

UDC 341

DOI: 10.56215/naia-herald/1.2024.43

The problem of slavery and human trafficking: International law and scientific discourse

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■ **Abstract.** The expansion of the range of issues related to modern slavery and human trafficking is associated with the intensification of scientific research in this area, which raises the issue of classification and systematization of research in this area. The publication aims at defining the main criteria for systematizing scientific works in the field of combating slavery and human trafficking, and at classifying and analysing one of the selected segments of this body of research. In the context of analysing the process of researching a particular area of scientific interest, the main tools used are the principles of objectivity, scientificity and systematicity, while general scientific methods of cognition – deduction and retrospective, as well as special legal methods – comparative legal and legal forecasting. The analysis of the content and issues of scientific reports on research conducted in the field of combating human trafficking has shown both their high professional level and their focus on processing and summarizing factual data that are mostly not available in the format of ordinary scientific articles. It has also been established that scientific reports are mostly focused on solving practical problems, which increases the benefit of using the formulated conclusions not only in scientific, but also in law enforcement and social work. The practical value of the study lies in the fact that for the first time, an attempt was made to conduct a systematic analysis of a selected segment of works on the problem of modern slavery and human trafficking

■ **Keywords:** illegal human trafficking; enslavement; exploitation; forced labour; human rights; transnational crime

■ **Suggested Citation:**

Shcherbatiuk, V., Kuras, D., & Sokur, Yu. (2024). The problem of slavery and human trafficking: International law and scientific discourse. *Scientific Journal of the National Academy of Internal Affairs*, 29(1), 43-54. doi: 10.56215/naia-herald/1.2024.43.

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■ Received: 28.12.2023; Revised: 07.03.2024; Accepted: 29.03.2024



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■ Introduction

An inherent feature of the development of the modern world is the tendency of constant growth of global risks, which, in turn, requires a consolidated response from the international community. One of the components of these processes is the growth and expansion of the scope of activities of transnational criminal groups, which are inextricably linked to the global network of terrorist organizations, posing the most real threats to the existing world order. Human trafficking plays a key role in financing the activities of both criminal groups and terrorist organizations. Aware of the danger of the spread of this form of criminal activity, the international community, in its efforts to overcome it, proceeds from the need to apply a comprehensive approach to combating the shameful phenomena of modern slavery and human trafficking. This option includes not only improving the legislative and law enforcement component, but also stimulating public outcry and deepening a range of diverse scientific research aimed at studying and exposing various forms and areas of criminal activity (Langier *et al.* 2021).

According to T. Landman (2020), one of the many paradoxes of the modern world is the confrontation between the struggle to preserve, respect and expand human rights and the existence (and sometimes even growth) of such a shameful phenomenon as slavery and human trafficking in a wide variety of forms and forms. There is no doubt that the existence of slavery and the slave trade is in blatant contradiction to absolutely all civilizational values and legal norms of today's democratic world. At the same time, human trafficking is (at least formally) condemned and prohibited even by most non-democratic states. Understanding the existence and scale of the problem, the fight against this shameful phenomenon is currently one of the priorities of public authorities (primarily law enforcement agencies), non-governmental institutions and civil society in general, as emphasized in the study by O. Nnamuchi (2022).

Also, the study by A. Russell (2018) "Human Trafficking: A Research Synthesis on Human-Trafficking Literature in Academic Journals from 2000-2014" is noteworthy. Along with this study by A. Russell's study, it is worth noting the work of R. Mahalingam (2019) "Human trafficking from a multidisciplinary perspective: A literature review". The approach proposed by the author can be considered quite original, although in terms of the presentation of factual material, this work largely overlaps with the works of E. Gozdziaik (2005; 2015). Thus, the range of research on this issue is indeed very wide in a variety of fields of knowledge – from jurisprudence and criminology to sociology, journalism and political science.

Ukrainian historiography is virtually devoid of comprehensive studies that would analyse the diverse

sources on the problem of human trafficking. The vast majority of works are limited to a more or less brief literature review. Here, it is possible to cite the work of O. Skriabin (2020), dedicated to the problems of combating human trafficking in Ukraine and neighbouring countries, the article by S. Pavlenko (2021), in which the author discusses the issue of human trafficking for labour exploitation.

On the other hand, there is a fairly large number of in-depth studies that include an analysis of specialized works. However, such studies are quite logically focused on highlighting certain narrow professional problems, and the provisions of other researchers' works are integrated into the authors' position. This can be illustrated by the work of A. Andrushko (2021), which highlights the interpretation of the objective side of the crime of human trafficking, or the collective work "Human trafficking as a crime against human freedom", which focuses on defining the definitions of criminal acts related to human trafficking and forced exploitation and examines the practice of Lithuanian courts in considering such cases (Perkumienė *et al.* 2023). However, there are still very few works focused on the analysis of the current body of work. Therefore, for a deeper and more qualitative study of the existing base of scientific and journalistic works, it is advisable to segment this array and conduct further study of it according to the identified constituent elements.

The purpose of this work is to analyse a separate segment of works in the field of combating slavery and human trafficking, which is represented by scientific reports of research conducted on the basis of both academic institutions and non-profit public foundations.

■ Materials and Methods

The implementation of the tasks was made possible by applying the principles of objectivity, scientificity and systematicity, as well as a dialectical approach to scientific analysis. Based on these principles, the methodological structure of the study was built. This structure includes: general scientific methods of knowledge – deduction and retrospective, as well as special legal methods – comparative legal and legal forecasting.

The method of deduction formed the main approaches for the process of processing, analysing and systematizing various types and kinds of works on the issues of modern slavery and human trafficking. The application of this method made it possible to conduct an in-depth structural analysis, which, in turn, laid the foundation for achieving the research goal of forming a scientifically sound systematization of works on the identified issues. The use of the retrospective method in the course of the study was also aimed at achieving the main goal, but in the context of understanding the continuity

(evolution) of consideration of similar issues in different time periods. This also applies to the analysis in a situation where one author has a number of works on a particular issue. The application of the comparative legal method in parallel with the systemic and structural approach made it possible, on the one hand, to identify structural elements and define comparison criteria, and, on the other hand, to conduct a comparative analysis, thus forming another element for the proposed systematization. The method of legal forecasting was used to formulate conclusions and practical recommendations based on the results of the study.

Aware of the global nature of the problem of slavery and human trafficking and the multi-vector nature of the international community's efforts to combat this phenomenon, the definition of the conceptual and categorical apparatus of the study is of fundamental methodological importance. It is based on the definitions defined by international legal acts that have been ratified by most countries, and at the same time serve as a basis for further development of both theoretical and applied issues of combating slavery and human trafficking. A good example of a comprehensive study of the problem of defining and using definitions of the concepts of slavery, human trafficking, forced labour and others can be found in the work of J. Harnoncourt & M. Paredes (2023). The basic interpretations of slavery and the slave trade, which are used in most international legal acts, were introduced by the Slavery Convention of 1926 (as amended by the 1953 Protocol). Paragraphs 1 and 2 of Article 1 provide the following definitions of these concepts: "Slavery is the state or condition of being subject to the attributes of ownership, or to some of them", "The slave trade shall include any act of seizing, acquiring or yielding a person for the purpose of selling him or her into slavery; any act of acquiring a slave for the purpose of selling or exchanging him or her; any act of yielding by sale or exchange a slave acquired for the purpose of selling or exchanging him or her, as well as generally any act of trading or transporting slaves¹".

The source base of the work is based on the analysis of the provisions of the framework of international legal acts that are directly dedicated to,

or contain provisions aimed at prohibiting and overcoming, the phenomena of modern slavery and human trafficking in all forms. For the purposes of this article, this analysis is of fundamental importance in the context of identifying and further applying definitions of basic concepts as one of the categories of historical and legal analysis of scientific works and their further systematization. At the same time, in this case, it is worth talking about an array of diverse scientific reports on the research as one of the elements of the source base of the work (Project Polaris, n.d.; International Justice Mission, n.d.). The analysis of this type of scientific work has made it possible not only to update certain areas of research on human trafficking, but also to open up further prospects for finding ways to combat both this phenomenon and its various consequences.

■ Results and Discussion

Basic concepts and their definitions in international pacts. Today, slavery is prohibited under all major international covenants that enshrine human rights. These include: Article 8, paragraph 1, of the International Covenant on Civil and Political Rights²; Article 5 of the African Charter on Human and Peoples' Rights³; Article 6, paragraph 1, of the American Convention on Human Rights⁴; Article 4, paragraph 1, of the European Convention on Human Rights⁵. The slave trade is prohibited in accordance with Article 8, paragraph 1, of the International Covenant on Civil and Political Rights, Article 5 of the African Charter on Human and Peoples' Rights, and Article 6, paragraph 1, of the American Convention on Human Rights. The unfree state of a person is prohibited under Article 8, paragraph 1, of the International Covenant on Civil and Political Rights, Article 6, paragraph 1, of the American Convention on Human Rights and Article 4, paragraph 1, of the European Convention on Human Rights. At the same time, attention should also be paid to the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. Article 1 of this document significantly expands the range of basic concepts by interpreting such definitions as debt bondage, servitude and forced marriage for money⁶.

¹ Slavery Convention of 25 September 1926, as Amended by the Protocol. (1953, December). Retrieved from https://zakononline.com.ua/documents/show/141093_141093.

² International Covenant on Civil and Political Rights. (1973, October). Retrieved from https://zakon.rada.gov.ua/laws/show/995_043#Text.

³ African Charter No. 26363 "On Human and Peoples' Rights". (1981, June). Retrieved from <https://treaties.un.org/doc/Publication/UNTS/Volume%201520/volume-1520-I-26363-English.pdf>.

⁴ American Convention No. 17955 "On Human Rights: "Pact of San José, Costa Rica". (1969, November). Retrieved from <https://treaties.un.org/doc/publication/unts/volume%201144/volume-1144-i-17955-english.pdf>.

⁵ European Convention on Human Rights. (1950, November). Retrieved from https://zakon.rada.gov.ua/laws/show/995_004#Text.

⁶ Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. (1957, September). Retrieved from https://zakononline.com.ua/documents/show/140716_529193.

Closely related to these provisions are the rules governing the prohibition of forced labour. These provisions are contained in the following international legal acts: The International Covenant on Civil and Political Rights (Article 8, paragraph 3), the American Convention on Human Rights (Article 6, paragraph 2), and the European Convention on Human Rights (Article 4, paragraph 2). At the same time, the International Labour Organization Conventions No. 29 of 1930 on Forced or Compulsory Labour and No. 105 of 1957 on the Abolition of Forced Labour, which regulate most of the provisions set out in general international covenants, play an important role here. Thus, Convention No. 29, which is a framework Convention, defines forced labour as a phenomenon that has the characteristics of work (or service) required of a person under threat of punishment and to which the person did not voluntarily agree (Article 2, paragraph 1¹). This Convention also defines cases when forced labour may be permitted (military service, execution of a court sentence, declaration of a state of emergency, etc.) However, these cases of exceptions were significantly amended by Convention No. 105 of 1957². In general, the problem of forced labour is widely represented in modern research works of various kinds. A widespread approach is one that exposes the systemic nature of illegal human trafficking and its directions, as well as reveals the essence of the processes of forced exploitation and combating it (Leach, 2022).

Given the prevalence of the phenomenon of forced prostitution, it is usually distinguished as a separate segment of criminal activity that has signs of various illegal acts, such as slavery, forced servitude, forced labour and some others. In this context, the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 remains the framework. Articles 1 and 2 of this Convention define the following as criminal acts that should be punishable by criminal penalties: inducement or coercion to engage in prostitution, exploitation of prostitution, keeping, managing, or financing brothels or knowingly providing premises for the establishment of brothels³.

Another document that is related to the definition of concepts in this area is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (or the Palermo Protocol of 2000), which was adopted to supplement the UN Convention against Transnational Organized Crime. According to paragraph A, Article 3 of this Protocol, the concept of trafficking in persons is defined as actions for the purpose of exploitation of persons, carried out by means of recruitment, transportation, transfer, harbouring or receipt of persons through the threat or use of force. It also defines other forms of coercion such as abduction, fraud, deception, abuse of power or of a person's position of vulnerability. It also takes into account the possibility of bribery (in the form of payments or benefits) to obtain the consent of a person who controls another person (this includes, for example, parents, guardians, community elders and others⁴). It is also worth paying attention to the further interpretation of these provisions in the Council of Europe Convention on Action against Trafficking in Human Beings of 2005⁵.

In this context, it is also worth paying attention to Articles 32, 34, 35 and 36 of the Convention on the Rights of the Child, which define the main provisions on the prohibition of various forms of child exploitation (including sexual exploitation), as well as "prevention of the abduction of children, sale of children or traffic in children for any purpose or in any form⁶". The 2000 Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography is of particular importance for understanding the issue under consideration in this paper. Article 2 of the Optional Protocol sets out the definitions of the concepts of the sale of children, child prostitution and child pornography. Article 3 of the Optional Protocol obliges States Parties to criminalize the acts defined in Article 2 and specifies the relevant offences⁷. The areas of combating the sale and exploitation of children are currently considered by many authors, for example, J. Charles-Voltaire *et al.* (2023). Today, child trafficking and exploitation (especially sexual exploitation) are one of the most shameful manifestations of

¹ Convention No. 29 "On Forced or Compulsory Labour". (1956, August). Retrieved from https://zakon.rada.gov.ua/laws/show/993_136#Text.

² Convention No. 105 "On the Abolition of Forced Labour". (1957, June). Retrieved from https://zakon.rada.gov.ua/laws/show/993_013#Text.

³ Convention On the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. (1949, December). Retrieved from https://zakon.rada.gov.ua/laws/show/995_162#Text.

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime. (2000, November). Retrieved from https://zakon.rada.gov.ua/laws/show/995_791#Text.

⁵ Council of Europe Convention on Action Against Trafficking in Human Beings. (2005, April). Retrieved from https://zakon.rada.gov.ua/laws/show/994_858#Text.

⁶ Convention On the Rights of the Child. (2005, December). Retrieved from https://zakon.rada.gov.ua/laws/show/995_021#Text

⁷ Optional Protocol to the Convention On the Rights of the Child On the Sale of Children, Child Prostitution and Child Pornography. (2003, May). Retrieved from https://zakon.rada.gov.ua/laws/show/995_b09#Text.

modern slavery and therefore require a comprehensive approach to combating them in all areas – from law enforcement to social and research activities.

It should also be noted that sanctions for crimes related to slavery, servitude and human trafficking provide for the extradition of criminals between participating countries. International law specifically states that the prohibition of slavery and servitude must be ensured in all cases and situations, including the declaration of a state of emergency, martial law, or any other state of emergency. This provision is enshrined in Article 4(2) of the International Covenant on Civil and Political Rights¹, Article 27(2) of the American Convention on Human Rights², and Article 15(2) of the European Convention on Human Rights.³

Thus, while analysing the provisions of international legal documents, a number of categorical concepts can be identified that can form the basis for the formation of a classification scheme for scientific works on the problem of slavery and human trafficking. In defining certain groups of works, one should rely on the definitions of the types of criminal acts against a person regarding coercion to involuntary servitude, human trafficking in various forms, forced labour, etc. The interpretation of the qualification of criminal acts, the circumstances of these crimes, etc. also plays an important role in the characterization of certain groups and subgroups of crimes.

Specialized research as a component of anti-trafficking activities. When analysing contemporary approaches to highlighting, studying, and understanding the phenomena of slavery and human trafficking in the world today, it is necessary to consider, firstly, a fairly wide range of people of different professions who have devoted their work to this issue. When studying works focused on combating this scourge, it is possible to propose a typology based on the nature, goals, and methods of preparation of certain works. It seems reasonable to distinguish three main groups (which in future research should also be divided into separate structural components): scientific research on this topic (they have a fairly wide range – from research reports to research articles and full-fledged scientific monographs); various journalistic works (here, it is worth paying great tribute to journalists and public figures who have done a lot to highlight the phenomenon of modern slavery, as well as to collect factual material about it and draw public attention to it).

However, in preparing this work, we faced a major problem, namely, a huge amount of factual

material, which made it impossible to analyse the available data in a sufficiently thorough manner within one relatively small study. Based on the principles of objectivity, scientificity and systematicity, we concluded that it is advisable to divide the issues identified in the subject of this paper into several separate works interconnected by one subject, but divided by research topic. Thus, the present work is devoted to the study, analysis, and systematization of a clearly underestimated, insufficiently studied, and used segment of scientific works – reports on specialized research that are either commissioned or conducted under the auspices of various scientific and public-political institutions, as well as international projects and programmes aimed at combating human trafficking, the activities of which are presented on Internet resources.

Therefore, the scope of this study will exclude the segment of scientific works represented by articles in scientific journals, as well as individual and collective monographs. This segment is very large in scope, includes works related to different areas of scientific knowledge, and therefore requires a separate study in the context of its analysis and systematization. A similar situation is also observed with the segment of journalistic works of various nature and orientation, which makes it advisable to analyse it in a separate work. A group of documents related to the activities of national and international institutions (whose sphere of functioning is focused on combating human trafficking and working with its victims) should also be separated into a separate work due to the specific nature, content, and methodology of their preparation.

Reports on specialized research are quite diverse and ambiguous both in terms of their content and presentation. They include factual reviews, analytical reports, and even full-fledged scientific papers based on standard schemes of scientific articles in professional journals. Given the large number of such works, it seems appropriate to consider some examples that are quite vividly representative of different types of such reports.

One of the most common types here is the work aimed at collecting, processing and analysing factual material of various kinds. In most cases, such studies are focused either on one rather narrow problem or on a separate region (usually determined in accordance with a specific order or the direction of the client institution). Sometimes these two characteristics can also be combined.

¹ International Covenant on Civil and Political Rights. (1973, October). Retrieved from https://zakon.rada.gov.ua/laws/show/995_043#Text.

² American Convention No. 17955 “On Human Rights: “Pact of San José, Costa Rica”. (1969, November). Retrieved from <https://treaties.un.org/doc/publication/unts/volume%201144/volume-1144-i-17955-english.pdf>.

³ European Convention on Human Rights. (1950, November). Retrieved from https://zakon.rada.gov.ua/laws/show/995_004#Text.

A striking example of a work that combines both factual and analytical components is one of the reports by N. Liv (2019), who is a researcher at the Interdisciplinary Centre of the International Institute for Counter-Terrorism, Herzliya, Israel. Her research focuses on the use of the Internet by terrorist organizations. She is the author of the institute's quarterly cyber reviews, as well as research reports on cyber-related issues. One of the main themes in her work is the trafficking of women on the Dark Net and its potential link to terrorist financing.

At the beginning of the presentation of the main material of the study, N. Liv (2019) defines the main concepts that characterize the subject and purpose of the work. The basis for their definition is the provisions enshrined in the Palermo Protocol of 2000. In characterizing the scale of the phenomenon of modern slavery and human trafficking, the researcher relies on the analysis of open data provided in the reports of international organizations. However, the main subject of her work is the study of the place of the Dark Net in the global traffic of captive persons, sources of their supply, methods of illegal trade, and possible use of money obtained by criminal activity. Thus, based on the analysis of correspondence in this network and contacts with sellers, the author was able to identify a network of trafficking in women and identify schemes of their activities (Liv, 2019). The researcher devoted a separate section of her study to analysing the sources of human trafficking. According to her report, the main source of the slave trade is North and West Africa, as well as some areas of armed conflict such as Sudan. They provide the bulk of women for sale on the Dark Net, with their subsequent use in the illegal sex industry. The author was also able to prove that the authors of the ads for the sale of women on the Dark Net are part of an extensive criminal network. Summing up her research, the researcher identifies the main groups (including terrorist groups) that, in her opinion, are involved in the organization of illegal human trafficking from the African region and the creation of schemes for the sale of female slaves on the Dark Net.

A slightly different example is the report "Human trafficking: In the shadows of the law" by F.Y. Ne (2018), who is a senior analyst at the S. Rajaratnam Centre for Non-Traditional Studies at the Nanyang Technological University in Singapore. On the one hand, this work is of a general theoretical nature, but at the same time, it can serve as a vivid example of a regionally focused study. In the first part of the report, the author pays great attention to the analysis of international legal acts and the application of their provisions in the legal practice of Southeast Asian countries (Ne, 2018). The second part is devoted to the description of the problem associated with the interpretation of both individual concepts

(such as "slavery", "unfree state", "human trafficking" and others) and international law provisions by the legislation of Southeast Asian countries, which gives rise to a number of problems in the application of the law by law enforcement agencies. It is also important here that the author identifies ways to implement international law into the system of national legislation (Ne, 2018).

When describing research reports as one of the components of the general type of scientific publications on the problems of modern slavery and human trafficking, it is worth paying attention to works that have a global character of disclosure of the problem. A good example of such research is the work of J. Bigio & R. Vogelstein (2019). At the time of the reports' preparation, both authors were senior researchers at the Council on Foreign Relations, one of the most respected non-governmental organizations in the United States. Today, J. Bigio is USAID's Senior Coordinator for Gender Equality and Women's Empowerment, and R. Vogelstein is Special Assistant to the President of the United States for Gender Policy.

In order to understand the specifics of this type of research, two reports can be cited that illustrate the conceptual approaches to their preparation. The first is entitled "The Security Implications of Human Trafficking" and is a major fundamental study that reaches the level of recommendations for US foreign and domestic policy on the whole range of problems related to human trafficking. Based on the fact that human trafficking and forced labour, with a total volume of approximately \$150 billion per year, are currently one of the most prominent types of transnational crime, J. Bigio & R. Vogelstein (2019) define this phenomenon as one of the main challenges to the national security of the United States and the entire civilized world. That is why they devoted the first part of their work to the characterization of the regional localization of sources of human trafficking and the main types of this activity, taking into account their transformation.

The second structural part of the work is devoted to identifying and explaining the risks posed to the United States and all Western democracies by the spread of human trafficking and related crimes. For example, the authors note that both terrorist groups and dictatorial regimes are undergoing quite fundamental changes in their activities, as they use "enslavement as a policy rather than a covert practice, using human trafficking not only for forced labour and profit, but also as a strategic tool for the subjugation of civilians" (Bigio & Vogelstein, 2019). Although, on the other hand, the banal profit from forced labour and the sale of people into slavery cannot be discounted, especially since a significant portion of the proceeds goes to fund purely terrorist organizations. The authors also draw attention

to the situation in our country: “In Ukraine, Russia’s annexation of Crimea and the military events in eastern Ukraine have also led to an increase in human trafficking. Poverty, displacement, and limited access to international assistance have made the local population, especially women, vulnerable to exploitation by criminal organizations” (Bigio & Vogelstein, 2019). The report also identifies the following risks: increased regional instability and social tensions, the destruction of traditional family ties, and the marginalization of a large part of the population. In particular, the researchers draw the attention of government institutions to the facts that even official contractors of the US Department of Defence have used the labour of forced labourers, and that members of peacekeeping forces have been accused of sexual offences, which significantly undermines the foundations of Western democratic society.

The third structural part of the report is devoted to recommendations for the policy of the United States and its allies and partners in overcoming the identified risks. Firstly, the report identifies ways to improve the activities of state institutions designed to combat this scourge and to develop the existing legal framework. Secondly, the authors point out in which specific cases the rhetoric of the US government and the US Presidential Administration significantly diverges from the actual actions regarding sanctions against regimes that support various forms of human trafficking and unfree will. Thirdly, attention is drawn to the need for more substantial funding for national security and intelligence programmes aimed at identifying and disrupting human trafficking routes and intergovernmental cooperation in this area (Bigio & Vogelstein, 2019). Specific activities in these areas include a range of measures. This includes the detection and elimination of criminal networks and terrorist groups. An important sector is prevention, awareness-raising and education, which should rely on various agencies (e.g. USAID) and state institutions. At the same time, specific proposals are made for the development of programmes by the US Department of State and some other institutions aimed at protecting victims of human trafficking and, at the same time, revising migration policy towards a real fight against human trafficking.

In the context of comparative analysis and understanding of the evolution of the problem, it is also worth paying attention to the report by the same authors, “Ending human trafficking in the twenty-first century” (Bigio & Vogelstein, 2021). This report contains substantially updated data on the state of human trafficking, types of modern slavery, and types of forced labour and servitude. At the same time, Jamille Bigio and Rachel Vogelstein provide a significantly expanded description of the threats to US national security posed by the spread of these types of

criminal activity, and propose a system of measures to respond to these threats.

A type of global report is the comprehensive report prepared by teams of researchers from various international and national foundations. In most cases, the distinguishing feature of such works is a much wider scope of factual material and a multi-level analysis of the issues under consideration. An example of such work is the 2018 report of the Presidential Task Force on Combating Trafficking in Persons of the International Bar Association (IBA), one of the world’s most respected legal organizations. The structure of this work is the closest to standard research articles that meet the requirements of IMRAD. It contains separate sections on the problem statement, research methodology, definition, and interpretation of key concepts, presentation of the research findings and, finally, recommendations. The report focuses on one of the most pressing issues in the fight against modern slavery today – the relationship between human trafficking and corruption in its various forms and manifestations (IBA, 2018).

First, the report notes that the fact that corruption and human trafficking are linked is now considered axiomatic. The researchers provide statistical data on corruption risk ratings according to Transparency International and the US State Department’s Watch List. Secondly, they identify the main types of risks posed by corruption in the fight against human trafficking: “corruption allows the crime of human trafficking to remain invisible; promotes impunity even when trafficking is detected; facilitates trafficking chains in the country; and increases the risk of revictimisation for victims of trafficking” (IBA, 2018). Thirdly, based on the evidence, the study identifies the main risk groups among civil servants who contribute to the spread of human trafficking. At the same time, the study notes that in different countries, from the United States to India, there are many examples of government officials themselves being involved in human trafficking. In addition, the authors provide a detailed description, supported by factual data, of all types of corruption offences related to human trafficking (IBA, 2018). This echoes many other specialized studies, such as the work of A.B.M. García (2019), where the author uses the situation of North Korean refugees in China to demonstrate, among other things, the attitude of the authorities to the flourishing of human trafficking, especially of girls and women.

A separate structural element of the paper is the conclusions and recommendations on how to combat these phenomena and trends. The authors propose the following components of anti-corruption efforts: raising public awareness of the link between corruption and human trafficking; creating a unified legal framework to combat both corruption and human

trafficking; improving the capacity of authorities to detect, investigate and enforce corruption in the field of human trafficking; targeting key resources to the highest risk areas; inevitability of punishment for corrupt officials; monitoring and reviewing anti-corruption and anti-trafficking strategies.

Here we should ask ourselves what exactly, in the context of scientific progress, the study, and analysis of the presented research reports gives us. Two fundamental conclusions are quite obvious. On the one hand, this type of scientific work potentially accumulates a really significant amount of factual material that is often not available when considered in ordinary scientific articles. Thus, reports can be viewed as a source base for further research on a particular issue. However, on the other hand, the reports often serve as analytical works in their own right, creating an interesting symbiosis of factual collection and scientific research. At the same time, while studying the body of research on human trafficking, we came to the conclusion that not all the potential of such factual and analytical sources as research reports is fully exploited, especially in the Ukrainian scientific space.

Non-state initiatives to combat human trafficking. A very important role in the fight against the shameful phenomenon of modern slavery and human trafficking is played by various projects whose activities are presented, among other things, on Internet resources. Unfortunately, the vast amount of factual and analytical information collected by these projects is little used by researchers and practitioners alike.

One of the most well-known projects is Polaris. As stated on its website: “Founded in 2002, the Polaris Project was named after the North Star, which people once held in slavery in the United States used as a guide to navigate their way to freedom. Today, we are creating a roadmap for that journey and lighting the way ahead” (Project Polaris, n.d.).

Several important areas of activity are worth highlighting here. The first is the National Survey of Survivors. The slogan of this programme is “Learning from and with survivors”. It is a research project developed in close partnership with survivors of human trafficking to gather information to help other survivors. The data collected through this programme is widely shared with individual researchers working in the field, as well as with government and international institutions. One of the main goals is to develop strategies to combat human trafficking (National survivor study, n.d.).

Another important area of activity is in the financial sector. Since 2002, the Polaris project has trained more than 2,000 specialists in financial services and anti-money laundering. At the same time, the project has been actively involved in the creation of a new public platform that allows these professionals to share knowledge, information, and best practices in

real time. Polaris has also been instrumental in launching a new UN initiative to help victims of trafficking obtain bank accounts that they would otherwise not be able to access due to poor credit history and other issues related to their status as victims of trafficking (Our work, n.d.). The area of training and rehabilitation of trafficking victims should be highlighted separately. The system of group therapy and the widest possible support for victims is widely used here (Human trafficking training, n.d.). In general, the project is constantly transforming, supplemented by new directions, programmes, and even areas of activity.

Another very well-known project is the International Justice Mission. The main goal of the project is to combat all manifestations of modern slavery and human trafficking; collect information and conduct research; cooperate with law enforcement agencies around the world and prosecute criminals; train volunteers and multidisciplinary professionals; assist victims of human trafficking and rehabilitate them (International Justice Mission, n.d.). According to the project’s 2022 activity report, 9295 victims of violence were assisted and rehabilitated; 434 people were freed from slavery; 4097 people suspected of crimes related to human trafficking were detained, 1179 of whom were convicted; 20746 law enforcement officers working on human trafficking crimes were trained; and 20114 volunteers were trained (International Justice Mission. 2022..., n.d.). This is the most complete representation of the activities of this project. The International Justice Mission operates around the world – headquartered in the United States, with offices and representative offices in Guatemala and Bolivia, Cambodia, and the Philippines (International Justice Mission. Our work, n.d.).

Thus, the work of these projects (as well as similar initiatives) is centred on preventing crimes in the field of human trafficking and combating the consequences of this criminal activity. An integral part of this work is the accumulation of a large amount of factual material that reveals various areas and types of criminal activity in the field of human trafficking and can be useful in developing methods of combating it. At the same time, the collected material is also used to prepare analytical documents related to the specifics of their activities. The experience gained by these projects in rehabilitating victims of human trafficking is also important, and may be useful to any institution specializing in this area.

The variety of works on the problems of modern slavery and human trafficking is quite wide. However, at the same time, it is important to emphasize that to date, there have been very few studies that aim to analyse the existing body of work. In the vast majority of domestic works, the review of the available literature on the problem is limited to the literature review itself. A somewhat similar situation can be

observed in many foreign authors, who usually analyse narrowly focused literature relevant to the subject of their research. Another feature of works on the problem of modern slavery and human trafficking is that a significant number of authors tend to rely primarily on factual data, giving secondary importance to the analysis of other scientific studies. An example is the monographic study by J.M. Wilson & E. Dalton (2007). In the introduction to the work, the authors define the subject of the study, its objectives, and methodological principles, describing the main sources and literature references. From the point of view of J.M. Wilson & E. Dalton (2007), the research we have today has not yet gone beyond assessing the scale of the problem, but when describing individual works on this topic, the authors highlight only certain aspects that are relevant to the problems raised in their study.

In fact, out of the vast amount of scientific literature available, there is only a small percentage of studies focused on analysing the body of work on human trafficking. A leading expert in this field is the Director of Research at the Institute for the Study of International Migration (ISIM) and one of the editors of the *International Migration* journal. A striking example of a work that provides a comprehensive analysis of the existing body of research is E. Gozdzik & E. Collett (2005) "Research on human trafficking in North America: A review of literature". The paper deals with a whole range of issues: the evolution of the interpretation of the concepts of "slavery" and "human trafficking" and their time span, different approaches to definitions and diverse definitions, analyses of factual (primarily statistical) data and methods of their preparation, and the authors express their views on the methodology of working with data sets for the analysis of human trafficking. This work is very useful both for a general acquaintance with the subject and for developing a methodology for researching approaches and concepts to considering ways to counter trafficking in human beings.

It is also worth paying attention to other studies conducted with the direct participation of E. Gozdzik. Firstly, this is the report "Data and research on human trafficking: Bibliography of research-based literature", prepared for several institutions, including the US Department of Justice (Bump & Gozdzik, 2008). As well as a similar report for 2008-2014 (Gozdzik *et al.*, 2015). These reports are characterized by a very in-depth analysis of the bibliographic base and offer a slightly different structural approach – in addition to the general theoretical part, they provide analysis according to different types of scientific papers. It is also worth noting that the latter work is essentially the only work that analyses various reports on specialized research. In general, the works of E. Gozdzik can be seen as the best option

for systematizing the scientific literature on modern slavery and human trafficking.

A modern understanding of the ways to combat this phenomenon can be traced in the works of J. Chuang (2014) and J. Kaye *et al.* (2014). The constant modification of criminal groups involved in human trafficking, the transformation of their methods and activities, on the one hand, cause the need to expose criminal practices (in which the efforts of civilian specialists – journalists, volunteers, and researchers – also play an important role), and on the other hand, the need to constantly improve the appropriate methods and means of combating them. However, it is also important to understand that this struggle is not limited to the criminal sphere, but deeply penetrates political, religious, cultural, and other types of social relations. For example, the economic aspect of this activity is revealed in J. Chuang (2006) "Beyond a snapshot: Preventing human trafficking in the global economy", where the author focuses on the place of human trafficking in the global economy and ways to exclude this phenomenon from global economic flows.

In general, it can be said that works analysing the available literature on modern slavery and human trafficking are indeed rare against the background of a huge array of scientific, journalistic, and other works. The problem of reports of specialized studies has hardly ever been addressed by researchers. Given the current situation with these studies, it is possible to safely say that further research in this area is promising.

■ Conclusions

In the course of this study, a number of conclusions were drawn. It is worth noting that today domestic scholars and lawyers working in practice have a sufficient knowledge of international law and are aware of the practice of its application by public authorities of other countries. At the same time, however, it can also be stated that they often miss out on sources of information that could be extremely useful for both theoretical research and practical application in the context of acquiring and implementing new, often best practices. For the field of scientific research, it is extremely useful to get acquainted with the methodology and practice of preparing complex scientific papers based on the processing of a large amount of factual material, which can often be obtained from open sources of both national and international institutions, foundations, and public organizations.

A study of the experience of modern scientific research in the field of combating human trafficking leads to the conclusion that the system of commissioning specialized research by various foundations, as well as state or international organizations, is beneficial for the development of scientific progress. In the main, research reports have proven to be

sufficiently high-quality and professionally prepared scientific papers with a broad factual base, various tools, and practically oriented recommendations. International practice shows that it is advisable to include in training programmes, especially retraining programmes for law enforcement personnel involved in combating human trafficking, familiarization with the modern information field, accumulated databases, and the practice of interaction between NGOs and government authorities. It would be quite useful for Ukrainian state institutions and NGOs to study the experience of developing and applying methods of working with victims of human trafficking, which is one of the main areas of activity of many international foundations.

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It is also worth paying attention to the great prospects for continuing to study scientific works on the problems of combating slavery and human trafficking. In addition to purely scientific interest, systematization of approaches to addressing human trafficking, as well as consolidation of recommendations and proposed methods of work, can be extremely useful for the practical activities of law enforcement agencies and social protection and rehabilitation structures.

■ Acknowledgements

None.

■ Conflict of Interest

None.

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Проблема рабства й торгівлі людьми: міжнародне право та науковий дискурс

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■ **Анотація.** Розширення спектру проблем, пов'язаних із сучасним рабством і торгівлею людьми, зумовило інтенсифікацію наукового пошуку в цій сфері, що актуалізує проблему класифікації та систематизації досліджень у цій галузі. Публікація має на меті визначення основних критеріїв щодо систематизації наукових праць у сфері боротьби з рабством і торгівлею людьми, а також здійснення класифікації та аналізу одного з виокремлених сегментів цього масиву досліджень. У контексті аналізу процесу дослідження певної сфери наукових інтересів основним інструментарієм використано принципи об'єктивності, науковості й системності, і водночас загальнонауковий метод пізнання – ретроспективний, а також спеціально-юридичні методи – порівняльно-правовий та правового прогнозування. Аналіз змісту і проблематики наукових звітів щодо проведених у сфері боротьби з торгівлею людьми досліджень засвідчив як їх високий фаховий рівень, так і спрямування на опрацювання та узагальнення фактологічних даних, що переважно не доступні для формату звичайних наукових статей. Також встановлено, що наукові звіти здебільшого зорієнтовані на розв'язання проблем практичного змісту, що підвищує корисність використання сформульованих висновків не тільки в науковій, а й у правоохоронній та соціальній роботі. Практична цінність дослідження полягає в тому, що вперше здійснено спробу проведення системного аналізу виокремленого сегменту праць, присвячених проблемі сучасного рабства й торгівлі людьми

■ **Ключові слова:** незаконний людський трафік; невольний стан; експлуатація; примусова праця; права людини; транснаціональна злочинність