A Global Comparative Study of the Determinants of Sex Trafficking

and Their Policy Implications

Presented to the faculty of Lycoming College in partial fulfillment of the requirements for

Departmental Honors in Political Science

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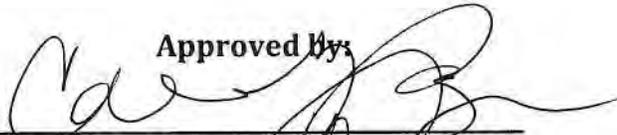
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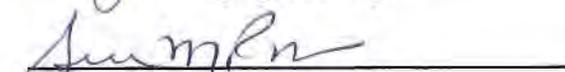
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By: Alyssa Webb

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Dedications

This project is dedicated to my family, specifically my grandmother for instilling me with the importance of a strong work ethic and a love for reading and learning, my mother for always being willing to put my needs above her own, and my brother for giving me a reason to excel.

Acknowledgements

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Abstract

This study is a global comparative analysis of sex trafficking in approximately 100 countries over a sixteen year period. This is a three-part study wherein examine the effect of economic, political, and cultural factors on levels of sex trafficking. This study evaluates these factors in a cross-national context. The first part of this project uses descriptive and multivariate statistics to draw conclusions concerning the effect of these factors on the level of sex-trafficking. Ultimately, due to data limitations, the statistical tests utilized provide limited support for the economic, political, and cultural factors tested in part one of the project. Despite these limitations, I do find that there is consistently a significant, negative correlation between transparency and level of sex trafficking. The second part of the project focuses on the effectiveness of anti-trafficking policies in a representative sample of countries drawn from the cross-national sample. I find that neither international nor domestic legislation is systematically effective at reducing levels of sex trafficking, but that there is evidence that legislation can begin to combat trafficking, given the right conditions. Finally, in the third part of the project, I address how to improve future research on sex trafficking and present policy recommendations based on findings from parts one and two.

Chapter 1 Introduction

"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." – Article 1, Universal Declaration of Human Rights

"This is our culture...Men want women as slaves" – Nepalese women on the reality of gender relations in Sindhupalchok.

"No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms." – Article 4, Universal Declaration of Human Rights

"I do not know how many years I was in Kathmathipura. I used to be with twenty-five customers a day...we had to keep making sex with customers no matter what" – Former trafficking victim

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." – Article 5, Universal Declaration of Human Rights

"We were given robes like nuns...and we were forced to beg near a church that had the same name printed on our robes. If we did not collect a certain amount each day, we were raped" – Former trafficking victim

To most people in the world, slavery is something that you learn about in an elementary school classroom. It is a piece of history, dark and horrible, but it's not something that happens now. Except for hundreds of thousands of people around the world, slavery is their reality, not their history. Men are forced to labor in unsafe working

conditions for practically no wages; women and children are forced into brothels and are made to have sex with more than twenty people every day (Kara 2009). They live in squalor. Their movements are restricted. They are beaten, raped, drugged, sold, and held hostage. They are slaves, in every sense of the word, and there seems to have been very little *effective* effort made by governments to stop the expansion of the sex trade and labor trafficking businesses.

This is not to say that the subject has been given no attention at all. In recent years it has become a salient issue in academia and politics, as an increasing number of scholars have begun studying the phenomenon, and policy makers all over the world have implemented laws to prohibit the practice. Unfortunately, no matter how well-intentioned these efforts have been, human trafficking has greatly proliferated in recent years. The act of human trafficking directly violates at least 15 of the 30 articles in the Universal Declaration of Human Rights. Though this declaration is not legally binding, symbolically it is the standard that all countries should try to reach. When it comes to trafficking, the global community is far from meeting that standard, and is seemingly woefully unprepared to do so in the near future without seriously reconsidering the way that we are approaching the problem.

What is Human Trafficking?

Though there has been much discussion in the past about how to define trafficking, most of the world operates under the definition put forth by the United Nations 2000 Protocol to Prevent, Suppress, and Punish Trafficking in Persons:

> "'Trafficking in Persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or

receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs"; - Article 3 Paragraph A.

I operate under the United Nations definition for the purposes of this project. This is partly for continuities' sake, as this is the definition that almost all governments and anti-trafficking organizations operate under, or at least say that they do. Also, the United Nations definition is concrete and specific, in that it addresses three necessary components of any interaction that are needed in order for it to qualify as trafficking: process (recruitment and transportation), means (threat, coercion, violence, and deception), and goal (prostitution, forced labour, and removal of organs).

In practice, there is confusion about what qualifies as human trafficking versus human smuggling and whether or not someone's poor living or working conditions are just a product of illegal immigration. For clarity, the definition of migrant smuggling as taken from the 2000 Protocol against the Smuggling of Migrants by Land, Sean, and Air is provided below:

" 'Smuggling of migrants' " shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident" – Article 3, Paragraph A

Clearly, the smuggling definition is less precise; there is no mention of *means*, or the *method* by which people are smuggled. There is also no presupposition about the type of work the individual does once they are in the country. What then, is an individual who is smuggled (willingly enters a country fraudulently for employment), but upon arrival to a new country is basically enslaved and forced to do the same work that a trafficking victim

does? Are they a trafficking victims or a smuggling victim? Does this even matter given that slavery is the end result, and is there a substantial difference in the way the causes of these incidences are addressed? Current definitions of trafficking provide for these situations by acknowledging that whether or not individuals are initially willing, if upon arrival in a foreign country they are forced into an exploitative situation with no way to escape, they will be regarded as trafficking victims (US State Department TIP Report). While there is a legal precedent for this definition, many countries fail to recognize this distinction and as a result, what in actuality are trafficking victims are often treated as criminals. This was the case with several countries, such as China, who regard those who come into the country willingly as criminals (US State Department HR Reports).

Research Focus

There are many forms of trafficking, including sex trafficking, labor trafficking, and organ trafficking. For the purposes of this study, I will be focusing exclusively on sex trafficking. Sex trafficking is defined as the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act through force, threat of force, or coercion (United Nations Convention Against Transnational Organize Crime and the Protocols Thereto).

Women are disproportionately more likely to become sex trafficking victims than men are, and economically disadvantaged women and children in particular tend to be the populations most vulnerable to traffickers (Kara 2009). These groups are increasingly vulnerable because they do not have the means to support themselves, though there are often more factors that contribute to their vulnerability. Victims of sex trafficking can be

forced to engage in a myriad of activities ranging from prostitution to pornography, and overall, sex trafficking is likely the second most common form of trafficking.

Several scholars think that the attention focused on sex trafficking has been skewed in various ways, and that the unbalanced scholarly and legislative attention has negatively affected the study of the discipline as a whole (van der Anker 2006). Van der Anker posits that researchers who focus explicitly on the sex industry cause polarization in the field and limit our ability to deal with the problem (van der Anker 2006). This is because a narrow focus on the sex industry disregards the fact that women are trafficked into other industries, which limits the effectiveness of policies created to eliminate the problem (van der Anker 2006). The problem identified by previous scholars is addressed by this study, because though the focus of the research is on sex trafficking, I posit that at least *some* of the underlying factors that increase the likelihood of sex trafficking occurring, such as poverty, are the same factors that increase the likelihood of human trafficking occurring in general. This implies that the conclusions made in this study will not only be applicable to scholars studying sex trafficking, but to scholars studying any type of human trafficking.

In addition, an exclusive focus on sex trafficking allows for a better understanding of the broader issue of the subjugation of women. Women who become sex trafficking victims are made vulnerable by economic misfortune; however, I posit that the reason that sex trafficking has become so "acceptable" and pervasive, is because of that the widespread cultural devaluation of women around the world. Some of the countries that I will be talking about in this study have the concept of female inferiority so deeply imbedded in their culture, that the *only* value placed on a woman is the money she can be sold for. Sex trafficking is a symptom of a greater problem in the world, the subjugation of women.

Addressing the factors that cause sex trafficking will address this larger problem in a meaningful way that has the potential to improve the lives of women around the world.

Layout of the Project

This study aims to determine what factors are directly responsible for the increase in trafficking so that the most effective anti-trafficking policies can be developed and is divided into three parts. The first part of this project uses descriptive and multivariate statistics to draw conclusions concerning economic, political, and cultural factors that affect the levels of sex trafficking within the country. This study attempts to consider all of these explanations in a cross-national, rather than country-level or regional, context. The second part of the project focuses on the effectiveness of international and domestic anti-trafficking legislation policies in a representative sample of countries drawn from the cross-national sample utilized in part one of the . Finally, in the third part of the project, I make policy recommendations based on findings from parts one and two.

Layout of the Paper

These three parts are divided across seven chapters. Chapter one is the introduction and provides general information about the topic, the research focus, and the layout of the project itself. Chapters two and three review our understanding of the causes of sex trafficking and outline the research design respectively for part one of the project. I discuss my findings and conclusions for part one of the project in chapter four and switch my focus to the second part of the project with by reviewing the obstacles of enforcing international and domestic human rights legislation in chapter five. In chapter six I conduct a qualitative analysis of the effectiveness of international and domestic legislation at decreasing the level of sex trafficking in a diverse sample of countries taken from the larger dataset used

for the analysis in part one. In the final chapter, I provide my own policy prescriptions based on the analysis from the previous two parts of the project, while also putting forth potential research topics for the future based on the results of this study.

Chapter 2 Economic, Political, and Cultural Determinants of Sex Trafficking

Men, women, and children are trafficked to, from, and through destination, source, and transit countries every day. According to estimates made by the US government, there are as many as 600,000 to 800,000 people trafficked across international borders each year, though many scholars, policy analysts, and non-governmental agencies consider this to be a conservative estimate (Wheaton et al. 2010, 118). While men are more likely to be forced into untenable manual labor situations, women and children are more likely to become victims of trafficking for the purposes of sexual exploitation. The most vulnerable members of society, the economically disadvantaged, often become trafficking victims because they have no protection from the people who wish to exploit them. This lack of protection results from a combination of economic, political, and cultural factors.

How have economic, political, and cultural factors contributed to the varying levels of sex trafficking in different countries? More specifically, why has sex trafficking become such a pervasive and systematic problem in developing countries, and how can we reverse the trend? The answer to these questions have become increasingly important in recent years, as the general consensus of most scholars is that trafficking in persons is one of the most systematic and ignored violations of human rights in the world today.

While there are many researchers studying sex trafficking, including its causes and ways to prevent it, few, if any, of them are doing so in a comparative, cross-national way, primarily due to the difficulty collecting accurate and reliable data on the subject. This study seeks to remedy the issue of a lack of accurate and reliable data by using State Department reports to approximate levels of sex trafficking by employing a coding scheme created based on the CIRI Human Rights Data Project coding scheme.

Sex Trafficking Causal Factors

Why has sex trafficking become such a pervasive problem in certain countries? Political scientists have approached this question in different ways. Most political scientists have addressed only one primary factor, or have focused their analysis on a single country or region (e.g. Adepoju 2005; Langberg 2005; Kara 2009; Orlova 2004; Brysk 2011; Jennings 2010; Rajan 2011; van der Anker 2006; Pettman 1997). Others frame the phenomena of sex trafficking very generally by using a business model and argue that supply and demand best explain its pervasive nature (Wheaton et al 2010). A number of researchers claim that sex trafficking has worsened considerably in recent decades because the problem has been studied incorrectly, a critique which would implicitly include the afore-mentioned studies and action taken at both the national and international level of government (Brysk 2011; Jennings 2010; Singh & Hart 2007; Worthen 2011; Skinner 2009; van der Anker 2006). Across all of this literature the most prominent factors or points of interest can be categorized into three groups: economic, political, and cultural factors.

Economic Factors

The most commonly cited economic factor thought to contribute to sex trafficking is poverty, along with closely related factors such as poor living conditions, unemployment, economic dislocation, and globalization pressures (Adepoju 2005; Kara 2009; Orlova 2004; Langberg 2005; Brysk 2011; Wheaton et al. 2010). High levels of poverty create certain conditions necessary for sex trafficking to thrive (Wheaton et al, 2010). Large populations of people who are desperate to support themselves and their families are vulnerable to exploitation. When there is a demand for cheap labor and a ready, near inexhaustible, supply of people desperate to earn a living, logic tells us that a market is created (Wheaton

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et al, 2010). If the market created is large enough and produces a sizeable profit, then the market will continue to grow. Time has indicated this to be the case for sex trafficking.

The picture painted by this model is misleading in that it does not fully address the sources of deepening poverty. As developing countries continue to modernize they are faced with pressure from the neo-liberal economic agenda, IFI's and INGO's specifically, to reduce government spending and completely liberalize their economies (Abouharb 2006). This agenda translates into the implementation of austerity measures, such as cutting public spending on education and social programs and a push for complete free trade (Abouharb 2006; Nooruddin 2006). These structural adjustments create a situation in which markets in developing countries are flooded with goods produced in other countries that are much cheaper than anything they can produce on their own. Local industries cannot compete with the low prices of foreign goods and are ultimately crowded out entirely (Stiglitz 2003). All together, the government reduces federal spending on social programs, and local industries are forced out as a result of free trading practices. These free trading practices are responsible for elevated rates of unemployment and resulting poverty rates, as citizens of these countries must pay for more expenses with less money available to them (Clarke et al. 2006).

The presence of foreign direct investment is inextricably connected to the neo-liberal economic plan pushed by institutions such as the World Bank and the International Monetary Fund. Foreign direct investment is the firm's ownership of at least 10% of shares in a company that is active in a country other than the one the investor is located in (Economy Watch 2010). When a country is beholden to structural adjustment programs implemented by the World Bank or the International Monetary Fund, the country is

encouraged to open its borders in order to facilitate free trade and to attract these foreign investors. Attracting foreign investment is viewed as important to create employment opportunities for citizens and to inject money into the developing country's struggling economy (Stiglitz 2003). While foreign direct investment has played a positive role in improving some economies, such as in Singapore, it is often the case that the multi-national corporations active in developing countries do more harm than good (Stiglitz 2003). For example, it has been noted in the past that, though allowing foreign companies to be active in developing countries is supposed to be mutually beneficial for both the country and the investor, often investors come to certain countries because they are offered perks, such as a number of tax free years while operating in the country. This significantly diminishes the positive impact that the presence of foreign investors has on the wealth of the country it is active in.

People become increasingly vulnerable to traffickers as a result of these economic factors. Due to a lack of jobs, a larger number of people are at risk of becoming trafficking victims because they are desperate to earn a living (Kara 2009). The lack of employment opportunities act as a push factor because often these people are willing to leave the country to find work, making these individuals more vulnerable to traffickers, both international and domestic, who wish to exploit them (Wheaton et al. 2010; Kara 2009). While international trafficking does happen, domestic trafficking is much more common (Skinner 2009). It is also not uncommon for parents to give their children to traffickers under the assumption that they will be given a good education and better employment opportunities elsewhere (Adepoju 2005). The parents believe that they are helping their

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children live a better life than they would otherwise be able to provide for them. It is easy to see how this would be more likely in the presence of poverty.

Consistent with this literature I expect the following:

H$_1$: Limited economic opportunities for women increase sex trafficking.

Political Factors

Though economic factors are clearly important, so are political factors. Political institutions matter most notably through the ability and willingness of the government to protect their populations against harm – in this case sexual exploitation. Regime type and corruption heavily influence a state's willingness to protect their citizen's human rights, while state capacity and the presence of peacekeepers heavily influence a state's ability to protect their citizen's human rights. It is arguable that the occurrence of civil war affects both a government's willingness and ability to protect the rights of its citizens.

The most commonly cited political factors contributing to sex trafficking are political repression and corruption (Kara 2009; Langberg 2005; Brysk 2011; Jennings 2010; Orlova 2004). Political repression – most often a tool of non-democratic regimes – and political violence act primarily as push factors and thus serve to increase individual's vulnerability through dislocation, which in turn makes him or her more susceptible to traffickers (Langberg 2005; Brysk 2011; Jennings 2010; Kara 2009). In addition, less democratic regimes have less incentive to protect their populations, since they do not require support from their citizens to stay in power.

Corruption also has a substantial effect on the level of sex trafficking in countries because as corruption worsens, a specific group of people are given preferential treatment over another. The perpetuation of this type of behavior is commonly associated with

countries that are less democratic or non-democratic. The combination of a state that has high corruption and low levels of democracy leads to a reliance on selective incentives rather than public goods; this line of argument is consistent with selectorate theory (Mesquita et al. 2003).

Selectorate theory states that the winning coalition in a non-democratic country is smaller than it is in a democratic country, because non-democracies do not need the support of their populations to stay in power; rather, they only need the support of a few key individuals or groups (Mesquita et al. 2003). In reality this means that a non-democratic government is more likely to engage in selective incentives over public goods to appease their winning coalition rather than their population as a whole (Mesquita et al. 2003). Overall, this leaves the population vulnerable to exploitation by internal actors such as domestic law enforcement. It has been noted in many cases that local law enforcement officials often become part of the sex trafficking scene, sometimes by accepting bribes in return for not cracking down on brothels and known traffickers, and sometimes by becoming traffickers themselves (Kara 2009). This is usually because the government utilizes its resources to invest in selective incentives instead of public goods, such as the salary of police officers. Consequently, police officers are unable to support their families on their legitimate earnings alone, so they turn to alternative, corrupt methods to supplement their earnings. Accordingly, there is increased opportunity for sexual exploitation since the government has a reduced willingness to protect its citizen's human rights. Accordingly, I expect the following:

> **H₂:** The absence of democratic political institutions within states increases sex trafficking among vulnerable populations within a country.

A notable factor missing from current research is state capacity. Previous scholars conceptualize state capacity simply as the ability of a state to implement a broad range of policies (Besley & Persson 2010). Other scholars have defined state capacity by classifying several dimensions including extractive capacity, coercive capacity, and administrative capacity (Hanson & Sigman 2011). For the purposes of this study, a state's coercive capacity is of interest as we are primarily concerned with the state's ability to enforce any immigration and anti-trafficking legislation, domestic or international. Consistent with other political science non-sex trafficking literature (such as drug trafficking, international migration, etc.), it is important to consider a government's ability to effectively control its territory to know with some degree of certainty whether increased levels of sex trafficking are the result of weak states or deliberate action or inaction on the state's part. This becomes especially relevant when considering the effect of border control on sex trafficking. If a country cannot effectively control its borders, then the traffickers are afforded greater opportunity for trafficking as the cost of moving people across borders is significantly decreased.

Factors significantly affecting state capacity include the occurrence of civil war and the presence of peacekeepers. Clearly these two factors are related; when civil conflicts occur international actors sometimes get involved by sending peacekeeping forces into conflict situations. However, the presence of peacekeepers has had a documented adverse effect on the prevalence of sex trafficking within affected regions (Smith & Smith 2010). This is an unintentional side effect predicated by three factors: foreign soldiers and their support networks use prostitutes; most interventions are large to compensate for small domestic military support, which causes a large increase in military presence; and finally,

the presence of intervention forces tends to decrease the prevalence of existing criminal activity, thus creating an opening for trafficking activity (Smith & Smith 2010). We must also consider the fact that the presence of peacekeeping troops within a country indicates the lack of enforcement capabilities of the domestic government, both in terms of its domestic population and the present peacekeeping troops.

Finally, the occurrence of civil war affects both the government's willingness and ability to protect its citizen's human rights. Civil war saps domestic resources, destabilizes domestic institutions, displaces large groups of people, creates massive amounts of vulnerable populations, and increases poverty in developing countries (Collier 2007). Also, the kinds of governments presiding over countries experiencing civil wars are likely not adequately serving their population and thus are not inclined to advocate for the human rights of its citizens. For whatever reason, the government is not protecting the rights of vulnerable people during conflict, and this increases during civil conflict due to familial deaths, infrastructure damage, and rebel occupation.

Cultural Factors

While economic and political factors have a clear impact on sex trafficking, cultural factors are similarly important. However, cultural factors are not always systematically considered in the political science literature. Culture is often underrepresented in the literature because it is difficult to measure quantitatively. Cultural factors, such as a culturally embedded belief in the inferiority of women, have the most notable effect on the willingness of states to protect individuals' rights. This has the most pronounced effect on women's rights because they are not equally valued in society, and so the protection of their rights is not considered to be as important.

Brysk (2011) and Singh & Hart (2007) argue that gaining a better understanding of sex trafficking in developing countries requires a reconsideration of the way that we think about victims, culture, and sex work (Brysk 2011; Singh & Hart 2007). While we do need to create a distinction between free and forced sex work in our research, something that I touch on briefly in this paper, this distinction is difficult to make given the limited trafficking data that researchers have to work with. It remains, however, a very important aspect of the problem at hand that should be addressed as soon as better information about sex trafficking is available.

The most often cited cultural factors that enable trafficking are: gender inequality, and general indifference towards women, adolescents, and children (Kara 2009; Langberg 2005; Rajan 2011; van der Anker 2006; Pettman 1997; Brysk 2011; Orlova 2004).[1] In some cases, women are already treated so badly by their people that they will do anything and/or go anywhere that might have better opportunities for them, as is the case with some rural communities in Nepal (Kara 2009; Chuang 2006). Scholars have collected testimonies from women in Nepal who describe being viciously discriminated against by the men in their family and communities, through physical and mental abuse, corruption in the criminal justice system, and a lack of access to education. As a result of these practices, some women have few opportunities to thrive in their communities and as such are willing to do anything to get out (Kara 2009).

Practices such as gender inequality, gender-based social discrimination, and even indifference towards women, adolescents, and children is a testament to the devaluation of

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[1] Clearly there are a multitude of other important cultural factors that should be taken into consideration, however the research presented here focuses on gender discrimination specifically due to practical measurement issues. It is also the most encompassing factor in that it takes into account a multitude of the hardships faced by women.

women that makes trafficking them an acceptable practice (Kara 2009). However, gender discrimination does not only increase the opportunity for sex trafficking to occur, but it also increases the "lack of resistance" of some women because life for them might not get much worse than it already is (Kara 2009). A socially embedded belief in the inferiority of women does not just mean that the government is less likely to protect their rights, but also that women have fewer economic opportunities, which increases the vulnerability of women because they have limited means to provide for themselves and thus are at the mercy of traffickers.

The inaccessibility of education, especially to women, also plays a role in trafficking. Wheaton et al. (2010) determined in a cross national study, that the centralization of educational opportunities in urban areas is a problem that many people in rural areas of developing countries have to deal with. Impoverished people generally cannot afford to send their children to school; a complication that is compounded when government austerity measures are put in place and school becomes an even more unattainable goal (Abouharb 2006). When you also consider that girls are more likely to be denied education under normal circumstances, it is clear that girls are at a huge disadvantage educationally. A lack of educational opportunities greatly hinders individuals' abilities to succeed in a competitive workplace and thus limits what jobs are available to them. If there is a large group of people and they are all unable to compete for well-paying jobs, then they must all compete for a limited number of less desirable jobs, leaving more people desperate for work and making them easier to exploit. It is a common practice of traffickers to recruit victims by telling them that they will be placed in well-paying jobs at restaurants or cleaning houses, when actually they are trafficked to brothels and forced into sex work, as

was the case with many sex workers in Nepal, Burma, Thailand, and India (Kara 2009). Theoretically, education would decrease the likelihood of this happening because people would be less susceptible to the ruse perpetrated by traffickers. Also, in developing countries education is often a luxury that not everyone can afford. Following this logic, the more educated members of society are more likely to be better off economically and thus at less of a risk of falling prey to traffickers.

In accordance with the literature on this topic I expect the following:

H₃: A culturally-embedded belief in the inferiority of women increases sex trafficking.

Chapter 3 Data & Methodology

In order to test the relationship between these economic, political, and cultural factors and the level of sex trafficking in a country, I analyze 100 countries between the years 1996 and 2009 through the use of ordered logistic regression analysis. I begin with a basic examination of correlation between key variables before analyzing ordered logit models that examine the relationship between the described dependent, independent, and control variables.

The next section discusses relevant variables, their coding, and the source of the data. For convenience, three source charts are attached in Appendix 1 (tables 1.1, 1.2, and 1.3) that succinctly explain what all of the variables are, how they are being measured, their sources, and the way that they are coded.

Dependent Variable: Sex Trafficking

Accurate data on sex trafficking are not easy to come by. This is especially true in regards to developing countries whose governments are either not inclined to truthfully report information or are simply incapable of doing so. Further complicating the acquisition of data is the fact that trafficking is a covert activity by its very nature. Traffickers and trafficking victims are "hidden" either by necessity or because their existence is denied (Lee-Nicola 2007). It also does not help that issues related to trafficking, such as prostitution and illegal immigration, are politically sensitive and thus more controversial and difficult for researchers to gain primary information about (Lee-Nicola 2007). There are ethical concerns to the study of trafficking as well. Speaking with victims often causes them undue stress and can increase their vulnerability to their traffickers, thus further endangering their safety (Lee-Nicola 2007).

Though far from perfect due to the aforementioned problems, I have determined that there are two possible ways to approximate the dependent variable. The first measurement of the level of sex trafficking that could be utilized is on an ordinal level. In creating this measure I adapt the coding methodology used by the CIRI Human Rights Data Project. I analyze the US State Department's annual Human Rights Reports, and based on the information presented in these reports, I assign each country a score of zero, one, two, or three. Countries with no documented cases of sex trafficking receive a score of zero. Countries with 1 to 499 documented cases of sex trafficking are assigned a score of one. Countries with 500 to 999 documented cases of sex trafficking are assigned a score of two. Finally, countries with 1,000 or more documented cases of sex trafficking are assigned a score of three. In the cases where sex trafficking is not mentioned in the report the country does not receive a ranking, and in the cases where no numerical data is presented in the report I rely on the qualitative description of the problem in the country.

For the purposes of this study, I reverse the CIRI coding scheme for ease of interpretation; instead of 0 indicating the presence of a large problem, 0 indicates a lack of a reported problem, and so on. In addition, I also raise the threshold for number of rights violation for each category; given that sex trafficking occurs at a much higher volume than do most other human rights violations. Similar to the coding scheme for the CIRI project, in instances when trafficking is described as being " 'gross', 'widespread', 'systematic', 'epidemic', 'extensive', 'wholesale', 'routine', 'regularly', or likewise, are to be coded as a ZERO (have occurred frequently)" (Cingranelli & Richards 2010). In instances when trafficking is described as a "serious" or "significant" problem, or the number of reports are described as "widespread" or "numerous" the country will be coded as a two. In cases

where trafficking is identified generally as being a "problem" or there is an absence of revealing language used the country will be coded as a one.

This measure of sex trafficking is preferable due to the consistency of the reports produced by the US State Department; in order to conduct a time based analysis such as this, it is imperative that the measure used to code data be reliable. The US State Department produces these human rights reports annually, so the information relied on in order to measure the level of sex trafficking is produced with regularity. Additionally, the information included in the US State Department Human Rights Reports is compiled using both the information that is self reported by the government, and the information that is collected by NGO's that are active in the region. In this way, the reports attempt to produce the most accurate information possible by including information about human rights conditions within the country as reported by both official and unofficial sources. Given that the information is coming from multiple sources within the country, each with different agendas, there is a definite potential for error. However, having multiple data sources also increases the reliability of this measure by revealing the extent of the problem as interpreted by multiple sources, rather than taking the word of one source, such as the government, which is not well served by accurately reporting on the state of human rights violations.

The second measurement of sex trafficking comes from the United States Department of State Annual Trafficking in Persons Report. In the Trafficking in Persons Report each country is given one of four ranks: tier one, tier two, tier two watch list, and tier three. Each country is assigned a rank according to their compliance with the Trafficking Victims Protection Act. Tier 1 countries fully comply with the Trafficking

Victims Protection Act (Trafficking in Persons Report 2011). Tier 2 countries do not fully comply with the act's provisions but are making significant efforts to comply. While Tier 2 Watch List countries do not meet the minimum requirements of the TVPA, they are making significant efforts to do so. Finally, Tier 3 countries are countries that fail to meet the minimum requirements of the TVPA and are not making significant efforts to comply (Trafficking in Persons Report 2011).

For this study, I have decided to use the first measurement described. I believe the CIRI-based coding scheme to be preferable for several reasons, the first being that the CIRI based coding scheme that I created dates back as far as 1996, while the US State Department Trafficking in Persons Report was first published in 2001. Also, the tier rankings are not best suited for approximating the amount of trafficking in a country. While the size of the trafficking problem within the country is taken into account, the primary focus of the Trafficking in Persons Report is on the anti-trafficking efforts being employed by the country in question (US Trafficking in Persons Report 2004). Finally, the US State Department Trafficking in Persons Report has been criticized in the past for the politicization of the tier rankings (Gallagher 2010; Hudgins 2007). One notable example is that in 2004, Japan, who is an economic and political ally of the United States, was categorized as a Tier 2 country, while Venezuela, with either a comparable or better trafficking situation, was categorized as a Tier 3 country (Hudgins 2007). Coincidentally Venezuela was "steering sharply away from U.S. neoliberal policies" (Hudgins 2007). The CIRI-based coding scheme I utilize is based on the Human Rights Reports produced annually by the US State Department. While one could argue that some of the same biases that apply to the tier rankings of the annual Trafficking in Persons Report would apply to

the Human Rights Reports as well, the fact remains that the Human Rights Reports do not have the same consequences on international relations that the tier rankings do. When countries are assigned low tier ranking scores, certain economic penalties are leveled against them, such as sanctions on non-humanitarian, non-trade related foreign assistance (Hendrix 2010). No such penalties are instituted as a direct result of the Human Rights Reports.

Independent Variables

The main independent variables of interest are categorized as economic, political, and cultural. The economic factor I discuss is poverty; the political factor I focus on is regime type. Finally, the cultural factor that I examine is gender discrimination, as evidenced through the prevalence of women's economic and political rights. I do not analyze state capacity or the occurrence of civil war in this paper. While I would ideally be able to analyze these factors, the data coverage for these variables is just not profuse enough to be utilized in this study.

Economic Variables

In order to understand the effect of economic hardship on the proliferation of sex trafficking I examine the relationship between **poverty** and the earning potential of women. Ideally, I would be able to compare the national poverty rates of all of the countries in the sample in order to establish the relationship between heightened levels of poverty and heightened levels of sex trafficking; however, the data coverage for national poverty levels is scant at best. Infant Mortality Rates for each country are used as a proxy for poverty. Infant mortality rates reflect the amount of poverty within a country (Goza & Balistreri 2005). The higher the number of infant deaths, the more poverty there is within a

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country, because it indicates that women do not have the means to access to prenatal services and other basic necessities that ensure an infants' survival, and that the government is either unwilling or unable to provide said services to its population (Abouharb and Kimball 2007). Either way, the vulnerability of the people is increased due to a lack of economic opportunities.

Infant Mortality Rates were obtained from the World Bank's World Development Indicators. One weakness of this data source is that much of the data provided to the World Bank are self-reported. Developing countries are not always capable of or best served by reporting accurate information regarding their economies. Still, these figures are often the best approximations of key variables of interest. Also, economic variables are less subjective than other types, such as the level of sex trafficking, and as such there should be less reporting bias than other potential variables.[2]

Political Variable

Regime type is measured using the Polity IV data series provided by the Center for Systemic Peace, a measure consistent with most Political Science research. Polity scores for countries range from -10 to +10; where -10 indicates that a country is a hereditary monarchy, and +10 indicates that a country is a consolidated democracy.[3]

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[2] I recognize that poverty and income distribution are extremely complex topics that would most accurately be studied by taking several variables of interest into account. Initially, it was my intention to use several variables to analyze the economic factors that affect levels of sex trafficking. These variables included the percentage of the population living beneath national, urban, and rural poverty lines; male, female, and total unemployment rates; and the GINI coefficient. Unfortunately, the data for these variables was extremely scarce, and by including any of the variables in my statistical models, my number of usable cases decreased in such a way that any results produced by the analysis would have little real world implications; the countries least likely to report any of that data are the countries that are the least developed, which are the types of countries most likely to be prone to trafficking. As a result, my only option was to limit the number of economic indicators to the one(s) with the best coverage. In this case, that variable is Infant Mortality Rate.

[3] Again, the political variables that affect levels of sex trafficking are numerous and complex, but here they are only approximated by one indicator, regime type. Initially I planned to consider factors such as state capacity and civil

Cultural Variables

The cultural factor tested by this study is gender discrimination. **Gender discrimination**, defined here as promoting the progress of one gender at the expense of the other, is measured using two indicators, both of which are from the CIRI Human Rights Dataset: women's political rights and women's economic rights. Each country is assigned a number 0 to 3 based on how women's rights are protected by law and in practice. A score of 0 means that women are not guaranteed any political, economic, or social rights under law, or there are laws implemented in the country specifically meant to keep women from participating in the economic and political spheres in society. A score of 3 indicates that women are well represented in the economic and political spheres of society. Though the empirical testing of something as subjective as culture has been routinely contested by many academics in favor of more qualitative research, I argue that this measure of gender discrimination is appropriate due to the observable nature of the phenomenon being measured.[4]

Control Variables

A number of other variables contribute to the rise in sex trafficking but do not necessarily predate its occurrence. I have controlled for them in this study in order to neutralize the impact that these variables have on the observed relationship between the aforementioned independent and dependent variables. The analysis controls for foreign

war, however the data was just not extensive enough to support a research endeavor of this magnitude. Future research will attempt to alleviate this problem by looking for more comparable domestic data sources that better compliment a quantitative analysis of this magnitude.

[4] Attempting to quantitatively understand the effect of certain aspects of culture on levels of sex trafficking is extremely challenging, as culture is a very complex topic, and not always best suited to quantitative analysis. For this study, I attempted to be as inclusive as possible, by taking into account respect for women's rights in the political, economic, and social spheres. Unfortunately, the data coverage for respect for women's social rights was substantially less than the data coverage for women's political and economic rights. As a result, only the latter two indicators were incorporated into the statistical models ran in this study.

direct investment, income inequality, corruption, GDP per capita, the occurrence of civil conflict, and population.

Foreign direct investment is the net inflows of investment needed to attain 10% or more of managing stock in a company operating in a company that is different from the country of the investor (World Bank World Development Indicators). In other words, it is a measurement of the amount of money invested in companies active in countries that are different than the investor. Depending on a scholars' theoretical orientation, the presence of foreign direct investment is proposed to either improve or worsen economic opportunities for people in developing countries (Stiglitz 2003; Abouharb 2006). It follows then that FDI would result in either an increase or decrease in levels of sex trafficking. From the neo-liberal economic perspective, the presence of FDI would decrease sex trafficking, because free trading practices and international investment results in more employment opportunities that benefit vulnerable populations (Stiglitz 2003; Abouharb 2006). From the critical theory perspective, the presence of FDI would increase the wealth gap between the rich and the poor, and would decrease the already minimal protection provided by the government, putting already vulnerable populations at greater risk for exploitation (Stiglitz 2003; Abouharb 2006). Accordingly, the presence of FDI would result in higher levels of sex trafficking, because international investment and free trading practices create the opportunity for illicit activities, such as sex trafficking to occur.

Corruption is measured using Transparency International's Corruption Perceptions Index, as released from 1995 to 2010. Each country is assigned a number from 0 to 10, with 10 being the "cleanest", or most transparent, countries and 0 being the most corrupt countries. The score is assigned based on the analysis of survey data collected in each of the

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countries reported on by Transparency International. For ease of understanding the variable corruption is referred to as 'Transparency' in all of the statistical models. Corruption facilitates sex trafficking, in that a lack of transparency in government creates an opportunity for trafficking to occur by making it easier for traffickers to operate without detection or punishment.

The last two control variables of interest are **GDP per capita**, and **total population**. GDP per capita is measured by dividing the sum of gross value produced by all residents in a country by the midyear population, and total population refers to the number of individuals residing in the country (World Bank World Development Indicator). GDP per capita acts as a secondary economic measure used to approximate the relationship between poverty and levels of sex trafficking. The population indicator is included simply to control for the fact that countries with larger populations are more likely to have more sex trafficking, simply because there are more people who are potentially vulnerable to traffickers.

Methodology

An ordered logistic regression is used to test the relationship between the identified variables and the level of sex trafficking in 100 countries between the years 1996 and 2009. The ordered logit model must be used because my dependent variable has more than two categories, and the values for each category have a meaningful chronological order. In the case of this section of the project the dependent variable, level of sex trafficking, has four categories (zero - three) and the level of sex trafficking increases as the numerical designation increases (a score of zero implies no reports of sex trafficking, a score of three implies 1,000 or more reported cases of sex trafficking).

Chapter 4 Results & Discussion of Findings

Overall, the results discussed below provide only limited support for my hypotheses. The economic indicators show support for the positive impact economic opportunities have on reducing levels of sex trafficking, while also indicating the inability of poor countries to accurately or systematically report human rights violations within the country. On the surface it appears that increased levels of democracy and respect for women's rights results in increased levels of sex trafficking; however, this relationship is not as simple as it first seems. I discuss this in further detail below.

<u>Principle Independent Variables</u>

Hypothesis one states that limited economic opportunities would increase sex trafficking. The principle economic indicator utilized as an independent variable here is poverty, measured by infant mortality rate. Upon observing the trend of the data it became clear that the relationship between infant mortality rate and level of sex trafficking was parabolic in nature rather than linear. In order to test for the significance of this relationship, I run the model with both of the indicators, Infant Mortality Rate (IMR), and the square root of infant mortality rate (IMRSquareRt). In Model I, which is presented in table 4.1 and focuses explicitly on non-democratic and non-developed democracies, IMR is positively correlated with sex trafficking at the .05 level, and IMRSquareRt is negatively correlated with sex trafficking at the .001 level. So as IMR increases sex trafficking increases, and as IMRSquareRt increases, sex trafficking decreases. Essentially, countries with both high IMR and low IMR have low levels of sex trafficking.

This relationship is best explained by the fact that countries with low levels of IMR are going to have less sex trafficking because there are more viable economic opportunities

in these countries than there is in countries with higher Infant Mortality Rates. The best explanation for the observed relationship between high levels of IMR and low levels of sex trafficking is that the government in countries with high levels of poverty are less willing or less able to collect and accurately report data regarding human rights violations.

Table 4.1: Economic Models

	Model I Non-Democratic & Non Developed Democracies	Model II Developed Democracies
IMR	.0251*	.0676
	(.0118)	(.1331)
IMRSquareRt	-.5628***	-.474
	(.1575)	(.9455)
FDI	-.0026	-.0073
	(.0134)	(.0202)
Transparency	-.5559***	.0056
	(.0658)	(.0748)
Population	5.45e-09 ***	2.21e-08***
	(1.06e-09)	(3.94e-09)
N	1026	303
Pseudo R-Squared	.0867	.0728

P>|z .05*, .01**, .001***

In model II, which is also presented in table 4.1 and focuses specifically on developed democracies, most of the variables tested are insignificant. This is to be expected given that poverty, FDI, and transparency levels are relatively stable across developed democracies. If there is no variation among the independent variables, then there is no way we can reasonable expect to understand anything meaningful about the relationship between them and the dependent variable. This model analyzes cases that are similar; they all have similar levels of poverty, FDI, transparency, *and* similar levels of sex trafficking. Essentially we are attempting to predict constants with constants, which lead to the type of results seen above. This model is included for comparison, to show the reliability of the data provided for different types of states.

Hypothesis 2 states that the absence of democratic political institutions will increase sex trafficking. The principle political indicator utilized as an independent variable here is regime type, and this model analyzes all countries within the dataset. Table 4.2 shows that regime type is positively correlated with levels of sex trafficking at the .001 level, so as the regime of a country becomes more democratic levels of sex trafficking increases, which is a result inconsistent with the hypothesized relationship. The only viable explanation for this observed relationship is reporting bias; democratic governments have better state capacity and thus are better able to accurately and systematically report on human rights practices within the country. Democracies are also more transparent, and so are more likely to share accurate information on trafficking trends within the country than are non democracies. We must also consider that democratic governments tend to have better economies than non democratic countries, and thus are expected to have better human rights practices, since they have the resources *and* the norms to protect their citizens from potential harm.

Table 4.2: Political Models

	Model I All Countries
Regime Type	.0593***
	(.0109)
FDI	-.00746
	(.0110)
Transparency	-.3437***
	(.0512)
GDPpc	.0000
	(.0000)
GDPpcSquareRt	.0070*
	(.0040)
Population	6.11e-09***
	(1.21e-09)
N	1245
Pseudo R-Squared	.0683

P>|z .05*, .01**, .001***

This expectation for democratic governments to have better respect for human rights often precludes these countries' increased efforts to systematically crack down on any human rights violations that are occurring within a country, this resulting in democratic governments having better reporting practices than non-democratic countries, which do not have either the willingness or ability to similarly report on their human rights practices.

Hypothesis 3 states that a culturally embedded belief in the inferiority of women increases sex trafficking. The principle cultural indicators utilized here as independent variables are women's political rights, women's economic rights, and women's rights. The indicator for women's rights is a combination of the previous two variables, women's economic rights and women's political rights. The only difference between the three models presented in table 4.3, is that each of the models uses only one of the principle cultural indicators mentioned above. Model I uses women's political rights, model II uses women's economic rights, and model III uses women's rights in general. Across all models, respect for women's rights is positively correlated with sex trafficking at the .01 level in models I and II, and at the .001 level in model III. This relationship implies that as respect for women's rights increases, levels of sex trafficking increase.

This unexpected result is likely also the result of countries with high respect for women's rights being more likely to be democratic, and being more likely to have stronger

Table 4.3: Cultural Models

	Model I	**Model II**	**Model III**
Women's Political Rights	.2795** (.1111)	--	--

Women's Economic Rights	--	.2677** (.0949)	--
Women's Rights	--	--	.2507*** (.0670)
FDI	-.0050 (.0108)	-.0043 (.0108)	-.0044 (.0109)
Transparency	-.2115*** (.0424)	-.2244*** (.0441)	-.2699*** (.0473)
Population	8.77e-09*** (1.31e-09)	8.91e-09*** (1.32e-09)	8.83e-09*** (1.32e-09)
GDP pc	.0000*** (6.11e-06)	.0000*** (6.03e-06)	.0000*** (6.50e-06)
N	1322	1318	1311
Pseudo R-Squared	.0615	.0618	.0638

P>|z .05*, .01**, .001***

economies. Since these countries have stronger economies, they also have better resources that enable them to report on human rights violations in a more systematic and accurate way than countries with weaker economies are able to. Also, because countries with higher levels of respect for women's rights are also more likely to be democratic, then those countries are also more willing to accurately report on accurate human rights practices within their country. This is primarily for the reasons enumerated in the previous section about the relationship between regime type and levels of sex trafficking.

In the final model presented in table 4.4, all of the primary independent variables poverty, regime type, and women's rights, as well as the three primary control variables FDI, transparency, and population are included. All of the previously observed relationships hold true in this model; IMR is positively correlated with sex trafficking and is significant at the .01 level, IMRSquareRt is negatively correlated with sex trafficking and is

significant at the .001 level. Regime type is positively correlated with sex trafficking and is significant at the .001 level, and women's rights is positively correlated with sex trafficking and is significant at the .05 level.

Table 4.4: Full Model

	Model I All Countries
IMR	.0290** (.0107)
IMRSquareRt	-.5781*** (.1418)
Regime Type	.0344*** (.0112)
Women's Rights	.1429* (.0737)
FDI	-.0121 (.0111)
Transparency	-.3346*** (.0477)
Population	6.40e-09*** (1.25e-09)
N	1232
R-Squared	.0725

$P>|z$ .05*, .01**, .001***

To sum up, due to the parabolic relationship between sex trafficking and poverty, countries with low poverty have less sex trafficking, mostly due to the existence of more economic opportunities, and countries with high poverty appear to have low sex trafficking because of a lack of resources and state capacity. As countries become more democratic and as respect for women's rights increases, sex trafficking also increases. I think this relationship exists primarily because of reporting error as previously discussed. Future research should account for this effect, possibly by conducting qualitative research to compliment the quantitative research I conducted for this study. Either way, this

relationship needs to be further examined before any conclusions can be drawn regarding the exact relationship between regime type and the amount of sex trafficking that occurs in different countries.

<u>Control Variables</u>

Though my principle independent variables overall did not demonstrate the expected relationship due to limitations in the data, there are a number of important discoveries that the quantitative analysis was able to reveal. In general, the control variables, specifically population and transparency, behave as expected based on past research.

Population is positively correlated and significant at the .001 level in every model presented here. This relationship is expected and is easily understood; the more people that are in the country, the more people that the government has to provide for and protect. Available resources are stretched further and thus the government will be less able, and potentially less willing, to protect their citizens from exploitation.

This relationship indirectly supports hypothesis one, that limited economic opportunities lead to higher rates of sex trafficking, since larger countries across the board, even in developed democracies (refer to Table 1, Model II), are more prone to sex trafficking. Since population is consistently significant across models, a larger population has the same effect on all countries despite any institutional or cultural differences the countries themselves experience. The most likely effect that a large population has on all countries is the previously mentioned scarcity of resources. Countries with large populations have to provide for more people, so it is more likely that individuals are going to fall through the cracks so to speak and become highly vulnerable to exploitation.

Corruption, measured by transparency, is negatively correlated with levels of sex trafficking and is significant at the .001 level across four of the five models presented. Substantively this means that as transparency increases, sex trafficking decreases, providing support for my second hypothesis; the absence of democratic political institutions increases sex trafficking, because there is a strong positive correlation between transparency and democracies.

Overall these findings lend limited support to my hypotheses and suggest that at this time the data availability for levels of sex trafficking is a limiting factor in understanding the phenomenon empirically. At this time the study of this particular area of human rights is better suited to a more qualitative analysis. This is a notion that I take into account as I continue my research on this topic, and is reflected in the next part of this project as I switch to an analysis that is more qualitative in nature in order to take the limitations of the available data into consideration.

Chapter 5 Legislative Responses to Trafficking

Now that the problem has been defined and some potential determinants have been analyzed, I consider the ways the problem has been addressed. This section focuses specifically on legal initiatives implemented to address the prevalence of sex trafficking within a country. For the purposes of this study, I am operating on the assumption that states act as the primary protectors of human rights. Common discourse reveals that while the state should ideally act as the primary protector of human rights, ironically the state is often the primary violator of human rights, as well. It is for this reason that non-governmental organizations are often the ones best positioned to affect meaningful change in human rights situations. While this may be true, this study focuses explicitly on government reactions to trafficking, and so does not address the role of non-state actors in reducing trafficking. Once the effectiveness of government solutions has been addressed, the role of non-governmental actors can then be assessed to better understand their role in anti-trafficking efforts.

Trafficking is both a domestic and international problem; this chapter addresses each in turn in order to answer the following questions: how effective are existing international and domestic anti-trafficking policies? What factors contribute to the success and failure of international law? In attempting to answer these questions, I introduce the specific pieces of legislation that I focus on in this part of the study, before pinpointing the ways the factors that contribute to the success and failure of international law manifest themselves in the specific anti-trafficking legislation I have chosen to analyze.

Similarly, I begin the domestic legislation section by discussing the factors that inhibit the success of national legal initiatives. I then introduce the different types of

legislation present in the countries being analyzed, and for each type of legislation, specific examples are considered and analyzed for their success at stemming the flow of sex trafficking. I end this section by hypothesizing which types of legislation will be the most and least effective at combating sex trafficking.

International Legislation

International law is one potential resource for decreasing the prevalence of human trafficking in the world. However the deficiencies of international law are numerous and well documented, which leads researchers to be skeptical of its usefulness in deterring human rights violations (Neumayer 2005). In practice, international legislation is more likely to produce more respect for human rights if the signing state has democratized, but when state's that are relatively autocratic commit to human rights treaties, they are likely to have little to no effect on the number of human rights practices in a country (Neumayer 2005). So ultimately, international legislation is likely to be the least effective in countries that have the worst human rights violations.

The biggest critique of international legislation begins with its lack of enforcement capabilities. After a state ratifies a treaty, they are subjected to monitoring by UN committees and non-governmental institutions within the country, which can only spotlight offenses in most cases (King 2008). However, there is ample evidence to suggest that the enforcement of human rights treaties is negligible at best (Hathaway 2007). For the most part the international system relies on self regulation, and has to trust individual states to modify their behavior in response to the implementation of international laws. Though there are multiple reasons cited for the lack of enforcement of international legislation, such as lack of resources and manpower, it is generally understood that the

international system as a whole operates on the principle of respecting the sovereignty of other states. Ostensibly this is because developed countries are fearful of setting a precedent that could potentially endanger their own sovereignty. Also, states do not want to be obligated to interfere in the affairs of other countries when it could be detrimental to internal security or their continued occupation of power. As it is, most international legislation, and human rights legislation in particular, is seen as potentially damaging to sovereignty, so the international system is unlikely to want to strictly enforce legislation, since doing so would further erode their sovereignty (Cole 2006).

This practice of self regulation is sometimes effective, but usually only in democratic countries with high levels of transparency. It behooves those states to adequately enforce international law because there are higher expectations for those countries in terms of reporting and respect for human rights in general. Also, domestic accountability is more likely than international accountability, because in democratic countries the government is held accountable to its population through elections. In the case of non-democratic developing countries, however, there are few consequences for not enforcing international legislation, since no one is willing or able to look too closely at their human rights practices. International actors may not be willing to examine human rights violations in other countries for political purposes, such as trade relationships, or because they do not want to be obligated to intervene. Also, in the case of non-developed democracies, often states do not have the capacity to enforce international legislation, due to factors such as poor governance or lack of resources.

Clearly, compliance with international law is a factor that heavily influences the ability of international law to make a meaningful impact on the level of sex trafficking

within a country. There is a high level of correlation between compliance with international law and implementation, and compliance is linked to effectiveness (Gallagher 2010). As Gallagher (2010) states, compliance theory seeks to explain when and why states obey international law, and in doing so proposes three explanations. The first explanation draws on rationality and maintains that states comply with international law when it is beneficial for them to do so. The second explanation focuses on legitimacy and states that countries will be more likely to obey international laws when they are seen as clear, fair, and properly instituted. The third and final explanation focuses on the compatibility of international law with the internal norms of a country (Gallagher 2010; Raustiala & Slaughter 2002). This explanation relies on socialization, and states that compliance with international law is most likely when the country in question adopts the norms of the international law into domestic legislation and politics; if a country does adopt the norms of international law then that is an indication that there is a relationship between international and domestic norms (Gallagher 2010; Raustiala & Slaughter 2002).

Following this line of thinking, since international legislation, and the norms that are associated with it, do not originate in the domestic sphere, governments will be less likely to enforce the law since the domestic government did not take the initiative in drafting the legislation. This implies that the norm of non violation is not already in place, so respect for the law, or rather the willingness to enforce it, does not exist within the state. If the state did not take legislative action prior to, or shortly after, the ratification of the international legislation, then the international legislation will not be effective.

Specific Pieces of International Legislation

This section considers three specific pieces of international legislation: the Convention on the Elimination of Discrimination against Women (CEDAW), the Convention on the Rights of the Child, and the Convention on Transnational Organized Crime's Trafficking in Persons Protocol. For each a brief description is provided, along with the identification of factors that could affect their ability to decrease levels of sex trafficking.

CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

The Convention on the Elimination of Discrimination against Women was created by the United Nations in 1979. Its primary function is to outline what qualifies as discrimination against women and provide an agenda for creating national action plans to end discrimination against women in the countries that signed and ratified the treaty (CEDAW). In doing so, the convention calls for equal access and opportunities for women in political and public life, and obligates individual states to implement reforms meant to increase the standing of women in society. The convention has been ratified by 190 countries since its inception.

While CEDAW is widely regarded as being the "international rights bill for women," the bill itself is unlikely to be effective at reducing levels of sex trafficking. The treaty does take into account the role culture plays in shaping gender relations, gender roles, and societal expectations of women, which before had not been addressed in international legislation. This has important implications because by taking these factors into consideration, this piece of international legislation addresses one of the cultural factors that facilitates sex trafficking. Furthermore, article six of the convention clearly states that the "States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women" (CEDAW). However,

neither of these inclusions are sufficiently rigorous enough to make a meaningful reduction in the level of sex trafficking in many countries. To begin with, the specifics of implementation are left up to the individual states for all of the provisions in the legislation. There is no consensus on the most effective way to combat trafficking or even to further integrate women's rights with the rest of society, which leaves the possibility that little to no substantive effort could be made to decrease trafficking with no consequence for the involved states. We must also take into account that this bill is extremely broad in nature and is providing a general outline for establishing, promoting, and protecting women's rights. This is not a bill specifically devoted to combating trafficking, and as such there is only so much that we can expect it to accomplish in terms of trafficking. Generally, any efforts made as a result of ratifying this convention are not targeted specifically at decreasing sex trafficking.

CONVENTION ON THE RIGHTS OF THE CHILD

The Convention on the Rights of a Child was implemented in 1989 by the United Nations (UNICEF). The focus of this bill is individuals under the age of 18 and ensuring the full range of their human rights. This includes everything from the right to survival and the right to develop to the fullest, to the right to protection from harmful influences and exploitation. Currently 193 countries have ratified the convention.

While the Convention on the Rights of the Child establishes the need to protect children from harm, the bill is unable to adequately provide for decreased levels of trafficking for much the same reasons that the Convention on the Elimination of Discrimination against Women is unable to. The convention is very broad based the implementation of these guidelines is left up to the individual states. Also, though the

convention does explicitly prohibit trafficking in article 35, the focus of the bill itself is not trafficking. Again, given the broad scope of the treaty, there are few reasonable expectations we can have for this bills potential affect on levels of trafficking.

CONVENTION ON TRANSNATIONAL ORGANIZED CRIME: TRAFFICKING IN PERSONS PROTCOL

The first real international efforts toward eliminating sex trafficking came in the form of The Convention on Transnational Organized Crime, which was implemented in 2000, along with its subsequent protocols regarding the Smuggling of Migrants, and Trafficking in Persons, Especially Women and Children (Gallagher 2010). This treaty resulted in significant strides in the conceptualization of trafficking. Prior to the implementation of this protocol, trafficking was primarily studied under the human rights legal framework, but in the 1990's trafficking was slowly linked with migrant smuggling and transnational organized crime (Gallagher 2010). The resulting convention in the early 2000's created the first comprehensive (and agreed upon) definition of trafficking and gave the international community a definitive legal framework to defer to in trying to combat trafficking. There are currently 154 countries that have ratified the Trafficking in Person's Protocol.

This protocol has more potential to reduce levels of sex trafficking than either of the previous conventions because it is more narrowly focused on trafficking. With both CEDAW and CRC, trafficking was not a primary focus of the treaty, but rather a tertiary focus. The primary focus of both CEDAW and the Rights of a Child was establishing broad based rights for women and children respectively; protection from trafficking is included, but is not

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given a lot of attention. This protocol focuses specifically on trafficking and thus provides more substantial guidelines for its reduction.

Yet, despite this protocol's narrowed focus, the substantive effects on levels of sex trafficking are still likely limited within a country. The fact remains that the lack of enforcement capability that is inherent with international law is still a valid obstacle this protocol has to overcome (Bradford et al, 2012). Secondarily, this protocol was enacted much later than the treaties discussed earlier, so even if the convention is reducing the amount of trafficking within a country it is unlikely that there will be conclusive evidence to show that at this point in time. That being said, the timing of this legislation is also extremely beneficial to this study, given that it was created near the beginning of the time period that is being analyzed. This creates the opportunity for at least a preliminary examination of the legislation that was not possible with the other international conventions given their comparatively early ratification. However, the factor that I argue most constrains this protocol is the fact that, even though the treaty is more specific in comparison to CEDAW and the Convention on the Rights of the Child, there is still an alarming lack of concrete plans for how to eliminate the problem. The protocol, like most international legislation, provides standards that countries are supposed to meet without articulating strategies to meet said standards.

While passage of international legislation often requires the language to be relatively vague so countries will sign and not feel their sovereignty is threatened, something that is particularly important for weak states, it is clear to see that without a unified plan of attack the issue of trafficking will continue to thrive and prosper. Trafficking happens both within and across borders, so in order to effectively combat it we need to

have an agreed upon way of handling the problem. If this is not possible to accomplish through international legislation then different avenues should be explored.

<u>Domestic Legislation</u>

Domestic legislation has the advantage of being implemented by the state government, meaning that since the impetus behind the creation of the law began within the country, there should be more respect for the law and more willingness to enforce it because the law should be reflective of the norms within the country. Also, the creation of domestic laws prohibiting human rights violations implies that the norm of non-violation is already in place within the country, which should also increase the government's willingness to enforce the law.

Though domestic legislation is more likely to result in lower levels of sex trafficking than international legislation, not all pieces of domestic legislation are created equal. Some policies only include *punitive measures*, whereby the perpetrators of the crime are punished, while other policies only outlaw specific types of trafficking. Alternatively, other types of domestic policies include punitive measures as well as non-punitive measures in the legislation. These policies attempt to address the perpetrators of sex trafficking, as well as the factors that make individuals vulnerable to traffickers. This is arguably a better approach to dealing with trafficking because when it comes to problems that are as deeply ingrained and systematic as sex trafficking, it is not enough to enact legislation that merely penalizes the perpetrators; the legislation needs to address the factors that make individuals vulnerable as well.

If sex trafficking is the result of a complicated set of economic, political, and cultural factors as suggested earlier, then a policy that attempts to address the problem in only one

way, by punishing the perpetrators or by only outlawing one kind of trafficking, will be ineffective. More specifically, some sources of sex trafficking are probably best addressed by punitive and some by non-punitive measures. The most effective legislative policies will do two things: first, the policy will have punitive measures for perpetrators in order to increase the cost of trafficking within a country; second, the legislation will also provide for non-punitive measures to decrease the prevalence of sex trafficking. Non-punitive measures refer to proactive policies that address the causes of the sex trafficking epidemic, such as poverty and the culturally imbedded belief in the inferiority of women. The effect of different types of international and domestic legal initiatives is fully considered in the following chapter by means of analyzing a representative sample of countries with different types of legislative initiatives.

Chapter 6 Effectiveness of Anti-Trafficking Legislation

In order to examine the effectiveness of different legal initiatives on reducing levels of sex trafficking, I look at differences among and between domestic and international legislation directed at preventing these acts. For this section I take a representative sample of countries from my initial cross-national dataset. These countries were chosen because of their diversity in size, location, level of sex trafficking, regime type, level of economic development, and status as source, transit, or destination countries. Having a diverse sample is necessary in order to be able to ascertain with any degree of certainty the reason for successful or unsuccessful implementation of trafficking laws. By utilizing a diverse sample for this part of the project, I am able to minimize the effect that different factors (such as regime type and population) have on the effectiveness of legislation. For example, if similar types of anti-trafficking legislation are implemented in several countries, and are only successful in one, then we can postulate that the reason the law was successful in that one country, was possibly due to a factor identified that was different from the other countries analyzed.

Based on the aforementioned criteria, the countries focused on for this section of the project are: Comoros, Eritrea, Kenya, Estonia, South Korea, Bolivia, The Gambia, United Arab Emirates, Belarus, Greece, Philippines, Brazil, Nepal, Ghana, and the Ukraine. I begin the analysis by looking at the effect that the ratification of the Convention against Transnational Organized Crime's Trafficking in Persons Protocol has on the behavior of the states included in the analysis. Then, for each of the countries I select the most recent pieces of domestic anti-trafficking legislation that have been enacted, and analyze them based on the following criteria: the presence of anti-trafficking legislation, the types of

trafficking prohibited by law, the presence of punitive measures, and the presence of non-punitive measures. Legislation that implements both punitive and non-punitive measures is referred to as multi-faceted policies in the rest of this study[5].

Table 6.1: Sample Countries

Countries	Level of Sex Trafficking	Polity	Geographic Region	GDP (per capita)	Status
Comoros	None	9	Africa	$1,200	n/a
Eritrea	None	-7	Africa	$700	n/a
Kenya	Low	7	Africa	$1,700	Source/Transit/Destination
Estonia	Low	9	Europe & Eurasia	$20,400	Source/Internal
South Korea	Low	8	East Asia & the Pacific	$32,400	Source/Transit/Destination/Internal
Bolivia	Low	7	Western Hemisphere	$4,800	Source
The Gambia	Moderate	-5	Africa	$1,900	Source/Transit
United Arab Emirates	Moderate	-8	Near East & North Africa	$47,700	Transit/Destination
Belarus	Moderate	-7	Europe & Eurasia	$15,000	Source/Transit
Greece	Moderate	10	Europe & Eurasia	$26,300	Transit/Destination
Philippines	Moderate	8	East Asia & the Pacific	$4,100	Source/Transit/Destination
Brazil	High	8	Western Hemisphere	$11,800	Source/Destination/Internal
Nepal	High	6	South & Central Asia	$1,200	Source/Internal
Ghana	High	8	Africa	$3,100	Source/Transit/Destination/Internal
Ukraine	High	7	Europe & Eurasia	$7,200	Source/Transit

For international legislation I focus on one convention, the Convention against Transnational Organized Crime's Trafficking in Persons Protocol. As I mention in the previous chapter, there are few pieces of international legislation that specifically mention or outlaw trafficking. The two most recent are the Convention on the Elimination of

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[5] Legislation with strictly punitive measures refers to legislation that provides for harsh sentencing of individuals convicted for trafficking related crimes. Legislation with non-punitive measures refers to legislation that provides for the creation of services for recovered trafficking victims, and promotes activities that reduce the vulnerability of at risk populations. These activities could include anything from trafficking awareness campaigns to increasing employment opportunities for women.

Discrimination against Women, and the Convention on the Rights of the Child. Neither of these conventions are specifically focused on trafficking, and both of the conventions predate the years analyzed in this study. For these reasons I have chosen not to include them in this analysis. Also, given how removed each of the conventions are from the time period analyzed by this study, I have no way to accurately study the effect, if any, they would have had on the intensity of sex trafficking in any of these countries.

Unlike the other two conventions, the Trafficking in Persons Protocol is specifically focused on trafficking and was implemented within the time period analyzed by this study. For these reasons I believe the Protocol will be more likely to have an effect on trafficking, and to be more appropriate to use for analysis than the previously mentioned conventions. For the Trafficking in Persons protocol, I record whether each of the states in the representative sample signed and ratified, and if they signed and ratified with or without reservations. This distinction regarding the presence of reservations is made because countries that have ratified a treaty with extensive reservations are not expected to comply with treaty law to the same extent that countries who ratify without reservations are. Reservations are used as a means for countries to sign international treaties without actually being forced to alter the way they operate. For example, a country can sign the Convention on the Rights of a Child with the reservation that they believe childhood ends at the age of thirteen, rather than the conventional eighteen, which enables that country to sign the treaty without compromising state interests. In the cases where extensive reservations are made, meaning that the reservations made substantially interfere with the states treaty obligations, then the state in question cannot truly be held accountable to the provisions of the treaty, since the state did not agree to abide by the treaty in its entirety.

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In reference to reservations, the only ones that will be considered in this analysis are reservations that "have a noticeable effect on [a states] obligations under the treaty" or "countries whose reservations can have significant and severe effects on the treaty obligations" (Landman 2005). This analysis is consistent with Todd Landman's work with international treaties. Landman was the first to devise a coding scheme that takes the effect of different reservations into account. For the purposes of this project I use a modified form of this type of analysis; whereas Landman utilizes a four point coding system for understanding the effect of reservations on a state's overall treaty obligations, I utilize a simpler, two point qualitative version of this analysis. If the reservations significantly affect a state's obligation to reduce trafficking, then they are analyzed as such. If there are no reservations made, or reservations made that do not affect a state's obligation to decrease trafficking within the country, then they are considered to not have reservations. This change was made to account for the fact that Landman's analysis is oriented toward quantitative analysis, whereas I am conducting a qualitative analysis. For my purposes, recognizing the presence of reservations that significantly alter a country's treaty obligations provides enough basis for analysis.

Methodology

Given the goal of this analysis is to determine the level of success of different anti-trafficking legislation and to understand the causal mechanisms at work, I conduct a qualitative analysis. Also, because I am analyzing a limited number of countries over a comparatively short period of time that does not necessarily include the variation of the dependent variable across all years in which legislation was enacted, there really are not enough data points to justify a quantitative analysis. That being said, this analysis will be

conducted on a country by country basis, by examining the difference between the behaviors of states that have ratified the Convention against Transnational Organized Crime's Trafficking in Persons Protocol, and the countries that have not ratified said protocol. I then compare the behavior of states that ratified this protocol prior to ratification, and immediately after ratification, before ending this section by analyzing the domestic legislation enacted by the countries that show an improvement in the level of sex trafficking. In analyzing the change in the intensity of sex trafficking occurring in these countries, I cite information reported in the annually produced Department of State Human Rights Reports.

Effect of Ratification on Behavior

Although the recent creation of the Trafficking Protocol has resulted in fewer total countries having ratified it, the recent implementation of this Protocol also means that of the countries that have ratified it, most have done so in the time period examined by this study. Of the fifteen countries included in this sample, ten countries have ratified without reservations, and one country, Greece, has ratified with reservations. One country, South Korea, has signed but not ratified the treaty, and three countries, Comoros, Eritrea, and Nepal, have neither signed nor ratified the treaty. Of the eleven countries that have ratified the treaty, three of them did so too recently to be included in this analysis. The United Arab Emirates ratified the protocol in 2009, the last year I take into account in this study due to data availability. Greece ratified the protocol in 2011, and Ghana ratified the protocol in 2012.

The four countries that did not ratify the Convention against Transnational Organized Crime's Trafficking in Persons Protocol were South Korea, Comoros, Eritrea, and

Table 6.2: Ratification Status of Sample Countries for Trafficking in Persons Protocol

Ratified Treaty	Ratified Treaty too Recently to be Included in Analysis	Signed, Did not Ratify Treaty	Did Not Sign or Ratify Treaty
Kenya	United Arab Emirates	South Korea	Comoros
Estonia	Greece		Eritrea
Bolivia	Ghana		Nepal
The Gambia			
Belarus			
The Philippines			
Brazil			
Ukraine			

Nepal. South Korea alternated between experiencing low and moderate levels of sex trafficking over the course of the time period studied. Comoros and Eritrea had no reported cases of sex trafficking in the years examined, and Nepal experienced high levels of sex trafficking during all of the years examined by this study.

This analysis focuses on the eight countries that have ratified the Protocol: Kenya, Estonia, Bolivia, Gambia, Belarus, The Philippines, Brazil, and the Ukraine. Kenya, Estonia, and Bolivia all experienced a low level of sex trafficking in the years following ratification. Gambia, Belarus, and the Philippines all experienced moderate to high levels of sex trafficking in the years following the ratification of the Trafficking in Persons Protocol, and Brazil and the Ukraine both experience high levels of sex trafficking in the years following ratification. To best address the effectiveness of anti-trafficking legislation and understand how this legislation works, I first compare states' pre- and post-ratification records and then further examine those states that have shown some evidence of success.

Pre and Post Ratification Behavior

In analyzing the effect of ratification on the behavior of states, I find that there are two primary trends; either the countries that ratify experience no change in the level of sex trafficking after ratification, or at some point after ratification the level of sex trafficking increases. These specific cases are considered in greater detail below.

Five of those eight countries, Kenya, Estonia, Bolivia, Brazil, and the Ukraine, have experienced no change in the amount of sex trafficking occurring within the countries since ratification. Kenya and Estonia ratified the protocol in 2005 and 2004, respectively, and have both consistently experienced a low level of sex trafficking in the following years. Bolivia ratified the protocol in 2006 and consistently experienced a low level of sex trafficking since ratification. Brazil and the Ukraine ratified the protocol in 2004 and have both consistently experienced a high level of sex trafficking in the years following.

Overall, a majority of the states that ratified this treaty experienced no change in the level of sex trafficking occurring within the country, while a few states experienced higher levels of sex trafficking. This indicates either that the international legislation alone is not enough to affect meaningful change in the level of sex trafficking within countries, or alternatively, that the increase in sex trafficking after the ratification of international legislation is a result of more stringent enforcement, or at least an attempt at stringent enforcement, of anti-trafficking laws, which is a sign that the legislation is effective at reducing the amount of sex trafficking going on in a country. Though if this was always the case, then we would expect to see a spike in the level of sex trafficking before the number begins to decrease. In some cases we have seen this, as is potentially the case with The Philippines and Belarus, something that is discussed in more detail in the next section. Nonetheless, these countries are in the minority and thus appear to be the exception rather

than the rule, given that most of the countries that ratified the protocol experienced no change in the amount of sex trafficking occurring in the country.

Initially, I considered this could be a result of countries with larger sex trafficking problems skewing my perception of the data. However, of the five countries that ratified and experienced no change in the amount of sex trafficking estimated to be happening in the country, only two of them experienced high levels of sex trafficking. That being said, in this case the data does not appear to be driven by the countries with larger sex trafficking problems.

The last three countries, The Gambia, the Philippines, and Belarus have experienced higher levels of sex trafficking since ratifying the protocol. The Gambia ratified the protocol in 2003 and was considered to have a low level of sex trafficking in 2003 and 2008, and a moderate level of sex trafficking from 2004-2007 and in 2009. In the years where the level of sex trafficking was considered to be low, the size of the problem was described as "small but growing", and "serious" (US State Department HR Reports 2003, 2008). In the years where the level of sex trafficking increases, from 2004-2007 and in 2009, the Human Rights Reports report higher instances of child trafficking for the purposes of sex tourism.

The Philippines ratified the Trafficking Protocol in 2002, when the country had an established moderate level of sex trafficking. The intensity of sex trafficking in the country remained stable until 2005 and 2006, when the country was considered to have a high level of sex trafficking occurring in both years. From 2007-2009 the level of sex trafficking in the country reverted to its previous moderate intensity. In the year prior to ratification, the Philippines experienced a high level of sex trafficking, with estimates of over 150,000 Filipino women being trafficked throughout Asia in the preceding decade (US State

Department HR Report 2001). In the two years after ratification when the level of sex trafficking reached its highest level, in 2005 and 2006, NGO's and government agencies within the country estimated that anywhere from 300,000 to 400,000 women were trafficked annually, in addition to the annual trafficking of 60,000 to 100,000 children (US State Department HR Reports 2005, 2006). In the years leading up to and following the observed peak in trafficking in the country, when the sex trafficking level was considered to be moderate, the Human Rights Reports reported the suspicion of active trafficking, however then stated that the NGO's in the area were unable to maintain accurate records of trafficking victims (US State Department HR Reports The Philippines).

The final country, Belarus, experienced a severe shift in the amount of sex trafficking occurring within the country in the years following the ratification of the protocol; Belarus ratified the protocol in 2003, when it was acknowledges as experiencing a low level of sex trafficking, a high level of sex trafficking from 2004 to 2006, and a moderate level of sex trafficking from 2007 to 2009. In the year prior to ratification, Belarus experienced a high intensity of sex trafficking, with the problem being regarded as "serious and growing", with a large number of open cases regarding trafficking being reported (US State Department HR Reports 2002). In the year Belarus ratified the convention, the country experienced a low intensity of sex trafficking, with the Human Rights Report for that year referring to the problem as "significant", with several organized trafficking rings being prosecuted in that year (US State Department HR Report 2003). From 2004 to 2006 Belarus experienced a high level of sex trafficking, with the NGO International Organization for Migration estimating that around 10,000 citizens were trafficking annually, most of whom are women who are trafficked for sexual exploitation (US State Department HR Reports 2004-2006).

From 2007 through 2009 Belarus was considered to have a moderate sex trafficking problem, with, on average, 500 or more cases of trafficking reported each year (US State Department HR Reports 2007-2009).

If the apparent increase in trafficking in these three countries is actually a result of increased enforcement rather than an increase in trafficking activity, then, as I said before, we should observe a spike in the level of trafficking following implementation, before an eventual reduction in trafficking activity. This phenomenon would indicate that anti-trafficking efforts were successful at decreasing trafficking activity over time. One reason that we may not have observed this spike and decrease in the level of sex trafficking occurring could be because of the way that the dependent variable is measured for this project. The dependent variable is coded at the ordinal level, with the highest level coded as a three, indicating 1,000 or more cases of sex trafficking. It may well be that the countries with the highest levels of sex trafficking have the greatest (retroactive) response to trafficking, but because they already have the highest ranking possible under this coding scheme, it is not reflected in the data. If this were the case, then it may well be that the only time that this trend is reflected is when the countries with the highest levels of sex trafficking have reduced the problem in the country enough to receive a lower rank. Depending on the actual amount of trafficking occurring in the country, this could take a substantially longer time than it would in countries with smaller amounts of trafficking. A second reason that we may not have observed this trend is due to the limited number of cases and years examined by this study. Perhaps if a larger sample of countries were utilized for this part of the analysis, then the trend would be more apparent. Also, trafficking is a very pervasive phenomenon, and any efforts to reduce trafficking are going

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to take time. It could be that, in many cases, not enough time has passed since the implementation of trafficking legislation for the legislation to have an effect on the problem within the country. These are just a few things that will need to be considered in greater detail in future research.

In the case of the Convention against Transnational Organized Crime's Trafficking in Persons Protocol, I think it is too early to speculate about its effectiveness given the relatively young age of the legislation and the potential data problems previously described. Simply put, we don't have enough data at this point to definitively state one way or another how effective that this piece of legislation is, but it has the most promise because of its specific nature. Given that it is unlikely that the ratification of an international treaty would result in an actual increase in sex trafficking, the apparent increase in sex trafficking is most likely due to an increase in enforcement of international and existing domestic anti-trafficking legislation. Operating on this premise, I analyze the type of legislation that has been implemented in the countries that experienced an increase in sex trafficking following ratification: The Gambia, Belarus, and the Philippines.

Improvement and Domestic Legislation

The Gambia implemented its current trafficking law in 2007, which outlaws all forms of trafficking and carries a sentence of 15 years to life for all trafficking offenses (US State Department TIP Report 2009). In 2007, Gambia experienced a moderate level of sex trafficking, which decreased in 2008 when the country experienced a low level of sex trafficking. Then the level of sex trafficking within the country intensified to a moderate level again in 2009. Prior to the 2007 legislation, which outlaws all types of trafficking, the only trafficking legislation in place was the 2005 legislation that made child trafficking

illegal. Child trafficking and sex tourism are a significant problem in this area, as evidenced by known European sex offenders consistently being spotlighted for activity in the area by numerous human rights reports (US State Department TIP Report 2009).

There is some evidence to support the assertion that the apparent rise in sex trafficking is the result of increased enforcement, rather than an actual increase in sex trafficking, at least in the case of Gambia. Firstly, from reviewing the human rights reports, it is clear that, though sex trafficking in general is a major issue that needs to be addressed in the country, there is also a thriving sex tourism industry that primarily preys on individuals under the age of 18. Given that sex tourism has been a particular issue of concern, it is unsurprising then that the government passed legislation prohibiting the trafficking of children two years prior to passing legislation that prohibited all types of trafficking against people of all ages. The act of outlawing child trafficking before outlawing trafficking in general can be interpreted as the government acutely responding to the most prevalent form of trafficking existing in the country. This specific action taken by the government could potentially indicate that the government is prioritizing its response in order to have the greatest impact on the level of sex trafficking in the country.

Another factor that demonstrates the government's commitment to decreasing sex trafficking is the fact that anti trafficking legislation has, in the past, primarily been enforced by the Tourism Security Unit (US State Department HR Report 2009). The Tourism Security Unit is a subset of the national army whose responsibility it is to keep youths away from resort areas in the country in order to decrease the use of children for commercial sex by foreign tourists (US State Department HR Report 2009). The fact that the legal initiative is implemented by this specific organization that has such a magnified

presence in the affected area is a testament to the government's willingness to address the problem.

A final subject to consider when analyzing the effectiveness of the pieces of domestic legislation implemented by Gambia, is their temporal proximity to the country's ratification of the Convention against Transnational Organized Crime's Trafficking in Persons Protocol. In the previously reviewed literature, I suggested that scholars believed international legislation would be most successful when the norms of the international legislation were incorporated into domestic legislation as well (Gallagher 2010). Gambia ratified the Trafficking in Persons Protocol in 2003, implemented the law prohibiting child trafficking 2005, and implemented the law outlawing all trafficking in 2007. Gambia's government's willingness to address trafficking is likely a result of the increased international attention paid to the subject after the conception of the Trafficking Protocol. No matter how the norms came to be reflected in the domestic sphere, the fact that the country internalized the norms of international legislation provides support for the previously mentioned theory, and suggests the positive effects that international legislation can have on levels of sex trafficking.

The other two countries that implemented multi-faceted legislation, legislation that includes punitive and non-punitive measures, were the Philippines and Belarus. The Philippines implemented anti trafficking legislation in 2003 and was then ranked as having a moderate level of sex trafficking occurring within the country. In the year prior to and directly after ratification, the country also experienced a moderate level of sex trafficking. There was a high level of sex trafficking in 2005 and 2006, before the amount of sex trafficking occurring leveled back out from 2007-2009 when the country experienced a

moderate level of sex trafficking. Prior to implementing a comprehensive anti-trafficking law in 2003, the Philippines had no specific anti trafficking laws in place, however there were some relevant laws enacted that provided penalties for trafficking related activities (US State Department HR Report 2002).

Under the 2003 comprehensive anti trafficking law, harsh penalties are imposed on convicted traffickers, including the potential for life imprisonment and substantial fines upon conviction (Philippines 2003). The legislation also provides for the creation of a trust fund for trafficking victims to be funded by the fines levied against traffickers (Philippines 2003). Under this law, the money in the trust fund is to be used to fund rehabilitation services for trafficking victims and to develop preventative policies to decrease the prevalence of sex trafficking. These services include: sponsoring the creation of a national research program for trafficking, the development of a data collection system for sex trafficking victims in order to understand trends and the actual scope of the problem within the country, promotion of an information and education campaign for trafficking, emergency shelter, counseling services, free legal services, medical services, educational assistance, and skills training for recovered trafficking victims (Philippines 2003).

In the years following the implementation of the anti-trafficking law, the government made slow, but steady progress convicting traffickers under the law (US State Department HR Report 2004). Also, there is evidence of increased services being provided to trafficking victims by NGO's within the country, as it is reported that temporary, emergency shelter and counseling services have been provided to a number of trafficking victims from the region (US State Department HR Reports 2004, 2007-2009). The increase in services offered and the slow process of convicting traffickers under this law are

evidence that the government in the Philippines is making serious efforts to reduce sex trafficking, which supports the hypothesis that the apparent increase in sex trafficking within the country is more likely to be a result of increased enforcement, rather than increased activity.

Finally, there is evidence to support the idea that international legislation is effective when the norms prevalent in the international legislation are reflected by the norms of the country ratifying the convention. The Philippines ratified the Trafficking in Persons Protocol in 2002 and implemented its own comprehensive anti trafficking legislation in 2003. Also, prior to both the implementation of the 2003 anti trafficking bill, and the ratification of the Trafficking Protocol in 2002, the Philippines did have relevant legal initiatives that could be used to combat trafficking and prosecute traffickers. These legal initiatives were either illegal commerce laws or child abuse laws, and they provided punitive measures for illegal recruiting, economic sabotage, child trafficking, and promoting or facilitating prostitution or corruption of minors (US State Department HR Reports 2001, 2002). The fact that there were pre-existing legislative means to combat trafficking indicates that the norms that needed to exist in order to increase the likelihood of the government being willing to enforce the laws, were already in place in this instance.

Belarus implemented legislation in 2001, and was considered to have a low level of sex trafficking occurring within the country in that year, and in the year prior to implementation. In the years following implementation, the country's sex trafficking situation worsened drastically for a few years, being ranked as having high levels of sex trafficking in 2002 and from 2004 until 2006. Belarus' score leveled out from 2007 until 2009, being ranked as having a moderate level of sex trafficking occurring, though this

ranking is still worse than the initial ranking in 2001. In 2000, human rights reports regarding the trafficking situation of the individuals in the country to be underreported due to a lack of legislative protection and the general poor reputation of law enforcement (US State Department HR Report 2000). In 2001, there was a growing awareness about the problem in the region, but the poor reputation of the corrupt law enforcement cast doubt on the government's ability to effectively deal with the problem (US State Department HR Report 2001). In the following years, the same critique regarding the corruption in law enforcement and border officials is made, but the presence of NGO's dealing with trafficking problems increases (US State Department HR Reports 2002-2009).

Unfortunately the amount of information the NGO's are able to provide is hampered by the governments seeming unwillingness to cooperate with their efforts and the minimal resources available to them (US State Department HR Reports 2002-2009). These factors result in inconsistent information reported from the NGO's in the country, which greatly hinders researcher's ability to know anything about the trafficking situation in this country with certainty. What can be said about the trafficking situation in Belarus is that it is substantial, and the enforcement of legislation and collection of information about the problem is significantly obstructed by localized corruption.

The 2001 anti trafficking legislation in Belarus is multi-faceted in that it prohibits all types of trafficking, provides for lengthy jail sentences for convicted traffickers, and advocates for many preventative measures to decrease sex trafficking (Belarus 2001). The preventative measures include the proliferation of education programs targeting vulnerable population in order to inform them of the dangers of trafficking and the common schemes traffickers use, the creation of a taskforce charged with compiling

information about trafficking trends and the amount of trafficking occurring in the country, and the creation of a trust fund that is funded by the fines levied against traffickers in order to aid trafficking victims once they have been freed from their traffickers. However, as mentioned previously, these tenants do not seem to be enforced due to corruption among law enforcement.

While it seems that the norms were in place in Belarus to increase the likelihood of the enforcement of anti trafficking legislation prior to the implementation of the Trafficking in Persons Protocol, certain factors have substantially interfered with the effectiveness of the domestic legislation. The number one factor identified by the human rights reports is high levels of corruption among law enforcement. This finding is corroborated by the results produced in part one of the study, where transparency and sex trafficking were negatively correlated in every model that we ran. This is problematic, as it is difficult to ascertain whether an increase in sex trafficking, as determined by this project, is a result of an actual increase, or of increased enforcement. In the context of this aspect of the study, two out of the three countries with higher reported rates of sex trafficking seem to have better reporting and enforcement, in which "more" sex trafficking is actually positive. However in Belarus, where more sex trafficking was reported, government corruption limited how effective the legislation was at decreasing the problem. In this case, "more" sex trafficking actually means more sex trafficking, not necessarily better enforcement.

Overall Effectiveness of Legislation

The most important thing this analysis demonstrates is that while legislation has the potential to have a positive effect on reducing sex trafficking, there are a lot of qualifiers that go along with that statement. Firstly, international legislation needs to be in agreement

with norms that exist within the country that ratifies the legislation. Given the lack of enforcement capacity that is inherent in international legislation, the only way that it will be effective is if the country is already willing to take the necessary steps to address the problem. Secondly, more time needs to pass before we can truly understand the actual effect that legislation has on how much trafficking occurs in a given country. It could very well be that the effectiveness of both international and domestic legislation was not accurately portrayed by the analysis undertaken in this study, simply because the legislation has not been implemented for long enough to have a noticeable impact on the level of sex trafficking. This may be especially true for countries with a larger sex trafficking problem, since it would take more effort on behalf of the government in order to affect meaningful change. Also, since the problem is more substantial in those countries, it would take a longer time for the level of sex trafficking to decrease to the point that it would be reflected in the data used for this study due to the way the level of sex trafficking is measured.

Thirdly, legislation, international or domestic, is only effective if the government has the means to enforce it. Certain issues, such as lack of resources or corruption, which are prevalent in developing countries, substantially limit the ability of the government to enforce the legislation. Developing countries tend to have the largest sex trafficking problems, and the most internal barriers to enforcing anti trafficking legislation. In order for legislation to be truly successful, the government needs to be both willing *and* able to enforce it. In order to ensure the government has the ability to enforce trafficking laws, other actors need to be get involved in anti-trafficking effort. This is explored in greater detail in the following chapter.

Chapter 7 Conclusions

The most important insight gained from this project is the limitations of purely quantitative research in regards to sex trafficking, as evidenced by the problems I encountered with data coverage and reporting bias in the first part of this study. In future research, I would like to develop more sophisticated methods to quantify my dependent variable. The measure used for this study was a good starting point; however there is always room for improvement. One way to improve on the current (non-existent) measures of sex trafficking is to create a cost effective, user friendly data collection service that can be used by relevant law enforcement agencies and NGO's to record the name, origin, destination, age, and type of exploitation for each trafficking victim.

Another way to improve our knowledge about sex trafficking trends would be to create a program that is geared toward trafficking research. Trained scholars could assess the level of trafficking occurring in different regions and record information for research purposes, while activists and aid workers also provided material and non-material assistance to vulnerable populations and trafficking victims[6]. In this way reliable data on the level of sex trafficking can be recorded, while also providing aid to victimized populations, gathering information about the factors on the ground that are inhibiting the successful enforcement of trafficking legislation, and compiling first hand information about the needs of vulnerable populations. This approach bridges the gap between qualitative and quantitative research, and gives researchers and activists the ability to get accurate information on sex trafficking, while also serving the needs of struggling populations. It is counter-intuitive for scholars and policy makers to suggest efficient

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[6] Material assistance would include items such as financial assistance and food aid. Non-material assistance would include such things as job training and education.

implementation of legislation without undertaking extensive measures to understand the underlying causes of the problem, as well as the way in which the problem manifests itself. A more hands-on approach to data collection would be the best way to obtain that level of understanding, and would ultimately lead to the development of more efficient legislation by bridging the gap between policy makers, and the problem as it is experienced by vulnerable individuals.

Though data availability provides many obstacles to this line of research, I do produce conclusions which are either based on the empirical findings presented in the first part of the project, or the review I conducted of domestic legislation in the second part of the project. All of the conclusions are, in some way, a result of the trafficking trends I took note of in the various human rights reports that I reviewed and analyzed.

Connections

Part one of this study makes a significant first step toward establishing political, economic, and cultural factors that contribute to sex trafficking. Part two of the study attempts to determine the effectiveness of domestic and international legislation on reducing sex trafficking in different countries. Ultimately, the connection between the first— a cross-national, quantitative analysis— and the second— an in-depth look at a representative sample— both provide some answers concerning how effective anti-trafficking legislative policies are and whether they take into account the most prevalent factors that contribute to sex trafficking. In short, I find that anti-trafficking legislation does not appear to be effective at decreasing sex trafficking. There are two possible explanations for the interpretation of the data analyzed in the second part of the study. The first explanation is that anti-trafficking legislation is ineffective at both the international and

domestic level, and results in no change in, or an increase in, the amount of sex trafficking occurring. This explanation is likely because a majority of the countries experienced no change in their levels of sex trafficking after ratifying international treaties or implementing domestic legislation.

The second explanation is that legislation is sometimes effective, but either the measurement of the level of sex trafficking used in this study is not adequately able to reveal this trend, or simply not enough time has passed to enable an accurate analysis of the effectiveness of anti-trafficking policy. Overall, legislation has failed to produce sufficient responses to combating trafficking and needs to be supplemented with further action in order to have a more pronounced and expedient effect .

Either way, trafficking continues, and that alone suggests the lack of effectiveness of existing efforts, which may result from two causes: first, legislation is often a reactive phenomenon. In the context of this project, the only country to have no domestic anti-trafficking legislation in place was Comoros, a country with few, if any trafficking incidents. Though the lack of trafficking may be a product of poor reporting practices rather than an actual lack of a problem, the fact that sex trafficking is not known to occur in that location clearly has an impact on the governments lack of initiative in adopting stringent anti-trafficking laws. If the international community is unaware of the existence of the problem then there is no external pressure for the government to take action. If the problem is not given a lot of attention by actors within the country, then there will be less internal pressure for legal action to occur. Comoros, the one country without domestic anti-trafficking policies in place in 2009, has since been placed on the Tier 2 Watch List by the

US State Department Trafficking in Persons Report, and is in the process of drafting legislation to address trafficking.

The countries with the most extensive domestic anti-trafficking legislation, such as Greece, the Philippines, Brazil, Nepal, Ghana, and the Ukraine, were the countries with the largest trafficking problems. The countries in the sample also seem to enact more extensive trafficking policies as the problem worsens. The countries examined in this sample were disproportionately more likely to enact multi-faceted anti-trafficking laws that addressed any of the primary conditions that allowed sex trafficking to occur, if they also had a more extensive trafficking problem. While it was not the specific focus of this project, in future research I should take a representative sample of countries and trace the timing of legislation, and the increase or decrease of sex trafficking in order to further test this preliminary finding.

These trends tell us that while legislation is a viable way to approach this issue, current legislative efforts are not effective enough to eliminate— or even substantially decrease— this problem. Legislation increases the cost of the traffickers operating, but really only deal with the problem after the damage has been done. In order to effectively deal with trafficking, there needs to be another, non-legislative, component to counter trafficking efforts. Ideally, the problem should be prohibited and punished against from the top down, in the form of legislation, as well as from the bottom up, with proactive measures that more adequately address the underlying causes of the problem. In order to establish the most effective way to go about implementing these findings, we must first consider ways to incorporate this knowledge into the scholarly understanding of trafficking.

There are multiple frameworks scholars use to understand the role of sex trafficking in the international community, and all of these frameworks have a substantial effect on the way that we decide to approach the problem. For clarity's sake the three different frameworks most scholars operate under are presented in the following passage. After the discussion of frameworks used to best understand trafficking, a few different policy recommendations that have been made in the past are presented. Based on the discussion of those policy recommendations, my policy prescriptions are introduced. I finish this section with a short conclusion where I discuss some ideas for future research and what I have learned from this project.

Frameworks for Understanding

Scholars approach the issue of trafficking from several different perspectives in order to gain the most complete understanding of the phenomenon. These perspectives include migration, organized crime, and human rights.

The migration approach to studying trafficking emphasizes the internal factors that increase the vulnerability of people in different countries. These factors include issues such as poverty and unemployment in source countries, and low border security and lax immigration policies in destination countries (Hebert 2012). Overall, the migration framework emphasizes the motivations that make individuals vulnerable to traffickers rather than the actions of opportunistic actors who benefit from those same people's vulnerabilities (Hebert 2012). The migration approach emphasizes the same policy prescriptions for trafficking that are encouraged for smuggling, namely increased border security and increased punishment for individuals who enter the country illegally (Hebert 2012).

The organized crime framework conceptualizes trafficking as a phenomenon that is perpetuated by groups of people who take advantage of the vulnerability of trafficking victims (Hebert 2012). The link between trafficking and transnational organized crime was cemented with the 2000 Convention against Transnational Organized Crime and its subsequent Trafficking in Persons Protocol. Some scholars argue that this approach emphasizes punishment of traffickers at the expense of the protection of victims, because the language of the convention *suggests* rather than requires that victim assistance be provided (Hebert 2012). As a result of this framework, often anti-trafficking legislation emphasizes that the trafficking victim in question must agree to help local law enforcement prosecute their traffickers in order to be eligible for protection under the law (Hebert 2012). In the event that the victims is unable or unwilling to assist in the prosecution of their trafficker(s), then they are usually deported back to their country of origin and are placed back into the same situation that resulted in them being trafficked initially (Hebert 2012).

The human rights framework for understanding trafficking focuses on protecting trafficking victims from further harm and exploitation, while also, in theory addressing the initial conditions that allow trafficking to occur (Hebert 2012). However, in practice, some scholars criticize the human rights framework for failing to adequately address the "root causes of trafficking" (Ucarer 1999). In this context, the designation 'root causes' appears to refer to the factors that generate vulnerability in people which leads to their exploitation, such as poverty and economic inequality, as opposed to corruption. Though the latter factor facilitates trafficking, corruption without poverty is unlikely to result in sex trafficking, because the initial cause of economic vulnerability is absent in that scenario.

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Hebert (2012) maintains that in order for a human rights centered approach to combating trafficking to be adequate, it needs to accomplish three tasks, at minimum. These three tasks are: the trafficking victim must be recognized as having a legitimate claim to human rights that is not based on fulfilling obligations, trafficking victims are not punished for committing crimes as a result of trafficking, such as drug use of prostitution, and the aid offered by governments to trafficking victims needs to be equal on all accounts; and victims should not have to meet certain criteria to be eligible for assistance.

A Hybrid Approach

A hybrid of the three frameworks would seem to be the most useful approach, given the nature of my findings. Namely, no singular reason results in trafficking, but rather a combination of different factors result in the proliferation of trafficking. People are trafficked because they are vulnerable, and this vulnerability is often a result of economic factors, such as poverty and unemployment, which makes people desperate and easy to exploit. The relationship between poverty and sex trafficking was partially demonstrated in part one of this study. However, this only presents one side of the problem, as it focuses on vulnerability caused by actions taken by individuals themselves and not the people who prey on that vulnerability. This distinction can easily be seen by looking at the type of policies enacted based on the migration framework; policies such as increased border security do not address the economic factors that lead to people traveling to find work and putting themselves at risk for being trafficked.

In order to have the most complete understanding of the problem, it is useful to incorporate elements from the organized crime framework. Despite the imperfect statistical models, it is clear to see that sex trafficking is related to many different factors,

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especially considering the general ineffectiveness of one-dimensional legislation. All of the countries who demonstrated increased enforcement of anti trafficking legislation that were discussed in chapter six, also enacted multi-faceted legislation to deal with the problem. Clearly, not all of the countries that enacted multi-faceted legislation were successful at decreasing the prevalence of trafficking; however, as it was discussed earlier, this is likely due, in some part at least, to the constraints imposed by the measurement of the dependent variable used in this study, rather than an accurate reflection of reality. Given how widespread the problem of trafficking is, it is absolutely imperative that preventative measures be taken into account at the same time that punitive measures are taken into account. Focusing on one side of the problem at the expense of the other will not decrease sex trafficking. The importance of this strategy is further demonstrated by the analysis completed in the previous two sections.

While instinctively it seems ideal to study sex trafficking from the human rights perspective, by focusing first and foremost on the protection of the victim, it is less likely that other measures, such as decreasing corruption and advocating for harsher penalties for engaging in sex trafficking, will be implemented that will be successful at reducing sex trafficking. While focusing on the protection of trafficking victims' rights is essential for empowering traditionally vulnerable populations, it does very little to address the primary conditions that allow sex trafficking to proliferate. That being said, policy prescriptions addressed below will take the most relevant aspects of each framework into account so as to compile the most comprehensive policies possible.

Previously Suggested Policies

Scholars and policy makers have been very active in recent years with producing policies to combat trafficking. Scholars advocate strategies including one of or any combination of the following policies: awareness campaigns, local learning initiatives, community network and capacity building, promotion of basic economic and social rights, new methods by which we can understand trafficking patterns, motivations, and realities, naming and shaming countries with the worst trafficking problems, trade sanctions, NGO involvement, increased regulatory response, and increased resources allocated to victim protection (Hendrix 2010; Chuang 2006; Samarasinghe & Burton 2007; Kara 2009; Haynes 2004). The main theme that seems to underlie many of these policy prescriptions appears to be which policies will work the best and the fastest? There appears to be a tradeoff between stopping suffering immediately and putting effort into implementing long term solutions that address the conditions that allow sex trafficking to survive and persist in almost every country around the world. To illustrate this position, one of the most well thought out and articulated policy prescriptions put forth by Siddharth Kara, a scholar who spent a lot of time in the field and seen the conditions sex slaves are forced to work in while recording their stories, is presented below.

Siddharth Kara (2009) posits that responses to sex trafficking are ineffective because of four factors: sex trafficking is badly understood, anti-trafficking organizations are not well funded and do not coordinate within and between countries, laws combating sex trafficking are weak and not stringently enforced, and a "systematic business and economic analysis of the industry...has not yet been undertaken". Kara posits that in order to decrease sex trafficking in the short term we should first focus on decreasing the demand for slave labor, and then, in order to eliminate trafficking altogether, we address

the conditions that increase the vulnerability of other people, such as poverty and economic inequality (Kara 2009). Short term efforts, from this perspective, focus on decreasing demand for sex trafficking by increasing the risk associated with the act of trafficking and decreasing the profitability of engaging in trafficking (Kara 2009). The risks of trafficking are increased by conducting raids on brothels with the aid of local anti-trafficking NGO's in order to minimize the trauma experienced by trafficking victims, increasing the penalty for engaging in trafficking, decreasing corruption in the judiciary, and increasing the enforcement of anti-trafficking laws (Kara 2009). These actions decrease the costs of trafficking relative to increasing the risk because it makes it more difficult for traffickers to operate.

Though this is a well thought out and enumerated plan to decrease sex trafficking, it is not prudent to begin counter trafficking efforts by decreasing the demand for sex trafficking. In trying to decrease the demand for sex work you have to decrease the demand for commercial sex, which is a legitimate means of financial income for many women in the developing world. The women who engage in sex work of their own free will usually do so for economic reasons, such as needing to provide for her family or a sick parent (Weitzer 2010). Time has shown that, in an effort to comply with international standards for sex trafficking, domestic personnel increase the frequencies of raids on brothels, many of which house free sex workers (Hudgins 2007). When this happens the women are forced out of the brothels and back into the same situation that they were in prior to deciding to engage in sex work, only this time without options to alleviate poverty or debt. Not enough effort is taken to distinguish between free and forced sex work for this policy to be truly effective. This isn't very surprising, given the fact that often governments in developing

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countries aren't willing or able to root out sex traffickers, let alone investigate to understand the difference between free and forced sex work.

This is not to say that we should abstain from combating sex trafficking in order to protect the working ability of free sex workers. By decreasing the demand for commercial sex without simultaneously, or first, addressing the conditions that make individuals vulnerable to traffickers, then the nature of the problem will change, but the problem will still exist; people are going to be vulnerable to exploitation, even if sex trafficking is no longer as attractive of an option for the exploiters. Decreasing the demand for sex trafficking does mean that more sex trafficking victims will be removed from abusive and exploitative situations, but the fact remains that without *at least* simultaneously addressing the reasons the victims became trafficking victims in the first place, then the victims are being released from one exploitative situation, without proper protection or a means to support themselves, back into the social and economic context that allowed them to become trafficking victims in the first place. If we want to actually protect the vulnerable people in society, we have to take long term and far reaching factors into account first, without sacrificing them in favor of more instantaneous methods of improvement that may have negative long term consequences.

While it may seem a callous position to advocate for someone not on the ground in the countries with the worse sex trafficking problems, and who has not witnessed firsthand the pain, suffering, and humiliation hundreds of thousands of people face on a daily basis, there is merit to this suggestion. Long term solutions need to be given top priority when developing policies to counter trafficking efforts. Otherwise the international community may get distracted by the perceived progress of the short term solutions, and devote less

time and energy to the long term solutions that have the potential to reach beyond the sex trafficking epidemic and address other human rights violations as well.

A Modified Plan to Combat Trafficking

The first step that needs to be taken in eliminating trafficking is to find more accurate ways to study and understand the scope of the problem in different countries. The biggest obstacle this study had to overcome was finding a way to approximate the level of sex trafficking occurring within each country. The final measure used for this project was imperfect, for numerous reasons, and as a result the knowledge that we can glean from the first part of the study is extremely tentative. The problem of imperfect data sources is already being addressed by scholars and activists who are passionate about trying to end trafficking. One such example is the UN Global Initiative to Fight Human Trafficking, which sponsored a two day event in 2008 where 20 research experts met and discussed ways to promote new ways of studying trafficking and to enhance the quality of research on the subject, while also "broadening the knowledge base of data, facts, and research on trafficking" (International Organization for Migration). Also, the development of an accurate measurement of sex trafficking occurring in the country was a primary goal in several pieces of legislation I examined for part two of the study. The only way we can effectively fight trafficking is if we understand it to the best of our ability. Without understanding the nature of trafficking, it is more possible that intervention will do more harm than good.

The next step that needs to be taken to eliminate sex trafficking is threefold, with the best results occurring when all three steps are implemented near simultaneously. First, countries need to implement local level economic opportunities for vulnerable populations.

These opportunities can be provided through government or NGO assistance, and could include microcredit loans provided to women with families to support, and school vouchers for impoverished children who cannot otherwise afford to attend. Many communities around the world have demonstrated that microcredit loans increase women's status in their communities, because they allow them financial independence that is difficult to attain given societal constraints surrounding women's autonomy (Kristoff 2009). Countries with higher respect for women's political and economic rights are more likely to report information about the level of sex trafficking in a country, as was determined in the first part of the study. By providing women with a means to support themselves financially, and a means to elevate their status within local power structures, women become more active and acknowledged in society, which brings greater attention to abuses committed against them, such as trafficking. This will lead to greater respect for women's rights, and increased enforcement of laws meant to protect women from exploitation.

Secondly, social factors that inhibit women's success in the economic and political spheres of society, such as gender discrimination, need to be addressed. In most of the literature, including human rights reports, women's low status in society lowers the cost of trafficking, simply because protecting women's rights is not a priority when women are not valued members of society. In order to ensure women's success in society, there needs to be both top-down and bottom-up action. Top-down action refers to action from the government, such as passing legislation that protects women's rights and promotes their inclusion in government decision making. Bottom-up action refers to women being incorporated into local, communal power structures. These strategies could include the

encouragement of women creating their own businesses through microcredit loans provided by international organizations such as the Grameen Bank, and increasing the level of education achieved by young girls, especially those in rural communities. There is anecdotal evidence to support the success of both of these strategies, as these strategies decrease discrimination against women by enhancing their role in their local communities, and in the national political structure, while also decreasing their economic vulnerability that makes them disproportionately susceptible to trafficking schemes (Kristoff 2009). Again, increasing the importance of the role played by women in society leads to greater political representation of women and women's rights; greater attention is then devoted to women's rights violations, and with greater attention comes greater enforcement of anti trafficking laws.

By confronting the problem from multiple vantage points and addressing multiple factors that increase the vulnerability of women, the likelihood of any change in the level of sex trafficking occurring is increased, simply due to the quantity of actions being taken, the multiple actors involved in the process. By involving multiple actors, the burden of providing the necessary resources to accomplish these tasks, and the responsibility for reducing sex trafficking, does not lie with one organization. In this way there is increased accountability, and even if one actor is unable to fulfill their obligations, progress will still be made by other actors involved in the process. This possibility needs to be taken into account given that the chances of any one actor failing to meet their obligations in regards to upholding anti trafficking efforts are likely. Corruption in government and a lack of funding for NGO's is well documented by various human rights reports and scholars who have conducted research in the field. Both of these factors make decreasing sex trafficking

infinitely more difficult. If multiple actors are involved, and they adequately coordinate their efforts to end trafficking, then the likelihood of failure is lessened.

Finally, political factors such as corruption need to be taken into account in order to ensure that trafficking laws are strenuously enforced. In the first part of the project I ran four types of models, and in every high levels of corruption (transparency) was related to high levels of sex trafficking. This finding has important implications for the effect that corruption has on the implementation of anti trafficking laws. As I stated in previous sections of this project, local law enforcement are often complicit in trafficking schemes, either because the traffickers bribe them or because the police become traffickers to supplement their income. By increasing transparency at the local levels of government, traffickers would have a more difficult time operating within a country because the police would not be complicit the trafficking schemes.

However, local law enforcement often becomes corrupt because their superiors are either unable or unwilling to hold them accountable for their actions (Kara 2009; US State Department HR Reports). Therefore, in order to decrease corruption at the local level, we actually need to decrease corruption at all levels of government. While easier said than done, given that people in power tend to dislike anything that constrains their power in any way, reducing corruption can occur when efforts combine internal forces and international efforts. Watch dog groups within the country, and individuals within the government can name and shame different actors for their corrupt actions (Kristoff 2009). The international community can employ a 'sticks and carrots' approach to encourage further transparency as well. The 'sticks' and 'carrots' approach, refers to punishment and incentives levied against states by external forces in order to instigate internal changes in a

country. These punishments and incentives are usually most effective at modifying the behavior of states when they involve money or other resources. One punishment that can be linked to transparency is trade sanctions, meaning that powerful states in the international system levy taxes on goods that are imported from countries that have limited governmental transparency. Economic incentives that can be linked to governmental transparency include things such as threshold grants, which reward states who are becoming more transparent with grants they can use to further develop their economies. Reducing corruption at all levels of government will not only decrease sex trafficking, but also allow for greater respect for human rights in general, more efficient allocation of resources, and increased economic development and growth.

The most important thing to consider when determining which types of policies to implement in an effort to decrease sex trafficking is that the problem is not one-dimensional. There is no singular factor that *always* leads to sex trafficking, and so the problem will not be solved with policies that do not engage the varied underlying causes. There were significant findings across all of the types of models presented in part one of the study. As I said before, the models were not perfect, but they did provide some support for the idea that trafficking occurred due to a combination of factors, not only one type. The only way to effect meaningful change in trafficking trends is to implement a multi-faceted policy prescription, a sentiment that was confirmed through reviewing firsthand accounts of trafficking victims, records of scholars conducting research in the field, and human rights reports compiled by external actors.

Future Research

Our understanding of the factors associated with sex trafficking and of effective strategies to combat it would benefit from an in-depth analysis of labor trafficking in order to gain a better understanding about the effect that the difference between sex and labor trafficking have on policy recommendations. Analysis of the role NGO's can play in reducing trafficking, and on ways to increase communication and collaboration between different NGO's, and between NGO's and the government when possible would also be beneficial. There are so many unexplored policy avenues that could be effective at decreasing sex trafficking that researchers just have not had the chance to adequately study at this point, and NGO's are definitely one of them.

Finally, field research would be beneficial because with most topics in human rights, data limitations are very difficult to overcome unless you can personally attest to the situation within the country. There is only so much research that can be done without actually going to the country to collect data, so going into the field will be necessary in the future if I intend to pursue this topic.

Reflection

In deciding to study this topic for my honors project, I underestimated how ambitious this project was, and I underestimated how emotionally intense studying this topic would be. I was prepared for the academic study of the topic; reading books and articles about anti-trafficking policies and the factors that make individuals vulnerable to traffickers. What I thought I was prepared for at the outset, but was sadly mistaken about, was the knowledge that by choosing to study a topic such as this, I, as a researcher, had a responsibility to honor the experiences of the people who had been trafficked. It is not quite as obvious with a study such as this, where no field work was conducted, but the

words of the victims who vividly describe their experiences stay in your head long after you step away from your laptop and return your books to the library. The most important thing that I learned from this project was that this is not a topic that you leave at work or at school; the experiences of the people who have survived human rights abuses such as human trafficking are real, are numerous, and too many of them are forced to live with the knowledge that their struggle and their survival, is inconsequential to the people around them, and to the people in power who, through their inaction or lack of ability, did nothing to stop their suffering. As researchers, the very least we can do is listen to what they have experienced, understand what facilitated their suffering, and spread understanding about how to stop such a thing from happening in the future. I hope that this research endeavor met those expectations.

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Appendix One: Source Tables

Table 1.1: Dependent Variable

Dependent Variable	Level of Measurement	Source	Coding
Level of Sex Trafficking* ***Self Coded**	Ordinal	US State Dept. Annual Human Rights Report	3:1000+ ST victims 2: 500-999 ST victims 1: 1-499 ST victims 0: No documented cases Qualitative description used as necessary

Table 1.2: Independent Variables

Indicator Type	Independent Var.	Indicator	Source	Coding
Economic	Economic Inequality	IMR	World Bank World Development Indicator	Deaths per 1000 live births
Political	Regime Type	Polity Score	Polity IV	-10: Authoritarian 10: Democracy
Social/Cultural	Gender Discrimination	Women's Political, Economic, Rights	CIRI Human Rights Project	0-6

Table 1.3: Control Variables

Indicator Type	Variable	Indicator	Source	Coding
Economic	FDI	FDI	World Bank World Development Indicator	Amount of FDI within the country.
Economic	GDP Per Capita	GDP Per Capita	World Bank World Development Indicator	Sum of gross value produces by all residents in the country, divided by the mid year population
Political	Corruption	Corruption Perceptions Index	Transparency International	10: Clean 0: Corrupt
General	Total Population	Total Population	World Bank World Development Indicator	Number of people within the country

Appendix Two: Legislation Bibliography

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