

# **Trafficking in Persons and Internal Armed Conflict**

Governmental Barriers to Combat Trafficking in Women and Girls for  
sexual exploitation in Colombia



**LUND**  
UNIVERSITY

Rebecca Larsson

# Abstract

Colombia is a country characterized by an intense internal armed conflict, which has its foundation in political instability followed by discontent among the population of the country. With the rise of drug lords, rebel groups, paramilitaries and army the conflict has continuously intensified towards the government, which has left countless of civilians displaced and vulnerable. The political corruption and state weakness is evident, meaning that those in charge of its citizens' security fail to provide such. The history of trafficking in persons (TIP) in Colombia is long but has been exacerbated by the conflict and the many contributing factors to such. By these means, the Colombian government has failed in dealing with the issue of TIP as other crimes have been considered more relevant to tackle while self-survival among powerful force have been key strategies. As Colombia is moving towards a new era in time with a peace agreement signed between the government and the Revolutionary Armed Forces of Colombia (FARC) guerrillas in 2016, this thesis is carried out as a case study in order to explain what barriers are hindering the government's anti-trafficking efforts between the years of 2001 and 2016. Despite publicly having implemented domestic and international laws, policies and programs to combat human trafficking, this issue has continued to persist in Colombia. This thesis therefore analyzes this phenomenon using an Institutional theoretical perspective to understand power-relations and structures while also having adopted a "Doing Gender" approach in order to analyze the deeply entrenched masculinity culture, which flourishes in Colombia. This thesis opts at shedding new light, from a new perspective, on the internal conflict's impact on the illegal business of human trafficking.

*Key words:* Colombia, Conflict, Human Trafficking, Government, State Weakness

Words: 9891

# Abbreviations

<b>AUC</b>	Autodefensas Unidas de Colombia (United Self-Defense Forces of Colombia)
<b>BACRIMs</b>	Bandas Criminales
<b>ELN</b>	Ejército de Liberación Nacional (National Liberation Army)
<b>FARC</b>	The Revolutionary Armed Forces of Colombia
<b>GBV</b>	Gender-Based Violence
<b>IDPs</b>	Internally Displaced Persons
<b>IOM</b>	International Organization for Migration
<b>TIP</b>	Trafficking in persons
<b>TVPA</b>	Victims of Trafficking and Violence Protection Act of 2000
<b>UN</b>	The United Nations
<b>UNICEF</b>	The United Nations Children’s Fund
<b>UNODC</b>	United Nations Office on Drugs and Crime

# Table of contents

<b>1</b>	<b>Introduction</b> .....	<b>5</b>
1.1	Purpose and aim .....	6
1.2	Research questions and outline .....	6
1.3	Delimitations and limitations .....	7
<b>2</b>	<b>Literature review</b> .....	<b>9</b>
<b>3</b>	<b>Methodology</b> .....	<b>11</b>
3.1	Material .....	11
<b>4</b>	<b>Theoretical framework</b> .....	<b>12</b>
4.1	Institutionalism and state weakness .....	12
4.2	Understanding gender .....	13
<b>5</b>	<b>Trafficking in Persons and Internal Armed Conflict in Colombia</b> .....	<b>14</b>
5.1	Defining Trafficking in Persons .....	14
5.2	The internal armed conflict in Colombia .....	14
5.2.1	<i>Corruption</i> .....	16
5.3	The scope and nature of Trafficking in Persons in Colombia.....	16
5.3.1	<i>Tier ranking</i> .....	17
5.3.2	<i>Women and girls</i> .....	17
5.3.3	<i>Drug trafficking enabling Trafficking in Persons</i> .....	18
5.4	Colombian anti-trafficking efforts and legal framework .....	19
5.5	Colombia, Trafficking in Persons and peace .....	20
5.5.1	<i>Post-conflict Trafficking in Persons</i> .....	21
<b>6</b>	<b>Analysis</b> .....	<b>23</b>
6.1	Who is responsible? .....	23
6.2	Reasons behind the barriers to combat Trafficking in Persons.....	24
6.3	Trafficking in Persons in the aftermath of peace agreement.....	26
<b>7</b>	<b>Concluding remarks</b> .....	<b>28</b>
<b>8</b>	<b>References</b> .....	<b>30</b>

# 1 Introduction

Colombia portray a fragmented country, suffering from overlapping wars existing side by side the “war on drugs,” where civilians are victimized, caught between drug lords, paramilitaries, guerrilla groups and army (Lozano 2005). The internal armed conflict and the subsistence of structured drug trafficking groups combined specifically make Colombia one of the foremost source countries for victims of TIP in Latin America (U.S. Department of State 2003). TIP is today a global business where the trade of human beings yields profits for numerous actors (Shelley 2010:40). This phenomenon has its roots in several causes, but the contributing factors to TIP in Colombia specifically exist in the history of gender inequality, having been exacerbated by ineffective government, corruption and drug trafficking. Here, TIP has operated as a tool of intimidation, a way to dominate and ensure control over civilians, specifically women and girls (Nagle 2013:19). Hence, anti-trafficking programs have tended to be underfunded, inadequately administered, ensuing in efforts being neglected by Colombian officials (Wilcox 2015:i).

Colombia illustrates an environment of wars among men where women significantly become drawn in reluctantly or willingly. Not to say that violence against women solely occur due to state of conflict, rather it precedes conflict. Conflict then exacerbates discrimination as social structures become more nuanced and ineffective. The views of women being inferior to men are of cultural and social roots, which create difficulty to congregate it legally and statistically. The societal tolerance of violence against women demonstrates it is a phenomenon embedded in silence (Lozano 2005:4). For this reason, institutional weaknesses need to recover and greater cooperation among state authorities is required in order to change the traditional stereotypes (Zwehl 2014), and in turn address foundational issues of TIP.

The Colombian government has made distinct efforts in anti-trafficking work by implementing laws, several policies and programs while persistently working with the international community (Seagrave 2001:12). Overlooking this, the illicit business of TIP has continued to flourish (U.S. Department of State 2016). However, this thesis does not discern all aspects discussed in this study as the seldom causal reasoning behind the issue of trafficking in women and girls in Colombia, rather these features are identified as key contributors hampering the government to accomplish their anti-trafficking efforts. Furthermore, under the contemporary presidency, Colombia has signed a peace agreement with the largest rebellious group in the country FARC (Pettersson and Engström 2016). As a consequence Colombia is moving towards a new era. Learning from these experiences, opens up the path to speculate in Colombia’s unresolved future challenges of peace and anti-trafficking work.

## 1.1 Purpose and aim

The present study is designed to examine and map out in what ways the conflict in Colombia has created barriers for the government to combat trafficking in women and girls despite definite efforts. The time-span studied is between 2001 and 2016, the years of which Colombia has been foremost engaged in anti-trafficking work internationally and domestically (U.S. Department of State 2016). With the assistance of two theories, the objective is to provide a significant perspective by illustrating power-relations in Colombia with reference to conflict, TIP and gender. The Colombian situation is not deemed unique. It is however believed that this thesis can add to explanatory perspectives where the aim is to clarify the key features of the conflict to why trafficking continues to flourish in Colombia (violence, corruption, and unwillingness) while the purpose is to attempt in understanding the underlying causes for these (such as self-defense and gender) to answer *why* TIP is exacerbated by internal armed conflict.

This study acknowledges that TIP in Colombia affect several groups of society, boys and men among them. This thesis also recognizes that women can portray as trafficking perpetrators as well as men. However, this discussion falls outside the scope of this paper. Moreover, women and girls are identified as being at the forefront of TIP exploitation in Colombia and will therefore be the focal point in this thesis. Additionally, the scope is delimited to sexual exploitation since this category is one of the most persistent types of trafficking in Colombia (Nagle 2013:23).

By critically examining how conflict can exacerbate human trafficking in Colombia and how a post-conflict climate can allow for this to continue, this thesis will provide small but significant insight using a new set of theoretical framework, as the country now moves toward peace agreement and conflict decline (Pettersson and Engström 2016).

## 1.2 Research questions and outline

*What are the main reasons for Colombia still being a primary source country of human trafficking, specifically in women and girls, regardless of having implemented and enforced multiple polices, laws and anti-trafficking programs?*

To clarify what is to be investigated and to answer the main research question, two sub-questions are formed:

1. Which parties involved in the conflict can be held accountable for exacerbating sexual trafficking of women and girls and hampering the government's anti-trafficking work?

2. Will there be potential future implications for the government in combating human trafficking after a peace agreement and potential decline in violence – in that case, what are those?

This thesis argues that the internal armed conflict and the drug trafficking industry in Colombia has afflicted the government's political will and priority to eradicate human trafficking, created barriers to follow through with anti-trafficking work. This thesis follows the definition of an internal armed conflict found in the concept of "...armed conflicts are fought out between governmental armed forces and rebel faction(s) or between various armed groups in one State, without any international intervention by another State or the United Nations" (Verhoeven 2008:7). Furthermore, drug trafficking is defined as by the United Nations Office on Drugs and Crime as "a global illicit trade involving the cultivation, manufacture, distribution and sale of substances which are subject to drug prohibition laws" (UNODC 2017).

The thesis is organized to firstly define the concept of TIP and secondly to describe the most vital and relevant aspects of Colombia's internal armed conflict. In the following section, the scope and nature of TIP in Colombia will be put forward. The latter part will discuss the legal frameworks and anti-trafficking programs by the Colombian government during the period 2001-2016, identifying patterns of success and failure. Furthermore, how the drug trafficking facilitate TIP will be addressed. Succeeding this, the peace agreement in Colombia with the FARC and how a post-conflict climate can potentially influence the existence of TIP in the country from a theoretical perspective will be described. Lastly, the analysis of the relationship between conflict, post-conflict and TIP in Colombia is put forward, to understand the concepts of *why* and *how*.

### 1.3 Delimitations and limitations

Contemplating the wide array of publications on this topic, certain limitations are deemed necessary in the thesis to narrow it down. Accordingly, this study does not maintain to have accumulated all subsistent material or relevant features, which is why the examples of Colombia should not decisively represent the multifaceted reality or be accepted as the general phenomenon. Thereby, the findings and examples provided are qualified as an exemplar of the larger representation on TIP in relation to conflict.

Mentioned in section 1.1, the time span of 2001-2016 has been set in order to generate a contemporary and appealing discussion and analysis. However, it is critical to highlight that statistics might vary over the chosen time span depending on sources, which can create some complication and needs to be treated with caution.

Another limitation is that it is impossible to measure the accurate scope of human trafficking. As a result of varied definitions, erroneous collection of data, lack

of reporting as well as inability to reach victims and perpetrators, research tend to take source trustworthiness for granted while ignoring the origin of the source. However, this thesis does not aspire to quantify the scope of TIP in Colombia. One is required to study findings on TIP with caution, compare and find trends, as well as gaps in order to provide a valid analysis.



## 2 Literature review

Wilcox (2015) distinguishes in his study a clear correlation between insurgents, guerrillas and drug traffickers in Colombia, who take advantage of civilians in one way or another (Shelley 2010:87). Through this review, a vast amount of work on the topic of conflict and its effects on women and girls, as well as gender-based violence (GBV) and TIP existing in countries where conflict once subsisted was found. Yet, a small number of these dealt straightforwardly with the concept of conflict, TIP and how these interrelate. Even fewer studies have emphasized an in-depth description and analysis of present conditions in conflict and in post-conflict settings. Farr's findings validate that key feature enabling traffickers to exploit civilians during armed conflicts is based on the instability in societies that follow. Law and order are broken down during such occurrences, creating a situation where impunity is a fact, resulting in tolerated trade of human beings (2009:16). However, in Colombia, even if trafficking perpetrators can and have been caught, evidence to prosecute them is often very hard to detect due to the level of which the crime is organized (Restrepo 2009:194). As an outcome of instability, impunity and corruption, trafficking in women and girls continues to foster (Mazurana and Carlson 2006:14), both during and after conflict.

West and Zimmerman (1987) present the concept of "doing gender". These scholars provide insight of how masculine and feminine nature take expression by observing perceptual, interactional and micro-political activities. They put forward that gender has emerged through diverse social arrangements and through legitimizing one of the most basic divisions of society. To provide a critical theoretical stance on sexual exploitation and adding to the understanding of socially structured gendered perspectives, this approach is adopted.

Gallagher (2010) identifies that there tends to be little acknowledgment regarding the role of state involvement in trafficking along the moral and legal tasks that this participation requires. In her book she claims that states are inclined to avoid responsibility for dealing with trafficking. The problem has its foundation in that the state claims that solely criminals commit to trafficking, not themselves. When the state fails to take responsibility for failure by claiming to have done everything they can to avoid harm, noting can really be done. Therefore, scholars and researchers predominantly criticize the Colombian government's efforts in protecting the population and their human rights (Gallagher 2010; Gutiérrez 2013; McDougall 2009; Wilcox 2015).

Scenarios of TIP are generally rather complex to investigate since it marks what we can refer to as a "hidden population" (Tyldum and Brunovskis 2005:18). Existing material on women and girls exploited to trafficking during and after conflict therefore tend to follow similar patterns of research. Without focusing explicitly on conflict, scholars tend to study human rights violations from a gender-based approach (especially sexual violence) in conflict (Bouvier 2016; Gallagher 2010;

Henson 2015; Lozano 2005). Gallagher (2010) argue that using this type of approach clarifies that trafficking has its roots in “inequitable, unjust, and hypocritical world” (2010:4). Thus, there are areas of which need more research. The concept of why TIP exists to such a large extent in Colombia and understanding the barriers to combating the issue require additional analysis, which this thesis make available. There are drawbacks when solely exploring the TIP phenomenon from a gender aspect such as leaving out the political, legal and structural weaknesses that the human rights system itself acquires. For this reason, the insight of McDougall’s (2009) study on state involvement in Colombia is key in building a theoretical framework for this thesis and providing an explanation for how weak states create conflict and non-functioning institutions, which is a major feature in this thesis.

Nussio and Howe (2012) put forward a discussion on what could potentially occur after a peace agreement with the FARC, along a demobilization process and the implications that could follow due to the large support network rebel groups possess. Several explanations have been made following similar conjectures. Speculating and analyzing future aspects can certainly be a limitation and even of disadvantage, however based on explanation of previous peace attempts carried out in Colombia, one is possibly able to hypothesize on somewhat more solid grounds, as some scholars have done (Kaufman and Williams 2017; Seagrave 2001; Tate 2007).

## 3 Methodology

This thesis is a single qualitative case study of Colombia. A case study allows for in depth understanding of Colombia specifically, which will be provided through a intensive analysis. As the research lacks interviews and fieldwork, emphasis towards presenting the material correctly, through quotation and referencing has been of great significance. Naturally there are discouragements regarding the extent of generalization when doing a single case study. However, it does not aim at generalizing the findings. More importantly, the theoretical motivation is key when constructing the analysis (Bryman 2012:69-70) to deem these findings relevant, enable contesting views and add to the explanatory nature of the conflict-afflicted Colombia and the scope of TIP thereof.

### 3.1 Material

This study draws solely on secondary material from primary governmental, newspapers, non-governmental, and international organizational sources to gain textual information as well as pertinent statistics. Furthermore, numerous secondary academic literatures have been key in building the discussion and analysis. Arguably, even though having narrowed down the scale of this study carefully, these sources that are of both empirical and theoretical nature, cannot be assured to be free from biases.

The U.S government sources used in this study provide key data on Colombian international relationships and updates on current trafficking situations in the country. Data from the Colombian government assess Colombian officials behavior and reports of TIP in the country. The empirical facts found through the U.S. Department of State trafficking reports distinctively present that Colombia continuously has put in effort towards eliminating trafficking in persons. Nonetheless, the reliance of the empirical ground of these findings can be somewhat unreliable since very few trafficking cases are actually official. Based on the hidden nature of this crime, in combination with unwillingness of victims to report trafficking cases and the conceptual uncertainty of who marks as trafficked makes this a rather hard activity to measure. However, the quality of the figures and description of the anti-trafficking efforts done in Colombia has been critically assessed through the usage of multiple different sources.

## 4 Theoretical framework

Due to the complexity of the conflict in Colombia and the many relevant features needed to take into consideration, it is challenging to analyze its connection to the vast concern of TIP. Thus there is not one exclusively existing descriptive factor for these multi-leveled phenomena, the underlying causes and how they correlate. However, two broad theories, somewhat overlapping, have been deemed appropriate in endeavoring to explain and analyze this relationship, which is presented below.

### 4.1 Institutionalism and state weakness

The underlining paradox, which is relevant when studying conflict in Colombia, is that the state is the central actor when it comes to power negotiations and conflict. However it has restricted capacity to handle and resolve them while also maintaining social consistency and improving democracy. Institutional theory demonstrates that institutional environments can explain social behavior, how these are shaped and constrains action of organizations. Moreover, conflicting institutional demands emerge most likely in fragmented fields. Yet, in order to satisfy certain demands it requires disregarding or rejecting others (Pache and Santos 2010:19).

This paper adopts the argument of McDougall who asserts that “state weakness causes conflict” (2009:323). Not only are these arguments in compliance with realist claims, but it also has strong connections to historical institutionalism. This perspective identifies two ways in which state weakness is connected to political violence. Firstly, when a state is fragile and weak, other groups seek power and rebel opportunity or other threats to peace emerges. Secondly, with state weakness comes incapability to defeat emerging violent forces and insurgencies (2009:323).

This approach does not explain every aspect of the nature and activities of violence. This model does however assert that state weakness is a dominant feature in explaining why rebel groups have been able to organize, control and carrying out conflict with the state in Colombia, which is a main attribute for this thesis. Tilly (1978) puts forward the concept of “multiple sovereignty” whereby he notes that civil war can be identified as an instance of cooperative action where the candidates fight for definitive political sovereignty over a specific population and in which rebel groups achieve in replacing existing power holders to some level. When this occurs, the polity crosses the threshold into a state of “multiple sovereignty” with a population that becomes subject to several different political institutions or a country can become alienated among multiple state-like units (McDougall 2009:324).

## 4.2 Understanding gender

It is crucial to understand the reasoning for why TIP is such a gendered phenomenon with women and girls generally being the in the vanguard of victimization. “Doing gender” is an approach asserting that the gender construction induces people to behave and inhabit society based on norms of their ascribed gender (West and Zimmerman 1987:125). In the light of TIP, women and girls are the primary victims. However, this study also focuses on men as traffickers/perpetrators. Arguably, this concept cannot solely be explained through focusing on a supply-and-demand perspective where men dominate. Rather understanding the power relation of men as the perpetrators through a hegemonic masculinity standpoint and why the female gender fall victim and further how this shapes trafficking behavior is vital. Lorber and Farrell express gender as a socially structured concept, which affects aspects of human actions as well as social institutions and power relationships (1991:4-5). Moreover, gender is an entrenched social institution that affects several components of society such as the family, state, workplace and sexuality. Understanding gender as a multi-leveled institutional power enables one to appreciate how it affects human behaviors and relationships (Henson 2015). By using this concept, one is able to explore the levels of how gender influences sex trafficking and why this is an important aspect of conflict.

## 5 Trafficking in Persons and internal armed conflict in Colombia

### 5.1 Defining Trafficking in Persons

There is an inconclusive existing debate about how TIP should be defined (Aronowitz 2009; Bales 2007; Farr 2009; Nagle 2013; Shelley 2012). Even if not free from criticism (Laczko and Gozdzik 2005:10), this paper refers to the definition provided by UNODC, which is the most frequently used definition in research. The term human trafficking is from article 3, paragraph (a) of the protocol to prevent, suppress and punish, also known as the *Trafficking Protocol*:

“The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” (UNODC 2004:42).

### 5.2 The internal armed conflict in Colombia

The civil war in Colombia can be traced back to the middle of the twentieth century and the period in Colombian history referred to as “La Violencia” (the Violence). During the 1960s, the National Liberation Army (ELN) and the Armed Revolutionary Forces of Colombia (FARC) were created and formed the two major militant leftist groups, aiming to gain territorial influence in Colombia, operating at both rural and urban levels. These groups emerged due to the growth of a partnership between the liberal and conservative political factions, excluding the far-leftist groups (Nagle 2013:5-7). Moreover, these were groups created out of self-defense and dissatisfaction with the political hierarchical system (McDougall 2009:322). The conflict in Colombia took intensified turns when drug cartels arose between the 1970s and the 1990s, generating an environment of insecurity and illegal forces gaining exceedingly more power. The relative lack of state control in several regions enabled violence among landlords, drug cartels and the uprising of more guerrillas

and paramilitary groups. The two lines of warfare that have emerged is the one between the state army and the guerrillas and the other one between the guerrillas and the paramilitaries (Nagle 2013:6-7). All of which have been able to hold authority over political institutions and gained significant political support while also being forces of extreme brutality (Tate 2016:18).

As a “winner-take-all”, profit-seeking political system successively surfaced, encouraging conflict to control the bureaucratic resources, those excluded from the political system began taking violent acts to gain political power. This system fostered commerce behind closed doors and strengthened local powerful men who were functioning outside official electoral hierarchies (Tate 2007:37). In the early 1990s, the largest umbrella paramilitary group called the United Self-Defense Forces of Colombia (AUC) became the most influential fighting force against the FARC and ELN. The AUC utilized drug trafficking to sustain their operations as well as taking over established trafficking networks (Medina et al. 2016:6). The Colombian conflict differentiates itself from the model of internal armed conflict that arose in the post-cold war period, which focused on ethnic and religious divisions (Tate 2007:18). Instead, the Colombian conflict is characterized by merely political means (Restrepo 2004:180-181). These organized criminal groups function like all businesses that emphasize gaining profit by ensuring supply and meeting demand, but through violent means (Shelley 2010:111).

When President Alvaro Uribe came to power in 2002, the conflict took extensive measures and state presence was expanded into rural areas. In 2006, the government started to demobilize the AUC, which was successful to some extent but a large amount of combatants joined new successor groups, referred to as *Bandas Criminales* (BACRIM) (Medina et al. 2016:7). The Colombia National Police has referred to the BACRIMs as the greatest current threat to national security (Nagle 2013:6). When the current president Juan Manuel Santos succeeded Uribe in 2010, a program of institutional reform was created, which resulted in peace negotiations and the current peace agreement (Gutiérrez 2013:2). This government put distinctive effort into establishing military operations against the rebel groups. Through this, homicides have decreased by 70% and kidnappings have dropped by 90%. However, BACRIMs have continued its activities without much hindrance (Medina et al. 2016:7). With 16 major groups in tact, BACRIMs have become predominantly large and contributes to the country’s violence as much as the FARC. The distinctive difference is though that BACRIMs have no political agenda unlike paramilitaries, they are rather involved in activities such as drug trading and TIP (2016:8). Furthermore, all mentioned groups, are responsible for a massive amount of killings, kidnappings, sexual exploitation and displacement. These groups take advantage of the debilitate government, operating outside its control (Wilcox 2015:15), in order to function and their existence wear away civilians trust in state authority (Nagle 2013:6).

It is crucial to understand the connection between conflict by guerrilla groups and crime for several reasons. In modern-day Colombia, crime continues to ascend in several areas in Colombia, meaning that the conflict is declining but criminal institutions are increasing. Notwithstanding that the presence of guerrilla groups have decreased across Colombia, former guerrillas are joining other criminal organiza-

tions due to the realization of no feasible future with previous forces, meaning that the country is still at risk of augmented criminality (Medina et al. 2016:7). This debate will be further elaborated in section 5.5.

### 5.2.1 Corruption

Colombia is today a presidential democratic republic. However, corruption has characterized Colombia for a long time, which is recognized at several levels of the state structure. It is manifested in financial and political corruption, protection and abuse of power (Gutiérrez 2013:3). Due to the widespread corruption, effective anti-trafficking procedures have been inhibited. Thus, organized criminal groups have been able to use this corruption of police and other officials to facilitate their business. This is one of the fundamental aspects along the drug trafficking and violence in Colombia that has fueled TIP (Wilcox 2015:50). The current President Santos has strengthened the structure of government in the country, whereby dealing with corruption seem to be on the agenda. Even if comprehensive rules regulating civil service and administration do exist, the control mechanisms to avert political inclusion and prevent discrimination, patronage and cronyism need to improve. However, whether improvements will continue within governance performance will depend on its capacity to impose the vigorous legal framework and enforce its commitments against corruption (Gutiérrez 2013:5).

## 5.3 The scope and nature of Trafficking in Persons in Colombia

Trafficking and conflict intersect in several ways. Recruitment of trafficking victims is largely straightforward during circumstances such as conflict because such scenarios provide a prepared expanded supply of people who can be victimized (Shelley 2010:80). The group of traffickers involves various actors internally and internationally such as organizers, the violent groups in Colombia and other professionals (Wilcox 2015:58), which makes this a complex phenomenon. TIP breaks up structure of local economies, contributes to the bureaucratic and law enforcement inconvenience at all levels of government and obliterates people's lives. It generally leads to increased crime, decreased safety for vulnerable populations and reduces welfare for nations (Wheaton, Schauer and Galli 2010:132).



### 5.3.1 Tier ranking

Through the United States Department of State's Trafficking Victim Protection Act (TVPA), which is a number of set standards and authorizations for countries, what anti-trafficking efforts a country is carrying out and to which extent by ranking the countries in Tiers is presented. For 13 years, counting from 2001, Colombia was placed in Tier 1, declaring that the country was meeting the minimum standards of combating trafficking in persons despite their resource constraints and disorganized judicial system (U.S. Department of State 2001). Furthermore, during the period 2002-2016, Colombia has successfully freed numerous victims of trafficking. In 2003, Colombia was alleged to be one of the leading countries engaged with the international community in anti-trafficking efforts (U.S. Department of State 2003).

Moreover, it was not until 2014 that Colombia ranked Tier 2; this indicates that the Colombian government was no longer able to counteract TIP to a great extent. One issue that was highlighted in this specific report was that "authorities did not treat all internal sex trafficking cases and recruitment of children by illegal armed groups as human trafficking, which hindered efforts to accurately assess government efforts to identify and assist victims and to investigate and prosecute trafficking cases" (U.S. Department of State 2014). However, the U.S. Department of State argued that the Colombian government was yet again meeting the minimum standards for Tier 1 in 2016. Reports and prosecutions were reported and the government strengthened internal coordination to combat trafficking, however this did not show any significant decrease in the number of victims (U.S. Department of State 2016). This discussion will be further elaborated in section 5.4.

### 5.3.2 Women and girls

Colombia represents the country that generated the world's second largest population of internally displaced persons (IDPs) for ten years (2004-2014) due to the conflict and pervasive drug trading (Shultz et al. 2014:2). This is a central contributor to the numerous women and girls trafficked domestically and internationally. All over Latin America, trafficking in women and girls has been a way to provide financial support for the ongoing conflicts (Shelley 2010:50). Additionally, the existence of an entrenched bias against women (2010:54) is a major aspect that gives rise to and exacerbates TIP (2010:50).

Women and young girls are forced to mainly provide sexual services for combatants. Girls have been identified performing different tasks such as soldiering, spying, sexual slaving and functioning as human landmines in different government, paramilitary or rebel armies (Aronowitz 2009:93). However, it is important to mention that several young girls were in many cases not forced to join, they are rather commonly manipulated into doing so. The illegal forces take advantage of children's unstable living conditions and their innocence by promising them a better life (2010:11). There is also evidence of women engaging in trafficking networks themselves by running brothels and sex trafficking rings, by marrying soldiers or engaging in prostitution. Thus, in conflict climate, taking part in trafficking

may be the only rational choice for women and young girls to survive (Shelley 2010:90-91). In combination with the impunity of perpetrators, lack of proper laws, deficient state institutions and border controls along commonly extreme violence during conflicts, the trafficking of women and girls is facilitated (Wölte 2004:5). Through figures presented by INTERPOL's global databases, based on rescued victims of trafficking in South and Central America, a majority where teenage girls who have been trafficked between different countries around Europe, North America and Asia, mainly for sexual exploitation (Interpol 2016). Furthermore, in the mist of Colombian tourism, the adult entertainment industry has grown to become a significant and profitable component where women are dominating the victim side (Shelley 2010:285). Authorities were still reporting high numbers of young girls, subjugated in prostitution in tourism areas in 2016 (U.S. Department of State 2016).

TIP does not solely flourish through conflict; it requires an existing domestic and international demand as fuel. Sex services today are much more available than a decade ago and in our globalized world, a complex communication system is linking human traffickers to the global market demanding their goods (Shelley 2010:37). TIP can therefore be considered as a competitive business where sellers offer buyers different products (people) based on cost and what preferences the buyers have (Wheaton, Schauer and Galli 2010:117). Further, a community's complicity is key for TIP to exist and could not survive without it. In summary, in several cases, those who are in position to actually identify and restrain TIP are often those who either actively or passively support it, which is the case in Colombia.

### 5.3.3 Drug trafficking enabling Trafficking in Persons

Drugs have played a central role in the history of violence in Colombia. With a high demand for cocaine in the US, Colombia has adapted and changed the drug industry immensely. Cocaine dealers became more powerful and richer as well as more organized and violent (Pettersson and Engström 2016). As drug traffickers have managed to build a widespread rebellious network around Colombia, the existence of TIP has expanded, which marks a key encumbrance in the combating TIP. Through inflicting a very authoritarian regime, these groups have been able to apply self-made laws and regulations. In turn, the drug trafficking enterprise has created a safe zone where human traffickers among other criminals can function with relative impunity (Wilcox, 2015:58). The usage among rebel groups that has utilized drug smuggling as a source of income has in turn allowed these organizations to use the same channels through additional income stream, such as TIP (Simmons, Lloyd and Stewart 2011:10). Investigating the relation between drug trading organizational work and TIP is rather compound (Shelley 2010:287) and needs to be investigated deeper if one desires to reveal to what specific extent drug trafficking has enabled TIP specifically.

## 5.4 Colombian anti-trafficking efforts and legal framework

Colombia has continuously created numerous laws and initiated decent programs and policies towards particular trafficking issues. In 1996, the Interinstitutional Committee to Combat Trafficking in Persons was established. Furthermore, in 2001 a law was ratified, which defined TIP as a distinct crime and penalties were later passed in 2002 and 2004 after having broadened the definition (U.S. Department of State 2002; U.S. Department of State 2004). In 2005, Law 985 was enacted, which criminalized all proportions of trafficking activities (U.S. Department of State 2006) and the minimum punishments are 13-23 years of imprisonment (UNODC 2008). Following this, in 2008 sexual services of minors was established as a criminal act, which could be punishable by prison time and monetary fines (U.S. Department of State 2009). By that time, the country had built a proper legal framework for combating TIP, assisting victims and prosecution procedures of criminals (Wilcox 2015:27). It is also evident that Colombia has made distinct effort in engaging in anti-trafficking work internationally, specifically with the US and the UN. International agreements include the U.N. Protocol to Prevent, Suppress, and Punish Trafficking in Persons; the Optional Protocol to the U.N. Convention on the Rights of the Child (CRC) on the Sale of Children, Child Prostitution, and Pornography; and the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict (Seelke 2016:12). Through this, Colombia shares their established definitions of TIP and expectations of anti-trafficking work. They compile their work through the United Nations Office on Drugs and Crime (UNODC). Furthermore, Colombia has obtained membership of the International Organization for Migration (IOM), an association that is active in Colombia and assist in the combating of TIP (IOM 2016). Together, these organizations bring forth support and guidance on reporting TIP in Colombia (Wilcox 2015:2). Colombia has also made distinct efforts in promoting campaigns and raising awareness about the issue of TIP through different strategies. To exemplify, in 2007 the government took over a national call center originally established by the IOM. This center was constructed as a TIP hotline where victims had the opportunity to call and get support. The campaign shut down in 2010 due to lack of economic resources (2015:34).

Colombia has acquiesced and tolerated international human rights laws, which makes these applicable to the guerrillas, paramilitaries groups and drug traffickers as well as the military and the Colombian government (Seagrave 2001:6). Colombia “talks the talk”, but does not “walk the walk”, since the country has shown poor efforts in enforcing human rights promotion within borders and is characterized as the worst in the world. Both the Colombian Penal Code and the Colombian Constitution emphasize punishing human rights violators but practically all perpetrators go unpunished. Since one of the peer violators of human rights has been the Colombian military and the government itself, prosecutions naturally become rare, which indicates that bringing justice on human rights grounds can remain rather limited (2001:6-7). Colombia has constantly shown modest political

limited (2001:6-7). Colombia has constantly shown modest political will and put little effort into allocating the resources needed to actually combat TIP. With that said, TIP will remain a preferable crime pathway for criminals as long as law enforcement and punishments in the country is inadequate.

Since the government fails in protecting victims of trafficking, these victims are automatically hindered from taking part in the legal system and those victims who are unknown remain undiscovered. As such, when a great deal goes unreported, fewer cases are investigated while prosecution and convictions rates decrease and traffickers can continue to commit crimes. Above all, it seems persistent to state if implementations of anti-trafficking laws are irregular, governmental engagement is lacking and impunity reigns, little or no impact of these will persist (Wilcox 2015:15).

## 5.5 Colombia, Trafficking in Persons and peace

Forthcoming fifty years of internal conflict in Colombia, the FARC and the government of Colombia have now begun to implement a peace agreement. Since a vast amount of civilians have been killed, abducted or displaced, the agreement aims at providing sustainable justice to victims on moral grounds (Cascardi et al. 2017). Cahn, Haynes and Ni Aolain argue that this process mainly needs to deal with the social injustices that exist inside and outside the conflict (2010:16).

In 2012, peace negotiations between the Colombian government and the FARC began in Havana, Cuba after a half-century milestone (Otis 2014:1), which came into tact in 2016. As of today, Colombia is facing several challenges, which include the reintegration of approximately 7000 FARC combatants into society, widespread victim rehabilitation and numerous rebels now announcing violence. Also, a major issue still remains, the one of Colombia's drug enterprise (Robins-Early 2016). The professor and author Abbey Steele claims in an interview by the Huffington Post that, "we shouldn't expect that this peace agreement with the FARC would mean an end to armed groups in the country..." (Robins-Early 2016). On this note, Brodzinsky (2017) argues that new armed groups and a number of long-established ones succeeding the FARC are seen across Colombia today. All of which are thriving to gain control over criminal enterprises that use to finance the rebel's activities (Brodzinsky 2017).

Scholars have highlighted the risk with decreased presence of the FARC and the ELN in areas where they once controlled, because it can result in new BACRIM groups taking over the territorial power. The Colombian government's attempt to demobilize guerrilla groups before has led to members joining other existing armed groups to continue fighting or participating in drug trafficking organizations. The question is why this would not happen again when demobilizing an extensive amount of combatants? (Nussio and Howe 2012:63). However, Nussio argues that the violence committed by ex-combatants is smaller than assumed for three reasons. First, ex-combatants demonstrate a rather small fraction of violent people in a post-

conflict country, which is why their involvement in overall levels of violence tends to be overvalued. Second, ex-combatants will grow older and thus lose interest in being engaged in violence. Third, the turnover of violent associations is high and even if some rebellious groups of demobilized militias and insurgencies might continue utilizing the rents of existing war economies, “the share of ex-combatants in their ranks will fade over the years.” (Nussio 2016:2). This might not mean that ex-combatants are completely harmless nor does it exclude the notion that they can potentially create severe damage in Colombia, rather that they are not the largest threat in a post-conflict climate.

The post-conflict status of Colombia can certainly create positive opportunities, mainly from the perspective of investment, to maintain an international relationship and to create the appearance that civil society is protected. However, Nagle motivates that there will not be an end to the conflict in Colombia solely through a peace agreement. Implementation of such might be a case of self-interest from the government side. In such case, through convincing the civil society and more importantly the international arena that armed conflict has come to an end, the government of Colombia takes away the legal protections for civilians under international law. This may be motivated by governmental urges to develop since post-conflict countries usually attract foreign investment, which could be of benefit (Nagle 2013:15).

The past attempted peace agreement called the Law of Alternative Punishment, between the AUC and the government in 2003, aimed at demobilizing illegal groups. In agreement with the Congress, members of the AUC were to be granted with rather harmless prosecutions and punishments crimes against humanity. However, this proposal was declined by the Congress, which instead passed Law 975 of 2005 a year later, known as Justice and Peace Law. Therefore, a process of transnational justice began in Colombia. This law was however proven to be quite ineffective due to lack of resources and insufficient staff recruitment within the Justice and Peace Unit. Unfortunately, the Justice and Peace Law was misused by the corrupt officials in the country, through away-hidden information and bribes, making investigations and prosecutions very difficult at the time (Nagle 2013:11). This put forward the argument that the peace agreement can be expansive and complex, which is why an array of questions surface regarding how this will be implemented. There are apprehensions of the existence of impunity and that the peace agreement allows for FARC to participate in political decisions (Robins-Early 2016). Concerning this, President Santos answered that some measure of justice will probably have to be sacrificed in order to actually attain a peace agreement. For this reason, the President views the cooperation with ex-combatants of the FARC as logical since the other option is a continued conflict (Rosenberg 2015).

### 5.5.1 Post-conflict Trafficking in Persons

In a post-conflict country with an extreme violent history a circle tends to emerge where conflict upon conflict persists. For this reason, it can be of potential to predict that the end of one conflict (the one with FARC) would create prerequisites for

other conflicts (Brodzinsky 2017). Post-conflict countries are commonly identified as vulnerable and fragile, both as a source country for victims and as a transit site, where mainly women and girls tend to suffer from lack of resources and stability. In the scenery of human trafficking, former militia and warlords sometimes choose this illicit business as a way to replace revenue losses during conflict. As such, trafficking of specifically women and girls tend not to differentiate in underlying factors and conditions that characterize trafficking in general whether it is during a conflict or after (Wölte 2004:5).

In general, peace negotiation processes along post-conflict rebuilding programs tend to exclude gender concerns. Hence, little or nothing is done to dismantle violence based on gender and discrimination. In recent years, more international effort has been put into this concern but an international policy concerning the standards, responsibilities and strategies of peace support missions to battle TIP is not yet of existence (Wölte 2004:24). Hence, those who were vulnerable during conflict can have difficulties of breaking free from those vulnerabilities even in a post-conflict scene. Moreover, post-conflict countries tend to fail in dealing with the issues of TIP due to the involvement of post-war government officials as well as the legacy of a corrupt legal system (Nelson, Guthrie and Coffey, 2004:10). Despite worldwide anti-trafficking support programs, these are deemed inadequate in such climate due to the deeply rooted causes of TIP beyond the Colombian conflict (Shelley 2010:57).

The internal conflict in Colombia has presented several challenges for the government. To effectively confront the illegal groups present and achieve long-term peace alongside security for its citizens, the government of Colombia must apply all provisions regarding international human rights and economic, civil and cultural rights agreements. Such implementation of treaties needs to be entailed in the State's policy. This includes the fighting of TIP, as it is a part of achieving peace and providing the citizens' complete entitlement of their rights. By and large, the contemporary legal frameworks in Colombia are comprehensive with emphasis on the requirements of displaced women and girls, and allocate certain obligations for the government to prevent GBV (Human Rights Watch 2012). Yet, the weak spot of the government has been in the lack of consistency between law and policy (Nagle 2013:8). Consequently, displaced women and girls have been prevented from conquering barriers to seek justice. How would potential success in the fight against TIP then be measured? This should potentially be done through concrete actions, which would include seeing that Colombia expand victim assistance and their prevention programs; and prominently through securing prosecutions, convicting offenders and enforcing prison sentences.

## 6 Analysis

The interest of the state is a key push-factor in deciding how the Colombian government fights TIP. Since state governments have the ability to pass legislation and contribute with funding while also having the legal capacity over action, they play a crucial part in prevention and prohibition. Moreover, since states do not only create but are also subject of international law they are required to ensure that implementation of such succeeds and that the follow-up is valid, which has not been the case in Colombia. As such, conflict has worsened, people have become more vulnerable and the political system has remained unstable. The argument of McDougall (2009) might therefore be true, state weakness does create conflicts one way or another, which in turn shapes society, its institutions, norms and behaviors.

### 6.1 Who is responsible?

In order to understand who is responsible when human rights violations dominate in a country, the concept of impunity is key. Specifically, how can anyone be held responsible for the human rights violations in Colombia when impunity reigns? The responsibility for human rights violations is certainly shared between all violent groups involved in the conflict since they have all committed human rights violations at some point. Under international human rights law, legal responsibility for abuse generally extends solely to state action. However, liability can expand to private individuals or groups if they are eligible as state agents. When individuals or groups violate human rights law and this is tolerated by the state, such expansion of liability transpires. Therefore, international human rights law is consequently applicable for all groups, guerrillas, paramilitaries, drug traffickers and the military as the Colombian government has complied and tolerated their behavior through the lack of ability to successfully deal with these violators (Seagrave 2001:530). This argument clearly connects all parties to the conflict.

Having experienced an eminent institutional conflict, the Colombian conflict is seen as an effect of inconsistency between the demand of the people and the capability of state institutions and policies to actually guarantee them. Moreover, there are structural restrictions of representative systems since distrust of those institutions, extensive gaps within the state and the ubiquitous weakness of the relationship between the state and democracy in the country, rebel groups have been able to expand and adjust to society. Accordingly, the subsistence of these groups has been accepted by the state and has therefore not been able to provide the population with more than temporary avoidance of insurgent violence (McDougall 2009:339).

In line with McDougall's observations, armed groups are not simply an expression of a distressed and unjust society. Rather, this analysis expresses that these groups have merely emerged in the light of self-defense, whose presence is justified by the vastly weak state that are incapable to grant anyone living within its borders security. Having discussed the scope and nature of armed groups in Colombia in section 5.2, this interpretation is deemed avowed as both the FARC and AUC were originally private expansions of state coercive power, which later on progressed into a sovereign political unit (McDougall 2009:341). However, the assessment that rebel groups have been able to grow and gain power is foundationally detected in the roots of the weak government and state institutions. By arguing that state weakness causes conflict in Colombia, the contra-argument would be that where state presence is strong, rebel groups are more likely to not be present. Through this, one has been able to elucidate and identify the patterns of rebel consolidation and how this is found in institutional weakness and the state's capability to create a safe society for its citizens.

## 6.2 Reasons behind the barriers to combat Trafficking in Persons

The character of TIP being a neglected crime in Colombia is established in the nature of other internal issues effecting the government more directly. The combination of such has restricted the time and effort to pay attention to the issues of TIP. As such, neglecting TIP contemplates one of the main reasons for the ineffective accomplishments made in the anti-trafficking sphere (Shelley 2010:40). All things considered, it seems reasonable to conclude that several facilitators assist human traffickers, which makes it far more complicated to distinguish how and if TIP actually could potentially decrease/eradicate domestically and internationally. One can argue that TIP and internal conflict correlate on various levels. However, these are also two phenomena existing as two parted issues. For this reason, as long as businesses will seek low-cost labour and as long as people continue to become vulnerable to exploitation, the TIP business will generate profit and the market for this will continue to exist (Wheaton, Schauer and Galli 2010:129). If the case would be that domestic demand decreased for trafficked persons, it is would not assure that international demand would, so the issue could remain at the same level.

Based on this argument, neither a comprehensive legal system nor the numerous efforts of engagement with the international community discussed in section 5.4 has been followed through properly, which is why the fight against human trafficking has remained unsuccessful (Seagrave 2001:536). This specific analysis is rather self-explanatory as the failure of protecting Colombian citizens from the hardship of trafficking and other human rights violations falls back on widespread corruption. This is motivated by the argument that the government has played a major role in TIP and profited from such. This analysis points to the argument that



“state weakness causes conflict” (McDougall 2009:323). To elaborate, rebel groups were able to emerge, gain power and societal influence due to the political instability and the weak institutional configuration in Colombia. In a country where merely everyone is fighting for their own survival, victims will follow. This follows the pattern of the statement that in order to meet certain demands, others will be neglected (Pache and Santos 2010:19), which in this case have been the Colombian citizens’. In this vacuum where state infirmity prevails, other groups have the ability to grow strong while other might fall victim of vulnerability due to the lack of security. Accordingly, in a country as Colombia those who suffer most frequently become women, girls, children and those living in poverty. Norms and values have set their mark in Colombia, allowing specifically women and girls stand as victims as masculinity is superior. This entrenched view of femininity and masculinity can also be identified as a result of the weak state, which has failed in promoting women’s rights.

Through a “doing gender” analysis, observing the social norms of masculinity in Colombia through a gender lens one is able to observe how these norms influence the frequency of, and tendency towards, the violent appearance in conflict. Doing gender continuously falls back on the differential creation between girls and boys and women and men. These distinctions are constructed, not natural or biological, which creates essentialness of gender. We will always be women and men by nature (unless one shift into another sex category) but what we are then identified as will merely be found in the substantially varied set of circumstances and interactions taking place (West and Zimmerman 1987:137). Gendered identities and how these gendered interactions occur significantly impinge on the internalities sex trafficking. In line with this, the masculine identities displayed in sex trafficking indicate that hegemonic masculinity is at the forefront of this industry. However, it is important to remember that both hegemonic masculinity and gender is not uni-conceptual because masculinity does not represent a specific type of man or person, rather it displays how they position themselves through discursive praxis. Gender and the behavior that follows are therefore deemed to impose through interactions. As masculinity holds more power than women under the social formation of gender, the female body can be and is objectified and commoditized under those hegemonic social customs (Henson 2015:23). The gendered socialization process, which is identified in Colombia (Lozano 2005:1), creates vulnerabilities that make women more liable to trafficking. In sum, the arrangement and internalization of female powerlessness and “hyper-sexualized” characteristics within gender as a structure can therefore demonstrate how these identities contributes to the maintenance of sex trafficking, whether it is forced, manipulated or chosen by women themselves as a way of survival (Henson 2015:45). In turn, armed conflicts tend to exacerbate gender hierarchies with such identity of masculine soldering and sexual dominance. In general, conflict and war are progressively more, if not initiated by actors who succeed on and create war economies, relying on extralegal and violent proceedings, such as trafficking (Wölte 2004:12). As such, a state of “multiple sovereignty” displays where the judicial void, a non-functioning government and the failure of citizen protection has created a vacuum where women and girls are victims under the control of criminal mayhem perpetrated by guerrillas, paramilitary groups, and drug traffickers alongside the Colombian military and

groups, and drug traffickers alongside the Colombian military and national police forces (Seagrave 2001:530-533). Subsequently, women and girls have lost their ability to enjoy their rights.

### 6.3 Trafficking in Persons in the aftermath of peace agreement

In order to present somewhat of an answer to the question of how the anti-trafficking work will be affected in a post-conflict climate, speculations generally come back to two main aspects, the end of violence and gender inequality, which all have reference to the importance of state capacity and governmental willingness. Observing the case of Colombia through the perspective of institutional theory creates comprehensive understanding of how institutions form societal structures and thereof norms, values, behaviors and governance structures. Not only has it been identified that power structures in Colombia can be traced back to political instability and institutional weaknesses, which has developed a conflict based on discontent and lack of security. Also, the entrenched gender inequality in the country, where a masculinity structure has determined women's role in society, can be understood as having been majorly influenced by the institutional environment (Meyer and Rowan 1977:341). Moreover, with the interest in power processes in Colombia, this perspective has provided emphasis to authority relations.

To what extent the government is able to demobilize rebel-combatants and eradicate violence in the country, as well as ending drug trafficking could potentially be key features in improving anti-trafficking efforts. However, the reality of a successful peace agreement has been questioned since history has showed us failure and results of even worse conflict in Colombia. However, there is certainly not one answer to this, as we cannot state what will happen in Colombia within the next few years. Nevertheless, the general assumption is that ex-combatants rather often become involved in other forms of crime. If the underlying structures of conflict are not targeted, there will likely be someone who will continue to pursue criminal rents, but these does not necessarily need to be ex-combatants. As such, whether or not the demobilization of guerrilla fighters following the peace agreements will be the major challenge for a successful post-conflict time in Colombia will remain unanswered (Robins-Early 2016).

This thesis argues that women's vulnerability does not disappear just because conflict does or if violence decreases. Since women and girls repeatedly constitute the majority of war survivors they become important in the rebuilding of a nation. However, women tend to be excluded from decision-making at the local, national and international level in these processes (Wölte 2004:13). This affects the TIP business excessively as traffickers in source countries tend to take advantage of the unequal status of women and girls in a post-conflict scenario as well (Aronowitz

2009:28). Based on the knowledge that the majority of societal occurrences in Colombia exclude women, it is not of surprise to suggest that level of corruption shapes gender identities or at least exacerbates these. The analysis even suggests that certain law enforcement performances may play out in accordance to hegemonic masculinity, which then can be argued to have major impact and restriction on anti-trafficking efforts and law enforcement (Henson 2015:23). An observation is that even if new laws and policies are implemented, which highlights gender equality and women empowerment, by no means can laws against human rights violations guarantee that GBV decreases as gender inequalities are so entrenched in Colombia. This argument has its roots in the recognition that societal norms, traditions and values need to change before exceeding efforts can be made (West and Zimmerman 1987:133), something that will be difficult to encourage, could take time or even be impossible. However, if gender inequalities specifically exist within Colombian laws endeavoring to eliminate sex trafficking goes somewhat beyond this study but is arguably a case worth exploring in the future to analyze how this then could potentially hinder anti-trafficking work on a political level.

Yet, it comes back to the notion that sustainability of the peace agreement will perhaps be more dependent on the larger changes in society and government policy, such as the capability of the government to create a joint country, the reconciliation procedure and providing their citizens with decent public services and security, and promoting their human rights while combating invasive organized crime, such as TIP, which will most likely not disappear over night. The fact that TIP goes beyond the conflict itself, by which means that the next decade is likely to witness several governmental challenges of which they are required to deal with. For this reason, whether or not TIP will be emphasized, as a fundamental issue in the country is yet to be unanswered.

To summarize, the history of Colombian state weakness is crucial to discuss in order to understand the contemporary civil conflict. The root causes for conflict has its foundation is that there is a somewhat causal relationship between social, economic and political stipulations (Newman 2006:749). Moreover, from a theoretical perspective, to understand large-scale patterns in history there is relevance in illustrating a few structural and systematic political forms or circumstances that has hindered development in one area while either having helped or tolerated development in another area, which can have long-term consequences (Amenta and Ramsey 2010:24). As in this case, an example of this would be policy innovations towards combating TIP, which have tended to fail continuously.

## 7 Concluding remarks

The prevalence of the internal armed conflict subsist in parallel with Colombia's drug cartels, which has generated an environment of weaker state capacity, government becomes more corrupt while civilian's rights have been considerably neglected. These incentives have caused criminal activities to flourish, specifically trafficking for sexual exploitation. TIP being a worldwide-recognized issue is not deemed caused by conflict, rather the argument is that conflict tends to exacerbate the problem. In Colombia, TIP has origins in the history of deeply entrenched gender inequality, which has then been aggravated by the violent groups involved in the conflict, the drug trafficking business and the pervasiveness of corruption in politics, protection and abusiveness of power. Awareness of the extent of this issue in the country has generated much attention towards preventing it, both domestically and through international assist. The generating of policies, laws and program has therefore been persistent during the twenty-first century, but these have incessantly not been followed through. Instead, impunity of perpetrators and increased displacement of its citizens' have been reality. Today, with a peace agreement in tact between the government and the FARC, the question of how and if TIP will be tackled in a post-conflict scene has generated numerous speculations. On the one hand, the conclusion that internal armed conflict exacerbates the business of TIP is deemed valid. On the second hand, this thesis has argued that TIP should also be viewed as an individual issue, flourishing beyond conflict, as there is a global demand for human beings. In light of the research questions, it is profound to argue that TIP will continue to exist in Colombia and outside its borders despite of potential less violence and decreased government corruption, or a better exerted democracy.

Having adopted the two broad theoretical frameworks of institutionalism and "doing gender", one has been able to explain the power structures in Colombia while also pinpointing why women and girls have fallen victim for sexual trafficking most frequently in both during a conflict and after. The discussion and analysis have provided an understanding for what barriers have existed in regards to hindering the government in its ability to follow through with anti-trafficking policies and programs and implementing laws. Through this, contribution has been made to already existing research while having adopted a specific theoretical approach, which enables comparison as well as contesting views.

As this study has aspired to map out how and why the internal armed conflict in Colombia has created barriers for the government to tackle TIP, the choice of a case study was significantly relevant in that it enabled an intense analysis. Due to the complexity of TIP and its prevalence in Colombia, further theoretical research is of significance along governmental acknowledgment if TIP is to potentially be combated. However, it seem valid to suggest that in order to secure a nation and achieve actual peace and an inclusive justice structure, the transnational justice

framework must be holistic and wide-ranging and even more importantly it needs to acquire a gender-sensitive and inclusive approach towards women.

## 8 References

- Amenta, E. and Ramsey, K. (2010). Institutional Theory. In: K. Leicht and J. Jenkins, ed., *Handbook of Politics - State and Society in Global Perspective*, 1st ed. [online] New York: Springer-Verlag New York. Available at: [http://link.springer.com/chapter/10.1007/978-0-387-68930-2\\_2](http://link.springer.com/chapter/10.1007/978-0-387-68930-2_2) [Accessed 10 May 2017].
- Aronowitz, A. (2009). *Human Trafficking, Human Misery - The Global Trade in Human Beings*. 1st ed. Westport, Connecticut: PRAEGER.
- Bales, K. (2007). What Predicts Human Trafficking?. *International Journal of Comparative and Applied Criminal Justice*, 31(2), pp.269-279.
- Bouvier, V.M. (2016). GENDER AND THE ROLE OF WOMEN IN COLOMBIA'S PEACE PROCESS. *UN WOMEN*.
- Brodzinsky, S. (2017). Colombia's armed groups sow seeds of new conflict as war with FARC ends. *The Guardian*. [online] Available at: <https://www.theguardian.com/world/2017/apr/18/colombia-farc-rebels-armed-groups> [Accessed 12 May 2017].
- Bryman, A. (2012). *Social research methods*. 4th edition. Oxford: Oxford University Press. 690 p
- Byman, D. and Van Evera, S. (1998). Why they fight: Hypotheses on the causes of contemporary deadly conflict. *Security Studies*.
- Cahn, N., Haynes D., and Ní Aoláin, F. (2010). Returning Home: Women in Post-Conflict Societies, 39 *U. Balt. L. Rev.* 339.
- Cascardi, E., Hathaway, A., Luis, J., Méndez, S., Ortiz, D., Rounseville, M. and Cassman, D. (2017). *Bandas Criminales | Mapping Militant Organizations*. [online] Web.stanford.edu. Available at: <http://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/607> [Accessed 4 May 2017].
- Farr, K. (2009). Armed Conflict, War Rape, and the Commercial Trade in Women and Children's Labour. *Pakistan Journal of Women's Studies: Alam e Niswan* 16 (1 & 2): 1-31.
- Gallagher, A. (2012). *The international law of human trafficking*. 1st ed. New York: Cambridge University Press.
- Gutiérrez, H. (2013). *Colombia: Overview of corruption and anti-corruption*. U4 Expert Answer. Transparency International, pp.1-10.
- Henson, K. (2015). *The Role of Gender in Sex Trafficking*. Senior Thesis. Linfield College.
- Human Rights Watch (2012). *Rights Out of Reach. Obstacles to Health, Justice, and Protection for Displaced, Victims of Gender-Based Violence in Colombia*. Human Rights Watch, pp.1-103.
- INTERPOL. (2016). N2016-098/2016/News/News and media/Internet/Home – INTERPOL. [online] Available at: <https://www.interpol.int/News-and-media/News/2016/N2016-098> [Accessed 5 May 2017].
- International Organization for Migration. (2016). *Member States*. [online] Available at: <https://www.iom.int/member-states> [Accessed 23 Apr. 2017].

- Kaufman, J. and Williams, K. (2017). *Women, gender equality, and post-conflict transformation*. 1st ed. London: Routledge, Taylor & Francis Group.
- Laczko, F. and Goździak, E. (2005). *Data and research on human trafficking*. 1st ed. Geneva: International Organization for Migration.
- Lorber, J., and Farrell, S. A. (1991). *The Social construction of gender*. Newbury Park, Calif: Sage Publications.
- Lozano, E. (2005). Being a Colombian/Being a woman: Gender, violence and meaning in Colombia. In: *XIV meeting of the Association of Colombianists*. Chicago, pp.1-17.
- Mazurana, D. and Carlson, K. (2006). The girl child and armed conflict: Recognizing and addressing grave violations of girls' human rights. In: *Elimination of all Forms of Discrimination and Violence Against the Girl Child*. Florence, Italy: United Nations, Division for the Advancement of Women (DAW).
- McDougall, A. (2009). State Power and Its Implications for Civil War Colombia. *Studies in Conflict & Terrorism*, 32(4), 322-345.
- Medina, D., Pagan, R., Pirezada, Z. and Suarez, G. (2016). Sex Trafficking in Colombia: Failures and Post--Conflict Challenges. *The Elliott School of International Affairs | The George Washington University*, pp.1-23.
- Nagle, L. (2013). How Conflict and Displacement Fuel Human Trafficking and Abuse of Vulnerable Groups. The Case of Colombia and Opportunities for Real Action and Innovative Solutions. *Groningen Journal of International Law*, 1(2): Human Trafficking, pp.1-53.
- Nelson, S., Guthrie, J. and Coffey, P. (2004). Literature Review and Analysis Related to Human Trafficking in Post-Conflict Situations, pp.1-118.
- Newman, E. (2006). Exploring the "Root Causes" of Terrorism. *Studies in Conflict & Terrorism*, 29(8), pp.749-772.
- Nussio, E. (2016). Ex-Combatants and Post-Conflict Violence: Are Yesterday's Villains Today's Principal Threat?. *SSRN Electronic Journal*.
- Nussio, E. & Howe, K., (2012). What if the FARC Demobilizes?. *Stability: International Journal of Security and Development*. 1(1), pp.58–67.
- Otis, J. (2014). *The FARC and Colombia's Illegal Drug Trade*. Latin America Program. Wilson Center.
- Pache, A. and Santos, F. (2010). WHEN WORLDS COLLIDE: THE INTERNAL DYNAMICS OF ORGANIZATIONAL RESPONSES TO CONFLICTING INSTITUTIONAL DEMANDS. *Academy of Management Review*, 35(3), pp.455-476.
- Pettersson, T. and Engström, G. (2016). *Fördjupning Colombia*. [online] Sakerhetspolitik. Available at: <http://www.sakerhetspolitik.se/Konflikter/Colombia/Fordjupning/> [Accessed 25 Apr. 2017].
- Restrepo, EM. (2009). The pursuit of efficiency and the Colombian criminal justice system in *Criminality, Public Security, and the Challenge to Democracy in Latin America*. University of Notre Dame Press, pp. 173-202.
- Robins-Early, N. (2016). Colombia's 52-Year War May Soon Be Over, But What Happens Next?. *The Huffington Post*. [online] Available at: [http://www.huffingtonpost.com/entry/colombia-peace-deal-referendum-explainer\\_us\\_57e3fe05e4b0e28b2b529e9b](http://www.huffingtonpost.com/entry/colombia-peace-deal-referendum-explainer_us_57e3fe05e4b0e28b2b529e9b) [Accessed 12 May 2017].
- Rosenberg, M. (2015). *Colombia President Santos: Some justice sacrificed for peace deal*. [online] Reuters World News. Available at:

- <http://www.reuters.com/article/us-colombia-president-idUSKCN0RU2NR20150930> [Accessed 18 May 2017].
- Seagrave, A. (2001). Conflict in Colombia: How Can Rebel Forces, Paramilitary Groups, Drug Traffickers, and Government Forces Be Held Liable for Human Rights Violations in a Country Where Impunity Reigns Supreme?. *Nova Law Review - Article 9*, [online] 25(2), pp.526-545.
- Seelke, C.R. (2014). Trafficking in Persons in Latin America and the Caribbean. (Report No. RL33200). Washington, DC: *Congressional Research Service*.
- Shelley, L. (2010). *Human Trafficking: A Global Perspective*. 1st ed. Cambridge: Cambridge University Press.
- Shultz, J., Garfin, D., Espinel, Z., Araya, R., Oquendo, M., Wainberg, M., Chaskel, R., Gaviria, S., Ordóñez, A., Espinola, M., Wilson, F., Muñoz García, N., Gómez Ceballos, Á., Garcia-Barcena, Y., Verdelli, H. and Neria, Y. (2014). Internally Displaced “Victims of Armed Conflict” in Colombia: The Trajectory and Trauma Signature of Forced Migration. *Current Psychiatry Reports*, 16(10).
- Simmons, B., Lloyd, P. and Stewart, M.B. (2011). The Global Diffusion of Law: Transnational Crime and the Case of Human Trafficking. *SSRN Electronic Journal*.
- Tate, W. (2007). *Counting the dead*. 1st ed. Berkeley: University of California Press.
- Tate, W. (2016). Chronicle of a Peace Foretold. *NACLA Report on the Americas*, 48(1), pp.18-21.
- Tilly, C. (1978). *From mobilization to revolution*. Reading, Mass, Addison-Wesley Pub. Co.
- Transparency International. (2013). *Colombia 2013 - World's largest opinion survey on corruption - Transparency International*. [online] Available at: <http://www.transparency.org/gcb2013/country/?country=colombia> [Accessed 11 May 2017].
- Transparency International. (2016). *Research - CPI - Overview*. [online] Transparency.org. Available at: <http://www.transparency.org/research/cpi/overview> [Accessed 28 Apr. 2017].
- Tyldum, G. and Brunovskis, A. (2005). Describing the Unobserved: Methodological Challenges in Empirical Studies on Human Trafficking. *International Migration*, 43(1-2), pp.17-34.
- U.S. Department of State. (2001). *TRAFFICKING IN PERSONS REPORT 2001*. [online] Washington, DC: U.S. Department of State. Available at: <https://www.state.gov/j/tip/rls/tiprpt/2001/index.htm> [Accessed 9 Apr. 2017].
- U.S. Department of State. (2002). *TRAFFICKING IN PERSONS REPORT 2002*. [online] Washington, DC: U.S. Department of State. Available at: <https://www.state.gov/j/tip/rls/tiprpt/2002/index.htm> [Accessed 9 Apr. 2017].
- U.S. Department of State. (2003). *TRAFFICKING IN PERSONS REPORT 2003*. [online] Washington, DC: U.S. Department of State. Available at: <https://www.state.gov/j/tip/rls/tiprpt/2003/index.htm> [Accessed 9 Apr. 2017].
- U.S. Department of State. (2004). *TRAFFICKING IN PERSONS REPORT 2004*. [online] Washington, DC: U.S. Department of State. Available at: <https://www.state.gov/j/tip/rls/tiprpt/2004/index.htm> [Accessed 9 Apr. 2017].
- U.S. Department of State. (2006). *TRAFFICKING IN PERSONS REPORT 2006*. [online] Washington, DC: U.S. Department of State. Available at: <https://www.state.gov/j/tip/rls/tiprpt/2006/index.htm> [Accessed 9 Apr. 2017].



- U.S. Department of State. (2008). *TRAFFICKING IN PERSONS REPORT 2008*. [online] Washington, DC: U.S. Department of State. Available at: <https://www.state.gov/j/tip/rls/tiprpt/2008/index.htm> [Accessed 9 Apr. 2017].
- U.S. Department of State. (2009). *TRAFFICKING IN PERSONS REPORT 2009*. [online] Washington, DC: U.S. Department of State. Available at: <https://www.state.gov/j/tip/rls/tiprpt/2009/index.htm> [Accessed 9 Apr. 2017].
- U.S. Department of State. (2014). *TRAFFICKING IN PERSONS REPORT 2014*. [online] Washington, DC: U.S. Department of State. Available at: <https://www.state.gov/j/tip/rls/tiprpt/2014/index.htm> [Accessed 10 Apr. 2017].
- U.S. Department of State. (2016). *TRAFFICKING IN PERSONS REPORT 2016*. [online] Washington, DC: U.S. Department of State. Available at: <https://www.state.gov/j/tip/rls/tiprpt/2016/index.htm> [Accessed 10 Apr. 2017].
- UN. (n.d.). *Member States | United Nations*. [online] Available at: <http://www.un.org/en/member-states/> [Accessed 23 Apr. 2017].
- UNITED STATES. (2000). *Victims of Trafficking and Violence Protection Act of 2000*. [Washington, D.C.], [U.S. G.P.O.]. Available at: <http://www.refworld.org/docid/3ae6b6104.html> [accessed 23 April 2017]
- UNODC. (2017). *Drug trafficking*. [online] Available at: <https://www.unodc.org/unodc/en/drug-trafficking/> [Accessed 9 May 2017].
- UNODC. (2017). *What is Human Trafficking?*. [online] Available at: <https://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html> [Accessed 16 May 2017].
- Verhoeven, S. (2008). International and Non-international Armed Conflicts. [online] Working Paper No 107, pp.1-22. Available at: <https://www.law.kuleuven.be/iir/nl/onderzoek/wp/WP107e.pdf>. [Accessed 9 May 2017].
- Wheaton, E., Schauer, E. and Galli, T. (2010). Economics of Human Trafficking. *International Migration*, 48(4), pp.114-141.
- Wilcox, D. (2015). *Barriers to combating human trafficking in Colombia*. Postgraduate thesis. Naval Postgraduate School.
- Wölte, S. (2004). Armed Conflict and Trafficking in Women. *Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH - Sector Project against Trafficking in Women*, [online] pp.1-51.
- Zwehl, P. (2014). *Violence against women in Colombia fueled by machismo culture and 'institutional weakness'*. [online] Colombia News | Colombia Reports. Available at: <http://colombiareports.com/violence-women-colombia-fueled-machismo-culture-institutional-weakness/> [Accessed 9 May 2017].