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### BLUEPRINT

### RELIGION AND HUMAN TRAFFICKING

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## INTRODUCTION

The purpose of this document is to explore the role that religion can play in international efforts to combat human trafficking. More specifically, the document seeks to put forth a possible framework for advancing the argument that religions are relevant in conceptualizing and executing a sincere and workable strategy to end human trafficking.

We will seek to articulate a robust effort in which religion *writ large* (and organized religion more narrowly) collaborates to combat human trafficking. The shared values between secular and religious actors in human trafficking - most frequently articulated as a support of human rights and the dignity of the person - allow for much fertile ground for collaboration. However, the unique capacity religion has to battle this particularly pernicious social ill is often unrecognized in the international political climate.

In developing a framework from which to launch a strategy, it is suggested to build on previously accepted and well known framework of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) and subsequent statements. This document advocates demonstrating the unique capabilities of religion to fulfill or assist in this current framework of the “Four P’s” of combatting human trafficking: Protection, Prevention, Prosecution, and Partnership. However, in the last 13 months the Holy Father’s emphasis on the issue of human trafficking has offered additional themes to overlay onto this framework which can form the touchstones for an international approach. These themes include the unique capacity of religions to fulfill the promise of these Four P’s (particularly prevention and partnership); the expertise of religions through their work with the poor and marginalized; and a particular focus not only on demand but also on the collective responsibility of society in ending this social phenomenon.

## CURRENT INTERNATIONAL APPROACH

Slavery is not new; nor are international initiatives that respond to it. Since the time of Moses (or more recently the early 19<sup>th</sup> century) abolitionist movements existed to end state sanctioned slavery. While religion was not always on the correct side of history in the transatlantic slave trade debate,<sup>1</sup> it did play a role in ending the state sanctioned trade through

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<sup>1</sup> James Hennessey, *American Catholics: A History of Roman Catholic Communities in the U.S.*, 145 (1981).



the faithful. Indeed William Wilberforce led the fight against slavery in the British government based on his conversion to Christianity.

Although state sanctioned slavery was terminated in several countries by the late 19<sup>th</sup> century, it has continued to the present day in the form of human trafficking. Throughout this time, international efforts arose to respond to various aspects of the harm.<sup>2</sup> Not until 2000, however, did the international community begin to share a common framework on the problem which was comprehensive and reflected a modern understanding of human trafficking and its root causes. One problem with efforts prior to 2000 was that many of them failed to address the root causes of human trafficking, deciding to focus solely on one symptom of the problem. This lack of a holistic approach to the social ill meant only repeated international agreements and statements which failed to gain meaningful momentum to end the practice.

However, after World War II the language of this community changed even if the overly narrow focus of the agreements did not. Documents such as the Universal Declaration of Human Rights or the Convention of the Rights of the Child began articulating a language of “basic human rights” and “dignity of the person.” This concept of inherent value of human beings because they are human meshed nicely with language of religion of the inherent dignity of persons created in the likeness of God. Additionally, these newer agreements and resolutions departed from the pattern of the older ones which presented a purely law enforcement approach to one aspect of trafficking such as prostitution.<sup>3</sup> Instead, these documents began to address some of the causes of trafficking such as the discrimination of women.<sup>4</sup> Both of these evolutions identified common ground between the religious institutions’ message of the inherent dignity of the human person and the international community’s recognition of basic human rights.

With the enactment of the Palermo Protocol (as well as the Trafficking Victims Protection Act in the United States and numerous EU directives),<sup>5</sup> the international community accepted a common framework which provides a more holistic approach to this form of victimization. The approach adopted throughout the world and expanded to include a fourth “P” of partnership involves individual countries taking measures not only to prosecute traffickers – a reactive and important response to human trafficking; but also measures to prevent human trafficking, protect victims of human trafficking, and partner with other governments and organizations to comprehensively end human trafficking.

Because this framework is well recognized and accepted, this document advises to assess the strengths of the Church and religions and apply them to these four prongs to demonstrate the unique advantages religion has in participating in a substantive way in combatting trafficking. It is further advised then to advance the argument that religion not only offers expertise and

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<sup>2</sup> See e.g., International Convention for Suppression of Trafficking in Women and Children (1921); Convention for Suppression of Trafficking in Person and of Exploitation of Others (1949); Convention on the Elimination of All Forms of Discrimination Against Women and Children (1979).

<sup>3</sup> e.g., International Convention for the Suppression of Trafficking in Women of Full Age (1933).

<sup>4</sup> Convention on the Elimination of All Forms of Discrimination Against Women and Children (1979).

<sup>5</sup> [http://ec.europa.eu/dgs/home-affairs/e-library/docs/thb\\_victims\\_rights/thb\\_victims\\_rights\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/e-library/docs/thb_victims_rights/thb_victims_rights_en.pdf)





qualities that can support this framework, but that it has already built beyond this framework with its own initiatives. Religious organizations are uniquely positioned to fight human trafficking and should work to ensure the international community recognizes this.

When one overlays the initiative articulated by the Church onto the Four P framework the image that emerges is a strengthened Four P pillars – strengthened by religion’s unique capacity and expertise in this area, as well as its further development of anti-demand efforts and the concept of collective responsibility.

### **TRAFFICKING IN GENERAL – RELIGION’S UNIQUE CAPACITY**

Much has been written about the scope of the human trafficking throughout the world. While there may not be agreement as to exact numbers due to the difficulty in identifying victims, there is general acceptance of certain components of human trafficking. These features of the human trafficking problem in the world can be uniquely addresses by religious organizations.

First, human trafficking is both global and local. That is to say that many human traffickers are recognized as being highly organized criminal networks with very broad reach. In the post globalization world the role of organized crime in human trafficking is unquestioned.<sup>6</sup> This, frequently combined with extensive government corruption, means that many trafficking organizations are international forces with which to be dealt. At the same time, however, the forms of trafficking that emerge in communities are not uniform. To the contrary, the rules of supply and demand require that the nature, shape, or form of trafficking on the ground will be different depending upon the needs of the community. For example, labor trafficking on a rural South American coffee farm will be different from sex trafficking in a Korean nightclub, notwithstanding the fact that both manifestations of the crime may arise from highly organized criminal networks. These networks have local connections which allow them to deceive and/or control the local source of victims, understand their supply chain, engage in the necessary corruption, and execute the trafficking enterprise.

What this means, therefore, is the forces fighting these types of traffickers need to be equally as organized, but also just as nimble and aware of the local manifestations of the crime. Organized religion in general and the Catholic Church in particular, are equally as organized and comprehensive as these criminal elements. The ability of religious orders, diocese, or networks of religious groups such as the International Network of Consecrated Life Against Trafficking in Persons (Talitha Kum) is unparalleled. For example, the regional Conference of Italian Women Religious (USMI) has hundreds of women working in 80 different congregations combatting human trafficking.<sup>7</sup> These women have created an anti-trafficking kit in six languages to educate religious communities, seminaries, schools, and parishes. Similarly, religious communities and houses of worship are often integral forces in the local community. Whether through working with the poor, servicing the community, or the frequent mission to serve the most vulnerable populations most at risk of human trafficking, they often possess the

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<sup>6</sup>United Nations Convention Against Transnational Organized Crime (2000); Louise Shelley, *Human Trafficking: A Global Perspective* (2010).

<sup>7</sup> Eugenia Bonetti, *Slaves No More 1* (2013).



knowledge of the realities of human trafficking on the local level, as well as the trust of the population. This makes them uniquely suited to identify and combat human trafficking as it manifests itself locally. For example, in England the police report that officers who conduct raids on brothels often ask religious sisters from local congregations to accompany them and speak with victims on the premises because these victims recognize the sisters and confide in them far more easily than the police.<sup>8</sup>

In short, the world needs a more united and effective strategy to address human trafficking and religious organizations have the organizational capability to do so. Religions are often both international in scope but also experts on the local community and those at risk of being trafficked.

Second, human trafficking is complex. The international community has agreed that a difficult challenge in combatting human trafficking is identifying victims.<sup>9</sup> Traffickers can seemingly identify and locate potential victims due to their expertise in observing potential vulnerabilities of victims (economic, psychological, emotional) and exploiting them. Religious organizations, having worked with these populations for centuries, thus affording them the ability to more easily identify victims or those at risk of trafficking as well.<sup>10</sup> Global faiths have “consistently condemned modern slavery” and have worked with its victims for decades.<sup>11</sup> As such, they possess a unique capacity to work with victims and potential victims, thus they have also developed an expertise of the local landscape and of the population and climate for human trafficking.

This expertise of religious organizations is longstanding. Often, depending on the sector of human trafficking, religious organizations have been working with victims of trafficking for decades before these victims are recognized as victims. Although human trafficking gained more mainstream recognition in the late 20<sup>th</sup> century, religious orders throughout the world had been working with victims of sex trafficking, illegal immigrants, migrant workers, etc. for far longer. For example, in the early 1980’s Italy saw an increase in human trafficking victimizing immigrant women. At that time “Religious congregations, together with Diocesan Caritas and volunteer groups were among the first to read this new sign of the times and offer women alternative solutions life on the streets. Almost immediately, religious congregations opened their convents to young victims.”<sup>12</sup> Similarly, the plight of the migrant worker on the border of Mexico and the United States has long been an area of focus of both the Mexican and American Conferences of Catholic Bishops.<sup>13</sup>

This combination of global institutional capacity to provide an organized international reach to combat trafficking and subject matter expertise, demonstrates that religious organizations possess a unique ability to combat human trafficking. Few other organizations or social groups

<sup>8</sup> Carol Glatz, Catholic News Service, *Pope Praises Police-Church Network to Stop Trafficking, Meets Victims* (April 10, 2014)(quoting Det. Inspector Kevin Hyland).

<sup>9</sup> E.g., *Trafficking in Persons Report* (2010).

<sup>10</sup> E.g., Carol Glatz, Catholic News Service, *Pope Praises Police-Church Network to Stop Trafficking, Meets Victims* (April 10, 2014).

<sup>11</sup> <http://www.gfn2020.org/about/>

<sup>12</sup> Bonetti *supra* n. 8 at 3.

<sup>13</sup> *Strangers No Longer: Together on a Journey of Hope* (January 22, 2003).



possess this combination and it should be built upon for a global strategy against human trafficking.

## THE FOUR P'S

This combination is further empowered by the current international framework for addressing this problem: the “Four P’s” of Prevention, Protection, Prosecution, and now Partnership. This paper will address all, but particular attention will be paid to Prevention and Partnership.

### Prevention

With the issue of human trafficking coming to the forefront of mainstream policy initiatives, more research has been done to study this phenomenon. While different organizations can disagree about certain aspects of how to respond to human trafficking all agree that that one strong driver of human trafficking is poverty and economic vulnerability.<sup>14</sup> This is a view religions throughout history have taken in combatting poverty and recognizing that not until we address poverty and economic disparity will human trafficking truly be eradicated. Furthermore, the view of religion and religious groups that all persons possess a unique human dignity is echoed in the secular world in numerous international documents.<sup>15</sup> As such this integrated message of addressing the root causes of human trafficking through work directly related to poverty and the inherent dignity of the human being is a critical one that must be heard.

Religious work in this arena – that done with direct services or through advocacy- has been grounded in the principle that human trafficking can be prevented by embracing the view that all must “protect the dignity and centrality of each person.”<sup>16</sup> This approach further requires work to eliminate the economic structures which perpetuate poverty without hope. Preventing human trafficking means preventing these causes of poverty and the social acceptance of treating people as objects – particularly victims of sex trafficking.<sup>17</sup>

Not only should religions be recognized for this longstanding approach to human trafficking, now shared by international secular society. Religions sit uniquely positioned to promote it. This understanding of root causes of human trafficking supports the viewpoint that social change is not always driven by strong laws. Rather, true change often involves a paradigm shift in society. Religions and their longstanding role in important social sectors of primary education, collegiate education, houses of worship, medicine, and social work are uniquely positioned to contribute to this social messaging and move society in the direction of not only condemning human trafficking, but also condemning and stigmatizing its causes.

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<sup>14</sup> See e.g., U.N. Global Programme Against Trafficking in Human Beings at 454 (2006) (available at <http://www.unodc.org/documents/human-trafficking/HT-toolkit-en.pdf>); Extreme Poverty Leads to Human Trafficking (available at <http://www.news.va/en/news/asiapakistan-extreme-poverty-leads-to-human-traffi>).

<sup>15</sup> E.g., Universal Declaration of Human Rights, Art. 1 (1948); U.N. Convention of the Rights of the Child, Preamble (1989).

<sup>16</sup> Pope: Governments Should Seek Incisive Initiatives and New Approaches to Protect the Dignity of Refugees, Asianews.it (May 24, 2014).

<sup>17</sup> Pope Francis, Message on World Day of Peace (January 1, 2014) (“There is nothing human in a society based on relationships of power.”).



## Partnership

Subsequent to the adoptions of the Palermo Protocol and TVPA, an additional “P” was added to the framework to combat trafficking: Partnership. This change represents a recognition that responses to human trafficking must be integrated and holistic. Without the shared response of all sectors of society - governments, social institutions, businesses, law enforcement, etc. – human trafficking will never be eliminated.

One of the greatest strengths of religious organizations can be their ability to partner with other organizations to strengthen efforts to combat human trafficking. Not only does the far reach of organized religion mean access to networks throughout the world, but these networks also have formed critical partnerships with other social structures. These partnerships are between religions,<sup>18</sup> religious organizations and law enforcement,<sup>19</sup> religious organizations and other members of civil society, or religious organizations and governments.<sup>20</sup>

Some of these partnerships are effective on the local level. For example, the USIWR has partnered with the Nigerian Embassy in Italy and the Red Cross to facilitate the safe voluntary repatriation of victims of human trafficking to Nigeria.<sup>21</sup> This program builds on the reach of women by religious organizations in both Italy and Nigeria to establish a safe transition which allows for assistance to rebuild one’s life and avoid re-victimization upon the return to one’s home country.

Other partnerships are more international in scope. For example, the recently announced Global Freedom Network is a partnership between representatives of most major faiths in the world and the Walk Free Foundation of Australian businessman Andrew Forrest to eliminate human trafficking by 2020. Although the goal sounds aspirational, it has a specific action plan which includes building upon the incredible work done by religions and partnering with 50 major international businesses and 162 nations through the Global Fund to End Slavery.<sup>22</sup>

The potential of these partnerships was recently articulated in the 2014 International Conference on Combatting Human Trafficking which was a conference born out of a partnership with law enforcement, the Bishops Conference of England and Wales, and the Pontifical Academy for Social Sciences.<sup>23</sup> This conference brought together 120 politicians, religious leaders, police chiefs, and trafficking survivors to discuss ways in which religion can help in the fight against trafficking. During the meeting, which highlighted the very successful partnership between London police and religious women as a “model of co-operation,” the conference noted the partnership between law enforcement and religious/social work

<sup>18</sup> See e.g., Global Freedom Network 2020.

<sup>19</sup> e.g., Combating Human Trafficking; Church and Law Enforcement In Partnership, Second International Conference Vatican City State (April 20, 2014).

<sup>20</sup> Bonetti, *supra* n. 8 at 7 (discussing partnership between U.S. Embassy, the U.S. Department of State, and Religious Women to create a training program for religious communities to be delivered by OIM).

<sup>21</sup> Bonetti, *supra* n. 8 at 7.

<sup>22</sup> Global Freedom Network Founded by Catholics, Anglicans, Muslims to End Trafficking, Vatican Radio (March 15, 2014); <http://www.fundtoendslavery.org/>

<sup>23</sup> *Supra* n. 19.





community was critical. “These are two different approaches but they can and must go together. To dialog and exchange views on the basis of these two complimentary approaches is quite important.”<sup>24</sup> The resulting Declaration of Commitment resulted in the participants resolving to work together on the international stage to develop a strategy of “prevention, pastoral care and re-integration, placing victims at the center of all that we do.”<sup>25</sup>

Partnerships such as these may seem counter-intuitive given the current secular focus of society. However, their success is based upon the evident success of the work of religious organizations. They are also founded upon the ability of religious organizations to reach parts of the world governments cannot for information collection or message sharing. Law enforcement and civil society want successful solutions to decrease victimization. As such, they turn to organizations who are working with the relevant victims successfully. They have recognized that this includes religious organizations. It is suggested to build on this recognition of the influence of work by religious organizations and underscore its approach is evidence based one and not one only based on values.

### **Protection and Prosecution**

Certainly, much of religion’s work is done through its network in preventing human trafficking or caring for victims. This work also has implications for protection and prosecution. For an investigation and prosecution, a critical first step is victim identification. After identification, the victim him or herself must disclose the victimization and be able to do so at a later time, possibly at a trial. The aforementioned partnership between law enforcement and religious women is an example of how the work in caring for victim can support prosecutions. By working with these populations, sisters gain the trust of victims and are often the recipients of their disclosures. Moreover, British police report that without these women religious organizations, they would not be able to successfully execute their investigations. While the victims do not speak with the police when present for a raid, they will speak to the sisters.

Protection is also provided by religious organizations independent of prosecution. Throughout history, religions have been opening their doors to victims. Talitha Kum’s work repatriating victims involves setting them up in Nigeria with the necessary stability so that when they return to their nation, they will be employed and living with a certain structure. This prevents victims from being re-victimized due to poverty and homelessness when they return to their country.

### **ADDITIONAL PRINCIPLES**

Much has been accomplished in the years since the Palermo Protocol. Much has also been learned by the international community. Two areas not emphasized in the inception of the anti-trafficking movement have emerged as worthy of further exploration and development. They include the issue of demand as well as the notion of collective responsibility. Fundamentally, attention to these two aspects of human trafficking calls for all citizens to

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<sup>24</sup> Pope Francis (April 10, 2014)

<sup>25</sup> Declaration of Commitment (2014)





examine individually and collectively their demand for or complacency with human trafficking and consciously move toward a world free of slavery.

Demand on an individual basis is being explored. This is done most acutely in sex trafficking where the consumer of the product of trafficking directly interacts with the victim. Many states in the United States have passed laws aimed at prosecuting the purchasers of sex.<sup>26</sup> Similarly nations throughout the world are also targeting the purchaser as the criminal on whom society should focus, not the victim.<sup>27</sup> This message is consistent with the world religions. Religions have long denounced the self-indulgence that exploits others, thereby commodifying them and denying dignity.<sup>28</sup> In so doing religions have called on these “first party traffickers” to recognize not only their errors, but also the reality that they injure themselves.<sup>29</sup>

The focus on demand, however, has begun to expand to the recognition that a collective demand for cheap goods drives a demand for low wage labor. Legislation and executive orders focusing on supply chains, corporate responsibility for zero tolerance of human trafficking, and government accountability as consumers of goods and services all reflect a growing awareness of the collective responsibility for human trafficking and the for eliminating its acceptability.<sup>30</sup> This is a message articulated by religious figures. As Anglican Bishops recently noted “[e]veryday **we** let this tragic situation continue is a grievous assault on our common humanity and a **shameful** affront to consciences of all peoples.”<sup>31</sup> Similarly, Pope Francis recently articulated,

People of good will, whether or not they profess religious beliefs must not allow their women, men and children to be treated as objects, to be deceived, raped, often sold and resold for various purposes, and in the end killed or left devastated in mind and body, only to be finally thrown away or abandoned.<sup>32</sup>

Through this notion of collective responsibility religion can also be a force. Christian religions call on the collective conscience to build the Body of Christ, respect others, and build the church. As such, all religions may be uniquely qualified to engage not only society, but also the person of particular importance: the bystander. NGO’s have recognized that all people of faith and good will are necessary to succeed in this effort and by educating, informing, guiding the bystander to not tolerate human trafficking, religion can play an integral role. For example, the World Freedom Network has called on people of faith to engage in efforts within its Action Plan to end human trafficking by 2020.

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<sup>26</sup> <http://www.polarisproject.org/state-map>

<sup>27</sup> Donna Hughes, *A Perpetrator Focused Approach*, 6 U. St. Thomas L.J. 28 (2008-2009); Max Waltman, *Prohibiting Sex Purchasing and Ending Trafficking: The Swedish Prostitution Law*, 33 *Michigan Journal of International Law* 133-157 (2011).

<sup>28</sup> E.g., Al-Azhar, *Vatican Unite Against Slavery, On Islam* (March 18, 2014);

<sup>29</sup> *Mulieris Dignitatem*, para. 10.

<sup>30</sup> e.g. California Transparency Act of 2010; Executive Order: STRENGTHENING PROTECTIONS AGAINST TRAFFICKING IN PERSONS IN FEDERAL CONTRACTS (September 25, 2012).

<sup>31</sup> New Initiative By Global Faiths to Eradicate Modern Slavery and Human Trafficking by 2020, PR Newswire (March 17, 2014) (emphasis added).

<sup>32</sup> Pope Francis, *Address to Ambassadors* (Dec. 12, 2013).



Recently, Pope Francis articulated a vision for engagements and mobilization of the bystander and society *writ large* to embrace a collective responsibility for ending human trafficking. He did so in addressing the Brazilian people:

It is impossible to feel indifferent...We need to make a good examination of conscience: how many times have we permitted a human being to be seen as an object, to be put on show in order to sell a product or satisfy an immoral desire? ... Whoever uses human persons in this way exploits them even indirectly being an accomplice to this injustice.<sup>33</sup>

This call applies to all of humanity regarding human trafficking. Not until there is a social stigma to demand in all its forms and a recognition of a societal need to shift away from products and practices that create a demand for human trafficking will the movement against it be successful. We have seen this in the arena of violence against women, inhumane practices in conflict, and the use of particular forms of violence. All these practices were once well accepted, but now are unacceptable in the international community. The same can occur for human trafficking.

## CONCLUSION

The world of human trafficking is particularly complex and challenging. A long standing actor against human trafficking has been religions and religious organizations. However, some policy making members of the secular international community have been resistant to collaboration. Notwithstanding this resistance, policy makers, NGO's, and members of the international community have shared values. The primary shared value is a desire to end human trafficking because its very existence offends human dignity. Religions can speak to that value producing evidence based successful work which is unassailable. The reality is that religions have successfully produced results in prevention, protection, and partnership approaches to human trafficking and any organization interested in ending human trafficking will respond to these results. This expertise, combined with the structural capacity to respond in a global way to the organized criminal networks, make religions an integral component in the fight against human trafficking. Moreover, as the international dialog pivots to a focus of cultural shifts, the message of religions regarding demand and collective responsibility complement this direction. Building upon these components to advance the argument that religion is not only relevant but an integral leader in the fight against human trafficking is necessary to attain the eradication desired by all.

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<sup>33</sup> Pope Francis Letter to People of Brazil (March 5, 2014).

