups are better suited to support victims of trafficking than police forces, who know much more about arresting criminals than about the needs of trafficked persons.

The second of the three criteria for successful security governance identified above pertains to policy strategies (in contrast, criteria 1 and 3 pertain more to the institutional structure of the governance system).[3] Security governance must reflect the nature of the problem. The more complex the problem, the more multifaceted must be the governance system. If a problem is caused not only by the greed of criminals but also by poverty, the success of governance depends on poverty reduction. 'If governance is to be effective, it needs to be strategic. Any chance of real success requires an integrated comprehensive approach' (Williams & Baudin-O'Hayon, 2003: 142). Equally important, security governance must balance the different approaches constituting the governance system in order to ensure that the causes and consequences of a problem are properly addressed. 'Soft' policy elements must be more than tokens to prevent strategies from being overly repressive, and thus ineffective (for an analysis of unbalanced post-conflict reconstruction efforts, see Law, 2006).

The third criterion for successful security governance pertains to networks among and between actors constituting the governance system. Networks are core elements of security governance.[4] They are decentralized arrangements in which multiple actors (nodes) sharing an interest in a specific issue area are dispersed and loosely connected. Exchange can be formal and institutionalized, but is more often informal and voluntary (Eilstrup-Sangiovanni, 2005: 7; Krahmann, 2005: 25). Networks are often associated with 'dark networks' (Raab & Milward, 2003) – that is, illicit structures that benefit from new information technologies and other features of globalization. Human trafficking is largely a networked activity, with various trafficking groups reducing operational risks through decentralized action. Although the structure of trafficking networks differs, most lack a center of gravity, such as a boss that can be arrested. And, even if one network is dismantled, another one will replace it.

The networked structure of human trafficking forces governments to adopt flexible, functionally differentiated forms of cooperation themselves. 'It takes networks to fight networks' (Arquilla & Ronfeldt, 2001: 15). Anti-trafficking networks can have hierarchical features, as is the case when one government,

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[3] I thank a reviewer for suggesting the use of a distinction between institutional structure and policy strategy.
[4] Elke Krahmann (2005) argues that governance and network analyses pose and answer different questions. However, examining the achievements and shortcomings of anti-trafficking efforts necessitates looking both at the transformation of security policymaking (the governance aspect) and the relations and interactions between different actors constituting the governance system (the network aspect).

ministry, agency, NGO, or international organization takes the lead in addressing a specific cause or consequence of trafficking. However, horizontal networks are at least as important as vertical ones, if not more so, since they bring together a host of different actors operating across borders (Krahmann, 2005: 24) who would be generally unwilling to accept the lead of any one actor.

Indeed, for security governance to work, it is vital that there are networks not only *among* actors pursuing the same governance approach (such as police, border guards, and prosecutors, all of whom pursue a law enforcement and criminal justice approach), but also *between* actors pursuing different approaches (such as networks between the police focusing on the prosecution of traffickers and NGOs focusing on the protection of trafficked persons). Peacebuilding efforts, for example, have often suffered from insufficient networking between the security and development communities (see Krause & Jütersonke, 2005). Networks are thus needed *among* actors with a similar outlook and *between* actors with a different outlook.

More generally, and no matter whether networks are hierarchical or decentralized, or how many actors they include: networking must not be obstructed by red tape, the failure to exchange information, and zero-sum games between networked actors.

Hence, successful security governance against human trafficking depends on intense transnational cooperation among specialized state agencies, and on the participation of international organizations, NGOs, and private businesses in policymaking and implementation. Moreover, security governance must be multifaceted, and there must be a balance between different policy approaches in order to address the various causes and consequences of trafficking. Last, networks are needed among and between actors constituting the security governance system. Has the anti-trafficking governance system met these requirements for effective, efficient, and just action? The next two sections show that, although some progress has been made, several pathologies have hampered, and continue to hamper, efforts against human trafficking.

The Anti-Trafficking Security Governance System

Since the late 1990s, a host of actors have joined the 'fight' against sex trafficking. Counter-efforts have focused particularly on Southeast Europe, where numerous anti-trafficking programs have been implemented. Main reasons for this are the embarrassing implication of peacekeepers in human trafficking and the perceived need to combat organized crime in Southeast Europe as a precondition for peace and democracy in the region and for crime reduc-

Table 1: Governance against human trafficking in Europe

Governance approach	Activity	Dominant actors
Legal measures	• Criminalization of trafficking • Harmonization of laws	IOs Governments NGOs
Prosecution	• Arrest of traffickers • Zero-tolerance policies • Asset seizure and forfeiture • Capacity-building • Creation of databases • Witness protection programs • Border controls • Anti-corruption efforts	Governments IOs International authorities
Protection	• Identification of trafficked persons • Hotline services • Sheltering and counseling • Medical and psychological support • Reintegration of trafficked persons • Private-sector programs	IOs NGOs Governments Businesses
Prevention in countries of origin	• Awareness campaigns • Empowering high-risk groups • Measures against discrimination • Assisting migrant workers • Research on trafficking • Development policy	IOs NGOs Governments
Prevention in countries of destination	• Migration policy • Awareness campaigns • Prostitution policies • Private-sector programs	Governments NGOs Businesses

tion in the EU. Table 1 provides an overview of governance approaches, activities, and dominant actors.

The terms prosecution, protection, and prevention are commonly used in the literature on human trafficking ('the three Ps'). The table adds legal measures to the three Ps. The adoption of new laws and the harmonization of existing ones provide the legal basis for prosecution, protection, and prevention. Moreover, the table distinguishes between prevention in countries of origin and destination. After all, prevention of trafficking in Germany by way of assisting immigrants is different from prevention of trafficking in Moldova by way of assisting would-be emigrants.

Two caveats are in order. First, the analysis brackets anti-trafficking efforts in transit countries. Second, the five governance approaches, which complement each other, are ideal-types with significant overlap, for example

between protection and prevention: The reintegration of trafficked persons into their home communities reduces the likelihood of re-trafficking and thus has a preventive effect. Hotlines not only help trafficked persons, but also inform potential victims about migration risks and opportunities. And the identification of a trafficked person has a preventive effect if achieved before that person is forced to work in the sex industry, that is, during the migration process.

The first approach pertains to legal measures. Over recent years, European countries have included human trafficking as a criminal offense in their penal codes and, to some extent, harmonized their anti-trafficking laws. IOs are at the forefront of setting new legislative standards, such as the 2000 UN Protocol, the 2005 Council of Europe Convention on Action against Trafficking in Human Beings, various acts of EU institutions, and the OSCE Action Plan to Combat Trafficking in Human Beings. NGOs have played a prominent role in promoting many of these initiatives.

Prosecution has a central position in the anti-trafficking governance system. The UN Protocol, which is relatively strong on law enforcement and weak on human rights protection, has served as a catalyst for coercive initiatives on the regional, national, and local levels. Prosecution includes the arrest of traffickers and those who condone trafficking; the adoption and implementation of zero-tolerance policies intended to prevent peacekeepers from purchasing sexual services;[5] the seizure and forfeiture of traffickers' assets; security-sector capacity-building; the collection and exchange of information about traffickers; the use of victims as witnesses in trials; reinforced borders; and efforts against corruption. While prosecution is the traditional prerogative of government agencies, IOs have become increasingly involved as well. The United Nations Office on Drugs and Crime (UNODC) and IOM, for example, help to train judicial and law enforcement institutions.

The third approach of the anti-trafficking governance system focuses on the protection of trafficked persons. IOs, governments, and various NGOs identify trafficked persons; establish hotlines; provide trafficked persons with safe housing, legal and professional advice, medical assistance, and psychological support; and reintegrate trafficked persons into their home communities (or, if return is not an option, help them find a new place). Reintegration can be achieved through grants and loans for setting up businesses; schooling and training; and family support. NGOs do most of the work on the ground. They receive project-specific funding from governments and international organizations such as the IOM, which became the lead agency for return and reintegration within the framework of the Stability Pact for South Eastern Europe. Businesses are involved as well. Airlines and

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[5] On NATO's zero tolerance policy, see http://www.nato.int/issues/trafficking/index.html (accessed 24 May 2006).

bus companies, for example, are being 'deputized' to help detect trafficked people through stricter controls of travelers. The hospitality and tourism industries have been asked to regulate themselves by increasing the awareness of tourists and business travelers on trafficking. In addition, some hotels provide high-risk groups with professional skills (Baumeister & Maley, 2005).

Prevention in countries of origin, the fourth governance approach, is one of the most multifaceted. IOs, NGOs, and governments raise awareness about the risks of accepting dubious migration and job offers; empower high-risk groups such as Roma, orphans, or women with a history of family violence; mitigate gender, ethnic, or religious discrimination; and inform those who decide to migrate about bureaucratic procedures and their rights. Moreover, research into the causes and consequences of trafficking is crucial for devising and implementing effective policies. Last, and most important, effective prevention implies an improvement of the social and economic conditions that lead people to take risky migration decisions. Development-oriented efforts against trafficking must improve educational, medical, and social infrastructures, and create viable employment opportunities, particularly for women and minorities. Here, businesses have a role to play. They can teach people skills for which there is a need on the labour market.

The last approach aims at prevention in countries of destination. Governments can reduce the risk of women being recruited by traffickers by offering them legal migration and employment opportunities. Women from Southeast Europe who want to work in the EU need visas, work permits, and residency permits so as not to have to rely on criminals who offer migration, accommodation, and employment services. Governments can also legalize the presence of foreign victims of trafficking. Moreover, awareness campaigns that inform clients of prostitutes about trafficking can help reduce the demand for trafficked persons and, thus, traffickers' profits. Prostitution policies may also have an impact on demand, as shown further below. Main protagonists of prevention are governments, because migration and prostitution policies are national prerogatives. However, NGOs are active in demand-reduction efforts through awareness campaigns. Businesses play a role as well. For example, entertainment companies should ensure that 'cabaret' dancers from Southeast Europe are not forced into prostitution.

Does the current anti-trafficking governance system meet the three criteria for successful security governance outlined above? The first criterion has largely been met: states have disaggregated into their functionally differentiated parts, and these parts, or state agencies, have stepped up transnational cooperation. Moreover, international organizations and private actors participate in anti-trafficking. But, with regard to the other two criteria, developments over recent years have been less promising.

Table 2: Pathologies of governance against human trafficking in Europe

Governance approach	Status	Pathologies
Legal measures	Advanced	• Lack of adequate legislation in some countries • Many non-binding guidelines
Prosecution	Relatively advanced	• Arrest and deportation of trafficked persons • Lenient sentences for traffickers • Reluctance of military to do police work • Trafficking has been driven underground • Red tape and corruption
Protection	Developing	• Short-term funding priorities • Governments donate to 'their' NGOs • Deficient witness-protection programs • Deficient reintegration programs • Lack of networked cooperation
Prevention in countries of origin	Neglected	• Deficient awareness-raising campaigns • Lessons learned not documented or shared • Development decoupled from anti-trafficking
Prevention in countries of destination	Contested	• Few migration and job opportunities • Reinforced borders benefit traffickers • Insufficient demand-reduction efforts • No 'perfect' prostitution policy

Pathologies of the Anti-Trafficking Security Governance System

Security governance against human trafficking does not fully meet the second and third criteria for successful governance. As Table 2 shows, counter-trafficking efforts have been suffering from serious shortcomings.

Legal Measures

Over recent years, some approaches have evolved faster than others. Legal responses to trafficking are by now at an advanced stage. Some legal loopholes remain, and some regulatory efforts suffer from the non-binding nature of many international agreements. However, most European countries have adopted legislation against human trafficking. Interestingly, Southeast European states generally have better laws against trafficking than old EU member-states in Western Europe, since the adoption of new laws in the criminal field is now a central precondition for becoming a member of the EU.

Prosecution

Prosecution is relatively advanced, with significant progress made over recent years. To be sure, law enforcement and criminal justice responses to trafficking are far from perfect. Often, trafficked women have been, and continue to be, arrested and deported for having violated migration and/or prostitution laws, which obviously makes them reluctant to testify against traffickers. In other cases, police, following bar raids, has referred only those women to shelters who agree to become witnesses for the prosecution, or have demanded unconditional access to shelters (Limanowska, 2005a: 28). On paper, the UN Protocol and other agreements emphasize the need to orient law enforcement pressure against the traffickers, but in practice police have taken a more non-discriminatory approach (Haynes, 2004). Suspicion among victims is nurtured also by the fact that convicted traffickers often receive relatively lenient sentences (UNHCR, 2005), not least because courts perceive human trafficking as a less serious form of crime than the trade in drugs or weapons.

The reluctance of the military to engage in law enforcement has been another obstacle for firm action against traffickers. In recent years, the 16,000-strong Kosovo Force (KFOR) has been reluctant to support efforts of the United Nations Mission in Kosovo (UNMIK) against organized crime.[6] The 5,500-strong European Union Force (EUFOR) in Bosnia has similarly limited its role to law enforcement support.[7] This division of labor could be justified on the grounds that military forces lack law enforcement expertise, and military-style law enforcement poses problems of accountability and legitimacy. However, it comes at a cost: Police in Southeast Europe often do not have the manpower and technology to attack the more sophisticated and violent trafficking networks. In Bosnia, a senior police official in the Ministry of Interior said that four of his inspectors tasked with fighting organized crime had to share one computer – which was broken.[8]

When police do act, they push the industry underground. While trafficking had been fairly visible in some parts of Southeast Europe in the 1990s, traffickers have since become much more cautious. They have switched from brothels to private apartments, from landlines to mobile phones, and from international to internal trafficking (Europol, 2006; author interviews with senior police officers in Macedonia, Kosovo, and Bosnia, July–August 2006). These trends go hand in hand with a drop in the number of reported cases of trafficking, both in Southeast Europe and in the EU. Governments tend to cite this drop as an indicator of policy success, but it merely reflects the transformation of the trafficking industry. Another problem is that transnational

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[6] Statement of a former commander of KFOR in Geneva, 5 October 2005.
[7] Statement of a former commander of EUFOR in Geneva, 24 January 2006.
[8] Author interview, Sarajevo, 29 August 2006.

cooperation on criminal matters suffers from red tape and corruption, which means that traffickers are sometimes not arrested or convicted (see the country reports in UNHCR, 2005).

However, despite the fact that traffickers have mastered the network structure much better than their enemies, the prosecution of traffickers has picked up momentum over recent years. Indeed, prosecution is now one of the most advanced governance approaches. The dominance of this approach over protection and prevention is indicated by the strong position of ministries of the interior in national anti-trafficking arrangements (Limanowska, 2005b: 3). EU policies in Southeast Europe further underline the hegemonic role of law enforcement and criminal justice. The European Commission (2005: 3) calls for 'a coordinated policy response notably in the area of freedom, security and justice, external relations, development cooperation, social affairs and employment, gender equality and non-discrimination'. However, there is little evidence that the EU has pursued holistic policies that integrate the various EU policy instruments in a balanced way. Trafficking is framed predominantly as an issue of justice and home affairs; capacity-building, the buzzword of EU policy in the region, has meant little more than strengthening security agencies, particularly through the CARDS program (Community Assistance for Reconstruction, Development, and Stabilization). To be sure, EU institutions and EU member-states have financed protection and prevention programs as well. However, the bulk of funds have been destined for law enforcement and criminal justice (Lindstrom, 2004: 51).

Protection

The protection of victims is relatively advanced in some respects, yet remains deficient in others. The popularity of anti-trafficking action has led to the creation of numerous shelters for trafficked women in Southeast Europe, but funding for other programs has been reduced, such as for programs assisting victims of domestic violence.[9] Such short-term donor policies are counterproductive, since domestic violence is one of the factors pushing women to take risky migration decisions. Further problems are the short duration of many anti-trafficking programs and government support for 'willing contractor' NGOs whose spending decisions and implementation practices governments can control (Limanowska, 2005b: 53).

Moreover, witness programs do not afford women sufficient incentives and protection to testify against traffickers (El-Cherkeh et al., 2004: 23–24). In Germany, for example, requirements on the cooperation of women with prosecutors are excessive. Women are offered a 'reflection period' of only

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[9] Author interviews with social service providers in Bulgaria, Macedonia, Kosovo, and Bosnia, July–August 2006.

four weeks, during which they have to decide whether they want to testify against traffickers to obtain a temporary residence permit – a rather short period given that some women have been traumatized. NGOs are not afforded the right to refuse to give evidence in court, making these NGOs an unreliable partner for women who have broken migration or prostitution laws. And, since there is generally only one recovery center for trafficked women per German state, women have reason to fear reprisals by traffickers (Deutscher Bundestag, 2006). The obvious consequence of a lack of protection is that few trafficked people agree to become witnesses for the prosecution.

Another, major, shortcoming of protection is a lack of sustainable reintegration programs. In Southeast Europe, there is not enough funding to provide trafficked persons with the security, psychological and medical help, economic support, skills training, and job counseling needed to avoid re-trafficking.[10] Also, many women refuse the assistance offered to them because they fear collusion between state agencies and traffickers, or deportation to the country or community they had wanted to get away from.

A further pathology of victim protection (and of other approaches) is a lack of networking. As outlined above, for security governance to work, actors constituting the governance system must be networked. In anti-trafficking, stakeholders have often proven unable or unwilling to properly coordinate their work (Kanics et al. , 2005: 66–67). Cooperation problems are apparent *among* actors pursuing the same security governance approach and *between* actors pursuing different security governance approaches. The director of a women's rights NGO in Bulgaria, talking about the challenges of effective and efficient networking, likens the anti-trafficking system to a 'jungle'.[11]

For example, there has been, and continues to be, a lack of cooperation among EU donor countries, who simply inform each other about their policy priorities in Southeast Europe.[12] Similarly, cooperation among NGOs protecting trafficked persons has proven problematic in Southeast Europe and the EU owing to a lack of funding that would allow NGOs to organize regular meetings on the local, national, and international levels in order to agree on common strategies and their implementation (El-Cherkeh et al., 2004: 98). Further, international organizations do not represent a unified front against trafficking: 'Every agency has carved out its own little turf.'[13] While a division of labor potentially mitigates agency rivalries, a senior IO official said that the 'terrible competition' for funding in the field of anti-trafficking is unlike anything he saw in other policy fields.[14] Moreover, deficient networking

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[10] Author interviews with NGO representatives in Southeast Europe, September 2005 and July–August 2006.
[11] Author interview, Sofia, 5 July 2006.
[12] Author interview with the ambassador of an EU member-state, Tetovo, Macedonia, 25 July 2006.
[13] Author interview with an official of the United Nations Office of the High Commissioner for Human Rights (OHCHR), Geneva, 4 April 2006.
[14] Author interview, Geneva, 8 March 2006.

between IOs and local NGOs, and among large international and small local NGOs, translates into a lack of local ownership, depriving projects of vital local expertise.[15] Finally, relations between the security sector and NGOs have improved significantly over recent years, but still suffer from mutual suspicions and the frequent failure to exchange information.

Prevention in Countries of Origin

The fourth governance approach, the prevention of trafficking in countries of origin, has been neglected over recent years. Prevention has not evolved much beyond awareness-raising campaigns informing people about trafficking, despite doubts over the effectiveness of awareness campaigns. Worse, campaigns can be counterproductive. Some campaigns in Southeast Europe have been perceived as anti-migration campaigns that instrumentalize trafficking in order to reduce migration to the EU (Limanowska, 2005b: 21–22). In Albania, shock tactics employed in campaigns have led some families to forbid their daughters to leave the house (Dottridge, 2006: 51). Moreover, campaigns are implemented in an ad hoc and uncoordinated manner. In Kosovo, one anti-trafficking campaign begun in late 2005 was followed, a few weeks later, by another campaign, to the surprise of almost everyone involved in anti-trafficking in Kosovo.[16] Moreover, lessons learned from campaigns have generally not been documented and shared.

  Yet these problems pale when compared to the lack of development-oriented anti-trafficking programs. Economic and social root causes of trafficking include unemployment, poverty, discriminatory practices, a lack of access to education and medical services, and domestic violence. In Southeast Europe, these problems have been caused or aggravated by war, reckless privatization, and structural adjustment programs that have exacerbated the 'feminization of poverty'. Few programs in Southeast Europe so far have systematically addressed the economic and social root causes that push women to seek a better life abroad. The main reason for this has been a lack of donor interest in development-oriented prevention programs proposed by international organizations (Limanowska, 2005b: 9), as well the neglect of a labour-market perspective. While Southeast Europe counts numerous development initiatives, they generally lack anti-trafficking components – which means that economic development helps potential victims of trafficking only coincidentally. Moreover, skills training programs were rarely based on sound research identifying labour market needs. To make matters worse, agencies promoting gender equality, the rights of children, social support,

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[15] Author interview with NGO representative, Sofia, 6 July 2006.
[16] Author interviews with representatives of international organizations, NGOs, and the Ministry of Justice, Prishtina, late July–early August 2006.

and efforts against HIV/AIDS have not systematically mainstreamed anti-trafficking components within their activities.

This neglect of prevention in countries of origin reflects the enormous challenge of development in Southeast Europe, but also the predominance of law enforcement, which results from the political priority of reducing unwanted migration. Under the banner of anti-trafficking programs, funds have often been destined to create databases of migrants, reinforce borders, and strengthen law enforcement agencies.[17]

Prevention in Countries of Destination

The fifth security governance approach focuses on prevention as well, but in countries of destination. This approach is highly contested, since counter-trafficking demands a rethinking of migration and labor policies. Traffickers have been benefiting from a lack of legal migration and employment opportunities that EU countries offer to non-EU citizens. Anti-trafficking policies that grant visas, residency, and work permits to potential or actual victims of trafficking would reduce trafficking. The lifting of visa restrictions for Romanians by the EU in 2002, for example, was followed by a drop in the number of assisted Romanian victims of trafficking (El-Cherkeh et al., 2004: 51). However, negative perceptions of migrants prevent the systematic embracing of this strategy. Over the 1990s, policymakers and the general public have increasingly 'securitized' migration (Huysmans, 2000). Irregular migrants, and particularly migrants working in the sex industry, are seen as transgressors of migration and prostitution laws, as well as violators of norms of decency. This helps to explain the frequent arrest of trafficked persons by the police, who generally represent conservative, male segments of societies.

The negative image of migrant prostitutes means that EU countries extend residence permits to trafficked persons only for short periods, and only if they testify against traffickers (Goodey, 2003: 169), a practice that has not been substantially altered over recent years.[18] An OHCHR official confirmed that there is a lack of political will to use the migration lever for empowering trafficked persons: the OHCHR largely failed in its attempts to introduce legal migration and residence provisions into the 2005 Council of Europe Convention on Action Against Human Trafficking.[19]

The securitization of migration has led to the reinforcement of 'Fortress Europe'. Yet, more border guards and the use of sophisticated technology actually benefit illicit entrepreneurs. They force migrants to seek help from smugglers, who may turn out to be traffickers (see International Crisis Group, 2005). Moreover, stronger borders are not a panacea for identifying

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[17] Author interview with trafficking expert, Sarajevo, 15 and 30 August 2006.
[18] Author interview with a deputy of the Bavarian parliament, Tutzing, 29 October 2006.
[19] Author interview, Geneva, 14 March 2006.

trafficked persons: During the migration process, many women are not aware that they are being trafficked, and thus do not want to be detected. Slipping information leaflets containing hotline numbers into the passports of potential victims at borders addresses this problem, yet is an intervention that comes relatively late during the trafficking circuit. Prevention should commence earlier.

Prevention, in countries of both origin and destination, also suffers from insufficient demand reduction. The implementation of prohibition regimes is particularly difficult when there is a resilient demand for goods or services (Nadelmann, 1990). This is the case with sexual services. There are still not enough awareness campaigns informing potential or actual buyers of sexual services about human trafficking (Howe, 2005: 99).

A major reason for the lack of demand-oriented awareness campaigns is that such campaigns are inextricably linked to prostitution policies. The debate over prostitution is an ideological minefield, a fact that limits the ability of international organizations to address clients of prostitutes.[20] Prostitution laws differ widely across Europe, and there are few signs of harmonization. Countries such as Germany, the Netherlands, and Switzerland have regulated or partially legalized the purchasing and selling of sexual services, hoping that the registration of prostitutes would empower women vis-à-vis pimps or bar owners. Women's rights groups defending legalization argue that criminalizing prostitution deprives women of their agency – that is, their ability to freely decide what to do with their bodies. These groups speak of sex workers instead of survivors. Other countries such as France favor an abolitionist prostitution policy. Abolitionist governments and NGOs decry the commodification of female bodies through prostitution. As an adviser to the Swedish government writes, 'males who use women and girls in prostitution are sexual predators and rapists' (Ekberg, 2002: 8).

Even if one does not accept the mantra of abolitionists that prostitution is inevitably about rape and exploitation, and that the distinction between consensual prostitution and coerced trafficking is a false one, it may well be the case that prostitution regimes influence trafficking patterns. It is not clear which prostitution policy is best suited to reduce trafficking, but there are indications that the legalization of prostitution is not a panacea against trafficking. As shown in Germany after the introduction in 2002 of a law that legalizes prostitution, many prostitutes do not register and sign work contracts with brothel owners, not least because they do not want to pay the relatively high social security contributions and taxes (Holm, 2005). Moreover, foreign prostitutes, who constitute the majority of people working in the sex industry, are not eligible to register, since they do not have residency and work permits. Pimps and brothel owners continue to exploit these

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[20] Author interview with a senior IO official, Geneva, 8 March 2006.

women. And, even if legalization leads to better working conditions for registered prostitutes, these prostitutes might stay in the business longer. Traffickers would continue to make money, because of constant client demand for young women and girls.[21] Hence, legalization might not break the link between organized crime and the sex industry, but rather strengthen it, encourage the growth of the sex industry, and increase trafficking (Bindel & Kelly, 2003: 13–15; Hughes, 2000: 646–648). Yet, the criminalization of prostitution is not a smart option either. The US example illustrates the negative effects of law enforcement pressure on women, who have been victimized by pimps, clients, and the police (Weitzer, 1999).

Sweden has adopted an innovative, and hotly debated, policy: In 1999, the government legalized the selling of sexual services and criminalized the purchase of such services. According to the Swedish government, this strategy was followed by a reduction in sex trafficking to Sweden (e-mail to the author from Madeleine Elgemyr, Swedish Ministry of Industry, Employment and Communications, 7 March 2006; Bindel & Kelly, 2003: 25, 29). The government argues that, instead of pushing the industry underground, the law has created an anti-prostitution climate and has made the country unattractive to traffickers.

However, evidence that the policy has reduced trafficking is sketchy, and the Swedish model is unpopular in other EU countries – as illustrated by the German government's tolerance towards prostitution during the 2006 Football World Cup, which has drawn acid comment from abolitionists (Neuwirth, 2006). While there is a trend to criminalize demand for services provided by trafficked persons, implementing this policy is difficult. In many cases, proving that a client knew that a prostitute was trafficked is impossible.

The discussion above shows that counter-trafficking efforts have not fully met the second criterion for successful security governance. While the anti-trafficking security governance system does encompass various approaches, these are not properly balanced. Few initiatives have addressed the economic and social root causes of trafficking, or reduced the demand for trafficked women, and trafficked persons have not received sufficient protection. The hegemony of prosecution indicates the perception of trafficking as an organized crime and migration problem. Anti-trafficking policies are 'skewed and imbalanced, focus too much on law enforcement, and are marked by wrong attitudes of cops'.[22]

Moreover, shortcomings have also been detected with regard to the third criterion, which stipulates networking as a precondition for successful security governance. Networked relations are relatively smooth among some actors, especially among law enforcement and criminal justice institutions. However, anti-trafficking networks still have many weaknesses, especially

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[21] I thank Louise Shelley for mentioning this point to me.
[22] Interview with a senior OHCHR official, Geneva 4 April 2006.

those networks bringing together different types of actors pursuing different governance approaches.

Conclusion

History shows the inadequacy of coercive strategies against complex social problems. The late 19th and early 20th century saw a reduction in the number of women trafficked from Europe to the USA for prostitution. Although international agreements against the transatlantic 'White Slave Trade' mitigated the trade, contingent conditions such as the equalization of the sex ratio in the USA were more important (Nadelmann, 1990: 513–516). In the second half of the 20th century, law enforcement within the USA had not abolished prostitution, but instead harmed prostitutes (Weitzer, 1999). Similarly, despite its decade-old military-style 'war on drugs', the USA has not reduced illicit drug supplies. Instead, coercion has coincided with a world-wide growth of the drug industry, and exacerbated corruption and human rights abuses (Friesendorf, 2005). Most US drug policymakers regard illicit drug supplies primarily as a criminal and not a socio-economic problem.

Although sex trafficking would continue even if counter-efforts found a balance between prosecution, protection, and prevention, a better governance system would reduce trafficking. Governance must be more preventive. In countries of origin, counter-trafficking must reduce poverty and discrimination. In countries of destination, progress against trafficking requires a rethinking of narrow-minded migration policies. Extending migration and employment opportunities to people who risk being trafficked would not only help these people, but also rejuvenate an aging Western Europe. Destination countries must devise better strategies for reducing the demand for trafficked women both through awareness campaigns and through the systematic, unideological evaluation of the impact of different prostitution regimes on trafficking patterns.

In addition to more *balanced* security governance, there is a need for better *networked* governance. While criminal networks are fast and flexible, the same cannot be said about anti-trafficking networks. Red tape, corruption, competition for funding, different agency mandates and worldviews, institutional inertia, and the frequent turnover of personnel (successful networking hinges on good personal relationships) hamper effective networking among and between the stakeholders involved in counter-trafficking. To be sure, networking has improved. Helga Konrad, the OSCE's first Special Representative for anti-trafficking, fostered cooperation in order to move away from separate projects toward concerted action. In the framework of the Alliance Against Trafficking in Persons established in July 2004, she con-

vened regular meetings at the political and expert level. In Southeast Europe, the OSCE established National Referral Mechanisms (NRMs), which are intended to ensure that governments protect and promote the human rights of trafficked persons and prosecute traffickers. NRMs bring together various national stakeholders who negotiate adequate and flexible responses to trafficking. Hence, NRMs cut across the different approaches constituting the anti-trafficking governance system.

This positive example notwithstanding, it is unlikely that networked anti-trafficking efforts will greatly improve in the near future. The failure to acknowledge that the success of one's own approach partially depends on the success of other approaches continues to hamper progress. There is no trade-off, for example, between law enforcement and protection: the closer police work together with NGOs in protecting trafficked persons, the higher the chances of successfully prosecuting traffickers. The fact that, in 2005, only about half of all European countries have instituted interagency cooperation mechanisms against human trafficking (UNHCR, 2005: 8) indicates the bureaucratic and political obstacles to effective networking.

Strategies against human trafficking are a prime example of a major change in international relations: the change from government to governance. Government is unable to cope with this complex challenge. Well-calibrated and networked security governance is the only viable option, but the travails and pathologies of anti-trafficking efforts underline that the shift from government to governance is not smooth.

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