

A Critique of Trafficking Discourse:  
The Russian Federation and the Czech Republic

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**Introduction**

Human trafficking is a criminal industry that ranks third in the world in terms of profit, behind drug trafficking and the criminal arms trade. “Human trafficking,” however, encompasses a wide range of activities. Experts and legal officials often identify these activities as labor trafficking and sex trafficking. However, the lines are not so easily drawn as women constitute the majority in both cases of trafficking and are often subject to sexual exploitation even if they were not trafficked for purposes of sex. Methods of trafficking itself can range from deceiving foreign workers in search for a job abroad to enslaving a young person domestically into prostitution. This thesis will analyze the discourses surrounding human trafficking in the Russian Federation and the Czech Republic today and to examine how they reflect and affect the situation on the ground, policy maneuvers by various political actors, public opinion, and how all of these aspects are interconnected. I contend that the hegemonic discourses in both the Russian Federation and the Czech Republic minimize the problem of human trafficking, and muddle it to the point where efforts by the state to address the issue are either nonexistent or cosmetic at best.

The attention that both state authorities and NGO actors have focused on human trafficking has increased exponentially since the early 2000s. This “wave” of sex trafficking out of Russia and eastern Europe is the latest and biggest wave of four. The first three waves came originated in southeast Asia, northern Africa, and South America. The absolute multitude of people and organizations involved in combating human trafficking is astounding, and a positive sign in this struggle. However, the situation has changed so quickly and so totally over the past

decade that many of the first initiatives to stem trafficking are no longer applicable, or are simply inadequate. Furthermore, the nature of human trafficking means that this topic is notoriously difficult to study and draw solid conclusions. We have all been operating blindly, and attempting to complete a puzzle for which we have so few pieces. Instead of operating on tropes, stereotypes and extreme models, we should recognize the shadowy and ever-changing nature of this issue in our fight against it.

In the first section of this thesis I will outline the theoretical framework that I use to analyze trafficking discourses in these countries. Then, I will illustrate sex trafficking as it stands in both of these countries. In this section I will also identify the various groups of actors involved in trafficking, and explain how they affect anti-trafficking efforts. I will also attempt to analyze and disentangle the relations between trafficking, prostitution, and migration. In the final section of this thesis, I will examine, deconstruct, and critique the speech and actions of these various groups of actors in an effort to explain the problems in the dynamics between them.

### **Theoretical Framework**

In order to analyze the effectiveness of the combat against human trafficking today, I constructed a theoretical framework intended to delineate and to explore the relations between the various actors and policies involved in and against human trafficking. Specifically, I am using Foucault's and Bourdieu's theories in order to illustrate a complicated reality. I am largely inspired by and borrowing from Didier Bigo, who constructed a similar analytic approach in order to look critically at migration's securitization largely in the European Union. His analysis also touches on human trafficking. I directly connect and reflect Bigo's comprehensive analysis on human trafficking situations in a similar fashion. Specifically, Foucault's role in this

framework is a means to describe and analyze discourse production and formation. I use Bourdieu to disentangle Foucault's network of power, separating the different aspects of human trafficking into social *fields* for a clean analysis and examining the actions of each *field* through *habitus* to describe why they do what they do.

Foucault contends that the nature of power in institutions of authority changed following the industrial revolution from a top-down, vertical structure into a network. He writes that “Power comes from below; that is, there is no binary and all-encompassing opposition between rulers and ruled... One must suppose rather that the manifold relationships of force that take shape and come into play in the machinery of production, in families ... and institutions, are the basis for wide-ranging effects of cleavage that run through the social body as a whole.”<sup>1</sup> Power is no longer something one holds (a noun), but something one does (a verb). Everyone is a part of a network of power, and everything we do or say either reinforces or resists hegemonic discourse and therefore the network of power itself. These are the “new methods of power whose operation is not ensured by right but by technique, not by law but by normalization, not by punishment but by control, methods that are employed on all levels and in forms that go beyond the state and its apparatus.”<sup>2</sup> The ends of authority have changed because institutions of authority are not the only ones who shape those ends. Actors in the network of power who enforce hegemonic discourse all power towards the same goal, intentionally or not. Trafficking situations are in themselves manifestations of these discourses in the network of power, arising out of the subjugation of women, dehumanization of the ethnic “other,” and sexual shame. The ways in which institutions of authority perceive trafficking – from the perspectives of traffickers, the trafficked, and the

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<sup>1</sup> Michel Foucault. 1990. *The History of Sexuality: Volume I*. Trans. Robert Hurley. (New York: Vintage Books) 94

<sup>2</sup> Ibid., 89

consumers – are just as important, as their actions also arise from these discourses: the victimization of women, the insidiousness of international organized crime, and so forth. My purpose in the next chapter is to break down and analyze these relations, to examine exactly which discourses are inherent in policy, and to pinpoint the reality on the ground concerning relations between traffickers and the trafficked.

This approach then leads into the Foucauldian concept of governmentality. Governmentality differs from governance because governance conceives of power as hierarchical and top-down, which is not the case here. In other words, governance places power and administrative domination solely with the state apparatus.<sup>3</sup> Governmentality, on the other hand, speaks directly to the conception of power as a power network. More specifically, governmentality is the way in which institutions of authority enforce domination through promoting certain values, beliefs, “facts” (which may or may not correspond to reality) through themselves and others, and how society cyclically reproduces these discourses. Bigo defines governmentality as “the art of governing, as a strategy of action or conduct in relations.”<sup>4</sup> Governmentality is meant to produce citizens that directly fulfill the needs of the governing body and society at large. Traffickers, the trafficked, and consumers fulfill none of these, explicitly.

Foucault's network of power is dense, and oftentimes difficult to navigate. As such, I will use Bourdieu's theories on social *fields* and *habitus* to disentangle this network into something more manageable. A *field* according to Bourdieu is a social realm with its own coherent set of rules and values. In a sense, a *field* can be looked at as a subset within a society. *Habitus* explains the certain dispositions and methods a *field* employs in order to accomplish certain tasks and deal

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<sup>3</sup> Bigo. “Security and Immigration: Toward a Critique of the Governmentality of Unease.” 83

<sup>4</sup> Idem.

with issues.<sup>5</sup> As an example, high political society employs certain sets of tested policy measures in order to react to internal and external security threats. In another example, consumers of prostitutes go through the process of finding and paying for the services of prostitutes to fulfill their own perceived “needs.”

Bigo posits that security professionals securitized migration in Europe as part of their *habitus*: they perceived a loss of control of their borders and population, resulting in a serious and unknown threat to the state.<sup>6</sup> Perception towards trafficking is similar: organized crime is preying on national women, who are either property of the state or citizens of their own right. Furthermore, hegemonic discourse often frames prostitution as a moral threat to the country, and this threat is further exacerbated when a visible proportion of the prostitutes – especially, for example, Romani street prostitutes in the Czech Republic – are the ethnic “other.” The state considers citizens as nationals, who are directly pitted against foreigners (whether or not they are actually foreign),<sup>7</sup> whom politicians in turn frame as morally corrupt. These foreign groups come in many forms, such as the Romani example, as well as German and Austrian tourists who patronize sex clubs on the Czech border. To further complicate this dichotomy, the states have lost their readily identifiable enemies from the Cold War. The bipolarity which the US and the USSR set up during the Cold War was at least stabilizing for the states involved: the military dealt with external threats while police dealt with internal crime.<sup>8</sup> However, the transnational nature of crime and trafficking has blurred these lines to such an extent that such clearly

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<sup>5</sup> Bigo. “When Two Become One: Internal and external securitisations in Europe.” 324

<sup>6</sup> Bigo. “Security and Immigration: Toward a Critique of the Governmentality of Unease.” 65

<sup>7</sup> Ibid., 67

<sup>8</sup> Ibid., 76

delineated roles have become meaningless.<sup>9</sup> In turn, this new order has generated unease. The state apparatus and security professionals specifically are unsure about their roles. In Bigo's analysis he claims that the irregular migrant has become a symbol for the politician's loss of authority over the state.<sup>10</sup> Traffickers and the people they traffic serve as an equally powerful symbol for this loss of authority, and this is the stage upon which discourses surrounding sex trafficking arise.

### **Definitions of Terms, Background and Country Narratives**

In order to provide a comprehensive analysis of the discourse and power relations at play in these two countries, it is important to define certain terms and to identify the actors and groups of actors involved in the human trafficking system. In this section I will define and differentiate prostitution, migration, and trafficking, and I will identify the fluid nature of all three terms. Then, I will attempt to outline the trafficking apparatus itself, who is involved in this apparatus, and how they relate to one another in the system. I will also attempt to unpack the issue of agency with relation to trafficking victims, as people often assume agency or lack of agency in trafficking situations without delving into the complexity of each situation. Finally, I will position the Russian Federation and the Czech Republic in this process in order to contextualize the trafficking situations in each of these countries.

Before delineating an outline of the “general” human trafficking experience, it is important to note that there *is* no “general” experience or framework. Each situation is unique through a multitude of factors, and recognizing this uniqueness is key to understanding how human trafficking works and how to combat it. Attempts to summarize the trafficking experience

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<sup>9</sup> Konrad.

<sup>10</sup> Bigo. “Security and Immigration: Toward a Critique of the Governmentality of Unease.” 70

more often than not muddle and set back attempts to combat it. However, for the purposes of this project, it is important that I define certain terms and loosely identify the actor groups involved. I will produce a rough outline in order generally to convey how human trafficking works, and then to complicate the illustration later on.

As this thesis focuses primarily on sex trafficking, defining “prostitution” is particularly important as the two terms are often conflated. Furthermore, prostitution is difficult to define because there is so little reliable research on it. Broadly defined, prostitution is “the fact of establishing relations with other people that logically culminate in a sexual act with the purpose of obtaining payment in the short term.”<sup>11</sup> Sociologist Mathilde Darley fleshes out this definition in her study of prostitution in the Czech Republic. Prostitution is a social construct that takes the form of a market where prostitutes supply the sexual demand of their customers.<sup>12</sup> Specifically, the focus here is the relationship between the prostitutes and the customers and the exchange between them. The focus of the supply in prostitution is the services, and not the prostitutes themselves. This focus is not meant to minimize the potentially destructive relations between a prostitute and a customer, but to delineate exactly what constitutes that relationship. To extend further the market connection, a laborer in any industry is similarly vulnerable to different types of exploitation.

Migration and trafficking are also interlinked, as trafficking can be considered a form of forced irregular migration.<sup>13</sup> However, trafficking can also occur separate from migration. The

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<sup>11</sup> M. Darley 2009. "Prostitution in nightclubs in border areas of the Czech Republic". *Revue Francaise De Sociologie*.50: 95

<sup>12</sup> Ibid. 97-98

<sup>13</sup> I will use the term “irregular migration” here as opposed to “illegal migration” in order to avoid the overt criminalization and politicization that the latter term produces. Furthermore, the term “illegal migration” denies the humanity of the migrants and complicates asylum situations. (See Khalid Koser 2005. “Irregular migration,

issue of migration is particularly important with regards to the European Union because of the current, overwhelmingly negative politicization of migration into the EU, especially from the east and from the newer member states.<sup>14</sup> The current perception of migrants is that they are terrorists and criminals penetrating the borders of states, and this perception is then projected onto transnational people who are moving across borders for any number of reasons.<sup>15</sup> This perception produces a generalized discourse instead of explaining a highly diversified process of globalization, urbanization, unemployment and birthrates,<sup>16</sup> all of which are also factors that push people into trafficking situations.

The United Nations' *Protocol to Prevent, Suppress and Punish Trafficking in Persons* defines human trafficking as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving of receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation... Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation...”<sup>17</sup> In connection with prostitution and migration, it would seem that they overlap in that trafficking is *forced* migration and *forced* prostitution. However, when considering the reasons for migration and prostitution at large, this interpretation is rendered useless. There are many gray areas in which one could consider prostitution to be forced, but not necessarily a trafficking situation. Furthermore, this definition

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state security and human security”. *Global Commission on International Migration: Policy Analysis.*)

<sup>14</sup> D. Bigo. 2002. “Security and Immigration: Toward a Critique of the Governmentality of Unease.” *Alternatives* 27: 63

<sup>15</sup> Idem.

<sup>16</sup> Ibid. 78

<sup>17</sup> United Nations Office on Drugs and Crime. 2004. “United Nations Convention Against Transnational Organized Crime and the Protocols Thereto.” 42.

does not capture the fluidity of trafficking wherein a migrant or prostitute who is not trafficked but while in the process of migration or prostitution becomes trafficked. The broadness of the UN's definition is both a blessing and a curse: on one hand, it encompasses anything that may be a trafficking situation, while on the other it sacrifices the differences between trafficking and other seemingly exploitative situations in order to capture this breadth. Hopefully, I can now unpack those differences.

The trafficking process begins at procurement, which is when a trafficker targets an individual or group of individuals. Some populations are more vulnerable than others, but no one is truly exempt from being a target. Specifically, I am looking at two post-communist countries that underwent economic reform throughout the 1990s, which produced a certain set of vulnerable populations. Especially in sex trafficking, economically disadvantaged women are the most vulnerable as the general narratives tell. However, there are many more recent cases of wealthy and educated young women looking for well-paid work abroad who were also trafficked.<sup>18</sup> There are also those who know the nature of the work for which they are being hired, but do not know or understand the extent of the exploitation or the “job conditions” involved.<sup>19</sup> At the other end are seemingly well-meaning employers visiting orphanages to employ young girls who have come of age and are forced to go out on their own, but they are instead trafficked.<sup>20</sup>

In this stage there are two actor-groups: those who are trafficked, and then the traffickers

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<sup>18</sup> Helga Konrad, “Recent Developments in Combating and Preventing Human Trafficking: Facts, Myths, Challenges.” (colloquium, University of Washington, Seattle, January 19, 2012).

<sup>19</sup> Jacqueline Berman. 2003. "(Un)Popular Strangers and Crises (Un) Bounded: Discourses of Sex-Trafficking, the European Political Community and the Panicked State of the Modern State". *European Journal of International Relations*. 9 (1). 46

<sup>20</sup> Victor Malarek. 2004. *The Natashas: inside the new global sex trade*. New York: Arcade. 15-16

or procurers. As explained above, the population at risk for trafficking is broad. The traffickers themselves are just as difficult to identify distinctly, as there is no one type of trafficker. The usual suspects are organized crime, as evidenced through the UN protocols which target organized crime along with human trafficking. This blame often leads to a specific focus on nationally-based mafia groups,<sup>21</sup> which at this point is all but useless as the market is so transnational at this point.<sup>22</sup> Organized crime does not have national loyalty, and often works to the detriment of its “home country.”<sup>23</sup> Work placement companies and programs can be complicit in trafficking as well. The entire company or program is sometimes a front for a trafficking group,<sup>24</sup> or the job placement that an unknowing but legitimate company or program finds may lead to a trafficking situation.<sup>25</sup> This reality is complicated by the fact that these sorts of programs are very useful and important for people to find employment so that they may support themselves and their families. Families and communities can also take the role of a procurer. Often, a harmful home situation can drive someone out. If they are desperate enough to find work, they are more vulnerable to traffickers. In other situations, parents may sell their children off, or family members may be directly complicit in trafficking one another through criminal connections.<sup>26</sup>

The next stage is the actual sale or labor exploitation. The actors involved in part of the trafficking process are sometimes a part of the same group as the procurers. Here it becomes particularly difficult to differ between the two stages. It is useful to revisit the market analysis:

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<sup>21</sup> King, Charles. 2010. *Extreme politics: nationalism, violence, and the end of Eastern Europe*. Oxford: Oxford University Press. 174

<sup>22</sup> Konrad.

<sup>23</sup> For example, Russian mafia groups do not keep their finances in Russia. (King, 174.)

<sup>24</sup> Ric Esther Bienstock, dir. *Sex Slaves*. (Frontline series, PBS, 2006), documentary.

<sup>25</sup> Idem.

<sup>26</sup> King, 175.

procurers are essentially transportation middlemen who freight the goods from one location to another, while this stage is the actual “sales floor.” In the case of larger corporations (or organized crime), the same organization handles both freight and sales, whereas smaller operations have to hire out other companies to handle separate processes. In either case, the actors involved in this stage generally take the form of pimps and bar or club owners. They imprison trafficked victims through numerous means: confiscation of travel documents so that the victims cannot move freely, threatening to kill friends or family, drug addiction and psychological abuse, and actual physical entrapment. Law enforcement and local authorities are also a part of this structure. In some places, the traffickers bribe local authorities, and sometimes the authorities are customers of the traffickers.<sup>27</sup> More often than not, law enforcement simply cannot correctly identify a trafficking situation when they see it.<sup>28</sup>

Another separate actor-group involved in this stage is the customers, clients, or Johns. They are often not considered as a part of the equation, especially when looking specifically at prostitution. In many countries, the *sale* of sex is illegal, and therefore buyers are not punished except under the modern Swedish model, in which the *buying* of sex is made criminal.<sup>29</sup> Secondly, they are not directly involved in the trafficking apparatus itself. However, from a market standpoint, they produce the demand for which trafficking victims are the supply. Finally, this group makes a concerted effort to distance itself from the “prostitutional world.”<sup>30</sup> While they are privileged in relationship with prostitutes, they are “losers” as paying for sex is also

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<sup>27</sup> Malarek, 157-173.

<sup>28</sup> Konrad.

<sup>29</sup> Joyce Outshoom. 2004. *The politics of prostitution: woman's movements, democratic states, and the globalisation of sex commerce*. Cambridge, UK: Cambridge University Press.

<sup>30</sup> Darley, 109-112.

stigmatized on some level.<sup>31</sup>

The final stage in the trafficking process is rehabilitation. Unfortunately, many do not reach this point in the process. They often either die or are re-trafficked if they escape their traffickers. There are several reasons for this reality. As noted above, families and communities can often be complicit, so trafficking victims have no where to go or are absorbed back into the process the moment they reach home soil. In other cases, families and communities simply will not accept trafficked victims' return due to stigma.<sup>32</sup> Furthermore, if the victim was trafficked at an especially young age, they do not know much else outside of this world. The psychological trauma induced while being trafficked makes for a difficult escape in the best of situations. The state and NGOs play a very important role in this stage in particular. If the law enforcement does not recognize a trafficking situation, many will often default simply to deporting the victims back to their home country as if they were irregular migrants.<sup>33</sup> If the law enforcement does recognize the situation as a trafficking situation, the protection period is too short and the state does not provide adequate resources to rehabilitate fully trafficking victims and to give them their lives back. NGOs can only handle a limited amount of this work, especially in the EU where this is perceived to be under the purview of the state.<sup>34</sup>

There is a multitude of factors that construct a very specific trafficking reality in each country. The states' governments and NGOs have responded to these factors to varying effects. Geography plays a particularly important role in both countries. The Russian Federation stretches

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<sup>31</sup> Ibid.

<sup>32</sup> A public opinion poll conducted in Russia showed that many families would not immediately accept the return of their daughter in the hypothetical situation that she would return after having been trafficked. (Mary Buckley. 2009. "Public opinion in Russia on the politics of human trafficking." *Europe-Asia Studies* 61.2: 227)

<sup>33</sup> Konrad.

<sup>34</sup> Idem.

from eastern Europe to far east Asia. Victims are trafficked both eastward and westward, though predominantly westward, from all the former Soviet republics as well as from southeast Asia to other parts of the world. Early research labels Russia as primarily an origin and transit country, but since then the urban centers have become popular destination points as well. The evolution of global trafficking has rendered the distinction between these three categories next to useless.<sup>35</sup> This huge expanse also makes administration particularly difficult. Border control and intense corruption have been an issues since the Russian Empire, and these problems become more intense in the far-flung regions of the country.

Economic reforms and the transition to the free market system also plays a role in trafficking. The reforms have rendered rural Russia nearly irrelevant to the economy, and in poverty. Women have been hit particularly hard by these economic factors. They are burdened with family care in the face of a collapsed childcare system, They must also be the family's breadwinners as alcoholism and mortality among Russian men continues to rise. The numbers of women engaging in criminality and ending up in prison skyrocketed. Furthermore, more and more people became desperate to leave the countryside for the larger urban centers and economic opportunity. This trend has created opportunities for potential traffickers to exploit people looking to move.

The Russian government was late to act against trafficking. International and domestic groups pressured the administration to do something about the growing problem throughout the 1990s. The State Duma established an Inter-Agency Working Group in 2002 to draft legislation specifically targeting trafficking, which they adopted in 2003. In 2004, the federal government drafted 119-Φ3 «On State Protection of Victims, Witnesses, and Other Parties to Criminal

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<sup>35</sup> Konrad.

Proceedings,” which established state-guaranteed security to witnesses in trafficking cases. In 2006, the CIS accepted the Programme of Cooperation to combat human trafficking across the territory from 2007-2010, which they later renewed for the 2011-2013 period.<sup>36</sup> The next year, the Ministry of Internal Affairs (MVD) created a specialized division to enforce anti-kidnapping and anti-trafficking laws.<sup>37</sup>

Concrete results from these reforms have fluctuated since their legislation. For example, in 2010 there were 42 trafficking convictions, while in the previous year there were 76. Of these 42 recent convictions, 31 were sentenced for periods ranging from several months to 12 years. Government complicity is still an issue. In 2010, a police colonel in St. Petersburg was arrested for involvement in organized prostitution, and in 2011 a Moscow military court convicted a senior officer and ten accomplices. Many other incidences were reported from 2008 to 2010, but many of these are either at a standstill or further information about them is unavailable.<sup>38</sup> There is no system to identify trafficking situations, the national government provides no funds or programs for assistance, and shelters across the country assist victims as they can despite inconsistent funding. International donors support the majority of organizations in the country. Furthermore, there is no systemic effort to prevent criminalizing trafficked persons or deporting them once discovering them.

The Czech Republic's context differs sharply from that of Russia's. Geography plays an important role as the Czech Republic is situated directly in the center of Europe, connecting east with west and south with north. It also shares borders with Germany and Austria. Since the fall of communism, the highways between these countries have become venues for street

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<sup>36</sup> TIP 2011 Russia

<sup>37</sup> IOM website

<sup>38</sup> TIP Russia 2011

prostitution.<sup>39</sup> These borders have also created a dynamic in which German and Austrian men hop across the border into Czech towns for cheaper sex than they would find in their home countries.<sup>40</sup>

Economic transition in the Czech Republic resulted in winners and losers in the new system as it had across eastern Europe, but the new administration handled it more smoothly than in Russia. As a result, the Czech Republic was one of the first countries granted candidacy for the EU. Furthermore, they do not suffer the massive urban exodus that Russia did. For one, the Czech administration did a better job of retaining the economic relevance of the smaller towns and cities. Secondly, because of the country's size, topography and infrastructure, commuting from a distance is much more possible.

The Czech Republic's membership to the EU adds additional institutional pressure for the administration to address trafficking. The country is bound to adhere to certain standards and had to reform its criminal code to include trafficking before they were granted membership. Membership also gives access of the Schengen region to Czech citizens, providing them with greater mobility and economic opportunity. On the other hand, this dynamic also makes the Czech Republic vulnerable to the anti-immigration discourse leveled at the newer member states.

Prosecution of trafficking offenders in the Czech Republic is higher than it is in Russia, but the numbers widely fluctuate from year to year. The number of prosecutions is also low in consideration of the projected number of trafficking incidents per year. In 2010, the Czechs prosecuted 26 traffickers, which compares to 115 prosecutions in 2009. There were 12 prosecutions in 2006 and eight sentences in 2001, so the numbers are increasing over the long

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<sup>39</sup> Malarek, border article.

<sup>40</sup> Border article

term. Furthermore, reports of government complicity have decreased over the years but as soon as 2011 some NGOs in the country complain of government involvement in some labor trafficking agencies.

The Czech government has also established a system to protect trafficked persons in the country. Specifically, the Program of Support and Protection of Victims of Trafficking in Human Beings provides both short- and long-term care for domestic and foreign trafficked persons. Formal identification procedures and victim referral mechanisms are included in this program. Unfortunately, the official numbers of those helped by this program yearly are very low, and authorities are still deporting some trafficked persons without referring them to assistance. Many organizations both inside and outside the country continue to criticize the administration for ignoring the plight of Romani women, who remain as one of the most vulnerable populations to date.

The obscurity of prostitution legislation exacerbates the problem of sex trafficking in the country. Prostitution is technically legal but it is not regulated, while organized prostitution is illegal. Despite this, advertisements for sex services and parties are pasted throughout public transport in Prague. There are no formal services to protect prostitutes and the government does not take action to dissuade commercialized sex. Male prostitution is also particularly visible in the Czech Republic. Most websites aimed at LGBT tourism in the country contain information on venues and etiquette on where and how to buy sex in Prague. There are also several Czech films which focus on male sex trafficking in the country.

### **Third Section (Name?)**

Many different factors constitute the trafficking realities in these countries. How people

in every level of society think and talk about sex, gender, human worth and trafficking itself shapes these realities. In this section I am going to explore and analyze how the various fields in each country – first the Russian Federation, and then the Czech Republic – deal with human trafficking. These fields include the state apparatus (the administration, policymakers and the authorities), the traffickers, trafficked persons and survivors, and society at large. I will examine each of these fields to varying degrees for several reasons. Traffickers' discourses do not change very much across borders, which testifies to the transnational nature of the crime. Discourse from prostitutes and trafficked persons is particularly difficult to identify in some research if the prostitute with whom the researcher is speaking is not explicitly a trafficked person. Trafficking survivors also constitute such a slim minority of cases that it is even more difficult to construct an illustration of how they frame themselves and trafficking in general.

Attitudes in the Russian government have not changed since the problem became widespread and well known in the 90s. Officials initially denied that the problem existed at all despite pressure internally from domestic woman's rights groups and externally from foreign national governments and international human rights groups.<sup>41</sup> Representatives of the state Duma have stated that trafficking is not a Russian issue because it happens beyond state borders.<sup>42</sup> The US State Department's initial TIP reports placed Russia on Tier 3 until 2003, when the Russian government finally amended the country's criminal code to include trafficking.<sup>43</sup> From 2004 to now, the State Department has placed Russia on the Tier 2 "Watch List." However, some researchers have criticized the improved rating as a political consideration.<sup>44</sup> The Trafficking

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<sup>41</sup> Buckley. 216

<sup>42</sup> Ibid., 8

<sup>43</sup> TIP reports

<sup>44</sup> Malarek (page), Buckley 8, Schuckman

Victims Protection Act binds the US government to place certain economic sanctions against any country that does not fulfill minimum anti-trafficking standards based on the TIP report's criteria, and the US is unlikely to carry such sanctions out on a country as globally significant as Russia. As I outlined above, Russia did pass legislation and establish anti-trafficking institutional mechanisms and support, and these are certainly important first steps. The abysmal concrete results in terms of trafficking survivors helped and prosecutions carried out are evidence that the Russian government believes that it has done enough to stop trafficking.

Authorities in Russia also continue to deport foreign trafficked survivors either for no reason at all, or because they will not act as witnesses in cases against their traffickers.<sup>45</sup> This trend is problematic and shows that the authorities do not understand the reality of a trafficking situation. Trafficking survivors may not want to testify against their traffickers for any number of reasons. Many of them fear retribution, and for many others, facing their traffickers in court would be a psychologically traumatic experience.

Media in Russia was silent on the issue until the government was forced to address it. By 2007, trafficking became a popular topic in media, and it was distortive, sensational and informative all at once.<sup>46</sup> Articles, news stories, documentaries, and awareness-raising projects all focus on a “portrait of the victim” without addressing root causes.<sup>47</sup> They address broad factors that contribute to a trafficking problem – poverty, economic inaccessibility, and lack of education – without studying the impact of these factors on specific population groups.<sup>48</sup> These projects use the most extreme of examples, in which women and children are physically

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<sup>45</sup> TIP Russia 2011

<sup>46</sup> Buckley 216

<sup>47</sup> Tirokanova. 39

<sup>48</sup> Idem.

kidnapped and trapped in a brothel without any access to the outside world, when in reality these constitute a minority of trafficking cases. Some studies suggest that the majority of women who respond to work placement ads can read between the lines and know that they are applying to “exotic” work, but they do not know the conditions or the extent of exploitation.<sup>49</sup> They expect to receive reasonable pay for their work, under reasonable and hygienic working and living conditions. When media only portray the most extreme of circumstances, they set back awareness raising efforts because people do not understand how easy it may be to become trafficked.

Public awareness and opinion on trafficking issues holds direct consequences on trafficking efforts for many reasons. Attitudes towards women and the social value placed on woman’s labor can make women more prone to trafficking, and attitudes toward prostitution and sex in general affects rehabilitation efforts. Trafficked persons come from these home communities and families, and trafficking survivors return to them: the home community is the beginning and the sometimes hoped-for end of a trafficking situation. Trafficked persons might seek work elsewhere for economic reasons, either to support themselves or their families. Sometimes, the family pressures them to seek this work and supports them if they find the opportunity to do so.<sup>50</sup> In other cases, a husband's or father's alcoholism or abuse might force the trafficked person to find work and make a living elsewhere. In still other cases, it is the family who is complicit in trafficking another family member.<sup>51</sup> The home community presents a very complex picture, and these different scenarios are integral to understanding the needs of trafficked persons.

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<sup>49</sup> Frontline Documentary, Berman? King? Maybe Malarek?, Buckley 221

<sup>50</sup> Frontline

<sup>51</sup> King Berman

Sociologist Mary Buckley conducted a study in 2007 to research precisely how much Russians knew about trafficking and how they related to the issue. She issued a survey through the Levada Center, which conducts most of the major public opinion polls in the country. Buckley also organized two focus groups in Moscow and Vladimir. Participants were from many walks of life and their ages ranged from their 20s to 70s. The discussions took a life of their own and evolved into a very organic oral history about how Russians perceive human trafficking.

The results from the survey are less than inspiring. They show an underestimation of the problem's scale and a distortion of how trafficking works. Thirty three percent believe that trafficking affects five to ten thousand people a year, and 18 percent believe that it affects ten to 20 thousand.<sup>52</sup> These figures compare with the estimate that traffickers deceive between 20 to 60 thousand individuals every year.<sup>53</sup> The majority of the respondents also place responsibility on the shoulders of the trafficked persons themselves. They either believe that the trafficked persons only have themselves to blame (40.8%), or that they are mostly prostitutes who hope to earn more abroad (33.4%). A significant percentage of respondents admit that job opportunities in the country for women are slim, forcing them to look abroad for opportunity (37.1%).<sup>54</sup>

The survey also exposed some very negative attitudes leveled at trafficked women and prostitutes, even when they may be related to the respondents. When the survey asked what the respondents believed should be done with the women who return, about half said that they should be sent back to their family or to rehabilitation. The rest of the responses ranged from leaving the trafficking survivors to sort out their own lives (14%), to being deported (8.6%), and to being punished (3.9%). One question asked how respondents would treat a daughter who

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<sup>52</sup> Buckley 220

<sup>53</sup> Pravda

<sup>54</sup> Buckley, 221.

returned home from a trafficking situation. The highest percentage would welcome her back home (39.4%), and some would invite her back home for a short while (10.3%). The rest would speak to her but tell her to live elsewhere, either in a different neighborhood or a different city altogether (14%), never speak to her again (5.6%), or beat her and exclude her from their lives (3.6%).<sup>55</sup>

Results also show a deep cynicism that the Russian government is capable of handling the problem. When asked which institutions would be most effective in tackling the problem, both federal and local administrations received abysmally low responses, and NGOs did not rank much higher. However, when asked how they believe the problem should be solved, most of their answers involved these same institutions. They include international cooperation, police work in catching criminal gangs, prosecutions in the legal system, and border controls in their proposed solutions.<sup>56</sup> Twelve percent believe that nothing can be done.

The focus groups in Moscow and Vladimir produced a much more nuanced illustration of what they believe is human trafficking in Russia. The discussions did not start out explicitly centered around trafficking: moderators asked the participants what they would do should they find themselves in tough economic circumstances. The participants themselves quickly turned the topic to human trafficking, though neither group explicitly used the term (торговля людьми), and only the group in Vladimir used the term for slavery (рабство). The groups discussed the processes and structures of trafficking in somewhat stereotypical ways, but admitted that sexism in the country was a problem. They also blamed the rise of trafficking on the collapse of Soviet ideology in the country, the war on Chechnya, and the chaos brought on by the free market

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<sup>55</sup> Buckley 227. A sizable percentage also admitted that they wouldn't know what to do (26%).

<sup>56</sup> Ibid. 225

transition in the 90s.

In the Czech Republic the government is relatively silent about human trafficking and prostitution. They are not receiving the same type or amount of international pressure to reform that Russia is receiving, largely in part because the Czech Republic is an EU member. However, EU membership also presents its own challenges. Trafficking discourse in the Czech Republic is largely an extension of trafficking discourse in the EU, which is tied up in irregular immigration. As I noted earlier in this paper, migration rhetoric in Europe is tied up in discourse on trafficking. Politicians warn that Fortress Europe is being overrun with the impoverished and criminals who bring with them all sorts of immoral behavior. Part of this rhetoric is leveled at the new member states, of which the Czech Republic is a member, with accusations that they do not control their borders – or their citizens – well enough. At the same time, the Czech Republic has made a superficial attempt to follow its western neighbors' example in terms of prostitution legislation, most notably in the cases of Austria, Germany, and the Netherlands. However, it is important to note that these countries have much more clear regulations of prostitution and in some cases provide protection and healthcare for them, which the Czech Republic does not have. Regardless, the discourse is the same: prostitution is legitimate work, and sex is another aspect of life open for commercialization by the free market system.

Media and research in the country regarding trafficking seems to delineate more strongly between prostitution and sex trafficking. This distinction is in part because of the legal status of prostitution in the country, ambiguous though it may be. While there are some sex trafficking awareness projects and research, especially in the case of Romani trafficking, there is also a sizable amount of research and attention devoted to prostitution as sex work and the health of

prostitutes themselves. On one hand, this attention is helpful in criticizing the current structure of prostitution and exposing holes in the system. At the same time, it does not offer helpful distinctions between what constitutes “sex work” and what constitutes “trafficking,” thereby whitewashing trafficking and creating a false dichotomy between the two.

There is also a significant gender bias towards women in this rhetoric. Media frames male prostitution almost solely in terms of trafficking. A series of Czech films and documentaries by Polish director Wiktor Grodecki focuses on male sex trafficking in Prague. His feature film “Mandragora” in particular sensationalizes the issue and demonizes sexual difference as sadomasochistic and homosexuality as a foreign malaise to Prague. This same discourse was inherent in the protests to the first ever Prague gay pride parade in the summer of 2011, in which right wing groups in the Czech Republic warned that the event would see a rise in child prostitution in the nation's capital.<sup>57</sup> The implication in this dichotomy between male and female prostitution is that women have more agency than men, when in fact the opposite is more likely to be true. At the same time, male sex trafficking is certainly an issue that should not be rendered invisible.

Public opinion towards prostitution and trafficking in the Czech Republic can be divided into two broad categories, much like in Russia. The national view focuses on extreme examples and victimization, whereas locals in towns where prostitution is very visible believe that migrant prostitutes are to blame for their position. This type of public opinion at the border town gives us a very close look at the issue from the level of society because prostitution here is so visible. On a wider ideological level, Czechs blame the fall of communism and their country's “return to

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<sup>57</sup> It is important to note that in all other respects the pride event was no more controversial than it would be in many conservative regions of the US.

Europe” for the increased cultural sexualization and the transformation of border towns into sex markets for western men. This line of thought is consistent with Czech fears of global economic dependence when their EU membership was being decided, so it is no surprise that this ideology extends to the sexual realm.

At the same time, the prevalence and visibility of prostitutes in these small communities has resulted in a normalization process in terms of social interaction. Because prostitutes are a part of these small communities, they shop at the same stores and use the same services as the other Czechs in the towns. Locals began to treat them as they would anyone else. However, due to the ambiguity of the law in regards to prostitution, some local authorities took their own measures to regulate prostitution in their own regions, such as restricting commercial sex in certain neighborhoods and restricting advertisement of sexual services.

Traffickers are also part of and originate from these communities, so what they do and why they do it is an integral part of the illustration. Selling people as commodities is already the purest manifestation of objectification, either sexual or labor based, where people are literally transformed into an object to be bought and sold. Many traffickers are simply businessmen and women who engage in the commercialization of sex. National narratives do not play a very large role in their discourse. Filmed footage in a Frontline documentary shows a decoy discussing a trafficking proposition with a known Russian trafficker, Olga. Out of context, the conversation could sound like any sort of business transaction. They bargained prices, and Olga explained that she had to pay expenses such as transportation. She also continually assures the decoy that the product is good quality. Another trafficker interviewed in the documentary, Vladimir, sold his friend's wife, claiming that it was an easy way to make money with little risk. He later felt guilty

and “helped” his friend by giving him the contact information of the pimps to whom he sold her.<sup>58</sup> Bar and club owners are also businesslike, but relate to prostitutes as employees where it suits them. They charge room and board, taking it out of their pay along with expenses owed to procurers. On the Czech border, most of the bar and club owners are Czech, but they work closely with German and Austrian partners for advertisement, promotion, translation, and other services.

A voice often left out of many trafficking narratives is that of the trafficked person themselves. As I stated above, many trafficking survivors know the nature of the work for which they are applying. Some of them know people who have successfully moved abroad and are making money, so the question they ask themselves is: why can't I? Similarly, we as humans so often think that tragedy cannot strike us. This mentality coupled with the need to support one's family results in the leitmotif: we have to get out, we have to make money, and there are no other opportunities. A trafficking survivor named Tanya actually returned to prostitution in order to pay for a younger sibling's surgery because she could think of no other way to make enough money.

Other migrants who leave their home communities in search for work sometimes end up in prostitution because they cannot find other work, or the wages are not enough. Some prostitutes at the Czech border see their position as “transitory,” and a stepping stone to better work in the future once they find a way out. Many of them assimilate to their situations, adopting the mentality that they have to “accept the rules” of their profession. They consider wage cuts and work conditions to be a part of the job. But, they also form together in solidarity to resist against the pitying and victimizing view many have of them, as well as to protect one another

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<sup>58</sup> Vladimir was given a reduced sentence for turning himself in and working with the authorities on this investigation.

against dangerous consumers.

### **Conclusion**

The present condition of human trafficking across the world seems insurmountable. Even when the issue is presented in the most simple of terms, it is dire. The closer we look at national contexts makes it seem even more so, as the complexity becomes more clear. Anti-trafficking approaches from all institutional levels operate from faulty assumptions and ignore the individuality of experience. Furthermore, state actors produce the same discourse that works to the traffickers' advantage. They conflate migration, prostitution, and trafficking, and have not made a concerted effort to close the gender gap and make economic opportunities available for vulnerable populations.

The immensely complex problem I have unpacked in this project requires an equally complex and flexible solution. We cannot solve trafficking simply by directing reforms at trafficking itself because trafficking is the product of a multitude of various cultural, political, and social factors. Therefore, an anti-trafficking approach needs to address all of these factors. I propose two roads to such an approach: the first acting in the long term, and the second working in the short term.

Trafficking will not end until certain root causes are killed. Both the Czech Republic and the Russian Federation need to address problems of corruption, especially at the borders. Attitudes toward women and commercialized sex also need to change. Vulnerable populations, including women, the poor, and ethnic minorities – most notably the Roma in the Czech lands – need to have economic opportunity domestically and abroad. Migration and searching for work outside of one's own country is not the problem here. Opportunities to work abroad are

tremendously beneficial to anyone, but most especially people from this region. Legitimate work placement programs, through the facilitation of the EU and national governments, could help people in these countries find work in the west where destination countries would benefit from migrant labor.

A long term approach, while absolutely necessary in any anti-trafficking movement, unfortunately does not help trafficking survivors and those caught in the trafficking apparatus. Addressing the problem now requires a more direct approach. National governments should establish regional task forces to deal with the problem on the ground. They should be independent branches of law enforcement – that is to say, not a part of the same departments that deal with drug trafficking and terrorism, they are currently structured – with lawyers and social workers on staff. These task forces should be widely publicized in their respective regions, so that trafficked persons and potentially trafficked persons know where they can find help. The task forces must provide full protection and privacy, as well as rehabilitation, to domestic *and* foreign survivors. Furthermore, national governments need to reform trafficking laws to not pressure trafficking survivors to stand witness in trials, and they must institute formal procedures to identify trafficking situations in *all* branches of law enforcement.

My approach is far from perfect, and there are many obstacles to its implementation. However, what is most important is that it is flexible, addresses the main factors in trafficking, and incorporates actors and organizations from across the board to help anti-trafficking efforts. The only road to resolution lies in the multitude of experience, and the understanding that, like the problem itself, the solution must be ever-changing.