

IGA-351 M

Human Trafficking, Human Rights, and International Norms

Charlie Clements and Siddharth Kara

Mondays and Wednesdays from 1:10 pm – 2:30 pm

Littauer 382

Instructors

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Course Description

This course will examine the various typologies of human trafficking - sexual exploitation, bonded labor, and forced labor – which has been described as the fastest growing business enterprise in the world. It will examine the commonalities in recruitment, transit, and exploitation of the three issues as well as examine patterns and trends in countries of origin, transit, and destination. It will explore the business model upon which these types of exploitation exist with the purpose of understanding vulnerabilities for effective intervention. It will also examine the Palermo Protocol at age 10 and the U.N. Global Initiative to Fight International Human Trafficking. National strategies and best practices, both in the U.S. and elsewhere, will be examined for effectiveness for designing policy interventions. This course will be particularly relevant for students, who may work in situations, where humanitarian protections are necessary for the most vulnerable populations – refugee camps, conflict and post-conflict settings, natural disasters, and settings of extreme poverty.

By the end of the course, students should expect to accrue a foundational knowledge of human trafficking and modern slavery, as well as a broader understanding of its relationship to the global economy. The ability to strategically analyze the issue will be stressed, including a detailed understanding of the global economic forces behind human trafficking, and the key domestic and international legal frameworks that attempt to tackle the issue. Economic and strategic analysis will be a focus of the class.

Given the absence of effective interventions, students will also be challenged to apply critical thinking to recommending ideas on how to respond more effectively to these crimes. Finally, the course will include up-to-date research into all forms of contemporary slavery, including current data as well as narratives from slaves gathered directly by Siddharth Kara spanning several field research trips from the years 2000 - 2011.

Course Requirements:

Students are required to come to class prepared to discuss the day's readings. Students may be asked to present a brief oral summary of highlights of any of the readings.

Class participation counts for 20% of the final grade. Students are expected to attend every class (with notification to instructors beforehand for an excused absence) and to actively engage in discussions.

Written Assignments: Two written assignments (each approximately 2500 words in length) will be required. Each written assignment constitutes 20% of the course grade, for a combined 40% of the overall total. Deadlines for these papers will be after the second and fourth week and linked with corresponding course themes.

Final Take-Home Exam: A take-home, essay-based exam will be handed out the last day class, Feb 29th and will be due on March 9th, the last day of Module 3, Spring Term. The questions should be answered in no more than 5000 words in total. This exam will count for 40% of the course grade.

Grading:

The HKS Academic Council has issued recommendations on grading policy, which include the following curve: A (10%-15%), A- (20%-25%), B+ (30%-40%), B- (5%-10%).

Readings:

Required readings will either be available in course packets through the Course Materials Office or available electronically through HKS library links, or uploaded .pdf files to the course website. Students are expected to purchase *Sex Trafficking: Inside the Business of Modern Slavery* authored by the co-instructor, Siddharth Kara.

Organization of each class:

For each of the classes, the class will begin with a brief summary of readings by one or more students, followed by an hour of lecture by one of the course instructors and class

discussion. A guest speaker qualified on the topic may be invited into class to share the instruction from time to time.

Optional Screenings of Trafficking-related Films:

Classes meet on Mons and Weds. On early evenings on Tuesday a film related to the readings of that week will be shown and followed by a discussion. Attendance at these screenings is optional. An attempt will be made to have the film on reserve in the library.

Class 1: Framing the Problem, Scope, Definitions, and Historical Roots

Monday, January 23rd

I. Book Excerpts

- Shelley, Louise. Chapter 1: “Why Has Human Trafficking Flourished?” in *Human Trafficking: A Global Perspective* (New York: Cambridge University Press, 2010), pp. 37-58.

II. Articles & Reports

- Aronowitz, Alexis A. “Smuggling and Trafficking in Human Beings” in *European Journal on Criminal Policy and Research*, Vol. 9, No. 2: 163–195, 2001.
[<http://www.springerlink.com.ezp-prod1.hul.harvard.edu/content/t37653835v31g505/>]
- Bhabha, Jacqueline. “Trafficking, Smuggling, and Human Rights,” Migration Policy Institute, March 2005
[<http://www.migrationinformation.org/feature/display.cfm?ID=294>]
- United States Department of State. Executive Summary, United States Trafficking in Persons Report, 2011.
- [<http://www.state.gov/g/tip/rls/tiprpt/2011/index.htm>]
- McGaha, Johnny E. and Amanda Evans, “Where are the Victims? The Credibility Gap in Human Trafficking Research,” in *Intercultural Human Rights Law Review*, Vol. 4: pp. 239-266, 2009.
[http://heinonline.org/HOL/Page?handle=hein.journals/ichuman4&div=18&collection=journals&set_as_cursor=0&men_tab=srchresults]

Class 2: Human Trafficking: An Historic, Economic, and Legal Overview

Wednesday, January 25th

I. International Conventions and Protocols

- UN Palermo Protocols on Trafficking & Smuggling
[<http://www2.ohchr.org/english/law/protocoltraffic.htm>;
<http://www.unhcr.org/refworld/docid/479dee062.html>]
- UN 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others
[<http://www.unhcr.org/refworld/docid/3ae6b38e23.html>]

II. Book Excerpts

- Kara, Siddharth. "Sex Trafficking: An Overview" in *Sex Trafficking: Inside the Business of Modern Slavery* (New York: Columbia University Press, 2009), pp. 1-44.
- Klein, Herbert S. "Slavery in Western Development" in Herbert S. Klein, *The Atlantic Slave Trade: New Edition*, (New York: Cambridge University Press, 2010), pp. 1-16.
- Shelley, Louise. Chapter 3: "Human Trafficking and Transnational Organized Crime" in Louise Shelley, *Human Trafficking: A Global Perspective*, 2010, pp. 83-111.

III. Articles

- Bravo, Karen E. "Exploring the Analogy between Modern Trafficking in Humans and the Trans-Atlantic Slave Trade," in *Boston University International Law Journal*, Vol. 25: pp. 212-240, 2007. [http://www.heinonline.org.ezp-prod1.hul.harvard.edu/HOL/Page?handle=hein.journals/builj25&div=10&collection=journals&set_as_cursor=8&men_tab=srchresults]

Class 3: The Economics of Human Trafficking

Monday, January 30th

I. Book Excerpts

- Kara, Siddharth. Chapter 8: "A Framework for Abolition: Risk and Demand" in *Sex Trafficking*, pp. 200-219.
- Healy, Paul M. and Krishna G. Palepu. Chapter 3: "Overview of Accounting Analysis" in *Business Analysis and Valuation: Using Financial Statements*, pp. 3.1-3.15.
- Shelley, Louise. Chapter 4: "The Business of Human Trafficking" in *Human Trafficking: A Global Perspective*, 2010, pp. 112-138.

II. Articles & Reports

- Kara, Siddharth. "Supply and Demand: Human Trafficking in the Global Economy" in *Harvard International Review*, Volume 33, Issue 2, 2011.
- Barzel, Yoram. "An Economic Analysis of Slavery," in *Journal of Law and Economics*, Vol. 20, No. 1 (Apr., 1977), pp. 87-110. [<http://www.jstor.org.ezp->

prod1.hul.harvard.edu/openurl?volume=20&date=1977&spage=87&issn=00222186&issue=1&]

- Leman, Johan and Stef Janssens, "Albanian Entrepreneurial Practices in Human Smuggling and Trafficking: On the Road to the United Kingdom via Brussels, 1995-2005" in *International Migration*, 2011: pp. 1-21.
[<http://onlinelibrary.wiley.com.ezp-prod1.hul.harvard.edu/doi/10.1111/j.1468-2435.2010.00654.x/pdf>]

Class 4: Sex Trafficking, Part 1

Wednesday, February 1st

I. Book Excerpts

- Kara, Siddharth. Chapters 2-7, *Sex Trafficking*, pp. 45-199.

Class 5: Sex Trafficking, Part 2

Monday, February 6th

I. Articles & Reports

- McKeown, M. Margaret and Emily Ryo, "The Lost Sanctuary: Examining Sex Trafficking Through the Lens of the United States v. Ah Sou" in *Cornell International Law Journal*, Vol. 41, Issue 3 (Fall 2008), pp. 739-774.
[http://www.heinonline.org.ezp-prod1.hul.harvard.edu/HOL/Page?handle=hein.journals/cintl41&div=27&collection=journals&set_as_cursor=4&men_tab=srchresults]
- Soderlund, Gretchen. "Running from the Rescuers: New U.S. Crusades against Sex Trafficking and the Rhetoric of Abolition" in *NWSA Journal*, Vol. 17, No. 3, States of Insecurity and the Gendered Politics of Fear (Autumn, 2005), pp. 64-87.
[<http://www.jstor.org.ezp-prod1.hul.harvard.edu/openurl?volume=17&date=2005&spage=64&issn=10400656&issue=3>]

Class 6: Bonded Labor

Wednesday, February 8th

I. Book Excerpts

- Kara, Siddharth, Chapter 1 of forthcoming book on Bonded Labor (70 pp)

II. Articles & Reports

- Conning, Jonathan and Michael Kevane, *Freedom, Servitude and Voluntary Contract*, 2005, pp. 1-31.
- Genicot, Garance "Bonded Labour and Serfdom: A Paradox of Voluntary Choice," 2002, pp. 1-36.

Class 7: Forced Labor and Labor Trafficking

Monday, February 13th

I. International Conventions

- ILO C29 Forced Labour Convention, 1930
[<http://www.ilo.org/ilolex/cgi-lex/convde.pl?C029>]
- C105 Abolition of Forced Labour Convention, 1957
[<http://www.ilo.org/ilolex/cgi-lex/convde.pl?C105>]

II. Book Excerpts

- Urs Peter Ruf, Chapter 1, *Ending Slavery: Hierarchy, Dependency, and Gender in Mauritania*, 1999.

III. Articles & Reports

- Delap, Emily. "Begging for Change: Research Findings and recommendations on forced child begging in Albania/Greece, India and Senegal," Anti-Slavery International, 2009, pp. 1-38. [http://www.anti-slaveryinternational.org.uk/includes/documents/cm_docs/2009/b/beggingforchange09.pdf]
- Organization for Security and Co-operation in Europe Occasional Paper Series No. 4, "Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude," 2010, pp. 7-66. [<http://www.osce.org/cthb/75804>]
- International Labour Organization, "The Cost of Coercion: Executive Summary of the 2009 Global Report on Forced Labour," 2009 – SKIM ONLY
[http://www.ilo.org/sapfl/Informationresources/ILOPublications/lang--en/docName--WCMS_106268/index.htm]

Class 8: Child Trafficking and Child Labor

Wednesday, February 15th

I. International Conventions

- ILO Convention 182: Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour
[<http://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chic.htm>]
- UN Convention on the Rights of the Child [<http://www.unicef.org/crc/>]

II. Book Excerpts

- Bhabha, Jacqueline. Chapter 1: "From Citizen to Migrant: The Scope of Child Statelessness in the Twenty-First Century" in ed. Jacqueline Bhabha, *Children Without a State* (Cambridge: MIT Press, 2011), pp. 1-42.

III. Article & Reports

- Amnesty International, “A Compromised Future: Children Recruited by Armed Forces and Groups in Eastern Chad,” 2011, pp. 5-46. [http://www.amnesty.org/en/library/asset/AFR20/001/2011/en/1cf0816b-12e1-4c15-b055-26f18b5d5201/afr200012011en.pdf]
- Eldring, Line. “Child Labour in the Tea Sector in Malawi,” Fafo, 2003, pp. 5-25. [http://www.fafo.no/pub/rapp/714/714.pdf]
- Human Rights Watch, “Borderline Slavery: Child Trafficking in Togo,” 2003, pp. 1-17. [http://www.hrw.org/reports/2003/04/01/borderline-slavery-0]

Optional:

- UNICEF Guidelines on the Protection of Child Victims of Trafficking, 2006 [http://www.unicef.org/ceecis/0610-Unicef_Victims_Guidelines_en.pdf]

NO CLASS – PRESIDENT’S DAY

Monday, February 20 – university holiday

Class 9: The Emergence and Challenges of Newer Forms: Cyber and Organ Trafficking

Wednesday, February 22nd

I. International Declarations

- Declaration of Istanbul on Organ Trafficking and Transplant Tourism [http://www.declarationofistanbul.org/index.php?option=com_content&view=article&id=78&Itemid=54]

II. Articles & Reports

- Bakdash, Tarif and Nancy Scheper-Hughes. “Is It Ethical for Patients with Renal Disease to Purchase Kidneys from the World’s Poor?” in *PLoS Medicine*, Vol. 3, Issue 10, October 2006, pp. 1699-1701. [http://www.plosmedicine.org/article/info:doi/10.1371/journal.pmed.0030349]
- Budiani-Saberi, D. A. “Sudanese Victims of Organ Trafficking in Egypt”
- Kunze, Erin I. “Sex Trafficking Via the Internet: How International Agreements Address the Problem And Fail To Go Far Enough” in *Journal of High Technology Law*, Vol. 10, 2010, pp. 241-289. [http://www.jhtl.org/publications/V10N2/Kunze_10JHTL241.pdf]
- Latonero, Mark. “Human Trafficking Online: The Role of Social Networking Sites and Online Classifieds,” USC Annenberg Center on Communication Leadership & Policy, 2011. [http://technologyandtrafficking.usc.edu/report/executive-summary/]
- Reed, A. I. et al. “The Declaration of Istanbul: Review and Commentary by the American Society of Transplant Surgeons Ethics Committee and Executive Committee,” in *American Journal of Transplantation*, Vol. 9, Issue 11, November 2009, pp. 2466-2469. [http://onlinelibrary.wiley.com/doi/10.1111/j.1600-6143.2009.02827.x/abstract]

- Scheper-Hughes, Nancy. "Mr Tati's Holiday and Joao's Safari: Seeing the World through Transplant Tourism," in *Body & Society*, Vol. 17, No. 203, June/September 2011, pp. 55-92. [<http://bod.sagepub.com/content/17/2-3/55.abstract>]
- Shearmur, Jeremy. "The Real Body Shop, Part 2: Spare Parts," in *POLICY Magazine*, Vol. 24, No. 1, Autumn 2008, pp. 25-29. [<https://cis.org.au/images/stories/policy-magazine/2008-autumn/24-1-08-jememy-shearmur.pdf>]
- Umali, Violeda A.. "The Cyber-trafficking of Filipino Girl-children: Weaknesses of Philippine Policies" in *Asian Women*, Vol. 20, 2005, pp. 175-200. [http://www.dbpia.co.kr/view/ar_view.asp?arid=1141691]

Class 10: Vulnerable Populations

Monday, February 27th

I. Book Excerpts

- Rozzi, Elena. Chapter 8: "Undocumented Migrant and Roma Children in Italy: Between Rights Protection and Control" in ed. Jacqueline Bhabha, *Children Without a State*, pp. 177-216.

II. Articles & Reports

- Atzet, Ian. "Post-crisis Actions to Avoid International Child Trafficking," 2010 in *Journal of Law & Family Studies*, Vol. 12: 2010, pp. 499-510. [<http://epubs.utah.edu/index.php/jlfs/article/viewFile/367/298>]
- Clark, Michelle Anne "Trafficking in Persons: An Issue of Human Security," in *Journal of Human Development*, Vol. 4, No. 2: July 2003, pp. 247-263. [<http://www.tandfonline.com/doi/pdf/10.1080/1464988032000087578>]
- Palmer, Amy. "An Evolutionary Analysis of Gender-Based War Crimes and the Continued Tolerance of 'Forced Marriage,'" in *Northwestern Journal of International Human Rights*, Vol. 7, No. 1: Spring 2009, pp. 133-159. [<http://www.law.northwestern.edu/journals/jihr/v7/n1/5/Palmer.pdf>]
- Vital Voices Global Partnership, "Stateless and Vulnerable to Human Trafficking in Thailand," 2007, pp. 1-30. [http://www.humantrafficking.org/uploads/publications/Vital_Voices_Stateless_and_Vulnerable_to_Human_Trafficking_in_Thailand.pdf]

Class 11: The Law, Public Policy, and Human Rights: Where they've failed

Wednesday, February 29th

*****TAKE-HOME EXAMS DISTRIBUTED*****

I. International Conventions and Domestic Laws

- U.S. Trafficking Victims Protection Act and its reauthorizations [<http://www.state.gov/g/tip/laws/>]

- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse
[<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=201&CL=EN>]

II. Articles & Reports

- Chacon, Jennifer. "Misery and Myopia: Understanding the Failure of U.S. Efforts to Stop Human Trafficking" in *Fordham Law Review*, Vol. 74, May 2006, pp. 2977-3040. [http://papers.ssrn.com/sol3/papers.cfm?abstract_id=931448]
- Ekberg, Gunilla. "The Swedish Law That Prohibits the Purchase of Sexual Services" in *Violence Against Women*, Vol. 10, No. 10, October 2004, pp. 1187-1218. [action.web.ca/home/catw/attach/Ekberg.pdf]
- Kara, Siddharth. "Designing More Effective Laws against Human Trafficking" in *Northwestern Journal of International Human Rights*, Vol. 9, No. 2 (Spring 2011), pp. 123-147. [www.law.northwestern.edu/journals/jihr/v9/n2/1/kara.pdf]
- Republic of Georgia, National Action Plan to Combat Human Trafficking
- UNODC, "The Role of Corruption in Trafficking in Persons," 2011, pp. 3-32. [<http://www.unodc.org/unodc/en/human-trafficking/index.html>]
- UNODC Model Law against Trafficking in Persons, 2010 [<http://www.unodc.org/unodc/en/human-trafficking/publications.html>]

Final Exam Due, 9 March, 2011 – last day of Module 3, Spring Term

*****Note that this curriculum being posted on the course pages on December 8th is not final and subject to minor changes*****