

11th International Anti-Corruption Conference: Workshop 6.3

Presentation Abstract

1. Your name: Manuel Lezertua	2. Workshop Title: Countering corruption to combat trafficking in human beings
3. Title of case-study or paper: Opportunities for corruption in trafficking of human beings	

My paper will present an analysis of the links between corruption and trafficking in human beings, with a particular reference to South-eastern Europe, a geographic area highly vulnerable to these forms of criminal activity. It will be based on the findings of a conference dealing with this topic held in Portoroz in June 2002, which was jointly organized by the Council of Europe (PACO Program against Corruption and Organized Crime in South-eastern Europe) and the Republic of Slovenia (Office for the Prevention of Corruption).

Reports suggest that anti-trafficking efforts are being undermined by corruption. It is furthermore assumed that the impact of corruption on trafficking in human beings is compounded by the involvement of organized crime groups. However, there are no systematic analyses or specific proposals for anti-corruption measures within the framework of trafficking in human beings.

The paper will tackle the following three areas:

- **Opportunities for corruption in the trafficking chain**
The trafficking chain may range from the recruitment or acquisition of the victims, to the provision of documentation (identity papers, visas, permits), the transportation within countries or across borders, the continued control and exploitation of the victims, and the laundering of the proceeds. Corrupt relations may involve police, customs officers, visa officers or embassy staff, border control, immigration services, local officials, intelligence and security services, armed forces (national or international), the private sector (travel agencies, airlines, transportation sector, financial institutions, banks) and persons, groups, parties with “influence”. Their acts may range from passivity (ignoring or tolerating trafficking), or actively participating in or even organizing trafficking in human beings, that is, from a violation of duties, to corruption or organized crime.
- **Opportunities for corruption in the criminal justice chain**
The criminal justice chain ranges from the drafting and adoption of legislation, to crime prevention measures, preliminary investigations and investigations into specific offences, the search and seizure of proceeds, prosecution, trial and verdict, confiscation of proceeds, and enforcement of sanctions. Corrupt relations may involve the same as above as well as parliamentarians and government officials, investigators, criminal police, prosecutors and judges. Persons, groups and parties with influence may play a particular role. Acts pointing to corruption or organized crime, or at least to a violation of duties, may range from passivity (ignoring, tolerating, avoiding action) to an active obstruction of investigations, prosecution and judicial proceedings, the revealing and selling of information, and the perverting of the course of justice.
- **Opportunities for corruption in the protection and support to victims**
Corruption and organized crime may also be present among NGOs, other civil society organizations and public social service institutions providing support, protection and shelter to victims. This may include passivity or “trade offs” (passivity in order not to compromise access to victims or cooperation with official institutions), revealing or selling information on victims, betraying victims, or that an organization is infiltrated by traffickers.

It is important to underline that these are areas presenting opportunities for corruption, but not necessarily that corruption is prevalent among all the institutions mentioned, or that these are specific to South-eastern Europe. Often, passivity may not be due to corruption or organized crime, but simply due to a lack of awareness, skills and capacities or to the fact that taking measures against trafficking in human beings is not a priority.

Some tentative conclusions can be formulated on the relationship between corruption and trafficking in human beings:

- Unless trafficking in human beings is tolerated as a matter of policy or is not criminalised, organized trafficking requires systemic corruption, that is, the establishment of corrupt relationships and networks, as well as high level corruption.
 - Corruption is central to the success of traffickers who are therefore ready to make the necessary investments. Data suggest that corruption is one of the most important cost factors for traffickers.
 - Bribes and other advantages do not fully remain with the immediate recipient official but flow up the command chain to senior officials and decision-makers.
 - States with a high level of corruption are states with low standards and efforts against trafficking. States with low levels of corruption are also states with higher standards and stronger efforts against trafficking.
 - Corruption within the context of trafficking has an immediate impact on human rights.
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