

Tip of the Iceberg? Improving the Interpretation and Presentation of Trafficking Data*

Executive Summary

Current anti-trafficking debates are driven by emotionally expressed concerns and answered with rational argumentations about policy impacts in an environment of limited data availability and quality. Claims of a huge and increasing size of the phenomenon often remain undisputed in such debates. This is exemplified with a scene from the German election campaign.

In such a situation, data presentation policies are of high importance. Two policies can be observed: a disclaimer policy, focusing on the deficiencies of the data, and an exaggeration policy, overstating trafficking data.

The presentation of Eurostat trafficking data exemplifies this observation. While the report presents detailed data and includes a disclaimer indicating data limitations, the press release creates an impression of urgency. It refers to the omnipresence of trafficking, alarming trends and a predominance of women and children among the victims. These notions cannot be supported by the presented data. The combination of a disclaimer and exaggeration presentation policy is problematic, as it may encourage calls for simplistic policies that leave many victims of extreme exploitation and trafficking without support.

This policy brief recommends a data presentation policy that makes the best possible statements on the basis of available data and qualitative knowledge, using comparative observations within data sets and beyond. Such a data presentation strategy increases the chances that policymakers learn from the past and implement policies for the benefit of victims of extreme forms of exploitation.

Current Context

9 September 2013. Chancellor Angela Merkel is answering questions from citizens at a TV event organised in the run-up to Germany's parliamentary elections on 22 September 2013 (ARD 2013). She listens attentively to many questions concerning problems in Germany, for example, concerning labour conditions in long-term care, service and contract labour work, and labour leasing. Then, a citizen speaks about media reports that state that Germany has become the brothel of Europe. She asks Merkel what she will do to abolish trafficking and forced prostitution.

In her response, Merkel sketches out the history of the relevant legislation. The red-green government introduced legislation that made prostitution a legal occupation. This did not bring about the intended positive consequences. After long and controversial discussions, the Christian-liberal government is now proposing a more restrictive law on the registration of brothels.

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Overstating trafficking data should be avoided. The best possible comparative interpretations could better inform policies to reduce the suffering of victims of extreme exploitation.

A scene from the German election campaign of 2013

*The contents of this publication reflect the views of the author and do not necessarily reflect the views of ICMPD. The author is Dr Dita Vogel, University of Bremen, a partner in the ICMPD-led project "Addressing Demand in Anti-Trafficking Policies and Efforts".

The citizen insists on unspecified changes of law in a trembling voice, claiming that it should be Merkel's main task to prevent such harm. She supports her appeal with an emotional statement: "As a young mother, my heart is filled with outrage, this cannot be!" [translation by the author]

Merkel says that it is not so easy to know what helps – legalisation or stricter regulations, but she agrees that she will have to look into this burning issue again.

In a nutshell, this scene contains all the elements that make the public discourse on trafficking in Germany problematic. First of all, it deals nearly exclusively with trafficking for the purpose of sexual exploitation. In spite of the frequent use of the term 'modern slavery' with regard to extremely exploitative work conditions, the situation of persons forced or tricked into exploitative work is discussed in different contexts.

With regard to prostitution, there are two lines of discussion. On the one hand, there is the emotionally expressed concern, linked to imagining how it would feel if one's own children were forced into prostitution – as indicated by the citizen's emphasis that she is a 'young mother'. She speaks from the heart, alerted by media reports on the alleged huge size of trafficking. This moral outrage stems from the belief that the legislation is not appropriate and politicians are neglecting the issue.

On the other hand, the anti-trafficking debate contains rational argumentation about policy impacts. People ask which actions would really help to reduce the suffering. The chancellor refers to the controversy about the effects of more open or more restrictive legislation in Germany. Similar debates are taking place in many EU countries.

The size of the phenomenon and the urgency of the issue are undisputed in this scene. The impression of a *huge and increasing* phenomenon underlies the debate. Yet this may be a result of presentation policies rather than real developments.

Policy Options

It frequently happens that NGOs willingly cooperate in the creation and distribution of shocking numbers, although rarely as explicitly stated as in the media relations guidelines of a German project for advocacy in favour of victims of labour exploitation. The guidelines encourage the use of vague and unsubstantiated numbers, as journalists rarely look more closely into the basis of estimates. "There is no reason to abstain from quoting numbers because of the concern that they may be false." (Liebert 2012:2, translation by the author). In contrast, Jordan (2011:2) observed that exaggerated claims mislead the public and support calls for hard-line or simplistic actions. Overstating may prevent serious investigation into how men and women can be protected from exploitation.

In the following paragraphs, this policy brief will compare the data report on human trafficking released by the EU Commission in April 2013 (Eurostat 2013) with the press release accompanying this data report (European Commission 2013). The Eurostat report is presented as an example of the "disclaimer presentation policy", while the press release is presented as an example of the "exaggeration presentation policy". Simultaneously, it seeks a third way to make the best possible statement on the basis of the published data. It does not claim to be entirely successful in this endeavour, which is a by-product of a summer school discussion and a workshop presentation on related issues.¹ Three issues are highlighted: the scale of the phenomenon, its growth and the share of women.

Scale of the Phenomenon

The press release acknowledges the weakness of the data, indicating that "*figures should*

Emotionally expressed concern meets rational argumentation

Data presentation policies: disclaimers versus exaggerations – in search of a third way

be interpreted with caution, as it only represents the tip of the iceberg". Using the iceberg metaphor is a common way of referring to the existence of a large dark figure of unreported cases. It is certainly not only legitimate, but also necessary to refer to a dark figure of unreported cases. All crime and counselling statistics reflect realities only partially.

However, the unknown part below the surface is certainly not the only reason why the trafficking data presented should be interpreted with caution. The Eurostat data report indicates a different reason: we cannot trust what we see above the surface:

"It is hereby acknowledged that the current state of the results does not entirely comply with the stringent requirements of the European Statistics Code of Practice and further development is planned to improve data quality in future collections. Nevertheless the political demand for this information is such that it seems opportune to make it available at this stage in the form of a Eurostat Working Paper." (Eurostat 2013:9).

The press release indicates that trafficking in human beings is *"all around us, closer than we think"*. It refers to a study by the ILO, indicating that 880,000 people in the EU are victims of forced labour, including sexual exploitation. This estimate is based on a complex methodology. The sub-estimate for the European Union is not explained in detail.² It is a rough estimate referring to a broader definition. Thus, when the press release suggests that the ILO estimate indicates the size of the iceberg under the surface, it is referring to a different iceberg. The Eurostat data report itself does not present any evidence supporting the notion that victim data represents only such a small share of the actual victims.

Anyhow, the iceberg imagery is misleading. With icebergs being physical facts, there is no debate that there is an identifiable and measurable part below the surface called 'ice' which can be identified as part of the phenomenon 'iceberg'. With regard to trafficking in human beings, this is not the case.

The actual data in the report refers to 5,535 victims for 2010 formally identified, usually by the police. In addition, there are 3,933 'presumed' victims, mostly according to Italian data, who are identified in ways that are not specified in the report itself (Eurostat 2013:30). Many of these cases will never lead to court convictions of traffickers. This may be because the crime has taken place but cannot be proved. However, it could also be because the close assessment by judges leads to the identification and prosecution of different crimes such as rape or fraud, or it may show that in spite of indications in the police investigation, no trafficking had taken place. There is not only under-reporting of undetected cases, but also over-reporting of presumed cases. The number of convicted traffickers amounted to 1,339 persons in 2010 (Eurostat 2013:83).

The Eurostat report shows that there are nearly 2 identified victims per 100,000 inhabitants (Eurostat 2013:31). A comparison is needed to assess whether this is a large or small scale. Taking the German case as an example, police data on human trafficking is low compared to police data on comparable crimes. The German police registered 15 781 victims of different crimes against sexual self-determination with the use of force, or exploitation of dependency, compared to 761 victims of trafficking for sexual exploitation (BKA 2011: 635, 657). Thus, a single country registered more offences for a related criminal category than all EU countries combined for the crime of 'human trafficking'. The intricacies of police criminal statistics have not been analysed in detail for the purpose of this paper. However, they should be studied to get a clearer perspective on the extent of trafficking in view of crimes with comparably traumatising effects on victims.

In the current situation, we cannot be sure whether trafficking data represents the tip of an iceberg. Concentrating on trafficking carries the risk that the real icebergs may be overlooked – extreme forms of exploitation that do not easily fit within the trafficking definition.

Infringements of human rights may be all around us, but trafficking in human beings?

Indication of a relatively small size of the phenomenon

Trends

Cecilia Malmström, EU Commissioner for Home Affairs, speaks of “*alarming trends*”. The press release supports this notion with the following phrase:

“The total number of identified and presumed victims was 6,309 in 2008; 7,795 in 2009 and 9,528 in 2010, with an increase of 18% over the 3 reference years.”

While the 18% increase is quoted correctly from the report, the quoted absolute figures suggest a much higher increase of 51%. This is due to the fact that the quoted time series includes more countries in 2010 than in 2008. But how can the 18% increase be interpreted? This is what the report says:

“More reported cases do not necessarily mean an increase in the actual number of victims. This may indicate an improvement in the reporting rate of the phenomenon or a change in the recording system (although the latter should be indicated in the metadata). Similarly, a decrease, especially in the last reference year, may be due to a delay in the recording. In this case the figures may be revised during the next collection. [Bold in original]” (Eurostat 2013:30).

The period covered is a period in which many countries made efforts to increase awareness of human trafficking and improve reporting.³ Therefore, we would expect to see an increase in reported numbers even if there is no change in the underlying phenomenon. In view of this context, it is logical to conclude that the increase of 18% in reported victims is a maximum increase with regard to actual victims. The notion of a 51% increase suggested by the absolute numbers is clearly misleading.

Conviction data indicates a decrease. The number of convicted traffickers (p.83) declined from 1,534 to 1,339 (minus 13%). Thus, the Eurostat data contains no evidence that supports the claim of ‘alarming trends’. Interpreted with care, it indicates that there may be a moderate increase or decrease.

Share of Females

The press release indicates that the Eurostat report allows for a disaggregation of victims by gender and age.

The profile of victims by gender and age in the three reference years was 68% women, 17% men, 12% girls and 3% boys.

As men are considered to be less vulnerable than women, and adults less vulnerable than children, the share of women (68%) and of children (12% girls and 3% boys) supports the impression that these more vulnerable groups are more likely to become victims. However, this claim is not convincingly substantiated. First of all, in 30% of the cases, the data indicates ‘gender unknown’. Most of this data consists of presumed victims from Italy. A different age-gender profile in Italy than in other states would result in a big difference in the total rates, and age-gender profiles do differ between the states that present data – for example 99% females in France and 50% in Romania in 2008 (Eurostat 2013:35).

Even if we assume that the real gender distribution of unknown gender cases would not result in much different proportions, another factor would certainly change the gender distribution. Regarding trafficking for labour exploitation, 10 EU countries have not delivered any data, while for sexual exploitation all countries report at least something. Therefore, under-reporting is much higher for male-dominated forms of exploitation. We

Unclear trend: moderate increase below 18% or decrease of up to 13% from 2008 to 2010

Male share under-reported

can safely assume that the share of women among reported victims would be lower if all countries also reported about trafficking for labour exploitation, as men constitute 77% of victims in this form of exploitation but only 4% of victims of sexual exploitation in 2010 (Eurostat 2013:42).

Conclusion

The case of the EU data report on trafficking in human beings has been used to demonstrate the difference between presentation strategies. While the 86-page data report presents a lot of details and disclaimers, the press release intentionally exaggerates the scale, trend and share of females in order to create an impression of urgency, certainly with the good intention of increasing awareness for victims of an atrocious crime and increasing pressure on governments to implement the EU anti-trafficking directive and its victim-protecting provisions.

As exemplified in the scene from the German election, the impression of a huge extent of trafficking reaches individual citizens, who alert politicians about the issue in an emotional way and demand that they concentrate on the fight against trafficking. However, this sole focus on trafficking may be counterproductive. Embedding support to trafficking victims in advice and support services for all forms of exploitation may be more fruitful, as Cyrus und Gatzke (2011) recommend, drawing on a study about trafficking for labour exploitation in Germany commissioned by the Ministry of Labour and Social Affairs. Victims of trafficking and other extreme forms of exploitation may be otherwise overlooked.

Policy Recommendations

This policy brief argues in favour of a data presentation policy that makes concrete statements, drawing logical conclusions from existing data and providing the best possible comparative interpretations. Such a presentation policy would require a different attitude by statisticians and researchers, on the one hand, and by data users, such as NGOs and policymakers, on the other hand.

Statisticians and researchers should certainly continue to improve data quality and deliver detailed descriptions of how data has been gathered. Statistical reports delivering detailed information on data gathering and data limitations are a sensible first step for meaningful analysis. In that sense, Eurostat's first report on trafficking in human beings is certainly an asset. However, *before publication* a second step should be carried out. Resources should be devoted to data interpretation, taking into account what is known about political developments and data gathering, making comparisons within the data set and beyond with other data. Often, it should be possible to use the data bias productively to make minimum or maximum assessments, and to suggest meaningful comparative data from other sources to get an idea of the size of a phenomenon. It is not enough to know *that* data limitations exist. We also need to learn *how* they are likely to impact on shares and trends. The indication of data limitations as a mere disclaimer invites unintended or intended misinterpretation.

NGOs and policymakers should avoid an exaggerating presentation. The intentional overstating of the scale of trafficking and trends is certainly mostly done in good faith with the intention of serving the interests of victims, as media attention is potentially higher with exaggerated statements. However, this strategy should be avoided, as it fuels a heated public debate and deprives policymakers of learning opportunities. Under pressure to react to emotionally expressed public concern, they may turn to simplistic action which does not serve the interest of victims of trafficking and other forms of exploitation that deserve equal concern.

The challenge to provide the best possible evidence in a context of limited and contentious

Public exaggeration may hinder the search for adequate policies

Beyond disclaimers and exaggerations: a search for the best available comparative interpretations

data is also taken up by the EU-funded research project “Addressing Demand in Anti-Trafficking Efforts and Policies (DemandAT)”, launched in January 2014. Drawing on qualitative and quantitative evidence, the study uses comparative interpretations to arrive at evaluations of actual and potential demand side-measures and, thereby, improve the situation of people suffering from extreme exploitation.

Notes

¹ This policy brief is a consolidated version of presentations given at the summer school “Unfree Labour Revisited – Practices and Public Controversies from Ancient to Present Times” in Frankfurt/Oder, September 2013 and the workshop “Translating Welfare and Migration Policies in Canada and Germany – Transatlantic and Transnational Perspectives in Social Work” in Frankfurt/Main, October 2013. I am grateful for the critical comments of the participants.

² In the study, there is an estimate of 1.5 million for developed economies and the European Union (ILO 2012a:16). The figure of 880,000 is from a regional factsheet (ILO 2012b).

³ Many efforts to increase awareness of trafficking are described on the website of the EU Anti-Trafficking Coordinator: ec.europa.eu/anti-trafficking.

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