

# Contents

## **Part I From Workers to Victims: Human Trafficking and Forced Labor of Third Country Nationals by U.S. Government Contractor KBR, Inc. in Iraq**

<b>1</b>	<b>Introduction</b> . . . . .	3
1.1	Structure . . . . .	5
1.2	Method . . . . .	5
1.3	Definitional Clarifications . . . . .	6
<b>2</b>	<b>The Private Military Industry</b> . . . . .	9
2.1	Toward the Privatization of Military Tasks . . . . .	9
2.2	Business Branches in the Private Military Industry . . . . .	10
2.3	Implications of the Increased Privatization of Military Tasks . . . . .	11
2.4	The Role of PMCs in Iraq . . . . .	13
2.4.1	Facts and Figures . . . . .	13
2.4.2	KBR in Iraq . . . . .	14
2.4.3	Lessons Learned . . . . .	15
<b>3</b>	<b>Human Trafficking and Forced Labor of TCNs in Iraq</b> . . . . .	17
3.1	The Crimes of Human Trafficking and Forced Labor . . . . .	17
3.1.1	Definitions . . . . .	17
3.1.2	Human Trafficking and Forced Labor as International Crimes . . . . .	20
3.2	The Situation of TCNs in Iraq . . . . .	21
3.2.1	Who Are TCNs? . . . . .	21
3.2.2	The Recruitment of TCNs . . . . .	21
3.2.3	TCNs' Journey to Iraq . . . . .	23
3.2.4	Living and Working Conditions . . . . .	24
3.2.5	Conclusion . . . . .	25
3.3	Documented Cases of TCN Trafficking and Forced Labor . . . . .	25
3.3.1	Daoud and Partners . . . . .	26
3.3.2	Najlaa International Catering Services . . . . .	26

3.3.3	Kulak Construction Company . . . . .	27
3.4	Conclusion . . . . .	28
<b>4</b>	<b>Legal Framework . . . . .</b>	<b>29</b>
4.1	The Coalition Provisional Authority Order 17. . . . .	30
4.2	The Uniform Code of Military Justice (UCMJ) . . . . .	30
4.3	The Alien Tort Claims Act (ATCA) . . . . .	31
4.4	The Trafficking Victims Protection Act (TVPA) . . . . .	32
4.5	The Military Extraterritorial Jurisdiction Act (MEJA) . . . . .	33
4.6	Recent Efforts by the USG to Fight Human Trafficking and Forced Labor . . . . .	33
4.7	Conclusion . . . . .	35
<b>5</b>	<b>Theoretical Framework . . . . .</b>	<b>37</b>
5.1	State-Corporate Crime . . . . .	38
5.2	The Integrative Model of State-Corporate Crime . . . . .	39
<b>6</b>	<b>Analysis . . . . .</b>	<b>41</b>
6.1	Motivations . . . . .	42
6.1.1	Motivations for Contracts . . . . .	42
6.1.2	Motivations for Crimes . . . . .	43
6.2	Opportunities . . . . .	44
6.2.1	Opportunities for Contracts . . . . .	45
6.2.2	Opportunities for Crimes . . . . .	46
6.3	Control . . . . .	46
6.3.1	Control on Prime Contractors . . . . .	47
6.3.2	Control on Subcontractors . . . . .	48
<b>7</b>	<b>Summary and Conclusions. . . . .</b>	<b>51</b>
<b>8</b>	<b>Discussion. . . . .</b>	<b>55</b>
 <b>Part II From Peacekeepers to Perpetrators: Case Study of Private Contractor DynCorp and Their Complicity in Sex Trafficking in Post-War Bosnia</b>		
<b>9</b>	<b>Introduction. . . . .</b>	<b>61</b>
9.1	The DynCorp Case. . . . .	61
9.2	Research Question . . . . .	63
9.3	Methodology . . . . .	64
9.4	Structure. . . . .	66
<b>10</b>	<b>Private Military and Security Companies . . . . .</b>	<b>67</b>
10.1	Developments Toward the Privatization of Military and Security Tasks . . . . .	67
10.2	The Market for Force . . . . .	68
10.3	Challenges of Private Military Companies . . . . .	69

<b>11 Sex Trafficking and Endeavoring a Cover-Up as International Crimes</b> .....	71
11.1 Sex Trafficking as an International Crime .....	71
11.2 Endeavoring a Cover-Up as an International Crime .....	73
11.3 Rotten Apples or a Rotten Barrel .....	74
<b>12 Theoretical Framework</b> .....	77
12.1 State-Corporate Crime .....	77
12.2 The Integrated Model of Kauzlarich and Kramer .....	78
<b>13 Analysis and Explanations</b> .....	83
13.1 Motivations .....	84
13.2 Opportunity Structure .....	86
13.3 Operationality of Control .....	89
13.4 Summary .....	94
<b>14 Revised Analytical Framework</b> .....	95
14.1 Shortcomings of State-Corporate Crime Theory .....	95
14.2 The Power of Subunit Analysis and a Bidirectional Approach ...	97
14.3 Summary .....	103
<b>15 Discussion and Recommendations</b> .....	105
<b>References</b> .....	109
<b>Index</b> .....	117