



Human Trafficking: New Global Estimates of Forced Labor and Modern Slavery

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Introduction

As part of long-standing congressional interest in global human trafficking, some Members have consistently sought greater fidelity in quantifying human trafficking's prevalence. In September, the International Labor Organization (ILO) and the advocacy organization Walk Free Foundation, in partnership with the International Organization of Migration (IOM), released a new report on the global prevalence of modern slavery (including forced marriage) and forced labor (including sex trafficking and government-imposed forced labor). The report estimated that 40.3 million people were victims of modern slavery in 2016—including 24.9 million people in forced labor and 15.4 million people in forced marriage (see **Figure 1**).

The estimate was based on a new methodology, derived from multiple data sources, household surveys, probabilistic modeling, and analytic reviews of secondary sources. Using 2012-2016 as the reference period for the study, it concluded that some 89 million people had experienced modern slavery in the past five years. The report additionally stressed that its estimates are conservative, noting the lack of data due to underreporting—particularly in conflict zones (estimates of child soldiers, for example, were not included).

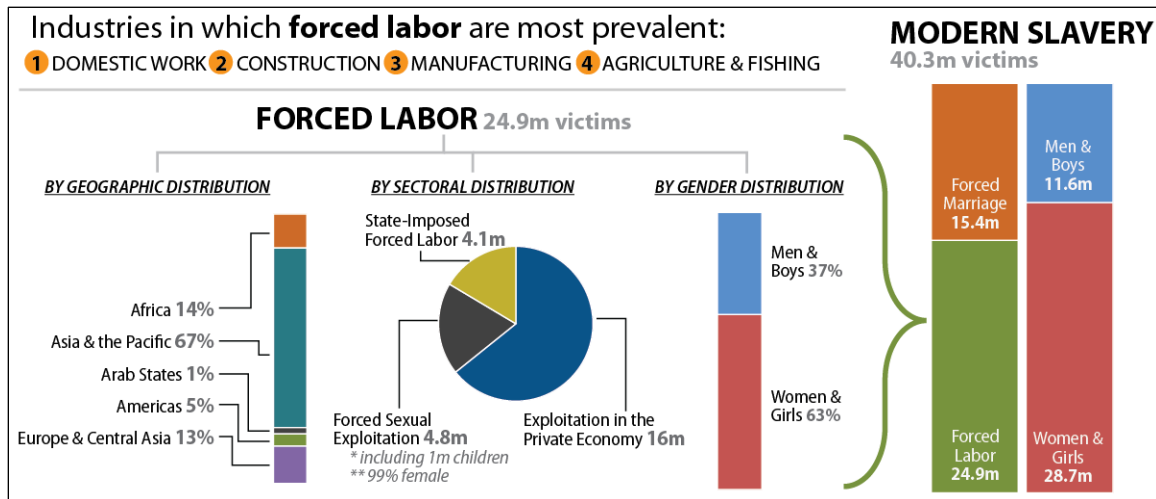
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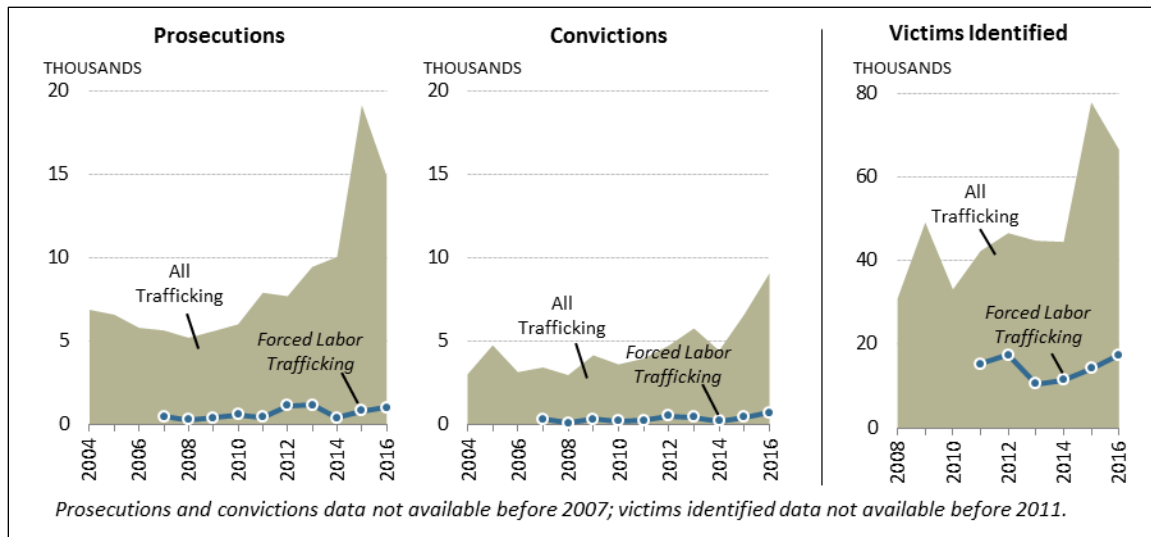
Figure 1. ILO’s 2017 Estimates of Modern Slavery and Forced Labor



Source: CRS based on the ILO and Walk Free Foundation, *Global Estimates of Modern Slavery*, 2017.

Global Estimates in Context

Estimates of human trafficking victims have varied widely and are a topic of ongoing debate. One of the earliest estimates prepared by the U.S. government in 1997 indicated that there might be some 700,000 victims worldwide. In 2005, ILO published its first global estimate of forced labor, which found that a minimum of 12.3 million people were in forced labor at any point during the time period between 1995 and 2004. The ILO revised its methodology to produce an updated global estimate in 2012, which found that 20.9 million people were in forced labor at any point during the time period between 2002 and 2011. Before the 2017 findings, the advocacy organization Free the Slaves had long estimated that some 27 million slaves worldwide. In 2016, the Walk Free Foundation estimated that 45.8 million people were held in slavery. Notwithstanding ongoing differences among various estimates, if the generally upward trend over the past two decades can be assumed to be correct, the latest figures may reinforce long-standing criticism of global efforts to identify victims and ultimately prosecute and convict their traffickers (see **Figure 2**). In 2016, governments around the world were able to officially identify 66,520 actual victims of human trafficking.

Figure 2. Human Trafficking: Prosecutions, Convictions, and Actual Victims

Source: CRS based on U.S. Department of State, *Trafficking in Persons (TIP) Reports*, 2010, p. 45, and 2017, p. 34.

Notes: According to the most recent TIP Report (2017), with data covering the years 2009-2016: “The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.”

Defining Modern Slavery

Definitional variances complicate understanding of prevalence. In its use of the umbrella term *modern slavery*, a term that is not comprehensively defined in international or U.S. law, the ILO report draws attention to a broader landscape of global human exploitation, including forced marriage. The State Department’s 2010 Trafficking in Persons (TIP) Report clarified that “not all forced marriages result in cases of trafficking.” Yet, its 2017 TIP Report appears to use the terms modern slavery and human trafficking often interchangeably. (See also CRS Report R44953, *The State Department’s Trafficking in Persons Report: Scope, Aid Restrictions, and Methodology*.) Similarly, recent Congresses at times have conflated the terms *modern slavery* and *human trafficking* in hearings and human trafficking legislation. The international community, too, addresses forced labor, modern slavery, and human trafficking as interrelated, but not necessarily identical, global concerns. In 2015, for example, members of the United Nations agreed to a set of 17 Sustainable Development Goals and 169 targets, including target 8.7, which committed states to “take immediate and effective measure to eradicate forced labor, end modern slavery and human trafficking, and secure the prohibition and elimination of the worst forms of child labor, including recruitment and use of child soldiers.”

Figure 3. Selected Definitions: International and U.S. Terms in Comparison

U.N. Definitions	U.S. Definitions
<p>Trafficking in Persons</p>	<p>The 2000 U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the U.N. Convention against Transnational Organized Crime, defines <i>trafficking in persons</i> to mean “the recruitment, transportation, transfer, harboring 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 or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” It continues: “Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.”</p>
<p>Forced Labor</p>	<p><i>Severe forms of trafficking in persons</i> are defined in the Trafficking Victims Protection Act of 2000 (TVPA; Div. A of P.L. 106-386) to mean: (a) sex trafficking in which commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or (b) the recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery (22 U.S.C. 7012).</p>
<p>Modern Slavery</p>	<p>Forced labor trafficking is considered to be one of the TVPA’s severe forms of trafficking in persons. The TVPA also added a new provision in the criminal code entitled “<i>forced labor</i>,” which criminalized the knowing provision or obtaining of labor or services of a person variously by means of “force, threats of force, physical restraint, or threats of physical restraint... serious harm or threats of serious harm... abuse or threatened abuse of law or legal process... or... any scheme, plan, or pattern intended to cause the person that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint” (18 U.S.C. 1589).</p>
<p>Not defined. According to the U.N. Office on Drugs and Crime in its 2016 Global Report on Trafficking in Persons, “the term <i>modern slavery</i> has recently been used in the context of different practices or crimes such as trafficking in persons, forced labor, slavery, but also child labor, forced marriages and others. The common denominator of these crimes is that they are all forms of exploitation in which one person is under the control of another. The term has an important advocacy impact and has been adopted in some national legislation to cover provisions related to trafficking in persons, however the lack of an agreed definition or legal standard at the international level results in inconsistent usage.”</p>	<p>Not defined, but the FY2017 National Defense Authorization Act (NDAA; P.L. 114-328) contained a provision entitled “efforts to end <i>modern slavery</i>.” It authorized the Secretary of State to make grants or grants of funding “to provide support for transformational programs and projects that seek to achieve a measurable and substantial reduction of the prevalence of modern slavery in targeted populations within partner countries” (22 U.S.C. 7114). Pursuant to this authority (and with FY2016 appropriations specifically allocated for this purpose), the State Department announced on September 14, 2017, a \$25 million award to the Global Fund to End Modern Slavery for the Program to End Modern Slavery.</p>

Source: CRS based on the 2000 U.N. *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*; 1930 ILO *Forced Labor Convention*, including its 2014 *Protocol*; U.N. Office on Drugs and Crime, *Global Report on Trafficking in Persons*, 2016; U.S. Code; and Congress.gov.

Implications for Congress

Whether U.S. anti-trafficking programs are intended to address the broader phenomenon of modern slavery or something more narrowly defined poses both legislative and oversight policy questions for Congress. Current bills in the House (H.R. 2200) and Senate (S. 1312) seek to reauthorize the Trafficking Victims Protection Act of 2000 (TVPA), whose authorizations for appropriations to eradicate severe forms of trafficking in persons, domestically and internationally, expired at the end of FY2017. The TVPA also contains the statutory provisions that require the State Department to prepare the annual TIP Report and rank countries on the basis of their efforts to eradicate human trafficking—provisions that several bills in the 115th Congress aim to modify. Some observers may seek clarification as to whether the TIP Report is intended to address modern slavery, generally, or the statutorily defined “severe forms of trafficking in persons” (see **Figure 3**). Congress may also conduct oversight of the State Department’s new Program to End Modern Slavery, a recent initiative first authorized in the FY2017 National Defense Authorization Act (P.L. 114-328) and for which funding was appropriated in FY2016 (P.L. 114-113).

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