Foreword | *The public tends to assume that trafficking in persons is associated with the forced recruitment of women for sexual exploitation by highly organised, criminal gangs. In reality, the modus operandi and individuals involved in trafficking crimes are diverse. Trafficking in persons can and does occur in a range of industries and sectors, and it affects women, men and children. Furthermore, this crime can and has been perpetrated by relatively unsophisticated offenders, including individuals acting alone or with one other person, such as a spouse. All of these factors have implications for prevention, detection and prosecution.*

In this paper an overview is provided of the existing research on the organisation of human trafficking internationally and in Australia. It begins with an examination of the key concept: precisely what is organised crime? This is followed by an examination of the Australian and international literature on trafficking offending, a review that confirms the paucity of primary research on this subject.

This paper is the first publication of a larger research project investigating the nature and characteristics of trafficking offending, with a particular focus on the Australian context.

Adam Tomison
Director

Organised crime and trafficking in persons

Fiona David

It is frequently assumed that organised criminal groups are heavily implicated in trafficking in persons (Gozdziak & Bump 2008; Aronowitz 2009). However, this assumption remains relatively untested. As the response to trafficking in persons continues to grow both globally and nationally, increased information is available about the people involved in the trafficking process, their level of organisation, their offending methods and their connections with other forms of criminality. The picture that is beginning to emerge from this information is increasingly complex. For example, it appears that there is considerable diversity in the characteristics and criminal histories of offenders involved in trafficking crimes, the length and scope of their operations, their modus operandi and motives. It is important to understand these characteristics if strategies to combat trafficking in persons are to be effective.

The purpose of this paper is to provide an overview of the existing Australian and international research on the involvement of organised criminal groups in the trafficking process for labour-related forms of exploitation. The issue of trafficking in persons for the removal of organs is not considered. As the existing research is far from comprehensive, the information that can be obtained is incomplete. Nonetheless, this review does identify several key themes that can help inform and frame future research and responses to this issue.

The first section of this paper provides an introduction to the issue of organised crime and its defining features. The second section comprises a thematic review of the existing literature on the extent to which organised criminal groups are involved in trafficking crimes.

Terminology

This paper uses the terminology of 'trafficking in persons' and 'smuggling of migrants' as defined in the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime* (Trafficking in Persons Protocol) (UN 2000a) and the *Protocol against the*

Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (Migrant Smuggling Protocol) (UN 2000b). As defined in Article 3 of the Trafficking in Persons Protocol, trafficking in persons occurs when a person intentionally recruits, transfers or harbours another person, through some form of deception, fraud, violence or coercion, for the purpose of exploitation. In this context, exploitation includes conduct that is so severe and harmful that it is proper to describe it as, for example, slavery, forced labour or sexual exploitation. People can also be trafficked for the removal of their organs. The international legal definition recognises a different standard for children, requiring only recruitment, transfer or harbouring for exploitation.

Migrant smuggling is a related but distinct legal concept to trafficking in persons. As defined in Article 3 of the Migrant Smuggling Protocol, migrant smuggling involves two main elements: (i) intentionally facilitating the illegal entry of a person into another country; (ii) for some form of financial or material benefit. While migrant smuggling and trafficking in persons are distinct legal concepts, in reality these crime types can overlap. For example, a trafficked person may have been smuggled as part of the migration process and, similarly, a smuggled person may also become a victim of trafficking.

This paper focuses on the first of these crime types (trafficking in persons) and the extent to which organised criminal groups are involved. As the existing literature on migrant smuggling provides some useful insights into the organisation of migration-related forms of crime, this literature is referenced where relevant.

What is organised crime?

There are enduring debates about the precise nature and definition of organised crime. As Morrison (2002) has noted, '[D]escriptions of organised crime vary according to the needs and experiences of different investigative or research organisations and individuals'. Nonetheless, in the context of a discussion about trafficking in persons, there is a critical legal definition that provides a useful starting point for a discussion of this issue: the definition of an organised criminal group in the United Nations Convention against Transnational Organized Crime (UNCTOC) (UN 2000c).

UNCTOC and organised criminal groups

UNCTOC provides a legal framework within which countries have agreed to work together to combat certain forms of transnational organised crime. These forms include participation in an organised criminal group, money laundering, corruption, obstruction of justice, serious crimes (crimes that attract a penalty of more than four years in prison) and the offences established by the various Protocols which were agreed under the framework of the Convention (including trafficking in persons and migrant smuggling).

UNCTOC does not contain a definition of organised crime. However, Article 2(a) of the Convention defines an *organised criminal group* as:

> … a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit (UN 2000c).

Structured group existing for a period of time

The UNCTOC definition of an organised criminal group refers to a 'structured group of three or more persons, existing for a period of time'. As noted in the Legislative Guide to the Convention (the Legislative Guide), this concept is to be understood broadly. A *structured group* includes groups with a hierarchical or other elaborate structure but also non-hierarchical groups where the roles of the members of the group are not formally specified:

> Thus, a "structured group" is not necessarily a formal type of organisation, with a structure, continuous membership and a definition of the roles and functions of its members. However, it must be more than randomly formed for the immediate commission of an offence (UNODC 2004: 14).

The Legislative Guide notes that the reference to a structured group is intended to exclude crimes committed by groups on an ad hoc basis, but to include all instances of crime that involve any element of criminal preparation (UNODC 2004).

This broad conception of a structured group potentially covers a wide variety of actors and networks, some of which might fit within traditional notions of organised crime but many of which would not. As noted by Zhang and Chin (2002), thinking around organised crime tends to reflect two schools of thought. The traditional school of thought involves conceptualising organised criminal groups as those having a centralised, hierarchical, bureaucratic structure, with leaders and followers. These groups try to 'monopolize criminal enterprises by expanding in size and forming large cartels' across national and international boundaries (Zhang & Chin 2002: 739). The alternative school of thought is that the concept of organised crime should be abandoned in favour of an 'enterprise' model (see for example, Levi 1998: 336). As described by Zhang and Chin (2002):

> This model suggests flexible and adaptive networks that can easily expand and contract to deal with the uncertainties of the criminal enterprise. The entrepreneurs are organised only to the extent that they can effectively carry out illicit activities, which is a utilitarian or rational behaviour, as the economists have advocated (Zhang & Chin 2002: 740).

As noted by Zhang and Chin (2002), some commentators have sought to bridge the gap between these two alternative approaches by arguing that there is instead a spectrum of organised crime, with the enterprise model at one end of the spectrum and the traditional model at the other. For example, in 1983, Hagan questioned the value of trying to define organised crime as if it represented a unit of measurement. He argued that:

A continuum model of organized crime suggests that rather than viewing the concept as a matter of kind (ie, is it or is it not), it is far more useful to view it as a matter of degree, that is, "To what extent does this group and/or its operations resemble organized crime?" (Hagan 1983: 52).

This continuum approach is largely reflected in the broad UNCTOC definition. For example, it would appear that a structured group existing for a period of time could apply just as readily to a group of three or four people who work together to plan and execute a serious crime to earn a profit as it could to a highly structured group with office holders and lines of authority, which operates across multiple forms of criminality.

The continuum approach is arguably most suited to capturing a wide range of modern, transnational crime types. For example, Zhang and Chin (2002) studied the operations of Chinese migrant smugglers (described in their research as human or people smugglers) in both the United States and China. Their research involved semi-structured interviews with approximately 100 migrant smugglers, identified through the researchers' own personal networks and snowball sampling. It suggests that while these migrant smuggling operations in some ways reflect the traditional notions of organised crime, in many other ways they do not. Zhang and Chin (2002) observe that the best way to describe migrant smuggling operations is in the nature of a taskforce, where people would describe themselves as working with their 'friends'. While acknowledging that they may have been excluded from some highly structured networks as a result of their research method, Zhang and Chin observe that, based on their interviews with smugglers:

> … human smuggling organizations were temporary business alliances that were formed as quickly as they were dissolved once an operation was completed. [Human smugglers] in our sample operated within a limited and well defined project. None considered human smuggling to be their sole livelihood (Zhang & Chin 2002: 758).

Zhang and Chin also observe that while those involved in migrant smuggling certainly have recourse to 'enforcers' who can help ensure a debt is paid, key considerations in this business involve reputation and trust. They note that, as one of the principal business challenges is to ensure that smugglers get paid, various methods of guarantee have emerged to ensure payment. These include mechanisms such as opening joint bank accounts in the names of both the people smuggler and the client, with the final additional payment only being made once the client reaches their destination. On the issue of relying on recourse to violence as an enforcement strategy, one interviewed smuggler noted that:

> You have to know that many customers are acquaintances and relatives, and it's not appropriate to force them to pay right away (Zhang & Chin 2002: 758).

Zhang and Chin (2002) found that, on the one hand, the Chinese migrant smuggling organisations that they studied most closely resemble the enterprise model, with groups of entrepreneurs meeting through familial networks and fortuitous social contacts, forming flexible international networks, and contributing their time, energy, expertise, and money to supply illicit goods and services for profit. However, on the other hand, these groups also have some resemblance to traditional organised crime: their operations are highly specialised with clearly assigned roles and divisions of labour, the flow of information is highly restricted, and most migrant smugglers in the study engage in dyadic transactions (transactions of two parts). As a result, each successive stage of the operation is highly defined (Zhang & Chin 2002). They argue that the continuum model allows the most flexibility in delineating different modes of what they describe as organised crime.

There are various commentators who argue that network or enterprise crimes are not properly described as *true organised crime*. For example, Finckenauer (2005) has proposed his own framework for describing organised crime and criminal organisations. This framework has the following eight elements:

- *ideology* (or lack thereof);
- *structure or organised hierarchy*, including what he describes as 'loosely affiliated networks of criminals who coalesce around criminal opportunities' (Finckenauer 2005: 65–66);
- *continuity* in the sense that the group is self-perpetuating;
- *violence*, or the use of force or threat of force;
- *restricted membership* and/or bonding activities such as initiations and rituals;
- *illegal enterprises which produce a profit*, typically involving the supply of goods or services that are either illegal, regulated or in short supply;
- *penetration of legitimate businesses*; and
- use of *corruption* as a way of avoiding investigation, prosecution and conviction and facilitating criminal activities (Finckenauer 2005).

If this conception of organised crime is followed, then the loose entrepreneurial networks described by Zhang and Chin would not be categorised as organised crime. The people involved in these task forces do not see themselves as being members of a defined organisation with durability and reputation. In addition, they have only limited recourse to violence, using other methods such as complex financial and banking transactions as a way of minimising any risk of non-payment by the client. Finckenauer would likely argue that the activity described by Zhang and Chin is best described as *crime that is organised* rather than *true organised crime*. This would be a contentious conclusion, given that Zhang and Chin describe networks that are allegedly responsible for the transnational movement of significant numbers of Chinese nationals from one country, irregularly into another, for profit. In any event, the form of criminality described by Zhang and Chin would likely fall within the category of organised criminal groups under UNCTOC.

Serious crimes or Convention offences

The UNCTOC definition is similar to numerous operational definitions of organised crime, in that it effectively includes

a list of crimes which are considered to be connected to organised criminality. For example, in the Australian context, the Australian Crime Commission (ACC) is tasked with responding to 'serious and organised crime'. This is defined as including certain specified 'serious offences', such as money laundering, people smuggling, people trafficking and drug trafficking, where the criminal activity also involves two or more offenders, substantial planning and organisation, is of a type that involves the use of sophisticated methods and techniques, and that is usually committed in conjunction with other offences of a like kind (*Australian Crime Commission Act 2002* (Cth), s 4(1)).

The UNCTOC definition refers to groups that act in concert with the aim of committing one or more serious offences or Convention offences. In this context, 'serious crimes' include crimes that attract a penalty of more than four years in prison, participation in an organised criminal group, money laundering, corruption, obstruction of justice, trafficking in persons and migrant smuggling.

Financial or other material benefit

The UNCTOC definition of an organised criminal group includes as one of its critical elements the pursuit of a 'financial or other material benefit'. The financial element is relatively uncontroversial. As Van Duyne wrote in 1997:

> … what is organized crime without organizing some kind of criminal *trade*; without the selling and buying of forbidden goods and services in an organizational context? The answer is simple: nothing. (Van Duyne 1997: 203).

Through the inclusion of not only financial but also 'other material benefit', UNCTOC contemplates that organised crime can occur without money changing hands. The Legislative Guide notes that while the reference to a 'financial or other material benefit' was intended to exclude groups with a purely political or social motivation, the term 'material benefit' is not limited to financial or monetary benefits. It can include, in particular, sexual gratification (UNODC 2004). The guide also notes that this is to ensure that organisations involved in

trafficking in human beings or child pornography for sexual rather than monetary reasons are nonetheless covered by this definition (UNODC 2004).

Ethnicity: notable in its absence

In popular culture, organised crime is commonly associated with ethnically-based groups, such as the Italian Mafia or the Japanese Yakuza. Nonetheless, the UNCTOC definition makes no reference to ethnicity. This reflects a modern trend in thinking which has highlighted the dangers of relying on ethnicity as a principal descriptor of organised crime. For example, Soudijn and Kleemans (2009) note the heavy focus in the criminological literature on what is described as the 'ethnic' conception of organised crime:

> Ethnicity seems to be the key to determining group membership in organized crime, distinguishing between, for instance, Italian organized crime, Chinese organized crime, Russian organized crime and so forth… (Soudijn & Kleemans 2009: 457).

Soudijn and Kleemans (2009) note that in using this ethnic conception of organised crime, generalisations are made regarding organisational structures (Sicilian mafia, Chinese triads, Japanese yakuza): ethnic homogeneity and closure are emphasised and ethnic heterogeneity and inter-ethnic cooperation are neglected. Furthermore, these ideas of 'ethnic specialisation' tend to identify particular ethnic groups with particular crimes. Based on an analysis of Chinese organised crime in the Netherlands, Soudijn and Kleemans (2009) argue that a focus on *social networks* and *situational context* would offer improved insights into the operations of organised criminal groups. Their analysis closely resonates with the analysis by Zhang and Chin of Chinese people involved in migrant smuggling networks in the United States and China.

While recognising that ethnicity is not an indicator of organised crime, existing research on trafficking in persons has raised questions about the role that diasporas might play, both as a source of help and protection for trafficked persons, and also for recruiting and essentially hiding victims

of exploitation (see, for example, David 2010; Turner & Kelly 2009). Diasporas are populations living outside of their country of origin, usually sustaining ties and developing links both with that country of origin and across countries of settlement and residence (UNESCO & The Hague Process on Refugees and Migration 2008). In this sense, it is perhaps relevant to consider the role that diasporas play in trafficking crimes, as a critical part of the examination of social networks and situational context suggested by Soudijn and Kleemans.

In a recent article, Turner and Kelly note that while diasporas are not inherently criminal, members of diasporas are recognised as facilitating much legitimate commerce between home and host countries, through their language skills, capacity to move across 'codes', and knowledge of both the source and destination country. These attributes also lend themselves to activities of an illicit nature (Turner & Kelly 2009).

The authors hypothesise that there are a variety of levels to this involvement, ranging from close intersections between diasporic communities and the criminal process to much looser (or non-existent) connections. They propose four typologies as a suggested starting point for categorising different levels of interconnection between diasporas and organised crime. The four typologies are:

1. the *integrated diasporic model*—this is described as 'a fully diasporic closed criminal network, which traffics and profits from the exploitation of own-country nationals' (Turner & Kelly 2009: 196);

2. the *partially integrated diasporic model*—this is described as 'a fully closed diasporic crime network that controls and oversees recruitment and transportation of own-country and/or other-country nationals, but that then sells trafficked individuals to other exploiters' (Turner & Kelly 2009: 197);

3. the *instrumental model*—these networks 'operate in the shadow of ethnic diasporas and try to both victimize migrants and to involve members of ethnic communities in criminal activities on their behalf' (Turner & Kelly 2009:

197). These networks use diasporas instrumentally, such as to render themselves less visible, to provide the market for trafficked persons, or to provide the means of laundering the proceeds of trafficking operations; and

4. the *fully open model*—any links to diasporas are fully incidental and form no part of the group's structure or modus operandi.

Turner and Kelly (2009) state that their proposed typologies are intended to facilitate empirical study of such connections by providing a framework for the collection and analysis of data. The intention is to allow a closer examination of the intersections between criminal groups and their diasporas throughout the trafficking chain, and of a more nuanced consideration of gender and ethnicity in the trafficking process.

Research on the involvement of organised crime in trafficking in persons

What does the literature tell us about how closely the individuals/groups involved in the trafficking process resemble the ideal of organised crime? Are offenders acting alone, or in concert with others? Is trafficking in persons a crime committed by structured groups? Do these groups exist for a period of time? Are they acting in cooperation for a common purpose, or are their actions related instead to specific parts of the larger process? Are they acting for material or other financial benefit? Each of these questions links back to the elements of the definition of an organised criminal group in UNCTOC.

A review of the Australian and international literature was undertaken to identify sources which seek to examine the people and processes involved in trafficking in persons. The review involved a keyword search of three social science bibliographic databases (Pro-Quest, SAGE and Wiley Online), and two EndNote libraries. The first EndNote library contains the results of a systematic review of the literature on trafficking in persons undertaken by Gozdziak and Bump, current until 2008 (see further, Gozdziak & Bump 2008), totalling 742

trafficking-specific sources. The second EndNote library contains the results of a systematic review of the literature on migrant smuggling and trafficking, undertaken by UNODC (unpublished), comprising 800 sources on trafficking in persons and migrant smuggling. The trafficking sources in this database include sources published from 2008.

Following a review of the content of the sources identified by the initial search, sources were included in the current literature review if they were published on or after 2000, reported findings from primary research, and shed light on one or more of the following:

• the organisation of trafficking in persons offending;

• the motivations of offenders involved in trafficking in persons crimes; and/or

• intersections between trafficking criminality and other forms of criminality such as drugs or smuggling.

Media reports and sources that mainly describe individual cases or legal issues were excluded from the search. Literature reviews that were identified through the search were read and checked for additional references, which were then located where relevant. However, the literature reviews identified by the searches were not themselves included in this review, as they did not meet the criteria of primary research.

The review identifies 18 sources that meet the criteria noted above. The majority of sources (11 of the 18) involve research situated in one or more parts of Europe and the United Kingdom. There were far fewer sources focused on an examination of offending practices in Australia (3), the Middle East (1), the United States (1), Africa (1) and Asia and the Pacific (1). Seven of these sources focus specifically on trafficking in persons for the purpose of sexual exploitation, two focus on the markets that employ irregular migrant workers (including in exploitative situations), one focuses primarily on the organisation of migrant smuggling but notes overlaps with trafficking crimes, and the remainder focus on a mix of cases, reflecting their particular datasets.

Eleven of the 18 sources rely exclusively on qualitative research methods, such as content analysis of case files and court documents, and semi-structured interviews either with experts and key informants such as investigators. The remaining seven of the 18 sources rely on a mix of qualitative and quantitative methods. For example, one study examines data obtained from interviews alongside data compiled through a survey of irregular migrants, and another draws on interview data and data obtained through service provision to victims of trafficking.

Before considering the research on these issues, it is important to understand the impact that research methodology can have on findings. For example, research that is based on field interviews is more likely to uncover instances of small-scale or less structured crimes. In contrast, research that is based on law enforcement data, such as information obtained through telephone intercepts and other coercive techniques, is likely to provide information about more organised forms of criminality (Kleemans 2009; Soudjin 2006). This observation underscores the importance of research that obtains data from multiple sources.

Research in the Australian context

To date, there has been very limited primary research that has directly addressed the extent to which organised criminal groups are involved in trafficking in persons crimes in Australia. Given the limits of the existing research literature on this, the information that is available is presented in this section, alongside other information obtained from parliamentary and government reports.

In 2005, the Parliamentary Joint Committee on the Australian Crime Commission published its supplementary report to the Inquiry into the trafficking of women for sexual servitude (PJC ACC 2005). The Committee notes that it was particularly interested in the extent of any relationship between trafficking in women (this limited focus reflected the terms of reference of the Committee's inquiry) and established organised crime networks. As the Australian Crime Commission (ACC) had in 2004–05 conducted an intelligence assessment on

trafficking for the purposes of sexual servitude of women, the Committee sought an update on this issue. The ACC notes that:

Current ACC intelligence indicates that organised groups involved in crimes such as drug trafficking, credit card and identity fraud activities may also be involved in people trafficking for sexual servitude (PJC ACC 2005: 4).

This statement is qualified by an officer from the ACC who noted that, while the ACC had seen some links to organised criminal groups, for example some linked with identity and credit card fraud, these links are 'not overwhelmingly strong' (PJC ACC 2005: 4). The Director of Intelligence at the ACC noted that:

I think we would see that those groups or networks who are involved in people trafficking engage in other activities rather than it being, if you like, conventional or traditional organised crime groups already operating in Australia seeking to use women or other people as commodities, though that potential remains… (PJC ACC 2005: 4).

The Parliamentary Joint Committee on the ACC (2005) concluded that, at that time, there appeared to be 'no strong involvement of organised crime in people trafficking locally'. Nonetheless, the Committee indicated that it remains concerned about the issue, as the potential to profit from this crime suggests the potential for the involvement of organised criminal groups.

In research that included interviews with Australian Federal Police (AFP) specialist investigators in Bangkok, Canberra, Hobart, Melbourne and Sydney, it was found that, while the groups involved in trafficking in persons to Australia clearly have a level of organisation, they are not at the 'high end' of major organised crime. As noted in David (2008):

Those involved have tended to include small business owners with business or family links to those involved in the other parts of the trafficking process, such as recruitment or document fraud. In particular, the groups involved in human trafficking do not appear to have the

same high levels of organisation and sophistication as drug traffickers (David 2008: 34).

Similar observations have been made in subsequent Australian Government reports. The 2009 inaugural report of the Anti-People Trafficking Interdepartmental Committee states:

The groups detected in sex trafficking have been small rather than large organised crime groups. Those involved tended to use family or business contacts overseas to facilitate recruitment, movement and visa fraud. People trafficking matters have also generally involved other crime types, including immigration fraud, identity fraud, document fraud and money laundering (Australian Government 2009: 26).

It goes on to state that:

Offenders active in this area have shown adaptability to law enforcement activity and migration governance. However, the groups involved in human trafficking identified to date do not appear to have the same high levels of organisation and sophistication as drug traffickers. Many of the facilitators and escorts in the sex-trafficking industry in Australia are Asian. Although a small number of cases have involved victims from Eastern Europe and West Africa, intelligence does not indicate any shift towards the involvement of organised crime groups in human trafficking from these regions to Australia (Australian Government 2009: 27).

In 2009, Schloenhardt, Bierne and Corsbie examined the levels and patterns of trafficking in persons crime in Australia, based on an examination of official reports, reported cases, academic literature and media reports. Citing AFP reports, Schloenhardt, Bierne and Corsbie observe that trafficking in persons crimes in Australia have been carried out by small but highly sophisticated organised crime networks that frequently involve family and business connections between Australians and overseas contacts. They further observe that, to date, there is no proven link

between trafficking in persons and other forms of organised crime (Schloenhardt, Bierne & Corsbie 2009).

While not directly focused on the extent of the involvement of organised criminal groups in trafficking, research by David (2010) undertaken on labour trafficking has noted the connection between intermediaries, debt and vulnerability to exploitation. Further, it was found in this research that Singapore and Malaysia were frequently identified as key hubs of recruitment activity, irrespective of the national origin of the worker (David 2010). The role of intermediaries and agents could suggest a level of organisation and coordination across the entire migration and recruitment process, or it could simply indicate that people are moving themselves from stage to stage with the assistance of intermediaries.

In 2010, in the second report of the Anti-People Trafficking Interdepartmental Committee, information about the adaptability of offenders is noted:

People trafficking investigations have revealed changes in the techniques used by traffickers and in the conditions experienced by their victims. For example, investigations suggest it is increasingly unusual for a victim of trafficking to be physically restrained (locked up) or overtly controlled, or to have their passport/identification papers confiscated. Many victims of trafficking have greater freedom of movement and access to mobile phones (Australian Government 2010: 29–30).

The report also states that:

People traffickers are alert to the matters raised in court by investigators and prosecutors, and to indicators that alert authorities to potential criminality which are discussed in open-source publications. In response, people trafficking syndicates are changing their modus operandi to avoid detection and, if detected, to make the elements of the offence harder to prove to the standard that satisfies the courts and juries (Australian Government 2010: 29).

The international literature

It is difficult to draw too many generalisations from a review of the international literature. The research tends to focus on particular markets (as defined by specific migratory pathways or outcomes) or locations. However, it is possible to summarise some of the key themes emerging from the literature.

Diversity in the organisation of offending

One key theme emerging very clearly is the likelihood of diversity in the organisation of trafficking offending. At one end of the spectrum, the literature identifies multiple instances of trafficking in persons crimes perpetrated either by solo offenders (Aronowitz 2010) and/or by relatively unsophisticated, apparently opportunistic small-scale offenders (Busch-Armendariz et al. 2009; SNCCP 2008). At the other end of the spectrum, the literature identifies some instances of trafficking in persons crimes that were perpetrated by more enduring groups or networks much closer in nature to 'organised crime' as discussed above (Colucello & Massey 2007; Leman & Janssens 2006; Saat 2009).

With regard to the small-scale offenders, the research in several geographic contexts suggests that these cases have tended to involve offenders who recruit one or a small number of victims through their pre-existing social and family networks, for exploitation in their family home or small business. These cases can also involve couples in relationships, usually at least one of whom has links to the country of provenance of the victim (Levenkron 2007; Siegel & de Blank 2010). For example, in one study, researchers in Texas examined 46 prosecuted cases related to human trafficking to construct perpetrator typologies (Busch-Armendariz et al. 2009). The researchers examined each case, and considered a range of variables across all of them, including age, gender, social-economic status, immigration status, countries of origin (traffickers and victims) and scope of operation (Busch-Armendariz et al. 2009). The authors also note that the following six variables were developed for consideration in constructing these typologies:

- demographics of the traffickers;
- demographics of the victims;
- nature of the victimisation;
- methods of recruitment;
- trafficking operation; and
- methods of control and coercion.

The researchers prepared four 'working typologies' of known human trafficking cases from their area (Texas), one of which they referred to as 'Mom and Pop— Domestic Servitude'. In this typology, the traffickers are a couple or family who are themselves immigrants to the United States; the victims are foreign-born minors without legal immigration status who may be from a vulnerable social class. These operations are small, generally involving one victim at a time; recruitment is achieved through the promise of a better life including education in the United States; and control is achieved through physical and emotional abuse, some sexual assault, restriction from attending school, isolation from friends and family, confiscation of travel documents and threats of deportation (Busch-Armendariz et al. 2009). Examples of these kinds of 'mom and pop' cases have been documented in the Australian context (see, for example, the Kovacs case discussed in David 2010).

While small-scale or solo traffickers are discussed in the literature, information is also provided about examples involving highly organised criminal organisations and networks. For example, researchers investigating the groups involved in migrant smuggling and trafficking in persons from Bulgaria and Albania to Belgium have noted that some of these organisations are almost mafia-like, in terms of hierarchy. It is likely that this form of organisation reflects a particular history and context, as key criminal entrepreneurs in these groups appear to have emerged from the former intelligence services of Albania and Bulgaria, around the time of the collapse of the communist regimes in those countries (Leman & Janssens 2006).

The existing research on trafficking offending in South-Eastern Europe suggests diversity in the organisation of offending. Surtees (2008) has examined this issue, drawing on primary data about traffickers that were collected from trafficked persons assisted in 10 countries in South-Eastern Europe, supplemented by interviews with counter-trafficking officials. She observes that:

> In South-Eastern Europe, much human trafficking is by organized criminal groups, which is in contrast to regions such as South-East Asia where trafficking is often informal and managed through personal connections (Surtees 2008: 46).

Surtees (2008) further notes that in South-Eastern Europe, trafficking networks tend to have fairly well defined organisational structures, while operating in several territories and markets. They also have the ability to use several different routes—both legal and clandestine—and the ability to respond to shifts in market demand (Surtees 2008).

The limited research available suggests that, while some of the organised criminal groups involved in trafficking are highly structured, this is not always the case. For example, research on the criminal networks involved in both migrant smuggling and trafficking in persons from Libya to Lampedusa in Italy found that the networks involved 'do not conform to mafia-like hierarchical organisations' but are instead smaller, more complex and fluid criminal networks (Colucello & Massey 2007: 77).

The capacity of these organisations is nonetheless high. In Operation Harig, an Italian law enforcement operation concluded in 2007, a complex network involved in both migrant smuggling and trafficking in persons was disarticulated. This resulted in 33 people being charged across five locations, for charges relating to trafficking over 2,500 persons on at least 10 boats to Lampedusa, Italy, and reducing those smuggled to slavery through violence and threats, and exploitation of their psychological and physical conditions (Colucello & Massey 2007).

Research conducted in the United States, the United Kingdom, and Sweden, Finland and Estonia suggests that there can be incredible diversity in the organisation of offending, even within single markets or geographic areas. For example, one recent study sought to understand the market

dynamics of 'facilitated illegal entry' in the United Kingdom, through interviews with convicted (and imprisoned) smugglers and traffickers (Webb & Burrows 2009). The researchers conducted interviews with 45 prisoners convicted of people smuggling/trafficking offences (Webb & Burrows 2009). Most of the interviewees were male, with just over half being involved in people smuggling, and just under half involved in trafficking offences. The authors make a number of observations on the organisation of the various businesses that participants were involved in. They note that the way facilitation businesses are structured varies greatly, with highly organised and sophisticated setups operating in the same market as less formal, smaller scale structures. One feature that facilitation organisations have in common is a flexibility that allows them to tap into market opportunities and adapt effectively to potential risk. Complex hierarchical structures are rare, with most operations relying on links between independent cells or brokers. Family and other social contacts are often pivotal to the arrangements (Webb & Burrows 2009).

Webb and Burrows (2009) also note that migration facilitation markets appear to be largely based on discrete immigrant communities, geographical locations, and routes which, by default, create a series of separate markets and allow operators to develop their own niches. Where business opportunities converge, the level of cooperation between operators is reported to be high, based on the considerable volume of business (ie there is enough to share around) and concern that trouble would invite the attention of the authorities (Webb & Burrows 2009).

The research conducted by Busch-Armendariz et al., preparing typologies from prosecuted cases, also identifies diversity in the organisation of offending even within a single state of the United States: Texas. As noted above, the researchers prepared four 'working typologies of known human trafficking cases from their area (Texas). These include the 'mom and pop—domestic servitude' typology discussed above, but also three other typologies,

reflecting different levels of organisation and modus operandi. The researchers describe the three remaining typologies as follows:

- 'Shattering the American Dream—Forced Labour'. In this typology, traffickers range from small family operations to larger organised crime networks. International victims tend to be undocumented migrants promised work and a visa, paying off a smuggling debt via seasonal work. Traffickers use false promises of a better life in the United States, offering smuggling services as recruitment tactics among immigrant victims. Control and coercion is achieved through threats of deportation, confiscation of identity and travel documents, drug addiction, and physical assault. Among the US-born victims, traffickers take advantage of the vulnerabilities that marginalise victims (poverty, substance abuse, mental illness), and use physical assault and threats of violence to control victims (Busch-Armendariz et al. 2009).

- 'The Minor Pimp—Domestic Minor Sex Trafficking'. This typology refers to child commercial sexual exploitation or domestic minor sex trafficking. In general, it involves small pimp-run enterprises that exploit chronic runaway minors in the sex trade. The traffickers have been identified as generally adult males and victims are often female minors, although adult women are also implicated. Victims are often US citizens (such as chronic runaways no longer sought by their parents), although cases revealed some immigrant children. The scope of these operations is generally small with only one or two organisers. Recruitment involves taking advantage of minors who have few options and offering them another lifestyle, and may include romantic involvement. Control is achieved through physical, emotional and sexual abuse, withholding of earnings, and sometimes facilitated substance abuse (Busch-Armendariz et al. 2009).

- 'Johns Demand—International Sex Trafficking'. This typology refers to traffickers who are often part of a larger organised crime ring, and they may be male or female. Most victims are adult

women and girls, and victims originate in a range of home countries. These operations are primarily large, organised networks with a few exceptions. Recruitment involves promises of a better life in the United States and, more specifically, the promise of legal work in a bar or restaurant, or false impressions of romance. Control and coercion is achieved through physical and sexual abuse, threat of harm to the family in the home country, threat of violence and deportation, confiscation of travel documents, confiscation of travel documents to pay smuggling debts, and a reinforcement of the immigrant victim's fear of government officials (Busch-Armendariz et al. 2009).

The researchers note their intention to further refine and test the typologies through further research, including interviews with offenders convicted of trafficking crimes.

Research undertaken by the Swedish National Council for Crime Prevention (SNCCP 2008) in Sweden, Finland and Estonia, with the aim of examining the organisation and structures of criminal networks involved in human trafficking for sexual exploitation, also suggests the presence of different levels of organisation in offending. In this study, the researchers make a number of observations on the individuals and organisations involved in trafficking for sexual exploitation and related crimes such as organised procuring:

> The organisations vary in structure, size, levels of organisation, and how they set up and operate. In all three countries, many small-scale networks operate as well as medium-size ones. There are few large-scale organisations (SNCCP 2008: 12).

The researchers further note that differences in the level of organisation reflect factors such as the number of women involved, the number of traffickers and the level of diversification:

> The small-scale organisations are characterised by spontaneity and few women and organisers involved. Recruitment is mainly carried out personally and informally, often in a circle

of acquaintances, while in the medium-sized organisations recruitment is semi-systematic and sometimes involves other actors such as brothel owners and recruiting agents. One large-scale organisation is characterised by a kind of pipeline recruitment, in which women are always exchanged, as one of the requests from the sex buyers is new women (SNCCP 2008: 12).

The role of intermediaries

In this literature review, a small number of studies are identified which seek to determine the roles played by intermediaries and facilitators in trafficking in persons processes. For example, research in Finland, drawing on the small number of prosecuted trafficking (and trafficking-like procuring) cases in that country, notes that the activities of offenders are supported by a variety of legal and semi-legal actors:

> According to our interviewees, for example, owners and landlords of apartments, owners and staff of restaurants and hotels, travel agency employees or taxi drivers may support, promote or otherwise facilitate (knowingly or unaware of the link) the activity and/or benefit from the trafficking and procuring activity (Viukho 2010: 69).

Another study examines the specific role played by middlemen in the employment of irregular migrants in the Czech Republic, including in situations that would constitute trafficking in persons (Cermakova & Nekorjak 2009). Drawing on primary data from interviews and a survey of irregular migrants in the Czech Republic, Cermakova and Nekorjak (2009) analyse the main reasons for the establishment of a particular system of middlemen that exists in that country, and seek to understand its operation, structure and roles. The research suggests that the middlemen fulfill not one but two roles in the market. First, middlemen are brokers of labour: the intermediaries that connect workers with employers. Second, middlemen are de facto providers of 'protection' to irregular workers. The middlemen themselves pay money to obtain protection from the mafia, and the middlemen then extract money from their workers for protection.

According to this research, there is considerable variation in the nature of the relationships between these middlemen and individual workers. The authors note that:

> … there are migrants who are very closely tied to middlemen, and this relationship has the form of a restraint of personal freedom. Within these enforced tight relationships, the immigrant cannot change jobs freely, change the middlemen or return home at will. The middlemen use various coercive means such as threats and intimidation, or they withhold the immigrants' money or documents. If the immigrant does not conform to the middleman's will, he/she risks being physically assaulted or deprived of money, or he/she will become an illegal migrant (Cermakova & Nekorjak 2009: 36).

The authors further note that although these extreme situations are not unusual, they are not typical in the system of organised employment. They argue that if these situations were typical, the system of middlemen would not be sustainable because workers would not buy into it (Cermakova & Nekorjak 2009).

Offenders' motives

As highlighted in a recent systematic review of the trafficking in persons literature, it is frequently assumed that financial profit is the driving motivation behind trafficking in persons crimes (Gozdziak & Bump 2008). However, this assumption has rarely been tested. As research of this nature tends to require data from traffickers themselves, the problems inherent in research of this nature are clear.

The current literature review identifies only two studies that shed some light on the motivation of offenders, based on primary data.

The 2009 UK Home Office study of offenders convicted of smuggling and trafficking offences does not examine the issue of motivation, as such. However, it does consider the offender's perceptions of risks and benefits, and also moral considerations. It is noted that the profits from both smuggling and trafficking can

be considerable, and 'in the eyes of those interviewed, this certainly outweighs the risks' (Webb & Burrows 2009: iv). The researchers explain that this perception of risk and reward is based on a belief that the risks of detection are low and, even if detected, sentences will be less harsh than for other offences such as drug smuggling. Many of the prisoners interviewed expressed genuine surprise that they had received severe sentences (Webb & Burrows 2009). The researchers recommend publicising the heavy sentences that can be handed down for smuggling and trafficking offences.

With regard to the moral perspective on their actions, the researchers in the Home Office study note that offenders felt they could justify their actions:

> … whilst some regretted breaking the law, most could not accept the intrinsic wrong in what they were doing. Indeed, some were keen to point out the benefits of their actions—such as enabling their clients (even the victims of trafficking) to realise their goals—and that they helped to provide labour for much needed occupations in the UK (Webb & Burrows 2009: iv).

The researchers provide evidence that some of the host immigrant communities were tolerant and even supportive of the processes of irregular migration that can ultimately involve migrant smuggling and trafficking in persons. They also indicate the importance of influencing the moral viewpoint among host immigrant communities, by raising the awareness of the perils and potential penalties of entering the United Kingdom illegally (Webb & Burrows 2009).

While not strictly focused on the motivation of offenders, an article by Antonopolous and Winterdyk (2005) provides some insight into the psychological processes of a (single) trafficking offender. The article is based on information obtained by the researchers through interviews with an active trafficker in Greece. Following an accidental meeting, the researchers questioned the trafficker, with his consent and knowledge about the research process, to understand his

motivations and perceptions. No information is provided in the article about how the researchers determined their participant was a trafficker. The researchers applied the theory of neutralisation developed by Sykes and Matza in 1957. According to this theory, criminals use one (or more) of five techniques of *neutralisation* which help justify their actions to themselves. These techniques include: denial of the victim, denial of responsibility, denial of injury, condemnation of the condemners and appeal to a higher loyalty. The theory has since been used to study various criminal groups to understand how criminals justify their actions to themselves and others. From a review of information obtained during their interviews with the trafficker, Antonopolous and Winterdyk (2005) were able to identify that this particular trafficker had applied all but one of the five techniques described in the theory of neutralisation. Specifically, the trafficker denied that the people involved were actually victims, he denied responsibility for their eventual exploitation, he denied that they were harmed and he condemned government agencies involved in countering this trade. No reference to appeal to a higher loyalty was found. The researchers argue that by using the theory of neutralisation, criminal justice practitioners may be able to better understand the process by which traffickers engage in their activities and therefore enhance efforts to prevent trafficking in persons.

Intersections with other forms of criminality

While trafficking in persons and migrant smuggling are distinct legal concepts, several research studies have highlighted the overlaps between these practices in reality. For example, following their research based on interviews with offenders, Webb and Burrows note that:

The distinction between 'trafficking' and 'smuggling' rests on the apparently straightforward point that those wanting to be smuggled into the UK are purchasing a service, whereas those trafficked are coerced. But the activities of trafficking and smuggling operations

overlap, and the overall market can be presented as a continuum between these two extremes, where—because of financial circumstances and because they are buying an illegal service—many initial 'clients' of smuggling operations can end up as 'victims' of trafficking (Webb & Burrows 2009: iii).

Similar overlaps have been noted in research on migrant smuggling and trafficking in persons in Belgium, Germany, Scotland and Italy. For example, in the context of migrant smuggling from Libya to Lampedusa in Italy, researchers found that, while migrant smuggling ostensibly involves a contractual relationship entered into freely by both parties, in reality migrant smuggling can and does result in physical, financial and emotional costs for migrants. Colucello and Massey (2007) explain that, in this context, migrant smuggling can 'transmute into an exploitative relationship at any stage of the transportation process'. It was such a shift from smuggling to exploitation that prompted the Italian authorities to instigate Operation Harig, mentioned above.

Research on migrant smuggling to Germany has indicated similar overlaps. Based on an analysis of 51 court proceedings, which provided information about several hundred migrant smugglers and more than 20,000 smuggled migrants, Neske (2006) identifies three main typologies of migrant smuggling processes in the German context, with a further three sub-categories within the main typologies. Within these categories, he found that two in particular overlap with trafficking in persons. Specifically, Neske reveals that human traffickers have occasionally made use of 'visa smuggling as a pure service' (Neske 2006: 140). That is, the migrants travel independently, but with travel documents that are either fraudulent or fraudulently obtained:

The journey does not have to be conducted in secret and it is just as safe for those being "smuggled" as if they travelled legally. Human traffickers occasionally make use of this "gentle" method of transport. Thus, cases of trafficking in migrants (coercion into prostitution) have often been preceded

by legal or pseudo-legal entry into the country and not by entry in stages via unguarded borders (Neske 2006: 142–143).

Neske also notes another form of migrant smuggling involving a high risk of trafficking. He describes this category as 'large scale stage-to-stage smuggling with pioneers sent ahead' (Neske 2006). In this category, the decision to migrate is made not by the migrant but by the person commissioning the migration. These are typically families and communities suffering poor economic conditions, who do not yet have any members in the West. Accordingly, this category is characterised by people who have only limited experience of migration, and limited or no social networks in the destination country to cushion their arrival. These smuggled migrants can therefore be vulnerable to trafficking:

All those being smuggled in this way know that they have to work in the target country for the money which was borrowed or lent to pay for the smuggling operation. The conditions under which the work is to be done are not known to them, however (Neske 2006: 151).

Research on trafficking in persons in Scotland suggests there are not only links between trafficking in persons and migrant smuggling, but potentially other forms of organised criminality. According to Lebov:

One human trafficking operation revealed links with various individuals who were known by English police forces to be involved in the distribution of Class A drugs. An individual who employed illegal migrants in his restaurants was known to be involved in various other forms of criminality, including serious fraud, money laundering and importation of contraband cigarettes. Various males connected to a brothel that was the focus of a human trafficking operation were found to be involved in criminality in other parts of Scotland and the UK, including the cultivation of cannabis and other drugs offences, the distribution of counterfeit DVDs and credit card fraud. An individual involved

in human trafficking and the pimping of a female from various premises was known to have been involved in the supply of cocaine (Lebov 2010: 84).

While there are certainly overlaps between trafficking in persons and migrant smuggling in some geographic contexts, this is not always the case. Research on trafficking of women for sexual exploitation in South-Eastern Europe, and also in Finland, Sweden and Estonia, indicates a recent trend involving moving at least some women *legally* across borders using legal documents (Surtees 2010; SNCCP 2008). Accordingly, the issue of migrant smuggling does not arise.

Conclusion

The organisation of trafficking offending is relatively under-researched. This constitutes a significant gap in the knowledge base, as research on this issue has the capacity to better inform victim identification and investigation and prosecution strategies. For example, the law enforcement methodology required to effectively investigate and prosecute an enduring, structured organised criminal group is likely to be quite different to the methodology that could be applied to investigate and prosecute a relatively unsophisticated, solo offender.

A review of the international research literature suggests there is a considerable variation in the organisation of offending, ranging from solo, or 'mom and pop' offenders, to the involvement of far more sophisticated networks that are extremely capable and fit for purpose. This appears to be relatively consistent with the Australian situation, where the authorities have reported a variation in offending, ranging from small-scale offenders targeting one or a small number of victims at a time to more sophisticated, resilient and enduring networks.

The Australian and international literature note an intersection between the services provided by intermediaries in the migration process (such as the provision of recruitment and migration services), and those involved in trafficking in persons. This suggests a potential overlap between at least some

forms of migrant smuggling (such as organised visa fraud) and trafficking in persons. When assessing the literature on specific geographic contexts or locations, there is an indication of overlaps between trafficking criminality and other forms of (non-migration related) criminality, such as organised fraud and drug trafficking. These connections have not been noted in the Australian context.

Assessment of the available literature confirms that there are many variables that must be examined when seeking to understand the organisation of offending. It is not sufficient to simply try to categorise offending as either organised crime or not. There is room for considerable variation in many key factors such as organisational structure, size and length of operations, modus operandi and motive. Research that seeks to identify common typologies of trafficking crimes potentially has the capacity to capture the complexity of trafficking offending by identifying the multiple variables that tend to be clustered together, alongside other situational and contextual factors. As the choice of data can have a profound impact on findings, research of this nature should ideally be based on multiple data sources, including data obtained through law enforcement activity and possibly from offenders themselves.

References

All URLs were correct at 17 June 2011

Antonopoulos GA & Winterdyk JA 2005. Techniques of neutralizing the trafficking of women: A case study of an active trafficker in Greece. *European Journal of Crime, Criminal Law and Criminal Justice*. 13(2): 136–147

Aronowitz A 2009. The smuggling-trafficking nexus and myths surrounding human trafficking. *Sociology of Crime, Law and Deviance* 13: 107–128

Aronowitz AA, Theuermann G & Tyurykanova E 2010. *Analysing the Business Model of Trafficking in Human Beings to Better Prevent the Crime*. Vienna: OSCE/Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings

Australian Crime Commission (ACC) 2011. *Organised Crime in Australia 2011*. Canberra: Commonwealth of Australia

Australian Government 2009. *Trafficking in Persons: The Australian Government Response January 2004–April 2009.* Canberra: Commonwealth of Australia

Australian Government 2010. *Trafficking in Persons: The Australian Government Response 1 May 2009–30 June 2010.* Canberra: Commonwealth of Australia

Busch-Armendariz N, Nsonwu M, Heffron L, Garza J & Hernandez M 2009. *Understanding Human Trafficking: Development of Typologies of Traffickers*. Austin: Institute on Domestic Violence and Sexual Assault, Center for Social Work Research School of Social Work, University of Texas http://www.utexas.edu/ssw/dl/files/cswr/institutes/idvsa/publications/humantrafficking.pdf

Cermakova D & Nekorjak M 2009. Ukrainian middleman system of labour organisation in the Czech Republic. *Tijdschrift voor Economische en Sociale Geografie* 100(1): 33–43

Coluccello S & Massey S 2007. Out of Africa: The human trade between Libya and Lampedusa. *Trends in Organised Crime* 10(4): 77–90

David F 2008. *Trafficking of women for sexual purposes*. Australian Institute of Criminology Research and Public Policy Series No. 95. Canberra: AIC. http://www.aic.gov.au/publications/current%20series/rpp/81-99/rpp95.aspx

David F 2010. *Labour trafficking*. Australian Institute of Criminology Research and Public Policy Series No. 108. Canberra: AIC http://www.aic.gov.au/publications/current%20series/rpp/100-120/rpp108.aspx

Finckenauer J 2005. Problems of definition: What is organized crime? *Trends in Organized Crime* 8(3): 63–83

Gozdziak E & Bump M 2008. *Data and Research on Human Trafficking: Bibliography of Research Based Literature*. Final Report, September 2008. Washington: Institute for the Study of International Migration

Hagan F 1983. The organized crime continuum: A further specification of a new conceptual model. *Criminal Justice Review* 8:2 52–57

Kleemans E 2009. Human Smuggling and Human Trafficking, in M Tonry (ed) *Oxford Handbook on Crime and Public Policy Oxford, Oxford University Press*. Oxford: Oxford University Press: 409–427

Lebov K 2010. Human trafficking in Scotland. *European Journal of Criminology* 7(1): 77–93

Leman J & Janssens S 2006. An analysis of some highly structured networks of human smuggling and trafficking from Albania and Bulgaria to Belgium. *Migracijske i etnicke teme* (Croatian/English) 22(3): 231–245

Levenkron N 2007. *Another Delivery From Tashkent: Profile of the Israeli Trafficker*. Tel Aviv: Hotline for Immigrant Workers

Levi M 1998. Perspectives on organised crime: An overview. *The Howard Journal* 37(4): 335–345

Fiona David is an independent consultant to the AIC's Trafficking in Persons Program, and a Visiting Fellow at the Centre for International and Public Law, ANU College of Law, Canberra.

Morrison S 2002. Approaching organised crime: Where are we now and where are we going? *Trends and Issues in Crime and Criminal Justice* No. 231. Canberra: AIC. http://www.aic.gov.au/publications/current%20series/tandi/221-240/tandi231.aspx

Neske M 2006. Human smuggling to and through Germany. *International Migration* 44(4): 121–163

Parliamentary Joint Committee on the Australian Crime Commission (PJC ACC) 2005. *Supplementary report to the inquiry into the trafficking of women for sexual servitude.* Canberra: Parliament of the Commonwealth of Australia

Saat G 2009. Human trafficking from the Philippines to Malaysia: the impact of urbanism. *South Asian Survey* 16(1): 137–148

Schloenhardt, A Beirne G & Corsbie T 2009. Human trafficking and sexual servitude in Australia. *UNSW Law Journal* 32(1): 27–49

Siegel D & de Blank, S 2010. Women who traffic women: the role of women in human trafficking networks—Dutch cases. *Global Crime* 11(4): 436–447

Soudijn M 2006. *Chinese human smuggling in transit*. The Hague: Boom Juridische Uitgevers.

Soudijn M & Kleemans E 2009. Chinese organized crime and situational context: Comparing human smuggling and synthetic drugs trafficking. *Crime Law and Social Change* 52: 457–474

Surtees R 2008. Traffickers and trafficking in southern and eastern Europe: Considering the other side of human trafficking. *European Journal of Criminology* 5(1): 39–68

Swedish National Council for Crime Prevention (SNCCP) 2008. *The Organisation of Human Trafficking: A study of criminal involvement in sexual exploitation in Sweden, Finland and Estonia*. Sweden: Swedish National Council for Crime Prevention http://www.bra.se/extra/measurepoint/?module_instance=4&name=00_afficking_eng_webbanpassad.pdf&url=/dynamaster/file_archive/081212/fa94c514133100cd11428ac55382c7a9/00%255fafficking%255feng%255fwebbanpassad.pdf

Turner & Kelly L 2009. Trade secrets: Intersections of diasporas and crime groups in the constitution of the human trafficking chain. *British Journal of Criminology* 49(2): 184–201

United Nations Educational, Scientific and Cultural Organization (UNESCO) & The Hague Process on Refugees and Migration 2008. *People on the move: Handbook of selected terms and concepts Version 1.0*. http://unesdoc.unesco.org/images/0016/001636/163621e.pdf

United Nations (UN) 2000a. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Done 15 November 200, GA Res.55/25, Annex II, UN GAOR, 55th Session, Supp. No. 49, at 53, UN Doc. A/45/49 (Vol I) (2001), entered into force 25 December 2003

United Nations (UN) 2000b. Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime. Done 15 November 2000, GA Res. 55/25, Annex III, UN GAOR, 55th Session, Supp. No. 49, at 62, UN Doc. A/45/49 (Vol I) (2001), entered into force 28 January 2004

United Nations (UN) 2000c. United Nations Convention against Transnational Organized Crime: 2225 UNTS 209. Done 15 November 2000, entered into force 29 September 2003

United Nations Office of Drugs and Crime (UNODC) 2004. *Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto*. Vienna: United Nations

Van Duyne PC 1997. Organised crime, corruption and power. *Crime, Law and Social Change* 26: 201–238

Viuhko M 2010. Human trafficking for sexual exploitation and organized procuring in Finland. *European Journal of Criminology* 7(1): 61–75

Webb S & Burrows J 2009. *Organised immigration crime: a post-conviction study*. Home Office Research Report 15. London: Home Office

Zhang S & Chin K 2002. Enter the dragon: Inside Chinese human smuggling organizations. *Criminology* 40(4): 737–767