

HUMAN TRAFFICKING: EUROPEAN UNION'S REGULATIONS TO PROTECT AFRICAN ATHLETE'S DREAMS

I. INTRODUCTION

“For years I just kept blocking it out . . . [b]ut you can only block it out for so long,” stated the Somalian Olympian, Sir Mo Farah.¹ Thousands of African athletes who pursue their dreams

1. See Ashitha Nagesh, *Sir Mo Farah reveals he was trafficked to the UK as a child*, BBC NEWS (July 16, 2022), <https://www.bbc.com/news/uk-62123886> (stating Sir Mo Farah brought to UK in childhood and forced into domestic servitude). Sir Mo Farah shared his story of coming from Somalia as a child hoping to achieve a better life. *Id.* Sir Mo Farah is a success story but is only one athlete of thousands who started their athletic careers as a victim of human trafficking. *Id.* See also Matt Moore et al., *Commentary: Ending Human Trafficking in Sport – A Playbook for Forward Progress*, 2 SPORT SOC. WORK J. 48, 48 (2022), <https://openjournals.bsu.edu/sportsocialworkjournal/article/view/3992/2117> (discussing human trafficking of athletes). Overall, “there is a lack of awareness of human trafficking among the general population.” *Id.* See also U.N. OFF. ON DRUGS & CRIME, *Toolkit to Combat Trafficking in Persons*, at 2, U.N. Sales No. E.08.V.14 (2008), available at https://www.unodc.org/documents/human-trafficking/HT_Toolkit08_English.pdf [hereinafter *Toolkit to Combat Trafficking in Persons*] (defining human trafficking). The United Nations describes trafficking as:

the recruitment, transportation, transfer, harbouring or receipt of persons, by means of a 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.

Id. See also U.N. OFF. ON DRUGS & CRIME, *TRAFFICKING IN PERSONS; ANALYSIS ON EUROPE* 1, 8 (2009), available at https://www.unodc.org/documents/human-trafficking/Trafficking_in_Persons_in_Europe_09.pdf (analyzing statistical data on Europe's response to human trafficking) [hereinafter *TRAFFICKING IN PERSONS; ANALYSIS ON EUROPE*]. Looking at the data,

[t]he response to human trafficking in terms of number of convictions recorded per year is still weak, especially compared to the number of victims that are estimated to be trafficked in Europe, which is estimated to be around 250,000 per year. Most European countries record national conviction rates for human trafficking below one convict per 100,000 people.

Id. There are multiple types of exploitation in human trafficking, with sex exploitation being the most common. *Id.* at 16. See also *Understanding Labor Trafficking*, HUM. TRAFFICKING CAPACITY BLDG. CTR., https://htcbc.ovc.ojp.gov/sites/g/files/xyckuh311/files/media/document/Understanding%20Labor%20Trafficking_508c.pdf (last visited Nov. 5, 2022) (defining labor trafficking). Labor trafficking is another form of exploitation that can occur in any industry and can be in the form of involuntary servitude, debt bondage, peonage, or slavery. *Id.* See also *Situation Report: Trafficking in human beings in the EU*, 24 (2016), <https://www.europol.europa.eu/cms/sites/default/files/documents/>

of performing their sports at the highest level start with human traffickers who promise the vulnerable athletes stardom and a ticket to the big leagues.² Traffickers, disguised as sports agents and athletic clubs, use the difficult narratives of famous athletes to manipulate and prey on the interests of athletes from poor African countries.³ The United Nations and European Union can only turn a blind eye to the trafficking of athletes for so long, and must ask the hard question: *why are African athletes targeted for human trafficking, and how can the United Nations and European Union regulate the industry contributing to one of the largest crimes in the world—the sports industry?*⁴

thb_situational_report_-_europol.pdf (discussing different forms of human trafficking in Europe). In 1930, the International Labor Organization Forced Labour Convention defined labor exploitation as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” *Id.*

2. See Kieran Guilbert, *Chasing dreams: Young African footballers duped, dumped by traffickers*, THOMAS REUTERS FOUND. (Dec. 6, 2015, 7:04 PM), <https://www.reuters.com/article/africa-soccer-trafficking/chasing-dreams-young-african-footballers-duped-dumped-by-traffickers-idINL8N13R3V920151207> (claiming around 15,000 young athletes “moved out of West Africa each year under false [pretenses]”). Boys in West Africa are dropping out of school to pursue their athletic dreams, leaving them as a prime target for human trafficking. *Id.* Exploitation is easier “[w]hen you combine boys who want to leave Africa and dream of being the next Samuel Eto’o or Didier Drogba with men looking to make money . . .” *Id.* To ensure the safety of children in human trafficking, “[g]reater collaboration between FAs [(Football Associations)] and governments is needed . . . experts say, yet many acknowledge that the solution is not simple.” *Id.* For soccer, child trafficking is hard to regulate specifically because “FIFA is engulfed in its own corruption scandal and members have historically tried to keep sport and politics separate.” *Id.*

3. See James Esson, *Playing the victim? Human trafficking, African youth, and geographies of structural inequality*, WILEY (2020), <https://doi.org/10.1002/psp.2309> [hereinafter *Playing the victim*] (discussing African youth targets of human trafficking). African athletes believe a professional soccer player is an “entrepreneur of self,” allowing a chance for social mobility. *Id.* This chance of social mobility makes African athletes think the risk of believing a stranger who promises stardom is worth it. *Id.* See also Moore et. al., *supra* note 1, at 49 (discussing athletes lured under false promises of stardom). To lure victims in trafficking, “soccer scouts bought tickets for young African men (many under [eighteen]) promising a career in sport; however, many of these men were forced into prostitution and deprived their basic human rights.” *Id.*

4. See TRAFFICKING IN PERSONS; ANALYSIS ON EUROPE, *supra* note 1. See also Matthew Hall, *The Scramble for Africa’s Athletes*, FP (Apr. 20, 2018, 11:13 AM), <https://foreignpolicy.com/2018/04/20/the-scramble-for-africas-athletes-trafficking-soccer-football-messi-real-madrid-barcelona/> (discussing issues surrounding African athletes and Europe). Governments and institutions such as the International Federation of Association Football, Union of European Football Associations, and the International Olympic Committee have not had strong responses to the trafficking of athletes. *Id.* Despite FIFA’s attempt to create Article 19, which does not allow athletes younger than eighteen years old to sign a contract or register in clubs outside their home country,

This note will explore the regulation, or lack thereof, of the human trafficking of African athletes to Europe.⁵ In particular, Part II will address the history of human trafficking, athletes as targets, and regulations adopted by the United Nations and the European Union.⁶ Part III will detail the dependence on sports in European culture, fueling the phenomenon of African athletes becoming human trafficking victims and the response from government institutions, sports agencies, and Non-Governmental Organizations (NGO(s)).⁷ Finally, Part IV will set forth how the

African athletes continue to come to Europe. *Id.* Governments and institutions disagree at what point during the athlete's experience a potential crime is created. *Id.* This confusion might be the reason this issue is put on the back burner despite human trafficking being the second largest crime in the world. *Id.*

5. See THE PROBLEM OF SPORTS TRAFFICKING: SETTING AN AGENDA FOR FUTURE INVESTIGATION AND ACTION, UNIV. OF NOTTINGHAM RTS. LAB 1,7 (2021), <https://www.nottingham.ac.uk/research/beacons-of-excellence/rights-lab/resources/reports-and-briefings/2021/august/the-problem-of-sports-trafficking.pdf> [hereinafter THE PROBLEM OF SPORTS TRAFFICKING] (discussing lack of regulation of human trafficking in sports). Although the education is growing on human trafficking, there is a lack of data surrounding sports human trafficking because countries are having a difficult time deciding what constitutes the human trafficking of athletes. *Id.* For example, "in one case, a Belgian court did not proceed with a case on potential trafficking of young Nigerian athletes as it was decided that they were not forced into 'embarking into a journey of uncertain end.'" *Id.* Further research on sports trafficking is needed for governments to create a cohesive regulation. *Id.* at 20-21.

6. See Ivy C. Lee & Mie Lewis, *Human Trafficking from a Legal Advocate's Perspective: History, Legal Framework and Current Anti-Trafficking Efforts*, 10 U.C. DAVIS J. INT'L L. & POL'Y 169, 169-97 (2003) (analyzing history of human trafficking); see also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5 (discussing human trafficking in sports). The two methods of trafficking athletes are making false promises to the athletes that they will play a sport and trafficking athletes while they are playing the sport. *Id.* at 7. Many governments have not acknowledged either. *Id.* See also JANICE G. RAYMOND, GUIDE TO THE NEW UN TRAFFICKING PROTOCOL, 1 COAL. AGAINST TRAFFICKING IN WOMEN (2001), <https://catwinternational.org/wp-content/uploads/2019/09/Guide-to-the-New-UN-Trafficking-Protocol.pdf> (discussing UN international agreement still effective today). The UN international agreement against human trafficking was called "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children," which focused on sexual exploitation in women and children. *Id.* See also *Legal and Policy Framework*, EUR. COMM'N: MIGRATION & HOME AFFS., https://home-affairs.ec.europa.eu/policies/internal-security/organised-crime-and-human-trafficking/together-against-trafficking-human-beings/legal-and-policy-framework_en (last visited Aug. 23, 2023) (discussing legal and policy framework initiatives for human trafficking). The European Union's latest effort is the "EU Strategy on Combating Trafficking in Human Beings 2021-2025" which focuses on preventing the crime of human trafficking. *Id.*

7. See Ini-Obong Nkang, *Europe's search for soccer's next big star is driving a modern day-slave trade*, QUARTZ (Aug. 14, 2019), <https://qz.com/africa/1687177/european-football-drives-modern-slave-trade-of-young-africans/> (discussing Europe targeting African victims in soccer). European "[c]lubs are complicit in football trafficking when they do not query the origin of a player who comes for trials, or probe the relationship

United Nations and the European Union can implement policies and regulations to control this phenomenon.⁸ Since human trafficking involves migration, Part V will conclude by suggesting that the United Nations and the European Union regulate the industry to allow athletes to chase their dreams without fear.⁹

II. HISTORY

A. Human Trafficking: Where It All Started

The earliest form of global human trafficking is the African slave trade.¹⁰ When the British enacted the first effective law against slavery, human trafficking became “white slavery,” which is described as forcing women into prostitution against their will.¹¹

between a player and an agent.” *Id.* See also Directorate-Gen. for Educ. and Culture, *Study on Sports Agents in the European Union*, EUR. COMM’N 3, 106 (2009), available at <https://ec.europa.eu/assets/eac/sport/library/studies/study-sports-agents-in-eu.pdf> [hereinafter *Study on Sports Agents in the European Union*] (stating European sports that use agents more likely susceptible to human trafficking). European sports agents target Africans to leave them “in the lurch,” driving the debate on which organization should be leading the fight against human trafficking: governments, sports agencies, or non-governmental organizations (NGOs). *Id.*

8. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5 (stressing need for more research in sport human trafficking); see also *Study on Sports Agents in the European Union*, *supra* note 7, at 176 (discussing European Commission’s regulation of sports agencies). The European Union can take a lead role by “changing behaviours, harmonising existing practices, promoting the best of them – and introducing regulations, if and when appropriate.” *Id.*

9. See European Parliament, *EU sports policy: assessment and possible ways forward* (2021) https://www.europarl.europa.eu/cmsdata/236742/PE652-251_Study-EU-Sport-Policy.pdf (explaining success and failures of regulating sports human trafficking). There should be more regulation around sports human trafficking, or the number of victims will continue to grow. *Id.*

10. See Grant Oster, *The History of Human Trafficking*, HANKERING FOR HIST. (2015), <https://hankeringforhistory.com/the-history-of-human-trafficking/> (simplifying international history of human trafficking). Prior to the early 1800s, slavery was legal and there was not a single international organization to legally bind the nations to stop slavery. *Id.* See also Becky Giovagnoni & Amber Van Schooneveld, *The History of Human Trafficking*, THE EXODUS ROAD (Jan. 25, 2022), <https://theexodusroad.com/history-of-human-trafficking/> (arguing “for as long as humans have existed, human trafficking has existed”). As early as the 16th century, “Portugal began traveling overseas to Africa to purchase or capture people, enslave them, and take them back to Europe.” *Id.* For 350 years, known in history as the Transatlantic Slave Trade, “some 12.5 million slaves were shipped from Africa around the world.” *Id.* In fact, the last reported voyage ended in only 1866 and although it became illegal, the enslavement mindset continued. *Id.*

11. See Oster, *supra* note 10 (discussing change of human trafficking from African Slave Trade to white slavery). In 1807, King George III signed the Act for the Abolition of the Slave Trade, “banning trading in enslaved people in the British Empire.” See *How*

To combat this problem, several international conferences led to the development of the International Agreement for the Suppression of the White Slave Trade in 1904, which received little recognition and led to multiple amendments.¹² In the aftermath of World War I, the League of Nations' countries then signed the International Convention for the Suppression of Traffic in Women and Children into law.¹³ Only after World War II was the

did the slave trade end in Britain?, ROYAL MUSEUMS GREENWICH, <https://www.rmg.co.uk/stories/topics/how-did-slave-trade-end-britain> (last visited Nov. 2, 2022) (discussing how slave trade ended). See also *CHRONOLOGY-Who banned slavery when?*, REUTERS (Mar. 22, 2007, 2:18 AM), <https://www.reuters.com/article/uk-slavery/chronology-who-banned-slavery-when-idUSL1561464920070322> (summarizing history of slave laws globally). Although Great Britain passed the first major ban against slavery, Vermont abolished slavery within its state in 1777 and Denmark banned the importation of slaves to its West Indies colonies in 1792. *Id.* Great Britain, however, had diplomatic influence across the world to make an incredible impact in the abolition of slavery. *Id.* See UK Parliament, *Parliament and the British Slave Trade*, <https://www.parliament.uk/about/living-heritage/transformingsociety/tradeindustry/slavetrade/#:~:text=Throughout%20the%2017th%20and%2018th,successful%20public%20campaigns%20in%20history> (last visited Nov. 2, 2022) (analyzing impact of Parliament and abolishing slave trade). See Oster, *supra* note 10 (stating although banned, slavery has transformed into new forms). The next form of human trafficking was white slavery, which is defined as “the procurement—by use of force, deceit, or drugs—of a white woman or girl against her will for prostitution.” *Id.* When “white slavery gained [significant] attention, governments began to cooperate to fight it.” *Id.*

12. See Giovagnoni & Van Schooneveld, *supra* note 10 (explaining lack of effectiveness to stop white slavery in 1904). In 1904, the International Agreement for the Suppression of “White Slave Traffic” was signed into law and became “the first international agreement on human trafficking.” *Id.* See also Jean Allain, *White Slave Traffic in International Law*, 1 J. TRAFFICKING & HUM. EXPLOITATION 1 (2017), available at https://glc.yale.edu/sites/default/files/pdf/allain_the_white_slave_traffic_in_international_law.pdf (discussing evolution of white slavery). The International Agreement required the following:

each consenting state to establish an authority to act as a central clearing-house of information regarding ‘the procuring of women or girls for immoral purposes abroad’; to keep watch in line with the Resolution noted above; to interrogate foreign prostitutes; to assist in the repatriation of both victims and foreign prostitutes wishing to return to their country of origin; and, finally, to supervise ‘office and agencies engaged in finding employment for women or girls abroad.’

Id. The criminalization of white slavery occurred in 1910 with the signing of the International Convention of the Suppression of the White Slave Trade. *Id.* at 29. See also Giovagnoni & Van Schooneveld, *supra* note 10 (describing evolution of human trafficking). The treaty was amended in 1951, therefore the problem of white slavery did not end in 1910. *Id.* See International Convention for the Suppression of the “White Slave Traffic,” May 4, 1949, 2 U.S.T. 1999, 30 U.N.T.S. 23, (entered into force June 21, 1951), available at <http://hrlibrary.umn.edu/instree/whiteslavetraffic1910.html> (announcing amended treaty).

13. See Oster, *supra* note 10 (explaining how human trafficking has evolved). The League of Nations was the first international organization of nations, and “was the first

first legally binding international agreement on human trafficking written.¹⁴

In 2000, fifty-one years later, the United Nations adopted the Protocol against Trafficking in Persons (2000 Protocol), which defines human trafficking as:

[T]he 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, or 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.¹⁵

time that agreements could be made within a set organization, with more pressure to comply.” *Id.* At a League of Nations international convention, “[i]n 1921, 33 countries . . . signed the International Convention for the Suppression of Traffic in Women and Children.” *Id.* This agreement eliminated the factor of race and allowed male children to be recognized as victims of trafficking. *Id.* See Kristiina Kangaspunta, *A Short History Of Trafficking In Persons*, FREEDOM FROM FEAR MAG., <https://f3magazine.unicri.it/?p=281> (last visited Mar. 30, 2023) (discussing history of slavery). In addition, the agreement emphasizes “the need for protection during the migration processes” and “the need to inform women and children about trafficking.” *Id.*

14. See Oster, *supra* note 10 (explaining impact of United Nations on human trafficking). The member-nations of the United Nations, at the time after World War II, adopted the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others in 1949. *Id.* As of 2015, however, only sixty-six nations have ratified it. *Id.* Nations who did not ratify it expressed their unwillingness to criminalize prosecution, which was required in the Convention. *Id.* See Kangaspunta, *supra* note 13 (discussing trafficking in persons). See also Marjan Wijers, *Purity, Victimhood and Agency: Fifteen years of the UN Trafficking Protocol*, 4 ANTI-TRAFFICKING REV. 1, 4 (2015), available at <https://antitraffickingreview.org/index.php/atrjournal/article/view/90/111> (arguing states adopted highly morally biased concept making women innocent victims that need rescuing). By

[d]eclaring prostitution ‘incompatible with the dignity and worth of the human person; the 1949 Convention obliges States to criminalise all forms of procurement and exploitation for the purpose of prostitution, with or without consent of the woman involved. The prostitute herself, however, was not to be penalised as she was seen as a passive victim in need of protection, if necessary against her will.

Id. Until this point in history, sexual exploitation and prostitution were the only recognized forms of global human trafficking. *Id.* See Oster, *supra* note 10 (describing history and expansion of what actions fall into human trafficking).

15. See G.A. Res. 55/25 (Nov. 15, 2000), available at <https://www.ohchr.org/sites/default/files/ProtocolonTrafficking.pdf> (documenting 2000 Protocol against human trafficking). See also Giovagnoni & Van Schooneveld, *supra* note 10 (explaining how other forms of exploitation entered into conversation surrounding human trafficking). Organ harvesting and labor trafficking grew in scope, therefore the United Nations expanded the definition, but still focusing on the typical targets of sexual exploitation of

For the first time in history, not only did the 2000 Protocol recognize labor human trafficking, but it also criminalized all exploitations recognized as human trafficking as a form of organized crime.¹⁶ Despite this historic implementation, labor trafficking has increased since 2000 due to economic crises, gender discrimination, and inequalities in the labor market.¹⁷ Today, human

women and children. *Id.* See Human Trafficking FAQs, <https://www.unodc.org/unodc/en/human-trafficking/faqs.html#h1> (last visited Nov. 9, 2022) (discussing facts of human trafficking and 2000 Protocol). The United Nations Protocol against Trafficking in Persons (2000 Protocol) stated, “the consent of the victim to the exploitation is irrelevant when the threat of or use of force, deception, coercion, abuse of power or position of vulnerability is used.” *Id.* When the trafficking involves children, “consent is irrelevant regardless of whether any means were used or not.” *Id.* The most identified forms of human trafficking include “sex, entertainment and hospitality industries, and as domestic workers or in forced marriages.” *Id.*

16. See Human Trafficking FAQs, *supra* note 15 (discussing facts surrounding criminalization of human trafficking). The victims of human trafficking can be any person of any age, gender, or race. *Id.* The United Nations Office on Drugs and Crime 2020 Global Report on Trafficking in Persons found:

using official figures from over 148 countries, [showing] female victims continue to be the primary targets [because] . . . 46 percent of detected victims were women and 19 percent girls. For male victims[,] the Report shows that 20 per cent of detected victims were men and 15 per cent were boys. The Report shows that the share of children among detected trafficking victims has tripled while the share of boys has increased five times over the past 15 years. Globally, one in every three victims detected is a child. Girls are mainly trafficked for sexual exploitation, while boys are used for forced labour.

Id. According to this report, “almost two-thirds of people convicted of human trafficking offences in 2018 were male, although participation of women is higher compared with other crimes.” *Id.* Only two percent of traffickers convicted were under the age of 18 years old and most traffickers have criminal backgrounds and use trafficking as their source of income. *Id.* Although the 2000 Protocol criminalized human trafficking, there is low detection and conviction which could be contributed to the 2000 Protocol being the only international legal instrument addressing human trafficking as a crime. *Id.*

17. See *Situation Report: Trafficking in human beings in the EU*, *supra* note 1, at 10 (reporting findings regarding human trafficking in Europe). Victims are typically vulnerable individuals who can be experiencing “family problems, a lack of employment opportunities or lack of education; others may face gender (or other) discrimination or inequality in the labour market.” *Id.* Labor exploitation is being investigated by law enforcement more frequently, leading to more identified victims. *Id.* at 23. Law enforcement has found “victims are lured through word of mouth and online advertisements, posted on social media and on specific websites (e.g. online recruitment agencies).” *Id.* Victims of labor trafficking are hard to identify because the crime is “less visible and evident than others . . .” and “concerns individuals who may not be aware they are being exploited.” *Id.* at 24. See *Oster*, *supra* note 10 (providing worldwide statistics of modern-day labor trafficking). There is a recent trend that shows “forced labor migration has been increasing, decreasing the share of trafficking for sexual exploitation. In 2007, 32% of trafficked persons were forced labor migrants. Four years later,

trafficking is globally known as a form of modern-day slavery.¹⁸ Europe has around 270,000 victims of labor trafficking per year yet near zero convictions.¹⁹

B. Athletes Are A Target For Labor Trafficking

While experts study labor exploitation generally, the lack of recognition by governments and organizations of this novel trend in trafficking athletes makes the determination of its origin and scope impossible.²⁰ Labor exploitation normally occurs in poorly

the share was at 40%.” *Id.* See *Situation Report Trafficking in human beings in the EU*, *supra* note 1, at 24 (describing problems regarding criminalizing labor exploitation). The profits from labor exploitation take the form of work produced and debt bondage. *Id.* at 25.

18. See Giovagnoni & Van Schooneveld, *supra* note 10 (equating human trafficking to modern-day slavery and displaying how mindsets have not changed over time).

19. See BEATE ANDREES, FORCED LABOUR AND TRAFFICKING IN EUROPE: HOW PEOPLE ARE TRAPPED IN, LIVE THROUGH AND COME OUT, 1-3 (2008), available at https://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_090548.pdf (researching modes of trafficking, amount of people trafficked, and descriptions of typical victims in Europe). Out of 360,000 forced labor victims, 270,000 were victims of trafficking. *Id.* at 1. See Kieran Guilbert, *Labor trafficking rises across Europe as laws fall short: watchdog*, REUTERS, (Apr. 3, 2018, 1:33 PM), <https://www.reuters.com/article/us-europe-trafficking-labour/labor-trafficking-rises-across-europe-as-laws-fall-short-watchdog-idUSKCN1HA28M> (suggesting labor trafficking statistically surpasses sexual trafficking). It has been argued that “[l]abor trafficking is on the rise across Europe and has overtaken sexual exploitation as the predominant form of modern-day slavery.” *Id.* Despite the rise in labor trafficking, “a lack of prosecutions and convictions, limited labor laws and inspections, and fear among victims are hindering efforts to tackle trafficking in industries from agriculture to construction, said a report by the Council of Europe.” *Id.* See also OFF TO MONITOR AND COMBAT TRAFFICKING IN PERSONS, TRAFFICKING IN PERSONS REPORT JULY 2022, 1, 246 (U.S. Dept. of State Publ’n, 2022), available at <https://www.state.gov/wp-content/uploads/2022/04/337308-2022-TIP-REPORT-inaccessible.pdf> [hereinafter 2022 TRAFFICKING IN PERSONS REPORT] (reporting human trafficking statistics to U.S. Department of State). In Germany, in 2020, state law enforcement investigated merely thirty-four labor trafficking cases, fourteen prosecutions, and five convictions. *Id.* In Germany, there were 26 investigations and zero prosecutions in 2019. *Id.*

20. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 7 (arguing for more research in sport human trafficking). Traffickers are mostly reported in soccer and baseball, but basketball, ice hockey, and other sports are targeted as well. *Id.* at 9. In fact, “approximately 15,000 young individuals are trafficked from West Africa into Europe to play football.” *Id.* at 9. In France, approximately 7,000 Africans were unsuccessful in signing with a club in 2007, with approximately 20,000 players being trafficked into Europe. *Id.* Africans are typically trafficked to Europe due to the aspects of migration, specifically Europe being a preferred destination for economic and fame reasons. *Id.* at 12. These patterns show:

in West Africa, there have been cases of Gambian players having left their country of origin to tryout for European teams in Italy and France. Additionally, it is reported that many European destination countries

regulated industries—such as domestic work, construction, manufacturing, and agriculture—but is also used to exploit athletes, though there is a lack of research and awareness for this form of trafficking.²¹ The U.S. Department of State only recognized the human trafficking of athletes as an issue in 2020, and called for “nationwide public awareness” in their Trafficking in Persons Report.²² Although the U.S. government has only recently

that African athletes are recruited into . . . have a past colonial link to Africa such as England, France, and Portugal. There have also been cases of players from Africa being trafficked to South Asian countries[,] such as Pakistan[,] . . . [or] to Turkey to tryout for Turkish soccer clubs but were abandoned in Istanbul.

Id. at 10. European clubs recruit African players because they bring different qualities to European soccer. *Id.* The clubs state that “African footballers are . . . perceived as playful and trick-long or strong and physical – alleged attributes which have . . . roots in colonial . . . images that . . . reflect European stereotypes of Africa than actual playing abilities.” *Id.*

21. See *Situation Report: Trafficking in human beings in the EU*, *supra* note 1, at 24 (stating worker’s rights and human dignity ignored to earn maximum profit in these industries). See also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 7 (introducing further research on trafficking in context of sports). Sports trafficking “involves the sale of child athletes, usually across national boundaries and for profit.” *Id.* There is a distinction between two processes of sports trafficking: (1) “young players who pay agents or intermediaries purporting to have contacts with professional clubs abroad,” and (2) “human trafficking *through* sports which occurs in most cases.” *Id.* To describe the first process, players typically sign a contract to perform their sport, but the opportunity involves exploitation. *Id.* The second process is when a player believes they are signing with a club that does not exist, resulting in human trafficking. *Id.* Although there is some “literature on trafficking in sports, there is still a lack of data on this problem and the extent to which the movement of aspiring migrant athletes constitutes human trafficking as defined by the UN’s Palermo Protocol.” *Id.* The main problem is being able to define force, coercion, or deception in some cases, despite being prevalent. *Id.* For example, “in one case, a Belgian court did not proceed with a case on potential trafficking of young Nigerian athletes as it was decided that they were not forced into ‘embarking into a journey of uncertain end.’” *Id.*

22. See OFF. TO MONITOR & COMBAT TRAFFICKING IN PERS., TRAFFICKING IN PERSONS REPORT JUNE 2020, 1, 27 (U.S. Dept. of State Publ’n, 2020), available at <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf> [hereinafter 2020 TRAFFICKING IN PERSONS REPORT] (reporting human trafficking statistics to U.S. Department of State). European clubs have attempted to increase awareness of human trafficking, however, many individuals are largely unaware of the connection between sport and human trafficking. *Id.* at 49. The United States 2020 Trafficking in Persons Report described how athletes are “drawn by the fame, multi-million-dollar contracts, lucrative brand sponsorships, and opportunities to travel around the world” which “inevitably draws human traffickers looking to profit from the exploitation of player’s dreams.” *Id.* at 26. Most of the time, sports agents’ target poor or rural families who will do what it takes to have their children or now young adults, chase their dreams. *Id.* Some agents abandon the children while they are traveling or once they reach their destination, while others instill trust in the children to make them more susceptible to deception later. *Id.* People who chase their dreams internationally are

recognized sports trafficking as an issue, many organizations, like the Fédération Internationale de Football Association (FIFA), have been addressing this issue subtly for years through regulations within their associations, such as criminalizing transfers of young people.²³

an easy target because they fear being caught by law enforcement as undocumented, if abandoned, and have a desire to avoid disappointing their family members back home who did “whatever it [took] to meet the agent’s price.” *Id.* For athletes who enter into a contract, traffickers, appearing as agents, control their careers by directing their travel, holding their identity documents, keeping them “in a state of debt-based coercion . . .” or deceive the athlete by telling them it is too risky to leave because it may “ruin their reputation, or jeopardize their future.” *Id.* Although many people are unaware of this issue, sports trafficking has been reported in news outlets and documentaries and continue to grow in awareness. *Id.* at 27. Even so, “[w]ithin Europe’s soccer industry alone, it is estimated there are 15,000 human trafficking victims each year.” *Id.* The 2020 Trafficking in Persons report states,

[a]s professional sports leagues have become increasingly globalized, multilateral and regional bodies have started incorporating protection of athletes in sports integrity and anticorruption initiatives; however, government and industry efforts to regulate an expanding web of migration and recruitment routes have proven insufficient. Though some national sports associations and individual government officials have taken interest in addressing the exploitation of athletes, the global nature of the sports industry and decentralized structure of many associations . . . calls for a more systematic and standardized approach.

Id. The 2020 Trafficking in Persons report stated that governments could increase coordination between youth programs and sports programs; train officers on schemes traffickers use within visas programs; and pursue partnerships or dialogues with sports agencies to address sports trafficking. *Id.*

23. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 7 (discussing Fédération Internationale de Football Association (FIFA)’s efforts to monitor player recruitment). See also 2020 TRAFFICKING IN PERSONS REPORT, *supra* note 22, at 27 (relaying trafficking reports from 2020). The 2020 Trafficking in Persons Report stated, “[i]n 2008, FIFA issued regulations on agents and required all to be licensed by a sports association.” *Id.* The report also stated, “[i]n 2010, after FIFA learned of several players who had paid exorbitant fees to join a team, it mandated teams and anyone connecting players to them to register all international player transfers with FIFA’s online system.” *Id.* Enforcement of FIFA’s provisions was difficult *because* many associations refused to work with only licensed agents, while others failed to report transactions. *Id.* Therefore, in 2015, FIFA released a new set of regulations which “decentralized monitoring of agents, . . . empowered member associations to establish their own criteria and registration system for any intermediary . . . [and] removed limits on the duration of representation contracts.” *Id.* FIFA’s new regulations led to a

[d]eregulation of the recruitment industry and a decline in transparency and accountability resulted in an increase in the number of intermediaries . . . [In order] [t]o mitigate some of these consequences, FIFA established a task force to recommend regulatory changes for intermediaries, including a potential return to a central licensing system through FIFA and creation of a clearing house to process payments associated with player transfers, such as agent commissions.

C. United Nations' Attempts To Control Labor Trafficking

Though the conversation on human trafficking generally opened with the 2000 Protocol and has continued expanding regulations, the United Nations has yet to explicitly recognize sports trafficking as a major issue.²⁴ As a big proponent of awareness

Id. See also FIFA transfer regulations on protection of minors: Article 19, ESPN, https://www.espn.com/soccer/story/_/id/37450824/fifa-transfer-regulations-article-19 (Jan. 14, 2016, 8:06 AM) (analyzing regulation's goal to protect children). FIFA enacted Article 19 of the Regulations which only permits the international transfer of players aged 18 or above, with the following three exceptions: (a) parents of the player move to the new country "for reasons not linked to football," (b) player, aged between 16 and 18, transfers to "territory of the European Union (EU) or European Economic Area (EEA)," and (c) player lives 50km or less from the national border and the association the player wishes to transfer to is no more than 50km away from the border in the neighboring country (must get "explicit consent" from both associations). *Id.* For part (b), the new club must:

- (i) . . . provide the player with an adequate football education and/or training in line with the highest national standards.
- (ii) . . . guarantee the player an academic . . . school [,] . . . vocational education and/or training, in addition to his football education and/or training, which will allow the player to pursue a career other than football should he cease playing professional football.
- (iii) . . . make all necessary arrangements to ensure that the player is looked after in the best possible way (optimum living standards with a host family or in club accommodation, appointment of a mentor at the club, etc.).
- (iv) . . . provide the relevant association with proof that it is complying with the aforementioned obligations.

Id. See *It's up to all of us*, FIFA, <https://www.fifa.com/social-impact/fifa-guardians/news/it-s-up-to-all-of-us> (July 19, 2020, 7:43 PM) (showing FIFA's goal against human trafficking progress to protect children). In addition, in 2019, FIFA created the FIFA Guardian Programme, updated their Code of Ethics with the harshest possible penalty, "a life ban and a fine in the amount of CHF 1,000,000." *Id.* See *Stop Trafficking!*, 20 ANTI-HUM. TRAFFICKING NEWSL. 1, 4 (Feb. 2022), available at https://sistersagainsttrafficking.org/wp-content/uploads/2022/02/2022_02_Stop-Trafficking-EN.pdf (discussing how sports organizations should do more to address human trafficking). Other organizations such as the International Olympic Committee's Basic Universal Principles of Good Governance of the Olympic and Sports Movement and Fédération Internationale de Football Association have been taking ownership of human trafficking associated with sports as well. *Id.*

24. See RAYMOND, *supra* note 6, at 1 (analyzing 2000 Protocol). The 2000 Protocol defines trafficking globally, assists victims of trafficking, and attempts to provide ways to prevent trafficking. *Id.* Highlights of the provision include: trafficked persons are victims rather than criminals, global trafficking will be answered with a global cooperation of police, immigration, social services, and NGOs, all victims are protected compared to only those who can prove force, consent of trafficking is irrelevant, and victims of trafficking will not have the burden of proof. *Id.* at 4. Raymond believed although the 2000 Protocol was in place, interpretation, most importantly the definition, of the 2000 Protocol must be implemented correctly to expand the ability for prosecution. *Id.* at 7. In addition, trafficked persons should not be treated as migration criminals

and education of human trafficking, the United Nations Office on Drugs and Crime (UNODC) has released five Global Reports on Trafficking in Persons (Global Report(s)).²⁵ In 2020, the UNODC released a Global Report that discussed how forced labor accounts for about 38% of the total trafficking cases detected globally in 2018, with Eastern Europe detecting *labor* trafficking more than other types of trafficking.²⁶ The Global Reports, however,

because they are still exploited, therefore, these individuals should be seen as victims before illegal immigrants. *Id.* at 9.

25. See *Awareness and education are key to beating human trafficking*, UNITED NATIONS (Feb. 7, 2011), <https://www.unodc.org/unodc/en/frontpage/2011/February/awareness-and-education-are-key-to-beating-human-trafficking.html> (emphasizing importance of trafficking awareness). In 2010, the United Nations Voluntary Trust Fund for Victims of Human Trafficking was launched and is not administered by the United Nations Office on Drugs and Crime (UNODC). *Id.* Dr. Chutikul, one of the trustees of the United Nations Voluntary Trust Fund for Victims of Human Trafficking, explained the importance of education and awareness of trafficking to increase citizen reporting. *Id.* See also *Global Report on Trafficking in Persons*, UN-ILIBRARY, <https://www.un-ilibrary.org/content/periodicals/24118443> (last visited Nov. 2, 2022) (providing global reports to communities based on data gathered from 155 countries). The five Global Reports on Trafficking in Persons (Global Report(s)) began in 2012 after the 2000 Protocol entered into force in 2003 and is reported every two years. *Id.* These Global Reports were mandated in 2010 by the General Assembly through the 2010 United Nations Global Plan of Action to Combat Trafficking in Persons (Plan of Action). *Id.* See also G.A. Res. 64/293 (Aug. 12, 2010), available at https://www.unodc.org/documents/human-trafficking/United_Nations_Global_Plan_of_Action_to_Combat_Trafficking_in_Persons.pdf (providing Plan of Action ten years after adoption of 2000 Protocol). The Plan of Action reemphasizes four important principles: “[p]revention of trafficking in persons, . . .” “[p]rotection and assistance to victims of trafficking in persons, . . .” “[p]rosecution of crimes of trafficking in persons, . . .” and “[s]trengthening of partnerships against trafficking in persons . . .” *Id.* at 7-8, 10-11. The Plan of Action specifically requested,

[t]he Secretary-General, as a matter of priority, to strengthen the capacity of the [UNODC] to collect information and report biennially, starting in 2012, on patterns and flows of trafficking in persons at the national, regional and international levels in a balanced, reliable, and comprehensive manner, in close cooperation and collaboration with Member States, and share best practices and lessons learned from various initiatives and mechanisms . . .

Id. at 12.

26. See U.N. OFF. ON DRUGS & CRIME, GLOBAL REPORT ON TRAFFICKING IN PERSONS 2020 10, 144 (2020), https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf [hereinafter U.N. 2020 GLOBAL REPORT] (reporting trafficking information from 148 countries biennially). Patterns of labor trafficking differ across economic sectors, but typically involve, “a deterioration of labour rights, such as lower salaries, longer working hours, reduced protections and informal employment.” *Id.* at 10. Labor trafficking is also “mainly a cross-border phenomenon” because migration status forces trafficking victims to “face an extra layer of vulnerability.” *Id.* The UNODC has detected four types of criminal actors involved in trafficking: (1) individual traffickers operating on their own; (2) opportunistic associations of traffickers,

did not mention *sports* trafficking at all.²⁷ Overall, the United Nations has not addressed sports trafficking, though an interactive session highlighted the issue during the UN General Assembly Week in 2021.²⁸

which is two or more individuals working more than a single crime episode; (3) business focused organized criminal groups of three or more traffickers who “traffic persons as a core component of their criminal activities;” (4) and governance focused organized criminal groups that “[p]ractice security governance in a community or territory by means of fear and violence, and may be involved in multiple illicit markets.” *Id.* at 12. Eastern Europe and Central Asia have 66% (out of 2,138 victims) of victims from labor exploitation while Western and Southern Europe has 32% (out of 11,300 victims) of their reported trafficking victims from labor exploitation. *Id.* at 33, 133.

27. *See id.* at 110-11 (discussing Global Report findings but never addressing sports trafficking). Although the use of sports trafficking is not mentioned specifically, the report does discuss how victims can be exploited in plain sight. *Id.* at 111. European Union research of irregular migrants “shows that residence status is perceived as the most important factor contributing to labour exploitation” and “[t]raffickers typically threaten to report victims to migration authorities if they do not comply with exploitative working conditions.” *Id.* Labor traffickers typically smuggle victims into the country and force the victims to pay back the costs or make them sign a contract to keep the victims bound. *Id.* at 111-12. In addition, the United Nations is aware of the use of agents in the recruitment and exploitation in all economic sectors. *Id.* at 113. *See also* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 10-13 (discussing human trafficking in sports). These tactics reported in the Global Report are equivalent to the tactics researchers have found sports traffickers use for athletes. *Id.*

28. *See* Peter Warzynski, *Standing against child trafficking in sport – Loughborough legal expert addresses the UN*, LOUGHBOROUGH UNIV. (Oct. 14, 2022), <https://www.lboro.ac.uk/news-events/news/2022/october/standing-against-child-trafficking-loughborough-un/> (relaying discussion about child trafficking in sport at U.N. General Assembly Week). Focusing on threats posed to children by agents, Dr. Yilmaz addressed the issue around traffickers targeting vulnerable young minors in sport at an interactive session hosted by The Permanent Missions of the Gabonese Republic, Monaco and Qatar to the United Nations, UNODC, and Mission 89, an NGO working on tackling human trafficking in sport. *Id.* The session included representatives of Member States of the UN, industry professionals, and academics. *Id.* Dr. Yilmaz discussed two projects that United Nations International Children’s Emergency Fund (UNICEF) and European Commission funded to identify the trafficking of minors and investigate the issue of migratory processes in soccer. *Id.* Dr Yilmaz said:

[w]hat our research shows is that minor players – and their parents – lack understanding around the role and work of agents in recruitment and migration processes in football. They have a very limited understanding of the administrative and regulatory aspects of trials and transfers in football, as well as contracts . . . [and] immigration law. Because of their limited knowledge, minor players and their parents are not able to recognise the threats posed by unscrupulous or fake agents. It is extremely difficult for them to appreciate the exploitative nature of the contracts that they are signing, or adequately comply with the basic requirements of movement for footballing purposes, for example, obtaining visas and complying with their condition of stay in a foreign country.

Id. *See also* *Human Rights*, U.N., <https://www.un.org/en/global-issues/human-rights#:~:text=The%20United%20Nations%20has%20defined,in%20carrying%20out%20>

D. European Union Adds Another Strategy

Europe has created an abundance of avenues for protection and assistance of victims of labor exploitation in Europe, but is this enough to protect victims of *sports trafficking*?²⁹ The European Union Charter of Fundamental Rights (Charter) prohibits human trafficking and the Treaty on the Functioning of the European Union (TFEU) classifies the act as a serious form of organized crime.³⁰ Most European countries have individual criminal codes to combat trafficking in addition to working alongside the European Union to develop policies and protocols for

their responsibilities (last visited Mar. 14, 2023) (discussing human rights). The United Nations has an immense amount of power over defining accepted rights universally, including “civil, cultural, economic, political and social rights.” *Id.* Not only does the United Nations define these rights, but they also “established mechanisms to promote and protect these rights and to assist states in carrying out their responsibilities.” *Id.*

29. See Valli Corbanese & Gianni Rosas, *Protection and assistance of victims of labour exploitation*, INT’L LABOUR ORG. (ILO) 1, 7-8 (2020), https://www.ilo.org/wcmsp5/groups/public/-europe/-ro-geneva/-ilo-rome/documents/publication/wcms_763387.pdf (comparing protection and assistance of victims between different countries). Typically, victims are allowed a period of protection, where there are safe houses and temporary shelters for domestic victims, while foreign victims may have international protection or asylum for thirty to ninety days. *Id.* at 14. In Europe, victims are entitled to emergency medical care for free, legal assistance, interpretation services, temporary residence and work permits, and sometimes compensation. *Id.* at 15-17. There are “three main avenues to access compensation: (i) through criminal proceedings, when perpetrators are sentenced; (ii) through civil proceedings (for physical and moral damages); and (iii) through labor court proceedings (for the payment of wage arrears).” *Id.* at 17. It should be noted not all countries in Europe have these protection programs, and there are still many problems regarding the financial support to ensure these protections and assistance for all victims. *Id.* at 22-24.

30. See *Legal and Policy Framework*, *supra* note 6 (describing “grave violation of fundamental rights” in human trafficking). In 2012, the European Union Charter of Fundamental Rights (Charter) stated trafficking in human beings is prohibited under Article 5, prohibition of slavery and forced labor. *Id.* See *Charter of Fundamental Rights of the European Union* 326/396 (2012), <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012P/TXT&from=EN> (describing specific human rights in European Union). Concurrently, the Treaty of the Functioning of the European Union entered into force requiring the European Parliament and Council to adopt measures for human trafficking. See Consolidated Version of the Treaty on the Functioning of the European Union, art. 78-85, Oct. 26, 2012, 2012 O.J. (C 326) 47, 76-81, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012E/TXT&from=EN> [hereinafter TFEU] (discussing how European Union should function to protect human rights). One requirement is that “[t]he Union shall develop a common immigration policy aimed at ensuring . . . the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and . . . enhanced measures to combat, illegal immigration and trafficking.” TFEU art. 79.

all European citizens.³¹ The conviction rate for human trafficking in Europe, however, was below one conviction for every 100,000 victims according to a 2009 study.³² In a different 2009 study surrounding the regulation of sports agents, the European Commission itself described the African and South-American transfer process of soccer players to different clubs as a “modern-day slave trade.”³³ Shortly after acknowledging this issue, however, the European Union created the “EU Anti-Trafficking Directive”

31. See *Legal and Policy Framework*, note 6 (providing information on how each country prevents trafficking in human beings). Most states adopt the TFEU to act as a guide for individual Member States. *Id.*

32. See *TRAFFICKING IN PERSONS; ANALYSIS ON EUROPE*, *supra* note 1, at 8 (analyzing human trafficking in Europe since implementation of 2000 Protocol). In comparison, Europe has more convictions for rare crimes such as “kidnapping in Denmark (3 per 100,000 people), homicide in Finland (4 per 100,000 people) or robbery in Norway (5.8 per 100,000 people) . . .” *Id.* It can be argued, based on the estimates of the extent of human trafficking and knowledge of exploitative practices in Europe, human trafficking is less detected and punished compared to other crimes. *Id.* at 9. Convicted traffickers are mostly local to Europe, but some may be foreign, which allows them to relate to their victims. *Id.* at 19. Europe has “by far the best and most systematized data collection mechanisms for trafficking in persons,” which can be contributed to the European Commission’s commitment to improving national data. *Id.* at 23.

33. See Nkang, *supra* note 7 (discussing how sports trafficking has become modern-day slave trade). There is a growing concern for sports trafficking, as it:

has been allowed to develop as a result of the European Court of Justice’s decision in a 1995 legal case. The case led to new football rules which abolished the payment of transfer fees for EU nationals playing within the EU and moving to another EU team on expiration of their employment contract The changed rules contributed to the increase of transfer fees for players who are still under contract. This increase meant . . . they could obtain new talent from clubs outside the EU with lesser economic resources than them.

Id. See *Study on Sports Agents in the European Union*, *supra* note 7, at 120 (discussing trafficking in sportspersons through agents). EU clubs used recruitment tools that allowed agents to exploit athletes undetected. Sports trafficking in Europe is mainly soccer athletes who turn to African markets and target young recruits. *Id.* The classic scenario is as follows:

An intermediary spots a—usually young—player and promises to have him recruited by a European club The intermediary asks the player’s family for money in exchange for finding a ‘placement’ for him in Europe The player arrives in Europe, in most cases, with a one-month tourist visa Once he arrives in Europe, the player is “put to the test” by several clubs, which are not necessarily those promised by the intermediary If the tests are successful, the player signs a (usually short term) contract with the club If the player does not pass any of the tests . . . the intermediary usually abandons him to his fate.

Id. at 121-22. The study provides recommendations for governments and European institutions, but there is no record indicating adoption of these recommendations. *Id.* at 172-74.

in 2011, and adopted a new “EU Strategy to Tackle Organized Crime” in 2021 to raise conviction rates for human traffickers, but neither addressed sports trafficking.³⁴

II. FACTS

A. European Sports

Although Europe is diverse with different languages, cultures, and landscapes, one thing that brings the continent together is sport.³⁵ In 2007, the Commission of the European Communities

See also Case No.C-415/93 Union Royale Belge des Societes de Football Association v. Jean-Marc Bosman, 1995 E.C.R. I-04921 (abolishing payment of transfer fees and changing football transfer rules). The rules changed due to a concern surrounding freedom of movement rights for E.U. citizens being restricted due to the previous rules. *Id.* at I-5069.

34. *See Legal and Policy Framework, supra* note 6 (discussing legal and policy framework European Union provides for human trafficking). In 2011, the European Union focused its framework as victim-centered and established “minimum rules concerning the definition of criminal offences and sanctions, common provisions to strengthen victim’s protection, assistance and support, as well as prevention, [and] key actors to fight against the crime.” *Id.* *See also* Directive 2011/36/EU of the European Parliament and of the Council, *EU Anti-Trafficking Directive* (Apr. 5, 2011), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0036> (urging Member States to prioritize fight against human trafficking). The EU Anti-Trafficking Directive establishes penalties Member States shall adopt to urge further prosecutions of traffickers. *Id.* The EU Anti-Trafficking Directive is still in force, but the “EU Strategy to Tackle Organised Crime” provided further guidance after reviewing progress ten years later. *Id.* *See also Communication From the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Empty on the EU Strategy to Tackle Organised Crime 2021-2025*, COM (2021), 170 final (Apr. 14, 2021), available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021DC0170&qid=1632306192409> (declaring new strategy based on ten years of combatting human trafficking). The EU Strategy to Tackle Organised Crime focuses on organized crimes groups and creating a comprehensive response to stop human trafficking. *Id.* This new strategy focuses on a tailor-made response to a specific form of trafficking, such as an individual strategy for labor trafficking compared to sex trafficking. *Id.* *See also Human rights*, EUR. PARL. 1, 3 (Sept. 2022), https://www.europarl.europa.eu/ftu/pdf/en/FTU_5.4.1.pdf (discussing human rights and democracy) [hereinafter E.U. Human Rights]. The European Union and United Nations work closely together to ensure human trafficking regulation is a priority. *Id.* In fact, “[t]he EU promotes human rights through its participation in multilateral forums such as the UN General Assembly’s Third Committee, the UN Human Rights Council, the Organization for Security and Co-operation in Europe and the Council of Europe.” *Id.* *See also* U.N. Reg’l Info. Ctr. for W. Eur., *How the European Union and the United Nations cooperate* (Jan. 2007), https://unric.org/en/wp-content/uploads/sites/15/2021/02/Leporello_EU-VN_e.pdf (describing how United Nations and European Union cooperate).

35. *See* Ryan Parker, *The Most Popular Sports In Europe*, HUM. KINETICS (Nov. 7, 2019), <https://humankinetics.me/2019/07/11/most-popular-sports-in-europe/> (explaining most popular sports based on research collected from Google on each country).

discussed the major role sports have in society, and how they affect the economy and the average citizen in Europe.³⁶ The global sports market has become a billion-dollar industry, with Western Europe as one of the largest regions and Eastern Europe as one of the fastest growing regions in the industry.³⁷ The sports market

Sports can be seen as a universal language because despite differences, people can practice the same sport and still understand each other. *Id.* Europe is the birthplace of many sports, like cricket, badminton, darts, golf, field hockey, football, golf, snooker, tennis, table tennis, and rugby. *Id.* Other sports that are popular include horse racing, boxing, basketball, gymnastics, skiing, volleyball, ice hockey, handball, the Gaelic Athletic Association, and Formula 1 racing. *Id.* See also U.N. Press Release, SG/SM/9579, Secretary-General, *Universal Language of Sport Brings People Together, Teaches Teamwork, Tolerance, Secretary-General Says at Launch of International Year* (Nov. 5, 2004), available at <https://press.un.org/en/2004/sgsm9579.doc.htm> (delivering remarks at press event on International Year of Sport and Physical Education). Sport symbolizes strength, perseverance teamwork, and tolerance, therefore the United Nations, in 2005, declared it was turning toward sport to help work towards peace. *Id.*

36. See *Commission White Paper on Sport*, at 1-4, COM (2007) 391 final (Nov. 7, 2007), <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM%3A2007%3A0391%3AFIN%3AEN%3APDF> [hereinafter *White Paper on Sport*] (addressing sport-related issues). The White Paper on Sport is an acknowledgment of the important societal role of sports, but also addresses the issues surrounding sport, such as “commercial pressure, exploitation of young players, doping, racism, violence, corruption and money laundering.” *Id.* at 2. The important societal role is based on “volunteer-driven structures, in terms of health, education, social integration, and culture.” *Id.* at 3. According to a finding from November, “[e]uropean citizens participate in sporting activities on a regular basis within or outside some 700,000 clubs, which are themselves members of a plethora of associations and federations.” *Id.* Sport has an economic impact that “can serve as a tool for local and regional development, urban regeneration or rural development.” *Id.* at 10. The White Paper shows the importance of sport in Europe, stating:

[s]port attracts European citizens, with a majority of people taking part in sporting activities on a regular basis. It generates important values such as team spirit, solidarity, tolerance and fair play, contributing to personal development and fulfilment. It promotes the active contribution of EU citizens to society and thereby helps to foster active citizenship.

Id. at 2.

37. See Rsch. & Mkts., *\$350+ Billion Worldwide Sports Industry to 2031 – Identify Growth Segments for Investment*, GLOBE NEWSWIRE (Mar. 10, 2022, 6:08 AM), <https://www.globenewswire.com/news-release/2022/03/10/2400658/28124/en/350-Billion-Worldwide-Sports-Industry-to-2031-Identify-Growth-Segments-for-Investment.html> (describing report providing information on global sports market). In 2021, the sports industry was worth \$354.96 billion with major companies being “Maruhan, Life time Fitness, Inc., Liberty Media Corporation, Futbol Club Barcelona, Dallas Cowboys, Heiwa Corporation, Manchester City F.C., New York Yankees, Manchester United Football Club and Juventus.” *Id.* The amount for the 2021 year was lower than normal due to the effects of the pandemic, such as social distancing and closure of commercial activity, on the athletes and spectators in the sports world. *Id.* In 2022, the sports market was expected to grow to \$501.43 billion and \$707.84 billion in 2026. *Id.* See also Rsch. & Mkts., *Global Sports Market Opportunities and Strategies Report 2021: Sports Market Forecast to Reach \$599.9 billion by 2025 as COVID-19 Lockdowns Ease*, YAHOO

impacts the overall economy because it affects different areas like health, education, and hospitality.³⁸ In addition, participation in sports activities for the average European has increased—specifically in men and younger adults between fifteen and twenty-four years old.³⁹

In the world of soccer, Europe is the destination for a player to become a professional, but it remains a main sport that targets players for human trafficking.⁴⁰ In 2009, the Study on Sports

(July 22, 2021), <https://finance.yahoo.com/news/global-sports-market-opportunities-strategies-080800261.html> (discussing global sports 2021 market report). The main type of income in the global sports industry is produced from participatory sports, “accounting for 72.1% of the total in 2020,” and spectator sports. *Id.* In 2020, fitness and recreational centers accounted for 39.9% of the total for participatory sports. *Id.* North America was the largest region, accounting for 35%, with Asia Pacific and Western Europe following. *Id.* Additionally, Eastern Europe is expected to grow 10.5%. *Id.*

38. See *White Paper on Sport*, *supra* note 36, at 1-4 (discussing societal role of sport). See *Study on the Contribution of Sport to Economic Growth and Employment in the EU* 1, 13 (Nov. 2012), <https://ec.europa.eu/assets/eac/sport/library/studies/study-contribution-sports-economic-growth-final-rpt.pdf> (providing research on how sports grow European economy and employment, commissioned by European Commission). Sport-related activities include health services for athletes and animals, dietary supplements, hotels, restaurants, sport bets, TV broadcasts, stadiums, sport specific complexes, fitness centers, education, and sport specific equipment. *Id.* Overall, the total EU gross value added is 1.76%, and the most important growing sectors for the sport industry are tourism, fitness and media, and education. *Id.* at 3. International tourism is a significant source of income for majority of the countries, but some countries, like Germany and Sweden, have income generated by domestic tourism. *Id.* Countries like Denmark, Estonia and Latvia have sport education that contributes to the sport industry significantly. *Id.* In terms of employment, sports contribute to 2.12% of total employment in Europe, employing approximately 4.46 million individuals. *Id.* See also Statista Research Department, *Sports in Europe—Statistics & Facts*, STATISTA (July 5, 2019), https://www.statista.com/topics/3737/sports-in-europe/#dossierContents_outer-Wrapper (describing vital impact sports industry has on European market). In Europe, football is the professional sport that has the most impact on the economy. *Id.*

39. See *Statistics on sport participation*, EUROSTAT STAT. EXPLAINED, https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Statistics_on_sport_participation&oldid=552576#Frequency_of_aerobic_physical_activity (last updated Apr. 2022) (explaining data found on participation of recreational sport). Sport activities have increased between 2014 and 2019 for physical activities. *Id.* In 2019, approximately 47% of men and 42% of women participated in sports at least once a week. *Id.* According to this study, men participate in physical activity more frequently than women. *Id.* See also *White Paper on Sport*, *supra* note 36, at 3 (insisting on sport participation for health benefit). For the average citizen, sports enhance health and, therefore, attract people and have a positive image. *Id.*

40. See Frank Sunderland, *Using International Law to Combat Human Trafficking in Soccer*, 43 MICH. J. INT’L L. (2021), available at <http://www.mjlonline.org/using-international-law-to-combat-human-trafficking-in-soccer/> (analyzing human trafficking by targeting individuals interested in playing professional soccer in Europe). Europe knows the value of its professional soccer league, therefore “countries have prestigious youth soccer academies that give talented young players the training they need to

Agents in the European Union reported that every Member State identified soccer sports agents targeting athletes from outside the country despite their presence as actors in the country.⁴¹ In addition to soccer, official and unofficial sports agents are present in thirty-two sports leagues, including twenty-five Olympic sports.⁴² Sports agents are involved in sports with high economic activity to “promote competition and interest in the sport,” making it easier for human trafficking agents to target impressionable individuals

develop into stars, greatly increasing their chances of ending up in a European league.” *Id.* These academies have limited space; therefore, athletes turn towards sports agents who “claim to have connections to elite clubs.” *Id.* Some athletes give everything they have to travel to Europe but end up abandoned or on a mediocre team with meager pay. *Id.*

41. See *Study on Sports Agents in the European Union*, *supra* note 7, at 30 (identifying which European Member States have sports agents and potential regulation). Out of the twenty-seven European Union Member States, the Czech Republic, Finland, Ireland and Spain are the only four countries that report at least one of their teams do not employ an athlete outside of the country where they grew up (outside players). *Id.* at 26. In fact, “[eighty-six] clubs have teams made up of a majority of . . .” outside players. *Id.* See also Guilbert, *supra* note 2 (discussing African footballers targeted by human traffickers). Young boys look up to the professional football athletes that they see themselves in and chase that dream. *Id.* Especially in soccer, traffickers disguised as sports agents take advantage of these young boys. *Id.* See also Richard Parrish et al., *Promoting and Supporting Good Governance in the European Football Agents Industry*, ERASMUS 3 PROGRAMME OF THE EUR. UNION, <http://umu.diva-portal.org/smash/get/diva2:1392724/FULLTEXT01.pdf> (last updated Oct. 2019) (discussing 2015 FIFA Regulations on Working with Intermediaries across European Union). There has been criticism of sports agents and their professionalism within the industry, specifically with money laundering and exploitation of young athletes. *Id.* Commentators, however, caution bans on representation of athletes because it may increase exploitation by clubs. *Id.* at 96-97.

42. See *Study on Sports Agents in the European Union*, *supra* note 7, at 36 (collecting data on sports agents present in Member States of European Union in 2009). As of 2009, sports agents were present in the following sports: aquatics, equestrian sports, athletics, rowing, badminton, basketball, boxing, canoeing/kayaking, cricket, cycling, fencing, football, golf, gymnastics, weightlifting, handball, hockey, ice hockey, judo, wrestling, motorcycling, skating, basque pelota, rugby, skiing, motor racing, surfing, taekwondo, tennis, triathlon, volleyball, and sailing. *Id.* at 35. Some sports have minimal sport agent activity, such as gymnastics and cricket, by only having sports agents in the United Kingdom. *Id.* Official agents are legal professionals under a license, permit, or authorization; if there is not a license system in place, they are registered as self-employed and comply with national and local laws. *Id.* at 32. On the other hand, an unofficial agent “voluntarily exercise[s] the profession without any kind of license or authori[z]ation and are not registered with, or known to, the national public authorities or sport authorities.” *Id.* The presence of unofficial sports agents is mostly seen in summer Olympic sports compared to winter Olympic sports and non-Olympic sports that are internationally recognized. *Id.* at 31-32. The additional sports that have a high number of sports agents and economic activity are rugby, basketball, and athletics. *Id.* at 4. As of 2009, there were approximately 3,600 sports agents gathered by a data collection and interviews by the European Union. *Id.* at 36.

and exploit their love for their sport.⁴³ Although there is a lack of research and literature on sports trafficking, all European sports players that use agents are susceptible to human trafficking.⁴⁴

43. See *White Paper on Sport*, *supra* note 36, at 15-17 (discussing use of sports agents with rise of sport participation). In 2007, The White Paper on Sport identified the “increasingly complex legal environment . . .” surrounding sport which forced many players to request agents to negotiate contracts before signing a deal. *Id.* at 15. The White Paper on Sport identified the need for the protection of minors who are abandoned in a foreign country, but “in most cases this phenomenon does not fall into the legal definition of trafficking in human beings.” *Id.* at 16. The White Paper on Sport stated, “[t]he Commission will promote dialogue with sport organisations in order to address the implementation and strengthening of self-regulatory licensing systems.” *Id.* at 17. See also *Study on Sports Agents in the European Union*, *supra* note 7, at 4 (explaining use of sports agents in European Union). Despite the White Paper on Sport emphasizing the promotion of dialogue for regulation, only five European Union countries and four international federations developed specific regulations, reported in 2009. *Id.* The European Union stated the regulations “should be based on the following principles: [c]omplementarity (between the rules of sport federations and public policies), [t]ransparency (of financial flows in professional sport), [s]implicity (of the measures adopted), [a]daptability (to the peculiarities of each sport discipline), and trust (in sports agents and actors of the sport movement).” *Id.* at 6. The European Union urged governments to maintain public order, institutions to structure dialogue and coordinate action, and actors of the sport movement organizing sport placement activities. *Id.* In 2007, the European Union pushed for societal growth in sport and, in 2009, urged for regulation when problems started to occur, but never enacted a regulation to force the Member States to protect the athletes whose lives were being destroyed by a dream. *Id.* Sports agents are involved in sports with high economic activity because there are more obstacles for an athlete to overcome, such as negotiations and knowledge of the environment. *Id.* Sports agents who hold a share of the market normally are seen as trustworthy, however, sports agents rarely have a license or share of the market. *Id.* High economic prosperity and competition helps encourage the recruitment of young players. *Id.* at 30, 130. See also EU CONFERENCE ON SPORTS AGENTS, EUR. COMM’N (Nov. 10, 2011), available at <https://ec.europa.eu/assets/eac/sport/library/studies/final-report-eu-conference-sports-agents.pdf> (noting main points from EU Conference on Sports Agents). Individuals who went to the European Union Conference on Sports Agents emphasized the possibility of sports agents threatening the integrity of sports. *Id.* The speakers discussed ethical concerns with sports agents and the potential need for regulation. *Id.* See also *Sunderland*, *supra* note 40 (explaining issues with human trafficking in soccer). One ethical concern related to human trafficking is when players hear about the immense profits in sports and then work hard to achieve that goal. *Id.* When a sports agent promises the chance of being a European professional athlete, young adults believe everything the agent says. *Id.* The players’ belief often leads to them not having resources or funding to return home and do anything they can to avoid homelessness. *Id.*

44. See *THE PROBLEM OF SPORTS TRAFFICKING*, *supra* note 5, at 7 (stressing lack of research in sports trafficking). Some athletes who are in communication with sports agents do have the opportunity to tryout or even obtain a contract but endure different degrees of exploitation that amounts to human trafficking. *Id.* The most common type of trafficking, known as trafficking through sport, is when athletes are promised by a trafficker posing as a sports agent to join a fake club, then end up abandoned without documentation or money, or are forced to work elsewhere for little to no pay.

B. African Athletes

In the world's billion-dollar sport industry, athletes are not optimistic that they can flourish professionally in the African region.⁴⁵ Instead, African athletes seek success in Europe, though very few succeed and many are trafficked.⁴⁶ Traffickers make false promises to impressionable African athletes who are facing difficult socioeconomic circumstances because they are more likely to believe their only way out of poverty is through professional

Id. Recruitment of athletes, specifically “children into sports[,] can involve a ‘cocktail’ of deception by unlicensed sports agents and businessmen, coupled with corruption, fraud and exploitation to ‘auction the child off to sports franchises and clubs around the world, in a quest to maximize the financial return on their investment.’” *Id.* at 8. *See also* PROTECTING CHILDREN FROM VIOLENCE IN SPORT, UNICEF, 12 (July 2010), available at https://www.unicef-irc.org/publications/pdf/violence_in_sport.pdf (reviewing information gathered from industrialized countries). Finding data on trafficking has been the hardest obstacle to address this phenomenon. *Id.* Most references in child trafficking found in the Protecting Children From Violence In Sport Report were from children working as camel jockeys. *Id.* This report recognizes the need for more research on sports trafficking. *Id.*

45. *See* Chase McCarthy, *Africa's Future Looks Bright: How Sports Will Play a Key Role*, LINKEDIN (May 14, 2020), https://www.linkedin.com/pulse/africas-future-looks-bright-how-sports-play-key-role-chase-mccarthy?trk=public_profile_article_view (discussing Africa's sports industry). Africa has seen corruption, lack of resources, and neglect from government bodies; therefore, their sports infrastructure is almost nonexistent. *Id.* Africa's sports industry is “under-developed and under-commercialized” despite being roughly 16% of the world's population. *Id.* *See also* *Africa's Sports Economy: A Window Into A Rapidly Changing Continent*, AFD (Aug. 23, 2022), <https://www.afd.fr/en/actualites/africas-sports-economy-window-rapidly-changing-continent> (showing importance of sports to grow African market). In fact, Africa is the world's youngest continent, which makes it more vulnerable to sports trafficking. *Id.*

46. *See* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 7 (stating West African athletes as targets for trafficking through soccer). In 2007, an NGO in Paris reported that approximately 7,000 Africans in France were unsuccessful in signing to a club, and an undercover media investigation stated that approximately 20,000 African athletes were trafficked into Europe. *Id.* at 9. For soccer, there is a strong migration pattern for individuals being trafficked from Africa into Europe, because for some European countries there is a past colonial link. *Id.* at 10. Recently, female athletes have been the targets of traffickers because of the growth in women's soccer. *Id.* at 11. *See also* *The scandal of Africa's trafficked players*, GUARDIAN (Jan. 6, 2008, 6:56 PM), <https://www.theguardian.com/football/2008/jan/06/newsstory.sport4> (discussing African athletes struggling to avoid human trafficking when pursuing their dreams). Since West African athletes travelling to Europe has grown in popularity, soccer academies have surfaced to have athletes focus solely on soccer. *Id.* Unfortunately, they demand fees and require the athlete to be pulled out of their education to focus on their sport. *Id.* Many families influence their children to go because having a professional athlete in the family is the “equivalent of a lottery win.” *Id.* These academies, however, contain no proper facilities, unlicensed agents and coaches, and contracts that effectively buy the athletes from their families. *Id.*

sports.⁴⁷ Some athletes arrive with money and fake identification, which may be taken by a trafficker, and are abandoned immediately upon arrival.⁴⁸ Other athletes tryout for different clubs until they are awarded a contract, with minimal or no pay, which may never be enforced or renewed.⁴⁹

47. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 12 (discussing nature of recruitment for sports trafficking). Africa deems professional athletes who migrated to Europe as power figures, therefore, becoming a professional is an aspiration to many children. *Id.* Promises are focused on success, fame, sponsorships, multi-million-dollar contracts, and opportunities to travel. *Id.* Traffickers target the passion in these children and take advantage of their lack of education and inexperience in the professional sports industry. *Id.* See also James Esson, *You have to try your luck: male Ghanaian youth and the uncertainty of football migration*, 47 ENV'T & PLAN. 1383, 1386 (Feb. 28, 2015) [hereinafter *You have to try your luck*] (discussing Ghanaian athletes facing high trafficking rates in soccer). The belief that migration leads to a better life is not only seen in soccer, but in broad cultural representations. *Id.* Studies, however, have shown that most of the migration takes place within Africa because Ghanaian athletes have a lack of resources, such as coaches and academies, to prosper as a professional athlete in their home country. *Id.* See also Ini-Obong Nkang, *Factors Leading to the Trafficking and Exploitation of African Minors in Football*, SPORTS LITIG. ALERT (Aug. 30, 2019), <https://sportslitigationalert.com/factors-leading-to-the-trafficking-and-exploitation-of-african-minors-in-football/> (providing factors making athletes aware of trafficking exploitation in soccer). There is limited protection, especially for African soccer players, because of “the fragile political economy and instability, the high levels of poverty leading to an uncertain football landscape in Africa, the substandard administration of African leagues, the corrupt practices, the limited state investment in the leagues, and the unnecessary governmental interference in matters concerning national Football Associations (FAs).” *Id.*

48. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 14 (describing traffickers abandoning athletes for profit). Athletes may arrive in Europe on a short-term tourist visa, use false travel documents on traditional forms of transportation, or be smuggled into the country illegally. *Id.* Whether real or fake travel documents are involved, some agents may keep their documentation to later abandon them without money or documentation. *Id.* See also *You have to try your luck*, *supra* note 47, at 1383 (explaining the abandonment of Ghanaian athletes after promised success). To prevent athletes from leaving Africa, the country could add more structure to their sports industry and remove the idea of “trying your luck” in professional athletics. *Id.* at 1383, 1390. See also James Esson, *Better Off at Home? Rethinking Responses to Trafficked West African Footballers in Europe*, 41 J. OF ETHNIC AND MIGRATION STUD. 512, 515 (2015), available at <https://www.tandfonline.com/doi/pdf/10.1080/1369183X.2014.927733?needAccess=true> [hereinafter *Better Off at Home?*] (describing ways to protect African athletes). For example, Gerard, a 16-year-old West African soccer player, had his family sell most of their land to send him to Europe after an agent saw him play in a league in Ghana, totaling approximately \$4,650. *Id.* The agent said he wanted to take him to Europe and gave Gerard plane tickets. *Id.* Once Gerard arrived in Paris, the agent put him in a hotel in the suburbs and took his documentation. *Id.* Gerard waited for the agent to pick him up, but the agent never appeared again, and the hotel eventually kicked him out. *Id.*

49. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 14 (describing nature of exploitation of West African athletes). For athletes who have the opportunity to tryout for a team, agents may assist them in trying out for multiple teams until a contract

Many athletes never report their human trafficking experiences because of fear or shame, but some athletes have filed reports despite their reluctance.⁵⁰ In 2008, an abandoned fish trawler was found on the shore of Tenerife with 130 West African teenage males suffering from dehydration and hypothermia after being promised their journey would lead to soccer contracts.⁵¹ In 2015, Football Players Worldwide saved Kesselly Kamara from

is signed. *Id.* Throughout the tryouts, agents and athletes build a relationship in which athletes begin to instill trust in their agents. *Id.* Therefore, when a contract is discussed, agents build contracts to favor themselves rather than the athlete. *Id.* Contracts are typically with smaller clubs, athletes receive minimal or no pay to gain exposure, and are isolated from major cities. *Id.* at 14-15. Specifically in Europe, studies show athletes are exploited by being under paid and merely used for their skills. *Id.* at 15. Recently, Spanish football clubs have gained attention for exploiting migrant children and breaking FIFA regulations. *Id.* See also *Better Off at Home?*, *supra* note 48, at 516 (analyzing different ways athletes subject to human trafficking). Originally, the contract signed is unfavorable, which allows the agent to make a commission off multiple transfers. *Id.* If the player is unsuccessful in gaining a contract, or may not have a renewed contract, the agent typically abandons them without money or documentation. *Id.*

50. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 15 (describing nature of exploitation for West African athletes). Many athletes do not report their trafficking experiences out of fear of backlash against their families in their home country. *Id.* In addition, athletes may place blame on themselves for falling into the trafficker's trap and feel too embarrassed and ashamed to report exploitation. *Id.* Some athletes do report their experiences, like Matthew Edafe who was an individual trafficked to Nigeria with the promise of playing soccer in Spain. *Id.* at 12. Unfortunately, Mr. Edafe was abandoned in Spain, but discussed his experience at a session on sports trafficking hosted by the European Parliament Intergroup on Sport in 2018. *Id.* Mr. Edafe stated that "[b]ig names and sporting heroes were 'named-dropped' by sham agents to authenticate a claim of football success." *Id.* See also *Edafe Matthew Eseoghne announced as Mission 89 Ambassador*, MISSION 89 (July 19, 2020), <https://mission89.org/edafe-matthew-eseoghene-announced-as-mission-89-ambassador/> (announcing Matthew Edafe ambassador for combatting sports trafficking). Mr. Edafe was abandoned by the football agent in Cape Verde for eleven months without financial support or a contract. *Id.* See also *Better Off at Home?*, *supra* note 48, at 520 (providing stories of trafficked athletes). Another example is from Ismail, an Ivorian migrant, who was abandoned by an agent in a Parisian hotel. *Id.* Ismail, however, avoided homelessness after the clerk gave him twenty euros and sent him in the direction of other Ivorians. *Id.* Eventually he found an old friend who took him to social services where he was provided with support as a minor. *Id.*

51. See also *Better Off at Home?*, *supra* note 48, at 512 (explaining stories of African migrants who struggle to chase their dreams). The fish trawler story is an example of an increase in the last decade of migrants attempting to illegally enter Europe across the Mediterranean Sea and Atlantic Ocean. *Id.* In these situations, it is harder for children to prove their age without documentation, and therefore they may be considered smuggled migrants, or criminals. *Id.* at 520. For example, Armand and Adam, two Ivorian migrants, had no reason to remain in France once their tourist visas expired, but returning to their country was not an acceptable option, forcing them to stay illegally. *Id.* Trafficked athletes often stay in Europe as undocumented immigrants because they believe it is better than returning to their home countries. *Id.* at 523.

trafficking when he left Africa at fourteen years old on a promise of a career in soccer.⁵² Not only are soccer players targeted, but African runners, like Lily Abdullayeva, are also brought in to rich Middle Eastern countries to run for little to no pay and provided with drugs to compete in European events.⁵³

52. See Michael Weinreb, *Traffickers lure athletes with dreams of sporting glory only to abandon them far from home*, GLOB. SPORT MATTERS (Mar. 29, 2019), <https://globalsportmatters.com/youth/2019/03/29/traffickers-lure-athletes-with-dreams-of-sporting-glory-only-to-abandon-them-far-from-home/> (providing description of Kesselly Kamara's experience trafficked to Laos). Kesselly Kamara left Liberia at fourteen to less after being promised a six-year contract with salary and other arrangements. *Id.* Unfortunately, Mr. Kamara claimed he was not paid, slept on the floor of the stadium with thirty other players, ate only rice and bread, had no coach, had no medical staff, and played no games. *Id.* Mr. Kamara signed to an academy that never existed and could not leave unless he paid for his arrangements and food, which kept many individuals stuck. *Id.* Even though Mr. Kamara was not trafficked to Europe, his story represents stories of many others who experienced the same treatment in Europe. *Id.* A study in Portugal showed 157 soccer players were living in the country illegally with 105 from Africa. *Id.* See also Tariq Panja, *At Transfer Time in Lithuania, Prospects and Profits Collide*, N.Y. TIMES (Aug. 30, 2018), <https://www.nytimes.com/2018/08/30/sports/transfers-lithuania-prospects.html> (discussing how contract disputes and transfer portals lead to human trafficking). In Lithuania, Ibrahima Sory Soumah traveled from Guinea and signed a contract paying minimum wage salary but including a multimillion-dollar buyout. *Id.* The club did not make good on their promises, as him and his teammates had substandard accommodations, with shared bedrooms in a house owned by the club and some teammates did not even get paid. *Id.* The club also had a clause that stated, "if the quality of (his) sports activity . . . does not meet requirements of the club anymore," he can be dismissed. *Id.* Players were to be in their bedrooms by 10:00 PM and were not allowed visitors. *Id.*

53. See Martha Kelner, *'We are treated like sporting slaves': Ethiopians lifts lid on trade in athletes*, GUARDIAN (Aug. 3, 2017, 4:45 PM), <https://www.theguardian.com/sport/2017/aug/03/sporting-slaves-ethiopian-trade-athletes-lily-abdullayeva-azerbaijan> (discussing use of African runners). Lily Abdullayeva was promised a "good salary, a house and expensive cars if [she] won races," convincing her to move to Turkey. *Id.* She never received money, lived in filthy conditions, had her prize money stolen when she won, and was forced to take drugs. *Id.* In addition, her coaches forced her to change her nationality. *Id.* In the 2016 European championships, Turkey claimed twelve medals with six from their Kenyan athletes. *Id.* See also Andy Brown, *Documentary alleges African athlete trafficking & doping*, THE SPORTS INTEGRITY INITIATIVE (Aug. 9, 2017), <https://www.sportsintegrityinitiative.com/documentary-alleges-african-athlete-trafficking-doping/> (discussing changing allegiances, doping, and exploitation). A documentary by ARD found that African athletes are being exploited. *Id.* For example, Alexander Hempel, a German coach, is exploiting runners to be pacemakers by keeping them in the basement of his home, requiring a \$10,000 payment if their contracts are breached. *Id.*

C. Response To The Issue

1. Government Institutions: Lack of Specific Regulations for Sports Trafficking

The United Nations defined human trafficking in the 2000 Protocol, released Global Reports, and declared July 30th to be United Nations World Day Against Trafficking in Persons.⁵⁴ Prior to the 2000 Protocol, the United Nations also created three treaties relevant to sports trafficking: the International Bill of Human Rights, the United Nations Convention on Rights of the Child, and the United Nations Convention Against Transnational Organized Crime.⁵⁵ In addition, the European Commission presented

54. See generally G.A. Res. 55/25, *supra* note 15, at 1-51 (documenting 2000 Protocol against human trafficking). See also U.N. OFF. ON DRUGS & CRIME, GLOBAL REPORT ON TRAFFICKING IN PERSONS 2012 7, 82-102 (2012), available at https://www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf [hereinafter U.N. 2012 GLOBAL REPORT] (reporting on human trafficking from 2012); U.N. OFF. ON DRUGS & CRIME, GLOBAL REPORT ON TRAFFICKING IN PERSONS 2014 5, 23-58 (2014), available at https://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf [hereinafter U.N. 2014 GLOBAL REPORT] (showing response to trafficking information from 2014); U.N. OFF. ON DRUGS & CRIME, GLOBAL REPORT ON TRAFFICKING IN PERSONS 2016 5, 47-56 (2016), available at https://www.unodc.org/documents/data-and-analysis/glotip/2016_Global_Report_on_Trafficking_in_Persons.pdf [hereinafter U.N. 2016 GLOBAL REPORT] (documenting reports on human trafficking from 2016); U.N. OFF. ON DRUGS & CRIME, GLOBAL REPORT ON TRAFFICKING IN PERSONS 2018 3, 21-45 (2018), available at https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTIP_2018_BOOK_web_small.pdf [hereinafter U.N. 2018 GLOBAL REPORT] (reporting trafficking information from 2018); U.N. 2020 GLOBAL REPORT, *supra* note 26, at 79-92 (documenting latest global report on human trafficking). In 2013, the United Nations declared July 30th to be United Nations World Day Against Trafficking in Persons to raise awareness of victims of trafficking and promote their protection. *Id.* See G.A. Res. 68/192 (discussing United Nations World Day Against Trafficking in Persons). See also *World Day Against Trafficking in Persons 2022* U.N. BRUSSELS LIAISON OFF., <https://www.unodc.org/brulo/en/campaigns/world-tip-day-2022.html#:~:text=This%20year's%20theme%20focuses%20on,human%20trafficking%20has%20conquered%20cyberspace.> (last visited Nov. 19, 2022) (showing how quickly human trafficking can occur through technology). In 2022, the United Nations World Day Against Trafficking in Persons' theme was "use and abuse of technology" to bring awareness of the role technology plays in human trafficking. *Id.*

55. See Sunderland, *supra* note 40 (arguing governments have sufficiently attacked problem of sports trafficking). The International Bill of Human Rights "is a combination of several different U.N. instruments: the Universal Declaration of Human Rights (UDHR), the Covenant on Economic, Social and Cultural Rights (ICECSR), the Covenant on Civil and Political Rights (ICCPR), and the Optional Protocol to the Civil and Political Covenant." *Id.* The International Bill of Human Rights is not legally binding but serves as a framework, in addition to the 2000 Protocol, which many national constitutions and legal frameworks have incorporated. *Id.* See also G.A. Res. 55/25, *supra* note 15, at 1-51 (documenting 2000 Protocol against human trafficking). In addition to a lack of legally binding documents, trafficking in sports can also be difficult to detect

its new 2021-2025 strategy for combating trafficking in human beings focused on victim protection rather than crime prevention and the ineffective result of prosecuting traffickers.⁵⁶ Many commentators believe the regulations are not enough to combat sports trafficking, and that the United Nations and European Union should enact proactive binding policies, specifically

due to the current definition of human trafficking under the 2000 Protocol. *Id.* See also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 16 (discussing difficulties of prosecuting human trafficking). Exploitation is a major part of the definition of human trafficking, and it is specifically hard to prove in sports trafficking due to the voluntary decision of athletes to leave their homes. *Id.* The definition of sports trafficking requires more than a misguided judgment based on a sporting opportunity. *Id.* Most athletes, however, face exploitation, deception, and coercion when agents encourage them to leave their homes, which should be the focus when it comes to criminal prosecution. *Id.* In addition, when children are involved, trafficking does not rely on whether there is consent. *Id.* Further, commentators identify,

that agents are not necessarily participating in human trafficking as they are giving the athletes ‘what they bargained for, even if it ended in unfortunate results,’ such as an athlete may not be successful in the tryouts. However, if a tryout is successful for a young athlete and a contract is secured, this may still be considered as human trafficking: ‘[W]hat allows this process to be defined as trafficking is that these contracts are often highly exploitative and unfavourable for the player with agents taking as much as 50 percent of the player salary for the duration of the contract.’

Id.

56. See *Communication From The Commission To The European Parliament, The Council, The European Economic and Social Committee And The Committee Of The Regions Empty on the EU Strategy on Combatting Trafficking in Human Beings*, at 2-6, COM (2021) 171 final (Apr. 14, 2021), available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021DC0171> [hereinafter 2021-2025 Strategy] (documenting projected plan combatting human trafficking). Trafficking is a complex criminal phenomenon that demands a comprehensive response, which, according to the European Union, the EU Anti-trafficking Directive has been the direct response. *Id.* at 3. The EU Anti-trafficking Directive binds Member States to the goal but allows states to implement their own techniques. *Id.* at 4. The number of prosecutions, especially for labor trafficking, remain low, which the European Commission acknowledges but optimistically states that change will soon come. *Id.* at 7. The 2021-2025 Strategy instead focuses on the protection of victims through support and empowerment. *Id.* at 12-17. See also Piotr Bakowski & Sofija Voronove, *Understanding EU action against human trafficking*, EUR. PARL. RSCH. SERV. 1, 1 (2021), [https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/690616/EPRS_BRI\(2021\)690616_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/690616/EPRS_BRI(2021)690616_EN.pdf) (discussing 2021-2025 Strategy). In the European Union, “[t]here is no universally accepted method for estimating the real number of victims . . . [due to the number of] differences in national legal frameworks, in reporting and monitoring systems and the entities involved.” *Id.* at 3. See also *Anti-human trafficking manual for criminal justice practitioner*, (2009), https://www.unodc.org/documents/human-trafficking/TIP_module7_Ebook.pdf [hereinafter *Criminal Justice Practitioner*] (providing guidance for criminal justice in human trafficking).

defining sports trafficking, promoting prosecution, and starting the dialogue of regulation within the sports industry.⁵⁷

2. *Sports Agencies: Ineffective Regulations to Protect Athletes*

Government regulation has not tackled the problem of sports trafficking, and sports agencies, such as FIFA, International Association of Athletics Federations (IAAF), International Basketball Association (FIBA), and the Institutional Review Board (IRB), have not attempted to regulate sports agents or the recruitment of athletes.⁵⁸ Select organizations, like FIFA, have implemented regulations but have not had proper enforcement, which perpetuates a lack of clarity and creates regulatory loopholes for trafficking minors.⁵⁹ On one hand, some commentators argue sports

57. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 18 (arguing sports trafficking should have multi-agency approach where governments work with sports agencies). Governments should increase their victim identification mechanisms to have additional records. *Id.* at 22. In the United Kingdom, there is insufficient information on athlete trafficking cases, therefore it is difficult to identify a victim and the type of sports trafficking. *Id.* In addition, commentators believe there should be a multi-agency approach to sports trafficking to create one way to identify and tackle the problem. *Id.* See also Sunderland, *supra* note 40 (discussing importance of multi-agency cooperation). Sports continue to be an undercover operation for traffickers and a target for corruption. *Id.*

58. See *Study on Sports Agents in the European Union*, *supra* note 7, at 4-5 (discussing policy regulations previously implemented for sports agents in 2009); see also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 19-21 (presenting possible recommendations for future investigation and action for sports trafficking). More research needs to be done “to map existing regulations by sports governing bodies and their effectiveness or lack thereof, in addressing the problem of trafficking in sports.” *Id.* at 21. In addition, data needs to be collected on loopholes in regulations and which sport clubs are complying with national and international slavery, child labor, and anti-trafficking regulations. *Id.* Sports agencies should continuously review and establish recruitment practices and regulations to ensure ethical standards. *Id.* at 22. See also Amanda Franklin, *Human Trafficking of Athletes: An Unseen Urgency in the Wide World of Sports*, 46 T. MARSHALL L. REV. 1, 27 (2021) (analyzing increase of human trafficking among athletes and potential resolutions). Overall, “sports associations and international sports federations are responsible for athlete trafficking because they have the greatest power to improve oversight in a billion dollar industry that has resisted regulation despite repeated links to athlete trafficking.” *Id.*

59. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 16-18 (discussing FIFA’s regulation and responses to preventing trafficking of athletes). FIFA created guidelines which criminalize international transfers of children under the age of eighteen unless there is one of the following exceptions:

parents moving to a new country in which the new club is located for reasons not linked to football; the transfer takes place within the EU or EEA; proximity to the national border; the player flees his country of origin for humanitarian reasons without parents and is temporarily permitted to reside in the country of arrival; and the player is a student

agencies have the responsibility to prevent sports trafficking because they are in the position to know the treatment of their athletes and the recruitment practices of their agents.⁶⁰ On the other hand, if sports agencies follow government regulations against anti-trafficking, the question becomes how far they must go to ensure protection and avoid liability.⁶¹

and moves without his parents to another country temporarily for academic reasons.

Id. at 17. *See also It's up to all of us, supra* note 23 (describing FIFA's Article 19 regulation to protect children). FIFA also launched the FIFA Guardians Programme in 2019 to assist in ending sports trafficking. *Id.* *See also* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 17 (discussing FIFA's regulations and responses to preventing trafficking of athletes). The FIFA rule, however, has not been enforced and clubs have been sanctioned. *Id.* For example, a Spanish soccer club, Cadiz FC, stated the parents' relocation exception should be enforced when a mother moved to Spain for other reasons, but the sons signed to the club shortly after. *Id.* In 2007, African players were relocated primarily to Denmark to study rather than play soccer. *Id.* The same Danish club was accused of having a relationship with a company that allowed the sharing profits between an individual in Ghana. *Id.*

60. *See* Franklin, *supra* note 58, at 27 (arguing sports agencies need more involvement against sports trafficking). Sports associations can put pressure on agents and teams to do their due diligence in recruiting. *Id.* In addition, they know how the athletes arrive at their facilities and under what conditions, as set by the agents. *Id.* Sports associations are in the best position to be proactive in what steps to take to directly combat trafficking and what information to share with the public to promote awareness. *Id.* *See also* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 18 (discussing how FIFA must clarify rules and close gaps). For example, FIFA should construct "clear and strict regulations," which could include making transfers more visible, verifiable, and trackable. *Id.* FIFA could also "focus on more robust sanctions for rogue intermediaries who act as human traffickers within football, as this may be a more effective means of safeguarding the welfare of minors" rather than sanctioning European clubs, which is proving to be an ineffective deterrent. *Id.*

61. *See Study on Sports Agents in the European Union, supra* note 7, at 7 (discussing policy recommendations for sports agents in 2009). In 2009, the European Commission recommended sports associations should:

Associate sports agents in drawing up the regulations governing their activities; Inform and advise sportspersons on the role of sports agents; Report any abuses and unlawful practices (as well as any sanctions imposed by sport bodies or public authorities) involving sportspersons, agents, clubs, organisers of sport events or federations; Establish binding codes of conduct drawn up jointly by sports agents, federations, clubs and sportsmen, particularly with the aim of preventing conflicts of interest; Establish a centralized financial system or 'clearing house' for transfer deals (involving financial rewards or compensation) between two clubs or teams.

Id. *See also* David Lisko & Tony Farina, *Traffick Control: Are Sports Organizations Liable For Human Trafficking*, SBLA (Oct. 26, 2020), <https://nationalsbla.com/2020/10/26/sports-organizations-human-trafficking/> (discussing how sports agencies should follow regulations in 2020). In 2020, lawyers are still recommending that sports associations do more to combat human trafficking. *Id.* David Liska, Partner at Holland & Knight LLP,

3. NGOs: Influencing and Educating the Public

In light of the inadequate government enforcement of trafficking regulations, NGOs have tried to bring awareness to athletes and the public regarding sports trafficking.⁶² Certain NGOs, such as SiNAFE and Mission 89, built platforms as a resource for athletes and the public.⁶³ In fact, Mission 89 created a #No-InOurGame Ball Juggle Challenge to bring attention to sports

stated that sports organizations should discuss whether their businesses are subject to anti-human trafficking regulation with their respective legal counsels and implement a program to ensure compliance. *Id.* To implement further regulation, sports organizations should begin with a risk assessment of current policies and evaluate individual members that expose them to liability. *Id.* To go above and beyond, organizations should set organizational standards, implement training programs for staff and vendors, monitor systems for agents, and conduct audits to evaluate progress. *Id.*

62. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 16 (emphasizing need for awareness of sports trafficking). People remain ignorant of this issue because there is a “lack of data [which] means that both the scale and nature of trafficking in and through sports and preventative measures to effectively tackle this issue have remained unidentified or inadequate.” *Id.* Contributing to the lack of data, the pandemic forced resources to go towards recovery, taking away athletes’ already limited access to support services. *Id.* at 18. Clubs that need money to help with recovery are more likely to traffic athletes to rebuild their business. *Id.* Looking ahead, there needs to be a raise of awareness outside the sports community, within sports industries, and among professional athletes. *Id.* at 21-22. See also *Tackling Sports Trafficking Requires More Than Awareness Raising: Legal Expert and Practitioner Dr. Ini-Obong*, COMMONWEALTH PARL. ASS’N UK (Sept. 30, 2022), <https://www.uk-cpa.org/news-and-views/tackling-sports-trafficking-requires-more-than-awareness-raising-legal-expert-and-practitioner-dr-ini-obong/> [hereinafter *More Than Awareness*] (questioning Dr. Ini-Obong about how to address sports trafficking). Dr. Ini-Obong’s research focuses on the lack of understanding from the public and lawmakers about the causes of sports trafficking, but awareness is the minimum that needs to be done to stop this phenomenon. *Id.*

63. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 16, 18 (discussing how NGOs should get involved with phenomenon). There is an ongoing debate about how to best protect athletes, with NGOs attempting to address the issue, such as Mission 89. *Id.* at 18. Mission 89 started an initiative called “Framework on Safeguarding Children from Trafficking in Sport” which assists organizations in prohibiting sports trafficking. *Id.* The organization puts children first, holds organizations accountable, and educates the public with anti-trafficking campaigns. *Id.* See also *Trafficking in persons: Who is most at risk?*, MISSION 89 (Mar. 22, 2022), <https://mission89.org/trafficking-in-persons-who-is-most-at-risk/> (discussing everyone at risk in trafficking but children more susceptible targets of sports trafficking). Mission 89 educates the public with articles discussing how everyone in three victims of trafficking are children and are targets of sports trafficking. *Id.* See Paul Nicholson, *Human trafficking: NGOs call for ‘urgent’ action as football fails in its duty of care*, INSIDE WORLD FOOTBALL (Sept. 9, 2022), <https://www.insideworldfootball.com/2022/09/09/human-trafficking-ngos-call-urgent-action-football-fails-duty-care/> (discussing NGOs pushing issue of trafficking in soccer). At a keynote speech hosted by SiNAFE and Mission 89, Michel Veuthey, Ambassador of the Sovereign Order of Malta, discussed trafficking in sports and specifically addressed African athletes in Europe. *Id.* Mr. Veuthey urged the government and sports agencies to start addressing the problem because it is only growing. *Id.*

trafficking.⁶⁴ An organization called Search Your Team, started in Africa by two refugees named Wesley Mukerinkindi and Gaetan Ekoondo, was created to help refugee athletes in similar situations achieve a safe and successful sports career.⁶⁵ Although NGOs and other organizations have started to build awareness, focused efforts on research and education must be the driving force to continue the conversation.⁶⁶

64. See Gugu Khulile, *Join the #NotInOurGame BALL Jungle Challenge and join the Fight Against Modern Slavery & Human Trafficking!*, MISSION 89 (Nov. 12, 2022), <https://mission89.org/join-the-notinourgame-ball-jungle-challenge-and-join-the-fight-against-modern-slavery-human-trafficking-article-by-gugu-khulile-mission-89/> (discussing social media initiative on United Nations World Day Against Trafficking in Persons). This social media initiative had support from organizations such as the African Union Sports Council, International Organisation for Migration in Egypt & Uruguay, Cameroon Olympic & Sports Committee, Child Helpline International, United Through Sports, Alliance of Independent Recognised Members of Sport representing twenty three international federations, International Federation of Muaythai Associations, A-STEP Foundation, and others. *Id.* The campaign required participants to submit a video on July 20, 2020, ten days before United Nations World Day Against Trafficking in Persons on July 30, 2022, showing their athletic abilities of juggling a soccer ball and share it on their Instagram with the hashtag #NotInOurGame. *Id.* The best videos were selected to be in the campaign video. *Id.*

65. See Daniela Intili, *Two African refugees set up a sports platform to prevent other refugees from being trapped in trafficking*, ABC NEWS, (May 5, 2021, 5:59 PM), <https://www.abc.net.au/news/2021-05-06/refugees-on-a-global-mission-to-stop-football-trafficking/100111184> (reporting two African refugees formed assistance organization for other refugees in athletics). Based on their experiences, two African refugees set up a resource for athletes to send in videos of their highlight plays, and the organization sends them to registered European agents and clubs. *Id.* The boys started the platform to bring awareness to refugees of human trafficking. *Id.* Specifically, the story of Senegalese soccer player Ousmane 'Doudou' Faye who died on a boat trying to reach Europe to achieve his dream of playing professional soccer. *Id.* The rise of awareness, led to Mr. Faye's father imprisonment for paying the traffickers. *Id.*

66. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 20-21 (discussing recommendations to combat sports trafficking). Moving forward, there should be more data produced to help understand the nature and extent of sports trafficking, which will allow sports agencies and governments to disrupt typical patterns. *Id.* at 20. In addition, all sports should be studied to understand the similarities and differences between recruiting practices to address lawful and unlawful use of sports agents. *Id.* at 20-21. Overall, there needs to be an awareness in the sports industries to teach their staff how to address potential sports trafficking, especially in rural areas. *Id.* at 21. Along with staff members, professional athletes should be educated on the subject to help themselves and others or share their stories and not encourage the same treatment. *Id.* at 21-22. See also *More Than Awareness*, *supra* note 62 (outlining recommendations for tackling sports trafficking). Dr. Ini-Obong stated that “[f]irstly, I believe that the terminology that is largely being used by the media to describe the occurrence of this crime should change” because right now sports trafficking is seen as “breaching rules governing the international transfer of minors,” which diminishes the severity of the crime. *Id.* In addition, sports trafficking should be viewed as a violation of immigration and human rights, resulting in criminal punishment to avoid sports being used as an

III. ANALYSIS

The European Union works closely and cooperates with the United Nations on numerous human rights issues, therefore sports trafficking should not be any different.⁶⁷ The United Nations should (1) create a definition of sports trafficking that includes a voluntariness element to ensure a rise in sports trafficking convictions, and (2) create the United Nations Sports Trafficking Committee (U.N. Committee) to educate Member States and suggest implementing regulations for this phenomenon.⁶⁸ After these steps are executed, the European Union can create their own committee (E.U. Committee) to work closely with the U.N. Committee to promote international justice for sports trafficking.⁶⁹ Furthermore, the European Union can use the United

exploitation tool. *Id.* Lastly, successful athletes should be addressing the problem and sharing the legal path to success, because athletes look up to them as heroes and may be influenced to seek legal help instead. *Id.*

67. See E.U. Human Rights, *supra* note 34, at 3 (explaining how United Nations and European Union work together). In many human rights issues, the European Union participates in multilateral forums such as the UN General Assembly's Third Committee, the UN Human Rights Council, the Organization for Security and Co-operation in Europe and the Council of Europe. *Id.*; see also *How the European Union and the United Nations cooperate*, *supra* note 34 (discussing cooperation between two entities). The United Nations and European Union share fundamental goals, such as:

the maintenance of international peace and security, the development of friendly relations on the basis of a due regard for the principles of equal rights and the self-determination of peoples, the promotion of international cooperation in the solution of economic, social, cultural and humanitarian problems, and the promotion and consolidation of the respect of human rights and fundamental freedoms for all people.”

Id. The European Union itself has said “[i]n a world of global threats, global markets and global media, our security and prosperity increasingly depend on an effective multilateral system . . . Strengthening the United Nations, equipping it to fulfil its responsibilities and to act effectively, is a European priority.

Id.

68. See also *Toolkit to Combat Trafficking in Persons*, *supra* note 1, at 2 (defining human trafficking); Raymond, *supra* note 6, at 1 (analyzing 2000 Protocol and necessary changes); THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 20 (recommending national governments promote conversation and regulation implementation).

69. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 14 (describing exploitation of West African athletes). The lack of research into sports trafficking does not allow for governments or agencies to create regulations to tackle an issue without the identification of specific problems. *Id.* at 7-22. The United Nations Sports Trafficking Committee (U.N. Committee) and the committee created by the European Union can work closely to conduct research to identify regulatory loopholes, statistics to identify the types of traffickers, victims, and locations predominately associated with sports trafficking. *Id.* at 21. With this information, the committees can work together to raise awareness, establish regulations, and implement review policies. *Id.* at 22.

Nation's definition of sports trafficking to create binding legislation among Member States for law enforcement, prosecutors, and sports agencies to protect African athletes throughout Europe.⁷⁰ Finally, if regulation does not eliminate sports trafficking, the European Union should initiate a program for the African athletes who left their lives behind.⁷¹

A. *United Nations Must Address the Sports Trafficking Phenomenon*

The United Nations has a history of defining internationally accepted rights and establishing mechanisms, followed by 193 Member States, to promote and protect these rights.⁷² By way of previewing for the following paragraphs, the United Nations should alter the definition of human trafficking to include the voluntary aspect, and read as follows: the recruitment, transport, transfer, harboring, receipt, or abandonment of a person by

70. *See id.* at 7 (describing trafficking of thousands of West African athletes). Since human trafficking statistics are rising, it can be inferred that sports trafficking is growing, therefore there must be an urgency in arrests and prosecutions for the sports trafficking of African athletes in Europe. *Id.* *See also* Guilbert, *supra* note 2 (suggesting labor trafficking may statistically surpass sex trafficking); 2022 TRAFFICKING IN PERSONS REPORT, *supra* note 19 (reporting international human trafficking statistics); THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 21 (emphasizing importance for arrests and prosecutions in sports trafficking); G.A. Res. 55/25, *supra* note 15 (enacting 2000 Protocol); Directive 2011/36/EU, *supra* note 34, at 101/3 (discussing need for law enforcement to prioritize human trafficking).

71. *See* Corbanese & Rosas, *supra* note 29, at 7-25 (describing plan for protection and assistance for labor exploitation victims). The United Nations discusses potential victim assistance programs for victims of labor trafficking, which can be used as a guide to create similar programs for athletes. *Id.* The victim assistance programs provide accommodations such as medical treatment and healthcare services, legal assistance, interpretation services, financial support, temporary residencies, work permits, repatriation support, compensation, and legal remedies. *Id.* at 14-17. *See also* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 7 (emphasizing lack of documentation when abandoned by traffickers). Many athletes are abandoned without documentation and money once they enter Europe, therefore a program to ensure protection against criminalization and homelessness would change the lives of these African athletes. *Id.*

72. *See Human Rights*, *supra* note 28 (showing United Nations influence over human rights initiatives universally). There is a United Nations Human Rights Council to strengthen and protect rights around the world and to make recommendations when necessary. *Id.* Every four years, the Human Rights Council does a review of human rights in each member state to continue the conversation. *Id.* Since “[h]uman rights is a cross-cutting theme in all UN policies and programmes in the key areas of peace and security, development, humanitarian assistance, and economic and social affairs,” an individual committee for sports trafficking will promote this theme and protect thousands of athletes. *Id.*

such means as threat or use of force or other forms of coercion, abduction, fraud, or 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, *despite voluntariness in the circumstances that led to the exploitation*.⁷³ The United Nations should create the U.N. Committee to guide the Member States and promote the rights of athletes across the world because of their enormous outreach and persuasion.⁷⁴

1. *Creation of a new Definition to Overcome the Barriers of Sports Trafficking*

Because many cases of sports trafficking do not fall within the scope of protections of the 2000 Protocol, a new definition of human trafficking must be established to expand protections to victims of exploitation, deception, and coercion during sports contract signing.⁷⁵ In twenty-three years, however, the United

73. See *Toolkit to Combat Trafficking in Persons*, *supra* note 1, at 2 (providing definition for human trafficking). See also Raymond, *supra* note 6, at 1 (analyzing 2000 Protocol and what more needs to be done); G.A. Res. 55/25, *supra* note 15, at 32 (defining human trafficking); THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 16 (explaining lack of prosecution for sports trafficking because of human trafficking definition).

74. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 22 (discussing need for awareness and research in sports trafficking). If the U.N. Committee has a strong voice against sports trafficking, other government institutions and organizations will prioritize the issue, resulting in a fast conduction of research and the implementation of regulations to protect athletes across the world. *Id.*

75. See *Toolkit to Combat Trafficking in Persons*, *supra* note 1, at 2 (providing definition for human trafficking). The United Nations describes trafficking as:

the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Id. See also Raymond, *supra* note 6, at 1 (analyzing 2000 Protocol and further needs). Raymond believed although the 2000 Protocol was in place, the interpretation of the human trafficking definition must be implemented correctly to expand the ability for prosecution. *Id.* at 7. See also G.A. Res. 55/25, *supra* note 15, at 32 (defining human trafficking). The 2000 Protocol also stated a broad criminalization concept with minimal guidance. *Id.* See also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 16 (discussing human trafficking definition does not capture sports trafficking). Sports trafficking is difficult to prosecute because there is a voluntary aspect, however, “exploitation, deception and coercion can occur to encourage an athlete to leave their home.” *Id.* There is also an exploitative and unfavorable aspect to the contracts these athlete’s sign. *Id.*

Nations has not expanded the definition, despite the addition of multiple forms of human trafficking, including sports trafficking.⁷⁶ African athletes have a hard time proving the element of exploitation because the initial *voluntary* act of engaging with an agent before their involvement turns *involuntary*, and therefore, their experiences do not fit within the United Nations' current definition.⁷⁷ The definition of sports trafficking should be expanded to allow exploited, deceived, and coerced African athlete victims to see their traffickers prosecuted for their abandonment following empty promises or manipulation into meaningless contracts.⁷⁸

2. Create a U.N. Committee to Guide Member States

In addition to the expansion of the definition for human trafficking, the United Nations must form a U.N. committee to bring awareness to the problem, provide guidance to Member States,

76. See *Toolkit to Combat Trafficking in Persons*, *supra* note 1, at 2 (providing definition for human trafficking). See also *THE PROBLEM OF SPORTS TRAFFICKING*, *supra* note 5, at 16 (discussing problems with human trafficking definition today).

77. See *THE PROBLEM OF SPORTS TRAFFICKING*, *supra* note 5, at 16 (explaining lack of prosecution for sports trafficking because of human trafficking definition). There needs to be change in the definition to help with prosecutions and convictions. *Id.* See generally *Global Report on Trafficking in Persons*, *supra* note 25 (collecting global reports for awareness); G.A. Res. 55/25, *supra* note 15, at 1-51 (documenting 2000 Protocol against human trafficking); U.N. 2012 GLOBAL REPORT, *supra* note 54, at 82-102 (reporting on human trafficking from 2012); U.N. 2014 GLOBAL REPORT, *supra* note 54, at 23-58 (showing response to trafficking information from 2014); U.N. 2016 GLOBAL REPORT, *supra* note 54, at 47-56 (documenting reports on human trafficking from 2016); U.N. 2018 GLOBAL REPORT, *supra* note 54, at 21-45 (reporting trafficking information from 2018); U.N. 2020 GLOBAL REPORT, *supra* note 26 at 79-92 (documenting latest global report on human trafficking).

78. See *THE PROBLEM OF SPORTS TRAFFICKING*, *supra* note 5, at 12 (discussing nature of recruitment for sports trafficking). See also *Better Off at Home?*, *supra* note 48, at 517 (analyzing human trafficking patterns for athletes). The Union of European Football Associations has publicly voiced concerns about the migration of young African footballers and senior members of the Confederation of African Football. *Id.* FIFA President Joseph Sepp Blatter implemented changes to the Regulations on the Status and Transfers of Players and alternative strategies. *Id.* Although these changes are important, this is prevention rather than punishment. *Id.* at 519. Individuals who are trafficking athletes will have no deterrence without sports trafficking clearly fitting into the human trafficking definition. *Id.* See also *THE PROBLEM OF SPORTS TRAFFICKING*, *supra* note 5, at 16 (discussing nature of definition of sports trafficking). Since athletes voluntarily make the decision to leave their country, the major issue regarding the evidentiary nature of sports trafficking is the issue of whether an athlete was exploited. *Id.* If the definition acknowledged this dilemma in sports trafficking, traffickers could be deterred. *Id.*

and review international progress.⁷⁹ The U.N. needs a specialized committee so that the issue of sports trafficking does not fall through the cracks as it has in the past.⁸⁰ First, the U.N. Committee could promote sports trafficking awareness by fostering a collaborative multi-agency approach with governments, sports agencies, and NGOs.⁸¹ Next, a U.N. Committee could be

79. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 22 (discussing need for awareness and research in sports trafficking). The United Nations must ensure that victim identification methods can recognize sports trafficking. *Id.* For example, in the United Kingdom, exploitation for potential victims is divided into a few categories which does not provide the most accurate information for identifying potential victims. *Id.* Typically, these categories do not allow individuals to identify victims of sports trafficking, therefore, the creation of a committee will allow individuals to focus on collecting more detailed and reliable data to help understand this phenomenon. *Id.* The creation of a committee can raise awareness of sports trafficking and facilitate conversations with sporting clubs, associations, and other governing bodies to end this form of modern slavery. *Id.* Finally, this committee could help foster a multi-agency approach between Member States of the United Nations inside and outside Europe. *Id.* By developing a collaborative and coordinated approach to sports trafficking, it will help “begin the conversation around this issue” and “tackle this problem on a national and international level.” *Id.*

80. See *Global Report on Trafficking in Persons*, *supra* note 25 (collecting global reports for awareness but sports trafficking has not joined conversation). See generally G.A. Res. 55/25, *supra* note 15, at 1-51 (documenting 2000 Protocol against human trafficking); U.N. 2012 GLOBAL REPORT, *supra* note 54, at 82-102 (reporting on human trafficking from 2012); U.N. 2014 GLOBAL REPORT, *supra* note 54, at 23-58 (showing response to trafficking information from 2014); U.N. 2016 GLOBAL REPORT, *supra* note 54, at 47-56 (documenting reports on human trafficking from 2016); U.N. 2018 GLOBAL REPORT, *supra* note 54, at 21-45 (reporting trafficking information from 2018); U.N. 2020 GLOBAL REPORT, *supra* note 26, at 79-92 (documenting latest global report on human trafficking). Although a recent Global Report in 2020 acknowledges sports trafficking, it does not address the issue as a major concern, despite the growing numbers. *Id.* See U.N. 2020 GLOBAL REPORT, *supra* note 26, at 79-92 (documenting latest global report); but see Warzynski, *supra* note 28 (discussing sports trafficking at interactive session). See also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 20 (discussing need for awareness and research in sports trafficking). If the world does not acknowledge the sports and human trafficking problem, there will not be progress in stopping the oppression of trafficked athletes. *Id.* The majority of the attention in sports trafficking revolves around soccer, therefore, there must be a committee to expand the research by focusing on trafficking in other sports. *Id.* By expanding the research, the United Nations, European Union, and sports agencies can raise awareness as to the types of sports where athletes are being trafficked, including the demographic and migration routes. *Id.*

81. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 22 (recommending national governments create collaborative multi-agency approach). Since sports trafficking involves cross-border migration, multiple governments, sports agencies, and NGOs are involved in providing regulation. *Id.* A multi-agency approach could effectively stop the growth of sports trafficking to help identify victims and build an international response. *Id.* In addition, the use of the multi-agency approach can promote further research in sports trafficking to allow for specific regulations. *Id.*

a resource for Member States, especially those in the European Union, to conduct research and advocate for strengthening old, and creating new, regulations to protect the thousands of suffering athlete.⁸² Finally, a U.N. Committee must help Member States prevent sports trafficking, while also promoting the importance of victim assistance programs for athletes.⁸³

B. The European Union's Next Step is to Create Binding Legislation

Since traffickers target African athletes mostly in E.U. Member States, the European Union has a duty to create binding legislation to eliminate the problem.⁸⁴ First, the European Union must form an E.U. Committee to research the extent of sports trafficking, oversee progress in Europe, and work closely with a U.N. Committee to oversee migration patterns.⁸⁵ Second, the

82. *See id.* at 21 (recommending enhancement and supervision of regulations). As stated previously, further research is needed to understand which governments are aware of the sports trafficking problem, individual responses, and impacts. *Id.* Once this information is obtained, the United Nations Sports Trafficking Committee can change their regulations for human trafficking and recruitment in the sports industry. *Id.* The wide reach and strong voice of the United Nations allows this Committee to be a strong influencer in ending this modern slavery. *Id.* *See also* Guilbert, *supra* note 2 (discussing African footballers targeted by human traffickers); *Study on Sports Agents in the European Union*, *supra* note 7, at 36 (collecting data on sports agents present in Member States of European Union in 2009).

83. *See* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 22 (discussing importance of protecting athletes). *See also* Corbanese & Rosas, *supra* note 29, at 7-25 (describing plan for protection and assistance of victims of labor exploitation). The European Union, in conformity with United Nations practice, provides a discussion about different possible assistance programs for victims of labor exploitation. *Id.* at 14. The victim assistance involves accommodations such as medical treatment and health-care services, legal assistance, interpretation services, financial support, temporary residencies, work permits, repatriation support, compensation and legal remedies. *Id.* at 14-17. The United Nations must form a committee to create and update a similar study and implement the findings to create a victim assistance program for the African athletes who are trafficked to Europe. *Id.* at 18-24; *see also* *Better Off at Home?*, *supra* note 48, at 517 (analyzing different ways of trafficking athletes).

84. *See* Sunderland, *supra* note 40 (explaining trafficking of athletes in Europe). Europe attracts many athletes for soccer, but trafficks athletes in many other sports too, such as rowing, basketball, badminton, skiing, and so forth. *Id.* *See also* *Study on Sports Agents in the European Union*, *supra* note 7, at 36 (collecting data on sports agents present in Member States of European Union in 2009); PROTECTING CHILDREN FROM VIOLENCE IN SPORT, *supra* note 44, at 12 (showing importance of sport in child development and need for protection in Europe).

85. *See* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 14 (describing nature of exploitation for West African athletes). There are multiple examples of athletes being sports trafficked, but there is a lack of research. *Id.* at 7-22. The world will not

European Union must adopt the uniform definition of sports trafficking created by the United Nations.⁸⁶ Third, the European Union must create a standard of prosecution for sports trafficking.⁸⁷ Finally, the European Union must implement programs for athlete victims to obtain European visas or resources to return to their home countries.⁸⁸

be able to combat the problem until there is an understanding of the *nature and extent* of the problem. *Id.* at 20. The European Union, similar to the national government, is in one of the best positions to oversee multiple countries and possibly understand the extent of this phenomenon. *Id.* See also PROTECTING CHILDREN FROM VIOLENCE IN SPORT, *supra* note 44 (recognizing need for more research on human trafficking).

86. See Guilbert, *supra* note 2 (suggesting labor trafficking statistically surpassing sexual trafficking). See also 2022 TRAFFICKING IN PERSONS REPORT, *supra* note 19 (reporting human trafficking statistics to U.S. Department of State); THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 21 (emphasizing need for prosecutions in sports trafficking); G.A. Res. 55/25, *supra* note 15 (documenting 2000 Protocol); Directive 2011/36/EU, *supra* note 34, at 101/3 (discussing importance for law enforcement to prioritize human trafficking).

87. See *Study on Sports Agents in the European Union*, *supra* note 7, at 30 (identifying which European Member States have sports agents and potential regulation). See also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 21 (describing potential regulation for sports agencies to protect West African athletes). Clubs and associations should have a duty to raise awareness amongst staff and professional athletes. *Id.* The staff interact with athletes and sports agents daily. *Id.* Staff members can also combat sports trafficking if they are equipped with the knowledge to identify and respond to potential cases. *Id.* Professional athletes also interact with each other and have the ability to share their stories. *Id.* Personal stories may bring to light this phenomenon and sports agencies should encourage athletes to address the problem rather than glorify it. *Id.* at 22. Finally, each sports association should have regulations in place to protect their current and future athletes. *Id.* These practices must be clear and consistent, to align with current human trafficking regulation. *Id.*

88. See Corbanese & Rosas, *supra* note 29, at 7 (comparing protection and assistance of victims between different countries). The first priority for victim assistance should be victim identification. *Id.* at 8-14. Typically, victims are allowed a period of protection, where there are safe houses and temporary shelters for domestic victims, while foreign victims may have international protection or asylum for thirty to ninety days. *Id.* at 14. In Europe, victims are entitled to emergency medical care for free, legal assistance, interpretation services, temporary residence and work permits, and sometimes compensation. *Id.* at 15-17. It should be noted not all countries in Europe have these protection programs, and countries struggle to garner the financial support to ensure these protections and assistance for all of the victims. *Id.* at 22-24. See also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 22 (describing potential victim protection for West African athletes). Europe should create a program to enhance victim identification for additional data and start a fund to protect these victims from future harm. *Id.* Overall, there should be a multi-agency approach to sports trafficking. *Id.* Commentators believe this approach to sports trafficking will create one way to identify and tackle the problem. *Id.* See also Sunderland, *supra* note 40 (explaining how trafficking occurs in Europe). Sports continue to be an undercover operation for traffickers and a target for corruption, therefore there should be cooperation in Europe to protect the targeting of African athletes. *Id.*

1. *Form an E.U. Committee to work closely with the U.N. Committee*

For the European Union to tackle the problem of sports trafficking, they must establish a specialized E.U. Committee to focus on research, regulations, and review.⁸⁹ While there is evidence of African athletes being targeted for sports trafficking in Europe, the extent of the trafficking is unknown.⁹⁰ In fact, the European Union has discussed the issues of labor trafficking and the regulation of sports agents, but not the entire phenomenon of sports trafficking.⁹¹ In order to decipher the extent of sports trafficking

89. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 20-22 (suggesting various regulation improvements for sports trafficking). The United Nations and the European Union may also provide a change in regulations for human trafficking and recruitment in sports agencies in the Member States to combat this phenomenon. *Id.* With this committee, the world will be a step closer to understanding the real question of “whether sports trafficking is in itself an isolated issue or is also part of a much larger problem . . .” *Id.* at 21.

90. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 14 (describing nature of exploitation for West African athletes). Trafficked athletes have shared their sports trafficking stories, but there is a lack of research on the extent of this problem. *Id.* at 7-22. See also *Better Off at Home?*, *supra* note 48, at 516 (sharing different stories from sports trafficked athletes); PROTECTING CHILDREN FROM VIOLENCE IN SPORT, *supra* note 44 (recognizing need for more research in human trafficking). With a committee focused on researching sports trafficking, European Member States can understand the extent to which sports trafficking differs from lawful recruitment and understand the nature of the problem. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 20 (describing need for research in sports trafficking phenomenon).

91. See ANDREES, *supra* note 19, at 38 (reporting conclusions about labor trafficking study). Migration and trafficking go hand in hand with intermediaries facilitating the trafficking. *Id.* at 16. In 2008, the European Union defined intermediaries as “the agent that facilitates the link between supply and demand in increasingly global labour markets.” *Id.* See *Study on Sports Agents in the European Union*, *supra* note 7, at 3 (collecting data on sports agents present in Member States of European Union in 2009). In 2009, the European Union released the study on sports agents, defining sport agents as “intermediaries between sportpersons and sport clubs/organisers of sport events with a view to employing or hiring an athlete or sportsperson.” *Id.* The European Union asked the question if there was a need for a European regulatory framework because of the relationship of these intermediaries in labor tracking. *Id.* at 5. The European Union stated “[t]he activities of sports agents are subject to the rules of the Treaty establishing the European Community . . . as well as to secondary legislation, . . . especially where an agent wishes to work occasionally or establish himself or herself in a Member State other than that of which he is a national.” *Id.* In 2009, the European Union recommended that the role of government is to maintain public order and “[s]port federations are not adequately equipped,” therefore, the European Union should be involved. *Id.* at 6. In addition, European institutions should structure the dialogue and coordinate action to counter harmful trends. *Id.* at 7. Finally, the study advocates for a voluntary licensing system which should be regulated and organized by various sport federations without hindering movement within the European Union. *Id.* at 7. The study does not mention the role of sports trafficking and the major changes in the sports industry since 2009. *Id.* at 3-265. The European Union could create a committee to conduct another

of African athletes in Europe, the committee must find out the archetype for a trafficker, who is victimized, and what areas in Africa are targeted.⁹² Once further research is conducted, the E.U. Committee can work closely with the U.N. Committee and combine resources to enact specific plans to regulate and review the sports trafficking phenomenon, such as adopting the new definition to include voluntariness, creating mandatory arrest and prosecution numbers for Member States with high sports trafficking rates, or implementing recruitment of children regulations for all sports agencies.⁹³

2. *Create a Standard of Prosecution Across the European Union For Sports Trafficking*

a. Law Enforcement Standards

Because African athletes are left unprotected from sports trafficking, the European Union must create a specialized law enforcement bureau to focus on arresting sports traffickers.⁹⁴ The absence of law enforcement targeting sports traffickers makes

study and start implementing those recommendations and regulations to ensure the safety of the African athletes who are targets of the sports trafficking phenomenon in Europe. *Id.* at 172-77. *See also* Guilbert, *supra* note 2 (discussing targeting of African footballers for sports trafficking); THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 7 (stating West African soccer players trafficked in large numbers); *The scandal of Africa's trafficked players*, *supra* note 46 (emphasizing African athletes struggle to pursue their dreams).

92. *See* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 20 (recommending conducting research). Since there is a lack of understanding regarding the exploitative nature of sports trafficking in the definition of human trafficking, more research is needed to understand the exploitation associated with the movement of migrant athletes. *Id.* The European Union can provide information on the extent to which the difference of lawful and unlawful irregular migration compares to the migration of athletes. *Id.* For example, the European Union has stated, “human smuggling where individuals voluntarily consent to their movement often in search of better opportunities to improve their livelihood.” *Id.* The European Union may also provide information on the exploitation athletes face through their transfer processes. *Id.* For example, the European Union may research whether “abandoned (or non-abandoned) athletes [are] exploited in other ways (for example, through sexual exploitation, forced labour, and others).” *Id.*

93. *See id.* (emphasizing necessity for further research). Researchers should also investigate the individual cases reported. *Id.* They must look at the agency, experience of the athletes in their recruitment and the sport, how the individual athlete perceived the risks with migration, and the unequal power dynamic in the recruitment process. *Id.*

94. *See* Guilbert, *supra* note 19 (suggesting need for further labor trafficking enforcement). *See also* 2022 TRAFFICKING IN PERSONS REPORT, *supra* note 19 (reporting human trafficking statistics to U.S. Department of State); Directive 2011/36/EU, *supra* note 34, at 101/3 (discussing importance for law enforcement to prioritize human trafficking).

African athletes continuous targets.⁹⁵ Within the European Union, the EU Anti-Trafficking Directive is the most combative legislation against sports trafficking, though more must be done to protect the athletes.⁹⁶ First, all law enforcement officers should be trained to identify sports trafficking.⁹⁷ Second, each law enforcement agency should have a specialized bureau dedicated to combatting sports trafficking in known areas, and should be provided a budget for investigative equipment, such as communication interceptors, electronic surveillance, and monitoring devices for bank accounts.⁹⁸ After these law enforcement initiatives are

95. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 14 (describing nature of exploitation for West African athletes). Many athletes do not report their trafficking experiences fearing backlash on their families or placing blame on themselves, therefore, athletes need a resource that they feel safe turning towards. *Id.* If victims do not feel safe speaking about their experiences, law enforcement agencies need to be proactive to identify sports trafficking and stop the continuous cycle. *Id.* at 20-22.

96. See Directive 2011/36/EU, *supra* note 34, at 101/3 (discussing importance for law enforcement cooperation between Member States). In fact, the Directive states that “law enforcement authorities of the Member States should continue to cooperate in order to strengthen the fight against trafficking in human beings.” *Id.* The Directive believes cooperation would best be accomplished through “the sharing of information and the sharing of best practices, as well as a continued open dialogue between the police, judicial and financial authorities . . .” *Id.* In addition, the Directive argues that Member States should adopt training practices for members of the state who are likely to be in direct contact with victims, such as police officers. *Id.*

97. See *id.* (discussing importance for law enforcement training). The Directive states that:

[m]ember states should establish and/or strengthen policies to prevent trafficking in human beings, including measures to discourage and reduce the demand that fosters all forms of exploitation, and measures to reduce the risk of people becoming victims of trafficking in human beings, by means of research, including research into new forms of trafficking in human beings, information, awareness-raising, and education.

Id. Specifically, “[m]ember states shall take the necessary measures to ensure that persons, units or services responsible for investigating or prosecuting the offences . . . are trained accordingly.” *Id.*

98. See *id.* (providing guidance for law enforcement in human trafficking investigation and prosecutions). The Directive states that “Member States shall take the necessary measures to ensure that effective investigative tools, such as those which are used in organised crime or other serious crime cases are available to persons, units or services responsible for investigating or prosecuting the offences . . .” *Id.* See also Moore et. al., *supra* note 1, at 51 (discussing offensive and defensive plays to tackle sports trafficking). There should be an effort to deploy a broad range of tools to tackle sports trafficking. *Id.* Law enforcement officers could work with social workers, who “are at the forefront of the anti-trafficking movement.” *Id.* at 49. In addition, citizens should advocate for governmental policies, such as having specific groups dedicated to sports trafficking, to “better protect athletes from exploitation . . .” *Id.* at 51. See 2021-2025 Strategy, *supra* note 56, at 1-2 (announcing plan for future in human trafficking). The 2021-2025 Strategy describes how cross border cases of human trafficking are difficult to investigate because they require resources. *Id.* at 4. The 2021-2025 Strategy also shows

implemented, the European Union must then provide public reports accounting the steps taken to arrest sports traffickers.⁹⁹

b. Prosecution Standards

In addition to law enforcement, prosecutors should prioritize sports trafficking arrests because these cases are rare and the defendants are difficult to convict.¹⁰⁰ For each prosecutors office in an area with high sports trafficking, as determined by the specialized law enforcement bureaus, there must be a prosecutor specialized in sports trafficking to navigate the law and ensure further prosecution.¹⁰¹ Prosecutors specialized in sports trafficking can

that “[l]aw enforcement also need capacity, tools and structured coordination to tackle the digital modus operandi of traffickers.” *Id.* at 4. In fact, the research indicates that “[p]roviding appropriate funding has facilitated joint investigations and prosecutions by national authorities, increased capacity of law enforcement and other authorities, created broad alliances across stakeholders for a multi-agency and multi-disciplinary approach to combatting the crime.” *Id.* at 5. Although the 2021-2025 Strategy does discuss the importance of “the systematic use of financial investigations in law enforcement investigations as well as developing and implementing a robust framework to identify, seize and confiscate criminal assets,” it does not address this strategy for sports trafficking. *Id.* at 9. By having police officers specifically trained in and placed in sports trafficking sectors with appropriate funding, numbers of prosecutions can grow and help towards the 2021-2025 Strategy goal of “break[ing] the trafficking chain.” *Id.* at 10. In fact, the 2021-2025 Strategy states that in order to break the chain, it “requires building expertise and assigning specialized experts and departments or units for trafficking in human being among the competent authorities at national and local level.” *Id.*

99. See 2021-2025 Strategy, *supra* note 56, at 12 (announcing plan to combat human trafficking). The 2021-2025 Strategy discusses that “[m]ember states are invited to . . . [s]ystematically exchange data on investigations on human trafficking with the support of Europol.” *Id.* The 2021-2025 Strategy states that the European “Commission will also systematically monitor and report in the implementation of this Strategy, including to the European Parliament and the Council,” however, this is not a concrete plan that the citizens, law enforcement, and victims of human trafficking need. *Id.* at 20.

100. See 2022 TRAFFICKING IN PERSONS REPORT, *supra* note 19 (reporting lack of human labor trafficking statistics). There needs to be more prosecution in labor trafficking, and sports trafficking specifically. *Id.* See also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 21 (emphasizing need for prosecutions in sports trafficking). Sports trafficking is difficult to detect due to the “evidential criteria of human trafficking rather than a poor or misguided sporting opportunity on behalf of the athlete,” therefore, law enforcement and prosecutors must work together to ensure the evidence is gathered and ultimately protect the athletes. *Id.* at 16.

101. See Guilbert, *supra* note 19 (suggesting labor trafficking statistically surpassing sexual trafficking). Despite the rise in labor trafficking, “a lack of prosecutions and convictions, limited labor laws and inspections, and fear among victims are hindering efforts to tackle trafficking in industries from agriculture to construction, said a report by the Council of Europe.” *Id.* See also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 21 (explaining need to protect athletes). Since sports trafficking is difficult to detect, having experts on the subject can help with the goal of producing more arrests and convictions. *Id.* See also Criminal Justice Practitioner, *supra* note 56, at 1-15 (showing manual for labor trafficking prosecutions). Labor trafficking can be difficult to spot,

help train police officers in gathering evidence and interviewing and protecting victims.¹⁰² With a focus on sports trafficking from a prosecutorial perspective, more convictions can occur resulting in the savior of the dreams of future young African athletes.¹⁰³

3. *Establish Regulation of Sports Agencies*

Along with implementing more prosecutorial directives, the European Union should regulate sports agencies recruitment policies.¹⁰⁴ The European Union released a study in 2009 on the use of sports agents, which recommended complementarity, transparency, simplicity, and trust in the sports world.¹⁰⁵ The study,

therefore prosecutors may need to show a “[l]ink[] [to] a particular piece of equipment or machinery to a victim [or e]stablish[] the scale of the exploitative enterprise.” *Id.* at 14. If a prosecutor cannot convict the offenders, West African athletes will continue to be victims of sports trafficking. *See* Guilbert, *supra* note 2 (discussing African footballers targeted by human traffickers).

102. *See* 2021-2025 Strategy, *supra* note 56, at 1-2 (announcing plan to combat human trafficking). In order to “increase professionalism and coordination in dealing with the cases,” systematic training in law enforcement will help with prosecution. *Id.* at 10. *See also* Criminal Justice Practitioner, *supra* note 56, at 16 (showing manual for labor trafficking prosecutions). The strategy in most labor trafficking cases starts with the victim, which means the law enforcement must know what to look for in order for the offender to be prosecuted. *Id.* If law enforcement personnel do not notice specific clothing or potential injuries that could be associated with sports trafficking, the prosecution will have a more difficult time securing a conviction. *Id.* at 16-17.

103. *See* Guilbert, *supra* note 19 (suggesting need for further labor trafficking convictions). *See also* 2022 TRAFFICKING IN PERSONS REPORT, *supra* note 19 (reporting human trafficking statistics to U.S. Department of State); Directive 2011/36/EU, *supra* note 34, at 101/3 (discussing importance for law enforcement to prioritize human trafficking). By convicting offenders, there will not only be less sports traffickers targeting West African athletes, but the convictions can also serve as a deterrent for future potential offenders. *See also* Guilbert, *supra* note 2 (discussing African footballers targeted by human traffickers).

104. *See Study on Sports Agents in the European Union, supra* note 7, at 30 (identifying potential regulation in recruitment). *See also* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 21-22 (describing need for government regulation protecting athletes). Overall, there should be a multi-agency approach to sports trafficking. *Id.* at 22. Commentators believe there should be a multi-agency approach to sports trafficking to create one way to tackle the problem. *Id.* *See also* Sunderland, *supra* note 40 (discussing importance of multi-agency cooperation in sports trafficking). Sports continue to be an undercover operation for traffickers and a target for corruption, therefore there should be cooperation in Europe to protect the targeting of African athletes. *Id.*

105. *See Study on Sports Agents in the European Union, supra* note 7, at 172 (explaining recommendations moving forward for sport agents in Europe). The European Union stated any action aimed at regulating sports agents and the placement mechanisms in sport should be based on the four principles: complementarity, transparency, simplicity, and trust. *Id.* at 172. There should be complementarity between the rules of sports federations and public policy because sports federations play an essential role in organizing sports. *Id.* In addition, there should be a transparency of

however, did not create a mechanism to regulate the activities of sports agents, which has resulted in the targeting of African athletes.¹⁰⁶ The European Union must implement regulations for sports agencies because it is in the best position to know the behavior of sports agents.¹⁰⁷ For example, regulations can force sports agencies to create programs for all sport association employees to raise awareness on sports trafficking, and all athletes participating in organized sports should be required to complete

financial flows in professional sports. *Id.* Next, there must be a simplicity of the measures adopted “[t]o be efficient and universally applicable” and “easily adaptable to the peculiarities of each sport discipline.” *Id.* Finally, there must be a principle of trust in sports agents and other actors in sport because “[i]t is necessary to establish dialogue and mutual trust between all stakeholders.” *Id.*

106. *See id.* (identifying which European Member States have sports agents and potential regulation). The study stated:

The results of this study do not argue against the introduction of specific mechanisms to regulate the activities of sports agents (and to control access to the profession), regardless of whether those mechanisms are adopted by governments or by national or international sport federations, provided that any such mechanisms are compatible with Community law. However, there appears to be no overriding reason for introducing an obligation to adopt said mechanisms.

Id. In regard to ethical issues, however, the European Union preferred the sport agencies to organize the rules but recommended the states interfere to ensure transparency. *Id.* at 172-73. Sports agencies are perceived as the main party to combat ethical issues; however, the entire system lacks transparency and is “not adequately equipped to combat and punish offences against public order, particularly in the fields of human trafficking in sport and financial crime.” *Id.* at 172. The European Union said states should supervise sport federations to intensify audits and checks, improve the training centers to protect minors, and establish indicators to measure illegal immigration and financial fraud. *Id.* at 173. The final recommendation was that European institutions must play a major role in dialogue and coordination between public authorities and sport agencies by providing dialogue, consultations, information, studies, reports, promotion, and coordination surrounding the issues of sports agents in Europe. *Id.* at 173. These were recommendations in 2009, but there is no evidence that the recommendations solved or slowed the trafficking of African athletes in Europe. *Id.* at 172-74. *See also* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 7 (stating West African athletes targeted for trafficking through soccer); *You have to try your luck*, *supra* note 47, at 1836 (discussing experience of Ghanaian athletes).

107. *See* ANDREES, *supra* note 19, at 38 (reporting conclusions about approximately 270,000 victims of labor trafficking in 2008). *See also* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 9 (describing media investigation uncovered approximately 20,000 African soccer players trafficked in Europe). Although there needs to be more research, the U.S. Department of State, in 2020, reported that approximately 15,000 young individuals are trafficked from West Africa into Europe to play soccer. *Id.* In fact, “[t]his was the first time that this phenomenon was highlighted in detail within the report and it was listed as one of seven topical issues.” *Id.* Since this issue is still prominent, the suggestion in the 2009 study to not put mechanisms in place to regulate the activities of sports agents is not the solution. *Id.* *See Study on Sports Agents in the European Union*, *supra* note 7, at 172 (identifying potential regulation for sports agents).

sports trafficking education before and during their time as an athlete.¹⁰⁸ In addition, the European Union should have sports associations establish recruitment practices, such as ensuring a recruit speaks to multiple people within the organization before making a commitment, continuing the regulation of sports agents, and implementing new regulations (such as educating staff, players, and recruits) which should all be reviewed regularly by the E.U. Committee.¹⁰⁹

108. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 21 (reporting statistics of trafficked soccer athletes). By raising awareness among staff, individuals other than law enforcement can “identify and refer potential victims for support.” *Id.* Sports agencies should instill confidence in members of their staff by providing knowledge and resources for potential victims. *Id.* Staff in rural areas, especially, should be trained because research suggests “sports practised in rural areas . . . risk concealing situations of exploitation.” *Id.* In addition to staff members being trained, athletes should complete a sports trafficking education class. *Id.* Since there are many stories of poor athletes leaving home and becoming famous professional athletes, young children believe that can be their path as well. *Id.* In fact, some athletes have reported that their routes may have been considered sports trafficking yet they still became successful, which continues to fuel the normalcy of these paths. *Id.* When these athletes share their stories, people accept sports trafficking as a rite of passage, which “may be a contributing factor to the potential problem of sports trafficking.” *Id.* These athletes “personal experiences and accomplishments may be . . . inadvertently encouraging other aspiring athletes to leave their home countries, whether through legal or illegal means.” *Id.* Sports agencies should be aware that “use of such athletes to spearhead anti-trafficking campaigns could unwittingly contribute to the problem,” and stop promoting these routes to success. *Id.* at 22.

109. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 21 (emphasizing need for recruitment practices and associated regulations). Since sports agencies are not establishing or reviewing their recruitment practices, the European Union should implement a regulation that holds these federations accountable. *Id.* The

sporting clubs, associations and governing bodies need to ensure that they have regulations around ethical recruitment practices which are clear, consistent and align with modern slavery, human trafficking, and labour and employment rights standards. Additionally, given that the trafficking of people in sports can involve children and young people, these regulations must take into consideration the fundamental rights of children and align with relevant internationally recognised standards.

Id. at 22. In addition to the government enacted regulations over sports agencies for general sports trafficking awareness, research needs to be done to understand the potential loopholes and strengthening the existing regulations of different agencies to end this modern slavery. *Id.* For example, FIFA released new regulations in 2015 to decentralize the monitoring of agents and have each institution implement their own policies. *Id.* at 7. See also *It's up to all of us*, *supra* note 23 (describing FIFA's Article 19 regulation to protect children). One of these new regulations was Article 19 which established rules for international transfers of individuals under the age of 18. *Id.* See *FIFA transfer regulations on protection of minors: Article 19*, *supra* note 23 (describing how Article 19 protects minors). There is not much information on whether every institution implemented individual policies to monitor the movement of sports agents or the effect of these new regulations. *Id.*

4. *Initiate Programs for Victims*

Along with prosecuting traffickers and implementing regulations for sports associations, victims must be protected through humanitarian support.¹¹⁰ After being trafficked, many African athletes are immediately abandoned in foreign countries with expired or no documentation, are exploited to perform their sport, and are left with no options but entering a life of crime.¹¹¹ The European Union, which does not have a system for victims, must make human trafficking a priority by creating a plan and resources for human trafficking victims.¹¹² The plan would create a funding program for providing humanitarian aid, such as shelter, medical aid, legal support, vocational training, counseling, and other necessities.¹¹³ In addition, victims would be provided temporary

110. See Corbanese & Rosas, *supra* note 29, at 7 (comparing protection and assistance of victims between different countries). The European Union could adopt a victim protection and assistance program similar to that of labor exploitation victims. *Id.* at 7-25. The comparative analysis by the International Labour Organization provides insight into possible ways to help victims. *Id.* at 7-25. See also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 22 (describing potential victim protection for West African athletes).

111. See THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 7 (explaining sports trafficking of athletes). Some young players pay an agent who supposedly has connections to professional clubs abroad and eventually enter into a contract. *Id.* The contract allows the athlete to play their sport but typically involves exploitation. *Id.* For example, sports trafficking typically involves an agent with a fake club who abandons the athletes without documentation or money, or forces them to work somewhere else with limited pay. *Id.* at 8. See also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 14 (describing phenomenon with sports trafficking). When these athletes are faced with these obstacles, “[r]eportedly, to survive, young athletes may resort to criminal activity, homelessness, and in some circumstances, prostitution.” *Id.*

112. See Corbanese & Rosas, *supra* note 29, at 7 (discussing common characteristics of protection and assistance of victim programs). The European Union must have a protection and assistance program for solely sports trafficking that has:

- (i) an established method for the (formal) identification of victims, which is the first step for the protection system to engage and provide support based on individual needs; (ii) a wide range of support services that span from safe accommodation, to counselling, healthcare, legal aid and repatriation assistance; and (iii) governance structures that include multiple governmental and non-governmental agencies in the development and delivery of protection services.

Id. Protection begins with identifying the victim and extends to “immediate assistance and long-term recovery.” *Id.* First, Europe had victim programs for sex trafficking victims. *Id.* Then, these policies eventually expanded to labor exploitation. *Id.* at 7-8. See also THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 14 (emphasizing victims lack of options after sports trafficking). The next step in Europe is creating programs for sports trafficking victims. *Id.*

113. See Corbanese & Rosas, *supra* note 29, at 14-17 (comparing protection and assistance of victims between different countries). For labor exploitation victims, most

residence and work permits to find either another job in Europe, or continue their search to become a professional athlete at a legitimate club tryout.¹¹⁴

V. CONCLUSION

African athletes aspire to follow the experiences of the famous athletes from their countries, but most are the unconventional, “from rags to riches” stories that involved sports trafficking.¹¹⁵ Most young athletes, however, do not enter a world of fame and glory, but find themselves faced with abandonment or exploitation when they step into Europe.¹¹⁶ The United Nations

European Union countries have a period of reflection, ranging from thirty to ninety days from the date of their identification as a victim. *Id.* at 14. The time period allows victims “to recover, plan their future and decide whether to cooperate with criminal investigations.” *Id.* Based on the individual needs, immediate assistance services may be offered. *Id.* Services may include accommodations such as safe houses or temporary shelters, local housing authority options, private rented accommodation, or housing with friends or family. *Id.* Next, all victims are entitled to free emergency medical care, including physical and mental treatment, regardless of their immigration status. *Id.* at 15-16. In addition, victims may be provided free legal aid services that could result in compensation and legal remedies, or interpretation services. *Id.* at 16. Some countries even provide financial support for essential living costs and recovery systems, or repatriation support to foreign victims of exploitation. *Id.* at 16-17.

114. *See id.* (describing temporary residence and work permits for victims of labor trafficking). Foreign victims, like African athletes, often are left with no documents or visas. *Id.* Labor trafficking victims are entitled “to Article 14(1) of the Council of Europe Convention against trafficking to renewable residence permits based on their personal situation and/or their cooperation with the competent authorities in the investigation or criminal proceedings,” but is not applied in all European countries. *Id.* at 16. *See also* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 14 (explaining how victims get stranded with nothing). For sports trafficking, this is a crucial aspect of a victim’s protection and assistance program since victim athletes are “in pursuit of an international career in sport.” *Id.* at 7. When these athletes are abandoned, temporary residence and work permits can change the trajectory of their life. *Id.* at 7-8.

115. *See supra* Part I (emphasizing how athletes become victims by starting with dreams). The Olympic star, Sir Mo Farah stated “[f]or years I just kept blocking it out, [b]ut you can only block it out for so long.” *Id.* *See* Nagesh, *supra* note 1 (normalizing Sir Mo Farah’s stardom starting with labor trafficking). Like many others, Sir Mo Farah shared his story coming from Somalia as a child in hopes to achieve a better life, but these were the obstacles he had to face to achieve this better life. *Id.* Other athletes chased this dream and instead faced sports trafficking, such as Kesselly Kamara who found himself sleeping on the floor with thirty other players eating rice and bread with no medical staff, coach, or games. *Id.* *See* Weinreb, *supra* note 52 (providing description of Kesselly Kamara’s experience of trafficking with promises of playing at athletic club). *See also* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 7 (showing West African soccer players targeted for trafficking); *The scandal of Africa’s trafficked players*, *supra* note 47 (discussing African athletes trafficked for sports).

116. *See supra* Part III.B (explaining African athletes exposure to trafficking). *See also* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 14 (describing how traffickers

and European Union have dumped the control of this phenomenon onto the sports agencies as the number of victims continue to grow.¹¹⁷ Since this tactic has not stopped this modern-day slave trade, the United Nations must create a definition for sports trafficking and create a U.N. Committee to promote awareness, enact legislation, and provide leadership for victim assistance programs throughout the world.¹¹⁸ Following the United Nations' guidance, the European Union can tackle the sports trafficking of African athletes by forming a similar committee to conduct research, creating binding legislation for law enforcement and prosecution standards, establishing regulations for sports agencies, and initiating a victim assistance program.¹¹⁹ The changes from the United Nations and European Union will regulate the industry and save millions of dreams from being crushed by one of the largest crimes in the world.¹²⁰

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earn profits after abandoning athletes once in Europe); *You have to try your luck*, *supra* note 47, at 1383 (explaining Ghanaian athletes experiencing abandonment when chasing dreams); *Better Off at Home?*, *supra* note 48, at 516 (analyzing sports trafficking techniques).

117. *See supra* Part II.B (showing FIFA attempted to establish trafficking regulations). *See also* THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 16-18 (discussing FIFA's regulation and responses to sports trafficking); *It's up to all of us*, *supra* note 23 (describing FIFA's most prominent regulation to stop sports trafficking); *Study on Sports Agents in the European Union*, *supra* note 7, at 4-5 (discussing policy regulations previously implemented by sports agencies).

118. *See supra* Part IV (advocating for change by United Nations). *See also* *Toolkit to Combat Trafficking in Persons*, *supra* note 1, at 2 (defining human trafficking); Raymond, *supra* note 6, at 1 (analyzing 2000 Protocol and necessary changes); THE PROBLEM OF SPORTS TRAFFICKING, *supra* note 5, at 20 (recommending regulations and changes from governments).

119. *See supra* Part IV (stressing European Union's duty to protect African athletes). *See also* Sunderland, *supra* note 40 (explaining how athletes targeted in Europe); *Study on Sports Agents in the European Union*, *supra* note 7, at 36 (collecting data on sports agents contributing to sports trafficking in Europe); PROTECTING CHILDREN FROM VIOLENCE IN SPORT, *supra* note 44, at 12 (showing need for child protection from sports trafficking in Europe).

120. *See supra* Part I (highlighting answer to question on ending sports trafficking). *See also* TRAFFICKING IN PERSONS: ANALYSIS ON EUROPE, *supra* note 1 (discussing human trafficking in world); Hall, *supra* note 4 (discussing issues surrounding African athletes and Europe).