

# BARRACKS AND BROTHEL

## Peacekeepers and Human Trafficking in the Balkans

Author

Sarah E. Mendelson

February 2005



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# List of Acronyms

AFNORTH	NATO Allied Forces North
AFSOUTH	NATO Allied Forces South
BiH	Bosnia and Herzegovina
CACI	Private company and frequent contractor for DOD
CIVPOL	UN International Civilian Police
COM	Command or commander
COMKFOR	Commander of the NATO Security Force in Kosovo
COS	Chief of staff
CSIS	Center for Strategic and International Studies
DOD	Department of Defense
DOS	Department of State
DPKO	UN Department of Peacekeeping Operations
EAPC	Euro-Atlantic Partnership Council, NATO
EU	European Union
EUCOM	European Command
EUPM	EU Police Mission in Bosnia and Herzegovina
FMPP	Fighter Management Pass Program
FOIA	Freedom of Information Act
G-2	Intelligence officer
GAO	Government Accountability Office
HQ	Headquarters
HRW	Human Rights Watch
HT	Human trafficking
IG	DOD Inspector General's Office
IOM	International Organization of Migration
IPTF	UN International Police Task Force
KFOR	NATO Forces in Kosovo
MNB-East	NATO Multinational Brigade East (Kosovo, Bondsteel)
MNB-North	NATO Multinational Brigade North (Bosnia, Eagle Base)
MOD	Ministry of Defense
NATO	North Atlantic Treaty Organization

NGO	Nongovernmental organization
NSPD-22	National Security Presidential Directive on combating trafficking in persons
OSCE	Organization for Security and Cooperation in Europe
PTG	Premier Technology Group
RMC	Russian Military Contingent
RS	Republika Srpska, Bosnia and Herzegovina
SACEUR	Supreme Allied Commander Europe
SFOR	NATO Stabilization Force in Bosnia
SHAPE	Supreme Headquarters Allied Powers Europe
SOCOM	U.S. Special Operations Command
TIP	Trafficking in persons
TPIU	UN Trafficking and Prostitution Investigation Unit
UN	United Nations
UNIFEM	UN Development Fund for Women
UNMIBH	UN Mission in Bosnia and Herzegovina
UNMIK	UN Mission in Kosovo
UNMIK-P	UN Mission in Kosovo Police
UN/DPKO	UN Department of Peacekeeping Operations
UN/ODC	UN Office on Drugs and Crime
UN/OHCHR	UN Office of the High Commissioner for Human Rights
USFK	U.S. Forces Korea

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*Sarah E. Mendelson*  
*December 2004*

# Executive Summary

The majority of uniformed service members and civilian contractors working in peacekeeping operations do so honorably. Yet peacekeeping operations in the Balkans have had the unintended consequence of providing the demand for trafficked females from Eastern Europe and Eurasia for forced prostitution. Human trafficking involves the recruitment, harboring, and movement of people through the use of force, fraud, coercion, or deception for the express purpose of enslavement. Sex trafficking is therefore not “just about prostitution.” Rather, it is about people being sold as chattel, stripped of their passports, and forced to pay off bogus debts to their traffickers. In the Balkans, literally thousands of women and girls have been trafficked in the last several years. At least 10 percent of them are minors.

In addition to the implications for human rights and the rule of law, human trafficking in post-conflict regions has security implications for peacekeepers that to date have been overlooked or downplayed by defense officials and militaries. Most importantly, the criminal networks that traffic in humans also traffic in guns and drugs, and human trafficking provides these networks with revenue. Peacekeepers who serve with honor are being tainted by the minority who commit human rights violations and support criminal networks.

In 2004, the U.S. Department of Defense, the North Atlantic Treaty Organization, and the United Nations each took potentially dramatic steps to address the role of peacekeeping operations in human trafficking. They each adopted a zero-tolerance policy on trafficking. This report details the prevalence of existing attitudes—including indifference, denial, misperception, and even acceptance—that pose serious challenges to the comprehensive implementation of these anti-trafficking policies. The attitudes appear so widespread that to create a taboo around trafficking, and thus to cut the links between trafficking and peacekeeping, will require nothing less than a shift in the organizational culture of these complex institutions.

In addition to the views and the behavior of individual soldiers, police officers, and civilians, organizational attributes and attitudes shared by DOD, NATO, and the UN have determined the weak response to human trafficking in the past. Specifically, each of these organizations has been reluctant to address:

- the security implications of misconduct by uniformed service members and civilian contractors, especially involving human rights abuses, and
- the role of organized crime in shaping the security environment in post-conflict regions.

Until these organizations recognize human rights abuse and organized crime as security threats, we are likely to see less-than-comprehensive implementation of anti-trafficking policies.

Although the Pentagon claims to have responded to a congressional request to address human trafficking in a thorough manner, in fact, few resources have been allocated from its budget of over \$400 billion. The Inspector General's formal investigation in 2003 into complicity of DOD personnel in the Balkans, observed by the author, was superficial and pro forma. Had DOD personnel followed the leads they were given, they would have found evidence of civilian contractor complicity in human trafficking. Current efforts by DOD to implement the anti-trafficking policy are in danger of being ineffective in addressing the plethora of attitudinal and organizational impediments identified in this report. Without the allocation of resources and committed senior leadership, efforts to create a taboo around trafficking will fail. Most importantly, military leadership must be mobilized.

Until the summer of 2003, civilian and military leadership at NATO headquarters and in Bosnia and Kosovo avoided addressing the links between human trafficking and peacekeeping operations. Senior officers treated trafficking as peripheral to peacekeeping missions even when they were tracking organized crime, which generates considerable revenue from human trafficking, and even when they were presented with concrete evidence of the involvement of troops serving in NATO-led operations. One story is indicative of the situation. In 2000, several officers who encouraged their commanding officers to respond to a continent's apparent complicity in trafficking were stopped short by headquarters.

Since the summer of 2003, however, NATO has begun to address the issue. The support and actions of key decisionmakers within NATO led to the adoption of a comprehensive anti-trafficking policy. Like DOD, NATO needs political and military leadership to make implementation meaningful. Individual nations need to commit resources and senior military officials need to become knowledgeable about and more actively engaged in combating trafficking.

The United Nations has an especially troubling track record of peacekeeper involvement in trafficking as well as in other forms of sexual exploitation in conflict and post-conflict regions. Yet decisionmakers at the UN seem to fear that creating a taboo against trafficking for peacekeepers will negatively affect the UN's ability to attract peacekeepers. The stature of those policymakers advocating attention to both gender and human rights agendas within the UN system has made it impossible to ignore trafficking. However, their influence has not been sufficient to produce a serious anti-trafficking effort among the multiple UN agencies responsible for peacekeeping around the world. Given this institutional reluctance, the secretary-general and the under-secretary for peacekeeping will need to lead on this issue.

Knowledge and attitudes as well as organizational cultures within the DOD, NATO and the UN can be challenged and changed with a combination of determined senior leadership, a commitment of sufficient resources, and high-quality awareness campaigns. Based on the research for this report, the key recommendations for cutting the existing links between human trafficking and peacekeepers in post-conflict areas include:

- (U.S.) Establish an office inside the DOD to oversee the implementation of the anti-trafficking policy;

- (U.S.) Create a panel of external expert advisers to the DOD on implementation of the anti-trafficking policy;
- (U.S.) Survey across the services on attitudes and knowledge of human trafficking and use these data to develop awareness campaigns and training materials;
- (U.S., NATO) Prioritize anti-trafficking training for commanders, Special Forces, intelligence officers, military police, and internal investigators in face-to-face settings with subject matter experts;
- (U.S., NATO) Include human trafficking as a priority intelligence requirement in peacekeeping missions that track organized crime;
- (U.S.) End rapid repatriation of civilian contractors implicated in trafficking;
- (U.S.) Implement the Military Extraterritorial Jurisdiction Act of 2000 and the Trafficking Victims Protection Reauthorization Act of 2003;
- (U.S., NATO) Establish a joint congressional/parliamentary oversight committee to monitor compliance with NATO anti-trafficking policies;
- (U.S., UN) Fund and establish the trafficking focal point as a permanent position at UN/DPKO;
- (U.S., NATO) Fund and establish the trafficking focal point as a permanent position within the international staff at NATO;
- (U.S., NATO, UN) Investigate and, where appropriate, prosecute personnel who traffic or facilitate trafficking in humans;
- (U.S., NATO, UN) Establish monitoring mechanisms to follow up on repatriated international staff;
- (NATO) Create a working group within NATO to oversee the implementation of the anti-trafficking policy;
- (U.S., NATO) Enforce the requirement that all non-NATO troops in NATO-led operations be trained on the issue of human trafficking;
- (U.S., UN) Organize a high-level meeting with member states on human trafficking and its links to peacekeeping operations at the UN;
- (UN) Deliver the International Police Task Force files on combating trafficking to the European Union Police Mission in Bosnia immediately;
- (U.S.) Include combating human trafficking in military-to-military contact programs;
- (U.S., NATO) Create an external watchdog group to monitor implementation of NATO anti-trafficking policies;
- (U.S.) Support research on the implementation of anti-trafficking policies;
- (U.S.) Direct the GAO to investigate links between human trafficking and U.S. military deployments worldwide, with a particular focus on civilian contractors; and
- (U.S.) Organize a conference on human trafficking for defense contractors.

# Peacekeeping Operations and Links to Trafficking in Women and Girls

## Introduction

The majority of uniformed service members and civilian contractors working in peacekeeping operations do so honorably.<sup>1</sup> They risk their lives to repair the damage and destruction of war. Tragically, however, international organizations and activists have documented a disturbing correlation with these deployments. Human rights groups, the International Organization of Migration (IOM), and various agencies within the United Nations have reported that in and around these same regions, where one finds established, long-term, international deployments, one also sees a dramatic rise in the number of trafficked women and girls. For example, spikes in the number of trafficked females followed the deployment of United States, North Atlantic Treaty Organization, and the United Nations forces in Bosnia and then later in Kosovo. Trafficking—especially the enslavement of women and girls for forced prostitution—follows market demand and, in post-conflict situations, that demand is often created by international peacekeepers.

This phenomenon is especially striking in the Balkans, the primary focus of this report, where thousands of women and girls have been trafficked in the last several years.<sup>2</sup> Peacekeepers who serve with honor are being tainted by a minority who commit human rights abuses and support criminal networks.

Human trafficking involves the recruitment, harboring, and movement of people through the use of force, fraud, coercion, or deception for the express purpose of enslavement. Sex trafficking is therefore not “just about prostitution.” Rather, it is about people being sold as chattel, stripped of their passports, and forced to pay off bogus debts to their traffickers. It is also about organized crime and, in post-conflict regions, is a transnational threat that shapes the security environment.<sup>3</sup>

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1. *The Report of the Panel on United Nations Peace Operations* (New York: UN, 2000) [hereafter, Brahimi Report] defines peacekeeping “as a 50-year-old enterprise that has evolved rapidly in the past decade from a traditional, primarily military model of observing ceasefires and force separations after inter-State wars, to incorporate a complex model of many elements, military and civilian, working together to build peace in the dangerous aftermath of civil wars.” Available at <[www.un.org/peace/reports/peace\\_operations/](http://www.un.org/peace/reports/peace_operations/)>. Accordingly, the term “peacekeeper” will be used throughout this report to refer to any uniformed service members serving in NATO-led operations, including U.S. troops, as well as to UN police officers and civilian contractors.

Trafficking in persons is believed to generate between \$7 billion and \$9.5 billion dollars annually, making it the third largest illegal revenue stream in the world.<sup>4</sup>

Most organizations that work to combat human trafficking have understandably devoted resources to assisting and rehabilitating victims, documenting the phenomenon, advocating legislative changes, attempting to create witness protection programs, and prosecuting traffickers. At the same time, the numerous studies on peacekeeping and post-conflict reconstruction have almost entirely neglected the nexus of trafficking and peacekeepers. Few have looked systematically at the relationship and the complicity of the international community in trafficking in persons (TIP).<sup>5</sup> None have examined to what extent policymakers, commanding and junior officers, civilian contractors, and civil servants understand the issue, or even if they recognize that their presence in post-conflict regions has generated the demand side of trafficking. This report aims to fill that empirical gap. Without a detailed portrait of how the demand side perceives the issue, efforts to sever the link between trafficking in humans and peacekeeping are likely to have little effect.

Although the majority of international peacekeepers are not engaged in human trafficking, overwhelming evidence suggests that a link exists between trafficking to

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2. See *Victims of Trafficking in the Balkans: A Study of Trafficking in Women and Children for Sexual Exploitation to, through and from the Balkan Region* (Geneva, Switzerland: International Office of Migration, 2001), available at <[http://www.iom.int/en/PDF\\_Files/Others/balkan\\_trafficking.pdf](http://www.iom.int/en/PDF_Files/Others/balkan_trafficking.pdf)>; M. Radovanovic and A. Kartusch, *Combat of Trafficking in Women for the Purpose of Forced Prostitution. Bosnia and Herzegovina - Country Report* (Vienna: Ludwig Boltzmann Institute of Human Rights, 2001), available at <<http://www.univie.ac.at/bim/download/bosnia.pdf>>; Human Rights Watch, *Hopes Betrayed: Trafficking of Women and Girls to Post-Conflict Bosnia and Herzegovina for Forced Prostitution* [hereafter, *Hopes Betrayed*] (New York: Human Rights Watch, 2002), available at <<http://www.hrw.org/reports/2002/bosnia/>>; Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe* (New York: UNICEF, UNOHCHR, OSCE/ODIHR, 2002); Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2003 Update* (New York: UNICEF, UNOHCHR, OSCE/ODIHR, 2003); Counter-Trafficking Regional Clearing Point, *First Annual Report on Victims of Trafficking in South Eastern Europe* [hereafter, *First Annual Report*] (Geneva, Switzerland: International Catholic Migration Commission, IOM, Stability Pact, 2003), available at <<http://www.icmc.net/docs/en/publications/rcp00>>; Dina F. Haynes, "Used, Abused, Arrested and Deported: Extending Immigration Benefits to Protect the Victims of Trafficking and to Secure the Prosecution of Traffickers," *Human Rights Quarterly*, Vol. 26, No. 2 (2004): 221–272; Amnesty International, *So Does It Mean We Have the Rights? Protecting the Human Rights of Women and Girls Trafficked for Forced Prostitution in Kosovo* [hereafter, *Kosovo Report*] (London: Amnesty International, 2004).

3. See *UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children* at <[http://www.uncjin.org/Documents/Conventions/dcatoc/final\\_documents\\_2/convention\\_traff\\_eng.pdf](http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_traff_eng.pdf)>. For U.S. legal instruments, see Trafficking Victims Protection Reauthorization Act, which went into effect December 19, 2003, available at <<http://www.house.gov/chris-smith/laws/HR2620.htm>>. People are trafficked for different types of exploitation. Trafficking in Bosnia and Kosovo has been mainly for the forced prostitution of females, and this report thus focuses on trafficking in women and girls and uses the terms human trafficking, trafficking in persons (TIP), and trafficking in women and girls interchangeably. According to the UN Office on Drugs and Crime [see Burkhard Dammann, Presentation at UNICRI-TRACC International Experts Meeting, Turin, Italy, May 9–10, 2002], an organized criminal group is one that has three or more people, exists for some time, acts in concert, and has a specific aim of committing what are considered legally serious crimes, such as trafficking in persons.

post-conflict regions and exploitation by at least some peacekeepers. This exploitation varies in its severity. It includes peacekeepers actually trafficking in humans, that is, transporting as well as buying and selling people as chattel. Lesser but more common forms of exploitation include payments—whether wittingly or unwittingly—to traffickers for sex with women and girls, females who were trafficked explicitly for that purpose.

Building on the work of others who have established this trafficking-peacekeeping nexus, the contribution of this report is to explore how peacekeepers and policymakers understand that link. The report does this by considering a number of factors:

- What do peacekeepers who have served in Bosnia and Kosovo know about trafficking?
- Do they recall encountering trafficked females?
- What were their responses when presented with evidence of peacekeeper involvement?
- What explains their reactions?
- What actions did they take, if any?
- What could have been done differently?
- What would a comprehensive effort on the part of the Department of Defense, NATO, and the UN to combat human trafficking look like?

## Sources

This report draws on research conducted from February 2003 through August 2004. Sources include several dozen formal interviews, informal conversations and correspondence with uniformed service members (including majors, colonels, and one- and two-star generals), civilian policymakers, defense contractors, and two former special representatives of the UN secretary-general in Bosnia as well as numerous countertrafficking experts.

The report draws also on several research trips, including one with the Department of Defense Inspector General's team to Bosnia and Kosovo from June 8–19, 2003, in which my research assistant, Iva Savic, and I were able to observe how the DOD investigated complicity of U.S. military and contractor personnel in traffick-

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4. The lower figure comes from *Trafficking in Persons: The New Protocol*, prepared by the UN Office on Drugs and Crime and available at <[http://www.unodc.org/unodc/en/trafficking\\_protocol\\_background.html](http://www.unodc.org/unodc/en/trafficking_protocol_background.html)>. The higher figure comes from the annual report *Trafficking in Persons, June 2004* (Washington, D.C.: Department of State, 2004), p.14.

5. For important exceptions, see Elisabeth Rehn and Ellen Johnson Sirleaf, *Women, War and Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-building* (New York: UN Development Fund for Women, 2002), and Sonja Wolte, "Armed Conflict and Trafficking in Women," *Deutsche Gesellschaft für Technische Zusammenarbeit*, January 2004, available at <[www.gtz.de/traffickinginwomen](http://www.gtz.de/traffickinginwomen)>.

ing in persons. I also participated in a meeting of the Stability Pact in Vienna, June 30, 2003, and made three trips to NATO (November 16–21, 2003; March 2–6, 2004; and April 20–22, 2004) and one to United Nations headquarters (June 30, 2004).<sup>6</sup> The March 2004 NATO trip involved the organization of and participation in the first-ever meeting on human trafficking that included a team of experts and all NATO ambassadors.<sup>7</sup>

I draw also on numerous published reports and survey data from interviews with trafficking victims as well as unclassified, unpublished KFOR (NATO Forces in Kosovo), SFOR (NATO Stabilization Force in Bosnia), OSCE (Organization for Security and Cooperation in Europe), and UN documents plus a few documents that have recently been declassified. This report is also informed by several meetings of a CSIS working group set up to address this topic.<sup>8</sup> Finally, I draw on previous research concerning U.S.-Russian military relations as well as expert meetings and one trip to NATO and Bosnia in March 2000.<sup>9</sup>

## Views on Human Trafficking

This report finds that the way in which peacekeepers and those supporting peacekeepers have perceived human trafficking has inhibited their ability to respond to it. Human trafficking, like other forms of organized crime, shapes the security environment of post-conflict regions. The report finds, however, that many uniformed service members, civilian contractors, and civil servants:

- tend to deny links between trafficking and peacekeeping deployments; and
- fail to understand the security implications of both human rights abuses and the unwitting support of organized crime.

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6. In this report, I focus more extensively on the Department of Defense and NATO. When I began my research, there was little awareness of the problem and no staff allocated to this issue within these two organizations. In contrast, the UN employs several countertrafficking experts, including Madeleine Rees in Sarajevo, Lisa Kurbiel in New York, and Burkhard Damman in Vienna. Sadly, it is impossible to investigate trafficking and peacekeeping operations and not come across information pertinent to the UN, and for that reason I have chosen to include it, although the focus of this report remains primarily the DOD and NATO.

7. The meeting was co-hosted by CSIS, the United States, and the Norwegian Missions to NATO. On the meeting, see R. Nicholas Burns and Kai Eide, "An Alliance Against the Traffic of Humans," *International Herald Tribune*, March 4, 2004; Paul Ames, "NATO debates fight against trafficking in people," *Associated Press*, March 4, 2004; *Reuters*, "US, Norway press NATO to tackle sex trafficking," March 4, 2004.

8. Key members of this Washington working group were Martina Vandenberg, Lisa Kurbiel, Elizabeth Pryor, and Maureen Walsh. International members included Madeleine Rees, Gerard Stoudmann, Burkhard Damman, Paulo Marques, and Gabriele Reiter. In addition to numerous phone calls and e-mails, members of the working group met multiple times: February 22, 2003, CSIS; May 14, 2003, CSIS; June 30, 2003, Vienna; July 16, 2003, CSIS; November 12, 2003, CSIS; March 3, 2004, Brussels; March 17, 2004, CSIS; June 30, 2004, CSIS; July 22, 2004, CSIS.

9. Sarah E. Mendelson, "U.S.-Russian Military Relations: Between Friend and Foe," *Washington Quarterly*, Vol. 25, No. 1 (Winter 2001): 161–172.

This research confirms what an earlier UN report found in Bosnia, that “trafficking in human beings is seen as substantially less important than other crimes. There is a tendency to look at these as isolated cases and overlook the transnational character of the criminal enterprise.”<sup>10</sup>

Some of those interviewed certainly grasp the issue, and these people have been crucial in the adoption of anti-trafficking policies. But, for many, the link between peacekeeping operations and TIP appears simply as a fact of life about which nothing can be done. Others argue that, when a peacekeeper purchases sex, it is his right to do so and, if that makes him happier, it is in the interest of the mission. These attitudes suggest that, in the past, virtually no major peacekeeping forces received education or training on combating human trafficking. In the words of one former peacekeeper, it was “not something we were told to look out for.”<sup>11</sup> These perceptions are artifacts of organizational cultures that have been slow to address the security implications of both human rights abuses and organized crime.<sup>12</sup>

## At Last, A Zero-Tolerance Policy?

Important steps toward cutting the links between peacekeepers and traffickers were taken in 2004. The Department of Defense and NATO both adopted their own zero-tolerance policies prohibiting personnel from engaging in or facilitating human trafficking.<sup>13</sup> The UN also turned its position paper into a policy.<sup>14</sup> This CSIS report is, therefore, especially timely in pointing out potential obstacles to the implementation of these new policies and the sorts of serious, multi-pronged efforts they will require to be effective.

In terms of U.S. uniformed service members and civilian contractors, there is an added timely element to the report. Members of Congress are keenly interested in both how the armed services are handling alleged incidents of sexual violence

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10. UN Mission in Bosnia and Herzegovina (UNMIBH) Legal and Human Rights Offices and the UN Office of the High Commissioner for Human Rights (OHCHR) in Bosnia and Herzegovina, “Trafficking in Human Beings in Bosnia and Herzegovina: A Summary Report of the Joint Trafficking Project of the UNMIBH/OHCHR,” May 2000, p. 19, par. 76. On file with the author.

11. Author’s interview with Major 1, June 24, 2003, Washington, D.C. Major 1 served in Pristina, Kosovo, from August 2000 to December 2000 as a liaison officer with the Russian Military Contingent.

12. The Brahimi Report notes in discussing doctrine for peacekeeping that “the human rights components within peace operations have not always received the political and administrative support they require . . . nor are their functions always clearly understood by other components. Thus, the Panel stresses the importance of training military, police and other civilian personnel on human rights issues and on the relevant provisions of international humanitarian law.” See Brahimi Report, p. 7, par. 41; p. 8, par. 47; available at <[www.un.org/peace/reports/peace\\_operations/](http://www.un.org/peace/reports/peace_operations/)>.

13. The NATO policy is available at <<http://www.nato.int/docu/comm/2004/06-istanbul/docu-traffic.htm>>. The DOD policy addresses “prostitution and any related activities that may contribute to the phenomenon of trafficking in persons as inherently harmful and dehumanizing.” See memorandum “Combating Trafficking in Persons in the Department of Defense,” January 30, 2004, signed by Deputy Secretary of Defense Paul Wolfowitz, a copy of which is on file with the author.

14. This policy was approved on July 28, 2004. Author’s telephone interview with Lisa Kurbiel, trafficking focal point, UN/DPKO, August 30, 2004. A copy of the policy is on file with the author.

within the military and how they are dealing with allegations of misconduct by contractors.<sup>15</sup> Certainly any engagement by uniformed service personnel in trafficking or the facilitation of it goes directly against the “military values” that underpin the fabric of the U.S. Armed Forces.<sup>16</sup> Yet the denial and misperception concerning human trafficking detailed in this report have disturbing implications. They facilitate turning a blind eye to traffickers, to the victims, and to others who exploit these victims. When troops are deployed in or near post-conflict regions, these attitudes have, whether knowingly or not, led to permissive conditions for trafficking in humans.

How leadership and officers understand trafficking affects how they are likely to implement policy. The degree to which government or intergovernmental officials take any issue seriously always determines what they are willing to do about it and what resources—people, money, and time—they are willing to devote to it. The interviews, conversations, meetings, and various documents reviewed for this study collectively reveal a pattern of attitudes, an absence of awareness about trafficking, and organizational cultures that are themselves obstacles to change. It is all these factors that determine the current low level of resources committed to combating trafficking by the DOD, NATO, and the UN.

The findings from this report can also act as guides for identifying what additional aspects need to be addressed in training and by commanders in missions to reach full implementation of zero-tolerance policies. Is it enough to educate people that human trafficking is slavery? Does an empirical link need to be established between the political economy of human trafficking and criminal networks? If 20 or 30 percent of the clients who pay to have sex with trafficked women and girls are members of the peacekeeping community—either uniformed service members or civilian contractors—but they bring in 70 or 80 percent of the revenue, and that revenue helps buy guns for paramilitaries or others opposing the mission, is that the kind of information needed to get a serious—that is, more than rhetorical—response? How do military commanders get more control over contractors who live off base and who might be either purchasing sex with trafficked females or actually purchasing people? What happens when soldiers are told to prioritize a relationship with a certain country’s military contingent, but find that the contingent is involved in trafficking? Finally, and most disturbing of all, if new anti-trafficking policies are actually implemented, what will be the effect on the ability of organizations to recruit peacekeepers? Do some see access to women and girls as a perk of peacekeeping?

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15. For more information, see “DOD Task Force Report on Care for Victims of Sexual Assault” [with a focus on service members deployed to Iraq and Kuwait], April 2004; “Report on the Panel to Review Sexual Misconduct Allegations at the U.S. Air Force Academy,” released on September 22, 2003; and *Contractors Provide Vital Services To Deployed Forces But Are Not Adequately Addressed in DOD Plans*, GAO-03-695, June 2003.

16. “Integrity, selfless service, courage, honor, respect, commitment, and discipline,” as cited in “DOD Task Force Report on Care for Victims of Sexual Assault,” April 2004, p. 4. Loyalty and duty are usually included in this list.

## The Cost of Ignoring Trafficking

The harm inflicted on a trafficking victim by her trafficker and by clients who pay traffickers to have sex with her varies enormously. The same variation holds in the harm inflicted on a mission. There is a difference in the harm to a mission when a peacekeeper traffics or facilitates trafficking of women and girls, when a peacekeeper purchases sex with trafficked women and girls, and when a peacekeeper encounters trafficked females on his patrol, or is aware that colleagues purchase sex, and yet takes no action. The level of harm to the mission is different in each case, but all—including the most common, knowledge but no action—involve some degree of harm.

The active engagement of peacekeepers in trafficking is especially harmful when followed by rapid repatriation of the implicated peacekeeper—whether it is a uniformed service member in a NATO-led operation, a civilian contractor, or a police officer detailed to the UN—with no consequence to the peacekeeper except losing that particular job, no domestic trial, and no prosecution. The norm of impunity is strengthened. If the DOD, NATO, and the UN grasped the security implications of peacekeeper involvement in human rights abuse, including the trafficking of women and children, the resources would presumably be more forthcoming. If these organizations began to address organized crime in post-conflict regions in a more robust manner, it would certainly be harder to ignore, or to only minimally respond to, human trafficking.<sup>17</sup>

In the remainder of this report, I discuss the scope of human trafficking in the region and links to peacekeepers in Bosnia and Kosovo. I then address how trafficking in humans is a security issue. I detail the attitudes of denial and the invisibility surrounding trafficking and delve into evidence that misperceptions of trafficking in humans as “just prostitution” have led systematically to inaction. Next, I detail organizational responses to trafficking, presenting case studies of the DOD and NATO to examine the norms surrounding this issue. I focus on the DOD investigation in Bosnia and Kosovo in 2003 and on NATO’s lack of action in Kosovo in 2000 following the efforts of some young officers to address the trafficking they and others observed involving the Russian Military Contingent. I briefly address the trends on this issue inside the United Nations. I then conclude with a summary of the findings and a number of specific, key recommendations.

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17. On the different modalities of trafficking from the criminal side, see Louise Shelley, “Trafficking in Women: The Business Model Approach,” *Brown Journal of World Affairs*, Vol. X, issue I (Summer/Fall 2003) where, based on discussions with numerous law enforcement personnel throughout Europe, she describes trafficking in humans in the Balkans as the “violent entrepreneur model” (pp. 119–131) and finds the “reliance on violence in all stages of operation makes it the most serious violator of human rights” (p. 126).

# The Scope of Human Trafficking in the Balkans

## Introduction

How widespread is the trafficking of women and girls in the Balkans, and to what degree has the peacekeeping community been implicated?<sup>1</sup> After years of little information, survey data can help us begin to answer these questions.<sup>2</sup> Both the International Organization of Migration (IOM) and the Regional Clearing Point (RCP), organizations that work with trafficking victims, have provided facts and figures based on in-depth, face-to-face interviews with thousands of women and girls who have been identified as trafficked and who were willing to be repatriated. These data represent a limited, self-selecting sample of victims, perhaps capturing 35 percent of all females trafficked into the region. They are, however, unique and extremely valuable in shedding light on this grave human rights abuse.<sup>3</sup> In addition, the comprehensive publication *Trafficking in Human Beings in South Eastern Europe* provides an invaluable guide to the situation in the region.

Based on data, the Regional Clearing Point's *First Annual Report on Victims of Trafficking in South Eastern Europe*, released in 2003, finds that "the minimum

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1. In Rehn and Sirleaf, *Women, War and Peace*, the study reports that UN peacekeepers have been found involved in sexual violence, including trafficking in numerous conflict and post-conflict regions. "Violations have been documented in Angola, Bosnia and Herzegovina, Cambodia, DRC, East Timor, Liberia, Mozambique, Kosovo, Sierra Leone and Somalia" (p. 70). For on-going cases, see "Evaluation of Emergency 'Rapid Response' to Sexual Exploitation and Abuse Allegations in Bunia, Report on Congo, DRAFT, July 15, 2004," and "[UN] Trip Report on Mission to the DRC and Austria, 24 October–3 November 2004," in which nearly 70 counts of sexual violence by peacekeepers are detailed, as are the peacekeepers' countries of origin. These reports are on file with the author. See also Colum Lynch, "UN Says Its Workers Abuse Women in Congo," *Washington Post*, November 27, 2004, p. 27; Helene Cooper, "In War-Torn Africa, Young Girls Are Very, Very Old," *New York Times*, January 3, 2005, p. 14.

2. Data collection, as detailed in this report, confronts many challenges. Wolte, in "Armed Conflict and Trafficking in Women," notes that "while the acquisition of data for trafficking is difficult in general, this is even more the case for trafficking during conflicts or immediately thereafter" (p. 4).

3. For an overview of the survey used by the IOM "Mimosa" Counter-Trafficking Database, see Frank Laczko and Marco A. Gramegna, "Developing Better Indicators of Human Trafficking," *Brown Journal of World Affairs*, Vol. X, Issue I (Summer/Fall 2003). On the number of females receiving assistance and thus represented in the data, see Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2003 Update*, which claims that, in 2002, about 35 percent of trafficked victims were given assistance and that in 2003 that number had declined (p. 5).

number of victims of trafficking” is 5,203 for the period from January 2000 through June 2003. This number represents victims identified by police in bar raids, referred to the IOM and other organizations, and assisted in South Eastern Europe during this time period. It may or may not include the nearly 30 percent of victims who in some years have escaped by themselves.<sup>4</sup> In any case, the *First Annual Report* notes that “the actual number of victims is significantly higher than the number of victims identified and assisted.”<sup>5</sup>

Experts vary in their assessment of exactly how much higher the real number is. Based on estimates in *Trafficking in Human Beings in South Eastern Europe*, about 15,000 females may have been trafficked in the three and a half years between January 2000 and June 2003. Some experts believe as many as 90 percent of “foreign women working in prostitution” in the region in 2002 and 2003 were trafficked.<sup>6</sup> In addition to the fact that purchasing sex is illegal in Bosnia and Kosovo, the peace-keeper who does so is also most likely exploiting a trafficked woman or girl.

## Life as a Trafficked Person

These data provide details about the abuse trafficking victims experience. They tell us that women and girls are often “sold” multiple times and over a period of several months to several years. About 10 percent of those trafficked are minors. The overwhelming majority of victims in this region, 92 percent, come from Albania, Moldova, Romania, and Bulgaria. The *First Annual Report* finds that Bosnia is the “primary SEE [South Eastern Europe] country of destination” for sexual exploitation. Kosovo, Macedonia, Serbia, and Montenegro are other major destinations.<sup>7</sup>

According to the IOM, in Kosovo the level of violence a victim experiences has been on the rise. The number of women reporting physical and sexual abuse rose from “74.5% in 2001 (out of 141 victims) to 85.75% in 2002 (out of 92 victims) to 87.27% in 2003 (out of 60 victims).”<sup>8</sup> Almost none report having access to medical care.<sup>9</sup> Experts who work with victims speak of repeated rape by the traffickers

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4. IOM Counter-Tracking Service, “Changing Patterns and Trends of Trafficking in Persons Within, To and Through the Balkan Region” (Geneva, Switzerland: International Office of Migration, May 2004), p. 39. [hereafter, IOM May 2004 Report]. On file with the author. The research for this IOM report was done in January–March 2004. This author is grateful to IOM/Kosovo and IOM/Macedonia for sharing the May edition of the report. IOM subsequently released a similar but not identical report in July 2004, which is available at <[http://www.iom.int/DOCUMENTS/PUBLICATION/EN/Balkans\\_web.pdf](http://www.iom.int/DOCUMENTS/PUBLICATION/EN/Balkans_web.pdf)>. All page numbers cited in this study refer to the May 2004 version. In a few places, although not all, the information deleted in the July 2004 version concerned the role of the international community in trafficking and is of special interest.

5. Regional Clearing Point, *First Annual Report*, p. 11.

6. Limanowska, *Trafficking in Human Beings in South Eastern Europe*, p. xiii. See also, IOM May 2004 Report, p. 45.

7. Regional Clearing Point, *First Annual Report*, pp. 20–21, 119. For information on minors, IOM May 2004 Report, p. 36.

8. IOM May 2004 Report, p. 57.

9. Ibid., p. 38; See also Regional Clearing Point, *First Annual Report*, p. 28.

themselves as a means to gain dominance and break down the resistance of the females.<sup>10</sup>

The portrait of those who purchase the females as chattel and the larger number of those who purchase sex with the females is still extremely limited for many reasons, including lack of reporting, lack of transparency when cases are recorded, and the lack of prosecutions. According to IOM data, 46 percent of the females who agreed to be repatriated could identify “who the clients were.” From this sample, 16 percent reported that at least some were international. The victims reported that 76 percent of the “clients” were “mainly local.” Therefore, the data suggest that the percentage of foreign clients may be as much as 24 percent.<sup>11</sup> The Centre for the Protection of Women and Children (CPWC), a Kosovar nongovernmental organization (NGO), interviewed 271 victims in Kosovo from 2000 to 2002. In 2000, 80 percent reported that the men who purchased sex with them were internationals. This number fell to 35 percent in 2002.<sup>12</sup> In some parts of Bosnia, according to local NGOs that work with victims of trafficking, “up to 40 percent of clients are internationals, mainly soldiers from SFOR [the NATO Stabilization Force in Bosnia].”<sup>13</sup> The European Union Police Mission in Bosnia and Herzegovina (EUPM) claims that the number of internationals is about 30 percent.<sup>14</sup> Some countertrafficking experts maintain that the local client base makes up at least 70 percent of the business, but that foreigners account for as much as 70 percent of the revenue.<sup>15</sup> Victims tell shelter directors that foreigners are charged much more than locals by the people controlling the females.

## The Proximity of Brothels to Barracks

Many experts point to the locations and names of the bars as evidence that traffickers not only target but also respond to the demand of international peacekeepers. While SFOR was stationed in Bosnia, activists claimed that one could drive through Bosnia and know which international contingent had responsibility for the region

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10. Human Rights Watch, *Hopes Betrayed*, pp. 15–21. Also based on interviews with victims. See Victor Malarek, *The Natashas: The New Global Sex Trade* (Viking Canada, 2003) and the Swedish film “Lilya 4-Ever” for especially vivid portrayals of the brutalization of trafficking victims.

11. The author is grateful to IOM/Geneva for taking the time to explain the data. Author’s meeting, July 1, 2003, Geneva, Switzerland.

12. Centre for Protection of Woman and Children (CPWC), *Annual Report*, Pristina, Kosovo, January 2003, p. 43. See also Jeta Xharra, “Kosovo Sex Industry,” *IWPR’s Balkan Crisis Report*, No. 355, Part II, August 2, 2002. She writes, “Unheard of three years ago, the sex industry is now the fastest growing ‘business’ in post-war Kosovo.” This information was also confirmed in author’s interview with Dr. Sevdije Ahmeti, Director of the CPWC, June 18, 2003, Pristina, Kosovo.

13. Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2003 Update*, p. 107. SFOR left Bosnia on December 2, 2004. For details, see <<http://www.nato.int/docu/update/2004/12-december/e1202a.htm>>.

14. Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2003 Update*, p. 107.

15. Interview by Peter Andreas with Madeleine Rees, the UN High Commission for Human Rights (Sarajevo Office), July 12, 2002, as cited in Peter Andreas, “Criminalized Legacies of War,” *Problems of Post-Communism*, Vol. 51, No. 3 (May/June 2004): 9.

by the names on the brothels.<sup>16</sup> The UN Trafficking and Prostitution Investigation Unit (UN/TPIU) list of off-limits locations in Kosovo as of May 1, 2003, reflects this trend. In the U.S. sector, the establishments have such names as Liberty Restaurant, Malibu Club, Mexico Café Bar, Monroe Club, and Spaghetti. In the French Sector, one finds Café Bashta, Café Sale, Café San Bar, Picasso, and Rendezvo [*sic*]. The August 2004 list of off-limits places issued by UNMIK (UN Mission in Kosovo) shows that brothels are clustered around international deployments.<sup>17</sup> The May 2004 IOM Report, based on interviews with law enforcement and criminal informants in Bosnia from January through March 2004, maintains that “especially close to military bases the most frequent customers of trafficked victims have been foreigners and in particular NATO/SFOR members. For example near the ‘Eagle’ NATO Base there are dozen [*sic*] of night bars and the most frequent customers are SFOR members.”<sup>18</sup>

In Kosovo, as in Bosnia, the brothels followed the deployments. Some evidence suggests that the KFOR (NATO Forces in Kosovo) command was aware of this phenomenon. As early as 2000, soldiers in Kosovo were issued “TTPs [Tactics, Techniques and Procedures] for Prostitution Houses,” informing them that the “majority of waitresses are foreign nationals (Bulgarian, Moldovan, etc.)” It notes they have “false or no passports (held by owners); Females usually 17–26 years old.”<sup>19</sup> There is no mention that what the sheet describes are trafficked girls and women.

## Trafficking Moves Underground

As the number of peacekeepers increased in the mid-1990s, the number of females trafficked to the region jumped.<sup>20</sup> As the number of peacekeepers decreased, those working with victims report that, by 2003, the number of females assisted had significantly dropped.<sup>21</sup> One expert who has long tracked trafficking in Bosnia writes:

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16. For example, a former Human Rights Watch researcher writes of the town near Tuzla that became home to Eagle Base: “Brothels sprouted like mushrooms, surrounding the base on all sides.” Author’s e-mail correspondence with Martina Vandenberg, July 26, 2004. See also Rachel Wareham, “No Safe Place: An Assessment on Violence Against Women in Kosovo,” (New York: UN Development Fund for Women, 2000), pp. 94-95; on the bars and national contingents in Kosovo, as cited in Amnesty International’s *Kosovo Report*, p. 7.

17. Both documents listing off-limits places are on file with the author.

18. IOM May 2004 Report, p. 45.

19. TTP is on file with the author. Jeta Xharra, in “Kosovo Sex Industry,” writes about visiting a club where trafficked females were held at the “Apache Club (*sic*), named after the famous U.S. Apache helicopters” and of interviewing taxi drivers who took “civilian and uniformed men to these clubs” from Camp Bondsteel. “Some have even changed into civilian clothing in my car.” The BBC Documentary *Boys Will Be Boys*, which aired on June 14, 2002, also mentioned taxi drivers who reported the same. See <<http://news.bbc.co.uk/1/hi/audiovideo/programmes/correspondent/2043794.stm>> for information on the documentary. On details of involvement by the international community, see also John McGhie, an investigative reporter with Britain’s Channel 4 News, “Women for Sale,” *Red Pepper* (UK), August 2000, pp. 16–17.

20. *Victims of Trafficking in the Balkans*, p. 9.

Doboj [Bosnia and Herzegovina, also known as BiH] used to have some of the most notorious night bars and it was known that there was considerable international use. SFOR left the area end last year and there are now no night bars at all. We are going to check all info with the police and NGOs and then report on it. This combined with migration officials who say that more women from Moldova etc. are going out of BiH in the direction of home than are registered as being in the country.<sup>22</sup>

Months later, she writes again that some in the Office of the High Representative in Bosnia claim, “You could plot the closure of the night bars with the removal of troops and the ending of [UN] IPTF.”<sup>23</sup>

Explanations for fewer identified victims are complex. Experts suspect this phenomenon may also be the result of the hundreds of bar raids conducted in Bosnia by local and UN police (some of whom were clients themselves) in the years 2000 through 2002. Traffickers changed their modus operandi and moved the victims from brothels and bars to more underground and hidden locations, into private apartments, using various forms of communication such as cell phones and the Internet to find clients. Those looking to assist trafficked females cannot do so as easily in the public spaces like bars, making the job of law enforcement (and investigators) that much more complicated.<sup>24</sup> Regardless of the explanation, trafficking over the last several years has become increasingly invisible and hard to combat.<sup>25</sup> In Kosovo, one number has however held constant. Throughout this period, about 5 percent of those assisted by the IOM have escaped being held by one male “for his own personal use.” These are “usually local” men but also include some internationals.<sup>26</sup>

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21. In Bosnia, the IOM assisted 14 females in 1999, 200 in 2000, 200 in 2001, 283 in 2002, and 53 in 2003. IOM May 2004 Report, p. 33. Based on numerous sources, troop levels in Bosnia fell from a high of 60,000 in 1996 to about 33,000 in 1999; 19,000 in 2000; and around 7,000 in 2004. In Kosovo, the IOM assisted 113 females in 2000; 135 in 2001; 86 in 2002; and 45 in 2003. IOM May 2004 Report, p. 52. Troop levels in Kosovo during that period fell from about 50,000 in 2000 to 18,500 in 2003.

22. Author correspondence with Madeleine Rees, March 17, 2004. See HRW, *Hopes Betrayed*, p. 52, for description of Doboj in 2000.

23. Author’s e-mail with Madeleine Rees, August 12, 2004, relaying information she was told by an expert at the Office of the High Representative (Bosnia).

24. On the bar raids, see *Hopes Betrayed*, pp. 18–19. On the change in modus operandi, see Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2003 Update*, p. 108. These raids ended in Bosnia after the EUPM replaced the UN/IPTF in January 2003. According to Veded Imsirovic, a national legal expert in the EUPM Tuzla office, the EUPM has an entirely different mandate than did the UN/IPTF. The EUPM is there “to mentor, monitor and inspect the work of both medium and senior managing staff of the local police.” He explained that “we are not . . . provided with the same authorizations as were the IPTF; basically what was natural for them, is not necessarily natural (and allowed) for us.” E-mail correspondence between the author and Veded Imsirovic, August 20, 2004.

25. On trafficking going underground, see IOM May 2004 Report, p. 3; for Bosnia, see pp. 32–37; for Kosovo, see p. 52. See also Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2003 Update*, pp. xiii, 162; and the Regional Clearing Point, *First Annual Report*, on “moving underground” in Bosnia, p. 119.

## A Final Word

The historical legacy from the war in Bosnia and in Kosovo bestows trafficking with a special horror: the war crime of rape. While not mentioned in one interview or conversation with peacekeepers or those overseeing peacekeeping, these are territories in which rape has been used as an instrument of war and as part of ethnic cleansing.<sup>27</sup> When peacekeepers, deployed to help stabilize and rebuild societies, purchase women and girls as chattel, they continue the “grim sexual slavery of the war years.”<sup>28</sup> When peacekeepers purchase sex—whether knowingly or unknowingly—with a trafficked female, they contribute to the on-going legacy of trafficking and rape. The conditions in which the trafficked female exists cannot be considered consensual.<sup>29</sup> When peacekeepers deny that trafficking occurs, when the plight of the victims is ignored by international deployments, or when peacekeepers and policymakers misperceive these women and girls as willing participants, these acts each contribute to the tragic legacy of wartime rape.

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26. “In several of these cases, the women suffer severe abuse and domestic violence.” IOM May 2004 Report, pp. 55–56.

27. Marlise Simons, “Bosnian War Trial Focuses on Sex Crimes,” *New York Times*, February 18, 2001, p. 4; Peter Finn, “Watershed Ruling on Rape,” *Washington Post*, February 23, 2001. These articles report that the war crimes tribunal ruled that rape was a war crime and that these women had been enslaved. The Foca ruling is named for the town in Bosnia where the specific rapes and trafficking occurred. See also Human Rights Watch, “Kosovo: Rape as a Weapon of ‘Ethnic Cleansing,’” Human Rights Watch, New York, Vol. 12, No. 3, March 2000 (authored by Martina Vandenberg).

28. HRW, *Hopes Betrayed*, p. 4.

29. On “coercive circumstances” and purchasing sex in such circumstances qualifying as rape under the International Criminal Court’s “Elements of Crime,” see Amnesty International, *Kosovo Report*, p. 15. In the March 4, 2004, discussion of human trafficking at NATO, the representative of a delegation from the Balkans made a similar argument about historical legacy to other representatives, who worried that a NATO policy would impinge on their soldiers’ entitlement to purchase sex when deployed.

# The Security Dimensions of Human Trafficking

## Introduction

Human trafficking in post-conflict regions has security implications for peacekeepers that, to date, have been overlooked or downplayed by defense officials and militaries.

First, networks that traffic in humans also traffic in guns and narcotics.<sup>1</sup> Human trafficking therefore actively shapes the security environment by providing criminals with resources. When peacekeepers are not trained to recognize human trafficking and intelligence officers do not track such trafficking, the results can lead to increased vulnerabilities.

Second, military misconduct is a threat to any mission. When that misconduct involves human rights abuse, it affects the credibility and reputation of peacekeepers and can enrage local populations. When implicated peacekeepers are also responsible for force protection, such as controlling access to a base, they compromise their main mission of keeping soldiers safe. These peacekeepers—whether civilian contractors or uniformed service members—could be vulnerable to blackmail or recruited to bring trafficked females on base or get clients off base. These sorts of vulnerabilities could be exploited by anyone wishing the mission harm. In short, the security implications of trafficking involve both acts of omission and of commission.

To illustrate more precisely why human trafficking should be considered a security concern by UN and NATO peacekeeping contingents, I address the specifics of trafficking in persons, with a regional perspective from the Balkans. Peacekeepers serve, of course, all over the globe. Bosnia and Kosovo are two of many post-conflict areas that provide needed lessons for other missions.

## Human Trafficking and Organized Crime

The centrality of human trafficking for criminal networks in post-conflict regions goes to the heart of why such trafficking poses intrinsic security threats to peacekeeping missions. The UN Office on Drugs and Crime (UNODC) reports a link between those who traffic in persons and those who traffic in drugs. UNODC has identified a “surge” of criminal activity during conflicts and in post-conflict areas.

1. For numerous examples, see IOM May 2004 Report.

“Organized criminal groups take advantage of the weakness of state control mechanisms and engage in large-scale trafficking in persons.”<sup>2</sup>

The IOM May 2004 report explores criminal activity in the Balkans. It is based on interviews with both law enforcement officers and sources from criminal networks.<sup>3</sup> Throughout the IOM report, there are multiple examples of those who traffic in people also trafficking in guns and narcotics, the revenue from which can destabilize a theatre of operation. “The criminal groups operating in the [human trafficking] sector use a network based on effective collaboration and joint ventures with other criminal groups as well as other entities such as government employees.”<sup>4</sup> The report details three levels of organizational structures, where the high level “reinvest[s] the income from trafficking in persons in other illegal markets such as the trafficking in drugs or arms.”<sup>5</sup> The report describes the geographic areas in which organized crime and human traffickers are especially active in each Balkan country as well as the type of trafficking.<sup>6</sup>

The predominant trend in this region is the trafficking of young females from Eastern Europe and former Soviet states for forced prostitution. The IOM report describes some regions of Bosnia where “there are strong indications that [traffickers] are connected with former local police and military officials.”<sup>7</sup> On Kosovo, the findings are also relevant: human trafficking, as of 2004, is “the third source of income after arms and drugs for the Kosovar-Albanian mafia network. The phenomenon is increasingly in expansion because of the extremely high income it generates.”<sup>8</sup>

The IOM report also implicates the peacekeeping community in trafficking. It describes the location of one auction house where women and girls are “offered” by the hour as well as sold to “clients . . . both Kosovars and Internationals from KFOR (NATO forces in Kosovo) and UNMIK (UN Mission in Kosovo).”<sup>9</sup> The report lists hotels and bars, including some mentioned earlier in this report. One trafficking spot is located “beside” a KFOR checkpoint.<sup>10</sup>

Trafficking in persons is clearly a major part of organized crime. The U.S. special representative to Bosnia claimed in January 2000 that “war-time underground networks have turned into criminal networks involved in massive smuggling, tax evasion, and trafficking in women and stolen cars.”<sup>11</sup> Writing in a special edition of *Problems of Post-Communism* devoted to transnational crime in the Balkans, a former head of the Bosnia and Herzegovina Customs Intelligence Unit and the

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2. “Thematic Discussion of trafficking in human beings, especially women and children,” Twelfth Session of the UN Commission on Crime Prevention and Criminal Justice, March 26, 2003, Vienna, p. 6, par. 19.

3. IOM May 2004 Report, p. 5.

4. *Ibid.*, p. 8.

5. *Ibid.*, p. 9.

6. *Ibid.*, pp. 48–49. See also the EUPM, February 26, 2004, entry on Chinese nationals picked up in Bosnia with alleged links to human trafficking, available at <<http://www.eupm.org/activities/seupmia.htm>>.

7. IOM May 2004 Report, p. 47.

8. *Ibid.*, p. 67.

9. *Ibid.*, p. 70.

10. *Ibid.*, p. 72.

former deputy head of the anti-fraud department of the Office of the High Representative detailed the specific threats that such networks pose. They argue that illegal revenue siphoned off legal and illegal trade by corrupt customs officials has been likely redirected to persons indicted for war crimes such as Radovan Karadzic. While they do not mention trafficking in persons, there is abundant evidence that the revenue stream from such trafficking is a fundamental part of the “clandestine political economy,” which in turn supports what one official of SFOR (NATO’s Stabilization Force in Bosnia) described as the “parallel power structure.”<sup>12</sup> The part of the border that RS (Republika Srpska, Bosnia and Herzegovina) officers had responsibility for, the area that abuts Serbia, is one of the most heavily trafficked in the region. The authors note that “most of the [trafficked] goods wound up at the Arizona Market,” a spot notorious for auctioning women and girls.<sup>13</sup>

## Organized Crime: Military Perspectives

Within the DOD, as well as inside NATO’s military commands that oversee peace-keeping, there are military officers and policymakers who understand organized crime as a serious threat to missions and who work every day to get the DOD and NATO engaged in a more robust response.<sup>14</sup> At the same time, there are many who label responses to organized crime as “mission creep.” In other words, some omissions are purposeful.

From numerous conversations, it is clear that many inside NATO and DOD resist the notion that combating organized crime in post-conflict regions should be understood as a “key military task.” Instead, it has tended to end up as a “key support task.”<sup>15</sup> The military often labels organized crime as only a law enforcement and not a security issue. Part of what one encounters when tracking attitudes about

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11. *Bosnia Peace Operations: Crime and Corruption Threaten Successful Implementation of the Dayton Peace Agreement* (Washington, D.C.: Government Accounting Office, 2000), p. 13, as cited in Peter Andreas, “Criminalized Legacies of War: The Clandestine Political Economy of the Western Balkans,” *Problems of Post-Communism*, Vol. 51, No. 3 (May/June 2004): 5.

12. On the clandestine political economy, see Amra Festic and Adrian Rausche, “War By Other Means: How Bosnia’s Clandestine Political Economies Obstruct Peace and State Building,” *Problems of Post-Communism*, Vol. 51, No. 3 (May/June 2004): 28–29, 32. Quotation on parallel power structure comes from meeting with U.S. Brigadier General 1, SFOR, June 10, 2003, Sarajevo, Bosnia.

13. Festic and Rausche, “War by Other Means,” pp. 28–29.

14. See, for example, changes to Army Regulation 34-1, Multinational Force Compatibility, January 6, 2004, that addresses the “emergence of multiple asymmetrical, uncertain, and transnational threats—such as terrorism, drug and human trafficking, and international crime—[which] adds an expanded dimension to the challenge of building and operating in multinational coalitions.” (1-7.a). In making this argument, I rely also on author’s numerous telephone conversations with various U.S. and British uniformed service members in January and February 2004 in the lead-up to the March 4, 2004, meeting at NATO. On AFSOUTH’s (Allied Forces South) efforts to get NATO to engage in a more “robust” fashion, author’s meeting with Commander Wayne Porter, January 28, 2004, Washington, D.C.; author’s meeting with Jack Segal, POLAD to CINC AFNORTH (Allied Forces North), July 29, 2004, Washington D.C.; author’s interview with senior NATO official, November 20, 2003, Supreme Headquarters Allied Powers Europe.

human trafficking is a considerable ambivalence about what the U.S. military and NATO should do to combat organized crime within post-conflict regions.

Specifically, omission and commission occasionally overlap, and it will be a challenge to get military commanders and policymakers to recognize that peacekeeping deployments as a whole have provided the demand for trafficking. They might well recognize that peacekeepers draw trafficked females, but in many interviews and generally throughout the entire observation of the DOD/IG (DOD Inspector General's Office) investigation in the Balkans, many responded that if such a problem existed, it was due to the behavior of other contingents, other troops, or other international organizations and did not involve their own personnel.

Certainly the DOD or NATO cannot be held legally responsible if UN personnel engage in trafficking or vice versa. These legal distinctions, however, do not begin to capture the overall impact of trafficking on security and peacekeeping operations. In fact, they distract from it. When any peacekeepers traffic, or support the demand for trafficking by purchasing sex with trafficked females, they harm the collective good by fueling organized crime. Therefore, human trafficking becomes a problem of the entire peacekeeping community deployed to any specific theatre, whether commanders recognize it as such. Likewise, robust responses are in the interests of the DOD, all NATO contingents, and UN missions, regardless of who specifically engages in or supports these human rights abuses and criminal activities.

## How Trafficking Undermines Security

In peacekeeping missions, corruption inside deployments undermines efforts at establishing the rule of law and thus prolongs the deployments. If uniformed service members or civilian contractors get away with purchasing women or girls as chattel, that sends a strong message that criminality is condoned. More commonly, soldiers unwittingly put money in the hands of traffickers in exchange for purchasing sex with trafficked females. According to countertrafficking expert and former UK metropolitan police chief inspector Paul Holmes, human trafficking provides “ready cash—every day a percentage of the money is being used to buy off the compliance of corrupt officials.”<sup>16</sup> In other words, peacekeepers—including military personnel and civilian contractors—who exploit trafficked women and girls not only break local and international laws but also unwittingly support precisely the people who do not want a safe, stable, and secure environment.

Human rights abuses inside a post-conflict zone should be treated as threats to stability.<sup>17</sup> The Brahimi commission was well aware that “the success of a mission

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15. In DOD/IG, “Assessment of DOD Efforts to Combat Trafficking in Persons, Phase II—Bosnia-Herzegovina and Kosovo” [hereafter, DOD/IG Report or DOD/IG Balkans Report] (Washington, D.C.: DOD, Office of the Inspector General, December 2003), p. 23. The report notes that “both SFOR and KFOR maintain an ‘assistance only’ role in combating crime in general and human trafficking in particular.”

16. Author's interview with Paul Holmes, February 23, 2003, Washington, D.C.

and the credibility of the Organization [in that case, the UN] can all hinge on what a few individuals do or fail to do.”<sup>18</sup> Certainly, when any peacekeeper facilitates or actively engages in trafficking, this affects missions and reputations.

Some at NATO are well aware of this connection. Norwegian NATO Ambassador Kai Eide expressed it clearly by arguing that when peacekeepers engage in trafficking “not only do we destroy the reputation of our country and our organization and the operation, we violate fundamentally [the] human rights of women and children. And we do harm to the objectives of our mission, which is to establish rule of law, establish the foundation for democracy and for a decent economy. Not to tear down rule of law, not to create grey economies, stimulate corruption.”<sup>19</sup>

Because trafficking in humans is a grave human rights abuse and also a core part of organized crime, it undermines missions such as SFOR in Bosnia and KFOR in Kosovo.<sup>20</sup> In Kosovo, especially after the March 2004 violence, many worry that the poor reputation of some in the peacekeeping community is itself a threat to stability.<sup>21</sup>

There is therefore a special incentive and a security imperative that internationals cease any involvement with human trafficking or any activity that supports organized crime. It compromises their mission and may also be helping extremists financially.

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17. On this, see Rehn and Sirleaf, *Women, War and Peace*, passim., and the *Kosovo Report*, p. 41.

18. Brahimi Report, p. 46, par. 273.

19. Press conference, July 8, 2004, NATO Headquarters, Brussels, Belgium.

20. SFOR's mission was “to deter hostilities and stabilise the peace, contribute to a secure environment by providing a continued military presence in the Area Of Responsibility (AOR), target and coordinate SFOR support to key areas including primary civil implementation organisations, and progress towards a lasting consolidation of peace, without further need for NATO-led forces in Bosnia and Herzegovina.” Specifically, they were there to “maintain a safe and secure environment.” See <<http://www.nato.int/sfor/organisation/mission.htm>>. KFOR is in Kosovo to “establish and maintain a secure environment in Kosovo, including public safety and order.” This includes “the mandate to enforce law and order and . . . the investigation of criminal activities and arrest or detention of suspected criminals.” See <<http://www.nato.int/kfor/kfor/objectives.htm>>.

21. On how the international community was perceived in Kosovo following the violence, see: Human Rights Watch, *Failure to Protect: Anti-Minority Violence in Kosovo, March 2004* (New York: Human Rights Watch, 2004); International Crisis Group (ICG), “Collapse in Kosovo,” International Crisis Group Report No. 155, April 22, 2004. The ICG writes that “UNMIK is no longer an efficient or a stabilizing factor” (p. 36) and that “KFOR and NATO have lost their aura of invulnerability and invincibility” (p. 41). On public opinion, see “Early Warning Report Kosovo, Report #6, January–April 2004,” UNDP Kosovo-Riinvest, p. 2. Based on face-to-face interviews with over 1,200 residents, conducted regularly between November 2002 and March 2004, the report showed a 40 percent drop in satisfaction with the UN Mission in Kosovo (UNMIK) and the Special Representative of the UN secretary-general, p. 9.

# Knowledge and Attitudes

In dozens of interviews and meetings with uniformed service members, civilian contractors, and policymakers from different countries, I have recorded their knowledge of and attitudes toward human trafficking. For example, when I first discussed the links between peacekeeping operations and human trafficking with senior officials at NATO in March 2000, I encountered eye rolling, raised brows, and embarrassed snickering. One very senior military official shrugged. He was not the least defensive nor surprised by assertions of the links between trafficking and peacekeepers and stated simply, “Boys will be boys.” The implication at that time was there was nothing that could or should be done about it.<sup>1</sup> Four years later, DOD, NATO, and the UN all had policies on human trafficking. These are milestones.

A general lack of knowledge and many misperceptions about trafficking, however, have often led to inaction and will likely shape policy implementation. During a November 2003 research trip to Brussels, a U.S. defense official at NATO argued that human trafficking was “too low a priority for the intelligence community to be interested,” even though many missions were already monitoring trafficking in guns and drugs.<sup>2</sup> Also in November 2003, a NATO official with responsibility for peacekeeping claimed, through clenched teeth, “This is a gender issue,” implying that it was marginal for NATO.<sup>3</sup> A senior European diplomat from the Organization for Security and Cooperation in Europe dismissed the slave-like conditions trafficking victims often experience saying, “Those women should be grateful they have their bodies to sell. The men don’t.”<sup>4</sup>

The biggest problem for military and defense officials seemed to be grasping how human trafficking had anything to do with them. Few understood that traffickers follow peacekeepers and other sorts of military deployments. “How does this translate to my boiler room?” one British admiral asked.<sup>5</sup> Just weeks before NATO was set to adopt its policy on trafficking, a senior military representative from a country contributing a considerable number of troops asked, “Why do we need a policy on trafficking?”<sup>6</sup>

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1. Author’s notes from March 6, 2000 meeting, Supreme Headquarters Allied Powers Europe, Mons, Belgium.

2. Author’s interview, Senior Representative of DOD, November 20, 2003, NATO Headquarters, Brussels, Belgium.

3. Author’s interview, official in the private office of the secretary-general, November 18, 2003, NATO Headquarters, Brussels, Belgium.

4. Comment relayed to author by senior U.S. diplomat, April 2004, Washington, D.C.

5. Question relayed to author by senior U.S. diplomat, March 4, 2004, Brussels, Belgium.

Certainly, others with long experience in the Balkans are quick to note that this is a “grossly understaffed” problem plagued by lack of awareness. Some officers with much experience on the ground as well as those at NATO Allied Forces North (AFNORTH) and NATO Allied Forces South (AFSOUTH) indicated that human trafficking is understood as a new security threat.<sup>7</sup> Some generals interviewed shared the opinion of one U.S. brigadier general in Kosovo: “We don’t know much about it but would like to learn more. Come teach us. We have lots to do but this sounds like something we should know more about and how we fit in—both the good and the bad.”<sup>8</sup>

In the following pages, I detail the range of attitudes as expressed in dozens of interviews and hundreds of conversations.

## Denial and Disbelief: “Not Our Boys”

Many military and policymakers expressed some level of denial, disbelief, or embarrassment at the idea that peacekeepers were involved in or supporting the trafficking of females.<sup>9</sup> I often heard that trafficking must involve other countries’ troops.<sup>10</sup> One general at SFOR explained, “I am fighting alligators every day. This [link with human trafficking] is really not a problem with the U.S. military. I can’t speak of the 30 different countries and don’t want to get into that . . . They [other military contingents] are the swamp that supports the alligator and I am going after the alligator every day.”<sup>11</sup> The report of the DOD Inspector General (DOD/IG) on trafficking in the Balkans provides an example of this as well. In explaining the widely documented fact that females are trafficked to areas near U.S. military bases, the report attributes this phenomenon to “members of other nations’ militaries,

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6. Question relayed to author by former senior European diplomat, telephone conversation, May 2004.

7. The officer who served as the G-2 for the KFOR Multinational Brigade-Center in Kosovo from October 2003 to March 2004 is a good example.

8. Meeting with U.S. Brigadier General 2, June 17, 2003, Kosovo.

9. One countertrafficking activist from South Korea reported to several of us in Washington the response of a uniformed service member when she described to him how uniformed service people purchase sex with trafficked females and help support the industry, something that had been widely reported in *Stars and Stripes* and *Army Times*. He replied simply, “I don’t believe anything you are saying.” (July 22, 2004, CSIS, Washington, D.C.)

10. Perhaps the denial response explains why several attempts by representatives from the Organization for Security and Cooperation in Europe (OSCE) in Tuzla to establish a relationship with Eagle Base in 2002 on this issue went nowhere. An OSCE representative who had been stationed there explained, “We were saying to the Tuzla U.S. base, let us brief you guys [on trafficking]. We got zero from them. The Danes were very receptive but the U.S. was not interested.” A representative from the DOD inspector general’s office responded that “part of this [lack of response] is a culture issue; the U.S. military is more shut down.” The OSCE representative replied that the U.S. response was unfortunate because, if Eagle Base “knew the scale of the problem, if they understood it as organized crime,” then perhaps they would have been more engaged. (June 10, 2003, Sarajevo, Bosnia).

11. Meeting with U.S. Brigadier General 1, Stabilization Force in Bosnia (SFOR), June 10, 2003, Sarajevo, Bosnia.

contractors, large numbers of local nationals, and businessmen from throughout the international community who live and/or work in or around the U.S. military bases.”<sup>12</sup> The denial response is not limited to the U.S. military or to any other military. The Swedish diplomat who was responsible for getting trafficking on the agenda of the European Union (EU) said, when she began discussions of the need for an anti-trafficking policy with European policymakers in the 1990s, she often heard from EU countries that “this is not a problem we have here.”<sup>13</sup>

Another variation of denial is to explain trafficking as a normal by-product of the abnormalities caused by war. “Bottom line is that the degeneration of humanity in war (of institutions, social fabric, etc.) makes conditions ripe for degradation in many ways.”<sup>14</sup> While undoubtedly true, the response of this general to a question posed about the links between trafficking and peacekeeping operations suggested he did not understand at all how this related to his troops. He was not alone. Perhaps most telling was the comment from a senior military official at EUCOM (European Command) who had extensive command experience in the Balkans from 1996 through fall 2002. He viewed the DOD/IG assessment project on human trafficking as an example of government “waste, fraud, and abuse.”<sup>15</sup>

Another common error was in believing that trafficking was a cultural artifact of the Balkans. Many of those interviewed believed human trafficking preceded international military deployments, and they were shocked to learn that it had in fact followed them. “Yes, it is tragedy and shame that these women get snatched up and there are bad people who are making money. But I don’t see that it is compromising the mission, and I don’t know if it is possible to get a grip on corruption. I think it is a losing battle—it is their [Balkan] way of life.”<sup>16</sup> When I explained that experts have documented the correlation of human trafficking to the deployment of international peacekeepers, this officer replied, “I didn’t realize it was a supply and demand issue. I thought corruption is their way of life.”<sup>17</sup>

This misperception was echoed in Congress. In an “issue forum” before the House Armed Services Committee in September 2004 on the DOD policy on trafficking in persons, Committee Chairman Duncan Hunter asked the author “is [trafficking] something that’s been going on in Bosnia and Kosovo, regardless of America’s presence?” In other words, did trafficking come before or after the deployments? After the explanation that trafficking followed deployments, he pressed on: “But do you think it’s not a function of the [local] culture?”<sup>18</sup>

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12. DOD/IG Report, December 2003, p. 16.

13. Author’s interview with Anita Gradin, February 24, 2003, Washington, D.C.

14. Author’s e-mail from U.S. Brigadier General 3, November 10, 2003.

15. As told to the author by a U.S. uniformed service member, June 10, 2003, Sarajevo. Comment was reportedly made on June 9, 2003, in Stuttgart. Note the DOD/IG report makes no mention of this comment and portrays the meeting as one in which the commanding officer understood the dangers posed by trafficking to the mission, p. 17.

16. Author’s telephone interview with U.S. Lt. Col. 1, May 29, 2003, who served in Kosovo with KFOR from April to Oct 2000.

17. *Ibid.*

18. Federal Document Clearing House (FDCH), Political Transcripts, September 21, 2004, p. 34.

One U.S. officer with whom I had numerous conversations explained the denial as “the honorable man” syndrome. Many in the military might have difficulty directly confronting the links between peacekeeping and trafficking because it would involve acknowledging they had been posted in a place where trafficking had become prevalent, and yet they, as military leaders, had done nothing about it. The realization of having turned a blind eye would conflict with their conception of their own identity as honorable men.<sup>19</sup>

I encountered another variation on this theme: “the honorable institution” syndrome. Many who serve or who have served in the U.S. military, for example, have tremendous devotion to the institution. Theirs is a protective approach to the organization, and they find it painful and even cognitively problematic to address the fact that some in uniform, or some supporting missions, engaged in illegal and criminal activities. Equally, they find it difficult to believe the system in place has not been effective at rooting out those responsible and punishing them.

## Invisible and Left Out: “A Problem Unseen Does Not Exist”<sup>20</sup>

The attitudes of denial and disbelief are in part a by-product of the difficulties in documenting human trafficking. As noted earlier, trafficking is an “underreported crime,” and combating trafficking frequently has been an especially low priority for law enforcement.<sup>21</sup> A similar pattern can be found in Bosnia and Kosovo with peacekeepers. For example, military analysts there are asked to track trafficking in guns and drugs but are not asked to look for trafficking in humans. Trafficking victims are seen but are not recognized as having been trafficked, even when analysts and troops gather intelligence on organized crime.<sup>22</sup> Clearly, most commanders have not been putting much effort into combating TIP. The resulting near-invisibil-

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19. Working Group meeting at CSIS with U.S. Lt. Col. 2, March 13, 2003.

20. Liz Kelly and Linda Reagan, “Stopping Traffic: Exploring the Extent of and Responses to Trafficking in Women for Sexual Exploitation in the UK,” Police Research Series Paper 125 (London: Home Office, 2000), p. 29, as cited in *Victims of Trafficking in the Balkans*, p. 4. The authors make this comment in relation to the lack of police focus on the issue throughout Europe. It applies equally well to military and peacekeeping missions. Authorities have simply not made this a priority so data collection has been difficult. Some who have worked for the UN in Bosnia claim they see a similar approach: “Out of sight, out of mind.” (Malarek, *The Natashas*, p.181).

21. Laczko and Gramegna, “Developing Better Indicators of Human Trafficking,” p. 183.

22. Similar to the phenomenon described in Cynthia Enloe, *Bananas, Beaches, and Bases: Making Feminist Sense of International Politics* (Berkeley: University of California Press, 2000), p. 81. “Military bases and prostitution have been assumed to ‘go together.’ But it has taken calculated policies to sustain that fit: policies to shape men’s sexuality, to ensure battle readiness, to determine the location of businesses, to structure women’s economic opportunities, to affect wives, entertainment, and public health. It is striking that these policies have been so successfully made invisible around bases.” Some of what she describes are not, in fact, policies but simply decisions. Certainly some of these decisions are made by commanders to include collecting intelligence on some aspects of organized crime but not on others.

ity of human trafficking may have emboldened traffickers and led them to believe they operate with impunity.

Regardless of whether military commands want to confront organized crime or not, they are actually doing so at some levels. For example, in Bosnia and Kosovo, according to a senior NATO official, the Stabilization Force in Bosnia (SFOR) and NATO Forces in Kosovo (KFOR) have used military capabilities to support the UN police and local law enforcement.<sup>23</sup> A senior military official at SFOR in summer 2003, who had significant experience in Kosovo, described how “safe and secure is not good enough,” meaning that the job was more than just keeping troops safe and the countryside quiet. While “SFOR [is] on the offensive—rolling up the threats here,” this effort did not include an offensive against those trafficking in women and girls. Organized crime “is the dragon we are trying to slay and it is one that only SFOR can slay.” When asked if this included human trafficking, he replied that trafficking in people is “not a subject that I spend much time thinking about. [This is the] first time I have spent any time thinking about it.” He used the metaphor of “slaying the dragon” several times but made clear he viewed human trafficking as a small problem and not part of his larger fight. He implied human trafficking would disappear if the rest of organized crime were tackled. “That’s petty crime; I’m after the big criminals.”<sup>24</sup> As a UN report on trafficking in Bosnia noted, “those downplaying trafficking’s significance” appear to “assume that the high profits realized from trafficking do not fund other criminal enterprises, many of which are traditionally viewed as more ‘serious’ societal ills than the ‘victimless’ crime of prostitution.”<sup>25</sup>

Even those with access to intelligence, who presumably would have information similar to that conveyed in the IOM May 2004 Report on the multiple links of criminal networks, tended to downplay or dismiss human trafficking. In a meeting with the DOD/IG at KFOR headquarters in June 2003, a senior U.S. military official explained simply, “We are about combating crime.” KFOR was there to establish a safe and secure environment and support the UN Mission in Kosovo (UNMIK), which meant getting involved in the fight against organized crime. “We do patrol borders and have never come across anyone who was involved in HT [human trafficking]. We have gotten arms and drugs. Nor have we launched an operation against HT while we have done lots against drugs.” The general was not aware that, according to countertrafficking experts, “almost no victims of trafficking are identified at border points.”<sup>26</sup>

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23. Author’s interview, senior NATO official, November 20, 2003, Supreme Headquarters Allied Powers Europe, Mons, Belgium.

24. Meeting with U.S. Brigadier General 1, SFOR, June 10, 2003, Sarajevo. For a brief description of “Operation Balkan Vice,” which was one of the episodes the general described to us, see Christopher A. Corpora, “The Untouchables: Former Yugoslavia’s Clandestine Political Economy,” *Problems of Post-Communism*, Vol. 51, No. 3 (May/June 2004): 62–63.

25. UN Mission in Bosnia and Herzegovina (UNMIBH) and UN Office of the High Commissioner for Human Rights (OHCHR), “Report on Joint Trafficking Project of UNMIBH/OHCHR,” May 2000, p. 20, par. 78.

## Missing Intelligence, Missing Trafficking

Not only the process by which information is reported but also how missions are defined may play a role in ignoring or missing trafficking. According to a former intelligence contractor in Kosovo, “A lot of times [what analysts are told to look for is] political.”<sup>27</sup> The intelligence officer, known as a G-2, is on a tactical mission where he or she needs to make decisions about what information to pass up to the commander in order to carry out the mission. Nontraditional threats such as organized crime and human trafficking continue to be something about which many intelligence officers appear not to receive adequate training.<sup>28</sup>

Consider the following example: Leigh Cass Matiunas tracked organized crime for the NATO Multinational Brigade/East (MNB-East) in Kosovo from 2000 to 2002 as an employee of Premier Technology Group (PTG, currently owned by CACI International, Inc.).<sup>29</sup> She worked in the chain of command that prepared reports for the G-2. Her boss took orders from above and in turn directed her on what she was to deliver. While she believed human trafficking merited tracking, and kept a file on it herself, neither the major who reported to the G-2 or the G-2 thought it relevant. Trafficking in women and girls never made it into reports.

The commanding general at that time would never have known that Matiunas had reason to believe that as many as 5 to 7 out of 50 of her fellow DOD intelligence contractors were believed to be engaged in activities that supported or facilitated trafficking in women and girls.<sup>30</sup> These PTG employees themselves were intelligence analysts following organized crime for the base and should have at least known that the vast majority of those held as prostitutes in Kosovo were foreigners in captivity,

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26. Author’s meeting with U.S. Brigadier General 4, June 16, 2003, Kosovo. Quote on lack of identification at border points comes from Regional Clearing Point, *First Annual Report*, “Facts and Figures Supplement,” September 30, 2003, p. 2. The Balkan reporting team of the Institute for War and Peace Reporting (IWPR) paints an unflattering picture of UN efforts to combat trafficking in “Trading in Misery,” IWPR’s Balkan Crisis Report, No. 460, September 15, 2003. “According to our KFOR source, Qafa i Prushit (in Kosovo) is a people- and drugs-trafficking hot spot. . . . Despite the UN efforts at Qafa i Prushit, the trafficking continues to grow partly because the international and local police will not risk their lives by leaving the safety of the road to go into the minefields.” This article describes routes used by traffickers along the unguarded border as well as through the mountains between Kosovo and Montenegro. The IOM May 2004 Report has much detail on trafficking routes in the region as well.

27. Author’s interview with Leigh Cass Matiunas, former Premier Technology Group/CACI employee, August 6, 2003, Washington, D.C. Others interviewed report similar observations. For example, a former senior KFOR intelligence officer [author’s telephone interview, date withheld] reported that he experienced pressure to “change intelligence to fit scenarios.” When, in the fall of 2003, he tried to warn senior officials of a serious risk of rioting in Kosovo, which in fact occurred in March 2004, he was told, “Not what we want to hear.”

28. Author thanks Robert McMullin for clarification on the roles and missions of the G-2.

29. In June 2003, the G-2 at the MNB-East advised the author to contact Matiunas because at that time no one on base, to his knowledge, was following the trafficking issue. Matiunas had not been there since November 2002.

30. Several PTG employees had described to Matiunas’ husband, also an intelligence analyst, purchasing sex with females from Moldova and other countries in Eastern Europe.

that is, trafficking victims. Most likely these people would have also had some sense of overlapping criminal networks in Kosovo.

Matiunas had no clear path to the commanding general; the chain of command prohibited it. The chief of the Analysis and Control Element decided what information to pass along.<sup>31</sup> Unfortunately, when the then-commander of KFOR, General Mini, concerned about organized crime, solicited briefings from all the commands on “prostitution and the human trafficking situation in their areas,” the commander at MNB-East had no information. In fact, all the commands reported to General Mini that they had no reports of problems in their sectors.<sup>32</sup> The DOD/IG Balkans report referenced the slide used by Brigadier General Keefe, the commander of MNB-East, for this briefing: “UNMIK-P reported no incidents of KFOR soldiers being arrested for solicitation of prostitutes. However, there is no apparent UNMIK-P focused effort against prostitution.”<sup>33</sup>

This information is misleading in several respects. The special unit to combat trafficking and prostitution in Kosovo, the UN’s TPIU, was set up by a Canadian UNMIK police officer, Gordon Moon, in 2000.<sup>34</sup> The briefing slide contradicts what the UN focal point on trafficking in Kosovo explained in an interview: “When uniformed service members are found with trafficked females, TPIU calls KFOR, which calls the military police and removes the [KFOR] people. No one is ever convicted.”<sup>35</sup> According to a legal adviser at KFOR speaking about possible contractor involvement, “unless a civilian is caught in a brothel with other criminal activities going on, it would not come across my desk.”<sup>36</sup> The G-2 at the base did a search of all the base’s files and could find only two classified reports and one unclassified reference to trafficking. He explained that they do not have information on human trafficking because they do not ask for it. “If the commander wanted information, we would track it.”<sup>37</sup>

This absence of reporting shapes the attitudes of policymakers and the military on this issue.<sup>38</sup> To many, it appears as if trafficking does not exist and has no known connection to the deployments of international forces.

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31. According to an intelligence analyst still working at this same base, the reporting system did change in early 2004, as did an interest in the links between human trafficking and revenue to extremists, although it is still not a “priority intelligence requirement.” Today the commanding general does sit down with analysts approximately once a week to hear what they think is important. This current CACI employee, interviewed by telephone, confirmed what Matiunas had stated. He noted that “prior to [early 2004], everything went to the G-2 and there was a definite filter; they would tell you what they wanted to hear about.” Author’s telephone interview with CACI employee, August 26, 2004, Camp Bondsteel, Kosovo.

32. Author’s meeting with U.S. Brigadier General 4, June 16, 2003, Kosovo. The officers at KFOR headquarters attributed this outcome to the fact that brigades did not want to report any problems to headquarters rather than an actual lack of problems.

33. DOD/IG report, p. 17.

34. Author’s telephone interview on January 22, 2004, with Gordon Moon, former member of UNMIK/TPIU from June 2000 to March 2001. Moon reports that the ability of TPIU to function in the U.S. sector was limited.

35. Author’s interview with senior UN official, June 18, 2003, Pristina, Kosovo.

36. Meeting with U.S. Major 2, June 17, 2003, Camp Bondsteel, Kosovo.

37. Meeting with G-2, June 17, 2003, MNB-East, Camp Bondsteel, Kosovo.

Human trafficking rarely appears in reports for a number of reasons. There is no intelligence request from commanders to record what is seen. While interviews with U.S. military stationed in Bosnia and Kosovo reveal numerous reports of seeing trafficked females, and some known involvement of various contingents with them, a review of the unclassified after-action reports by many of the same military officers reveals no mention of trafficking. Even the end-of-tour report written by an officer who was known to have attempted to get the attention of KFOR headquarters on human trafficking does not mention it.<sup>39</sup> While a few interviews with Special Forces officers in Bosnia and Kosovo reveal they are particularly likely to come in contact with trafficking victims because of their mobility in the community, a request to Special Operations Command reveals that there is very little recorded. “Most of what [Special Forces] are reporting on is peacekeeping and locating” persons indicted for war crimes, with a smattering of reporting on “women in saloons” and hints that these women came from some other country.<sup>40</sup>

## Explaining Missing Intelligence

Problems with data reflect the low priority accorded human trafficking by military officers. One Special Forces officer reported having seen females in 1998 in Ugljevik, Bosnia, that fit the profile of trafficked females (Moldovan females without passports in a brothel). When asked whether there was anyone in his chain of command who would have been interested in this finding, because it was a human rights abuse and a sign of organized crime, the response was, “No. In retrospect, that was a problem because . . . we didn’t look at that being our job, fighting corruption, the crime thing. That was [the UN] IPTF.” Instead, patrolling officers had friendly relations with the owner of the brothel, although this officer acknowledged, “It was obvious what the place was. It was a bar and then with another room in the back.” Because the females never specifically asked for help, this officer did nothing. The lack of direction by the command to report or respond to human trafficking cases was critical because, according to this individual, something like “90 percent, 95 percent of the intelligence reporting was developed by” Special Forces officers stationed in Bosnia and in Kosovo.<sup>41</sup> Officers noted that they received no

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38. Chairman Duncan Hunter, House Armed Services Committee, articulated disbelief in an “issue forum” on trafficking in persons and the DOD policy that occurred September 21, 2004: “Well, ok, but, I mean, you haven’t displayed today with your statistics a large number of cases.” His comment came in response to former HRW researcher Martina Vandenberg’s discussion of several cases she investigated while working for HRW. See FDCH Political Transcript, September 21, 2004, p. 33.

39. On file with the author. The author thanks Lt. Col. Stephen “Mike” Bruce for sharing these unclassified documents.

40. Author’s telephone conversation with U.S. Special Operations Command (SOCOM) staff member, May 22, 2003. In an e-mail to the author later in May 2003, the staff member writes that there are “4 SODARS reports that contain a little info (emphasis on little) on your topics of interest. They are still classified.”

41. Author’s interview with Major 3, May 27, 2003, Washington, D.C., who had served as a Special Forces officer in Bosnia from March to August 1998 and in Kosovo from March to June 2001.

training on trafficking, although they were deployed to a region replete with trafficking victims. One officer believed the Special Forces community was unlikely to follow trafficking because “I don’t think the intelligence community is all that interested in the fate of these poor Moldovan and Ukrainian girls.” On the one hand, the officer recognized trafficking as a part of organized crime, helping accrue revenue from a variety of different sources, but he believed military intelligence was likely to respond only when trafficking was “really obvious.”<sup>42</sup>

The interviews reveal that the links between peacekeeping and trafficking in humans, between trafficking in humans and organized crime, and between the mission of establishing a safe and secure environment and unwitting support of organized crime are not at all clear to officers stationed in the region. Many believed trafficking had little to do with their mission. One officer described, in an interview, Russian soldiers he was stationed with going to brothels in a region where experts have found many trafficked females. He never followed up (with his commander) on what he heard. “There are ways to find out about that stuff if it was important. I could have very easily asked one of the Russians to take me down to the brothel. But I didn’t. . . . First of all, I didn’t think that was in my mission. And second, it was kind of, not really within the rules of what I was supposed to be doing. I mean Americans were not supposed to do that. . . . I would have needed some kind of sanction to do something like that. I could have easily done that, those guys would have taken me in a second if I said I wanted to go.”<sup>43</sup>

Some military commanders might be tempted to say there is no problem because they have no data on trafficking or their troops’ involvement. Because there are so few records, they begin to believe there is no problem. Often, however, the records are intentionally or unintentionally opaque or obscured. For example, in at least two known cases involving DOD contractors in trafficking-related crimes in Bosnia, one in 2000 and one in 2003, the contractors were cited for buying an Uzi or a Kalashnikov but not for either purchasing or facilitating the purchase of females. As Martina Vandenberg explained to NATO on March 4, 2004, “U.S. Army Criminal Investigation Division reports from Bosnia and Herzegovina are rife with trafficking cases—identified instead as procuring and pandering, drunk driving, and weapons charges. Scratch the surface of these reports and one finds unidentified trafficking cases.” She found in her research that, for example, a report might cite an officer for drunken driving but would not mention the two females believed to have been trafficked who were in the official car driven by the soldier.<sup>44</sup>

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42. Author’s interview with Major 4, May 21, 2003, Washington, D.C., who had served as a Special Forces officer in Bosnia from December 1997 to April 1998 and then in Kosovo from mid-June 2001 to mid-September 2001.

43. Author’s interview with Major 5, May 30, 2003, Washington, D.C., who had served as a foreign area officer in Bosnia (at Camp Ugljevik) & in Tuzla from October 2001 to January 2002.

44. HRW, *Hopes Betrayed*, p. 63, on the incidents in 2000. See also Martina E. Vandenberg, “Policy Implementation: NATO and Trafficking,” delivered at “Toward a NATO Policy on Trafficking in Persons,” NATO Headquarters, March 4, 2004. Author’s discussions with additional defense contractors confirmed this phenomenon in other cases, March 9, 2004, Washington, D.C.

## Information Withheld

Complicating the peacekeeping response to human trafficking is the lack of transparency within many organizations when their personnel are in any way involved. An official in Bosnia or Kosovo trying to assess the extent to which military personnel, civilian contractors, or UN police are linked to human trafficking has an exceedingly difficult time. Simply put, the public record does not reflect reality.

A case that involved UNMIK officers in August 2001 is one example of how hard it is to piece together a coherent record. Human Rights Watch submitted a Freedom of Information Act request on August 15, 2001, and received a response on June 6, 2003, from the Department of State saying that “80 documents . . . appear responsive to your request. We have determined that six may be released, one may be released with excisions, and 73 may not be released.”<sup>45</sup> One document was a letter from Claude L. Bennett, the U.S. Contingent Commander, requesting from Paul King, Chief of Internal Affairs, UNMIK, a copy of an internal affairs report on “former U.S. officers” whose names have been deleted, dated August 7, 2001. Another document is an “action request” dated August 16, 2001, sent from the Department of State concerning presumably at least one U.S. citizen who had been working with UNMIK CIVPOL (UN Mission in Kosovo/International Civilian Police).

These documents appear related to a UNMIK press release from that August that states, “Two officers were found to have contravened the Code of Conduct. They have been repatriated. Two other officers have received letters of reprimand. Whilst the four committed professional misconduct, to varying degrees, evidence was not found to support criminal charges.”<sup>46</sup> The “action request” noted above advises the U.S. mission to the United Nations on the protocol that, if UN employees are found engaged in either prostitution or trafficking, they should be “summarily fired (with no appeals process) and if fired must pay their own way home, will receive no completion bonus . . . may be prosecuted . . . and are prohibited from participating in future missions.” It does not make clear how this will be enforced or monitored.<sup>47</sup>

In addition to the DOS documents and the UNMIK press release, an Organization for Security and Cooperation in Europe memo, drawing on local police records and court proceedings from the period July 30, 2001, through September

45. Three of the documents were UNMIK “off-limits lists.” The Department of State determined that releasing other documents would “interfere with [law] enforcement proceedings.” The documents released contained information about the repatriation on November 23, 2001, of a Tunisian UNMIK member of the International Civilian Police in North Mitrovica who had “sexual relations with a prostitute on numerous occasions.” It is impossible to tell if the female was trafficked. They are on file with the author and available at <<http://www.hrw.org/english/docs/2004/06/14/bosher8815.htm>>.

46. “Kosovo: two UN police officers repatriated due to ‘professional misconduct,’” UNMIK Press Briefing, August 13, 2001. For a lengthy legal discussion of UNMIK’s trafficking regulations and the rights and responsibilities of the UN according to international human rights law, see John Cerone, “The Human Rights Framework Applicable to Trafficking in Persons and its Incorporation into UNMIK Regulation 2001/14,” *International Peacekeeping: The Yearbook of International Peace Operations*, Volume 7, 2001, pp. 43–98.

12, 2001, described cases against three UNMIK police officers in North Mitrovica who were accused of purchasing sex with trafficked minors in early August 2001.<sup>48</sup> It is plausible, but by no means certain, that the UNMIK press release, the internal affairs report, the action request, and the OSCE memo are all documenting the same individuals. Without transparency, it is impossible to be certain, although it is clear that no prosecutions took place.<sup>49</sup>

## Mistaking Trafficking: “Aren’t You Really Talking About Prostitution?”<sup>50</sup>

The majority of individuals interviewed for this report conflate what some called “regular prostitution” with human trafficking. When activists and some policymakers speak of trafficking, military officers may be thinking about legalized prostitution. When countertrafficking experts talk about people bought and sold as chattel, some defense officials may be thinking about willing participants. A general lack of information about human trafficking and the confusion about what peacekeepers are witnessing results in what social psychologists refer to as the “fundamental attribution error.” This occurs when people misattribute the motivations of other’s behavior. “Instead of seeing that there are situational forces ... that lead to particular behavior, people generally see behavior as freely chosen by an individual.”<sup>51</sup> How one views prostitution seems to affect the perception of trafficking, contributing to the prevalence of the attribution error. In this way, many peacekeepers and policymakers make an error in attributing what is an environmental condition (being held in involuntary servitude) for a dispositional condition (choosing to be a prostitute).<sup>52</sup>

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47. Gordon Moon, an Ontario police detective, served in Kosovo from June 2000 through March 2001 with UNMIK. In an author’s telephone interview with Moon in January 2004, he discussed the involvement of U.S. UNMIK officers in trafficking in Kosovo during this period. He found, during that time, two U.S. officers, on contract to the UN, trafficking females in UN vehicles from Serbia into Kosovo for forced prostitution. He reported that the State Department assured him these repatriations would be recorded. Perhaps these were in the documents the State Department declined to release.

48. OSCE memo on file with author. The OSCE memo also describes an incident in which a female trafficker, under guard by two UNMIK officers at a local hospital in North Mitrovica, escaped with the help of seven armed men. The OSCE document describes the situation and her escape. It notes that the “UNMIK Police has clear instruction that the Kosovo Serb detainees in need of medical assistance for clear security reasons (fear of escape) not be brought to the Hospital.” The document reports “information is probably leaking out from Police.”

49. Testifying before Congress, Martina Vandenberg stated, “Multiple FOIA requests to the U.S. government have not unearthed even one prosecution for crimes relating to trafficking committed by Americans while serving abroad.” From Martina Vandenberg, testimony before the House Subcommittee on International Operations and Human Rights, *The U.N. and the Sex Slave Trade in Bosnia: Isolated Case or Larger Problem in the U.N. System?*, April 24, 2002, Serial No. 107-85, p. 22. Amnesty International also claims that UNMIK, as of May 2004, “has failed to bring any prosecutions under” UNMIK 2001/4, the UN regulation for Kosovo on trafficking. See *Kosovo Report*, p. 2.

50. Comment made by Major 6, meeting at DOD, October 24, 2003.

The attribution error, this conflation and confusion, affects the implementation of anti-trafficking policies. The prostitution frame enables many in defense establishments and international organizations to look the other way.<sup>53</sup> Numerous interviews with military officers and defense officials suggest that exposure to legalized prostitution does contribute to the attribution error.<sup>54</sup> One Special Forces officer who had served in Bosnia put it starkly. He described brothels where he had seen UN/IPTF officers as “clients” with females who appeared to have been trafficked. At the time, he admitted that he did not know if the UN officers were engaging in anything illegal. “If it is organized crime, and I don’t know for sure. . . . You know, prostitution is legal in Germany.” Later in the interview, he noted, “If somebody would have said something, I mean, to us, we would have gone and investigated further. But we, at least I, always assumed . . . that it was a willing thing.”<sup>55</sup> Another officer who had been stationed with the Russian SFOR contingent explained, “Both the Russians and the U.S. share . . . an idea that there are certain . . . traits that are common to men that you can never completely squash out of them. The question is: What do you do about that?” After having referred to trafficked females as prostitutes, he explained, “When I say they’re prostitutes, what I am talking about is . . . their manifestation to the observer that encounters them. One would encounter them in that role. . . . My friend [a U.S. service member stationed in South Korea] . . . talks about how much Russian you need to speak to go to a Korean bar [Laughter].”<sup>56</sup> The former intelligence analyst at MNB-East in Kosovo, who had reason to believe her co-workers were purchasing sex with trafficked females, explained, “The thing about prostitution in Kosovo is there’s a perception that it’s legal.”<sup>57</sup>

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51. For a discussion of the fundamental attribution error, see Susan T. Fiske and Shelley E. Taylor, *Social Cognition* (New York: Random House, 1984), p. 73. Human trafficking occurs also in countries that have legalized, or what some interviewed referred to as “regular,” prostitution. According to a Belgium member of parliament, for example, as many as two-thirds of females working in that country’s sex industry may have been trafficked. See Noelle Knox, “In Belgium, Brothels are Big Business,” *USA Today*, November 5, 2003.

52. The Trafficking Victims Protection Reauthorization Act does not distinguish between trafficking and prostitution for those working under a U.S. government grant, cooperative agreement, or contract. HR 2620, section 3 (g) (1) “authorizes the [contracting] department or agency to terminate the grant, contract or cooperative agreement, without penalty, if the grantee or any subgrantee, or the contractor or any subcontractor, (i) engages in severe forms of trafficking in persons or has procured a commercial sex act during the period of time that the grant, contract or cooperative agreement is in effect.” See <<http://www.house.gov/chris-smith/laws/HR2620.htm>>.

53. It may also affect the lack of prosecutions. Limanowska points to the “attitude towards prostitution in general. The police and judiciary are usually not able to make the distinction between voluntary and forced prostitution, which is reflected in the way victims of trafficking are treated.” Limanowska, *Trafficking in Human Beings in South Eastern Europe:2003 Update*, p. 172.

54. An op-ed about the trafficking of females from the Balkans to London argues the “current widespread acceptance of sex services like pole- and lap-dancing also makes men think this is just ‘normal’ sexuality.” Ros Coward, “Slaves in Soho,” *The Guardian*, March 26, 2003. According to one U.S. army officer, there were strip clubs in “Bachelor Officers Quarters” on military bases until 1989. Author’s conversation with Major 7, June 10, 2003, Bosnia.

55. Author’s interview with Major 3, May 27, 2003, Washington, D.C.

Service members received some warning about trafficking victims in Kosovo. The U.S. military passed out “TTPs [Tactics, Techniques, and Procedures] for Prostitution Houses,” a document that should have indicated to uniformed service members that what they were encountering in cafes and bars was not legal and that the women and girls were likely trafficked. In Kosovo, the focus was also on children. Another document handed to U.S. soldiers in 2000–2001 warned of “anti-child prostitution” or “prostitution houses” filled with trafficked persons.<sup>58</sup> It appeared on the back of a fact sheet covering “Revocation of Powers of Attorney,” handed to those deploying to Kosovo. There, one was informed by the U.S. military about “Anti-Child Prostitution Information . . . Children are tricked, sold or kidnapped by networks of middlemen, and then held in brothels in conditions of virtual slavery.” The U.S. military in this document admits some degree of complicity. “Areas around some overseas U.S. bases are known to have large child prostitute populations, so there is a U.S. military component to this problem.”<sup>59</sup>

Many people interviewed seemed to view trafficking through an indifferent or positive view of prostitution. A Special Forces officer in Kosovo reported to the DOD/IG and to the author in June 2003 about seeing U.S. government contractors at brothels where “most women are foreign— Ukrainian, Bulgarian—former Russia/East Bloc countries. If someone says they frequent [brothels], it has no impact on my mission so I don’t really care.” He added, “Prostitutes are typically foreigners and recently in this area there are local females [who] have gotten involved.” He told us “women are making a lot of money and can maintain their families.”<sup>60</sup> Even the UN police specifically tasked with countering trafficking, the TPIU, seemed unclear about the distinction.<sup>61</sup>

Here, the dynamic of the invisibility of trafficking is fueled. Those members of the military who are free to move about the country (Special Forces, for example) do encounter human trafficking but have no idea it is a violation of human rights and a tool of organized crime with implications for the mission. At the same time, those members of the peacekeeping community specifically tasked with combating

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56. Author’s interview with Major 11, May 21, 2003, DOD. He had served in Bosnia from June to October 1999. Press coverage may contribute to the soldiers’ attribution error. For example, in *Stars and Stripes*, one article on Korean bars refers to trafficked females and another article by the same author contains a sexualized description of prostitutes in the same bars. Despite being published days apart, these articles have the same dateline; they are describing the same places. Even the titles suggest the confusion: Seth Robson, “Two bar owners face human trafficking charges,” *Stars and Stripes*, August 1, 2004; available at <<http://www.estripes.com/article.asp?section=104&article=23548>>; Seth Robson, “A Red-light kind of night,” *Stars and Stripes*, August 9, 2004; available at <<http://www.estripes.com/article.asp?section=104&article=22632&archive=true>>.

57. Author’s interview, August 6, 2003, Washington, D.C. On the illegality, see Cerone, “The Human Rights Framework Applicable,” *International Peacekeeping*, pp. 43–98. For a discussion on the various international and domestic laws that pertained to Bosnia, see HRW, *Hopes Betrayed*, pp. 21–26 and Haynes, “Used, Abused, Arrested and Deported,” *Human Rights Quarterly*, pp. 221–272.

58. Both the TTP and the document about child prostitution are on file with the author.

59. On file with the author.

60. Meeting with Major 8, June 17, 2003, Camp Bondsteel, Kosovo.

61. Meeting with TPIU officers, June 17, 2003, Gjulane, Kosovo.

trafficking, in this case the TPIU, are sometimes unsure what they are meant to be tracking.

If these views are as widely shared as the research here suggests, then there are likely military and defense officials who do not view peacekeepers' inadvertent support of trafficking through the purchase of sex as either misconduct or a human rights abuse worth responding to. (Presumably purchasing humans as chattel would be clearly viewed as necessitating criminal action, although the Criminal Investigation Division closed its investigation of U.S. defense contractors who purchased women in Bosnia with the statement that "no other Army interest exists.")<sup>62</sup> In this way, officials might inadvertently impede the comprehensive implementation of zero-tolerance policies. As one NATO official explained in November 2003, "How is it his fault, if a soldier purchases sex from a female [in Bosnia or Kosovo] but he doesn't know she is trafficked?"<sup>63</sup> He was entirely focused on what he believed were the soldier's "rights" and not those of the victim. He assumed troops were allowed to purchase sex, unaware that prostitution is illegal in Bosnia and Kosovo, and that the vast majority of women and girls used for these purposes are trafficked. While some militaries permit their soldiers to purchase sex in locations where it is legal, none of the NATO militaries condone breaking local laws. U.S. ambassador Nicholas Burns noted after the NATO policy was adopted at the Istanbul summit, "Prostitution is not legal in Bosnia, Kosovo . . . Afghanistan or Iraq, the places where there are NATO soldiers today and will be for the foreseeable future. And therefore, one of the first responsibilities we have as guests in these countries is to adhere to the laws of the countries."<sup>64</sup> In post-conflict zones, where prostitution is not only illegal but where experts find that the vast majority of females in this illegal industry have been trafficked, then it should be considered reckless to assume that these women and girls are willing participants.

## Organizational Culture and Attribution Error

An accepting attitude toward prostitution appears to be deeply embedded in the culture of some organizations, thus posing a particular challenge for the implementation of anti-trafficking policies. Some UN officials, for example, argue privately what Madeleine Rees, representative of the UN High Commissioner on Human Rights in Bosnia, has described publicly: the "stiff opposition from western officials . . . They don't want to know about it. . . . There is this whole 'boys will be boys'

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62. HRW, *Hopes Betrayed*, p. 64.

63. Author's interview, November 18, 2003, private office of the secretary-general, NATO headquarters. The idea that a soldier's "rights" would be affected by NATO's trafficking policy stirred public debate in Denmark. In spring 2004, the then-Danish defense minister apparently claimed that no matter what the NATO or any other policy said, soldiers would be allowed to visit brothels on "R and R." Author thanks Matias Seidelin for supplying Danish articles and Heine Troland for translation.

64. "U.S., Norwegian envoys to NATO Brief on Anti-Trafficking Policy, July 8, 2004," available at <<http://usinfo.state.gov/gi/Archive/2004/Jul/10-919759.html>>.

attitude about men visiting brothels. There's a culture inside the UN where you can't criticize it. That goes all the way to the top."<sup>65</sup>

Although it goes against official policy, the U.S. military in fact appears to have tacitly tolerated and, in some cases, possibly facilitated prostitution.<sup>66</sup> A former sergeant in Bosnia serving in 1997 and 1998 provided an eyewitness account of what others had reported as second-hand knowledge. On the Fighter Management Pass Program [FMPP] to Budapest, soldiers were taken to a brothel named "Captain Jack's." This visitor to Captain Jack's believed trafficked females were there.

I was really exposed to this activity [on] the FMPP to Budapest [in February 1998]. Prior to going, all the guys would talk about Captain Jack's. The deal was everyone stayed at the same hotel. A shuttle bus ran from the hotel to Captain Jack's and you had to have a US ID card to get into Captain Jack's—[it] did not allow any locals. . . . So we arrive in Budapest and there was the shuttle bus and we went to Captain Jack's: it was a residential looking house. Big, iron gate, they ring you through, you show your ID card and they let you in. And the first floor of the house was a strip club, bar, pool table and girls stripped. And for about \$100 you could go for an hour with a girl. It was exclusively American and military. The rumor was that it was run by the army, some said three letter agencies. In fact, there were actually Hungarian guys [managing] it. They would translate for you. Who knows who they were. Where were the girls from—no idea but I could assess some were Eastern European. . . . When I got back from that trip [to Budapest] I started looking at statistics in my down time. When I went there I was a little naïve. I didn't really put together the possible connotations: that these girls were not making money—you are fed the *Pretty Woman* [referring to the movie] fantasy: prostitute with heart of gold and everything turns out alright in the end. [Soldiers] come over here and they attribute American values to everybody.<sup>67</sup>

This same soldier served in Kosovo from June to November 2000 and described another FMPP encounter with females he believed were trafficked. Troops were routinely taken to Lake Ohrid in Macedonia.

We go down there and everyone stays in the same hotel. It was not as organized as Budapest [but] in the basement of a 'Hotel Astoria' . . . the manager would ask what you were looking for and take your order. . . . So I am sitting there with guys—all [U.S.] military personnel—and the girls come over and they were all from Moldova. And the guys start asking questions like "How long

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65. Cited in Dominic Hipkins, "Bosnia Sex Trade Shames UN," *Scotland on Sunday*, February 9, 2003.

66. Army researchers say that when they tried to conduct a survey that included questions concerning prostitution approximately 20 years ago, they were nearly shut down. While the army "does not ask questions that can put an individual in jeopardy," a statistical assessment of the knowledge and attitudes of uniformed service members on prostitution and trafficking, in addition to focus groups, is necessary to craft messages, design awareness campaigns and training modules for a comprehensive, effective, anti-trafficking program. Author's telephone conversation with staff member of the U.S. Army Research Institute, May 4, 2004.

67. Author's telephone interview, former U.S. Army Sergeant 1, August 26, 2004.

have you worked here? Do you like it here?” And the girls were just like deer in headlights. It was surreal. They were almost zombie like—they had had all the fear tortured out of them way before this.<sup>68</sup>

One Special Forces officer who had served in Bosnia described his approach to what presumably he perceived was legalized prostitution:

In the world of [Special Forces] everybody understands the concept of plausible deniability very well. So I actually was never told any specifics of what [my troops] did. . . . But, see, I didn't let the guys go and do that stuff [referring to going to brothels populated by females from Moldova and Ukraine] until almost the end [of tour], so it was only maybe in the last month that they went. . . . I started letting them go out to, you know, at night basically, to basically off the base in Bosnia. And that's when they were like, “Yeah, we went to this place.” They would always go to the same place. I think just like certain groups of guys like to go to the same watering hole, go to the same brothel, whatever, they would always go to the same place.<sup>69</sup>

This attitude extends beyond Special Forces. Another officer, a lieutenant colonel billeted to NATO in Kosovo in spring-summer 2000, described how a commanding officer would likely perceive the same situation:

It is irrelevant that these women are prisoners because [the soldiers] are thinking, “Holy mackerel, here is a great opportunity.” Would we [officers] think that is a detriment to the mission? I would want to understand why it is detrimental. The commanding officer may be thinking, “This guy [his soldier] is happy and he is happier if he had a half hour with a beautiful 17-year-old—whether he knows she is forced or not—he is happier—he will do his mission better. . . .” The commander can be a great guy but maybe he will turn a blind eye and think that boys will be boys. We do have a situation that spans no awareness to full awareness—that is one thing.

This U.S. officer believed his exposure to legalized prostitution in other parts of Europe had eroded his own sense of what is acceptable.<sup>70</sup>

The example of a former defense attaché stationed in a major source country for trafficked females to the Balkans is illustrative. This colonel had been stationed in parts of Eurasia in the early 1990s and viewed prostitutes as an excellent way of “improving language skills . . . [This practice of talking to prostitutes in bars] almost became a hobby.” When he was later detailed to another Eastern European country during a period when IOM reports that nearly a quarter of the over 5,000 known cases of trafficked females to South Eastern Europe originated from this country, he continued this practice. He encouraged his sons when they visited from

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68. Ibid.

69. Author's interview with Major 4, May 21, 2003, Washington, D.C.

70. Author's telephone interview with U.S. Lt. Col. 1, May 30, 2003. In this interview, he described how an officer, later identified as British Lt. Col. Andrew Buxton, was found in a raid with trafficked females. Buxton was well aware of trafficking in the region since he served in an intelligence unit. For a brief account, see Conal Urquhart, “Colonel ‘caught in brothel,’” *The Times* (London), July 6, 2000.

the United States to do the same; he believed that the women they met had voluntarily gone abroad and made large amounts of money. “My boys were [in their] freshman and junior [years] in college. Here are two young, good-looking Americans. The only other people in these bars—it was the mob guys and the females who had come back from overseas who had made more money than they could ever dream of. My sons had a very good time in [country X].”<sup>71</sup> This officer, who explained that he helped monitor human trafficking for the U.S. embassy, never indicated that perhaps the “mob” men in the bars were controlling the females, that these females had possibly been trafficked from abroad by people he himself described as criminals, or that they were internally trafficked into the bars.<sup>72</sup>

Some U.S. military officers interviewed suggested defense contractors were considered in the Balkans to be especially linked to human trafficking. The Special Forces commander from Kosovo in June 2003 noted, “We have little impact on Kellogg Brown & Root, TRW, or ITT.”<sup>73</sup> The former defense attaché described a conversation he had with a contractor in the summer of 2001 on an airplane. “Big [expletive] eating grin on his face. And the guy had been a ‘B & R’ contractor. He had signed up for another six months in Bosnia; it was such an adult playground. Almost got the feeling that this guy was saying it was an expected perk of this job. [He] considered me lucky because I lived [in a major source country for trafficked females].”<sup>74</sup> An OSCE official who had been stationed in Tuzla, Bosnia, near Eagle base in 2002 claimed DynCorp employees in that region clearly conflated trafficking with prostitution. “That’s how they conceived of it. It’s an age old story.”<sup>75</sup>

Leigh Cass Matiunas, the former employee of PTG/CACI who tracked organized crime for MNB-East in Kosovo, reported that, when she approached the site manager of her company about the conduct of her colleagues, he was unclear his employees were doing anything wrong. “I did mention to him . . . people [are] involved in illegal activity here. And he was surprised to learn that prostitution was illegal in Kosovo. . . . He thought it was a legal activity. . . . He just didn’t go any further than that. He just wasn’t interested in pursuing it.” She found this situation upsetting and stressful. “I would lay awake at night and just think about this . . . you know, not to get the response from my command . . . and then knowing that some of the guys that I would be working with, that I would literally be sitting right next to . . . it would just make me sick to my stomach, that . . . these guys knew what was going on and participated in [purchasing sex with what she believed were trafficked females] anyway. It was very difficult for me.”<sup>76</sup>

A co-worker of Matiunas described knowing firsthand another DOD contractor in Kosovo who in 2001 purchased a female from a trafficker and then sent her back to her country of origin. The man told him that he had “fallen in love with

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71. Author’s telephone interview, Col. 1, June 23, 2003, Washington, D.C.

72. Regional Clearing Point, *First Annual Report*, pp. 79–95. Thirty percent of the 1,131 females trafficked from this country in which the officer had been defense attaché between 2000 and April 2003 were minors at the time of initially being trafficked. Forty-six percent were mothers.

73. Meeting with Major 8, June 17, 2003, Kosovo.

74. Author’s telephone interview with Col. 1, June 23, 2003.

75. Meeting with Katy Thompson, OSCE/BiH, June 10, 2003, Sarajevo, Bosnia.

76. Author’s interview, August 6, 2003, Washington, D.C.

[his] prostitute. . . . Basically, he went to Macedonia and got a prostitute and decided she was really nice and talked to her pimp and bought her passport for 3000 Euros and shipped her back to Romania and kept in touch for two months. And then he ceased contact.”<sup>77</sup>

## Audits and Attribution Errors

The misperception that trafficking victims were voluntary prostitutes was shared not only by contractors but also by the DOD/IG investigators auditing contractor involvement in trafficking. Following the publication of the article “DynCorp Disgrace” in *Insight Magazine*, a team inside the Department of Defense Inspector General’s Office was assigned from March 2002 through July 2002 to audit DynCorp’s “suitability and capability to perform and its procedures for selecting and screening personnel.”<sup>78</sup> The *Insight* article described DynCorp employees “buying young girls and women as sex slaves.” This article was not about prostitution but about a former DynCorp employee filing a lawsuit in which he described being fired after he informed the Criminal Investigation Division of the U.S. Army (CID) of contractor involvement with human trafficking. The employee described a pornographic videotape in which the manager of the contract appeared to rape a female. The manager of the contract also arranged for other DynCorp employees to purchase females.<sup>79</sup> In congressional testimony at that time (April 24, 2002), the employee, Ben Johnston, said, “There is my supervisor, the biggest guy there [in Bosnia] with DynCorp, videotaping having sex with these girls, girls saying no, but that guy now, to my knowledge, he is in America doing fine. There was no repercussion for raping the girl.” He also noted that DynCorp employees would “even take [the trafficked females] on [to] locked-down military installations because the [UN] vans will not get searched if you drive them on post.”<sup>80</sup>

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77. Author’s telephone interview, CACI employee, August 26, 2004. While this account sounds plausibly like a real “rescue,” it is similar to what Martina Vandenberg described to NATO officials: “In one case near Tuzla, a U.S. contractor claimed that he had purchased a woman and 9 mm Uzi from a local brothel owner, nicknamed ‘Debeli.’ The U.S. DoD contractor claimed that he had ‘rescued’ her. The U.S. Army CID apparently bought this explanation, failing to interview the victim. The woman later turned up at an IPTF station and reported that she had been purchased by an American who kept her passport and forced her to live with him ‘like a prostitute’ until he was repatriated on a weapons charge. Interviews of victims, key to achieving prosecutions, should be done in coordination with nongovernmental organizations and victims’ services.” Martina Vandenberg, “Policy Implementation: NATO and Trafficking,” delivered at NATO headquarters, March 4, 2004.

78. “Acquisition: Procedures for Selecting Contractor Personnel to Perform Maintenance on Army Aircraft in Bosnia,” (D-2002-150), September 18, 2002, Department of Defense Office of the Inspector General, p. i.

79. Kelly Patricia O’Meara, “DynCorp Disgrace,” *Insight Magazine*, February 4, 2002. For CID’s account of the videotape, see U.S. Army Criminal Investigation Command, “Agents Investigation Report,” ROI Number 0075-00-CID597-49891, p. 3, as cited in Human Rights Watch, *Hopes Betrayed*, p. 63.

80. Johnston testimony, “The UN and the Sex Slave Trade in Bosnia: Isolated Case or Larger Problem in the UN System?” Hearing before the Subcommittee on International Operations and Human Rights,” April 24, 2002, No. 107-85, pp. 28, 49.

The DOD audit was published in September 2002 and concluded that “DynCorp International has reasonable procedures for selecting and screening its personnel.” The report also concluded that “contracting officials did not, and, as a general rule, do not, address the moral character of a contractor’s employees.”<sup>81</sup> The body of the report makes no reference to several salient facts, including that:

- the CID had investigated DynCorp employees’ purchasing of women as chattel, which is illegal both internationally and in Republika Srpska, a province within the Federation of Bosnia and Herzegovina;
- human trafficking undermined the SFOR mission while it financially benefited organized crime;
- DynCorp in Bosnia fired another whistleblower who was reporting that additional DynCorp employees were allegedly engaged in trafficking-related crimes; and
- CID investigators “uncovered evidence of direct contractor involvement in trafficking.”<sup>82</sup>

By referencing the “moral character” of employees, the audit team appeared unaware of the seriousness of the crimes the CID had investigated. The conclusion also trivialized the experiences of the trafficked women and girls bought by DynCorp employees in Bosnia. That the audit team never went to Bosnia but based their report on a review of “computer-processed data” and interviews inside the Department of Defense and at DynCorp Headquarters, the U.S. Defense Contract Management Agency, the Oklahoma City Air Logistics Center, and the DynCorp International office in Fort Worth, Texas, may have affected the assessment. Only in Appendix B is there reference to trafficking and to the fact that the U.S. Army CID had investigated DynCorp. It notes that “based upon the evidence obtained from the CID investigation, DynCorp fired two individuals.”<sup>83</sup> Appendix C shows a letter of agreement that employees are required to sign that prohibits “any unauthorized involvement in trafficking of persons.” There was no evidence that DOD/IG investigated how codes of conduct had been enforced or would be enforced in the future.

In other words, the DOD audit was formulaic. The magazine article and the subsequent Human Rights Watch (HRW) report (based on voluminous amounts of research, including interviews with victims) documented a substantial finding on trafficking in which crimes appeared to have been committed by DOD contractors.<sup>84</sup> The HRW report argued that the CID in its investigation was untrained in

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81. “Acquisition: Procedures for Selecting Contractor Personnel to Perform Maintenance on Army Aircraft in Bosnia,” (D-2002-150), Department of Defense Office of the Inspector General, September 18, 2002, p. ii.

82. See Human Rights Watch, *Hopes Betrayed*, for full discussion. Quote comes from p. 62. On August 1, 2002, a British employment tribunal found that DynCorp had unfairly dismissed another employee, Kathy Bolkovac. See HRW, *Hopes Betrayed*, p. 55 for a discussion. DynCorp appealed and then eventually paid £110,221 to her. See Jamie Wilson, “Firm in Iraq deal drops sex case appeal,” *The Guardian*, May 3, 2003.

83. For a detailed critique of the CID investigation, see HRW, *Hopes Betrayed*, pp. 62–68.

84. *Ibid.*

human trafficking and conflated it with prostitution, also illegal in Bosnia but a less grave crime. The case that CID dismissed as one in which “no other Army interest exists” was one in which they had a videotape of a crime, they had confessions of the crime, the criminals were released without any prosecution, and victims saw no justice.<sup>85</sup> The local police regarded it as one example that the international community was interested in impunity for their personnel and not in the rule of law. The chief of police in Zivinice told HRW that “when we find a foreigner is involved [in this sort of crime] this is the biggest problem for us.”<sup>86</sup> HRW concluded that CID and DynCorp, along with local officials, contributed to the failure “to prosecute traffickers and corrupt state officials” and to change “an environment ripe for trafficking in persons.”<sup>87</sup>

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85. *Ibid.*, p. 64.

86. *Ibid.* The culture of impunity was especially strong in Bosnia. Shelter directors explained to NATO staff that local judges in Bosnia would throw out cases if they involved Americans. (Comments made by Mara Radovanovic, director of “Lara,” March 5, 2004, Brussels, Belgium.) This sense of impunity also existed in Kosovo. In author’s interview, Matiunas explained that when her colleagues engaged in illegal behavior they “could be pretty confident that they could go to these places and hire [*sic*] these women and not have any consequences because no police officer is going to arrest an international, especially an American. We never even got pulled over for speeding. Even at the checkpoints, nobody stops you when you’re an American.”

87. HRW, *Hopes Betrayed*, p. 69.

# Organizational Cultures

## The U.S. Department of Defense

### Introduction

Organizational cultures, combined with attitudinal frames, can foster a permissive atmosphere, minimal response, and institutional reluctance to combat trafficking. The recognition of such conditions is one key step in effecting serious change inside institutions that oversee peacekeeping, including the DOD, NATO, and the UN. Comprehensive implementation requires addressing a set of additional factors as well. It means anticipating how a policy on combating trafficking may conflict with other duties and identities.

In this chapter, I draw on my observations of the Department of Defense's assessment of human trafficking in the Balkans that occurred in June 2003. Specifically, I explore how the DOD Inspector General's office [DOD/IG] assessed the possible complicity of U.S. uniformed service members and civilian defense contractors in human trafficking. In the next chapter, I use internal memos to detail how NATO officers in Kosovo in summer 2000 were instructed to turn a blind eye to human trafficking supported by the Russian military. In both cases, we find uniformed service members experiencing a struggle between what they perceive as loyalty to an institution or a mission and the desire to respond to evidence of trafficking. At its most intense, this struggle may be characterized as competition between norms.<sup>1</sup>

### Watching the Military Watch Peacekeepers

The Department of Defense launched a Human Trafficking Assessment Project in July 2002. This closely followed, but was ostensibly not connected to, the DOD/IG "audit" of the defense contractor DynCorp, in which those investigating the company characterized clearly criminal acts associated with human trafficking as ones relating only to "morals."<sup>2</sup> The Human Trafficking Assessment was intended "to conduct a global review of Human Trafficking issues as they relate to Department of Defense activities with a specific focus on possible DoD complicity with Human

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1. Norms are a set of "collective expectations for the proper behavior of actors with a given identity. In some situations norms operate like rules that define the identity of an actor. . . . In other situations norms operate as standards that specify the proper enactment of an already defined identity. . . . Norms thus either define . . . identities or prescribe (or regulate) behavior, or they do both." Peter J. Katzenstein, "Introduction" in Peter J. Katzenstein, ed. *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996), p. 5.

Trafficking as manifested by Human Trafficking's links to illegal prostitution. Special sensitivity will be given to any appearance that DoD condones either Human Trafficking or its illegal sexual exploitation and prostitution subsets."<sup>3</sup>

The assessment project was DOD's response to congressional pressure that in turn had been stimulated by media reports of the U.S. military's complicity in human trafficking in South Korea. In March 2002, investigative reporter Tom Meriman and a team from Fox 8 News, the Cleveland, Ohio, Fox affiliate, ran an exposé documenting trafficked females from Russia, the Philippines, and South Korea held in brothels patronized by U.S. service members stationed in South Korea. The TV program broadcast "video of U.S. Army Military Police on 'courtesy patrol' . . . patrolling bars and brothels."<sup>4</sup> Thirteen members of Congress sent a letter to the Secretary of Defense, Donald Rumsfeld, on May 31, 2002, requesting that "the Pentagon immediately conduct an investigation" into these allegations. The members wrote, "It is imperative . . . that any investigation into this problem be thorough, global and extensive."<sup>5</sup> The assessment project was initially designed to look at commands around the world and how they dealt with complicity in trafficking. Senior management within the Inspector General's Office decided to narrow the focus to South Korea and the Balkans. The author was permitted to observe the latter investigation.

For their assessment of complicity by uniformed service members and DOD contractors in human trafficking in the Balkans, the DOD/IG planned to talk to "local authorities . . . as well as nongovernmental organizations that deal with Human Trafficking (such as International Organization for Migration) [*sic*]." Meetings with local police and site visits to brothels were also discussed. The trip was billed by DOD/IG investigators as a "fact-finding mission and not a VIP tour" so there was no senior IG representation.<sup>6</sup>

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2. "Acquisition: Procedures for Selecting Contractor Personnel to Perform Maintenance on Army Aircraft in Bosnia." This report was published in September 2002. The human trafficking assessment project also overlapped with the DOD investigation into sexual assault at the Air Force Academy. See "Report on the Panel to Review Sexual Misconduct Allegations at the U.S. Air Force Academy," September 22, 2003.

3. "DoD IG Human Trafficking Assessment Project Assessment Plan," undated. Received March 13, 2003, by e-mail from uniformed service member. On file with the author.

4. William H. McMichael, "Sex Slaves: How women are lured into South Korea's flesh trade, How top U.S. commanders turn a blind eye even as troops are the racket's best customers," *Army Times*, August 19, 2002, p. 14. See also William H. McMichael, "MPs Watch Clubs Closely, But Some Say Military Looks The Other Way," *Army Times*, August 19, 2002. A more recent article suggests this activity continues despite what U.S. Forces in Korea report. See Vivion Vinson, "Base Intentions: The U.S. Military Whitewashes the Exploitation and Trafficking of Women in South Korea," *Peaceworks*, May 2004; available at <<http://www.afsc.org/pwork/0405/040506.htm>>. For an account of how U.S. Forces in Korea have responded, see the testimony of General Leon J. LaPorte, commander of U.S. Forces Korea, available at <[http://www.csce.gov/witness.cfm?briefing\\_id=287&testimony\\_id=545](http://www.csce.gov/witness.cfm?briefing_id=287&testimony_id=545)>.

5. Letter on file with the author. See also, letter from Congressman Christopher H. Smith of June 15, 2002, also on file with the author.

## The DOD/IG Investigation

In the spring and summer of 2003, the DOD/IG reported to Congress, not surprisingly, that it was doing a “thorough, global and extensive” investigation. In fact, few resources had been assigned to the assessment. The IG had tasked one officer to investigate the issue “globally.” The officer reportedly had difficulty getting the Balkan trip authorized by the IG, although he was able to get one additional officer assigned to the trip.<sup>7</sup> There was little confidence, however, that any of the findings would stick. Some believed that those in the DOD/IG with final responsibility for the report “will wash this [Balkan] report [as] they are washing the Korea report.”<sup>8</sup> That the actual authors of the Balkan report did not travel to the region lent credibility to this claim. That some findings in the report conflict with what the author observed on the assessment trip also supports the claim.<sup>9</sup> Another uniformed service member acquainted with the investigation argued, “No one wants to make a decision to commit resources. The IG doesn’t want to be responsible for this.”<sup>10</sup> European Command (EUCOM), which at the time had responsibility for the NATO Stabilization Force in Bosnia (SFOR), did not prioritize this issue either. They sent a representative on the trip to the Balkans, a Marine lawyer, who by his

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6. E-mail from DOD/IG to author, Department of State, and the Helsinki Commission, April 28, 2003. In another e-mail to the author on June 2, 2003, from DOD/IG, the DOD Talking Points included:

Assess the conduct of U.S. service members both on and off duty with regards to Human Trafficking—either actual trafficking in persons or promoting trafficking in persons through the creation of ‘demand’ for trafficked victims by such methods as the participation in illegal prostitution and the purchase of individuals for marriage or companionship. The scope of the assessment includes the conduct of servicemembers at possible R&R sites while assigned to SFOR and KFOR. Included in the main focus of the assessment is the conduct of the U.S. military contractors within SFOR and KFOR with regards to their participation in Human Trafficking. Particular attention will be paid to the training/orientation these contract workers may receive as well as any oversight of their off-duty behavior, to include tracking mechanisms for misconduct. Of specific concern is the type of and level of investigation which occurs once a contractor employee becomes linked to a possible Human Trafficking violation. To the extent possible the assessment will include information as to: The behavior of other military forces—within U.S. sectors—and within the broader scope of SFOR and KFOR; Other U.S. contractors not working for the Department of Defense; Foreign contractors and other foreign employees.

7. Based on multiple conversations between the author and investigators from DOD/IG, March–June 2003.

8. Author’s conversation with uniformed service member, June 10, 2003. The reference to the Korea report is to the first of the two assessments that DOD/IG undertook. The report was published as “Assessment of DOD Efforts to Combat Trafficking in Persons, Phase I: United States Forces Korea,” Department of Defense, Office of the Inspector General, July 2003 [hereafter, DOD/IG Korea Report]. On file with the author.

9. Perhaps the fact that the authors did not travel to the Balkans also explains how the report mistakes the EUPM, which works in Bosnia, for the TPIU, which works in Kosovo. DOD/IG Report, pp. 23–24.

10. Author’s conversation with uniformed service member, March 2003, CSIS.

own admission knew nothing about human trafficking except what he had learned from the Internet the night before he left for the region.

In fact, no DOD/IG investigators had received formal training in how to research trafficking or, more specifically, how to research trafficking in Bosnia and Kosovo in 2003. As numerous reports have made clear, trafficking in the Balkans had moved underground. The DOD investigation's methodology in this environment guaranteed that they would uncover little. For example, in contrast with other reports on trafficking, such as Human Rights Watch's *Hopes Betrayed*, they had no interviews with *local* nongovernmental organizations (NGOs) in Bosnia or Kosovo. They did not speak to any victims, nor drive on the roads where brothels were said to be located.<sup>11</sup> The selection of those interviewed and the superficial nature of the interviews meant the IG investigators were primed for only the most blatant examples of complicity. Essentially, the IG investigators sought only obvious cases similar to those they had encountered in South Korea. There, trafficking victims were so evident they could photograph them on the street.<sup>12</sup> A situation less blatant than females auctioned on the street (as also happened in the late 1990s in Bosnia) was unsuited to their method of investigation. Typically, meetings would begin with questions such as, "We are here to investigate possible complicity with human trafficking. Do you have any problems with this?" Not surprisingly the response was often, "No, we don't."

The superficial methodology of the investigation, given the hidden nature of trafficking in the Balkans by 2003, shaped the results and meant that evidence would have to come to the inspectors rather than their uncovering it. That is essentially what happened. From the uniformed service member who oversaw a particular DOD contract on Eagle Base, we learned of several incidents in the previous months. Specifically, the soldier described cases in which several U.S. civilian contractor employees had purchased sex from females believed to have been trafficked to the region from Eastern Europe. The military member who oversaw the contract found out about these incidents by accident but had trouble getting any response from those above him in the chain of command. He worried that there was little oversight of this company and the behavior of its employees. "I knew it was bad so I wanted to put the *kabash* on it." He indicated concern about the overall management of this contract and suggested there were people in positions of authority who "condone[d] some of this."<sup>13</sup>

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11. See page 11 of the DOD/IG report for a list of meetings and interviews. U.S. Embassy Bosnia and Herzegovina had requested the assessment team not meet with "local authorities" because the visit inadvertently coincided with the release of the U.S. Department of State's annual *Trafficking in Persons Report, June 2003*, which grades countries on their efforts to combat trafficking. Bosnia in June 2003 was placed in the worst category, the Third Tier. The IG investigators seemed to interpret "local authorities" as including nongovernmental groups. In Kosovo, where there were no limitations set by anyone, IG investigators also declined to meet with local NGOs.

12. E-mail from DOD/IG of photographs taken on South Korea trip, sent to author March 13, 2003. The DOD/IG report on Korea does not convey the blatant nature of trafficking there that was described to me in multiple conversations by those who had actually conducted the investigations. See "Assessment of DOD Efforts to Combat Trafficking in Persons, Phase I: United States Forces Korea," DOD/IG, June 16, 2003. The fall 2004 training packet for the USFK does contain such photographs. E-mail and training packet on file with the author.

The incidents described above were confirmed by the contract program manager. He explained, "I tell [local] police, if my employees are involved in misconduct, hold them." He had arranged for the local police to call him directly when his people were picked up during brothel raids. He then fired the employees and quickly repatriated them. These incidents were also confirmed by local police reports, the copies of which we obtained from the Tuzla office of the Organization for Security and Cooperation in Europe. One local police report from March 14, 2003, indicates several employees of this same defense contractor were picked up during an "operational-tactical action control [a raid] on private houses" in Zivinice.<sup>14</sup> This raid occurred on the basis of a local court order issued on February 25, 2003. Three Moldovan, one Ukrainian, and one Romanian female, all of whom were later deported, were also found in the private house.<sup>15</sup> A report from August 21, 2003, was later faxed to CSIS and shows that a similar raid occurred June 13, 2003, the same day the DOD/IG team departed Eagle Base. It records that three "members of SFOR" were found in the raid.

In an environment of concealed trafficking, concerning a phenomenon that peacekeepers rarely report, the information from the oversight officer, the program manager, and the police reports collectively and separately was worthy of exploration. Rather than digging deeper, however, the investigators viewed the reports as "human interest stories." One investigator claimed, "Small numbers means a small problem."<sup>16</sup> Three incidents in six months suggested to the DOD/IG investigators that the problem was not bad. The DOD/IG report characterized the information as "limited and primarily anecdotal."<sup>17</sup>

But there was more to the story. Representatives from the same company agreed to meet in Washington in March 2004. Three company representatives not only confirmed information about the company's employees but also explained that there had been additional incidents.<sup>18</sup> These cases, which the representatives outlined, were legally more damaging than purchasing sex from trafficked females. A company employee on Eagle Base had been engaged in facilitating trafficking by soliciting men (other DOD civilian contract employees) to have sex with females supplied by a trafficker. This employee hired another company employee as a bodyguard, who purchased a weapon ostensibly for that purpose. When the provost

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13. Meeting with U.S. Army, Captain 1, June 12, 2003, Eagle Base, Bosnia.

14. Police report on file with author.

15. In a meeting with the author and the DOD/IG, the Organization for Security and Cooperation in Europe (OSCE) in Sarajevo reported on June 10, 2003, that they had heard of deportations of as many as seven females with "direct interference from Eagle Base." The deportations had been so swift that no one knew exactly what had happened. The OSCE reported that the locals are fearful of the international presence and the on-site manager of this particular defense contract appears to have used this fear to his advantage. OSCE Tuzla had also heard of these events and added that their sources claimed some U.S. contractors were alleged to have purchased local females for the duration of their time while in country and sold them back to a trafficker when leaving the country.

16. As told to the author, June 13, 2003, Bosnia.

17. DOD/IG Report, p. 25.

18. Author's meeting with defense contractors, March 9, 2004, Washington, D.C. It was unclear precisely when in 2003 or 2004 these incidents had occurred, but the company representatives indicated they were recent.

marshal was informed of this (the details of how that happened are also unclear), the employee facilitating trafficking was fired and immediately sent home. The man with the gun was held for seven days and then fired.<sup>19</sup> Like the well-documented cases involving DynCorp, possession of a weapon was considered worth at least some investigation while facilitating human trafficking was not.

## The DOD/IG Balkans Report

The report released by the DOD/IG in December 2003 claims that the investigators sought to “determine the extent to which commanding officers and other DOD officers and employees in authority were being ‘vigilant in inspecting the conduct of all persons who are placed under their command’ . . . and [how they were] otherwise suppressing human trafficking and whether Service members assigned to North Atlantic Treaty Organization (NATO) peacekeeping forces were engaged in any activities that promoted or facilitated the trafficking and exploitation of women.”<sup>20</sup>

The report “found negligible evidence that U.S. Armed Forces in the Balkans patronized prostitutes or engaged in other activities on a wide-spread basis that supported human trafficking.”<sup>21</sup> The report does not make clear that inspectors did not interview local police near the base in Bosnia, brothel owners near the bases in Bosnia or Kosovo, shelter directors, or victims. Indeed, those were the sources that might have provided significant evidence. Instead, the report concludes, “With few exceptions, none of the witnesses [who were almost exclusively U.S. military] we interviewed provided any first-hand observations or other evidence that U.S. Service members patronized or supported . . . activities related to human trafficking.”<sup>22</sup> The DOD/IG Balkans report does find weaknesses in the military’s approach to combating trafficking, such as the absence of training on trafficking for troops. It argues, however, that “military leaders recognized the inherent dangers that human trafficking posed to good order and discipline, security and mission accomplishment.”<sup>23</sup> Elsewhere, the report notes “our discussions with senior U.S. military personnel revealed that the military leaders in Bosnia-Herzegovina and Kosovo have a comprehensive understanding of human trafficking and the impact that it is having [on] the primary peacekeeping mission.”<sup>24</sup> This claim contradicts explicit statements from senior military personnel interviewed who admitted that they did not know much about trafficking and had not thought much about it. In some

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19. Author’s meeting with defense contractors, March 9, 2004, Washington, D.C.

20. DOD/IG Balkans Report, p. 1.

21. *Ibid.*

22. DOD/IG Balkans Report, p. 14. The report lists an “intelligence agent” who reported being aware of “U.S. Service members presence in brothels on occasion. However he did not pursue this information as possible misconduct because it was not related to his intelligence gathering mission” (p. 15). The report lists the other observation as coming from a “local police” officer in Kosovo who reported members had been found in brothels in October 2002.

23. DOD/IG Balkans Report, p. 1.

24. *Ibid.*, p. 17.

cases, these military personnel expressed interest in learning about trafficking; others dismissed human trafficking as incidental. The DOD/IG report does not list the comment from one senior U.S. military commander with responsibility for the Balkans that this DOD assessment was an example of government “waste, fraud, and abuse.”<sup>25</sup>

While the DOD/IG report claims that this investigation also included the Fighter Management Pass Programs (FMPP), no sites where troops went for official periods of rest and relaxation were visited. The Criminal Investigation Division (CID) of the U.S. Army conducted its own investigation in June 2003, and the DOD/IG report states that “assessment [by CID] found no evidence” of complicity with human trafficking.<sup>26</sup> Based on the CID’s record of poor investigation regarding human trafficking (detailed in the HRW report *Hopes Betrayed*), combined with the author’s observations of the CID in Bosnia and Kosovo on bases, investigators had no clear understanding or training on human trafficking. The DOD/IG report itself indicates CID is not trained on human trafficking. It notes that in raids where DOD contractors were found with females from Moldova, Romania, and Ukraine, “CID did not file a report regarding the raid because none of the women admitted to being trafficked.”<sup>27</sup> Senior CID officials told DOD/IG that they would “normally refer allegations involving only adult private consensual sexual misconduct to the commander(s) of the Service member(s).”<sup>28</sup> In other words, CID investigators mistakenly believed they had no jurisdiction over human trafficking cases.

The DOD/IG Balkans report hints at some serious problems with the contractors that warrant a more thorough and subtle investigation. The report indicates concern about control over contractors but does not highlight what may have been their most important finding until page 19. There, the report states “contract employee participation in human trafficking has been and continues to be an issue.”<sup>29</sup> The DOD/IG language about complicity again (echoing the DOD/IG audit of DynCorp) refers to “appropriate standards of employee behavior,” as if trafficking were only a moral rather than also a criminal matter.<sup>30</sup>

The combined lack of resources and absence of training may have sent mixed signals to those conducting the investigation, not unlike what some who worked with the UN reported about their internal investigations.<sup>31</sup> The investigators appeared to enjoy less than full support for a thorough and widespread investigation of uniformed service and contractor involvement. This fact contradicted the assurances provided by DOD officials to Congress. The impact from the lack of support was palpable: the inspectors conveyed the sense that DOD would only respond if involvement with trafficking were blatant and widespread. Perhaps not surprisingly, when confronted with a case that should have been pursued, the inspectors failed to follow through.

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25. Statement made on June 9, 2003, at EUCOM (European Command) and repeated to author, June 10, 2003, Sarajevo, Bosnia.

26. DOD/IG Balkans Report, p. 18.

27. *Ibid.*, p. 19.

28. *Ibid.*, p. 20, footnote 13.

29. *Ibid.*, p. 19.

30. *Ibid.*, p. 4.

## Lessons

The DOD/IG investigation in the Balkans and the subsequent report contain many lessons in what not to do when investigating human trafficking.<sup>32</sup>

One place to start is ending rapid repatriation. The inspectors viewed the rapid return of civilian contractors believed to have engaged in illegal activities as evidence of “proactively” responding to a situation.<sup>33</sup> The local police in Bosnia and the contractors themselves believe that U.S. citizens have immunity under the Dayton agreement.<sup>34</sup> Instead, the company employee facilitating human trafficking might have merited prosecution under U.S. law. Moreover, company employees at Eagle Base could have provided testimony in prosecuting the traffickers. When such crimes go unpunished, they undermine the rule of law. Finally, the men described by company executives as facilitating human trafficking could by now be employed by other contractors in other locations and engaged in the same activities today.

This case is also a good illustration of a larger problem that bears directly on the enforcement of trafficking policies. There is poor-to-zero visibility of civilian contractors by the military command, even contractors with paramilitary duties. Contractors who live outside the base contribute to this situation, in contrast to the uniformed service members who are locked down, e.g., not free to go off base unless as part of their official duties. The uniformed service members on Eagle Base thought this discrepancy in how contractors were treated was “ludicrous.”<sup>35</sup> A com-

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31. See HRW, *Hopes Betrayed*, pp. 41–61. Activists and journalists who follow trafficking in South Korea report their incredulity at the DOD/IG Korea Report, which states, “USFK leadership has acted boldly and proactively to remedy . . . deficiencies and implement forceful and effective anti-human trafficking measures” (p. 13). Activists and journalists who have focused on the U.S. military presence in South Korea report that, despite claims to have addressed the issue, little has changed. Apparently, when asked about training, soldiers cannot remember anything about trafficking. Author’s meeting, on July 20, 2003 in Washington, D.C., with an international activist working in South Korea who claims that what the DOD is saying about efforts in combating trafficking in South Korea and what she sees do not match, specifically, the claim that 661 brothels had been put off limits (DOD/IG Korea Report, p. 12.). On this, see also Vivion Vinson, “Base Intentions: The U.S. Military Whitewashes the Exploitation and Trafficking of Women in South Korea,” *Peaceworks*; available at <<http://www.afsc.org/pwork/0405/040506.htm>>.

32. Appearing before Congress, Joseph E. Schmitz, the DOD inspector general, when specifically questioned about “criticism” contained in the author’s testimony that was based on a draft of this CSIS report, conceded his office was “frankly . . . learning on the job.” See FDCH Political Transcripts, September 21, 2004, p. 20.

33. The DOD/IG Balkans Report characterizes this action also as a sign of an “aggressive” response by a program manager. See p. 19.

34. This point is especially important to the European Union’s Police Mission in Bosnia. “I want to attract you [*sic*] attention to the Dayton Peace Accord that grants all the peacekeepers the respective immunity which practically means that local police is somewhat restricted in this area, especially in the terms of getting statements from these individuals [internationals who may have committed crimes] which is then the task of their respective organizations and governments to conduct a proper and immunity-free investigation. This fact, however, makes such [local] police files rather inadequate and, in the same time, puts major responsibility onto the shoulders of a respective peacekeeper’s government to proceed and ultimately conclude the investigation.” E-mail correspondence by author with Vedad Imsirovic, National Legal Expert, EUPM Tuzla, August 20, 2004. On perceptions of international immunity, see also HRW, *Hopes Betrayed*, p. 64.

mander who has control of a task force does not necessarily hear or know about illegal acts involving contractors. In other words, the IG inspectors' "good comfort level with contractors" seems unfounded.<sup>36</sup>

What should be of concern to commanders is an earlier finding by a study on contractors from the Government Accountability Office in June 2003 that "despite the lack of visibility and involvement in decisions to use contractors, commanders are responsible for all people in their area of responsibility, including contractor personnel."<sup>37</sup> In fact, officially, the DOD considers contractors "just another tool to accomplish the mission, not a separate workforce, with separate needs, to manage."<sup>38</sup> In the theatre of operation, contractors appear to be outside the commander's control. Indeed, commands in the region seemed aware of this problem. One U.S. Brigadier General in Kosovo complained that the military command did "not have good control of DOD contractors."<sup>39</sup>

Additional organizational and attitudinal impediments affect how comprehensive future investigations are likely to be. What the inspectors understood as constituting a problem differed significantly from what countertrafficking experts would consider a problem. If the manager of a contract said, "We have had three incidents in the last six months," this should have been understood as a sign that a larger problem might lurk and require more and different methods of investigation. Instead, the investigators appeared uninterested in these cases.

What was the DOD/IG understanding of "zero tolerance?" Was it possible to have a zero-tolerance policy shaped to fit the more dominant culture of tolerance? In that case, would a zero-tolerance policy ever really mean zero? In fact, the DOD inspectors opened a meeting with the OSCE Tuzla office by stating, "We have a zero-tolerance policy, but we understand that there will always be instances and always be bad apples."<sup>40</sup> At other times, they would begin meetings explaining,

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35. Quotation from meeting with Captain 1 and Major 9, June 12, 2003, Eagle Base. See also the U.S. GAO Report, 03-695, "Military Operations: Contractors Provide Vital Services to Deployed Forces but Are not Adequately Addressed in DOD Plans," June 2003, p. 34, that finds some contractors "refused to provide copies of their contracts to the [military] task force officials," further underscoring this lack of visibility by the military command.

36. This comment was made in reference to contractors in Kosovo, although they had similar arrangements to those we found in Bosnia. DOD/IG staff member comment to U.S. Mission/Kosovo, June 19, 2003.

37. U.S. GAO Report, 03-695, "Military Operations," p. 33. The GAO report has other findings of special relevance for combating trafficking. The process of dispersing identification badges was poorly controlled in Kosovo and Bosnia (p. 33), making the rumor that we heard several times about unauthorized foreign females brought onto base seem plausible. Logs from July 2000 by NATO liaison officers stationed with the Russians in Kosovo also note that many Russians were picked up with fake ID cards. (July 2000 log. On file with the author.)

38. U.S. GAO Report, 03-695, "Military Operations," pp. 18–19. The GAO report found that, at this same base in Bosnia, "general oversight of contractors appeared to be sufficient but that broader oversight issues existed. These include inadequate training for staff responsible for overseeing contractors and limited awareness by many field commanders of all the contractor activities taking place in their area of operation." GAO Report, summary, p. 3. The GAO report does discuss some of the problems on oversight, and, specifically, the difficulty commanders have managing contractors. See, for example, pp. 20–35.

39. Author's meeting with Brigadier General 4, June 16, 2003, Kosovo, Bosnia.

“Our issue is larger than following individuals engaging in misconduct. This is about larger systemic issues versus onesies and twosies”<sup>41</sup> The comments suggest that DOD would only respond if the numbers got above a certain, unspecified threshold.<sup>42</sup>

The invisibility of trafficking combined with an absence of records had an impact on how the inspectors approached their work. They began to trust little of what they heard. One of the inspectors, looking at the list of off-limits places in Kosovo, commented, “This list makes it look like there is lots of trafficking going on but probably there isn’t.”<sup>43</sup> The IOM Kosovo experts explained that, although they were finding fewer females, they believed 99 percent of the establishments listed had trafficked females in them.<sup>44</sup> During the trip, one investigator expressed certainty that there was no U.S. military involvement in trafficking.<sup>45</sup>

By the end of the trip, the inspectors expressed exasperation in a meeting with a senior human rights officer at the OSCE in Kosovo. One of the inspectors remarked that the percentage used by many activists—that internationals made up 30 percent of the client base for trafficked victims—“makes no sense at all. . . . All we hear is one or two cases. . . . Is it 20 percent? Is it 2 percent? What is it?”<sup>46</sup> The OSCE representative stood by the 30 percent figure, replying that their estimates came from interviews with victims. In some of these interviews, victims knew they were with internationals because the men did not “take off badge.”<sup>47</sup> The representative herself had spoken with victims who described international clients. She also explained patiently, as had other representatives of the OSCE, the UN, and IOM, the way in which trafficking has gone underground. The DOD/IG Balkans report

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40. DOD/IG at OSCE/Tuzla, June 13, 2003.

41. DOD/IG at IOM/Kosovo, June 16, 2003.

42. Zero-tolerance policies are also in place for sexual violence within the U.S. military but, as the DOD Task Force Report notes, “These policies are not widely publicized and were not reinforced through awareness or . . . prevention training” (p. 26). Additionally, numbers may illicit different responses from the military than from civilians or from human rights researchers, who often methodically detail a handful of cases.

43. DOD/IG comment made at meeting with IOM/Kosovo, June 16, 2003.

44. IOM/Kosovo, June 16, 2003, Pristina, Kosovo.

45. There was, in fact, a moment early in the assessment mission from which this “certainty” seemed to develop. Before we left for Eagle Base, we spent a day in Sarajevo meeting with representatives from international organizations. Madeleine Rees, a well-known expert on combating trafficking in Bosnia and the representative in Sarajevo of the UN High Commissioner for Human Rights, invited us to watch the BBC documentary *Boys Will Be Boys* on peacekeeping, trafficking, and missions in Bosnia and Kosovo. During the screening of the documentary, the mood of the investigators changed. The DOD/IG team became uneasy at what they felt was the conflation by both the media and by this UN official of contractors and uniformed service people. The documentary records a local taxi driver describing American males changing out of uniform and into civilian clothes on their way to a brothel, but it is unclear if these were contractors or military personnel since all wear some sort of uniform. The DOD inspectors appeared visibly offended by the documentary. According to the DOD/IG report, this event is recorded as, “We examined the video, but did not observe any indication of participation by U.S. forces” (p. 15).

46. Statements made by DOD/IG uniformed service member at meeting with a senior human rights officer, OSCE, June 17, 2003, Kosovo.

47. Meeting with senior human rights officer, OSCE, June 17, 2003, Kosovo.

never mentions this change in the trafficking patterns nor how the change in trafficking might have affected their findings.<sup>48</sup>

## Policy Implementation

As of September 2004, as reported to Congress, DOD's main effort at implementing the zero-tolerance policy has focused on developing three types of training modules, including a basic PowerPoint presentation, a PowerPoint presentation for the Internet (the long-distance learning module), and a "fully integrated learning management system" with videotape.<sup>49</sup>

Training ideally should be mission specific.<sup>50</sup> Draft training modules forwarded to the CSIS working group in June 2004 did not tackle head-on the misperceptions and organizational impediments let alone specific cases outlined in this report. Out of 50 frames, it was not until the 29<sup>th</sup> one that the potential link with the military was even addressed: "Be aware of the legal sanctions against military and civilian involvement with trafficking in persons."<sup>51</sup> Clearly, U.S. government training on trafficking will require much more effort as well as sustained and institutionalized interaction with external experts.

However, the details of this particular, or any, training module are incidental to the larger argument: Given the extensive misperception and lack of awareness documented in this report, the initial DOD effort appears to be a minimal response, somewhat akin to trying to combat the spread of HIV/AIDS through training on the Internet. DOD, following the National Security Presidential Directive-22, must be seen to be doing something to actively combat trafficking.<sup>52</sup> The effort to date

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48. See also Agence France Presse, "Forced Prostitution Moving Underground in Bosnia," June 26, 2003, following a report by the EUPM on the difficult nature of tracking trafficking in Bosnia following the raids from 2000 to 2002.

49. These "learning objects" are being developed by the University of Wisconsin under an existing contract with the DOD Advanced Distributed Learning Co-Laboratory. See <[www.academiccolab.org](http://www.academiccolab.org)> and <<http://www.adlnet.org/>>. See also the testimony of Charles S. Abell, principal deputy undersecretary of defense, personnel and readiness, in the Issue Forum "Enforcing U.S. policies against trafficking in persons: How is the U.S. military doing?" FDCH Political Transcripts, September 21, 2004, p. 11.

50. On March 18, 2004, the author observed training for DynCorp employees scheduled to be deployed to Iraq under a Department of State contract. The instruction was conducted by staff from the State Department's Office to Combat and Monitor Trafficking. The training consisted of 25 minutes of a Dateline NBC story about females trafficked from Ukraine to the Czech Republic, followed by a 25-minute lecture and question/answer session that was general in nature. There was minimal discussion about links to peacekeepers. Iva Savic, former CSIS research assistant on this project, observed a similar training for peacekeepers going to Kosovo. In that training session, State Department staffers used a clip from the *Oprah Winfrey Show* with the author Naomi Wolf discussing the trafficking of children in Africa, followed by a similar, general discussion. In author's discussion with several employees following the March 2004 session for contractors going to Iraq, DynCorp employees expressed dissatisfaction and confusion with this (and other) elements of the training. They noted, for example, that they had received no specific guidance on which organization to contact if they encountered a trafficked person and no information on how prevalent trafficking was in Iraq.

51. Draft PowerPoint presentation, June 28, 2004. On file with the author.

is totally insufficient. Changes in the behavior of uniformed service members and contractors will require new social and cultural norms. To this end, DOD leadership should resist thinking that one or two fixes, such as long-distance learning or improvement of on-base recreational facilities, as recommended in the DOD/IG Balkans report, will have a decisive impact on the trafficking-peacekeeping link.<sup>53</sup>

The creation of a new social norm inside the DOD, the armed forces, and among contractor personnel is an enormous organizational and cultural undertaking. But, it is essential if there is to be serious change. This effort will require sustained high-level leadership and more resources than currently deployed, although DOD officials claim they have all the resources they need.<sup>54</sup> Instead, it will require a dedicated budget, a separate office, and senior staff, as well as a panel of external nongovernmental experts to oversee the numerous aspects involved. In terms of education and awareness campaigns, they should be driven by survey research on how uniformed service members perceive a range of issues related to human trafficking.<sup>55</sup> The findings from focus groups and random sample surveys would be used to help design effective awareness campaigns as well as face-to-face training, first with commanders, then Special Forces, intelligence officers, members of the U.S. Army Criminal Investigation Division, foreign area officers, and so on until all service members have been reached.<sup>56</sup> Leadership at senior levels—civilian and military—is essential to the creation of new norms. Public statements from the Chairman of the Joint Chiefs and the NATO Supreme Allied Commander Europe on the importance of combating trafficking in the near future would help enormously.

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52. NSPD-22 was signed on December 16, 2002, and agencies had 90 days to “promulgate plans to implement this Directive,” which included assessing what was needed in order to bring agencies in line with the policy, including training of personnel (p. 8). The U.S. policy is an “abolitionist approach to trafficking in persons, and our efforts must involve a comprehensive attack on such trafficking, which is a modern day form of slavery. In this regard, the United States Government opposes prostitution and any related activities, including pimping, pandering, or maintaining brothels, as contributing to the phenomenon of trafficking in persons” (p. 2).

53. Obviously service members deserve excellent recreational facilities, but this demand is wholly independent of human trafficking. On this recommendation, see the DOD/IG Korea Report, pp. 8–9 and DOD/IG Balkans Report, p. 24.

54. Charles S. Abell, principal deputy undersecretary of defense for personnel and readiness, when asked by House member Christopher Smith if he had the resources he needed to implement the anti-trafficking policy, replied, “I don’t want for resources.” He claimed that, in addition to the needed resources, he had “the strong support of the secretary and the deputy, which is about all you need inside the Department of Defense.” Issue Forum, “Enforcing U.S. Policies against trafficking in persons: How is the U.S. military doing?” FDCH Political Transcripts, September 21, 2004, p. 25. DOD officials have been vague on how much—if any—of the over \$400 billion defense budget has been specifically allocated to implementation of the anti-trafficking policy.

55. Several inquiries into how such data could be collected were met with a mix of doubt, curiosity, and reluctance on the part of those who regularly survey for the U.S. Army. The decision to survey on trafficking will have to be made at the highest levels within the U.S. Army. Author’s telephone conversations, May 4, 2004, and August 8, 2004, with staff members at the U.S. Army Research Institute.

56. As a recent DOD report notes, “Studies indicate that effective training programs are those that address all learning styles and include audience/group participation.” DOD Task Force Report, p. 27.

# Organizational Cultures

## NATO and the United Nations

### Introduction

This chapter explores the organizational culture within the NATO mission in Kosovo in 2000 concerning the issue of human trafficking. It explores the response by KFOR to evidence that troops from the Russian Military Contingent (RMC) serving in this operation were themselves engaged in trafficking. To do this, I rely on a series of internal memos written by young officers serving in Kosovo with NATO and with the Russians. The lack of response by NATO headquarters in Kosovo provides an important case study in how organizational culture can play a pernicious role impeding the implementation of anti-trafficking policies. The case detailed below concerns honorable, young officers who are explicitly instructed, in the name of the larger NATO-Russia relationship, to ignore the grave human rights abuses committed by fellow peacekeepers against young women and girls.

While this report has focused primarily on the U.S. Department of Defense and NATO, in this chapter, I also address briefly the role organizational culture plays within the United Nations. Officials at the UN appear to have a rhetorical commitment to gender and human rights, but they have done little to institutionalize and respond comprehensively to human rights and gender-based violence committed by their own peacekeepers, including the crime of human trafficking. Senior officials at the UN seem conflicted: wanting to appear to respond to the human rights and gender agendas while also wanting to maximize the number of peacekeepers deployed. Most tragically, internal memos from the UN on peacekeepers' sexual violence while serving in the UN Mission in Congo (MONUC) reveal many similarities to UN involvement in human trafficking in Bosnia and Kosovo and suggest that the desire to maximize troop contributions overshadows all other agendas, even internal discipline and the rule of law.

### From Indifference to Implementation: NATO

Until summer 2003, few diplomats or policymakers at NATO headquarters were willing to even talk about the links between trafficking and peacekeeping and their implications for Bosnia and Kosovo, let alone advocate policies to end them. U.S. Congressman Christopher Smith, writing to Deputy Secretary of Defense Paul Wolfowitz and Deputy Secretary of State Richard Armitage, on September 12, 2003, noted that human trafficking was a “taboo subject at NATO.”<sup>1</sup> Yet, between summer 2003 and summer 2004, NATO took several steps to challenge this norm. A look

back reveals just how far the organization had to go. The support and courage of key policymakers made it possible for NATO to adopt a policy that addresses in a straightforward manner the links between trafficking and peacekeeping. To turn human trafficking from a taboo subject into a real taboo within NATO will require, as in the case of DOD, additional political and military resources and determined leadership.

This report suggests a complicating factor for the implementation of the NATO trafficking policy: norms competition. Soldiers in a theatre of operation may be asked by commanders to respond to one set of priorities at the expense of another. This norms competition may occur on a daily basis as soldiers struggle with numerous crises in post-conflict zones and are continuously faced with having to prioritize orders. In the summer of 2000 in Kosovo, the norms competition occurred between the desire to improve the NATO-Russia relationship and the desire to stop human rights abuses.

The case of Russian involvement in trafficking and NATO officials turning a blind eye in Kosovo is important because it was not an isolated incident. Earlier research conducted by Human Rights Watch and by the author suggests the Russian Military Contingent was, at a minimum, facilitating trafficking in Bosnia in the late 1990s.<sup>2</sup> In earlier research, a former U.S. peacekeeper deployed with the Russian troops in Bosnia, Major Steven Sabia, described encountering Ukrainian and Moldovan women in brothels while on routine patrols during his service in 1997. He described women who were “definitely held against [their] will. I don’t think that was unique. I don’t think that was one small example. There were several brothels around—some that were favorite spots of the Russians. . . . One major didn’t like the fact that I was talking to this particular young lady [from Ukraine]—because I was not Russian. [The major said] these are ‘our women.’ However the [trafficked females] weren’t held in any regard at all. Sex isn’t even the right word for it. Even the crudest guy talk—I’ve never experienced anything as base as this.”<sup>3</sup> According to Sabia, some of these women explained to him that they had thought they were applying for secretarial jobs in Hungary, only to end up prisoners, stripped of their passports, “servicing” soldiers in the military district under the U.S. authority known then as Multinational Division North (MND–North). Russian soldiers frequented these brothels, sometimes bringing along U.S. troops who were on patrol with them.<sup>4</sup>

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1. The author’s meetings at NATO and in Bosnia in March 2000 confirmed this view. Copy of letter on file with the author.

2. See HRW, *Hopes Betrayed*, p. 62, on a case in 1999 in which HRW discovered a Russian soldier trafficking two Ukrainian women to Bosnia. See also Mendelson, “U.S.-Russian Military Relations.”

3. Author interview with Major Steven Sabia (who served in Bosnia from August through December 1997), August 8, 2001, Newport, R.I.

4. *Ibid.* In 1995, the U.S. and Russian militaries developed a complicated arrangement that allowed the Supreme Allied Commander Europe (SACEUR) to retain operational control of the Russian brigade through a Russian deputy to the SACEUR, but the commander on the ground of each region retained tactical control. MND-North was the responsibility of a U.S. officer.

My interviews with dozens of officers suggest in fact that there were numerous times when soldiers (and civilian contractors) from many nations either chose to or were ordered to turn a blind eye to illegal and abusive activities.<sup>5</sup> In the case of the Russian Military Contingent, the NATO-Russia relationship functions as an enabling factor for commanding officers to decide to do nothing. In other regions of the world, there are likely other factors that play this role, such as financial consequences that might come from the potential loss of contracts, or an institution's need for peacekeepers at any expense, including abetting corruption. In all cases, such factors create permissive conditions for institutions and individuals to do as little as possible and speak of such activities as infrequently as possible. These factors pose a serious liability to the comprehensive implementation of anti-trafficking policies.

## Norms Competition and Attribution Errors

U.S. officers stationed in both Bosnia and Kosovo assigned to the RMC were aware to varying degrees that Russians frequented places where trafficked females were held.<sup>6</sup> On the face of it, this illegal activity should have been viewed as a threat to what then-NATO Secretary General Lord Robertson explained as his “goal...to help build a Balkans that is inside the European family of democratic values, not a problem for it.”<sup>7</sup> Peacekeepers could be forgiven for being confused by the potential conflict with his other “immediate priorit[y] . . . to establish a deeper cooperation with Russia.”<sup>8</sup>

The latter message—to cooperate with Russia—is what many NATO officers chosen to serve with the Russians understood as most important. Officially, the job of officers working with the Russians in Kosovo and Bosnia was to serve as the “international liaison officer to the Russian Military Contingent” for the commander of KFOR or SFOR. As one U.S. officer described it, the other duties included “directly assist[ing] in furthering NATO-Russia relations and the RMC-KFOR relations . . . [and being a] direct conduit for information and actions

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5. While some members of the RMC may have facilitated trafficking, others helped stop it. The liaison officers, Major Bruce (U.S.), Major Daltveit (Norway), and a Ukrainian officer, write in the log for July 2, 2000, that “Russian soldiers at a checkpoint freed two young Moldavian girls from two men, who were going to force them into prostitution.” However, when these officers tried to get the leadership at RMC to publicize this action, they were rebuffed. “We worked for three weeks to try to get the RMC to jump on this, to no avail.” On file with the author.

6. Bosnia was not the first place with reports of the RMC and trafficking in the Balkans. It was widely reported in Eastern Slavonia in the early 1990s during peacekeeping missions following the war in Croatia. One European diplomat who was stationed in the Balkans at the time claims it was “criminal . . . systematic. There was a house for the Russian contingent. Women were kept there.” It seemed to be a “joint venture between the local criminal element and the Russian military.” Author's interview, November 18, 2003, Brussels, Belgium. On Eastern Slavonia, see also Mendelson, “U.S.-Russian Military Relations.”

7. Lord [George] Robertson [secretary general of NATO, 1999–2003], “NATO in the new millennium,” *NATO Review*, No. 4 (Winter 1999): 4.

8. *Ibid.*, p. 6.

between the commanders of KFOR and RMC.”<sup>9</sup> The U.S. officers interviewed perceived that commanders found “this [NATO-Russia] relationship . . . unique and important.”<sup>10</sup> A premium was therefore placed on “maintaining good relations” and “wanting to be a loyal staff officer for the Russians.”<sup>11</sup>

Every military officer stationed with the Russians felt pressure to make the relationship work. “Even General Ralston, the NATO Supreme Commander, has stated that the relationship of the Russian forces in SFOR with U.S. and NATO forces is of extreme importance to our nations’ mutual relations and compatibility.”<sup>12</sup> Another liaison officer stationed in Bosnia wrote that “Multinational Division North’s primary mission is to foster the strategic relationship between NATO and Russian forces. This SACEUR directive to the Division Commander takes precedence over the Division’s operations in support of the Dayton Peace Accord’s General Framework for Peace (GFAP).”<sup>13</sup> Yet another officer wrote that “the Russia-NATO relationship is, what one might call, the strategic center of gravity that the KFOR mission is nested in. In line with this, COMKFOR [commander of the NATO security force in Kosovo] has established an intent to aggressively develop a ‘one KFOR.’” In pointing to a lesson from SFOR, he notes that these officers are ‘tactical ambassadors’ for NATO.”<sup>14</sup> In other words, while many inside and outside NATO might be tempted to say that the Russians were really separate from NATO in Bosnia and Kosovo, that is not how uniformed service members, including commanders, were encouraged to think.

If officers stationed with the Russian contingent had the larger strategic NATO-Russia relationship in mind, misperceptions also facilitated their looking the other way as the Russians engaged in a range of illegal activity, from purchasing sex with trafficked females to engaging in trafficking. Specifically, the attribution error of mistaking trafficked females for “regular prostitutes” acted as an enabling factor facilitating some U.S. officers’ choice of inaction. One officer explained why Russians going to brothels would never make it into his reports. “If I get tainted into being perceived as a tattle-tale or I’m just here to root out, to . . . dig up the dirt on them, everything’s closed down.” He went on to explain, “My counterpart in the Russian *Razved Groupi*, he wanted to take me out and go to this place, and I’m like, ‘look love to but I don’t pay for it’, you know, made a little joke . . . saying . . . ‘I don’t pay for it’ . . . cause you have to maintain your relationship and everything, right?”<sup>15</sup>

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9. Major 1, KFOR Internships PowerPoint Presentation, January 17, 2001.

10. Comments made by General 1 to Major 11 referring to the specific need to look the other way on “General Order Number One,” which prohibited the consumption of alcohol in theatre. Author’s interview with Major 11, May 21, 2003, DOD.

11. On good relations, author’s interview with Major 3, May 27, 2003, Washington D.C.; on wanting to be loyal, author’s interview with Major 5, May 30, 2003, Washington D.C.

12. Quotation comes from “Captain [2], 10 Aug 01, Trip Report, Russian Liaison Officer, Stabilization Force, Bosnia.” On file with the author.

13. Quotation comes from “CPT [3], 02 AUGUST, 1999, In-Country Training (ICT) Trip Report, Multinational Division (North).” On file with the author.

14. Memo from Major Stephen “Mike” Bruce, July 10, 2000, for U.S. Brigadier General 5, ACOS OPS. On file with the author.

15. Author’s interview with Major 4, May 21, 2003, Washington, D.C.

Others were unclear whether purchasing sex in Bosnia was illegal. When one officer was asked if he would ever report that the Russians were “visiting brothels,” he responded:

**Officer:** No, absolutely not! That, I would consider, to me, I don’t know, that would be, something definitely [that] wouldn’t go [in] an official report, and I wouldn’t put it in my weekly report to the commander.

**Author:** Would you have put reports about organized crime, various aspects of organized crime?

**Officer:** Sure, absolutely.

**Author:** If prostitution is illegal in Bosnia?

**Officer:** If it’s illegal, and, if, well, yeah, if, if...

**Author:** It is.

**Officer:** Is it?

**Author:** Yeah.

**Officer:** Ok, so I didn’t know that. If something is illegal and the Russians are breaking the law, obviously yes. [nervous laughter] So, yeah.”<sup>16</sup>

Neither this officer nor any other officer interviewed reported receiving any training on trafficking, the illegality of prostitution, or links to organized crime in the area of operation. As noted, U.S. officers who served in Kosovo after 2000 were given information sheets on prostitution but these sheets failed to mention that most of the “prostitutes” were, in fact, trafficking victims.<sup>17</sup> The officer quoted above acknowledged that in general “the trafficking of women is a bad thing,” but to him it appeared to have nothing to do with his mission.<sup>18</sup>

## The Russian Military Contingent and Trafficking

Based on their experiences in Bosnia, no one in the Russian military who served in Kosovo with KFOR would have had any reason to believe there would be consequences for engaging in illegal activities. One U.S. officer, Major Stephen “Mike” Bruce, challenged this status quo. Major Bruce wrote a memo raising concerns about the RMC links to human trafficking after he and (Norwegian) Major Egil Daltveit made a “visual inspection of location of brothel, 06 JUL 00.” Bruce appears to have seen the brothel on July 3, 2000, when driving past. He recorded that he witnessed “three Russian soldiers . . . walking in, dressed in half of a uniform. The brothel is about 200 meters from a cut in the RMC perimeter fence.”<sup>19</sup>

Major Egil Daltveit of the Norwegian army, also stationed with the RMC, had had an earlier conversation with the KFOR Provost Marshal about this brothel. The

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16. Author’s interview with Major 5, May 30, 2003, Washington D.C.

17. TTP and sheet on child prostitution on file with the author.

18. Author’s interview with Major 5, May 30, 2003, Washington D.C.

19. July 2000 log, on file with the author.

enclosure to the memo reports that “MAJ (BE) Segers said that he has no information about any brothel in Vrelo, but that the PM [Provost Marshal] know[s] that many brothels in Kosovo have Russian and Ukrainian prostitutes, many of which are suspected as working against their will.”<sup>20</sup> On July 7, 2000, Bruce wrote in a memo to his commanding officers: “A brothel 200m from the HQ RMC fence in Vrelo... is supposedly run by ‘Russians’, and staffed by Russian and Ukrainian women against their will. The RMC officer corps at least tacitly condones this, and is alleged to be personally involved in managing this. Soldiers go there without weapons, and half out of uniform.”<sup>21</sup>

The Bruce memo reflected the attitudes and the organizational responses documented in previous chapters of this report: 1) KFOR had no records on this or any other incidents of alleged trafficking; 2) some NATO officers were concerned that “there are a lot of political sensitivities with this issue,” presumably meaning because of Russian involvement; 3) the role of other members of the peacekeeping community, and specifically “some members of UNMIK-P [UN police], frequent these enterprises, and that there is a lot of organized crime, to include [*sic*] a strong Russian presence, that is involved in this.” In the memo, Major Bruce identified the key questions that should have been addressed by KFOR:

Who is running the brothel? Is the Russian mafia managing this directly, with tacit consent of the RMC; is the RMC running this, or have they out-sourced the management, or are Albanians running this?

Are Russian soldiers violating any KFOR, UN, or local laws? If the RMC is tacitly or actively running a brothel, is this against a law that either KFOR or the UN wants to enforce? To what extent is this a force protection concern? Are Russian soldiers likely to become targets in Vrelo?

Are competing organized criminals likely to target this? This is an especially sensitive issue because it involves the RMC on [*sic*] way or the other. If the RMC is actually running this brothel, this potentially, if proven true, may also involve the Russian Federation MOD [Ministry of Defense] or other state-level agencies. The possibility of forced prostitution is an issue that runs against KFOR’s mission and should not be ignored or not investigated. This may dictate giving the RMC a ‘quiet’ chance to fix the problem. If the RMC is not running this, but only tacitly condoning this, this may involve giving the RMC a chance to investigate and officially solve the problem. As of now, this is still a dormant issue within the KFOR campaign.<sup>22</sup>

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20. July 2000 log, on file with the author.

21. Elsewhere, Bruce observes that a large number of soldiers during his time in Kosovo had come directly from Chechnya and expected to be redeployed there. He writes that “soldiers going to Chechnya will continue to feel like they have nothing to lose [by breaking local and international laws]. We expect to see more acts of soldiers slipping into civilian clothes and going out [to brothels] prior to their rotation.” From “Memorandum from KFOR Command Group Liaison Detachment to RMC, Subject: Report on Status and Details of KFOR-RMC relationship,” August 14, 2000. On file with the author.

22. Memo on file with the author.

In the memo, Major Bruce recommends assessing what sort of investigation needed to be done to answer these questions. The log entries imply that Bruce had been promised by commanding officers that the memo would not be released to the Russians. Instead, the memo was passed to the RMC on or about July 14, 2000, and Bruce was blacklisted by the RMC with KFOR's knowledge.<sup>23</sup> The log entry on July 29, 2000, states that "COMKFOR [Commander of the NATO Forces in Kosovo] more or less is finished with the case, and that he will probably attend the 2 AUG event at RMC. This will be COMKFOR first meeting with COM RMC after the meeting where COM RMC attacked [verbally] MAJ Bruce. . . . LTC Norris said it is now important to put this incident as far behind us as possible."<sup>24</sup> An August log states "COL Kiselov told MAJ Daltveit that 'it is official from Slatina [the Russian military base] that MAJ Bruce is not allowed on the territory of the RMC HQ.'"<sup>25</sup>

Why did Major Bruce write the memo? He had received no formal training on trafficking. His first response was that what he was seeing was "wrong."<sup>26</sup> His second response was that he believed trafficking involved a security threat; there had been a "thinly veiled" threat by an Albanian to the Russians about their engaging in this activity.<sup>27</sup> But he also believed he had some high-level military support to raise the issue because COMKFOR had publicly come out against human trafficking, presumably in response to IOM's May 2000 public awareness campaign targeted at the international community.<sup>28</sup> Bruce did not anticipate that the memo documenting the trafficking allegations would be handed over to the Russians. He explained:

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23. Major Bruce's memo drew also on conversations with members of the RMC in which they acknowledged to Bruce that they went to the Vrelo brothel. They explained this to Bruce during a conversation about "how one handles not having a woman for one year." (The latter phrase comes from July log.) Also, according to the log, an Albanian informant raised the involvement of the Russian military because "they are sneaking out in civilian clothes and that some of them get into cars and drive off out of Vrelo." The log also records a conversation with the PM who "confirmed reports that Russian soldiers from the APOD [base] area are using brothels in Pristina at least one month ago." On file with the author.

24. Lt. Col. David Norris, UK Army, was the senior military assistant to the commander of KFOR, Lt. Gen. Ortuno, Spanish Army.

25. August 2000 log, on file with the author. Col. Kiselov was the head of the Russian Federation MOD Office of the Russian Military Representative at KFOR headquarters and, as such, represented the political oversight of both the RMC and of the RMC-KFOR relationship.

26. This comment echoes DynCorp whistleblower Ben Johnston's comments in *Insight Magazine*.

27. Author's interview, July 26, 2004, Washington, DC. Bruce was a Major at the time of writing the memo in 2000 and is now a Lieutenant Colonel. Author thanks Lt. Col. Bruce for supplying memos, logs, and trip reports from officers in Bosnia and Kosovo and Major Daltveit for supplying additional information on personnel and background.

28. In May 2000, about a year after the initial deployment of KFOR and UNMIK, IOM began targeting the peacekeeping community with a public awareness campaign in English. IOM distributed 40,000 flyers. A flyer from the campaign notes: "This is a unique international campaign, for the first time a campaign against trafficking is being aimed at the potential clients. IOM's slogan for the campaign is direct: You Pay For A Night—She Pays With Her Life. Forced Prostitution = Slavery: There Is No Choice." From "IOM Kosovo Counter Trafficking Activities Overview, February 2000–May 2003," p. 6. On file with the author. The author thanks IOM/Kosovo for sharing these materials.

This is what happened with the Vrelo brothel: the British airport commander was on his way out [since control of Kosovo air space was transferring from the Royal Air Force to the Italian Air Force in late July 2000]. During a quick tour, they went to some villages, and he is sitting having some tea —with a local Albanian—and the local says, “you know—look down the street— Russians soldiers come there all the time and change into civilian clothes and are with these women. They leave their weapons.” So we started observing it. They were going out of the wire [off base] and going downtown to Pristina. [Question: “Were they locked down?”] Yes. [That meant that the soldiers’ movements were meant to be for official business only]. This is one of the [brothels] that Italians were investigating for trafficking and [the investigators] also thought that Vrelo had trafficked females. COMKFOR had a brief campaign against forced prostitution at the same time [the IOM’s campaign in spring 2000]—so we went and told the J-2 [intelligence officer] about it, and then went to the COS [chief of staff] and told him.<sup>29</sup>

Bruce believed the COS, Brigadier Harald Quiel from the German Army, handed the memo to the Russians. The “next day we had a big meeting at RMC HQ [and the Russians] came down hard on me. I [became] persona non grata.”<sup>30</sup>

While Bruce was strongly supported in his actions by his Norwegian and Ukrainian colleagues with whom he worked on a daily basis, several officers who served subsequently laughed when asked about this incident. One senior officer who Bruce consulted at the time advised Bruce to “take your cues from the guys on the ground there because they’re the ones who should know what’s going on. The German, [officer laughs referring to the COS] he may have had a reason for giving that [memo] back to the Russian[s].”<sup>31</sup> An officer who succeeded Bruce in his work with the RMC perhaps did take such cues: “After the hornets nest that Mike was witness to, things settled down when I took over for him, and there wasn’t much in the way of organized crime activity (not visible to me anyway).”<sup>32</sup> Moreover, KFOR appears to have had an institutional interest in not pursuing the issue. The log of July 26, 2000, entered by Major Daltveit, notes that “COS KFOR [Brigadier General Harald Quiel] stated that he hoped that the ‘Vrelo issue’ that has taken some time over the last weeks should not hinder the relationship between the Chiefs of Staff, the staffs in general, or the LNOs [liaison officers] in their work. COS RMC replied: *‘At our level I think we have cleared all misunderstandings, and I do not see any further obstacles at our level.’* COS KFOR replied to COS RMC that he was pleased with this.” The log of July 29, 2000, notes concern by the commanding officer that the officer slated to succeed Major Bruce in his work with the RMC not be “handicapped.”<sup>33</sup>

Bruce’s report was not the only one to surface with allegations of the RMC trafficking females in Kosovo during and after this period. Gordon Moon, a Canadian police officer who founded and organized the UN Trafficking and Prostitution Investigation Unit (TPIU) for the UN Mission in Kosovo, reported “problems with

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29. Author’s telephone interview, August 12, 2003.

30. Author’s telephone interview, August 12, 2003.

31. Author’s interview with Lt. Col. 3, August 2003, Washington, DC.

32. Author’s e-mail correspondence with Major 1, June 2, 2003.

Russian CIVPOL [International Civilian Police] in Kosovo Polje.” TPIU was watching the same brothel during this period (June 2000 through March 2001). “Our intelligence was they had their own girls and the [Russian] military would” frequent this place. TPIU attempted several raids, but Moon concluded there was an inside leak that he believed was coming from a Russian CIVPOL officer to someone inside the RMC. TPIU officers would arrive and the house would be shut down. He stated bitterly, “We were handicapped and sabotaged by the Russians and other nationalities. That was a feeling we got over and over again.”<sup>34</sup>

Weeks after Major Bruce’s tour of duty in Kosovo ended, two independent sources reported that a Serbian female escaped from the RMC base having been brutally, repeatedly raped.<sup>35</sup> A staff member at the shelter that housed the female after her escape claimed this “was one of the worst cases; [she] had suffered some very severe abuse in that she was drugged and taken onto the Russian KFOR base [in Kosovo Polje] . . . and gang raped until she passed out.”<sup>36</sup> The director of a local Kosovar NGO claimed that she personally had taken the information to KFOR and was told this case had been reported to NATO headquarters. As Dr. Sevdije Ahmeti, the shelter director, stated, “They should not say they don’t know.”<sup>37</sup>

## The NATO Policy

Three years after the Bruce memo and the female escaped from the RMC, in July 2003, the then-U.S. ambassador to Moldova, Pamela Smith, made what appears to have been the first official presentation at NATO on human trafficking. She noted that peacekeepers represent demand in the Balkans for traffickers and, as a result,

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33. Italics in the original log entry. In author’s telephone interview with an officer who succeeded Bruce, Major 1, June 24, 2003, Washington, D.C., he stated: “Sometimes it felt like our job was not necessary and that we were making the myth [of the RMC being special] real by being there. If we had explained that these guys were like everyone else—if we had admitted that our job was not necessary, then it would have gone okay. . . . No one wanted to upset the Russians so [we] treated them with kid gloves a lot of the time.”

34. Author’s telephone interview with Gordon Moon, January 22, 2004.

35. Author’s interview with former staff member of the shelter to which the female fled, August 26, 2003, Washington, DC. Author’s interview with Dr. Sevdije Ahmeti, Director of CPWC, June 18, 2003, Pristina, Kosovo.

36. Author’s interview with former staff member of shelter, August 26, 2003. The female escaped from the base and was, in a nearly unique occurrence, eventually resettled to a third country with help from members of the peacekeeping community because, according to sources, everyone feared she would be killed by the RMC.

37. Author interview with Dr. Sevdije Ahmeti, June 18, 2003, Pristina, Kosovo. Additional allegations of trafficking involving Russian military include: HRW, *Hopes Betrayed*, p. 62; Amnesty International, *Kosovo Report*, p. 44; a police report cited from January 2002 involving “Russian KFOR soldiers”; Amnesty International, *Kosovo Report*, p. 44; an e-mail to Amnesty International from a French KFOR officer reporting that “colleagues were entertained with trafficked women” by Russian KFOR on the base at Fushe Kosove/Kosovo Polje.” Four years later, and less than a year after the RMC left Kosovo, in spring 2004, the area where the base was located is still a major area for trafficking in persons. IOM May 2004 Report, pp. 68–69.

these countries have become a destination point for thousands of Moldovan females. She stated:

I am here to ask you to send a strong, urgent message: we need to inform the troops from your country about this modern form of slavery. . . . It is important that soldiers, police, and contractors no longer subvert their own humanitarian missions by contributing [to] the abuse of these women. Troops should be educated about trafficking. . . . A woman they might think of as only a prostitute is in fact an involuntary slave. . . . The attitude that ‘boys will be boys’ prevails all too often. That attitude would not survive if military commanders had seen, as I have, the women at the IOM shelter in Moldova who have made their way back from the Balkans.<sup>38</sup>

The U.S. Ambassador to NATO, Nicholas Burns, responded to this challenge. He was joined by the Norwegian Ambassador to NATO, Kai Eide, whose experience as the special representative of the UN secretary-general in Bosnia in 1997 made him especially knowledgeable and sensitive to the links between peacekeeping and trafficking. Indeed, he considered combating trafficking in the region as unfinished business. On October 22, 2003, at a meeting of the Euro-Atlantic Partnership Council (EAPC), Burns and Eide “launched a discussion about the problem of human trafficking, particularly of women, in the Balkans and the steps NATO could take to help combat this terrible problem.” The joint statement following this effort noted that trafficking in persons in the Balkans “undermines ongoing, significant efforts to bring stability to Southeast Europe.”<sup>39</sup> According to several sources that observed the EAPC meeting, there were over 20 interventions—an unusually large number. Some diplomats reported that the meeting took a confessional tone, with representatives from several countries eager to discuss their troops’ role in human trafficking. Others reported some confusion. One diplomat apparently asked other colleagues quietly after the meeting, “Isn’t this really about prostitution?”<sup>40</sup>

While key leaders within the NATO community openly supported the development of an anti-trafficking policy, interviews in November 2003 with representatives and senior staff revealed the attitude of denial and the phenomenon of invisibility as well as the attribution error concerning legalized prostitution. For example, some senior civilian representatives of the DOD at NATO, as well as those who oversee peacekeeping for the secretary general of NATO, clearly did not understand why human trafficking should be addressed by NATO.<sup>41</sup>

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38. Ambassador Pamela Hyde Smith’s remarks at the NATO Euro-Atlantic Partnership Council Meeting of July 24, 2003, in Brussels (as delivered); author’s e-mail correspondence with Ambassador Smith, August 11, 2003.

39. See <<http://usinfo.state.gov/gi/Archive/2003/Oct/23-959487.html>>

40. Author’s interviews with Norwegian, U.S., British, French, Dutch, and Swedish diplomats as well as interviews with the international staff and the secretary-general’s private staff, November 18–21, 2003. The NATO Parliamentary Assembly also passed Resolution 232 on Trafficking in Human Beings in December 2003. This “resolution” functioned as a recommendation, but vocal support from member countries was also an important step toward getting a NATO policy on this issue. To access, see <[www.nato-pa.int/default.asp?shortcut=426](http://www.nato-pa.int/default.asp?shortcut=426)>.

With the goals of addressing misperceptions and raising awareness on human trafficking at NATO, CSIS co-hosted, with the U.S. and Norwegian ambassadors, the first-ever high-level meeting with experts on human trafficking.<sup>42</sup> In the months following the March 2004 meeting, Ambassadors Burns and Eide and their staffs expertly guided the trafficking policy through the bureaucratic process that has neutered policies much less controversial than that on combating trafficking. The NATO policy on trafficking emerged as a detailed document with many aspects of implementation, addressing multiple dimensions of peacekeeping support operations. NATO staff as well as several missions repeatedly and consistently sought interaction with numerous trafficking experts as they drafted their policy. Certainly there were obstacles to its adoption, as there are to almost all policies in an organization that operates through consensus. That said, given the sort of organizational culture detailed earlier on the operational side, once an anti-trafficking policy was put on the political agenda, it was adopted, as Ambassador Eide noted, “in remarkably short time from the time we started the discussion and until the adoption both by NATO and by the EAPC in Istanbul [in June 2004] and the endorsement which was given there.”<sup>43</sup>

## Policy Implementation

What sort of implementation is NATO likely to pursue? Ambassador Eide, who is well acquainted with the sort of attitudinal and organizational responses detailed in this report, has noted that “a little training module’ prior to deployment is insufficient. . . . You have to see to it that the awareness exists throughout the training and the time where soldiers are in place in an operation.” Soldiers must be educated “to know that what they see in front of them is probably in all likelihood, in a post-conflict situation or a conflict area, trafficking and nothing else than trafficking.”<sup>44</sup>

As Ambassador Burns observed, NATO’s rapid adoption of the policy in June 2004 was a “major step forward.”<sup>45</sup> Within three months, officials from NATO training schools attended the first meeting on developing curriculum in Geneva.<sup>46</sup> Ambassador Eide made an explicit point in his public comments in July 2004 of

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41. Author’s interview, senior representative of DOD, November 20, 2003, NATO Headquarters, Brussels, Belgium; author’s interview, official in the private office of the secretary-general, November 18, 2003, NATO Headquarters, Brussels, Belgium.

42. All NATO ambassadors and their military representatives were invited to the event held at headquarters on March 4<sup>th</sup> 2004. Trafficking experts from UN/ODC, UN/DPKO, and UN/OHCHR, two former OSCE ambassadors, the head of the Stability Pact working group on human trafficking as well as representatives from IOM and nongovernmental experts addressed NATO. Representatives from the DOD, DOS, and senior staff from Congress also attended.

43. See comments from July 8, 2004, briefing, available at <[www.nato.int/docu/speech/2004/s040708a.htm](http://www.nato.int/docu/speech/2004/s040708a.htm)>; See outline of NATO policy, available at <<http://www.nato.int/issues/trafficking/index.html>>.

44. *Ibid.*, July 8 briefing. The NATO implementation plan was adopted by the North Atlantic Council at NATO in August 2004.

45. Comment from July 8, 2004, briefing, available at <[www.nato.int/docu/speech/2004/s040708a.htm](http://www.nato.int/docu/speech/2004/s040708a.htm)>.

stressing the need to draw on nongovernmental expertise: “As Ambassador Burns mentioned . . . we've been able to work so closely with NGOs here. These are the NGOs and the people who have the most experience from the ground, and we did spend quite an effort to select those who have the best competence and the most experience on the ground, who know the problem, and got them here in March [2004]. And we worked with them all the time after that in order to incorporate as much as we possibly could of their comments, of their knowledge, their expertise, into the policy that we now have in front of us.”<sup>47</sup>

The next few years will be critical in determining whether the work of a few ambassadors at NATO translates into an actual taboo on trafficking for NATO peacekeepers. An additional step will require member states to devote the resources and develop meaningful training programs as well as regular contact with external experts.

## Institutional Ambivalence Persists: The United Nations

Many trafficking experts point to the United Nations as having an especially troubled organizational response to peacekeeper involvement in sexual violence and trafficking.<sup>48</sup> Some speculate that a full accounting of the links would have an impact on the ability of the UN's Department of Peacekeeping Operations (DPKO) to attract peacekeepers.<sup>49</sup> In response to the on-going scandal involving peacekeepers in sexual violence in Congo, senior UN officials told the *Washington Post* that they “fear that if they publicly expose [troops involved in sexual violence], their

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46. Meeting hosted by the Geneva Center for Security Policy, September 30, 2004–October 1, 2004. To date, no institutionalized mechanism or resources exist to draw on such external expertise, although there are meetings scheduled for 2005 to which external experts are to be invited. A follow-up meeting was held in Oberamergau, November 9, 2004, and meetings are tentatively scheduled again in Oberamergau in February, in Finland in March, and sometime in spring 2005 in Sweden to address various aspects of implementation. Author's e-mail correspondence with NATO staff, November 9, 2004.

47. See comments from July 8, 2004, briefing, available at <[www.nato.int/docu/speech/2004/s040708a.htm](http://www.nato.int/docu/speech/2004/s040708a.htm)>; See outline of NATO policy, available at <<http://www.nato.int/issues/trafficking/index.html>>.

48. Beyond the cases of Bosnia and Kosovo, see the reports “The Experience of Refugee Children in Guinea, Liberia and Sierra Leone,” UNHCR (UN High Commissioner for Refugees) and Save the Children-UK, February 26, 2002; also, the on-going scandals documented in “Evaluation of Emergency ‘Rapid Response’ to Sexual Exploitation and Abuse Allegations in Bunia, Report on Congo, DRAFT, July 15, 2004,” and “[UN] Trip Report on Mission to the DRC and Austria, 24 October–3 November 2004” both on file with the author. In these reports, nearly 70 counts of sexual violence by peacekeepers are detailed, as are the peacekeepers' countries of origin. See also Colum Lynch, “UN Says Its Workers Abuse Women in Congo,” *Washington Post*, November 27, 2004, p. 27; Marc Lacey, “In Congo War, Even Peacekeepers Add to Horror,” *New York Times*, December 18, 2004, p. 1.

49. The majority of UN peacekeepers come from Pakistan (5,343 peacekeepers) and Bangladesh (4,274 personnel), followed by Ghana, India, Nepal, and Nigeria, with over 2,000 personnel each. Numbers come from Elizabeth Riddell-Dixon, *Globe and Mail*, January 10, 2004.

embarrassed governments will withdraw badly needed peacekeepers from UN missions around the world.”<sup>50</sup>

The stature of those advocating gender and human rights agendas within the senior management levels of the UN has made it impossible to ignore human trafficking and its links to peacekeepers in post-conflict regions, but their influence has not been sufficient throughout the organization to result in a comprehensive policy response. For example, on behalf of the UN Development Fund for Women (UNIFEM), an independent experts’ assessment in 2002 led by a former minister of defense, Elisabeth Rehn, and a former minister of finance, Ellen Johson Sirleaf, examining the impact of armed conflict on women, lists “targeted sanctions against trafficking in women and girls” as their second of 22 recommendations. These recommendations were written with UN Security Council Resolution 1325 in mind, which in 2000 ostensibly institutionalized “gender perspectives in executing peacekeeping missions.”<sup>51</sup>

The United Nations, and more specifically the DPKO, appears to be grappling with how seriously and how transparently to address the links of trafficking and peace operations. The Human Trafficking policy paper, approved by Kofi Annan, the secretary-general, in July 2004 concludes “there is a crisis of perception . . . which sees peacekeepers branded as more part of the problem than the solution, along with criticisms that the issue is not taken seriously by peacekeeping institutions.”<sup>52</sup> At the same time, the paper makes clear missions should “expect . . . assume . . . and anticipate” that organized crime will seek out peacekeepers.<sup>53</sup> The paper argues a main strategy for counter trafficking is to demonstrate “a serious understanding of, and engagement with, the issue to prevent, minimize and punish peacekeeper involvement in sexual exploitation and abuse.”<sup>54</sup> Is there evidence that this is happening? In brief: no.

## Obfuscation: Missing Files from Bosnia

While the UN policy paper notes the “serious crisis in perception for peacekeeping,” it disingenuously concludes there is “little corroborating evidence available to prove or disprove such allegations.”<sup>55</sup> The UN itself has had a special role in substantially contributing to the lack of “evidence.” Specifically, when the UN Mission in Bosnia [UNMIBH] shut down on December 31, 2002, according to representatives of the EUPM [European Union Police Mission], which replaced the police function of the UN in Bosnia, UN personnel took hundreds of files that tracked trafficking. Representatives from UN headquarters told EUPM representatives that the files had either been archived in New York or burned.<sup>56</sup> In other words, there

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50. Lynch, “UN Says Its Workers Abuse Women in Congo,” *Washington Post*, November 27, 2004, p. 27.

51. See Rehn and Sirleaf, *Women, War and Peace*, pp. x, 63.

52. UN Human Trafficking Position Paper, December 2003, p. 1. On file with the author.

53. *Ibid.*, p. 4.

54. *Ibid.*, pp. 1–2.

55. *Ibid.*, p. 5.

had been no cooperation between the departing UNMIBH and the then-incoming EUPM, including “no proper exchange of information and intelligence about organized crime and trafficking in persons.”<sup>57</sup>

That meant, according to the IOM May 2004 report on trafficking in the Balkans, that “no intelligence information collected by the UN/IPTF was transferred to the national police. Data bases containing thousands of details acquired in several years of work and related to criminals and victims of trafficking were never handed to the national police or to the monitoring EUPM mission.” In terms of Bosnia, this meant the loss of “details [for] approximately 1,500 potential victims and hundreds of potential traffickers, locations, etc.”<sup>58</sup> Experts speculate that the reason for the lack of transfer was that information contained in the files implicated IPTF officers. The EUPM representative, sitting inside the old UN mission headquarters in Sarajevo, said that the EUPM had requested these files countless times and had received nothing.

## The UN Effort to Combat Trafficking in the Balkans: Complicit or Just Dysfunctional?

Other researchers have documented that employees of the UN/IPTF in Bosnia were implicated in human trafficking and contributed to the lack of evidence about their involvement. The Human Rights Watch report *Hopes Betrayed* details that U.S. contractors for UN/IPTF purchased women and girls as chattel and that the UN/IPTF also contributed to the cover-up that followed these egregious crimes. HRW found that “UNMIBH ha[d] failed to investigate fully and transparently the role of its own employees in facilitating and attracting this modern form of slavery to Bosnia and Herzegovina.”<sup>59</sup> The HRW report presented overwhelming evidence that the UNMIBH had looked the other way as their own employees—peacekeepers—were involved in the “patronage of brothels and purchasing of women.”<sup>60</sup> Specifically, the report cited “an internal affairs officer assigned to the investigation [who] explained the paucity of the record, saying that when he told his supervisor that he had a shovel and asked how deep he should dig, he said he was told, ‘Only scratch the surface.’”<sup>61</sup> The UN Office of Internal Oversight, in its own separate investigation of the situation in Bosnia, later “concluded there was no evidence of widespread or systematic involvement of United Nations police monitors in trafficking activities.”<sup>62</sup>

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56. Meeting with Zoltan Pap, EUPM, Sarajevo, June 11, 2003. For a similar account, see Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2003 Update*, p.113.

57. IOM May 2004 Report, p. 44.

58. *Ibid.*, p. 50.

59. HRW, *Hopes Betrayed*, p. 69.

60. *Ibid.*

61. Quotation comes from an HRW interview with an IPTF internal affairs investigator [name withheld], March 24, 2001, Sarajevo, Bosnia. Cited in HRW, *Hopes Betrayed*, p. 19.

62. Office of the Spokesman for the UN Secretary-General, Daily Press Briefing, February 4, 2002; available at <<http://www.un.org/News/briefings/docs/2002/db020402.doc.htm>>.

The trafficking of women and girls from Eastern Europe to Bosnia had in fact been so blatant that by 2000, the UNMIBH had come under such intense pressure from countertrafficking activists and experts inside and outside the UN system that it had to respond. The result was to organize “STOP” teams made up from members of the UN/IPTF (some of whom were “clients”) to raid bars and, in theory, crack down on human trafficking. In fact, the STOP teams typically smashed down the door of a brothel, entered with great flourish (on occasion, with television cameras in tow), and then asked if the females present had been trafficked. The team members frequently asked such questions in front of the traffickers and brothel guards.

Many experts thought the effort had a fabricated feel to it. One OSCE official described it as “a great PR exercise. It looked like the UN was fighting trafficking.”<sup>63</sup> Behind closed doors, UNMIBH insiders claimed that Jacques Paul Klein, special representative of the UN secretary-general, had made clear he would “not dictate morality.”<sup>64</sup> According to EUPM sources, in the last three months of 2002, as UNMIBH was preparing to leave, the STOP teams conducted “80 raids, but always picked up and interviewed the same women.” They literally went to the same bars, “sometimes week in and week out.”<sup>65</sup>

Experts in the region believe the UNMIBH was complicit in human trafficking. Madeleine Rees, the long-time representative of the UN High Commissioner for Human Rights in Bosnia, felt especially frustrated by what she had seen and described the atmosphere as one of “indifference and criminal behavior.”<sup>66</sup> This perception went well beyond Rees, however. When one U.S. Special Forces officer was asked if he would have considered sharing information about human trafficking with the IPTF, he replied, “Oh, they know. I would say . . . they were the best customers. It was just common . . . knowledge. . . . You knew which houses were the brothels and it was pretty common to see an IPTF or someone else in the U.N. community” at these places.<sup>67</sup>

In Kosovo, UNMIK initially duplicated the Bosnian brothel raids as a means to combat trafficking, even as some UNMIK personnel were themselves trafficking.<sup>68</sup> By 2003, the few resources deployed to the counter-trafficking unit meant that they could do little. The counter-trafficking police in Kosovo, TPIU, numbered under 30. They had approximately one car per eight people and in general little-to-no equipment such as wire taps. In contrast, the traffickers had a “large number of bases, vehicles and amounts of money” as well as “an inexhaustible quantity of false

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63. Meeting with Katy Thomson, Organization for Security and Cooperation in Europe (OSCE), June 10, 2003, Sarajevo, Bosnia.

64. Author’s interview with Madeleine Rees quoting Jacques Paul Klein, former special representative of the UN secretary-general (SRSG) in Bosnia and current SRSG in Liberia, June 13, 2003, Sarajevo, Bosnia.

65. Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2003 Update*, p. 112.

66. Author’s interview with Madeleine Rees, UN/OHCHR, June 13, 2003, Sarajevo, Bosnia.

67. Author’s interview with Major 3, May 27, 2003, Washington, D.C. In author’s telephone interview with former U.S. Army Sergeant 1, August 26, 2004, he made almost the identical statement. Both uniformed service members had served in Bosnia in 1998.

68. Author’s telephone interview with Gordon Moon, January 22, 2004.

documents.”<sup>69</sup> The lack of training on combating trafficking among UN police created additional impediments.

An example from the spring of 2004 is illustrative. According to a NATO intelligence officer well acquainted with human trafficking from several tours in Kosovo, he attempted to pursue a case against a trafficker that came apart because of the unprofessional behavior of the UNMIK police tasked with assisting the effort. The NATO officer had identified a female trafficked from Montenegro. The young woman had escaped from the bar where she had been held and was in hiding. The female was reportedly willing to testify against the person who “owned” her. Her trafficker was believed also to trade in illegal documents, including falsified and possibly stolen passports in Kosovo. The NATO officer presented the case to senior UNMIK police officials, who requested that two additional officers whom the senior officials considered “utterly reliable” be given access to interview her with the aim of collecting evidence. The trafficked female agreed to be interviewed. On the way from her hiding place to the safe house that had been arranged for debriefing, the UNMIK police “decided to stop at a hamburger bar with local employees located just inside a KFOR base.” At the bar, the Slovenian and Portuguese UNMIK policemen spoke about the woman’s case loudly, in a way that could be overheard at other tables and with the female sitting at their table. The UNMIK officers went on to conduct the interview at the hamburger bar and then returned her to the hiding place. The other patrons in the bar could hear the entire conversation, horrifying and frightening the female. A few hours later, she changed her mind about testifying against her trafficker and left the hiding place. While in great fear for her life, she had lost faith in the peacekeepers’ ability to protect her. She did not distinguish between the NATO officers and the UN police officers. Instead, she decided to cut a deal with the trafficker, who returned her passport in exchange for her silence and her departure from Kosovo. The case collapsed.<sup>70</sup>

## The DPKO Response

In summary, various missions and agencies within the UN system, including the UNMIBH, UNMIK, and DPKO, have displayed what may be considered, at best, mixed responses to the complicity of UN personnel in human trafficking. By 2004, most, if not all, peacekeeping missions had “gender units.” However, four years after the Department of Peacekeeping Operations explicitly moved toward “gender

69. Author’s meeting with TPIU, June 16, 2003, Pristina, Kosovo. Quotation is from IOM May 2004 Report, p. 67. To date, there are no known prosecutions of any UNMIK officers related to trafficking despite rapid repatriation. In addition to the August 2001 repatriations discussed earlier, Gordon Moon, in author’s telephone interview in January 2004, confirmed he had investigated and had expelled U.S. UNMIK officers. In the interview, he said these U.S. UNMIK officers had used UN vehicles to traffic females across the Serbian border. When the author arrived with the DOD/IG team in Kosovo in June 2003, an UNMIK officer had just been picked up for trafficking in minors. See “UN policeman in Kosovo arrested over child sex case,” *Agence France Presse-English*, June 13, 2003.

70. The story was told to the author in a telephone interview with a former NATO intelligence officer, summer 2004.

mainstreaming in peace operations,” and two years after the Rehn/Sirleaf report, DPKO resolve and resources to tackle peacekeeper complicity in trafficking as well as all other aspects of gender-based violence in peacekeeping missions remain poor.<sup>71</sup>

While DPKO is chronically understaffed, management did task someone to focus on human trafficking in 2003 and 2004. However, the trafficking focal point billet is a temporary one due to expire in early 2005. Moreover, senior management in DPKO has deployed few resources for training. The trafficking focal point developed detailed training modules for peacekeepers, based on case studies and addressing the complexities and competing priorities that peacekeepers face in the theatre. This training, like all training for peacekeepers, is, however, voluntary by nations. Moreover, the main effort that DPKO has authorized to combat peacekeeper involvement in human trafficking has been limited to the development of a few posters to raise awareness in peacekeeping missions. These posters were developed without the benefit of survey data. In other words, DPKO is planning to role out an awareness campaign to cut the links between peacekeepers and trafficking unsupported by the necessary research.

Perhaps most telling, DPKO management has discouraged a high-level meeting, such as the one convened at NATO headquarters in March 2004, to bring together ambassadors and heads of missions in New York to address openly the links between peacekeeping operations and human trafficking. Without such visibility, DPKO's efforts to deal with human trafficking are likely to end precisely when the person in the focal point billet leaves her post in early 2005.

## The Pattern Repeats Itself: “Zero Compliance with Zero Tolerance”<sup>72</sup>

Serious allegations of misconduct are ongoing. Most disturbing, the events in the UN Mission in Congo share many similarities with previous peacekeeper involvement in trafficking in Bosnia and Kosovo.<sup>73</sup> Specifically, sexual violence against women and girls during war is again perpetuated by international peacekeepers. “What should be totally unacceptable has become the norm. This brutal conse-

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71. “Mainstreaming a Gender Perspective in Multidimensional Peace Operations,” Lessons Learned Unit, DPKO, July 2000, as cited in Rehn and Sirleaf, *Women, War and Peace*, p. 63.

72. “[UN] Trip Report on Mission to the DRC and Austria, 24 October–3 November 2004,” [hereafter, Trip Report], p. 1.

73. Based on author's analyses of the internal reports “Evaluation of Emergency ‘Rapid Response’ to Sexual Exploitation and Abuse Allegations in Bunia, Report on Congo, DRAFT, July 15, 2004” [hereafter, Evaluation Report] and Trip Report. Both documents are on file with the author. There are numerous details in the Evaluation Report that bear similarities to the cases from Bosnia and Kosovo, including lack of witness protection (p. 21) and the identification of peacekeepers by victims because they were either in uniform or driving a UN car when they committed the crime (p. 24). The Evaluation Reports notes that “the abuse seen in Bunia is [also] very similar to that documented in the ‘Save the Children UK-UNHCR’ report on Guinea, Liberia, and Sierra Leone in 2001–2002” (p. 16).

quence of sexual violence is what paves the way for rampant sexual exploitation and abuse by [UN Mission in Congo] personnel.”<sup>74</sup> The UN system has once again been dysfunctional in responding to these allegations.<sup>75</sup> It appears that the UN has done no serious investigation, so commanders can point to the absence of evidence as evidence of the absence of rape. The internal reports assessing the situation in Congo are replete with denials concerning UN officers yet filled with claims about a soldier’s sexual rights. “Most military . . . think it is unfair to penalize soldiers who pay for sex since they have no other reasonable means of engaging in sexual relations in the mission area.”<sup>76</sup> Again, the UN mission has policies in place regarding sexual exploitation and abuse but which “most military” view as “unduly broad and very unrealistic.”<sup>77</sup>

So far, rapid repatriation of personnel seems to be the only consequence for these alleged crimes, and the frequent rotations of contingents within the country greatly hinder investigations. Peacekeepers and those overseeing them appear to have no awareness that how the local population views the peacekeeping mission is itself a security issue. Most gravely, victims experience no justice; there are zero prosecutions; and there is no mechanism to trace those peacekeepers believed to have committed crimes once they are repatriated. The norm of impunity in peacekeeping grows more robust and unchallenged by the UN’s own organizational culture. “UN personnel are never prosecuted. . . . Staff working . . . the investigation of these cases complain[ed] that even when the investigation is definitive in establishing guilt, no action can be taken until headquarters in New York decides. There is no clear system for tracking what happens to the cases sent to New York.”<sup>78</sup> The follow-up report from fall 2004 finds “the situation appears to be one of ‘zero-compliance with zero-tolerance’ throughout the mission.”<sup>79</sup>

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74. Evaluation Report, p. 19.

75. Evaluation Report, pp. 5–13, details lack of coordination, secrecy, obfuscation, delays, and gaps in personnel trained to investigate such allegations within the UN system. Warren Hoge, “Secret Meeting, Clear Mission,” *New York Times*, January 3, 2005, p. 1, reports that in a small, previously unreported meeting on December 5, 2004, with Kofi Annan, several friends and advisers highlighted the failure of senior management to deal adequately with the peacekeepers in Congo as one of several scandals plaguing the UN.

76. Evaluation Report, p. 22. Military contingents “seemed unwilling to admit that any of the [68] allegations [the vast majority of which concern peacekeepers having sex with minors] might be true, and felt that it all represented an unfair and unjustified attack on their dignity and reputation,” p. 21.

77. *Ibid.*, p.22.

78. *Ibid.*, p. 25. On repatriation as the “only punishment,” p. 27.

79. Trip Report, p. 1. The language of the Trip Report is almost identical to the testimony of Martina Vandenberg on September 21, 2004, before the House Armed Services Committee and the Helsinki Commission at an issue forum on the DOD’s anti-trafficking policy: “Secretary Rumsfeld’s stated commitment to take ‘every step possible to combat Trafficking in Persons’ has not translated into results in the field. Without implementation, the stated policy of ‘zero tolerance’ will make zero difference in the lives of trafficking victims. Zero prosecutions speaks for itself.” Available at <[http://www.csce.gov/witness.cfm?briefing\\_id=287&testimony\\_id=549](http://www.csce.gov/witness.cfm?briefing_id=287&testimony_id=549)>.

# Findings and Recommendations

## Introduction

Drawing on numerous interviews with officers, observation of the DOD Inspector General [DOD/IG] assessment of complicity in human trafficking, and access to internal memos from NATO and the UN, this report has documented the numerous attitudes that impede recent anti-trafficking policies adopted in 2004. These attitudes include ambivalence, indifference, denial, mistaking human trafficking for legalized prostitution, and fear of embarrassing nations whose peacekeepers have been implicated. The result has generally been inaction by authorities. The prevalence of such attitudes shapes organizational cultures. These attitudes suggest that organizations engaged in peacekeeping—including the U.S. military, civilian contractors, NATO troops, and UN police officers—all face considerable obstacles in implementing the new, comprehensive, zero-tolerance policies on human trafficking. The policies are varied in terms of implementation, but all share a commitment to stop the abuse by, and corruption of, those sent by the international community to help restore a safe and secure environment to post-conflict regions. To date, the policies all also share a stark lack of resources. Hopefully, the record detailed here will make it harder for these organizations to claim to be doing much to combat trafficking when, instead, they are doing the absolute minimum.

The creation of a taboo against human trafficking will require nothing less than a substantial shift in the current organizational cultures of the DOD, NATO, and the UN. The goal for these organizations should be to develop a robust norm about what it means to be a professional, well-trained, and effective peacekeeper. Such a norm would dictate that all contingents and civilian contractors know:

- How human trafficking relates to security, organized crime, and human rights;
- How to recognize human trafficking; and
- Which local organizations to contact if they see it.

They would also need to understand that:

- Purchasing sex is illegal in most post-conflict regions;
- Purchasing illegal sex creates conditions permissive to trafficking;
- Patronizing establishments with trafficked people breeds corruption as well as undermines the mission; and
- Trafficking is a grave human rights abuse and a serious crime.

Ultimately, the prosecution of traffickers, as well as those who facilitate trafficking, may be the greatest deterrent. Organizations must be willing to penalize, whether at home or in the theatre of operation, any peacekeepers who are implicated. The culture of impunity must end or peacekeepers will continue to be engaged in criminal activity while on mission, and these organizations—the DOD, NATO, and the UN—will be undermined and damaged.

Troops and civilians supporting peacekeeping missions have for years deployed to post-conflict regions with no education or training about human trafficking. The lack of training reflects not only poor preparation but also the general reluctance by the DOD, NATO, and the UN to address the security threats implicit in human rights abuse and in the organized crime that flourishes in these post-conflict regions.

Years from now, this ambivalence may well be recorded as the losing end of a prolonged battle about post-Cold War military transformation and the requirements of complex, multinational peacekeeping operations such as SFOR and KFOR. Those advocating a robust response to organized crime will most likely prevail because criminal networks have proven to be such serious impediments to stability and security in post-war regions. Even if the battle to increase the forces deployed against organized crime is won, however, some still worry that human trafficking will continue to be ignored because of the politically “sensitive” aspect: complicity by some troops and contractors.

In fact, precisely because organizations have tended to downplay the prevalence of human trafficking in post-conflict regions as well as the threats that organized crime and human rights abuses pose, many peacekeeping organizations will be tempted to respond minimally. For example, DOD’s long-distance “learning modules” and PowerPoint presentations alone will be ineffective in creating a taboo. Instead, well-researched, well-funded awareness campaigns for the military and defense officials, in addition to face-to-face training, all supported by senior leadership, are required.<sup>1</sup>

Leadership plays an especially critical role in changing the culture of an organization. Senior military officers in the United States and from NATO member countries need to issue a clear message: Policies will be enforced. Even then, organizations should expect serious challenges to comprehensive implementation. Contractors’ codes of conduct and so-called zero-tolerance policies have a history of zero impact. Often, they have been minimally or unevenly enforced. The UN Missions in Bosnia and in Kosovo have had such policies in the past but leadership failed to address simultaneously the larger attitudinal and cultural factors that facilitated or impeded compliance.<sup>2</sup>

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1. Such social marketing campaigns have been used around the world to persuade and educate the public with the intention of changing attitudes or behavior on a specific issue. Mothers in the United States have used social marketing to persuade people not to drive drunk and not to let friends drive drunk. Activists on health issues use social marketing to effect behavioral change such as quitting smoking, getting mammograms, or using contraception. Many other types of behavior and attitudes have been targeted, including domestic violence, sexual abuse of children, and police brutality. These campaigns usually begin with a goal of making a positive norm more robust or creating taboos around negative norms.

Senior policymakers within the DOD, NATO, and the UN need to recognize that rhetoric must be accompanied by a concerted, widespread effort to change the hearts and minds of all who serve, from U.S. uniformed service members to civilian contractors, from military officers in NATO member states to UN police officers. To have decisive impact, policymakers have to commit resources, including devoting staff, to this effort. They must focus on accountability and, where merited, prosecute personnel. In the coming years, experts will judge organizations by whether they:

- Assign senior leadership to combat trafficking;
- Deploy the needed resources;
- Hire or develop in-house expertise;
- Consult routinely and effectively with outside experts;
- Develop substantive training materials;
- Address trafficking with transparency; and
- Support the thorough investigation of criminal behavior and the prosecution of those implicated.

Moreover, because trafficking is a transnational crime, only transnational responses will prove effective. These efforts should ideally involve a mix of nongovernmental, governmental, and multilateral strategies and personnel. For example, while this report has not focused on witness protection, it is fundamental to combating trafficking. If witnesses do not feel confident in their ability to testify safely, there will be no convictions. Witness protection is not likely to be a key part of DOD, NATO, or even UN efforts, but these organizations will undoubtedly have some role to play. The point is that these main peacekeeping contributors must work with other multilateral and nongovernmental organizations to develop such systems, or prosecutions will continue to be rare.

The findings in this report suggest numerous specific recommendations that DOD, NATO, and the UN should adopt to move toward the comprehensive implementation of their zero-tolerance policies on human trafficking.

## The U.S. Department of Defense

Inside the DOD, rather than spreading assets throughout the building among already overburdened staff, and rather than tasking personnel who are not especially interested in combating trafficking, this report recommends that efforts be centralized. A comprehensive implementation of the DOD policy will require ownership, leadership, and architecture.<sup>3</sup>

A new office, directed by a Deputy Assistant Secretary of Defense, would lead on combating human trafficking as related to military and peacekeeping deploy-

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2. Rehn and Sirleaf, *Women, War and Peace*, pp. 72–73. The authors note that both UNMIBH and UNMIK have had zero-tolerance policies.

ments. To support this office and to compensate for the lack of in-house expertise at DOD, the secretary of defense would need to appoint a panel of external advisors who would combine both peacekeeping and countertrafficking expertise to assess what the office would require in terms of additional staff and budgets and to help guide its work. At a minimum, the tasks of such an office would be to oversee education and training, including the research and design of awareness campaigns specifically for U.S. personnel deployed overseas (drawing on focus groups and random sample surveys); to develop training for all military and contract personnel; and to oversee training of CID and IG inspectors in how to investigate systematically and thoroughly all cases involving DOD personnel (uniformed service members and civilian contractors). In post-conflict reconstruction and in peace support operations, this office would liaise with military planners to see that deployments receive adequate training. The office would work also with the DOD General Counsel to make sure all legal instruments accessible to the DOD reflect anti-trafficking policies, including the Uniform Code of Military Justice and defense contracts. It would work with defense contractors and senior management to ensure that they are well educated on the dangers of human trafficking. Finally it would liaise with UN, NATO, and the relevant regional organizations such as the Organization for Security and Cooperation in Europe and serve as a central point for military-to-military contact programs on this issue.

The education and awareness of commanders, Special Operations Forces, intelligence officers, CID, and inspectors should be given a high priority. It is important that the training be done not only from human rights, victims' assistance, and law enforcement perspectives but also from a security perspective. Training should draw on case studies—not hypothetical situations but the types of cases detailed in this report and others from relevant theatres of operation. Training should be as mission-specific as possible. Missions will need to develop a regional portrait of trafficking routes, revenue streams, and the modality of trafficking to understand the specific dangers in their neighborhoods. The political economy of trafficking needs to be spelled out so the participants understand the revenue streams. Training should be done soldier-to-soldier, with participation and consultation from nongovernmental countertrafficking experts.

To address the invisibility of trafficking, commanders should make human trafficking a “priority intelligence requirement” in regions where they already follow drugs and arms trafficking.

The misperceptions documented in this report suggest that the DOD needs a concerted awareness campaign to combat trafficking. Toward this end, the DOD should fund large, random-sample surveys across the services on attitudes toward trafficking and use these data to develop messages that are most likely to resonate with the target audience. The DOD should support tracking surveys after the campaign has been underway to test its effectiveness. These surveys would address knowledge, attitude, and behavior.

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3. An alternative to this recommendation is that the implementation of anti-trafficking policy be handled by a new office that addresses the security implications of human rights abuses, including those involving military misconduct and sexual violence within the military.

U.S. government agencies need to work with contractors to end the crisis hiring that increases the chances of having poorly trained staff, with incomplete background checks, deployed overseas. Instead, government agencies should maintain standing rosters of qualified specialists for overseas work. When contractors deploy to areas known to be plagued by human trafficking, such as the Balkans, trafficking should be a regular part of pre-theatre and in-theatre training. Managers and supervisors must be made aware that ad hoc arrangements with local law enforcement officials undermine both the rule of law and the mission itself; they are a form of corruption.

Uniformed service members and contractors implicated in facilitating or engaging in trafficking should be investigated and criminally prosecuted. Those picked up in police raids should be made available to testify as witnesses in cases against traffickers.

The management and supervision of civilian contractors engaged in overseas missions offer special problems and need particular attention. Institutions as varied as HRW and the DOD/IG have found defense contractors implicated in human trafficking. In Bosnia and Kosovo, defense contractors and uniformed service members have separate lines of command that do not overlap. Moreover, companies need to end rapid repatriation. The DOD should develop monitoring mechanisms that require companies to report to the DOD the names and pertinent information about those employees alleged to have committed crimes in the field. Certainly commanders on the ground must be made aware of such incidents rather than having the people whisked away in the middle of the night, as is so often the case. Currently, contractors who have been rapidly repatriated can find employment again in post-conflict regions without penalty or prosecution. The DOD should penalize those individuals who impede the implementation of DOD's anti-trafficking policy. As is, companies unwittingly facilitate the lack of prosecutions.

Defense contractors should also take an active role in making sure their staff is educated on human trafficking, including input from NGO experts. Organizations such as the Defense Industry Initiative on Business Ethics and Conduct could arrange meetings with experts and DOD contractors to explain the problem and encourage compliance. Special attention should be devoted to helping defense contractors understand the implications of the DOD policy, the NATO policy, and the language of the Trafficking Victims Protection Reauthorization Act of 2003, which requires that certain U.S. government contracts can be terminated if contractors are found either to engage in human trafficking or to procure a commercial sex act while the contract is in force. The U.S. government should encourage and reward companies for transparency and independent monitoring.

## NATO

Many declared victory when NATO rolled out its anti-trafficking policy at the Istanbul Summit in June 2004. Real success will involve active support of this policy by NATO countries beyond the U.S. and Norwegian missions, which, to date, have pioneered change on this issue. To facilitate this development, NATO should form

an in-house high-level working group on implementation.<sup>4</sup> A core activity of the NATO working group would be to solicit support and financing from allies and partners for sponsorship of specific activities. The most important activity would be funding and establishing a permanent trafficking focal point position at NATO.

A concerted effort must be made inside NATO as well as inside NATO-member defense ministries to impress upon senior military, including General Jones, the Supreme Allied Commander Europe, the seriousness of this policy for all peacekeeping missions. Military commanders might be more likely to respond positively if they had data on the political economy of organized crime in post-conflict situations and understood how the revenue streams from human trafficking and other illegal activities overlap. Commanders need also to meet with experts on organized crime and human trafficking to address misperceptions and resistance within commands to combating trafficking. In the NATO context, this would likely mean a small working session with senior members of AFSOUTH [Allied Forces South] and AFNORTH [Allied Forces North] as well as junior officers who deal directly with organized crime in the Balkans and Afghanistan. The purpose would be to develop a number of experts within the military hierarchy with expertise on this issue to help advance SHAPE's (Supreme Headquarters Allied Powers Europe) responses. NATO should include human trafficking in their next Command Post Exercise.

Partnership for Peace militaries and other contingents that serve in NATO-led operations must also be trained. NATO needs to send a clear message to the Russian military that participation in trafficking will never again be tolerated. U.S., British and other NATO officers often engage in peacekeeping training exercises with the Russians; combating human trafficking should be on the agenda.

NATO made a good start including experts from other international and non-governmental organizations as it shaped its anti-trafficking policy. Member states should support an independent report issued each year on what has been accomplished in anti-trafficking efforts. The report would assess the training on trafficking by nation. For example, how do countries evaluate their own efforts? Have there been prosecutions? The report should also link efforts to combating human trafficking with the battle against other forms of illicit trafficking.<sup>5</sup> Additionally, NATO should develop mechanisms that require governments and civilian contractors to report to the in-house high-level working group at NATO any investigations of their nationals who have been implicated in crimes related to trafficking.

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4. In addition to representation from the NATO international staff, suggested nations include Belgium, Canada, Finland, the Netherlands, Norway, Romania, Sweden, Switzerland, Ukraine, and the United States.

5. Such an opportunity might have been, for example, the workshop "Strengthening Cooperation Against Illicit Trafficking," held September 10–12, 2004, in England. For information on this workshop, see <<http://www.nato.int/science/news/2004/n040910a.htm>>.

## United Nations

To send a clear message to peacekeepers that trafficking will not be tolerated, Secretary-General Kofi Annan should waive immunity of individual peacekeepers accused of trafficking when evidence merits. The DPKO [Department of Peacekeeping Operations] should develop a mechanism that allows it to monitor whether participating nations investigate and prosecute at home those peacekeepers involved in criminal activities when on mission. Toward this end, the secretary-general, along with the under-secretary-general for peacekeeping operations, Jean-Marie Guehenno, should host a high-level meeting to openly address the links between peacekeeping and human trafficking with all UN ambassadors as well as with UN and external experts on trafficking.

Very specifically, the UN secretary-general should immediately demand the return of the nearly one dozen crates with hundreds of files on trafficking that UN personnel removed from Bosnia when they left in December 2002. The disappearance of these files greatly hampered the European Union Police Mission's ability to work with local police on combating trafficking. This should be the first step in greater transparency within the UN system in dealing with trafficking.

To make sure combating trafficking is adequately addressed, DPKO should be funded by member states to maintain the position of trafficking focal point that it had in 2003 and 2004 to ensure the implementation of the policy. Nations would pay into a pool to support this position. The history of trafficking as well as other forms of sexual violence committed by peacekeepers in recent and on-going UN missions fully justifies such a position.

## Key Recommendations

To summarize, the research suggests the following key recommendations for the DOD, NATO, and the UN:

- (U.S.) Establish an office inside the DOD to oversee the implementation of the anti-trafficking policy;
- (U.S.) Create a panel of external expert advisors to the DOD on implementation of the anti-trafficking policy;
- (U.S.) Survey across the services on attitudes and knowledge of human trafficking and use these data to develop awareness campaigns and training materials;
- (U.S., NATO) Prioritize anti-trafficking training for commanders, Special Forces, intelligence officers, military police and internal investigators in face-to-face settings with subject matter experts;
- (U.S., NATO) Include human trafficking as a priority intelligence requirement in peacekeeping missions that track organized crime;
- (U.S.) End rapid repatriation of civilian contractors implicated in trafficking;

- (U.S.) Implement the Military Extraterritorial Jurisdiction Act of 2000 and the Trafficking Victims Protection Reauthorization Act of 2003;
- (U.S., NATO) Establish a joint congressional/parliamentary oversight committee to monitor compliance with NATO anti-trafficking policies;
- (U.S., UN) Fund and establish the trafficking focal point as a permanent position at UN/DPKO;
- (U.S., NATO) Fund and establish the trafficking focal point as a permanent position within the international staff at NATO;
- (U.S., NATO, UN) Investigate and, where appropriate, prosecute personnel who traffic or facilitate trafficking in humans;
- (U.S., NATO, UN) Establish monitoring mechanisms to follow-up on repatriated international staff;
- (NATO) Create a working group at NATO to oversee the implementation of the anti-trafficking policy;
- (U.S., NATO) Enforce the requirement that all non-NATO troops in NATO-led operations be trained on the issue of human trafficking;
- (U.S., UN) Organize a high-level meeting with member states on human trafficking and its links to peacekeeping operations at the UN;
- (UN) Deliver the International Police Task Force files on combating trafficking to the European Union Police Mission in Bosnia immediately;
- (U.S.) Include combating human trafficking in military-to-military contact programs;
- (U.S., NATO) Create an external watchdog group to monitor implementation of NATO anti-trafficking policies;
- (U.S.) Support research on the implementation of anti-trafficking policies;
- (U.S.) Direct the GAO to investigate links between human trafficking and U.S. military deployments worldwide, with a particular focus on civilian contractors; and
- (U.S.) Organize a conference on human trafficking for defense contractors.

## About the Author

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Dr. Mendelson received her B.A. in history from Yale University in 1984 and her Ph.D. in political science from Columbia University in 1993. She serves on the steering committee for the Europe and Central Asia division of Human Rights Watch and on the board of *International Security*, and is a member of the Council on Foreign Relations. Her current work is supported by grants from foundations including the Ford Foundation, the Mott Foundation, and the National Council for Eurasian and East European Research. In addition to numerous scholarly articles, she is the author of *Changing Course: Ideas, Politics and the Soviet Withdrawal from Afghanistan* (Princeton University Press, 1998) and co-editor of *The Power and Limits of NGOs: Transnational Networks and Post-Communist Societies* (Columbia University Press, 2002).

