Human Trafficking in Conflict

Context, Causes and the Military

Edited by
Julia Muraszkiewicz
Toby Fenton
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Crime Prevention and Security Management

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Foreword

Since ancient conquerors enslaved the conquered, societies have accepted that human beings and their labours were amongst the many spoils of war that were due the victors. And while we should expect that in the modern age societies would no longer accept this, it still continues. The editors and contributors to this volume are passionate and determined that slavery and exploitation of human beings should not persist, and that all the tools available to us should be put to the purpose of preventing human trafficking during and in the aftermath of conflict and war.

The many individuals contributing to this volume have spent years focusing upon the issues underpinning human trafficking and human security. They come from a range of organisations that play a role in this space—academia, law enforcement, military and civil society. The publication of this book has been driven in large part by members of Trilateral Research, and the inter-disciplinary approach taken to unpacking the impacts of human trafficking reflects our broader efforts in the socio-technical domain. I am grateful to each of them for their openness, their energy and their dedication to those affected by the issues of human security in bringing this work forward, and for giving voice to these critical challenges.

The vision for this volume was born out of work that began in 2014 on the TRACE (Trafficking As a Criminal Enterprise) project[1] where the Trilateral Research team engaged directly with perpetrators of human trafficking and those supporting victims. The aim of the project was to support stakeholders in combating and disrupting human trafficking by assessing and consolidating information surrounding the perpetrators and the wider trafficking enterprise. That seminal project inspired Trilateral's journey to apply inter-disciplinary teams to create technology to use across the conflict arena and has fundamentally altered our direction as an organisation. It has long been a critical part of our ethos to create real-world impacts from research, and while our focus has included an emphasis on ethics, privacy and data protection, we did not initially set out to create social impacts that could so directly contribute towards human security. As we have taken this path, we have encountered many other individuals, and through them, a broader community, who are similarly committed to protecting and caring for those at risk of human trafficking.

Today, we work with hundreds of agencies, large and small, as they endeavour to create positive impacts in the arena of human trafficking, including in conflict zones—academics studying the complex socio-economic and human interrelationships that create environments ripe for exploitation and uncover new forms of this crime[2]; governmental agencies driving policy; international organizations conducting research and influencing policy[3]; law enforcement agencies[4] actively working to investigate and apprehend bad actors; and humanitarian agencies working on the front lines in origin and destination countries across the globe to provide care for the victims. All of these organisations push forward, despite incredible resource constraints and under-funding.

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[1] EC Grant agreement ID: 607669, see [Online] https://trilateralresearch.co.uk/project/trace/.

[2] See the work done on Human Trafficking for Ransom: Van Reisen, Mirjam, and Conny Rijken. 2015. "Sinai trafficking: Origin and definition of a new form of human trafficking." Social Inclusion 3, no. 1, 113–124.

[3] Council of Baltic Sea State [Online] https://www.cbss.org/safe-secure-region/tfthb/.

[4] Programme Challenger, Manchester [Online] https://www.programmechallenger.co.uk/what_we_do/modern_slavery/.

Helping to focus resources on the key issues that need to be addressed within this book, is a broad range of researchers in academic and policy-making institutions. At the Rights Lab[5] at the University of Nottingham, a Data and Measurement Programme seeks to make advances in measuring the risk and prevalence of human trafficking. Research is underway at Hull University (UK) to better understand victims' experiences, and at the University of Balearic Islands (Spain) to grapple with international law and the responsibilities it puts on states and their agents. Issues related to the exploitation of children as soldiers are being studied at the Universidad de la Sabana. Embedded within law enforcement organisations, researchers are focused on human trafficking as it relates to organised crime, with a special focus on child sexual exploitation. The United Nations Office on Drugs and Crime (UNODC) is conducting significant research and case-gathering, some of which is available in their report entitled *Countering Trafficking in Persons in Conflict Situations*.

Informed by research, international organisations such as the UN have pressed ahead with policies aimed at creating change in this area. There are numerous UN Resolutions to specifically address human trafficking in conflict, which can be seen as part of their broader human security work (e.g. Resolution 63/156 on trafficking in women and girls). Since 2004, NATO has actively implemented policy in this area with their Policy on Combating Trafficking in Human Beings. The International Criminal Court (ICC) is setting precedent by harshly sentencing those found guilty of enslavement during war, as seen in the recent sentencing of Bosco Ntaganda of the Democratic Republic of Congo on charges that included sexual slavery and use of child soldiers.

While policy is aimed at changing the environment within which human trafficking flourishes, civil society organisations and humanitarian workers aim to prevent exploitation and to work directly with victims in its aftermath. NGOs such as War Child and Child Soldiers International seek to assist child soldiers. Association "Novi put" Bosnia and Herzegovina and many like it are working at the local level with victims of human trafficking. These organisations are supported by legal advisors

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[5] Rights Lab [Online] https://www.nottingham.ac.uk/research/beacons-of-excellence/rights-lab/index.aspx.

and advocates, including some who have contributed to this volume and continue to work to raise awareness and affect policy.

Whilst not directly involved in the work against human trafficking, the media themselves have played a role with extensive reporting on the use of children as soldiers, the sexual enslavement of Yazidi women by the Islamic State in Iraq and Syria, and the kidnapping of schoolgirls by Boko Haram, amongst others. The UK Ministry of Defence (MOD), through its policy document *JSP 1325: Human Security in Military Operations*, seeks to raise awareness on human trafficking within the context of the human security work done by the military. This broader concept of human security has garnered much attention and policy development within the humanitarian and development sectors, and it is now being reviewed in greater depth. Trilateral Research is involved in this effort as well, working on an inter-disciplinary basis with social scientists, ethicists, legal advisors and technologists to help drive research, inform policymakers and create impact through methodological and technological innovations, including contributions to risk assessment in the open domain.

The editors of this book, Julia Muraszkiewicz, Toby Fenton and Hayley Watson, have brought together a wide range of perspectives from contributing authors and through this have illustrated the prevalence and scale of the problems of human trafficking. Moreover, they have shown that there is significant work that remains to be done on a global level. A key part of this is the need to communicate better across borders, jurisdictions, disciplines, and legal and political structures—communicating at a human level, in order to effect change for these most vulnerable of our fellow humans.

Trilateral Research, London, UK   Kush Wadhwa

Series Editor's Introduction

Not only is this book about a topic at the forefront of official and public concerns, it covers a specific area that has received scant attention: human trafficking and the role of the military and this includes private military organisations. Human trafficking, we are told, is the third fastest growing form of crime globally. As you will read, human trafficking is in various ways a tactic of war, and while it is unsurprising that it involves organised criminals, there are many instances where state actors and not only military personnel exploit those they are supposed to protect. Examples discussed include UN peacekeepers in Congo; children from the Russian countryside being recruited to fight Russia's wars; United States military and civilian personnel availing themselves of prostitution; and Bosnia (just one case where, once tolerated in war, human trafficking has proved 'impossible to eradicate' even in peace). This is a central tenet of the book: "It cannot be denied that significant number of international peacekeepers and their contractors were frequent and the most welcome guests at the establishments where human trafficking was taking place, but also accomplices."

Those trafficked include children who end up being forced to fight or find themselves used as sex slaves to reward soldiers. There are benefits in using child soldiers in that they are less demanding, easier to control and require less recompense. Of course, these activities create human insecurity and undermine the social, psychological and economic well-being of communities.

You will read about what makes people vulnerable to human trafficking. Not just poverty and discrimination, but the effects of climate change and political/religious persecution too. Those who are alone, neither working or studying, and those have run away or had parents killed are easier to recruit. They often face a stark choice, survival alone in a conflict zone or engagement as a child soldier by 'choice' or slave by force. Child soldiers are often starved, beaten or locked away as punishment or to make them compliant. Some suffer from forced abduction; children are kidnapped or even threatened with murder or the death of parents for refusing to join. The levels of harm caused are horrendous, involving torture and even the removal of organs.

Responding to the very complexity of human trafficking requires the engagement and coordination of many organisations operating in different territories with various remits, and this has proven a challenge. Even established and respected organisations that share broad aims and work together successfully, such as the EU and NATO, have marked differences in approaches taken. State responsibilities to respond which are enshrined in law don't always have the intended impact, including on the military. For example, in Afghanistan children are disproportionately victims, and yet dealing with trafficking is a low priority and enforcement efforts remain slight, leaving children unprotected. Where governments are weak the vulnerable can more easily be exploited.

You will find many interesting discussions on key topics, for example on: whether the state can, or should, excuse the person recruited to a terrorist organisation for the purpose of exploitation; how the military should distinguish between those who are adversaries by choice and those who are adversaries because they have been trafficked and forced to fight; the role of those in charge, commanders of units, and their responsibilities for generating frontline positive action. And many more besides these.

You won't be let down at the end of the book where there are some suggestions on how to respond. It is a huge topic, and the editors of this book have skilfully brought together a range of writers with real expertise on how the problem of human trafficking flourishes and how we need to think differently to ameliorate the horrific consequences it generates. It is both a fascinating read and an important contribution to literature.

January 2020   Martin Gill

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Introduction

Julia Muraszkiewicz, Toby Fenton, and Hayley Watson

We have seen clearly that war acts as a potent catalyst to human trafficking. It breaks down institutional and social protections. And it leaves masses of people vulnerable to traffickers. It is startlingly obvious therefore that greater focus by the international community on preventing conflicts, and stopping their reoccurrence, will have a direct impact on human trafficking.
Mr. Tim Mawe
Deputy Permanent Representative of Ireland Security Council Chamber

Introduction

The United Nations Convention Against Transnational Organised Crime (also called the Palermo Convention) was adopted through UN Resolution 55/25 (2001) with the objective of combatting transnational

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organised crime around the world. Within this resolution, the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (henceforth the *Palermo Protocol*) laid the foundation for novel legislative reform for protecting victims of human trafficking, preventing the crime and prosecuting the perpetrators. Further, the protocol included an agreed definition of human trafficking (see the definition below) and aimed to put an end to state differences as to what the crime entails. Despite the undisputable legislative progress achieved following the adoption of that agreed definition, to this day much remains unresolved regarding combatting human trafficking (Reiley 2006). There is, for instance, a worrying lack of attention paid to the issue of human trafficking in conflict. Since UN Resolution 55/25, subsequent anti-human trafficking documents and policies at the regional level, such as the EU Directive *2011/36 on Preventing and Combating Trafficking in Human Beings and Protecting Its victims*, have largely neglected to focus on human trafficking in conflict. This is despite the fact that human trafficking is prevalent in conflict, as recognised, for instance, by *United Nations Security Council (UNSC) Resolution 2331. Resolution 2331* calls upon governments, the international community and all other organisations and entities that deal with conflict and post-conflict, disaster and other crisis and emergency situations to address the heightened vulnerabilities of (particularly) women and girls to human trafficking and exploitation, and also stresses the close associations between human trafficking, sexual and gender-based violence, terrorism and transnational organised crime.

The phenomenon of human trafficking in conflict is as old as conflict itself, and it has been epitomised recently in the exploitation of the minority Yazidi community in Iraq and Syria by the Islamic State (also referred to as ISIS or ISIL); or in the manner in which the ISIS in Iraq and Syria and Boko Haram in Nigeria commit yet further violations of international law (Patel 2014) through openly advocating the use of human trafficking and enslavement practices. The use of child soldiers by ISIS (the so-called "cubs of the Caliphate") or by Columbia's armed groups (see Chap. 6 for more detail), the trade in trafficked women that sprang up overnight outside the gates of UN and NATO (North Atlantic Treaty Organisation) compounds in the Balkans, the kidnaping and enslavement of school girls by Boko Haram in Nigeria and armed

militias' use of forced labour to plunder rich natural resources in places such as the Democratic Republic of the Congo (DRC) provide further examples of human trafficking in conflict. The multiple manifestations of this phenomenon in a context where traditional legal, policy and law enforcement responses are likely to be inadequate—if not entirely absent—calls for concerted efforts to better understand the problem and foster context-appropriate solutions and responses. Of course, the exact number of victims of human trafficking in conflict and crisis situations remains unknown; in reality, it is incredibly difficult to calculate due to a lack of data and ineffective research methods (Weitzer 2014). Nonetheless, numerous accounts and testimonies provide ample impetus to the quest for a much stronger understanding of the nexus between human trafficking and conflict, including, importantly, the potential role of the military, who are often one of the few actors able to operate with greater degrees of agency within complex conflict environments. More broadly, the phenomenon of human trafficking in conflict and crisis warrants a stronger consideration of the potential impact of human trafficking upon multi-stakeholder efforts to promote and sustain human security, safeguard human rights, foster development and advance peace and pre−/post-conflict stabilisation.

It should be acknowledged that during conflict and crisis situations, the gap in anti-human trafficking legislation has, to an extent, been increasingly addressed by certain military actors through selected military soft law and related policy. Notably, in 2004 the North Atlantic Treaty Organisation (NATO) adopted a *Zero-Tolerance Policy on Combating Trafficking in Human Beings*. That policy commits NATO members and other troop-contributing nations participating in NATO-led operations to reinforce efforts to prevent and combat human trafficking. This, according to the policy, can be achieved through the agreement "that all personnel taking part in NATO-led operations should receive appropriate training to make them aware of the problem of trafficking and how this modern-day slave trade impacts on human rights, stability and security, as well as being informed of their own responsibilities and duties and the respective responsibilities of International Organisations in this field" (NATO 2004).

Of course, whether any existing guidance and/or policy has had a meaningful impact on the operations and planning considerations of military forces requires further study towards which this book strives, at least in part, to contribute. Indeed, this book seeks to address what is a largely understudied topic within the human trafficking literature, with few studies having sought to contemplate the broader role of the military within anti-human trafficking efforts. Scholars, policymakers and civil society recognise that conflict increases the numbers of refugees and displaced persons, and aggravates poverty, amongst other issues, thus making conflict-afflicted areas a breeding ground for human trafficking. Observers note, for instance, that existing violence leads to high rates of forced labour and sexual exploitation, and they recognise the "egregious treatment inflicted by armed and terrorist groups in areas where conflict is ongoing, the different forms of exploitation emerging in that context and the large number of people who are made vulnerable by conflicts and who are forced to flee them" (UNODC 2018). Nevertheless, the military all too often remains on the periphery of anti-human trafficking discussions, whether concerning the protection of victims, the prevention of the crime itself or the prosecution of its perpetrators. That said, there is an increasing emphasis within military thinking on understanding and addressing the range of human security issues that exacerbate, and are exacerbated by, conflict and crisis—human trafficking included. This development reflects the broader shift from a traditional state-centric conceptualisation of conflict and security (i.e. inter-state war) to a human-centric conceptualisation that focuses on security at the level of the individual and their community.

Human Trafficking and the Military and the Aim of This Book

For the editors of this book, the importance of considering the human trafficking and conflict nexus, coupled with the question of what the role of the military is in addressing this crime, is vividly apparent. Human trafficking can constitute a tactic of war that serves several purposes for

organised criminal gangs, state and non-state armed actors and others actors undermining security and stability. Human trafficking facilitates the recruitment and retention of fighters, including child soldiers, and it provides rewards to combatants in the form of sex slaves. It generates illicit revenues that can support conflict financing, and it contributes to the social, psychological and economic breakdown of entire communities. It epitomises some of the worst human rights abuses. In times of conflict and crisis, this evokes numerous issues that merit the attention of legislators (domestic, regional and international), policymakers, military planners and others. Yet, despite high-level policy guidance from NATO and other military actors, as the editors embarked on the journey of exploring the potential role and contribution of the military in addressing, or at the very least understanding, human trafficking in conflict, the question heard all too often was *what is human trafficking in conflict and what does it have to do with the military?*

Human trafficking is traditionally seen as a concern of those working in fields such as human rights, criminal law, migration, gender and labour. It is seen to be situated most appropriately within the remit of a country's domestic security and justice departments (e.g. Ministry of Interior, Department of Justice, etc.), but rarely within the defence departments (e.g. Department of Defence, Ministry of Defence, etc.). Human trafficking has not traditionally been a focus of the military, whether in the context of warfighting, security operations, training, or disaster response and relief work. Nor do anti-trafficking programmes themselves necessarily self-identify as having connections with activities undertaken in the military realm. Yet, it is argued herein that there is indeed a nexus, a common trajectory.

How does human trafficking 'fit into' military operations and activities; where are the touchpoints? Noting the relative novelty of such a question, we sought to elicit some answers by way of an edited book. We invited scholars and practitioners from around the world—ensuring inclusivity regarding a range of voices and perspectives—to ponder questions such as how does human trafficking manifest in conflict; what drives it; what legislation and policy already exist; is legislation and policy effective and applied on the ground and how might military actors better respond to human trafficking in practical terms? Looking to the future, the book hopes to

open up a larger space to consider *why* the military should include a stronger consideration of human trafficking within the planning and conduct of operations, and *how* this might be taken forward.

Clarification of Key Concepts and Frameworks

For a better understanding of the nexus between military operations and human trafficking, it is first necessary to situate the concepts in clear definitions and frameworks.

Human Trafficking This book defines human trafficking in line with the most internationally acknowledged definition contained within the aforementioned *Protocol*, which was adopted in 2000, entered into force on 25 December 2003 and has been signed by 117 states and regional organisations. Article 3 of the 2000 *Palermo Protocol* states that trafficking in persons shall mean:

(a) 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 a position of vulnerability, or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal or organs.
(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
(c) The recruitment, transportation, transfer, harbouring or receipt a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article.

The definition includes three elements: an action (recruitment, transportation, transfer, harbouring or receipt), a means (threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or a position of vulnerability, or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person) and a purpose (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 or organs). According to Piotrowicz (2007, 277):

> These elements indicate that [trafficking in human beings] includes a number of actors, each of whom may play a role in 'creating' a victim of trafficking, from the acquaintance in the victim's village who knows someone who can organise a job or visa, to the individual who facilitates illegal crossing of the frontier, to the person who supplies rooms to accommodate victims in transit and the bar owner who eventually 'buys' the victim.

It is important to highlight two key features of the definition. Firstly, when the victim is a child the means element does not need to be present. In addition, Article 3(b) states that the consent of a victim will be irrelevant where any of the means have been used. Article 3(b) is key as many traffickers seek to argue that victims may have consented at some point, for example, to join an armed force, to prostitution or to be transported from one place to another. By including these provisions, the law focuses on the intention and actions of the trafficker and not the intention and actions of the trafficked person. This is discussed in greater length by Kid in Chap. 3, which addresses a victim's agency, and in Chap. 12 by Muraszkiewicz, which looks at the notion of compelling victims.

Conflict Conflict is arguably as old as human history itself. In simple terms, conflict involves a disagreement between two or more parties; this can manifest in various ways, from the purely verbal argument, to physical violence, armed struggle and war. The Peace Research Institute Oslo (PRIO) defines conflict as a contested incompatibility that concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths in one calendar year. As conflict becomes increas-

ingly people-centred, there has been a growing recognition of the need to consider the underlying social, political, economic, group and individual factors that can drive and exacerbate conflict. This has been captured, at least in part, in the concept of human security.

Human Security The core tenets of human security remain contested, as does the precise manner in which a human security approach should be utilised and operationalised in practice. In the absence of a unified interpretation of the concept, a number of often competing and conflicting interpretations have been suggested, although they are united by core principles.

The conception of the contemporary security environment has expanded beyond the traditional focus on state-based security that was predominant for most of the twentieth century. Post-Cold War intra-state instability and the ongoing processes related to decolonisation led to greater attention being placed on those issues affecting the security and well-being of individuals and their communities, as contemporary conflicts have frequently been driven and/or exacerbated by a range of factors—especially identity-based issues—manifesting within the boundaries of the state. Greater interconnectedness through globalisation and the increasing role of non-state actors in conflict and governance, including the impact of corporations and non-state armed groups upon individual lives (Spearin 2008, 363), has meant that security can no longer be understood exclusively through a state-centric prism. Armed conflict is often referred to as having undertaken a paradigm evolution from inter-state to *intra*-state conflict (Mack 2008, 2). Today, the vast majority of contemporary conflicts take place *within* the borders of a country and disproportionately impact civilians, local communities and social cohesion (Mack 2008, 5). Logically, the requirement is thus for a more people-focused framework, not only including a focus on the security and well-being of the individual, but also recognising that such human security is better understood and addressed along multiple dimensions beyond the threat of physical violence. Going even further, a people-focused framework prompts a wider consideration of the key qualitative aspects

of human security including human dignity, reflecting the humanist view that people are inherently valuable by virtue of being human.

Furthermore, a growing body of research has led to a more nuanced understanding of the causes of conflict and insecurity generally (Jarvis 2018, 108–109). Global warming (Burke et al. 2009), poverty (Buhaug et al. 2011, 815), gender-based discrimination and a large number of other issues have come to be identified as salient and acute human security issues in a manner that was previously not widely accepted or understood. Under these circumstances, individuals in communities and societies across the world are impeded from developing their full human potential, particularly in instances where they are within a vulnerable demographic due to gender, age, sexual orientation, gender identity, political or religious affiliation or disability, amongst other characteristics. Within the context of this book, important is the recognition that the manner in which such issues can severely erode individuals' resilience and agency is further compounded during times of conflict and crisis, with one of many potential consequences being the increased risk of falling victim to human trafficking.

In summary, human security goes beyond traditional conceptions of security by viewing individuals, rather than states, as the key object of focus. In this respect, human security allows for a more 'subtle' and arguably 'deeper' understanding of security, with two immediate implications. Firstly, human security recognises that the security of the individual—including their security from human rights abuse such as human trafficking—is closely connected with wider peace and security. The threats and issues that affect security at the level of the individual may intersect, compound and cascade to create conditions that ultimately affect national and international security. For example, inter-ethnic tensions, economic deprivation and associated grievances may induce people to join non-state armed actors (e.g. militias and insurgent groups), thereby furthering wider and longer-term insecurity. This may also make people more vulnerable to exploitation by criminal groups, thereby fuelling organised crime.

Secondly, human security advances a normative agenda that places a premium on the survival, livelihood and dignity of the individual. In doing so, human security mandates the consideration of an array of

factors that may negatively impact an individual person's well-being, beyond the purely existential threats of physical violence and force that are the focus of traditional security approaches. A natural extension of this second point ought to include human trafficking and its related dynamics.

So, what about the nexus between human security and human trafficking? Apart from erosion of the human rights of trafficked persons, human trafficking is a substantial source of revenue for, and a means to advance the agenda of, non-state armed groups, corruption, state-run security forces, criminal organisations and others, all of whose activities can thereby undermine attempts to achieve legitimate governance and can jeopardise the efforts of military activities to promote security and stability. Indeed, such is the interconnected or 'networked' nature of those issues that threaten human security that it becomes simply unrealistic and conceptually confusing to seek to understand and respond to human trafficking without understanding the manner in which these wider issues also help drive human trafficking in conflict—including for example, in the examples of sexual and gender-based violence, lack of education and government corruption, as discussed in this book. As aptly summarised by Pati (2014, 32) human trafficking is often found at the intersection of all other threats to human security.

Outline of the Book

The book brings together a number of chapters by authors with a range of expertise and interests, tying them together within a structure designed to guide the reader thematically through the myriad issues related to human trafficking in conflict. These chapters and issues discussed in this book are of course not exhaustive, but they aim to provide the reader with an introduction to the discourse, issues and case studies.

Part I of the book, entitled *Understanding Human Trafficking in Conflict and How Conflict Facilitates Human Trafficking*, is dedicated to introducing the relevant matters. It begins with Chap. 2 by Muraszkiewicz, Iannelli and Wieltschnig, who discuss the types of human trafficking that have, to date, been documented in conflict. In Chap. 3, Kidd explains

why human trafficking so easily becomes a reality in conflict. She shows that a conflict's impact on agency increases the risk of being trafficked. The nature of conflict restricts the choices available, leaving people to choose between limited options which are commonly all imbued with risk. Chapter 3 also draws upon literature to provide an overview of what human trafficking looks like in the context of armed conflict. It supports the literature review by using examples from recent in-depth interviews about the experiences of people fleeing conflict, offering insight into the lived experiences of conflict-related human trafficking.

In Chap. 4, Kotecha explores the nexus between human trafficking in conflict and illicit financial flows. Human trafficking and money laundering are often intricately connected, yet money laundering charges have usually not been included in the prosecution of trafficking cases and so this aspect of human trafficking is understudied. During conflict non-state armed groups and, to a lesser extent, state militaries have been found to use human trafficking to raise revenue and fund illicit activities. Income generation takes multiple forms, from theft of salaries to the sale of trafficked people. Armed groups may use trafficked people for forced labour in mines, agriculture and factories, thus raising the prospect of introducing illicit revenues into global supply chains that stretch far beyond the conflict zone itself. The author also discusses current efforts to combat illicit financial activities and suggests ways in which existing anti-money laundering systems can be used to disrupt the activities of human traffickers in conflict zones and beyond. There is a particular need to develop stronger capabilities to gather, analyse and share more granular data on human trafficking-related illicit financial flows. Kotecha concludes by stressing the importance of collaboration between government agencies, the private sector and civil society in better mapping, analysing and understanding trafficking-related financial flows.

Part II of the book, entitled *Trafficking in Conflict: Exploring How Human Trafficking Manifests in Conflict Through the Use of Case Studies*, is dedicated to using specific case studies to further illustrate how human trafficking reveals itself in conflict and what policy and legal problems it brings up. In Chap. 5, van Rij, Mohay, Bileišis and Žemaitis focus on the example of the training and deployment of children to conflict areas by Russian private military and security companies. Many of these children

are recruited through appeals to their sense of patriotism and promises of a way out of their poor socio-economic circumstances. This chapter addresses this situation as a specific, not yet described, type of human trafficking which could be seen as either labour or criminal exploitation. It leaves readers aware of a new form of exploitation and in all likelihood thinking what else remains to be uncovered.

Chapter 6 by Maio, Hurtado, Hesketh and Wadhwa takes us to Colombia and provides findings from an exploratory data analysis of cases of child recruitment trends in the country's north-western Department of Antioquia. It examines data from 554 boys and 116 girls who were illicitly recruited as children (below the age of 18) by either right-wing paramilitaries or left-wing guerrillas in Antioquia between 1994 and 2005. By doing so, the authors seek to identify why, how and under which conditions young people have joined illegal armed groups. This study provides an example of how data-driven policy strategies could be designed to tackle illicit recruitment in the context of Antioquia. The chapter concludes by showing factors that are statistically associated with children testifying to having economic motivations for joining armed groups and also identifying factors associated with children giving political-cal violence-related motivations for joining armed groups.

In Chap. 7, Abida Pehlić explores the occurrence of trafficking in human beings and forced prostitution as a prevailing form of exploitation in the post-war Bosnia and Herzegovina of the 1990s, with a particular focus on the role of peacekeeping forces deployed to the country in fuelling demand for the provision of commercial sexual services. Chapter 8 by Greer and Cates chronicles events in the US leading up to the adoption of the *Military Extraterritorial Jurisdiction Act of 2000 (MEJA)* and the expansion of *Article 134 of the Uniform Code of Military Justice (UCMJ)* in 2005. Both are specific legislations aimed at ridding human trafficking associated with the US military. They examine military cases stemming from new laws and regulations and will discuss the extent to which US military personnel are provided substantive and adequate anti-trafficking training. Readers will find here alarming and numerous cases of different types of human trafficking in conflict zones related to the military; from labour exploitation to sexual exploitation. Through these

cases, the chapter illustrates the deficiencies in the application of the law and therefore acts as a bridge to Part III of the book.

Part III is entitled *Addressing Human Trafficking in Conflict and Dealing with the Aftermath*. This is launched with Milano's Chap. 9 on 'The Due Diligence Duty and the role of the Military in the Identification and Protection of Human Trafficking Victims.' Whilst much literature has focused on the existing debate on the negative role of the military, Chap. 9 seeks to turn the discourse on its head and look at how the military can be part of the solution in contributing to the identification and protection of trafficking victims. In this chapter, Milano provides the reader with clarity on the legal standards that apply to the armed forces with regard to human trafficking, in particular in light of states' due diligence duty under human rights law.

Chapter 10 by Chadimová then turns to look at the doctrine of legal responsibility in the context of human trafficking in conflict. Focusing on the concept of command responsibility as a potential legal toolkit to further bolster responses to human trafficking, the chapter explores the responsibility of a military commander to prevent or punish acts of human trafficking under the *Rome Statute 1998*. While individual perpetrators can be held responsible for the direct commission of a crime of human trafficking under international law, the notion of superior responsibility is used to hold senior military commanders indirectly accountable. The chapter argues that a military commander (or 'superior') may be held criminally responsible for the acts of his subordinates if three general conditions are met: first, the existence of a superior-subordinate relationship, defined by the superior having 'effective control' over the subordinate; second, the knowledge of the superior that the crime was about to be, was being, or had been committed; third, the failure of the superior to take measures to prevent the crime or punish the perpetrator. The chapter also looks at what constitutes the 'necessary and reasonable' measures that a commander must take to fulfil their duty, and whether the 'remoteness' of the commander affects his responsibility to prevent human trafficking committed by his subordinates.

Chapter 11 by Muraszkiewicz focuses on considering what policy should be taken with those who return home after having spent time with a terrorist organisation. Should they be punished (if they committed

crimes) or should they be perceived as victims of human trafficking and thus be protected from liability under the non-prosecution and non-punishment principle? The author examines two general philosophies of punishment—utilitarian and retributive—together with existing law to develop a guideline as to how we should treat returnees. The author agrees with Kid (Chap. 3) that agency needs to be better understood by policy-makers and the judiciary, as it is very much at the heart of understanding how victims of human trafficking may have committed crimes. Without giving careful thought to how persons end up in certain situations it is almost impossible to identify them as victims of human trafficking and subsequently offer them the required protection and assistance.

In Chap. 12, Iannelli argues that protection and assistance is needed by those most vulnerable, including minors. The author focuses on child trafficking during the conflict in Afghanistan. It analyses the legislation in this field, namely, the *Geneva Conventions* on the law of armed conflict, the *Convention of the Rights of the Child* and the *Palermo Protocol*. It also evaluates the current protection measures and practice. Iannelli demonstrates that despite the existence of strong legislation to protect children, enforcement remains weak due to the low level of priority that trafficking in conflict is awarded. Building on this analysis, the chapter explores the role of NATO in addressing human trafficking in conflict and post-conflict situations and the legality behind this role. It contends that as first responders on the ground, NATO may find ways to identify victims of exploitation and collect evidence against perpetrators, in an effort to help and protect them when they are most vulnerable and avoid issues of impunity. It suggests that this role may be consolidated through a greater focus on incorporating Women Peace and Security (WPS) within military operations while at the same time including a child-based approach and a deeper understanding of cultural contexts.

Keeping with the theme of children in armed conflict, in Chap. 13 Dunhill and Kidd examine the remit and outcomes of disarmament, demobilisation and reintegration (DDR) programmes regarding child soldiers. The chapter begins by noting that just as a human trafficking victim under the age of 18 is considered a victim regardless of the method through which they were trafficked, so too should child soldiers under the age of 18 be considered de facto victims of human trafficking. It then goes on to explore why and how DDR programmes differentiate between

the gendered experiences of male and female child soldiers, and it outlines the key weaknesses in current approaches. The authors argue that in commonly failing to recognise girls as child soldier victims in conflict, DDR programmes may effectively free children from their position of trafficking victim only to place them in new positions of vulnerability to re-exploitation. The authors conclude by offering some recommendations for more effective and inclusive DDR efforts.

Chapter 14, by Ruiz, examines the role of regional organisations, specifically NATO and the EU, in addressing human trafficking in conflict. Specifically, Ruiz looks at how NATO and the EU police crime within the context of peacekeeping operations and missions and examines their contribution to the prevention and repression of human trafficking, acting under a given international UN mandate or, irrespective of the mandate, under International Law and UN Security Council Resolutions. Chapter 15 by Watson, Fenton and Anning acknowledges that law is not enough, and militaries require further analytical tools to address human trafficking, as part of wider efforts to promote security and stability. The authors offer lessons identified from the development of a risk assessment methodology concerning human trafficking in conflict and its impact on military planning. The authors conclude by considering how militaries, governments and humanitarian actors can better collaborate to drive engagement with the risks related to human trafficking in order to bolster security and stabilisation activities and the broader promotion of human security.

The book concludes in Part IV with a chapter by Wieltschnig, Fenton and Muraszkiewicz addressing the concept of human security, followed by a conclusion that summarises the thematic concerns that reveal themselves in this volume. Looking to the future, the authors consider how we ought to locate human trafficking within the wider human security space, while the editors offer some recommendations for policymakers, military planners and researchers. The authors suggest that if we unspin the tangled conceptual threads within law and policy that exist nationally and internally, it appears we are heading for a worldview of security that cannot ignore the prevalence of human trafficking in conflict and the way it is nested within a complex web of interconnected human security issues. The questions, then, are how should the broader challenge of promoting human security be addressed, who can and should contribute and how.