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Data Analysis of Sex Trafficking

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Abstract

There is a multitude of contrasting laws and regulations applied to the profession of prostitution around the world. Laws regulating commercial sex are directly associated with sex trafficking operations since they appeal to the same clientele. This paper discusses countries that legalize prostitution or provide protections by legal statute and countries that decriminalize or prohibit the practice without any protections. It is difficult in many cases to determine when prostitutes are engaging in this profession by choice, and when they are being coerced or forced to do so. Sex trafficking and labor trafficking are forms of human trafficking, also referred to as forms of modern-day slavery. Many prostitutes do not have the option to leave their profession due to being controlled either physically or emotionally by a pimp and often do not control their earnings, making their work technically classified as sex trafficking. Alternatively, there are places in the world where prostitutes operate legally and are afforded the government protections given to any profession. Due to prostitution and human trafficking being largely hidden practices, all data used is incomplete and relies on victim, law enforcement, and witness reports, which will vary drastically by region and resources. This study uses research compiled from multiple academic sources and empirical analysis to show that sex trafficking is least prevalent in areas of the world that provide prostitutes protections by legal statute. This study also finds that countries that prohibit third-party involvement in prostitution have lower sex trafficking crimes.

Keywords: sex trafficking, prostitution, human trafficking, commercial sex, sexual exploitation

Data Analysis of Sex trafficking

Subject Précis

Forced prostitution, or sex trafficking, is a human rights abuse that can be best addressed with logic-based policies devoid of any specific cultural bias. Sex trafficking and labor trafficking are types of human trafficking often combined in certain countries (Ruffini, 2019). According to the Counter Trafficking Data Collaborative (CTDC) human trafficking database used for this study, most of the sex trafficking crimes are composed of women under 25 years old, yet children and men are also trafficked around the world (CTDC, 2020). While women and girls make up largest portion of identified human trafficking victims in the CTDC dataset, sex trafficking makes up the largest sector of human trafficking (CTDC, 2020). Additionally, places where there is a demand for large amounts of migrant workers, such as the Arab States and the United States, appear to be some of the largest consumers of human trafficking (Buchbinder, 2016; Buckley, 2013).

The profession of prostitution is referenced as a morally reprehensible criminal activity within many parts of the world. However, selling sex at its basic level, albeit morally ambiguous in many cultures, is not akin to murder, assault, or theft. Despite this, the practice of buying or selling sex, even when it is between two consenting adults, is contested as a criminal activity in various parts of the world. The practice of prostitution is exceedingly complex and, in many societies, rife with human rights abuses. Informally designated the “world’s oldest profession,” prostitution remains an enduring institution throughout the world.

The exchange of money for sexual acts is banned in many parts of the world and in all but one state, Nevada, in the United States. Despite this, prostitution was once entirely legal in the United States and around the world. Prostitution had no legal definition in most states and in western societies persisted from the eighteenth century into the nineteenth. By the late nineteenth century many western societies revived efforts to extinguish prostitution and the United States enacted the federal Mann Act (Jenkins, 2020) which prohibited the interstate transportation of women for immoral purposes (ProCon.org, 2020). It is interesting to note that this legislation was only applicable to women and the purchase of males for sex was not being considered. Perceptions of prostitution are based on culturally developed values that change from one society to the next.

In some societies, prostitutes are viewed as members of a recognized profession; in others they are detested or criminally punished (Jenkins 2020; Abi-Habib, 2012). The purpose of this study is to generate knowledge about the practice of prostitution and the broad range of laws which govern this activity around the world. This study explores how the assorted laws regarding prostitution directly affect sex trafficking in various places around the world.

This research paper examines the following prostitution legislation; legal, illegal, decriminalized, and neo-abolitionist (illegal to buy). This study draws links between public policies regarding prostitution and sex trafficking using publicly available data and associated academic research aggregated to assist in the overall analysis of the study. The intention of this study is to inform and sensitize the public to the effects various legislation has on prostitution and sex trafficking, thereby informing policies that better meet societal needs.

Literature Review

The literature for this study is derived from research institutions, official government reports, and sources that collect large amounts of data on human trafficking and or crime. The Department of State's Trafficking in Persons Report (2020) provided international human trafficking related data. The Counter-Trafficking Data Collaborative (CTDC) provided the dataset used for the data aggregation in this paper. CTDC human trafficking data is provided by counter-trafficking organizations around the world who collect country-level geographic data. Websites such as Kaggle, Google Dataset Search, Data.Gov and Dataverse all contain various types of disparate human trafficking datasets. However, these datasets were determined to be too obscure for the scope of this study.

Instruments used in data collection for this project was the software tool Jupyter notebook and python computer coding. Jupyter Notebook serves as an analytical platform for the aggregation and visualization of data used in this project. Python is a computer scripting language that enables data aggregation of datasets.

After extensive research, two academic papers were found that correlate prostitution legislation with sex trafficking, one from the University of Gothenburg and the other by three students from separate European universities published in World Development. Both are referenced in this study, and while this study uses the same information, it draws different conclusions based on the difference in analytic criteria and enhanced logic. Various government and international websites that contain human trafficking data within their respective countries, legal and commercial articles written on human trafficking, and websites that track global prostitution polices also contribute to the evidence and analysis in this research paper.

Prostitution Legislation

There are 53 countries which legalize prostitution, 12 make it limitedly legal, and 35 make it illegal according to a list of 100 countries prostitution policies collected by the Britannica Group (ProCon.org, 2020). In many places there are considerable discrepancies between official prostitution legislation and what happens in practice. Depending on the country, various prostitution-related activities may be illegal, decriminalized, or regulated. Some countries legalize prostitution but do not regulate it, or do not legalize it but do not criminalize it either, resulting in no statutory protection for the profession either way. The legal and social treatment of prostitution also differs vastly by country, influencing local policies and laws (Porter, 2016). However, while policies regarding adult prostitution differs in various regions, sex trafficking and child prostitution are universally illegal. Each country that has emplaced the neo-abolitionist model has also implemented a national action plan addressing sex trafficking within their respective countries and can be found in this paper's references section.

Legalization and neo-abolitionist legislation provide prostitutes with legal protections by statute. Prostitution laws vary drastically by region and this study examines how prostitution legislation affects sex trafficking in different parts of the world, rather than concentrating on any specific region which may have contradicting laws within the same culture or community and lack observable differences in their commercial sex industries. Additionally, the enforcement of prostitution legislation often varies from one society to the next; "The degree of enforcement of the anti-prostitution laws varies by country, by region, and by city" (Heimken, 2019). Laws regulating commercial sex directly affect sex trafficking operations since the same clientele may use either industry for the same product whether their preference is intentional or not. Countries that legalize prostitution regulate the activity if certain conditions are met (Marian, 2020). In

some countries the law makes the client, not the prostitute, liable for the crime; thus, affording statutory protection to prostitutes while prosecuting clients if caught. These countries make buying sex illegal, not selling, using the neo-abolitionist approach or Nordic model. Paying for sex, not selling sex, is illegal in Iceland, Northern Ireland, the Republic of Ireland, Sweden, Norway, Canada, and France (Dougall, 2017). Supporters of this policy claim that placing; “legal responsibility on clients rather than prostitutes improves sex workers safety and reduces human trafficking” (Porter, 2016).

Some countries that have legalized prostitution legislation allow prostitution but do not allow facilities that procure the services, such as brothels or third parties that benefit from the prostitution of another. Prostitution is legal and regulated, referred to as the Dutch model, in eight European countries: Germany, Hungary, Austria, Switzerland, Turkey, Greece, Netherlands, and Latvia. This model treats prostitution like any other profession and enforces professional regulations; citizens can be officially employed or self-employed as prostitutes.

Countries that make prostitution illegal are forbidding its activity by law, however, decriminalizing the activity means that there are no laws forbidding it nor are there laws allowing and regulating the activity. Both regions that decriminalize prostitution and regions that prohibit prostitution do not provide prostitutes statutory protections. The decriminalization or laissez-faire model neither recognizes nor prohibits prostitution and is implemented to various degrees by countries such as Italy, Portugal, Czech Republic, Estonia, Spain, and Australia (ProCon.org, 2020). Prostitutes within these countries still operate outside the legal context and will usually not pay taxes. In some of these countries, since there is no way to legally employ a prostitute, brothels, pimping, third-party involvement, and other forms of exploitation of others are prohibited.

Finally, the prohibitionist model makes selling sex for money illegal, which means that the prostitute, not the client, commits a crime or misdemeanor. Countries following this model are Afghanistan, Albania, Angola, Antigua and Barbuda, Bahamas, Barbados, Cambodia, China, Croatia, Dominica, Egypt, Grenada, Guyana, Haiti, Iran, Iraq, Jamaica, Jordan, North Korea, South Korea, Liberia, Lithuania, Philippines, Romania, Rwanda, Saint Kitts Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, South Africa, Suriname, Thailand, Trinidad and Tobago, Uganda, and the United Arab Emirates, and the United States (in all but one state). In the United States prostitution is legal in the eight counties within the state of Nevada and can only operate in licensed brothels. (England, 2020; ProCon.org, 2020; CTDC, 2020).

Sex Trafficking Case Studies: Saudi Arabia and Canada

Saudi Arabia is known as one of the most prolific abusers of human rights and consumers of human trafficking in the world, yet statistics and reporting are difficult to discern because it remains a hidden crime. The United States Department of State's 2019 Annual Report on Human Trafficking, Trafficking in Persons (TIP) report, downgraded Saudi Arabia to the lowest level of compliance with the Trafficking Victims Protection Act (TVPA):

The government of Saudi Arabia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government prosecuted and convicted few traffickers, did not report efforts to address forced labor despite the significant scale of such crimes in the country, and did not pursue criminal investigations against officials purportedly complicit in trafficking crimes. (United States Department of State, 2019)

Saudi Arabia demonstrates that the less legal protections an entity, such as a migrant worker or prostitute are afforded, the more likely they are to be vulnerable to coercion and control i.e. victims of human trafficking. Likewise, if a profession is illegal or deregulated, then no protections exist with the expectation that the profession will be inhibited or not occur, yet human trafficking prevails because slavery is exceedingly profitable. Saudi Arabia has the third highest migrant population in the world behind the United States and Germany. However, unlike migrants to the United States and Germany, migrants working in Saudi Arabia include a significant amount of female domestic help and are not looking for citizenship:

The report [TIP] mentions the kingdom's large migrant labor population – especially female domestic help – as being significantly at risk for trafficking. Saudi Arabia has, by some estimates, more than nine million foreign workers, many from North Africa and Southeast Asia. Employers frequently withhold payment or the passports from their employees, preventing them from leaving the country and forcing them to work for free. (Ruffini, 2019)

These migrants are part of a vast labor population primarily there to earn income for dependents or debts (Macrotrends, 2020). Migrant workers in Saudi Arabia, and every state within the Arabian Gulf, are at a high risk for sex trafficking (Begum, 2020). This unfortunate circumstance is due to the unique conditions in the Arabian Peninsula where citizens do not have incentive to work, due to their inherent oil wealth; and where local laws do not protect migrant workers. These conditions create both a high demand for a migrant labor force and little incentive to be equitable in their treatment. The migrant sponsorship laws exacerbate potential abuses due to the fact that over 10 million migrant workers' legal status are controlled by their employers. The

lack of legal protections for migrant workers and unequal power dynamic facilitates abuse and exploitation including forced labor, sex trafficking, and slavery-like conditions (Begum, 2020).

Saudi Arabia presents an illuminating case study since the country has prevalent and well-known human trafficking abuses, yet those same abuses are also not quantifiable due to the lack of data collection. This case study parallels current issues with gathering data on human trafficking and specifically sex trafficking, due to the hidden but well-known aspects of the crime. Sex trafficking is difficult to evaluate due to the reluctance of victims and witnesses to come forward to law enforcement, the secret nature of the crime, and the difficulty with distinguishing who are victims.

Conversely, there are countries like Canada who have enforced national level policies for anti-trafficking efforts within every federal law enforcement department in their country citing that; human trafficking is a complex highly gendered crime that disproportionately affects women and girls. Human traffickers exploit human vulnerabilities created by poverty, sexism, racism, wage inequality, lack of education, social supports, and employment opportunities (National Strategy To Combat Human Trafficking 2019-2024, 2019). Canada is able to track their human trafficking issues on a national level due to their robust legal framework prioritizing it. While sex trafficking is a type of human trafficking, the information cited here groups all trafficking together with Canada citing that females are disproportionately represented overall.

Canada's whole-of-government approach provides a comprehensive national strategy to address human trafficking. This approach combines all federal efforts which target human trafficking in Canada, and abroad, under one single strategic plan:

Canada's approach to human trafficking is organized around four broad pillars (4Ps): the prevention of trafficking; the protection of victims; the prosecution of offenders; and

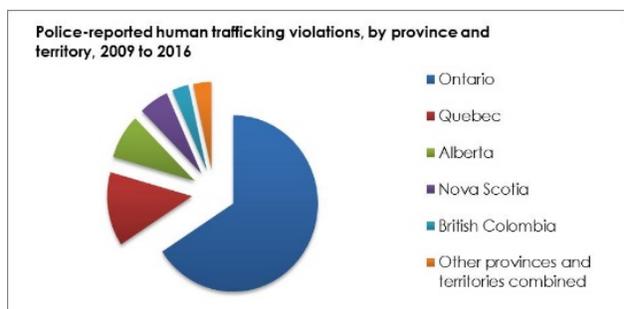
working in partnership with others. (National Strategy To Combat Human Trafficking 2019-2024, 2019)

Canada has added an additional focus area to their human trafficking efforts by enhancing support and services to victims affected by human trafficking crimes.

Due to Canada's robust anti-trafficking efforts, it can quantify and track human trafficking crimes across their country through the Canadian Centre for Justice Statistics (CCJS). This case study highlights how data collection from countries with the means to track and implement it are extremely valuable, while most third world and Arab countries rely on international agencies to gather meaningful human trafficking data. Canada collects data in all their provinces and territories see Figure 1 CCJS graph.

Figure 1

Canada Human Trafficking Data by Province and Territory



Note. Chart taken from National Strategy To Combat Human Trafficking 2019-2024.

Canadian human trafficking statistics are gathered from witness, victim, and police reported crimes, from which CCJS has been able to gather a relatively voluminous dataset. Of this reporting 95% of identified human trafficking victims between 2009 and 2016 were women and girls. The significant impact human trafficking has on young females and girls become apparent

when analyzing the data. Women between the ages of 18-24 represented 44% of all Canadian human trafficking victims, and 26% of all victims of human trafficking were women under the age of 18 (National Strategy To Combat Human Trafficking 2019-2024, 2019). Canada enacted their current prostitution legislation in 2014 after observing the results Sweden's neo-abolitionist policies had on sex trafficking.

In 1999 Sweden was the first country to implement a policy that made it illegal to buy sex, but not illegal to sell sex. The objective of the neo-abolitionist approach is to decrease the demand for prostitution by punishing the solicitors, thus effectively targeting the overall volume of the illegal sex-industry. Prostitution, in this lens, is viewed as a violence against women and thereby criminalizing the clients rather than the victims is the most efficient method to stop the victim exploitation (Gomery, 2017). A positive correlation resulted, with a reduction in sex trafficking inflows to the county and reduced street prostitution after implementation of this legislation (Jakobsson & Kotsadam, 2010). Since Sweden implemented this policy, Norway, Iceland, Ireland, France, Canada, and parts of the United Kingdom have all adopted the neo-abolitionist approach for their countries prostitution legislation.

Research Insights: Sex Trafficking and Prostitution Legislation

The two academic papers that correlate sex trafficking with prostitution legislation referenced in this report are, "Does Legalized Prostitution Increase Human Trafficking" (Cho, Dreher, & Neumayer, 2014) and "Prostitution Laws and Trafficking for Sexual Exploitation" (Jakobsson & Kotsadam, 2010). Both studies categorize the neo-abolitionist approach as "harsher prostitution laws" and use that definition to combine illegal and neo-abolitionist legislation together; thus, correlating lower inflows of sex trafficking to countries with these

harsher prostitution laws. Conversely, as referenced above, this research paper delineates prostitution legislation and policies by those that provide statutory protections and those that do not. This specification makes this study unique because there are no other papers published that currently make this important distinction in their research.

The two research papers referenced correlate sex trafficking with harsher prostitution legislation and are both cited in Canada's Supreme Court human trafficking Bill, "Bill C-36" (Government of Canada, 2017) as supporting evidence against the legalization of prostitution. According to the study by Jakobson and Kotsadam (2010, p.16); commercial sexual exploitation is least prevalent in countries where prostitution is illegal, most prevalent in countries where prostitution is legalized, and in between in those countries where prostitution is legal but procuring illegal. However, this study places Sweden, Iceland, and Norway in the category of making prostitution "illegal" when their laws make it illegal to purchase sexual services but not to sell them, thus providing prostitutes with legal protections by statute.

The laws regulating prostitution in Sweden were enacted in 1999 and are also clearly referenced in the paper as "neo-abolitionism" in which only the buyer is criminalized (as in Sweden, Norway, and Iceland), and is the classification they use when constructing their measure of national prostitution legislation. (Jakobsson & Kotsadam, 2010, p.5)

Still, when conducting their statistical analysis on whether sex trafficking is increased or decreased according to prostitution legislation Jakobsson & Kotsadam categorize countries who use the neo-abolitionist approach with those that make it entirely illegal; "The classification is done according to the well-known prostitution policy regimes outlined above but we group neoabolitionist countries together with prohibitionist countries" (Jakobsson & Kotsadam, 2010, p.10). This variable skews the overall results because the neo-abolitionist approach, not the

prohibitionist approach, has returned a positive correlation with the reduction of sex trafficking in countries that adopted this policy and is why the Nordic model was subsequently adopted in multiple countries (Strand, 2018).

The next academic paper examined is “Does Legalized Prostitution Increase Human Trafficking” published by the World Development journal. This report states that legalizing prostitution expands the market for sex trafficking and creates a greater incidence of human trafficking inflows. On average, countries with legalized prostitution experience a larger degree of reported human trafficking inflows (Cho, Dreher, & Neumayer, 2014). This study also found that the prohibition of prostitution in Sweden resulted in a decline of the prostitution market as well as in human trafficking inflows:

In order to provide anecdotal evidence that our estimated effect of legalized prostitution is likely to capture a causal rather than a spurious effect, we now briefly analyze three country case studies, namely Sweden, Germany and Denmark. These three countries changed their prostitution law during the 1996-2003 period our investigation covers, albeit in opposite directions. Sweden prohibited prostitution in 1999, while Germany further legalized prostitution by allowing third-party involvement in 2002. Denmark, where prostitution as a main income source was previously illegal, decriminalized prostitution in 1999. (Cho et al., 2014, p. 22)

This observation does not take into consideration the fact that Sweden did not criminalize all prostitution, they criminalized the buying but not the selling, therefore providing legal protections by statute.

The World Development study then drew a cross comparison of data between Sweden and Denmark, due to their similar levels of institutional and economic development, with Sweden categorized as “prohibiting” prostitution and Denmark “legalizing” it:

We have sufficient data for Germany to compare the number of trafficking victims in the pre- and post-legalization period. For Sweden and Denmark, we lack such data. We therefore compare the available data for Sweden after the prohibition of prostitution with data for Denmark, where prostitution was legalized. (Cho et al., 2014, p. 22)

This concept is also skewed because while Denmark decriminalized prostitution, they did not afford prostitutes legal protections by statute, whereas Sweden affords prostitutes statutory protections while criminalizing its’ solicitors. The World Development study also points out how legalizing prostitution makes it easier to track sex trafficking data since Germany was able to compile a robust dataset while Sweden and Denmark were still lacking such information.

Therefore, if we reframe the perspective dividing the legislation by which ones provide statutory protections and which ones do not, this study provides supporting evidence that legislation that gives prostitutes statutory protections, as enacted in Sweden, reduces sex trafficking inflows to a country while laws that do not provide prostitutes with statutory protections, as enacted in Denmark, resulted in higher sex trafficking inflows:

The ILO estimates the stock of human trafficking victims in Denmark in 2004 at approximately 2,250, while the estimated number in Sweden is about 500 (Global report data used in Danailova-Trainor and Belser, 2006). This implies that the number of human trafficking victims in Denmark is more than four times that of Sweden, although the population size of Sweden (8.9 million) is about 40% larger than that of Denmark (5.3 million). (Cho et al., 2014, p. 22)

Another interesting revelation within the World Development study shows that when Germany's prostitution laws, which legalized independent prostitution were in effect, sex trafficking was gradually declining. However, sex trafficking more than doubled after enacting legislation which allowed for third-party involvement in 2002 (Cho et al., 2014, p. 25).

The scale effect referenced in this article states that legalizing prostitution leads to the expansion of the prostitution market and therefore a correlated increase in sex trafficking. However, this data demonstrates that third-party involvement in prostitution increases the occurrences of exploitation while allowing independent sex work and affording prostitutes statutory protections lowers sexual exploitation. Additionally, sex trafficking cases reported in Germany were similar to the levels reported in Sweden despite having a population eight times bigger than Sweden. Clearly, if a country that has eight times the population of another, yet has similar levels of human trafficking than the larger country is doing much better in controlling their sex trafficking in comparison:

This study goes on to point out that trafficking levels between Sweden and Germany are relatively similar despite the fact that Germany has a population of about 83 million and Sweden has a population of about 10 million. (Cho et al., 2014, p. 25)

The substitution effect, also referenced in the World Development study, states that legal prostitutes are more broadly desired than illegal ones however, this is outweighed by the conclusions gathered from the scale effect (Cho et al., 2014, p. 2). While the scale effect and substitution effect, as categorized in the World Development study, are shown to be irrelevant when examined from the perspective of either providing statutory protections or not, the general insights gathered are useful for this study. These insights demonstrate that prostitution legislation

that provides statutory protection and does not allow for third-party involvement are the most effective policies for reducing sex trafficking inflows.

Methodologies

Research Question

This research paper examined whether regulated or deregulated prostitution aids or hinders sex trafficking crimes. The proposed research question for this study is: Do laws that make prostitution illegal reduce sex trafficking? The hypothesis examined were: H1: Areas that make prostitution illegal have higher rates of sex trafficking than places that give statutory protection to the practice; H2: Areas that make prostitution illegal have lower rates of sex trafficking than places that give statutory protection to the practice. These hypotheses sought to examine the effects prostitution legislation has on sex trafficking. This research is intended to highlight the importance prostitution legislation has on sex trafficking crimes. The findings feature the importance of the adoption of various policies in the curricula of government policies and schools of social work.

CTDC Human-Trafficking Dataset

In addition to the case studies, academic papers, and articles cited above, this research paper was informed by data collected from the Counter Trafficking Data Collaborative (CTDC). There was no statistical analysis run on the CTDC data however, the below data aggregated from the CTDC dataset display different perspectives on the data and inform the various insights for this paper. For the purposes of this study, the country data was cross referenced with each

countries' prostitution legislation and added to the dataset along with full country names. The CTDC site was chosen for this study because this organization provides the largest known international human trafficking dataset. The CTDC dataset collected contains 17 years of data collected from 2002 to 2019 with information contributed from 164 countries and 108,613 individual cases.

This study explores the CTDC Dataset with 48801 rows and 64 columns. The CTDC codebook guides users on what the codes -99 (missing data), 1 (yes), and 0 (no) represents for each category found in the references section. This dataset has been normalized, autotomized, and cleaned for public consumption and is the most comprehensive sources for global human trafficking at this time. Information collected is gathered from various contributing case management services and from counter-trafficking hotline logs. Each contributing organization modifies its data to the CTDC standard so that comparisons can be made across multiple datasets using a single set of variables, and any identifying information is removed before the datasets are made available.

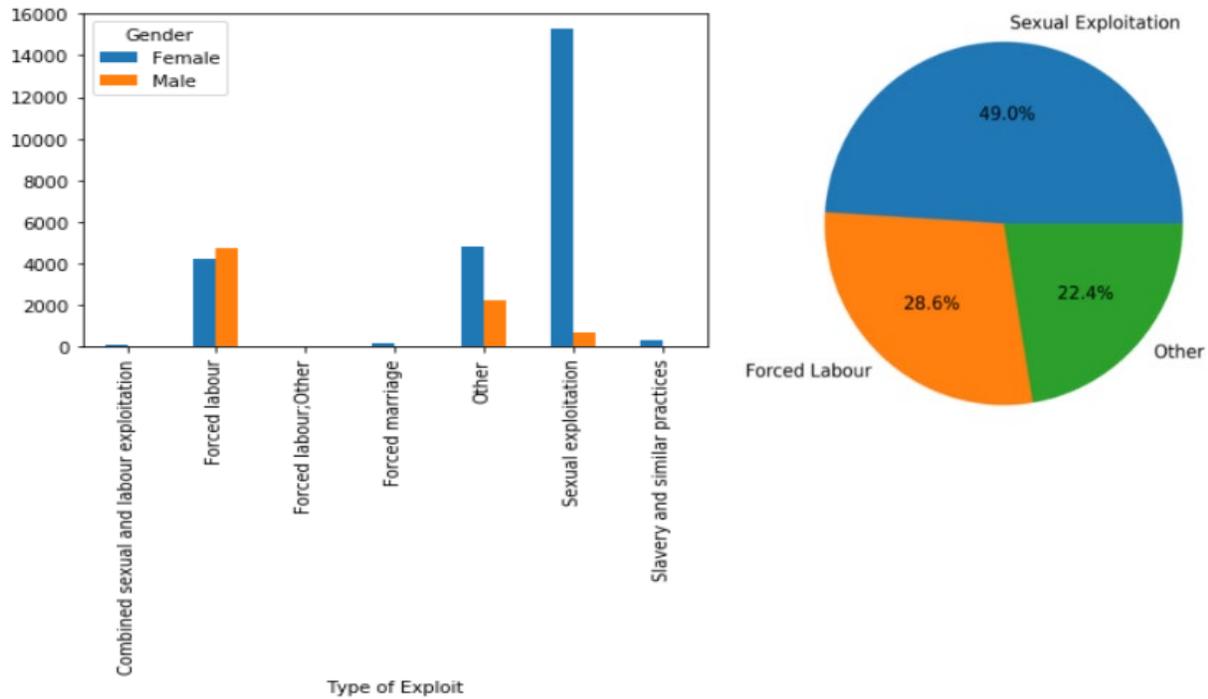
The case-level information comes directly from victims of human trafficking who have been identified or assisted by CTDC contributing organizations. This detailed trafficking data provides an opportunity for analysis on the various profiles and forms of human trafficking. Since this data is largely self or witness reported, as with most human trafficking data, it is challenging to judge to what extent these figures represent the total victim population. Human trafficking is well hidden across the globe and intended to be undetected. However, even though the data collected is far from complete and limited in its representation, testimony from survivors of trafficking are one of the best and only sources of information available on this covert crime.

CTDC Dataset Analysis

Exploratory data analysis was conducted on the CTDC global dataset and the following insights have been gathered and referenced throughout this report. While this dataset, like all human trafficking datasets, contain large amounts of missing information, as noted by the -99 values, it still represents one of the largest human trafficking datasets available and valuable insights can be gathered from this information. The CTDC global data set provided 48,801 rows of information with 63 columns or categories to pull from. This study focused the data aggregation on ages, genders, countries of origin, type of exploitation, and means of control of victims.

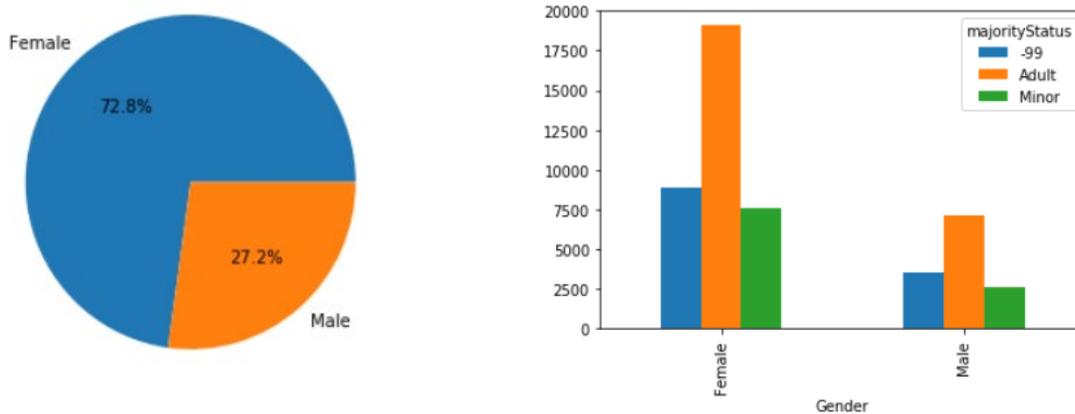
The information collected from the CTDC show that sexual exploitation or sex trafficking represents the largest sector of human trafficking overall. The dataset revealed that there are over 14,000 more female than male sex trafficking cases and only a few hundred less cases of female forced labor than male forced labor, see Figure 2. Females in this dataset represent the vast majority of overall human trafficking cases at 72.8%, see Figure 3, across all six identified human trafficking categories. Sex trafficking represents the vast majority of human trafficking cases overall, with 15,989 reports contributing to 49% of all human trafficking cases. Therefore, if prostitution legislation can alter sex trafficking crimes than a significant portion of all human trafficking cases can be addressed.

Figure 2
Human Trafficking Exploit by Gender and Quantity



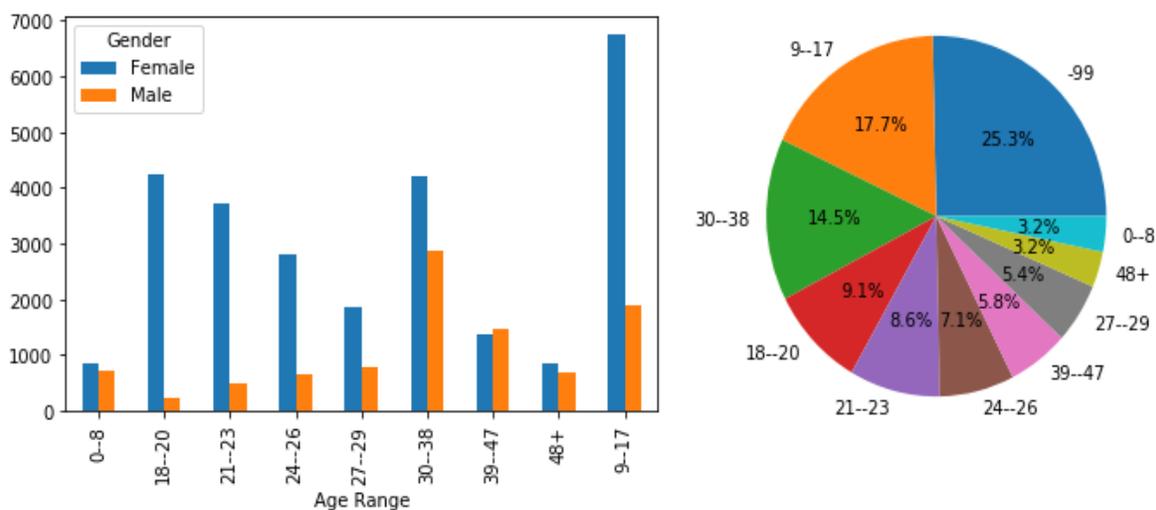
Note. While sex trafficking makes up the largest portion of CTDC human trafficking data, this type of exploit is also primarily composed of females with 15,259 cases compared to 730 male cases. The next largest type of exploitation is forced labor with only a couple hundred less female cases than male cases. Notably, males are also not reported to be forced into marriage, but there are 168 female cases.

Figure 3
Sex Trafficking by Gender and Majority Status



Note. While there is a large number of unidentified or missing data, -99, these charts combined show that Adult females make up the considerable majority of CTDC human trafficking cases at 72.8% overall, followed by female minors, adult men, then male minors.

Female minors between the age of 9-17 represented the most frequently occurring trafficked age group, reference Figure 4, followed by 30-38 for males. These insights correspond with Canada's human trafficking information, citing that the female population is disproportionately affected by human trafficking crimes.

Figure 4*Sex Trafficking Bar Graph and Chart by Gender and Age Range*

Note. Most large datasets contain various amounts of unknown or unspecified data, and this dataset contains a significant portion of unreported ages groups. The most common age range for sex trafficking in the CTDC dataset is 9-17 followed by 30-38 years old. However, combining the 18-26 age ranges reveal that this age group makes up the most trafficked individuals.

The CTDC dataset also reveals that countries that make prostitution illegal have the highest levels of sex trafficking, reference Figure 5, with 7,541 cases versus 240 cases in countries where prostitution is legalized (CTDC, 2020). Countries where prostitution is illegal are found to have the highest numbers of sex trafficking cases in the CTDC global dataset suggesting that prohibition legislation may not be an effective measure against sex trafficking crimes.

Figure 5
Human Trafficking Chart by Prostitution Legislation



Note. The CTDC data shows that sex trafficking is highest in countries where prostitution is illegal.

Of note, the data represented in this dataset does not include any countries who use the neo-abolitionist model for prostitution legislation. Therefore, there are no countries who are classified as “limitedly legal” represented except the United States, which has been classified as illegal for the purposes of this study. The graphs above visualize countries with either legal or illegal legislation. The CTDC data the dataset provides a significant insight on countries that legalize and prohibit prostitution, as well as information on what methods are used and demographics most affected.

Discussion

It is important to note that every country will have different demographics and issues presented in this study may not be applicable in places not addressed. Regardless this study does draw from the best available information on sex trafficking issues. The CTDC data analysis combined with the CCJS data show that human trafficking crimes disproportionately affect the

female population with sex trafficking being the most predominate. Countries where prostitution is illegal in the CTDC global dataset are found to have the highest numbers of sex trafficking cases, suggesting that prohibition legislation may not be an effective measure against sex trafficking crimes. CTDC data also revealed that sex trafficking is the most common form of human trafficking in their dataset. This insight suggests that by addressing sexual exploitation, via prostitution legislation, the preponderance of human trafficking crimes can be mitigated.

The case studies examined illustrate that places like Canada that emphasize counter trafficking legislation, and provide statutory protections to prostitutes, are able to collect comprehensive datasets on their human trafficking crimes. The case studies also demonstrate that places that deny legal protections to their migrant labor force, like Saudi Arabia, increase the ability for that population to be exploited and trafficked. The lack of statutory protections given to the migrant labor force in these Arab states also deny migrants the ability to seek protection from law enforcement agencies.

These same observations are applicable to places that deny prostitutes statutory protections and or criminalize the practice, therefore increasing their vulnerability to sex trafficking. These insights indicate that affording prostitutes protections by legal statute, without third party involvement, results in less opportunities for exploitation and lowered sex trafficking crimes. Conversely, the study also demonstrates that the observed countries who have decriminalized or prohibited prostitution and thereby denying legal protections by statute show an increase in sex trafficking crimes where data is collected.

Further, the research papers showed that German sex trafficking cases were equivalent to the numbers reported in Sweden (anti-abolitionist) despite having a population that is eight times their size. Denmark and Sweden's sex trafficking reports were measured against each other, due

to their similar institutional and economic demographics, and Denmark's decriminalization approach resulted in four times the volume of sex trafficking cases despite Sweden having a population 40% larger than Denmark. This provided further evidence that legislation which criminalizes the exploitation of prostitutes is what decreases sex trafficking.

Conclusion

This study, along with others referenced, demonstrate that legislation regarding prostitution directly affects sex trafficking crimes and that these correlations are measurable and observable. This study determined that the H1 hypothesis, citing areas that make prostitution illegal have higher rates of sex trafficking than places that give statutory protections is correct. The research gathered from the academic articles cited reveal that countries that provide prostitutes with statutory protections, whether that is through the neo-abolitionist approach or legalization, report a subsequent decrease in sex trafficking crimes once this legislation is in place. Further insights into prostitution legislation in Germany, a country that has been able to collect sex trafficking data for almost 30 years, reveal that legalizing third party involvement in prostitution resulted in higher levels of sex trafficking cases than legalizing the profession without third party involvement. The examination of prostitution policies and data associated reveal that legislation criminalizing the exploitation of prostitutes depresses sex trafficking.

Limitations of the Study

There are inherent difficulties in estimating the nature and extent of prostitution due to its undisclosed, underground, and or stigmatized nature. All data collected in the CTDC data, the academic papers referenced, and through government and international organizations rely on

victim, witness, and law enforcement reporting. As with all sex trafficking data sets, the CTDC data is not complete with large portions of missing information. Available evidence on prostitution is irregular and characterized by a multitude of gaps in knowledge. Countries that are not reporting their sex trafficking numbers still have sex trafficking issues, as pointed out in our case study examining Saudi Arabia. Oil rich countries on the Arabian Peninsula are known to have some of the highest instances of human trafficking in the world according to the State Departments TIP report, but those countries are not providing data on these crimes and therefore quantifying their sex trafficking numbers is not possible.

In areas where prostitution is illegal there is little evidence for how high the demand is for the purchase of sex and the clients who do so. In most areas where prostitution is prohibited there is little information describing the scale and nature of the market nor the support needs of victims. Information on profiles, circumstances, personal health, and wellbeing are based on the professional insights of those that encounter people involved in prostitution through the criminal justice system or through social work support and key services. This information presents a limited picture of those who are involved in the practice of prostitution. Countries with regulated prostitution, such as Canada and Germany are able to collect data on human trafficking whereas countries that have deregulated prostitution have less data.

Future Considerations

This research is intended to highlight the importance of laws and regulations that either aid or hinder sex trafficking human rights abuses. This study features the importance prostitution policies have on reducing or increasing sex trafficking human rights abuses. While further research is needed due to the absence of uniformed sex trafficking data collection, the

conclusions in this report are based on the most reliable existing information and will be improved with further data collection. Increased human trafficking data collection is enabled through regulated prostitution legislation. Potential enhancements in the collection of sex trafficking data will improve the analysis for this research. While it is not clear that the findings from these case studies nor the researched countries would be duplicated in other regions, the insights provided can aid in the understanding of sex trafficking issues and benefit effective counter-trafficking efforts. This study clearly demonstrates that there is a need for consideration of alternative legal policies in countries that deregulate prostitution if these countries intend to successfully reduce their sex trafficking crimes.

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Appendix A

Definition of Terms:

Human trafficking is often confused with many various definitions and terminology. This is common for individuals and government organizations alike. In this section I will define commonly used terms, terms defined for use in this paper, as well as explain ambiguities:

- **Child:** While several countries may consider the age of maturity to differ, according to the Palermo Protocol anyone under the age of 18 is considered a child.
- **Debt-bondage:** Captors will inform their victims that there is a price for their freedom and until all monies currently owed, and those that accrue during their time in service, (such as living expenses, transportation, etc.), must be paid in full before they are released (Britannica, 2020).
- **Decriminalization:** to remove or reduce the criminal classification or status of especially to repeal a strict ban on while keeping under some form of regulation (Merriam-Webster, 2020).
- **Deregulate:** To remove government regulatory controls from (an industry, a commodity, etc. (The Free Dictionary, 2020).
- **Forced Labor:** also called Slave Labor, labor performed involuntarily and under duress, usually by relatively large groups of people. Forced labor differs from slavery in that it involves not the ownership of one person by another but rather merely the forced exploitation of that person's labor (Britannica, 2020).
- **Human Trafficking:** Human trafficking is a form of modern-day slavery where traffickers use force or coercion to control victims. This term is used as a shortened version of trafficking in persons, which is described in the Palermo Protocol. This term

often creates confusion as trafficking can be a verb or an adjective. In the case of Human Trafficking it is used as an adjective. The confusion is created because there is a greater success in controlling individuals if you remove them from their social networks, but not required to be considered trafficking. There are two types of human trafficking: Sex and Labor Trafficking further defined in this section.

- **Illegal:** Not according to or authorized by law (Merriam-Webster, 2020).
- **Labor Trafficking:** In the United States, the Trafficking Victims Protection Act of 2000 (TVPA) defines labor trafficking as: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery. (22 USC § 7102(9)).
- **Laissez-faire:** A philosophy or practice characterized by a usually deliberate abstention from direction or interference especially with individual freedom of choice and action (Merriam-Webster, 2020).
- **Legalization:** To make legal especially to give legal validity or sanction to (Merriam-Webster, 2020).
- **Modern day slavery:** This is the preferred term for Human Trafficking due to its ability to provide a more accurate interpretation of the criminal activity. “There have been many requests by government officials, including President Barrack Obama (2012, September 25), for the anti-trafficking industry to utilize this terminology but most organizations are slow to adapt and still use Human Trafficking or trafficking in persons.” (Lawrence, 2019)

- **Neo-abolitionism:** Illegal to buy sex and for 3rd party involvement, legal to sell sex. Neo-abolitionism considers prostitution to be violence against women, and so the clients and pimps are prosecuted, not the prostitute (Katwal , 2020).
- **Palermo Protocol:** A shortened reference to the protocol's actual name which is The Protocol to Prevent, Suppress and Punish Trafficking In Persons. The protocol was adopted in Palermo, Italy, during the Convention Against Transnational Organized Crime in December 2000:

The general understanding of Human Trafficking is that the situation must meet three conditions that include the act of trafficking such as recruitment, the means of trafficking such as deception or force and the purpose of trafficking including forced labor or other areas defined by the Palermo Protocol (United Nations General Assembly, 2000). This protocol is formally known as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime. The actual defining of Human Trafficking is as follows:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring 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 labor or services, slavery or practices similar to slavery, servitude or the

removal of organs;(b)The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used; The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article; “Child” shall mean any person under eighteen years of age.” (*What is Human Trafficking?*, 2020)

- **Polaris Project:** Recognized as one of the largest organizations to combat Human Trafficking working on both international and domestic cases. This organization is responsible for creating and maintaining the National Human Trafficking Hotline.
- **Prostitute:** To offer (oneself or another) for sexual activity in exchange for money (The Free Dictionary, 2020).
- **Regulate:** To control or direct by a rule, principle, method, etc. (The Free Dictionary, 2020).
- **Sex Slavery:** Any sexual act, whether by child or adult, where the victim is controlled by their captor. Victims are often found working as prostitutes, in massage parlors, brothels, the pornographic industry, and military camps (Britannica, 2020).
- **Sex Trafficking:** The Trafficking Victims Protection Act of 2000 (TVPA) defines the crime of sex trafficking as: the recruitment, harboring, transportation, provision, or obtaining of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age. (22 USC § 7102).

- **Statute:** A law enacted by the legislative branch of a government. (*Merriam-Webster*, 2020)
- **T Visa:** A specific type of visa offered to victims of Human Trafficking that allows them to remain in the United States if they cooperate with law enforcement agencies in the capture and conviction of their trafficker. Under extreme circumstances the victim will be offered the visa without their participation if there is a severe threat of harm, should they return to their country of origin (Britannica, 2020).
- **Trafficking in Persons:** This term is used the same as Human Trafficking and refers to the act, means and purpose of illegally controlling human beings through acts of force or deception (Britannica, 2020)..
- **Trafficking, Victims Protection Act 2000 (TVPA):** The United Nations Global Initiative to Fight Human Trafficking (2009) states: "Trafficking in persons" shall mean the recruitment, transportation, transfer, harboring 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.