

# HUMAN TRAFFICKING IN ARMED CONFLICTS

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On the basis of selected literature and reports of international organizations, the paper considers the most important factors influencing human trafficking and forms of exploitation of victims during and after armed conflicts. These factors in peace, such as poverty, the lack of employment opportunities, political instability and gender and other inequalities, exacerbate in armed conflicts due to the weakening of state institutions, the collapse of the rule of law, widespread violence and increased demand for some human resources. The increased human, material and economic losses, the inability of families and other communities to provide for basic living needs and migration of the population contribute to the greater volume of human trafficking. The new methods of recruiting and exploiting victims are emerging, such as various forms of sexual violence, child exploitation, fraudulent or forced recruitment of combatants and trafficking for eviscerating is also common. The favourable conditions for human trafficking persist even after the conclusion of a formal truce or peace, but new ones, as well as new categories of vulnerable people are created. Human trafficking in the post-conflict period, although mostly indirectly is also affected by the presence of various foreign peacekeeping and other missions, especially trafficking for sexual and labour exploitation.

Кључне речи: *human trafficking, armed conflicts, migration, organized crime, sexual exploitation, child exploitation, post-conflict period*

## Introduction

Armed conflicts disrupt political, legal and social stability and create conditions conducive to human trafficking. In a country or region, they have a direct impact on human trafficking through the increased vulnerability of potential victims,

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greater prevalence and various peaceful and emerging forms of exploitation. Human trafficking violates the rule of law and contributes to other forms of transnational organized crime, such as arms trafficking that affects the escalation of conflicts, instability and insecurity in the crisis zone. Due to the weakening of state and other structures, people's actions are aimed at survival, which puts them at risk not only of becoming victims, but also of committing a crime against other persons, often from their immediate surroundings.

Many other phenomena that occur in armed conflicts and post-conflict situations overlap to a certain extent with human trafficking or complement each other in crime: migrant smuggling, sexual violence, serious crime (genocide, crimes against humanity and war crimes), serious crime against children (murder, mutilation, recruitment, rape, kidnapping and attacks on schools) and criminal acts related to terrorism.<sup>1</sup> The increased migration is a side effect of armed conflicts, and the number of human trafficking victims is directly correlated with the number of migrants, so migration flows are one of the greatest sources of human trafficking. Violent behaviour by conflicting parties and criminal groups creates new forms of exploitation, such as the involvement of children in military operations, the commission of criminal or terrorist acts, prostitution and forced marriages with combatants, various forms of forced labour or eviscerating for the treatment of combatants or trade. Human trafficking and violent forms of exploitation are used to finance conflicting parties and terrorist organizations or as a strategy to intimidate opposing parties and the population and expulsion of members of certain ethnic groups. Trade becomes "the other dimension of violence, brutality and abuse in the context of armed conflicts",<sup>2</sup> it intensifies, the new methods of recruitment are created, as well as new forms of exploitation.

The conditions created in armed conflicts are reflected in human trafficking even after the conclusion of formal peace, when vulnerability is further increased in some parts of the population, such as women, children, returnees or refugees. Numerous multinational missions in these areas also contribute to human trafficking in post-conflict situations, when the volume of trafficking increases and the regions of origin of victims expand.

On the basis of selected literature, analyses and conclusions of individual research and analyses, as well as reports of international organizations, the paper considers the factors influencing human trafficking during armed conflicts and in post-conflict periods. The paper is written as a cumulative review of the most important indicators of human trafficking in conflict situations, including the actions of actors and characteristic forms of exploitation.

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<sup>1</sup> „Resolution, S/RES/2388”, UN Security Council, New York, 2017, p. 2

<sup>2</sup> „Trafficking in Persons in the context of armed conflict – 2018”, UNODC, New York, 2018, p. 5

## The main definitions of armed conflicts and human trafficking

The main definitions of *armed conflicts* and their classification are set out in the 1949 UN Conventions on the Protection of War Victims and the 1977 Additional Protocols I and II. According to the actors in a conflict, there are international and non-international (internal) armed conflicts. International armed conflicts are conflicts in the event of a declared war and other armed conflicts that break out between two or more states, even though neither of them has recognized the state of war, as well as all armed conflicts in which nations fight against colonial domination and foreign occupation and against racist regimes, invoking the right of people to self-determination.<sup>3, 4</sup> Non-international armed conflicts take place on the territory of a state between state (governmental) armed forces and dissident armed forces or other organized armed groups that, under responsible command, control a part of the state territory that enables them to conduct continuous and coordinated military operations; armed conflicts do not include internal incidents and tensions such as riots, isolated and sporadic acts of violence and acts of a similar nature.<sup>5</sup>

A dimension of violence that takes place during armed conflicts, whether international or non-international is human trafficking. Although there have been several large-scale interstate conflicts in recent decades, the number of internal conflicts and the transformations of international into complex internal conflicts continues to grow, frequently expanding to the territories of neighbouring countries. In crisis regions, human trafficking is a very profitable activity due to the increased demand, low start-up costs and minimal risk.<sup>6</sup>

Human trafficking as a continuous process is defined by *the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (UN Protocol), which complements *the Convention against Transnational Organized Crime*: “*human trafficking* means the recruitment, transportation, transfer, concealment and receipt of persons, through threats of force or the use of force or other forms of coercion, kidnapping, fraud, deception, abuse of power or hardship or giving or receiving money or benefits to obtain consent of a person, who has control over other person for the purpose of exploitation. Exploitation, as minimum, includes the exploitation of prostitution of others or other forms of sexual exploitation, forced labour or service, slavery or a relationship similar to slavery, servitude or

<sup>3</sup> „The Geneva Conventions of 12 August 1949”, UN, Geneva, 1949, Art. 2

<sup>4</sup> „Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)”, UN, Geneva, 1977, Art. 1

<sup>5</sup> „Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)”, UN, Geneva, 1977, Art. 1

<sup>6</sup> Louise Shelley, *Human trafficking: A global perspective*, Cambridge University Press, Cambridge, 2010, p. 3

eviscerating”.<sup>7</sup> Human trafficking is also every action listed in the previous definition, even if there is the consent of a victim to the intended exploitation, if any of the stated measures - means has been used (threat of force, use of force or other means). When the victim is a child (according to the UN Protocol, it is a person under the age of eighteen), the recruitment, transportation, transfer, hiding or receiving a child for the purpose of exploitation is also considered human trafficking, regardless of whether, for the purpose of obtaining consent, there was no use of any means of coercion, fraud, abuse of power or hardship of a person, etc.<sup>8</sup> A seemingly complex definition consists of three components (phases). These are: (1) the *action* (deed) required to initiate the process: recruitment, transportation, etc; (2) *means*: threat or use of force or other means and (3) *purpose* (objective): exploitation - exploitation of other persons through prostitution, forced labour and/or other forms.

The case of human trafficking occurs when at least a content element of each of the three mentioned components is included, and the intention to subject a person to exploitation is sufficient. Therefore, some crimes such as kidnapping, murder or sexual violence, which are used as intimidation strategies, cannot be considered human trafficking because their purpose is not to exploit victims. Although the definition has been adopted in the UN Protocol supplementing the Convention on Transnational Organized Crime, it is also applicable when human trafficking takes place in a state and without elements of organized crime. An important element of the definition is the determination of *the minimum exploitation*, which has left this field open for further improvement in regional instruments and national legislation, according to real needs and real exploitation. The forms of exploitation can thus be expanded to cases of trafficking in armed conflicts.

## The impact of armed conflicts on human trafficking

The connection between human trafficking and armed conflicts can be direct or indirect.<sup>9</sup> The direct connection results from violence or hostilities of the armed forces and includes human trafficking in conflict affected areas. The indirect connection is expressed in the wider region and outside armed conflict affected area, when migrants or other persons fall under the influence of traffickers. These are most often refugees and persons in formal or informal camps, on migration routes, when moving or returning home, detained persons or those fleeing from detention or captivity.<sup>10</sup>

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<sup>7</sup> „Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime”, UN, Palermo, 2000, Art. 3

<sup>8</sup> Ibid.

<sup>9</sup> „Trafficking in Persons in the context of armed conflict - 2018”, gen. quote, p. 6

<sup>10</sup> „Global Report on Trafficking in Persons – 2018”, UNODC, New York, 2018, p. 12

## *Factors affecting human trafficking in armed conflicts*

Human trafficking in armed conflicts is influenced by a number of factors - those that operate in peacetime and those that are characteristic of armed conflicts. The factors that act in peace are numerous because each case of human trafficking is special. They are usually classified into two main groups: *push factors* and *pull factors*.<sup>11</sup> Push factors are related to the challenges faced by the population in a certain area, such as the lack of employment opportunities, poverty, economic imbalance between regions, corruption, gender and ethical discrimination, political instability and transition, internal conflicts, social and cultural factors and natural disasters. Pull factors stimulate the demand and exploitation of individuals, and among the most important ones are the increased demand for labour and higher salaries in industrially developed countries and the possibility of a higher living standard. Push and pull factors, as a combination of economic, social and political factors, are intertwined and complementary, so that human trafficking is the result of their interconnectedness.

The factors that affect human trafficking in peace, in the conditions of a conflict become more complex and increase the risk of human trafficking, and additional factors create additional vulnerability of the population. The most significant factors influencing the development of human trafficking in armed conflicts are: a) the collapse of state and its institutions, the collapse of the rule of law and the impunity of perpetrators of criminal acts; b) forcible transfer of population; c) poverty and lack of basic resources, lack of humanitarian assistance and the emergence of socially and economically stressful situations and d) social fragmentation and collapse of families.<sup>12</sup> The regions with corrupt governments and power vacuum contribute to the development of organized crime that uses human trafficking as a means of control and profit.

Various armed groups, by coercion or deception, induce civilians to move from the territory in which they live, when they become very sensitive and vulnerable to human trafficking. Particularly vulnerable groups of population appear, such as women and unaccompanied children and forcibly displaced persons. The erosion of the rule of law for the protection of individuals and the lack of state resources to fight crime affect the sense of impunity of criminals and the creation of a favourable environment for human trafficking, the change of value systems and the reduction of general trust among people.<sup>13</sup> The phenomenon of prostitution in the zones of locating armed formations also appears as a significant supporting factor, which encourages the bringing of prostitutes and the spread of trafficking of women and girls from the region or its surroundings.<sup>14</sup>

<sup>11</sup> Ibid, pp. 11-12; Louise Shelley, *Human trafficking: A global perspective*, gen. quote, p. 37

<sup>12</sup> „Trafficking in Persons in the context of armed conflict - 2018”, gen. quote, p. 5

<sup>13</sup> Olivier Peyroux, “Trafficking in Human Beings in Conflict and Post-conflict Situations”, 2016, <https://www.caritas.org/wordpress/wp-content/uploads/2015/06/RESEARCH-ACTION-Trafficking-in-human-beings-and-conflicts-EN-10-juin-2015.pdf>, 15/08/2019, p. 38

<sup>14</sup> Sonja Wolte, *Armed conflict and trafficking in women*, Deutsche Gesellschaft für Technische Zusammenarbeit, Eschborn, Germany, 2004, p. 27

Armed conflicts affect the strengthening of the existing tendencies to remove undesirable ethnic or religious groups of the population from an area. The marginalization of these groups contributes to their victimization for a longer period and after the end of a conflict, which can cause the strengthening of the interconnectedness of its members and strengthen the internal structure of the community. Individuals, families and communities forcibly change their usual lifestyle and create new survival strategies, which often lead to criminal activities and human trafficking, usually expressed through forced marriages, the sale of sexual services or child labour.<sup>15</sup>

### *Migrations as a factor of human trafficking*

A significant factor influencing the spread of human trafficking is the increased volume of population migrations caused by dangers and insecurity in conflict areas. Migrations imply permanent or temporary relocation of the population from an area to another, within a state (internal migration) or across state borders (international migration), regardless of the length, composition and causes of movement.<sup>16</sup> They are usually legal, but can also be illegal if the movement of persons takes place out of the regulatory norms of the countries of origin, transit and/or destination and when migrants become more vulnerable to the activities of smugglers and human traffickers, which is particularly present during and after armed conflicts. The grey zone between migrant smuggling and human trafficking occurs if migrants are exploited by smugglers during any phase of smuggling - from acquaintance to locating in the destination country. The main factors influencing migration are social, demographic, political, economic and environmental factors.<sup>17</sup> The created unsafe living conditions and various violence in armed conflicts make these factors complex and strengthen them with fear due to the threat to existence or life. Conflict-related violence can also be a trigger for forced displacement: in some circumstances, various forms of exploitation and sexual violence can cause great movement of refugees and migrants, which further increases vulnerability and possibility of becoming a victim.<sup>18</sup> Deteriorating security situation, overcrowded camps with inadequate basic living conditions and military attacks on camps have led some internally displaced persons to risk crossing state borders in an irregular manner.<sup>19</sup> Thus, due to the unresolved legal status or obligations towards the engaged smugglers, they are exposed to the risk of various types of exploitation.

<sup>15</sup> Olivier Peyroux, „Trafficking in Human Beings in Conflict and Post-conflict Situations”, gen. quote, p. 6

<sup>16</sup> Richard Perruchoud and Jillyanne Redpath-Cross (eds), „Glossary on Migration (2nd Edition)”, IOM, Geneva, 2011, p. 107, 130, 135, 169: Migration also includes the categories of persons such as refugees, displaced persons, economic migrants and persons with other goals including family reunification.

<sup>17</sup> Richard Black, Stephen R. Bennett, Sandy M. Thomas and John R. Beddington, „Climate change: Migration as adaptation”, *Nature*, Vol. 478, No. 7370, 2011, p. 448

<sup>18</sup> Sonja Wolte, *Armed conflict and trafficking in women*, gen. quote, p. 21

<sup>19</sup> Francesca Zampagni et al., *Libya Case Study: An Unending Crisis – Responses of Migrants, States and Organisations to the 2011 Libya Crisis*, Commissioned and funded by the European Union, Brussels, 2017, p. 4

The occurrence of armed conflicts and violence in a country affects the caught up migrants and the beginning of new waves of migration in many ways. For example, the situation in Libya during and after the civil conflicts in 2011 caused migrations of about eight hundred thousand people, who left the country and went mostly to Egypt or Tunisia.<sup>20</sup> The conflicts have not ended so far, despite the presence of the UN peacekeeping mission, and Libya is today known as the country through which one of the most important migrant routes from sub-Saharan and North Africa to the Mediterranean Sea and Europe passes. The activities of criminal and terrorist groups have intensified on the existing route, as well as a greater volume of human trafficking, which culminated in the appearance of slaves and “the slave market”. In that area, during 2017, the connections between migrant smuggling and human trafficking as activities of organized criminal groups and terrorist network were proven, as well as the connection between human trafficking and other serious crimes. The cause-and-effect relationships between migration and human trafficking with serious crimes are two-way and mutually encouraging: people fleeing from serious crimes become more vulnerable to trafficking and in conflict affected areas, where serious crimes have been committed there is a high level of human trafficking.<sup>21</sup>

An inverse relationship can also be established between migrants and armed conflicts when migrants, in transit or at destination, further influence the outbreak or expansion of existing conflicts. In regions with migrants, national or international, there are various complex and difficult-to-separate conditions that can lead to conflicts caused by their presence. In such conflict situations, armed conflicts are possible due to numerous factors related to migrants (number, length of stay, integrity and behaviour of migrants) and local conditions (population propensity for violence, availability and amount of resources, identity of inhabitants, government action).<sup>22</sup>

## The exploitation of human trafficking victims in armed conflicts

The characteristic types of exploitation in armed conflicts are: sexual exploitation, sexual slavery, forced labour, eviscerating and recruitment for combat purposes, often using children, who arm themselves and engage in various activities related to combat operations, and even participate directly in them.<sup>23</sup> Although some forms of exploitation are specific only to certain regions, such as the introduction of children

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<sup>20</sup> Ibid.

<sup>21</sup> „Countering Trafficking in Persons in Conflict Situations, 2018”, UNODC, Vienna, 2018, p. 26.

<sup>22</sup> Michael Brzoska and Christiane Fröhlich, „Climate change, migration and violent conflict: vulnerabilities, pathways and adaptation strategies”, *Migration and Development*, Vol. 5, No. 2, 2016, p. 202.

<sup>23</sup> Rafael Reuveny, „Climate change-induced migration and violent conflict”, *Political geography*, Vol. 26, No. 6, 2007, pp. 658-660.

into armed conflicts or human trafficking for the purpose of eviscerating to treat wounded combatants,<sup>24</sup> in most other regions human trafficking has the same or similar characteristics.<sup>25</sup> The main actors in human trafficking are armed and criminal groups and “the well-meaning” individuals, friends or family members also appear as actors.<sup>26</sup> By human trafficking, armed groups make a profit for their own financing, strengthen military capacities by forced recruitment and create fear among the population in order to control the occupied territory.<sup>27</sup>

The phenomenon of prostitution in the zones of locating armed formations has always been present in armed conflicts. The presence of prostitutes somewhat protects the local population from sexual violence, although it occurs almost regularly. Conflict-related sexual violence differs from sexual exploitation and is a more serious form of crime that violates basic human rights, and refers to rape, sexual slavery, forced acts (prostitution, pregnancy, abortion, sterilization and marriage) and similar violence directly or indirectly related to conflict.<sup>28</sup> It also includes human trafficking, which is carried out for the purpose of sexual violence or exploitation, when it is committed in conflict situations. Most acts of sexual violence are the responsibility of non-state actors (armed groups, local militias and criminals), but state bodies (armed forces, police and other security bodies) are also involved.<sup>29</sup> Sexual violence against women and girls is also used as part of broader strategies of armed forces in conflict, such as the expulsion of undesirable groups, the exploitation of disputed land and other resources, or as a means of terror, repression and the population control.

The category of endangered persons in armed conflicts also includes children, and various forms of exploitation and serious crimes are committed over them. According to the Paris Principles, the term *child related with an armed force or armed group* refers to any person under the age of eighteen who is or has been recruited or used by an armed force or armed group in any capacity, including, but not limited to, boys and girls, who are used as fighters, cooks, porters, couriers, spies or for sexual purposes.<sup>30</sup> Child trafficking mainly occurs as a result of economic difficulties experienced by their families. Children are usually exploited in

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<sup>24</sup> János Besenyo, „The Islamic State and its human trafficking practice”, *Strategic Impact*, Vol. 60, No. 3, 2017, pp. 17-19: *The Islamic State of Iraq and the Levant* (ISIL) connects a diverse and extensive network of terrorist and other specialized groups (traffickers in human beings, organs and narcotics, smugglers) and in other countries (Libya, Turkey) in order to intensify actions on current migrant routes to Europe.

<sup>25</sup> Olivier Peyroux, „Trafficking in Human Beings in Conflict and Post-conflict Situations”, gen. quote, p. 5.

<sup>26</sup> „Trafficking in Persons in the context of armed conflict - 2018”, gen. quote, p. 5.

<sup>27</sup> *Ibid*, pp. 19-20.

<sup>28</sup> „Report of the Secretary-General on Conflict-Related Sexual Violence, S/2019/280”, UN Security Council, New York, 2019, p. 3.

<sup>29</sup> *Ibid*, p. 4.

<sup>30</sup> „Principles and Guidelines on Children Associated with Armed Forces or Armed Groups”, UNICEF, Paris, 2007, <https://www.unicef.org/mali/media/1561/file/ParisPrinciples.pdf>, 12/08/2019, p. 7.



the fields of work that do not require special expertise, such as agricultural work, street sales, etc, but are also used in armed conflicts as suicide bombers or human shields. Girls are also recruited and used in the armed forces and groups. Their increased vulnerability is conditioned by gender and general place in society and they suffer specific consequences, including rape and sexual violence, complications related to pregnancy, morality and rejection from family and community.<sup>31</sup>

The use of children as armed fighters has been documented in detail in sub-Saharan and central Africa, the Middle East and other regions of Asia, with cases of exploitation to finance armed groups.<sup>32</sup> Trafficking and exploitation of children are related to serious crimes including killing, mutilation, recruitment, rape and abduction of children and attacks on schools. In the context of serious crimes, both labour exploitation and other engagement of children, sexual abuse or kidnapping for exploitative purposes are human trafficking.

In addition to various types of violence and general suffering of the population, usually deprived of basic resources, human trafficking in armed conflicts has a particularly negative impact on human rights violation. Then the exploitation of victims can be transformed into more serious crimes - war or other serious crimes.<sup>33</sup>

## Post-conflict period and peacekeeping missions

After the formal end of armed conflicts, in conditions when law enforcement institutions still do not function at full capacity, post-war regions usually show a high level of political instability, criminal activity and violence, which facilitates the recruitment of human trafficking victims. Post-conflict situations are usually characterized by absence or dysfunction of state institutions, climate of impunity that encourages violent criminal networks, a high level of poverty and lack of basic resources, significant inequality, great population of very vulnerable individuals (displaced persons, returnees, widows, unaccompanied children), disrupted communities and lack of trust and a militarized society tolerant of extreme levels of violence.<sup>34</sup> The trust among people is lost in society, especially among persecuted ethnic and religious groups, and new and particularly vulnerable groups such as women and children without care are created.<sup>35</sup> The lack of functioning of the legal

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<sup>31</sup> „Child Recruitment and Use”, Office of the Special Representative of the Secretary-General for Children and Armed Conflict, UN, New York, <https://childrenandarmedconflict.un.org/six-grave-violations/child-soldiers/>, 12/09/2019.

<sup>32</sup> „Global Report on Trafficking in Persons – 2018”, gen. quote, p. 12.

<sup>33</sup> Maria Grazia Giammarinaro, „Report of the Special Rapporteur on trafficking in persons, especially women and children”, United Nations Human Rights Council, New York, 2016, <https://www.refworld.org/docid/57615f3f4.html>, 20/08/2019, p. 7.

<sup>34</sup> Ibid, p. 11.

<sup>35</sup> Olivier Peyroux, „Trafficking in Human Beings in Conflict and Post-conflict Situations”, gen. quote, pp. 6-7.

system and institutions results in impunity for perpetrators and the rapid growth of organized crime, and thus human trafficking.<sup>36</sup> Former fighters or war leaders start new jobs, even criminal ones, while they are protected from the law by the acquired reputation and new corruption of state bodies.

Regions in post-conflict period are mostly places of origin, transit (less often) and destinations of victims, depending on the economic consequences left by armed conflicts. The created conditions are particularly favourable for the development of human trafficking, so these regions are still the source of victims because violence often occurs, especially against women, which in some cases is even greater than it was during armed conflicts.<sup>37</sup> Thefts committed by ex-combatants are frequent, family violence caused by the return of combatants has increased, as well as gender-based violence against women. The dysfunction of protection institutions and police services particularly contributes to family violence and also violence in general. The persistent high level of disintegration, which has contributed to human trafficking in armed conflicts, as well as new difficult economic circumstances, further increase the risk of human trafficking, and displaced persons and refugees returning from camps or war camps are particularly attractive. The vulnerability of women and girls has increased due to limited access to resources, they have been denied education, they do not have personal documents and they are not adequately protected. Although exploitation linked to human trafficking and as a part of an armed conflict should end with a formal end to the conflict, this is not happening in practice. There is an increase in sexual exploitation in society, e.g. forced prostitution, as well as other forms of gender-based violence, such as rape and family violence.

The presence of foreign military troops and civilian missions causes additional demand for women and girls for sexual exploitation and other persons for labour exploitation.<sup>38</sup> The UN peacekeeping forces are the most important element of the international community's response to armed conflicts. Their main role is to secure the population and provide assistance in building state institutions after conflict. After the end of the Cold War, when a great number of crisis areas arose, the UN began to undertake more complex and ambitious peacekeeping missions with new and less competent forces from weaker military states.<sup>39</sup> A number of scandals related to sexual exploitation and abuse of the local population appeared within the missions, which later proved to be the widespread problem. The negative effects on the legitimacy of the missions have been created, health problems of its members have appeared and the promotion of gender equality in host countries has been disrupted.

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<sup>36</sup> Ibid, p. 38.

<sup>37</sup> Sonja Wolte, *Armed conflict and trafficking in women*, gen. quote, p. 5.

<sup>38</sup> Olivier Peyroux, „Trafficking in Human Beings in Conflict and Post-conflict Situations”, gen. quote, p. 38.

<sup>39</sup> Cale Horne and Morgan Barney, „The Impact of UN Peacekeeping Operations on Human Trafficking”, *International Migration*, IOM, Geneva, 2019, p. 3.

Although the UN introduced stricter rules after 2000 to curb such behaviour, later research has shown that there has been no great improvement.<sup>40</sup>

The presence of peacekeeping and other missions increases the demand for prostitution, so there is a more serious form of crime - trafficking for sexual exploitation, which in some cases is forced. In this way, the sexual exploitation carried out on the local population turns into human trafficking. The size of the peacekeeping contingent influences the spread of trafficking in women to other countries, thus gaining a transnational character and becoming an area of organized crime. Trafficking in women and girls also increases when peacekeeping contingents are from several different countries and if mission lasts longer.<sup>41</sup> This trend arises because foreign soldiers and other members of missions use prostitutes and increase the demand for them; missions perform military deployment of the local population, which increases the total number of deployed soldiers, and thus the demand for prostitutes; the presence of peacekeeping missions can curb criminal networks at local level, thus opening space for the activities of international criminal groups and the spread of human trafficking.<sup>42</sup>

Although in most cases members of peacekeeping missions were indirectly present in the execution of women trafficking, there are also cases of direct engagement.<sup>43</sup> Crime networks that develop around women trafficking can negatively affect the peace process and the activities of the UN missions because the activities of organized criminal groups can change and focus on those that bring higher profit. In this regard, the possibility of including crime in weapons trade and other war material is created for some of the conflicting parties, which calls into question the success of the peace process due to the possible resumption of an armed conflict. Earnings from human trafficking can contribute to the payment of soldiers and weapons and thus increase the level of violence. In this way, the number of members of peacekeeping missions can be increased, and thus the demand and women trafficking, which leads to the creation of a circle of causes and consequences of human trafficking.

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<sup>40</sup> Sabrina Karim and Kyle Beardsley, „Explaining sexual exploitation and abuse in peacekeeping missions: The role of female peacekeepers and gender equality in contributing countries”, *Journal of Peace Research*, Vol.53, No. 1, 2016, p. 100

<sup>41</sup> Sam R. Bell, Michael E. Flynn and Carla Martinez Machain, „U.N. Peacekeeping Forces and the Demand for Sex Trafficking”, *International Studies Quarterly*, No. 62, 2018, pp. 643-644

<sup>42</sup> Charles Anthony Smith and Heather M. Smith, „Human trafficking: The unintended effects of United Nations intervention”, *International Political Science Review*, Vol. 32, No. 2, 2011, p. 128

<sup>43</sup> „Hopes Betrayed: Trafficking Of Women and Girls to Post-Conflict Bosnia and Herzegovina for Forced Prostitution”, Human Rights Watch, New York,

<https://www.refworld.org/docid/3e31416f0.html>, 25/08/2019: During the UN mission in Bosnia and Herzegovina (UNMIBH) after 1995 local police indirectly participated in trafficking in women by issuing false documents and providing information to brothel owners, while some of them were brothel owners or staff, thus directly participating in human trafficking. The International police group members were directly involved in trafficking as buyers of trafficked women.

## *Conclusion*

Human trafficking as a social phenomenon is rooted in the history of mankind, and in modern conditions it takes new forms. Poverty, reduced employment opportunities, political instability in country and region, gender and other inequalities are some of the factors that affect human trafficking in peace. In addition, human trafficking in armed conflicts is affected by the weakening of state institutions, widespread violence and increased demand for human resources. The state inability to protect the population, increasing levels of violence and crime, inability to provide basic means of subsistence, great number of displaced persons due to persecution or danger to life, are just some of the additional factors influencing the increase in human trafficking in armed conflicts. The feeling of impunity of criminals and the increased demand for certain categories of persons for the purpose of exploitation encourage human trafficking and create additional vulnerability of the population. Particularly vulnerable groups such as women and children without care or undesirable ethnic or religious groups emerge. Vulnerability is also present in the movement process of a part of the population, either within or across the border of a state affected by conflict, when migrants easily fall under the influence of traffickers or human traffickers or are involved in trafficking through various debt obligations or coercion. The risk of migrants becoming victims of human trafficking increases if migration routes lead through territories affected by armed conflict or in which, in the period after armed conflicts, various armed, criminal or terrorist groups act.

Human trafficking in armed conflicts is primarily motivated by the profit of criminals and criminal groups, and can also be aimed at meeting the sexual needs of combatants or recruiting and using children for military purposes. The goal of human trafficking can also be to provide funds to finance the military needs of armed groups, such as weapons procurement or recruitment of new combatants. The characteristic types of exploitation in armed conflicts are sexual exploitation and abuse of women and girls, forced labour, eviscerating for the treatment of combatants or sales and fraudulent or forced recruitment including children. The exploitation of children as soldiers or auxiliary workforce in armed groups is very common. Boys and girls are often further sexually exploited, and sometimes forced to commit criminal acts such as theft or physical violence. The widespread sexual violence in armed conflicts is in many cases directly linked to human trafficking. In sexual exploitation, in addition to prostitution, there are different types of forced marriages, when victims fall under multiple forms of sexual, labour and other exploitation.

In countries where formal peace has been achieved, conditions for human trafficking have not changed greatly because the functioning of state bodies is still inefficient, violence has not stopped, criminal groups are even strengthening their activities, and new groups are formed, including former fighters. Poverty level, lack of basic living resources, increased family violence after the return of combatants,

great gender and other inequalities, are just some of the preconditions for further expansion of human trafficking. Displaced persons inside or outside camps, returnees and women and children without care are particularly vulnerable groups for human trafficking during this period. However, the state after armed conflicts does not have to be exclusively the country of origin or transit, but can also be the final destination of victims, especially for the purpose of sexual and sometimes labour exploitation. The presence of various peacekeeping and other foreign missions in the territory of a state contributes to the increase of prostitution and human trafficking, especially trafficking for the purpose of sexual exploitation.

### *Literature*

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## Трговина људима у оружаним сукобима

Оружани сукоби нарушавају политички, правни и друштвени мир и стварају окружење погодно за трговину људима, као још једну димензију насиља и бруталности. Директна повезаност ове две појаве произилази из непријатељства страна у сукобу и обухвата области захваћене сукобом, а индиректна повезаност се манифестује на подручју ван сукоба, у избегличким камповима или на мигрантским рутама. Најзначајнији фактори утицаја на трговину људима, поред оних који делују у миру (фактори потискивања и привлачења), су слабљење државних институција и урушавање владавине права, расељавање становништва, сиромаштво, фрагментација становништва и колапс породице.

Повећан обим миграција (унутрашњих и прекограничних) има значајан утицај на трговину људима. Небезбедни услови живота и различити облици насиља отежавају факторе потискивања и привлачења, који покрећу масовне миграције. Људи на мигрантским рутама су веома рањиви и изложени организованим криминалним и терористичким групама, са ризиком да постану жртве трговине људима или других облика насиља.

Карактеристични типови експлоатације у оружаним сукобима су сексуална експлоатација, сексуално ропство, присилни рад, вађење органа и регрутовање за учешће у сукобу, често укључујући децу. Главни актери трговине људима су наоружане и криминалне групе. Наоружане групе трговином људима остварују профит за своје финансирање, јачају војне капацитете и стварају страх код становништва да контролишу територију. Сексуално и друго насиље се такође користи као део ширих стратегија за протеривање непожељних група и експлоатацију спорних земаља и других ресурса.

Трговина децом је углавном последица економских потешкоћа са којима се суочавају њихове породице. Деца се обично експлоатишу у областима рада које не захтевају посебну стручност, као што су пољопривредни радови, улична продаја, итд, али се такође користе у оружаним сукобима као бомбаши самоубице или живи штит. Употреба деце као наоружаних бораца је широко документована у субсахарској и централној Африци, на Блиском истоку и у другим регионима Азије. Поред различитих видова насиља и опште патње становништва, посебно негативан утицај на кршење људских права има трговина људима у оружаним сукобима, када се експлоатација жртава може трансформисати у тежа кривична дела.

Погодни услови за трговину људима и даље постоје и након закључења формалног примирја или мира. Нефункционалност правног система и институција доводи до некажњивости починилаца кривичних дела и раста организованог криминала, а тиме и трговине људима. Стално висок степен дезинтеграције, који је утицао на трговину људима у оружаним сукобима, као и нове тешке економске прилике, додатно повећавају ризик од трговине људима. Посебно примамљиве мете за трговце људима су расељена лица и избеглице које се враћају из кампова или ратних логора. На трговину људима у постконфликтном периоду, иако углавном индиректно, утиче и присуство разних мировних и других мисија, посебно на трговину људима ради сексуалне и радне експлоатације.

Кључне речи: *трговина људима, оружани сукоби, миграције, организовани криминал, сексуална експлоатација, експлоатација деце, постконфликтни период*