

SEX WORKERS AGAINST HUMAN TRAFFICKING

**Strategies and challenges of sex worker-led organizations in
the fight against human trafficking**

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Abstract

This research shows how sex worker-led organizations position themselves in the debates on human trafficking. Human trafficking and sex work are often conflated in the public discourse, which results anti-trafficking laws and policies that affect sex workers in a negative way. Therefore, it is important to understand how sex workers themselves, through sex worker-led organizations, deal with this conflation and with anti-trafficking policies in practice. This research uses data collected from semi-structured interviews with thirteen respondents working for sex worker-led organizations and three respondents from anti-trafficking or sex worker support organizations. This research will give insight in the challenges sex workers and their organizations face regarding human trafficking and their response to this issue. Based on the data I will conclude that sex worker-led organizations use different strategies to influence and challenge the powers behind the discourse on trafficking and the harmful anti-trafficking laws and policies. These powers can be challenged on different levels, in different spaces and in different forms. Furthermore, I will conclude that sex worker-led organizations use different strategies to address human trafficking. These strategies can be either implicitly or explicitly focused on human trafficking situations. Finally, I conclude that sex worker-led organizations face some obstacles in order to influence decision-making processes and to participate as an equal partner in the fight against human trafficking.

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I would like to dedicate this thesis to all sex workers around the world who are facing so many challenges. Also, this research is for those who are in a situation of vulnerability and experience severe human rights violations.

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List of abbreviations

APNSW	Asia Pacific Network of Sex Workers
BesD	Berufsverband erotische und sexuelle Dienstleitungen
BHESP	Bar Hostess Empowerment and Support Programme
CUSP	Community United for Safety and Protection
DMSC	Durbar Mahila Samanwaya Committee
GAATW	Global Alliance Against Traffic in Women
HARC	HIV/AIDS Research and Welfare Centre
NSWP	Global Network of Sex Worker Projects
RedUP	Red Umbrella Project
SANGRAM	Sampada Grameen Mahila Sanstha
SWO	Sex worker-led organization
UNDP	United Nations Development Program
USA	United States of America
VAMP	Veshya Anyaya Mukti Parishad
WHO	World Health Organization
WNU	Women's Network for Unity

1. Introduction

The human rights of trafficked persons shall be at the centre of all efforts to prevent and combat trafficking and to protect, assist and provide redress to victims.

Anti-trafficking measures shall not adversely affect the human rights and dignity of persons, in particular the rights of those who have been trafficked, and of migrants, internally displaced persons, refugees and asylum-seekers (United Nations High Commissioner for Human Rights, 2002).

Worldwide politicians and human rights organizations are concerned with trafficking, since it is a violation of multiple human rights. In a report by the United Nations High Commissioner for Human Rights (2002), states were urged to take their responsibility and to act 'with due diligence to prevent trafficking, to investigate and prosecute traffickers and to assist and protect trafficked person' (United Nations High Commissioner for Human Rights, 2002). However, while many anti-trafficking laws have been implemented and rescue operations have been set up, actors in the sex workers rights movement have raised critique, stating that in fact many anti-trafficking measures do 'adversely affect the human rights and dignity of persons'. They argue that in the public discourse human trafficking is often conflated with sex work, which results in anti-trafficking measures that are sometimes harmful for sex workers. Although sex worker-led organizations acknowledge that abuses occur in their sector, most organizations feel that policies to fight human trafficking are too often focused on discouraging sex work in general.

In 2014, the Special Rapporteur on Trafficking in persons, especially women and children, called for a new approach regarding the combat against trafficking.

I am convinced that a new phase of anti-trafficking commitment is needed. I don't mean that we need to create new laws and regulations. I mean however that we need an innovative and forward looking approach for the implementation of existing obligations (Giammarinaro, 2014).

To heed the call for new approaches on anti-trafficking that do not violate human rights, it is valuable to listen to the voice of sex workers and their criticism on the existing implementation of anti-trafficking measures. Therefore, this research takes a sex worker's perspective to contribute to a better understanding of human trafficking and the consequences

of anti-trafficking efforts. In order to rethink the existing anti-trafficking commitment, it is valuable to explore how sex worker-led organizations engage with the trafficking framework, how they experience trafficking and how they deal with harmful anti-trafficking initiatives. Moreover it is useful to see how these organizations use different strategies to prevent or counter trafficking. Therefore the main question of this research is the following:

How do sex worker led organizations understand, define and take action regarding human trafficking and how does this reflect the contemporary discourse on the subject?

In order to answer this research question I collected data from various sex worker-led organizations and explored how they position themselves in the debates on trafficking and how they approach and act upon situations of trafficking. The following sub questions are helpful to get a sense of how sex worker-led organizations are engaged with trafficking, how they understand the topic and in what ways they are dealing with it.

- How is the contemporary discourse on trafficking constructed?
- How do sex worker-led organizations position themselves in this discourse?
- How are sex workers affected by anti-trafficking policies?
- How do sex worker-led organizations relate to the realities of human trafficking?
- How do sex worker-led organizations feel trafficking and migrant sex work are related?
- What activities are undertaken by sex worker-led organizations to prevent, identify or counter situations of human trafficking?

This research attempts to contribute to a better understanding of the position of sex worker-led organizations regarding human trafficking. Additionally, by presenting different strategies of sex-worker organizations to prevent or counter trafficking, this research provides insight into the meaningful contribution by sex worker-led organizations to counter human trafficking.

The Red Umbrella Fund

This research is commissioned by the Red Umbrella Fund. This is the only global fund for- and led by sex workers. Launched in 2012, the fund encourages sex workers to organize and advocate for their own rights. They do so by providing financial as well as non-financial

support to both sex workers-led organizations and to the sex workers rights movement on an advocacy level. On the one hand the Red Umbrella Fund supports sex worker-led organizations in order to fight for their rights and strengthen their position in society. They state that:

(...) change will only be achieved through strong, collaborative movements of sex workers advocating for their rights, with the support of their allies. Sex workers themselves are the best positioned to know what is needed for them, and best placed to do something about it. It is sex workers' voices that must be heard, sex workers' priorities that must be addressed and sex workers who must be in control of their own destinies (The Red Umbrella Fund, 2014).

Based on this idea, their strategy is to provide core funding for sex worker-led groups, which means that received grants can be used at its discretion.

On the other hand, one of its core strategies is to influence the donor community. The purpose of this donor advocacy is to educate donors on the importance of sex workers rights and to provide a greater understanding of the challenges sex workers face. In addition, the Red Umbrella Fund aspires an increase of funding for sex worker movements, not necessarily by means of the Red Umbrella Fund but also through direct support. However, the fund is struggling with the stigma attached to sex workers, which sometimes withholds contributions from donors. The Red Umbrella Fund noticed when doing advocacy work, that within the donor community confusion and ignorance about sex worker rights prevails (Mama Cash, Red Umbrella Fund, & Open Society Foundation, 2014). Additionally sex work is often inextricably linked with human trafficking, which makes donors reluctant to support sex workers. Therefore it would be helpful for the Red Umbrella Fund to demonstrate the fact that human trafficking is an issue that concerns sex worker led organizations as well and that they are taking action in order to prevent or counter human trafficking.

Terminology

For this research I will use the term 'sex work' instead of the 'old-fashioned' term 'prostitution'. The term 'sex work' was coined in the late seventies by sex worker and activist Carol Leigh. She writes: 'This usage of the term "sex work" marks the beginning of a movement. It acknowledges the work we do rather than defines us by our status' (Leigh, 1997). She states that the term 'prostitution' has been tainted over the years. The term 'sex work' has been widely used by official UN programs and in the public discourse, since the

1990's. Most sex worker rights groups prefer to use the term 'sex work' instead of prostitution, since the latter carries a negative connotation (UNDP Asia-Pacific Regional Centre, 2012). Using the term sex work refers to the selling of sex as a personal choice and defines sex work as work. Defining it as work, also implies sex workers should have access to labor rights- and protection.

The wide range of approaches to sex work means different definitions have been given to the term. A common definition is given by the World Health Organization (WHO) and the United Nations Program on HIV/AIDS (UNAIDS), which define sex work as:

Female, male and transgender adults aged over 18 years who sell consensual sexual services in return for cash or payment in kind, and who may sell sex formally or informally, regularly or occasionally (UNAIDS & WHO, 2011).

Within this definition sex work is a consensual transaction and the person selling the sexual service should be over 18 years old in order to be defined as a sex worker. However, in the public discourse there are different perspectives and definitions on sex work. To understand more about the debates regarding human trafficking, it is essential to know about these different approaches regarding sex work (see chapter 2.1).

Thesis structure

First the theoretical framework for this research is presented in chapter two. This will give insight into the history of the phenomenon human trafficking and the development of its current discourses. Furthermore theories on the power of discourse, spaces of power and community-based organizations are introduced. Second, I will present the research methods used for this research. Then I will present the analysis of my research findings. In chapter four I will present how sex worker-led organizations position themselves in the current discourse regarding the topic of trafficking. In chapter five I will outline ways in which sex workers and sex worker-led organizations come across cases of trafficking and how they experience the practice of trafficking. In chapter six I will discuss how sex worker-led organizations are dealing with cases of trafficking and in what ways they can actually contribute to stop this practice. Furthermore I will elaborate on the challenges sex worker-led organizations face in their efforts to combat the practice of human trafficking. In chapter seven I will discuss the results and draw conclusions.

2. Theoretical framework

The definition of the term ‘human trafficking’ in the Palermo Protocol, was the outcome of many debates with opposing parties. These parties all have their own perspectives and ideas on sex work, which constructs opposing discourses on trafficking. By using theory on discourse by Foucault, I will outline how knowledge and power are related and in what ways public institutions, policy-makers, the media and civil society organizations all contribute to constructing knowledge as the ‘truth’. Furthermore, I will elaborate on the concept of power and use the model of ‘power cube’ by Gaventa to explore how power works in terms of spaces, levels and forms. This will give insight into the ways power can be challenged or influenced. In the last part of this chapter I will focus on sex worker-led organizations as community-based organizations, how these organizations operate and what their challenges are. Theories on discourse and power can give valuable insight into the spaces sex worker-led organizations can and cannot take in the efforts to combat the issue of human trafficking.

2.1 History of ‘human trafficking’

Human trafficking is a widely debated topic nowadays and new forms of legislation to combat trafficking are being discussed and implemented in different countries. However, the practice of human trafficking goes back in history. During colonial times for example women were ‘trafficked’ to the colonies, and forced to work in prostitution. This was then called ‘white slavery’ (Doezema, 2000). In 1921 the League of Nations changed this term to ‘traffick in women and children’ and designed the Convention for the Suppression of the Traffic in Women and Children (Gorman, 2008). Since then, human trafficking was perceived as an international problem, in need of international agreements and legislation (ibid.). Ever since the introduction of the term, ‘human trafficking’ is conflated with sex work related topics. In 1949, a year after the Universal Declaration of human rights was established the General Assembly of the United Nations implemented the “Convention for the suppression of the traffic in persons and of the exploitation of the prostitution of others” (UN General Assembly, 1949). Built on the history of ‘white slavery’ and the introduction of the term trafficking in persons, this convention did not separate human trafficking and prostitution but referred to both ‘trafficking in persons’ and ‘exploitation of the prostitution of others’ (Bindman, 1997).

In 2000 the international community demanded a revision of international anti-trafficking legislation at the UN Convention on Transnational Organized Crime. In Vienna politicians, activists, right groups and lobbies came together to discuss a new anti-trafficking

approach. The most important part of this conference was finding consensus over the definition of the term ‘human trafficking’ (Weijers, 2015). During this conference it became clear that different NGO lobby blocs had opposite views about trafficking and sex work.

The International Human Rights Network, led by the Coalition Against Trafficking in Women (CATW) led one side of the debate. The other side was led by the Human Rights Caucus, led by the Global Alliance Against Traffic in Women (GAATW) and the International Human Rights Law Group (IHLRG) (ibid.). The first coalition, the International Human Rights Network, pleaded that all forms of sex work are exploitative and therefore should fall under the definition of ‘trafficking’ (ibid.). This lobby group represented a group of diverse parties, including radical feminists and some fundamental Christian groups. This coalition approached sex work from an abolitionist perspective, which means they wanted to see sex work abolished. This approach is based on the idea that women should not be oppressed in any way and that sex work by definition involves oppression, domination and the exploitation of women, regardless someone’s own choice to do sex work. Abolitionist feminists argue that sex work is a ‘gender crime’ and that sex workers are always objectified and dehumanized (Anderson & Andrijasevic, 2008; Weitzer, 2009; Outshoorn, 2005). Within their arguments they state that prostitution will always deprive sex workers from their human rights to sexual autonomy and dignity and therefore sex work can be seen as a form of modern slavery (Anderson & Andrijasevic, 2008: 139; Agustín, 2007: 144). This approach to sex work is similar to that of some religious groups. For example fundamental Christian groups, argue that sex work is immoral and that sex is not a commodity that can be sold. From their moral point of view they argue that sex work is a threat to the family and to marriage (Weitzer, 2007: 451).

The other coalition, the Human Rights Caucus, argued that only certain aspects of work, such as forced labor and exploitation should fall under the ‘human trafficking’ definition but that working in the sex trade is not per definition exploitative or abusive. These groups, including sex worker-led organizations, made their argument from a sex workers’ rights perspective. It is based on the idea that sex workers should have the basic human right to free choice, self-determination and protection. Sex worker rights groups and non-abolitionist feminists call for decriminalization of sex workers, since criminalizing sex workers will only make them more vulnerable for exploitation and abuse (The Red Umbrella Fund, 2014). Therefore their focus lies on the protection of the rights of sex workers and on

the decriminalization or regulation of their labor sector (Anderson & Andrijasevic, 2008: 139).

These opposite lobby blocks represent the broad diversion between the various parties in the polarized, public discourse regarding sex work. Nevertheless, despite these different perspectives, a consensus was reached over the definition of ‘human trafficking’. The ‘Protocol to prevent, suppress and punish trafficking in persons especially women and children’ (2000) states in article three that:

(a) "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 (UN General Assembly, 2000).

Despite the extensive definition of trafficking, criticism has been raised about the lack of specific regulations on how to deal with people who have experienced trafficking (Weijers, 2015). Another heard critique concerns the room left for interpretations of the terms ‘exploitation of the prostitution of others’ and ‘sexual exploitation’. When leaving these terms undefined and open for interpretation, domestic laws can define these according to their ideas about sex work (Weijers, 2015). This compromise is the outcome of the disagreements how to perceive sex work between the two lobby blocks.

2.2 *Discourse and Power*

When making policies people speak and act based on their knowledge about a specific topic. Most politicians try to be well informed about issues they have to discuss and make policies about, but all knowledge is biased. More specifically, knowledge is construed as true based on interests and motives of particular persons and that knowledge therefore cannot be completely neutral (Hall, 2006). In politics, the media and civil society, people use certain language to

produce and share their knowledge about specific issues. This is what sociologist Foucault calls a 'discourse'. According to Foucault, a discourse can be understood as 'an institutionalized way of speaking or writing about reality that defines what can be intelligibly thought and said about the world and what cannot' (Longhofer & Winchester, 2016). By producing and repeating certain knowledge and constructing a so-called discourse, people will perceive this knowledge as 'the truth' (Hall, 2006). When knowledge is shared about a specific groups in society, such as sex workers, people might believe these claims and perceive sex workers in such a way as presented in this discourse. This will lead to acts and practices towards this groups, which will contribute to the construction of a subjective image of this group.

Discourse on sex work

What happens, for example with the discourse on sex work is that sex workers are 'subjected to the discourse' (Hall, 2006). Foucault argues that 'the subject becomes the bearer of the kind of knowledge which discourse produces' (ibid.). People working in the sex industry are often seen as a homogenous group, and often portrayed as innocent victims in need of help (Aradau, 2004). When sex workers are perceived as innocent, vulnerable victims, people will treat them a certain way. Service providers, policy-makers, the juridical system, all these institutions that are dealing with sex workers are part of constructing the discourse. When these actors treat sex workers as victims, sex workers are made voiceless and powerless. When discourse claims they lack agency and are in need of help, people will act in such ways that this may become a dominant discourse and regarded as 'the truth'. The abolitionist lobbies argue sex work to be exploitative by definition or a 'modern form of slavery' which should be abolished (Kempadoo, 2015). They argue that sex workers are powerless victims who need to be rescued. Some may argue that sex workers are brainwashed and now believe they really want to be sex workers (Andrijasevic, 2010; da Silva, Blanchette, & Bento, n.d.; O'Brien, 2010). Their 'false conscious' keeps them from being rational and aware of how they are being exploited, subjected to others and not in charge of their own bodies. According to Foucault the effects and consequences of a discourse are more important than the question whether discourses are actually true or false (Hall, 1997). When a certain discourse is dominant or has more influence on people's practices than other discourses, a so-called 'regime of truth' is produced (Hall, 1997). This does not mean that the discourse is accepted by all parties, but that the discourse has a dominating power over other discourses and that it is more effective in practices. For example, when a discourse is powerful enough, certain laws

may be implemented or programs may be run, based on the knowledge that is produced by this discourse.

There are other discourses present that oppose the dominant discourse that perceives all sex workers as powerless victims. Some scholars and sex worker's rights groups present a different discourse, trying to counter this anti-prostitution discourse. One of those scholars is Ronald Weitzer. He calls the anti-prostitution discourse a 'moral crusade' (Weitzer, 2005). He states that there are various claims that dominate the abolitionist discourse regarding sex work. He refers to the claims that sex work is evil by definition, customers and traffickers are evil and that the whole sex industry is permeated with violence (ibid.). Also, by using horrible examples of abuse and violence, exaggerating numbers about alleged increase of prostitution and trafficking, sex work is constructed as a social problem (Weitzer, 2007).

Foucault explains that the different groups are constantly struggling over which of these incompatible discourses is the right one. What is the actual truth? Or better, what should be perceived as the truth and which discourse should be public knowledge? This is where the notion of power comes into play. Foucault states:

We should admit that power produces knowledge... That power and knowledge directly imply on another; that there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute... power relations (as cited in Hall, 2006: 203).

In chapter 2.4 I will elaborate on power structures and how existing power can be challenged, but first I will discuss the discourse on human trafficking.

Discourse on human trafficking

When talking about the issue of human trafficking there are many different stakeholders and parties involved who have their own interests and perspectives. However, the joint agreement is that human trafficking is a violation of several basic human rights, such as the right to freedom, autonomy and protection against exploitation (UN Human Rights Office of the High Commissioner, 2014). Civil society organizations have their own experience with the issue and therefore create their own knowledge and construct their particular ideas on how to combat the problem. As mentioned earlier, knowledge on social phenomena is never fully neutral. Therefore, knowledge about human trafficking is presupposed by subjective ideas and assumptions. When groups involved use certain language, share ideas and present certain images, they construct a discourse with its consequences.

The discourse on trafficking is full of numbers and statistics that are repeated time and again. However, statistics on human trafficking differ since the definition of trafficking is interpreted in various ways. Agustín (2007) argues that some projects define trafficking situations as ‘all migrants who sell sex, others consider anyone who agrees to denounce a ‘trafficker’ according to local law, others count everyone who gives money to a boyfriend, and yet others include all illegal sex workers’ (Agustín, 2007). With various ideas on how to qualify trafficking cases, statistics on trafficking become meaningless. They are used to support arguments according to one's ideas about how to define trafficking.

Other scholars emphasize the claims and assumptions used as arguments for anti-trafficking policies. For example, one of the repeated stories in the discourse on trafficking is that trafficking increases when big sports events come up. Media sources, scholarly articles and in politics repeat the suggestion that big sports events will lead to an increased demand for sexual services which is, they propose, the equivalent of an increase in human trafficking (Ham, 2011). This link, repeated time and again by both popular media and respectable institutions, becomes a powerful narrative. However, this claim is countered by others who present evidence that this increase of trafficking during sports events is based on unreliable data (ibid.).

When those in power, the decision-makers follow this discourse, they use their power to make policies according to this knowledge.

Despite the joint agreement that human trafficking is a severe human rights violation that needs to be addressed, policies to do so, often fail. James Scott (1998) critiques ‘centrally managed social plans’, imposed by ‘high-modernist, authoritarian’ states. He argues that states often rationalize social problems in order to implement large-scale solutions. He states that ‘any centrally managed social plan must recognize the importance of local customs and practical knowledge if it hopes to succeed’ (Scott, 1998: 4). States recognize human trafficking as an issue that needs to be tackled. To do so, they implement laws on prostitution or stricter migration policies (Agustín, 2007: 40). However, too often anti-trafficking legislation has unintended consequences that are harmful for people in vulnerable positions, such as sex workers, especially migrant sex workers.

Understanding the discourse, the perspectives on human trafficking and anti-trafficking practices, are necessary steps in order to understand the power relations within the subject and the ways this power can be challenged.

In conclusion, according to Foucault a discourse is knowledge produced through language with meaning, which influences peoples' practice. People construct their own discourse, based on their morals, values and ideas and produce a 'regime of truth' (Hall, 1997). Discourses may be paradoxical and therefore there is a constant power struggle between the various parties to have their perspective on a subject recognized as 'the truth'. Anti-trafficking policies are based on the knowledge of the ones in decision-making positions and may be too simplistic. Policies are sometimes counter effective and do more harm than good for the people involved. To address these counter effective policies sex worker-led organizations search for spaces to participate or challenge the power of the decision-makers.

2.3 Sex worker-led organizations as community-based organizations

In many societies, a discourse on sex work and sex workers is constructed in such a way that sex workers are stigmatized and marginalized, and have a vulnerable position in society (The Red Umbrella Fund, n.d.). According to Foucault these discourses, when perceived as truth, do affect the subjects that are represented in a certain way. In many countries sex workers experience harmful effects of anti-sex work discourse and face different forms of violence (The Red Umbrella Fund, 2014). Violence can be visible, such as physical violence, assault or even rape. Other forms may be less visible, such as stigmatization, discrimination or ignorance. Galtung refers to this second type of violence as 'manifestations of structural violence' (Ofreneo & de Vela, 2006).

Sex workers have been organizing informally and fighting for their basic human rights long before their organizations were officially founded and recognized (Kempadoo, 2003). From the 1970's sex worker rights organizations have been founded and the first groups documented were in the United States and Western Europe (Kempadoo & Doezema, 1998). During the '80s transnational networks of sex worker rights' groups were established and groups, such as the International Committee on Prostitutes' Rights (ICPR) in 1985 (Kempadoo & Doezema, 1998). In 1990 the Global Network of Sex Work Projects (NSWP) was established¹, followed by the Asian Pacific Network of Sex Workers (APNSW) in 1994². Although sex worker groups from developing countries did not actively participate in the global movement, at a local and national level groups were established in African, Latin American and Asian countries (Kempadoo, 2003).

¹ www.nswp.org (accessed: 29/06/2016)

² www.apnsw.org (accessed: 29/06/2016)

Today in over 71 countries, 237 groups have been organized and are member of the Global Network of Sex Worker Projects (NSWP)³. The core value of this network organization is: ‘acceptance of sex work as work; opposition to all forms of criminalization and other legal oppression of sex work (including sex workers, clients, third parties, families, partners and friends); supporting self-organization and self-determination of sex workers’⁴. Many of their members are groups led or partly led by sex workers themselves and demonstrate how they can be active advocates for their issues and concerns.

According to research done for the Red Umbrella Fund in 2014, sex worker groups are dealing with various issues. Their focus and strategies differ, but the majority of groups, 73 groups (N=74) state in their funding applications that they are dealing with human rights violations (Bakker, 2014). Eighty percent of the groups that participated in the research report violence and exploitation, especially violence by government authorities as issues they are dealing with (Bakker, 2014). Other issues sex worker groups are dealing with are discrimination and stigma, not only by society but also within the health and justice sector, where sex workers have limited access to respectively treatment and legal services and protection (Bakker, 2014). Dependent on the legislative frameworks and policies regarding sex work, sex worker organizations are fighting their battles on different levels and using different strategies.

Based on Marxist theory on social movements, ‘new social movement theory’ explains that a key aspect to enhance social change is collective identity. According to Taylor and Whittier (1992) collective identity can be defined as: ‘the shared definition of a group that derives from members’ common interests, experiences and solidarity’ (Taylor & Whittier, 1992). According to Alinsky, social change can only be achieved by mobilizing the people who are affected by this change (as cited in Blackshaw, 2010). Sex worker organizations aim at effectuating change of the status quo regarding sex work in society. This collaborative action is addressed to the authority institutes (Blackshaw, 2010).

³ www.nswp.org (accessed: 01/07/2016)

⁴ <http://www.nswp.org/members> (accessed: 05/07/2016)

Sex worker organizations try to challenge the dominant power structures and let their voices be heard. According to Ross, community organization can be defined as:

(...) a process by which a community identifies its needs or objectives, orders (or ranks) these needs or objectives, develops the confidence and will to work at these needs or objectives, finds the resources (internal and/or external) to deal with these needs or objectives, takes action in respect to them and in so doing extends and develops cooperative and collaborative attitudes and practices in the community (Ross, 1955).

Sex worker-led organizations can be defined as community organizations, as they 'identify' the problems sex workers encounter in society, are motivated to do something to improve their situation and find the resources in order to do so. The search for resources can be internal, for example by finding sex workers who want to contribute to the organization by dedicating their time, energy, money and skills for collective purposes. It can also be searched for externally, by applying for funding for instance. Furthermore they take action in which 'cooperative and collaborative attitudes and practices in the community' are developed (Ross, 1955). To do so, two preconditions are distinguished by Gaventa. He argues that:

Without prior awareness building so that citizens possess a sense of their own right to claim rights or express voice, and without strong capacities for exercising countervailing power against the 'rules of the game' that favour entrenched interests, new mechanisms for participation may be captured by prevailing interests (Gaventa, 2006: 30).

Through the establishment of sex worker-led organizations, the sex worker community is reinforced, which is not only helpful for the organization itself, but also may decrease vulnerability of sex workers.

In conclusion, today in many countries sex workers come together and organize themselves in order to strengthen their position in society. Manifestations of violence against sex workers occur in many societies. By organizing themselves and being aware of their disadvantaged position in society, sex workers form community-based organizations that could enact social change. However, the space they have varies according to legal frameworks and contexts regarding sex work. To understand more about how these groups could challenge existing power relations and what strategies they could use to contribute to reducing

harm (e.g. combating human trafficking) it is important to explore the mechanisms of power and the spaces that intervene.

2.4 *Space and power; room for sex worker organizations to act*

Before discussing the ways in which sex worker-led organizations are able to act upon the issue of trafficking or influence anti-trafficking politics, it is important to understand the way power works. Foucault's understanding of power is not based on a solely hierarchical, oppressing form of power, but argues that power is scattered and constantly circulates. Instead of one central power, he claims that power appears in different places, on different levels and that it is constructed through discourses (Hall, 1997). With this dynamic notion of power I will now focus on the spaces where sex worker-led organizations can participate, challenge or influence the current power relations. This will give insight in the various ways sex worker-led organizations work on the issue of human trafficking. For this, I will use the 'power cube' model of Gaventa, based on Lukes (1974).

Gaventa, a sociologist working on social power and community power, describes how policies are influenced by diverse power relations of different parties involved. In his article (2006) he describes how citizens or organizations can use different strategies in order to challenge power, to influence decision-making processes and to seek 'pro-poor change' (Gaventa, 2006). In line with Foucault's ideas on power Gaventa also states that:

(...) power is diffuse rather than concentrated, embodied and enacted rather than possessed, discursive rather than purely coercive, and constitutes agents rather than being deployed by them' (Gaventa 2003: 1).

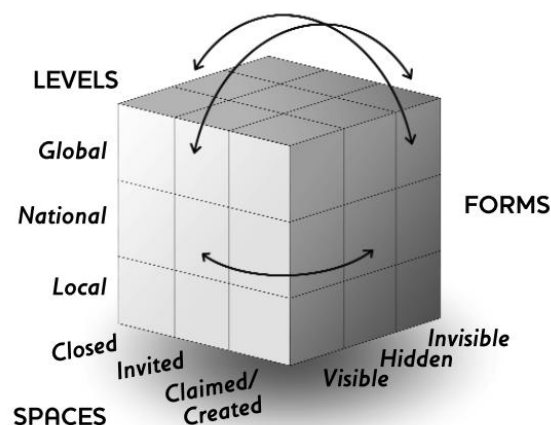


FIGURE 1 GAVENTA'S 'POWER CUBE': THE LEVELS, SPACES AND FORMS OF POWER (GAVENTA, 2006: 25).

Gaventa's approach of influencing power is based on the 'power cube', in which three dimensions of power are explained. Power should be understood in terms of who participates in decision-making processes but also in terms of who does not (Lukes In: Gaventa, 2006). He states that power relations and created spaces for influencing power can be analyzed in three dimensions, namely levels, forms and spaces. This clarifies the ways power structures can be challenged and how people can participate in spaces within existing power structures (Gaventa, 2006). When using the term 'spaces', Gaventa refers to 'opportunities, moments and channels where citizens can act to potentially affect policies, discourses, decisions and relationships that affect their lives and interests' (ibid.).

The first dimension is about the level of power. Power relations can exist on a local, national or global level. Different approaches exist regarding the level for the civil society to enact social change. Within the constantly globalizing world of today, arguments on development and social change vary from bottom-up approaches, based on local level movements to top-down approaches where change should occur on a global level (Gaventa, 2006). Gaventa states that 'for civil society, the changing local, national and regional levels of power pose challenges for where and how to engage' (ibid.). Sex worker-led organizations use different strategies to stand up for their rights. Depending on the legislative frameworks, discursive formation and resources at hand, strategies differ and actions are directed at local, national or global levels.

The second dimension describes the space where power is exercised. This can either be a closed space, where outsiders are excluded and decision making only happens by experts or representatives. Spaces can also be open, when the power holders, to some extent, invite others to join and participate on policy-making. The third space is claimed or created, in which citizens with less power create their own space by challenging the existing power structures. Created space is shaped by mobilizing people with a similar identity or with similar goals (as cited in Gaventa, 2006). By organizing themselves as an autonomous group, sex workers create their own space to participate on a policy-making level and to exercise power within society. Once more, depending on the context, sex workers could either be excluded from, invited to, or claim their participation. These categories are fluid and not always clear cut. One example of a sex worker using the space available, is Angela Villón, a sex worker and activist from Peru who became candidate for the national congress⁵. In 2010

⁵ <https://news.vice.com/article/sex-worker-seeking-election-in-peru-promises-to-turn-congress-into-a-respectable-brothel> (accessed: 18/07/2016)

Brazilian sex worker and activist Gabriela Leite did the same thing, running a campaign in favor of the decriminalization of sex work, but she was not elected⁶. This strategy is an example of how sex workers can claim their participation by using the existing mechanisms of power. However, when sex work is criminalized, it is almost impossible to come forth as sex worker and participate on any level. Sex workers are thus automatically excluded from any form of participation.

The third dimension describes visibility of the power relations, which can be visible, hidden or invisible. The public or visible dimension is the formal, structured form of power. This form of power is legitimate, based on rules, laws and public institutions and is the observable decision making body. These could be law- and policy makers on local or national levels. The hidden face of power serves to set the agenda and to keep issues of less powerful groups off the agenda. This could be power exercised by abolitionist lobby groups that want to see sex work abolished and will try to prevent the issue of sex worker's rights being put on the agenda.

Gaventa emphasizes that these dimensions are constantly in motion and flexible. They are interrelated and thus it is important to understand who truly has power from a multi-dimensional perspective (Gaventa, 2006). This theory of analyzing existing power relations contributes to an understanding of the ways sex worker organizations position themselves in society and to what extent sex workers are trying to participate and change the status quo. It can give insights into the spaces sex worker-led organizations can be and are involved regarding the issue of human trafficking and anti-trafficking initiatives.

Discourses not only enable power, but could also challenge existing power. Foucault argues that discourses can function as a 'starting point for an opposing strategy' (Foucault, 1978). Challenging the dominant discourse on human trafficking will simultaneously challenge the effects of this discourse.

Discourses are not once and for all subservient to power or raised up against it, any more than silences are. We must make allowances for the complex and unstable process whereby a discourse can be both an instrument and an effect of power, but also a hindrance, a stumbling point of resistance and a starting point for an opposing strategy. Discourse transmits and produces power; it reinforces it, but also

⁶ <http://www.nswp.org/news/inspirational-brazilian-activist-gabriela-leite-dies> (accessed: 18/07/2016)

undermines and exposes it, renders it fragile and makes it possible to thwart
(Foucault, 1978: 100-1).

To summarize, according to the model of the power cube by Gaventa, power exists in three dimensions. Power may be visible, invisible or hidden, local, national or global and spaces where power can be challenged can be either closed, inviting or to claim. Sex worker-led organizations may use different strategies according to the space where they have the opportunity to participate or intervene. This depends on things like the legislative framework on sex work, dominant discourses on sex worker issues and available resources.

3. Research methods

For this research qualitative interpretative research methods have been used. According to a definition by Bryman qualitative research can be defined as ‘the way in which people being studied understand and interpret their social reality’ (as cited in Ritchie (Ed.) & Lewis (Ed.), 2003: 3). The purpose of this research is to explore the ways in which sex worker organizations understand and take action regarding the issue of human trafficking. Because of the explorative character of this research the design is ‘contextual research’. This means it explores the way participants perceive the world or a social phenomenon (Ritchie (Ed.), Lewis (Ed.), Mc.Naughton Nicholls (Ed.), & Ormston (Ed.), 2014: 32). I did not only describe the contextual debates regarding trafficking, but also explored the ways in which sex worker organizations deal with this phenomenon.

The results of this research have been shared with both the Red Umbrella Fund and with the sex worker groups that participated. The aim of this research is to give voice to sex worker organizations regarding the issue of trafficking. The final report may be used for advocacy purposes in order to inform donors on the importance of funding sex worker groups directly or through the Red Umbrella Fund.

3.1 Data collection

The first part of this research focuses on the way the discussion about trafficking is constructed and the ways in which knowledge about the topic is generated. To do so, discourse analysis is been used to map out the rhetoric and arguments used in the scientific, political and public debates regarding the issue of human trafficking. For this, analyzed both scientific articles and articles written by activists from different points of view and reports. Also I used documents from international organizations, such as the UNAIDS, WHO, the

National Network of Sex Workers and the Red Umbrella Fund. With this discourse analysis I explored the discourse regarding trafficking and ‘the way knowledge is produced within different discourses’ (Ritchie (Ed.), et al., 2014: 14).

Since the research has different sex worker organizations as its subject, it is interesting to analyze their documents. These could be websites, annual reports or funding application documents submitted to the Red Umbrella Fund. Documents give a formal and more static view on how the organizations are concerned with trafficking which have been complemented with personal data from the interviews. According to Williamson and Prosser (2002) the ‘formal documentary life of mission statements, policies and procedures may contrast sharply with the informal private life of organizations’ (as cited in Blackshaw, 2010: 52-53). Therefore it is important to complement these official statements with ‘unofficial’ or personal experiences of people involved. Some sex worker-led organizations may not mention anti-trafficking initiatives in their official data but may have stories and examples on trafficking cases in which their organization have played an important role. Some organizations may state that they are working on anti-trafficking issues, but in practice this may be more difficult to realize. It has been interesting to explore the ways sex worker groups are dealing with the issue of trafficking and how they position themselves regarding this issue.

For this research the most important data is found in semi-structured interviews. Using interviews as a research method is based on the believe that ‘participants are individuals who actively construct their social worlds and can communicate insight about it verbally’ (Ritchie (Ed.) et al., 2014: 55). This means it has been valuable to find out how people construct, speak about, organize activities within their social worlds. I tried to leave enough room for the respondents to explain their thoughts, feelings and ideas on human trafficking, to use their own words and give their own definitions of phenomena.

3.2 Sampling methods and respondents

To select sex worker organizations that are included in this study I have used purposive sampling methods. This means that respondents are ‘chosen because they have particular features or characteristics which will enable detailed exploration and understanding of the central themes and questions which the researcher wishes to study’(as cited in Ritchie (Ed.) et al., 2014: 113). Since the research is commissioned by the Red Umbrella Fund have started with using the existing contacts of the Fund and thus include groups that have applied for funds. I have looked in their database and select groups who had one of the following keywords in their application form: ‘trafficking’, ‘human trafficking’, ‘anti-trafficking’,

‘migration’, ‘migrant’. The latter two may be indicators for trafficking related issues. When a group is working with or consists of migrant sex workers, the issue of trafficking and anti-trafficking law may affect the focus of the group’s activities. Also from these existing contacts a ‘snow-ball-effect’ has taken place when I asked my respondents to refer to any other organizations that are involved with anti-trafficking initiatives or persons that are willing to talk about this issue (ibid.: 129). This is useful when sex worker groups have their own networks and contacts and know more about how other groups work in practice than umbrella organizations such as the Red Umbrella Fund or the Global Network of Sex Worker Projects.

The purpose of this research was to give voice to sex workers themselves and sex worker-led organizations. Therefore I have collected data from the following twelve sex worker-led organizations: APNSW (Asia Pacific Network for Sex Workers), BesD, (Germany), BHESP (Kenya), CUSP (USA), DMSC (India), Empower (Thailand), HARC (Bangladesh), Mujeres del Sur (Peru), Proud (Netherlands), RedUP (USA), VAMP (India), WNU (Cambodia). For an overview of the respondents, see Appendix 1. The term ‘sex worker-led organization’ applies to a group when at least 50% of the decision-making body and spokespersons are former have experience as sex workers and one third of the staff must be former or current sex workers. This definition is in accordance with both the definition used by the Red Umbrella Fund and the Global Network of Sex Worker Projects (NSWP)(Red Umbrella Fund, 2016). Since this research aimed at giving voice to sex workers themselves, it was important to include respondents who are or have been sex worker. During my data collection I have interviewed at least eight former or current sex workers.

Furthermore, I have collected data from the Red Umbrella Fund, the international sex worker-led fund. Both with an official interview with one of their staff and through countless informal conversations during the research process. I have interviewed other organizations to learn more about the sex worker rights movement and to understand more of the current discourse regarding trafficking. These were TAMPEP (European Network for HIV/STI Prevention and Health Promotion among Migrant Sex Workers) and the GAATW (Global Alliance Against Traffic in Women). Furthermore, I had one informal conversations in person with a researcher related to a sex worker rights organizations called Davida in Brazil.

A practical aspect to consider was distance. Since the research has an international character, communication with groups from different parts of the world was challenging. With four respondents I met in person for an interview and or informal conversations. For

most of the interviews with respondents from abroad I have been using Skype or phone. If this was not working properly I had to switch to other digital options such as chat or email. It was challenging, complicated and time consuming to arrange a virtual meeting because of time differences, technical malfunctions or unforeseen circumstances. Also the establishing of good rapport was more difficult with only audible contact or online visual. Although this could be an obstacle for gaining trust of the respondent, I do feel that respondents have been open to me as a researcher (Ritchie (Ed.) et al., 2014: 185).

Another limiting aspect of my sample was because of language barriers. My selection for these organizations has been limited to organizations that had English speaking staff members. However, I have translated a short questionnaire to both Spanish and Russian, in order to get some information on respectively Peruvian group Mujeres del Sur and Ukrainian group Legalife-Ukraine. Unfortunately this second organization was not able to send back all their answers in time. Therefore this groups is not a participant in this study. Also the respondent from SANGRAM/VAMP responded via email on sent questions. This will be different information than the data collected from the interviews, since the respondents had more time to think about and formulate their answers.

3.3 *Data analysis*

From the interviews I have collected personal views on the issue of trafficking and the work done by the SWO. For the data analysis have transcribed and coded all the interviews done. After the coding, I have compared the data collected from different respondents. This was an interesting process, since I have conducted interviews with organizations from different countries with different policies regarding both sex work and trafficking. So, in order to make sense of the position of the sex worker organizations it was useful to know about the national policies regarding sex work and trafficking and the way these organizations deal or struggle with these policies.

Besides this personal data I have used documents written by or over these organizations. Also, I have gained useful insights via informal conversations with sex workers (some of them participated in this research) during the International Steering Committee from the Red Umbrella Fund (May, 2016). I have searched for patterns or overlapping themes that could help me to get more insight in sex worker organizations and their views regarding trafficking and potential initiatives. This has enabled me to answer my research questions accordingly.

3.4 *Ethical considerations*

For this research it is important to take into account that the people I have interviewed are highly stigmatized and may be criminalized because of them being a sex worker or because their gender identity, sexual orientation, HIV status, etcetera. Therefore, it is important to deal carefully with issues of consent and anonymity. When introducing myself as a researcher I have always explained the purpose of this research and I have been open and honest about any questions they might have, in order to obtain fully informed consent (Ritchie (Ed.) et al., 2014: 87). It has been beneficial for me to be introduced by the Red Umbrella Fund, which helped me to get the trust of the people I interviewed. Yet, issues regarding the importance of ethics, confidentiality and anonymity were still important to emphasize. Therefore, I will not be using names, only refer to the organizations represented by the respondents. Sex work is a contentious subject and research is traditionally done ‘to’ sex workers instead of giving voice to sex workers and activists themselves (Blackshaw, 2010: 53). Therefore it is important to share back the results with the respondents.

Important to note is that sex worker activism is contested by many in public, such as religious groups and radical feminist groups fighting against prostitution in general. Partly because of this, some sex worker activists are approached for interviews daily by researchers, media and organizations. Some have had negative experiences with researchers or journalists who misinterpreted or misused their quotes or stories. I had to keep in mind that sex workers might have bad experience with researchers and thus are reluctant to participate to any research. It has shown helpful to emphasize the fact that the aim of this research is to give voice to sex worker organizations and that sex workers around the world may benefit from the results of this research. Since it is important to inform the participants on how their data has been used, I will send my thesis to those respondents that requested the final document.

4. Discourse on trafficking from a sex worker’s perspective

This chapter will focus on the current discourse on human trafficking from a sex worker’s perspective. Based on the conducted interviews I will present an analysis on the different ways sex worker-led organizations perceive the current discourse on trafficking and how they position themselves in the debates on the subject. First, I will present how sex worker-led organizations define trafficking. Second, I will discuss how sex worker-led organizations are dealing with the current discourse on trafficking. I will show how SWOs are focused on separating sex work and trafficking and debunking the ‘myths’ within the discourse. Thirdly, I

will show that some groups are struggling with the trafficking framework and that some groups are questioning the motives and interests of the people using this framework. Lastly I will conclude this chapter with a summary and an analysis of the different positions of sex worker-led organizations regarding the discourse on human trafficking.

4.1 Recognizing the problem - How sex worker-led organizations define trafficking *- What I would call 'real trafficking' -*

First of all, all respondents immediately agreed to participate in this research on human trafficking. Most respondents responded to my request for an interview with interest and recognized the importance of this research in which sex workers can speak out about human trafficking. They all confirmed trafficking is a problem that needs to be addressed. However, due to the many different legal definitions and the public discourse on trafficking, constructed by the media, different organizations and politicians, sex worker-led organizations have different definitions of trafficking and various ways of dealing with the public discourse. When I asked the respondents how they defined human trafficking, some respondents referred to the 'official', internationally recognized definition as stated in the Palermo Protocol of 2000 (see chapter 2.1).

Just the normal definition of people who are moved from place to place, against their will and mostly for commercial purposes (BHESP, Kenya).

The definition as given in the Palermo Protocol consists of three aspects, namely the act (i.e., recruit, transport, transfer, harbor, receipt of persons), the means (i.e., threat, use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, giving payments or benefits) and the purpose of exploitation (i.e., prostitution of others, sexual exploitation, forced labor, slavery, removal of organs). Other respondents defined trafficking in their own words, referring to only certain aspects from the Palermo definition.

Trafficking is when someone is selling someone for the benefit. (...) It's like bring them to sex or it's like use them for sex service and they get the benefit. That's called trafficking (WNU, Cambodia).

When you have girls who don't want to work and then they beat them up and force them to go work, that is like trafficking (RedUP, USA).

Also the Dutch SWO refers to the international definition when talking about ‘real trafficking’.

Because when we look at what I would call ‘real trafficking’, which is internationally regarded as human trafficking.. the idea of labor exploitation of migrants basically, that really is one of our concerns! [my translation] (Proud, Netherlands).

The respondent from **BesD** in Germany referred to national law when asked for the definition of human trafficking:

Oh well, I don’t think we have an official definition of that which is different than what the German law says (BesD, Germany).

When asked about trafficking cases, all respondents confirmed that trafficking is happening in their country. The respondents from the **WNU** stated that she believes that especially younger girls sometimes are sold to elder men or higher ranking officers. However, the respondents have never seen cases like this during their work, but know about such practices through reports from other NGOs or from the government (WNU, Cambodia). According to one respondent from the USA people believe that trafficking is something that mainly happens in other countries. Respondent from **RedUP** stated: ‘*And the misconception is that trafficking doesn’t happen in the US and it totally does!*’ (RedUP, USA). She argued that people are misinformed about trafficking:

When I go to these colleges and I go to these really smart looking people and I ask them what trafficking looks like, they tell me cages, they tell me overseas, they tell me young girls being blindfolded as sex slaves, all these different things. And I’m like: no, it happens right here. Pimps are traffickers (RedUP, USA).

That it also happens in the USA is confirmed by a story of the respondent from **CUSP**. She shared a story of young ‘*girls who were forced, raped and held hostage for over three years*’ (CUSP, USA). The respondent of **Mujeres del Sur** stated that sometimes women in Peru are sold to pimps. Their national identity card is taken from them and they are locked up, without any communication with the outside world, except for the contact with clients (Mujeres del Sur, Peru).

Besides the confusing and problematic discourse, some respondents acknowledged that trafficking realities are complex and difficult to understand. The complexity and

versatility of trafficking makes it difficult to implement anti-trafficking strategies that are successful and do no harm to people in vulnerable positions. According to the **HARC** respondent ‘sex worker trafficking is really difficult to understand’ (HARC, Bangladesh). The respondent from **BHESP** agreed:

I’m saying that human trafficking is so complicated (...) and it’s really hard to point and to prove that that is a trafficking issue (BHESP, Kenya).

RedUP respondent explained the complexity of the realities of human trafficking where in many cases situations are not clearly black and white, victim or perpetrator, since people sometimes have various experiences.

So, there’s a lot of grey areas when it comes to human trafficking. And for sex workers as well, because sometimes sex workers have both experiences, they have experiences of being independent and working on their own. And then also have experience of working with a trafficker. So, it is not just like: here’s what a trafficker looks like and here’s what trafficked people look like and this is where you find them.. it’s not that simple (RedUP, USA).

This complexity makes it difficult to indicate the problem of trafficking and to make effective policies regarding the issue. In chapter five I will discuss how anti-trafficking laws and policies affect sex workers.

To summarize, sex worker-led organizations do recognize ‘real trafficking’ exists. Most respondents refer to situations where the person involved did not consent to the situation. Also the aspect of benefit or commercial purposes is mentioned by some. Interestingly some people do refer to national laws or the Protocol, while others omit these legal definitions and emphasize one aspect of trafficking.

4.2 Debunking the myths - Conflation of sex work and human trafficking

- Well, that’s just nonsense –

In the current discourse on both human trafficking and sex work, scholars and popular articles sometimes refer to ‘the myths’ that are repeated in the discourses. This refers to the claims and arguments used in the debate that are not evidence-based. The discourse on human trafficking is constructed in such a way that the issue is often conflated with sex work. Many

sex worker-led organizations struggle with the current discourse and especially criticize this conflation. In the conversations I had for this research, twelve of the respondents mentioned the conflation within the current discourse on human trafficking. All of them argued that this conflation has negative consequences for sex workers. One respondent stated that *'the relentless conflation of sex work and trafficking also severely undermines the human rights of sex workers while failing to secure rights of people who are trafficked'* (VAMP, India).

In constructing the discourse on human trafficking, the media plays an important role by presenting images, statistics and sharing personal stories of people who have been trafficked (Berman, 2003; O'Brien, 2010; Weitzer, 2007). However, criticism have been raised by several organizations regarding the sensational and dehumanizing effect of these presentations. For example **La Strada International**, an anti-trafficking organization that works with a sex worker's rights approach, expresses its concerns about this on their website. They state that 'unbalanced media coverage on trafficking can also create false perceptions and damage the interests of trafficked persons rather than servicing them'. They argue that media coverage on trafficking is problematic because of the 'the portrayal of the scope and nature of trafficking, in particular with regard to estimates of the number of trafficked persons and its occurrence in the sex industry or other economic sectors' (La Strada International, n.d.). This sensational representation of trafficking is mentioned by Dutch SWO **Proud**. The respondent explained how this presentation of human trafficking has been 'thrown' into the Dutch media between 2010 and 2014. She referred to pictures in the media with 'sad girls in cages'. During these years there was no representation or advocacy on behalf of sex workers themselves, which gave room for anti-trafficking organizations and Christian politicians working from an anti-sex work perspective. Certain myths were repeated in the media time and again:

(...) that image was thrown into the media for years, with absurd claims about thousands of women lured into the Netherlands. Well, that's just nonsense, ninety percent of all prostitutes is forced to work, that kind of nonsense, that's just... It just kept simmering year after year, and we have accepted this idea as if it were logical, as if it were true. But hopefully we could bring facts to oppose this... do a bit of debunking [my translation] (Proud, Netherlands).

The Dutch respondent, a current sex worker, told how she herself believed the stories she heard about sex work. When she was eighteen years old, she wanted to do sex work, but was

scared off by the horror stories and the negative images about the industry. She assumed that there was not a safe place to do sex work, because all she read in the newspapers was that sex work 'is all just misery'. Only after she met people from the industry who were working in brothels or behind the windows and migrant sex workers who were not trafficked and abused, she started to realize how she was influenced by the popular discourse where sex work and human trafficking are so conflated. She stated that, from her experience, most sex workers in the Netherlands are convinced that the place where they work is exceptionally good and that even many clients fear that sex workers they visit are forced, trafficked or abused. The mainstream media plays a significant role by extremely negative images repeated time and again (Proud, Netherlands). The respondent from the **BesD** Germany confirmed this sensational presentation of human trafficking. She explained how the discourse constantly refers to stories about migrants who were promised a job in a hotel or a bar but ended up in a brothel and claims that ninety percent of all migrant sex workers in Germany are trafficked (BesD, Germany). Also in Thailand they experience how the media plays a role in presenting a sensational image which contributes to the discourse where sex work and trafficking are conflated. Respondent from **Empower** gave an example of how the media reports after a raid and rescue operation. During such an operation the police enters a brothel and 'saves' the girls. She stated that the media will publish photos of police 'with big guns and little women in little sexy clothes and their eyes blacked out or something put over their head' (Empower, Thailand). Such claims and images influence people's ideas about sex work and human trafficking.

When we did talk about trafficking in their sector, some sex worker groups stated that numbers and statistics in researches and expressed in the media are often exaggerated. In Germany according to the respondent of the **BesD**, the official numbers of police cases of suspected human trafficking are a few hundred a year. From these, there are much less than hundred convictions per year. She stated that '*it just doesn't happen on a huge scale at all*' (BesD, Germany). Also respondent from **HARC** in Bangladesh agreed that '*some real trafficking*' happens, when he heard of sex workers from Bangladesh went to India and are '*put under someone and they cannot come out*'. According to him cases where this happens are very few, '*maybe it's only the one percent*' (HARC, Bangladesh).

While all the respondents recognized that human trafficking happens within their business, they argue that the extent to which this happens is not as large as often suggested. Some respondents made clear that human trafficking is happening in other sectors and

industries as well. Examples of trafficking in the fishing industry in Thailand or Indonesia were mentioned (Empower, Thailand; APNSW, Asia-Pacific). Another respondent pointed out that children from India, Pakistan, Bangladesh and Myanmar are trafficked to Middle Eastern countries to work in the jockey games (HARC, Bangladesh). They emphasized the fact that the public discourse on trafficking is unjustly focused mainly on trafficking into sex work (Empower, Thailand; HARC, Bangladesh).

Many sex worker-led organizations state on the website of the Global Network of Sex Work Projects (NSWP) that one of their main points of focus is the separation of sex work and human trafficking. At least six of the organizations participating in this research state in their description on this website that one of their priority areas is to ‘Critique the trafficking paradigm that conflates representations of sex work, migration, and mobility’ (Global Network of Sex Work Projects, n.d.). In the conducted interviews the majority of sex worker-led groups mentioned their efforts on separating sex work and trafficking.

We often have to put it to be a double advocate and be like: no, actually it's like two separate things (RedUP, USA).

Many people who don't understand sex workers. (...) They confuse the two, that sex work and trafficking is the same thing. (...) And as a sex worker organization we are very keen to be able to point out to that difference and to detach ourselves from any trafficking (BHESP, Kenya).

(...) our participation is very much focused on delinking the issue of human trafficking from sex work, since the authorities think that wherever prostitution is practiced, there's women who are forced to do it. And we are trying to sensitize the authorities to demystify their myths and prejudices [my translation] (Mujeres del Sur, Peru).

SANGRAM and VAMP organized an interaction with women's groups in Delhi to appraise them of the challenges of the discourse that was conflating sex work with trafficking in India (VAMP, India).

One respondent from the **APNSW** argued that separating the two issues is essential for a functioning collaboration between sex workers and anti-trafficking organizations. She states that if the two are separated, sex workers can report situations of trafficking to anti-trafficking organizations.

So, then we can also work together and sex worker and trafficking organization, like you know, helping each other. Then we can really find out who are really trafficked and who are really being a trafficking case (APNSW, Asian-Pacific)

In Brazil the efforts to separate the two issues have paid off. According to a researcher and sex worker rights activist in Brazil, the conflation has become less over the past decades due to the efforts of the sex workers rights movement. She stated that the sex worker rights movement has stepped into the public spaces to speak out about sex workers rights and human trafficking with result (researcher, Brazil).

In conclusion, sex worker-led organizations experience consequences of the conflation of sex work and trafficking. They feel that myths and horror stories on trafficking are repeated time and again in politics, the media, and construct the public discourse. This conflation and confusion within the discourse results in harmful effects for both sex workers and people who have experienced trafficking, which I will further discuss in chapter five. Therefore, one of the activities of sex worker-led organizations is targeting the current discourse in which sex work and trafficking are often conflated. Respondents feel that in order to both protect sex workers rights and to recognize and support people in trafficking situations it is important to separate sex work and trafficking. Delinking these two is a necessary first step that can lead to an effective collaboration between sex workers rights groups and anti-trafficking organizations in order to help the ones in need.

4.3 *Hidden powers - Sex worker-led organizations on current trafficking framework*

- It was never about saving women -

Most of my respondents did not discuss the trafficking framework as such, but did talk about how the discourse on trafficking is clouded by exaggerated statistics and false assumptions as discussed in the previous subchapter. Yet, some organizations did mention the framework and expressed their concerns or difficulties regarding the use of it.

The first approach to the trafficking framework comes from a groups that feels uncomfortable with the framework as such. The respondent from SWO **Empower** in Thailand emphasized that the concept of ‘human trafficking’ is made up and that it is actually a fake concept. She made clear that the trafficking framework does more harm than good and that it is invented for popular politics instead of for the people in need.

The word and the concept and the framework of trafficking dropped on us. From America. Like a bomb in 2001. It's a fake concept that's coming on top of us. So we have women who are working in labor conditions much better than twenty years ago, there's still some work on labor conditions. But this whole trafficking framework doesn't help them at all. The definitions that people use, the way to tell if it's trafficking or not, and then the final solution of being arrested, detained and deported is not a solution that people in bad working conditions want. So we feel it's alien. We have to live with an alien (Empower, Thailand).

She explained that the framework of trafficking is not helpful for the people in need, namely people in bad working conditions. Partly because of the confusing discourse and wide variety in definitions and negative connotations with the term, SWO **Empower** is reluctant to use the word 'trafficking'. The respondent argued that even people who are in a trafficking situation do not use the word 'trafficking', because the word does not make any sense to the people involved. She explained that people rather use the terms 'tricked' or 'forced' when talking about their working conditions.

This uneasiness with the trafficking framework is also voiced by the German group **BesD**. However, the respondent stated that the word 'trafficking', or '*Menschenhandel*' is not being used much in the public discourse. Instead the word '*Zwangsprostitution*' is used to refer to trafficking into doing sex work. However, the term is interpreted depending on people's view on sex work. She explained that sometimes this German term is used to refer to all kinds of situations within sex work. Abolitionists use the term '*Zwangsprostitution*' when talking about having sex for money in general. The respondent stated that this is how the concepts of human trafficking and sex work are inextricably linked and how language constructs the discourse on trafficking.

Both **Empower** and **BesD** find the current discourse on trafficking problematic. While the Thai group felt that the trafficking framework is unnecessary concept, the German group explained that, the popular discourse on trafficking is clouded by *not* using the word '*Menschenhandel*' and using '*Zwangsprostitution*' instead. This shows that sex worker-led organizations are struggling with the trafficking framework.

Some sex worker-led organizations have their ideas on why the trafficking framework is used. They are critical to the real motives behind its use. Suggestions were made that anti-trafficking legislation is a disguised way of implementing stricter migration policies or anti-

sex work policies. Respondents from the **BesD**, **Empower**, **Proud** and **RedUP** all question the real motives behind the anti-trafficking politics:

Right now the big difference is that almost all migrant workers are coming from European countries. So, you can't just expel them. If you want to get rid of them... you have to find different ways to control this flow of migration which I think is a big part of why they're trying to impose a new restrictive law. It's actually to limit migration (BesD, Germany).

It was never about protecting women. It was about border control, it was about controlling migration and it was about abolishing sex work (Empower, Thailand).

So, I don't think that it was ever about saving the women that they saw at play. It was never about that. It was more about finding ways to keep the system sustainable of like, racism and taking charge of their lives (RedUP, USA).

Also in the Netherlands the SWO suggests that the anti-sex work groups use the anti-trafficking framework in order to gain support for their work. She suggests, they use the trafficking framework and construct a discourse in which sex work and trafficking are conflated to frame their anti-sex work politics in a more accepted way.

Human trafficking is something that they have to fight against of course, because of the 'poor, pathetic girls we have to protect'. So, it's very smart to let confusion arise about what is what.. if you want to get rid of prostitution [my translation] (Proud, Netherlands).

Other respondents did not explicitly discuss the framework and just talked about trafficking as an issue that needs to be halted. One of those organizations is **Mujeres del Sur** from Peru. The respondent emphasizes that trafficking is a serious problem in Peru and that the organization tries to participate in anti-trafficking efforts and to contribute to society by engaging with anti-trafficking programs. Similar to the Indian organizations **VAMP** and the **DMSC**, which both actively engage with the trafficking framework by presenting their programs as anti-trafficking initiatives (see chapter 6), the group is concerned with the conflation of sex work and human trafficking in the public discourse. In the next subchapter I will elaborate on the implications of this conflation.

The respondent from the Global Alliance Against Traffic in Women (**GAATW**)

noticed a decrease in the use of the discourse on trafficking over the past years. She explained that new frameworks have entered the arena. She stated that the ‘forced labor’ is based on the forced labor convention of the ILO, which contributes to a broader understanding of trafficking and is focused on different sectors where forced labor takes place. Together with the ILO, partners, trade unions and other organizations this forced labor framework is gaining ground. She stated that, since the past ten years or so, more attention goes to various kinds of failure in different areas of work. Many sex worker-led groups fight for recognition of sex work as work (see chapter 1.2). With this framework of ‘forced labor’, the focus of the discourse will move to labor conditions and labor rights in all sectors instead of being conflated with sex work. According to the respondent it is the discourse that has definitely changed over the years, but people’s attitudes against sex work on the contrary have not changed much (GAATW, international).

4.4 Conclusion

All sex worker-led organizations recognize the problem of trafficking. However, the majority of respondents mentioned how they experience the current trafficking framework and the current discourse on trafficking as problematic. All groups are concerned with the conflation of human trafficking and sex work and most of them stated that their organization is working on separating the two. However, from all the statements and arguments regarding the discourse on trafficking, I distinguished two general approaches regarding this discourse.

On the one hand there are arguments and statements opposing the current trafficking framework. These statements are a critique on the discourse and are more *reactive* to the status quo. For example, organizations that, although they recognized that trafficking is happening, mainly talked about how it is not happening on a large scale in their sector. Moreover, Criticizing statements regarding false assumptions, false statistics and repeating horror stories to influence the discourse are some reactive comments on the discourse. Additionally they talked about how trafficking occurs in other sectors on a large scale, but that the discourse mistakenly link trafficking to sex work per definition. This conflation has its effects in practice.

On the other hand sex worker-led groups are trying to influence and change the current discourse on trafficking, which is a more *pro-active* approach. This pro-active attitude is based on statements in which respondents recognized the problem of trafficking. By defining

trafficking in their own terms or referring to the Palermo Protocol, they influence the current discourse. Also, by debunking the myths in public and voicing their opinion they are reconstructing the discourse on trafficking. With this they hope to not only change people's knowledge on trafficking and sex work, but also influence anti-trafficking practices and strategies to combat trafficking and to get more support for sex workers rights.

Besides these two approaches regarding the discourse, some groups have voiced their suspicion about the trafficking framework. While one respondent from Empower stated that the whole framework is a 'fake concept' that came from the USA, other respondents admitted their suspicion about hidden powers behind the trafficking framework. Some respondents argued that the trafficking framework is used as a strategy to gain support for anti-sex work or anti-migrations policies. In the next chapter I will discuss the consequences of the current discourse on human trafficking experienced by sex workers. This will give more insight into the motives and stakes of sex worker-led organizations to influence the discourse and challenge the powers constructing the dominant discourse.

5. Vulnerability and risks from a sex workers' perspective

Although different sex worker-led organizations have wide ranging views regarding the trafficking framework and are critical about the current discourse on trafficking, they all recognize that trafficking is a problem that needs to be tackled. In this chapter I will present an analysis on how the trafficking discourse influences anti-trafficking policies and how these affect sex workers. First, I will outline the effects of anti-trafficking laws on sex workers. Second, I will discuss how policies are implemented and how these practices affect sex workers. Third, I will present various ways sex worker-led organizations attempt to influence policy makers, review or change anti-trafficking laws, criticize anti-trafficking practices and suggest improvements. Last, I will elaborate on the situation of migrant sex workers, which is a topic discussed by most respondents.

5.1 *Protecting whom? - Problematic anti-trafficking laws*

- Sun protection doesn't protect the sun -

Despite the fact that over a hundred countries have signed the Palermo Protocol, the definition in this Protocol is implemented in various ways across these countries (Ollus, 2004).

Countries started changing and implementing national anti-trafficking legislations after the Protocol was adopted. Because the Protocol leaves room for interpretation on how to define

terms like ‘sexual exploitation’, countries maintained the freedom to implement legislation according to national morals about sex work, laws on sex work, and sometimes pressured by international politics. This results in anti-trafficking legislation that targets sex- work and workers, and which has severe implications for the rights of sex workers.

In some countries sex work and trafficking are not only conflated in the public discourse but also within national legislation. Respondents from the **WNU** in Cambodia for example, mentioned the problematic anti-trafficking law. The ‘Law on suppression of human trafficking and sexual exploitation’ of 2008 contains articles in which sex work is practically prohibited. Chapter four of this law concerns prostitution, and states that both soliciting in public is prohibited and managing or financing ‘an establishment of prostitution’ is punishable by law (Law on suppression of human trafficking and sexual exploitation, 2008). Respondents explain that after the anti-trafficking law was adopted, sex workers faced a lot of challenges. Sex workers got arrested by the police and crackdowns happened in the establishments where they were working. Also on the streets or in the park sex workers could face arrests and be brought to mandated shelters.

So, that’s why at night the sex workers are more at risk. Because they don’t have the clear venue or place for them to work. And they need to work in the street, they need to go on along in the car and find the client. And so, there is more risk for them (WNU, Cambodia).

This anti-trafficking law shows how sex work and trafficking are conflated by national laws. With the implementation of this 2008 law, the practice of sex work has become illegal.

Sex worker-led organizations come across situations that are defined as trafficking, but they emphasize that they should not all be seen as trafficking practices. In the USA, for example, in New York, sex work is illegal and when people get arrested they can be referred to a so-called ‘human trafficking intervention court’. Here they can accept the mandated therapy in order to get rid of their charges. Only naming these courts ‘human trafficking intervention’, while also sex workers who have not been trafficked are referred to this, is a practice caused by and further contributing to the conflation of sex work and trafficking in the public discourse. Although sex worker-led organization **RedUP** considers the implementation of the human trafficking intervention courts an improvement compared to the previous situation where all arrested sex workers were imprisoned, they still feel the system has its flaws. The respondent argued that working in a partnership, working together with friends or

having a partner that engages in sex work is defined as trafficking by law (RedUP, USA). This is mentioned by other respondents as well. **Proud** likewise stated that for a sex worker to split their income with a partner or a friend can be seen as trafficking and is therefore criminal (Proud, Netherlands). This is similar to the situation in the state of Alaska, USA. **CUSP** mentioned that *'everything ... that is around a sex worker, or anything that a sex worker does, effects trafficking'* (CUSP, USA). She explained how having a place in which sex work is done, doing sex work from a hotel room, working together and traveling together for the purpose of sex work are all criminal offenses according to the law. She stated that when sex workers are arrested in one hotel room, one of them, for example the one who booked the room, is also charged with trafficking (CUSP, USA). German respondent from the **BesD** explained how the 'Prostitution Protection Act' in Germany (implemented weeks after the interview) is not protective for sex workers. About this new law she stated:

Yeah, it sounds good, but it's just like sun protection doesn't protect the sun. The prostitution protection doesn't protect the prostitutes. It protects society from us (BesD, Germany).

These examples show that the conflation of trafficking and sex work affects national laws. These could have severe consequences for sex workers and could make their community more vulnerable than they already are.

5.2 Anti-trafficking failures - Policies in practice from a sex worker's perspective

- That is called 'helping' -

A report by sex worker-led group **Empower** in Thailand states that 'we have now reached a point in history where there are more women in the Thai sex industry being abused by anti-trafficking practices than there are women exploited by traffickers' (Empower Foundation, 2012). This statement shows anti-trafficking practices have harmful effects on women working in the Thai sex industry. Respondents gave examples of how anti-trafficking policies have failed and vented their frustration about counter effective anti-trafficking measures.

For example, to identify cases of trafficking, many countries have policies in place that allow law enforcement to conduct raids. These so-called 'raid and rescue operations' are often experienced as humiliating and violent (APNSW, Asia-Pacific; BHESP, Kenya; Empower, Thailand; Proud, Netherlands; WNU, Cambodia). In addition, in practice these operations are not very effective, since the number of *'real trafficking victims'* found during these raids is

small (Empower, Thailand; RedUP, USA). Three respondents, from the Netherlands, the United States and India (Proud, Netherlands; RedUP, USA; VAMP, India) acknowledged this critique. All three stated that law enforcement uses their resources to check *all* sex workers, instead of focusing only on trafficking situations. They use *'net methods, where they are just scooping everybody and try to pick out the trafficked persons'* (RedUP, USA).

By giving law enforcement the mandate to execute those operations it induces police violence against sex workers. One respondent in Brazil told a story about an illegal police raid on a brothel, using severe violence against the sex workers. Hereafter nobody reported these violent acts, because they did not want to get into more trouble (researcher, Brazil). The role of the police in the execution of anti-trafficking legislation is very problematic according to sex worker rights groups. One of the main challenges sex workers face is violence and particularly mentioned police violence (Bakker, 2014). Seven respondents talked about the problems sex workers face regarding police misconduct (BHESP, Kenya; CUSP, USA; RedUP, USA; Empower, Thailand; Mujeres del Sur, Peru; Proud, Netherlands; WNU, Cambodia). For some groups corruption is a challenging issue. **Empower** stated that sex workers have to bribe police in order to get their basic human rights protected, while others, from the **WNU** and **BHESP** mentioned that police sometimes arrests sex workers to increase their status or income through bribes or theft (BHESP, Kenya; Empower, Thailand; WNU, Cambodia). According to one respondent from **CUSP**, stated that police sometimes engages in sexual acts with sex workers to investigate them and catch them red handed. This is not yet illegal, only *'against the rules'* (CUSP, USA). In Peru the respondent from **Mujeres del Sur** suggested that some policemen have tight relationships with pimps themselves and are bribed in order to not investigate or leave their workers who have been trafficked alone (Mujeres del Sur, Peru). Finally there have been few convictions in trafficking cases (BHESP, Kenya; GAATW, international), which could be due to corruption in the court system (BHESP, Kenya). All these examples show that sex workers encounter bad experiences with law enforcement, which results in a lack of trust in the police and juridical system. Sex workers are reluctant to go to the police when they are in need of protection, since the police may cause more harm to them.

People are arrested, questioned and depending on the legislative framework they receive either punishment or 'help', after the raids. The respondent from **HARC** explained that this is problematic in practice. He explained that some sex workers who got arrested claim that they were trafficked in order to get money and the opportunity to come back.

If they don't say that they're trafficked, then they have to go to jail. And sex workers also know these things. So, sometimes they use that to get released from the police station (HARC, Bangladesh).

Such constructions make it difficult to identify 'real trafficking' cases and impede getting information about the extent of the trafficking problem.

Four respondents argued that the system often provides a 'one size fits all' model and does not take into account individual cases and personal needs of the people involved (Empower, Thailand; Proud, Netherlands; RedUP, USA; VAMP, India). Some argued that the systems and institutions are not sufficient to support the people in need and that top down policies often lack a tailor-made solution to the persons involved. Additionally they argued that policy-makers and implementers often lack the understanding of the realities of people's lives (CUSP, USA; researcher, Brazil). Respondents from Asian countries referred to mandated rehabilitation in special rehab centers (APNSW, Asia-Pacific; VAMP, India; WNU, Cambodia). In those centers, those arrested are deprived from HIV/AIDS medication (WNU, Cambodia) and lack an income for the time they are not able to work (APNSW, Asia-Pacific; Empower, Thailand). In Thailand the Thai sex workers are fined and released, while migrants are detained and deported. The respondent from **Empower** stated that this is not what these people need (Empower, Thailand). She argued that anti-trafficking initiatives are victimizing people who have experienced trafficking which deprives them from their individuality and agency.

I think that's one of the big problems with a lot of anti-trafficking stuff. The rescuer becomes the owner of the problem (Empower, Thailand).

One example of failing victim support is recognized by the respondent from **RedUP**. She explained how the realities of people in trafficking situations are complex and not solvable simply by counseling sessions. She said that '*you can't just remove them from a situation, and think they are gonna be OK*' (RedUP, USA). She explained that sometimes '*pimps*' will look for that girl, because '*people want to have their product back!*'. She argued that girls need to find a sustainable livelihood and that the system needs to take into account the dangers and risks that girls face when they press charges against their trafficker or when they stand as a witness in court. She argued that there needs to be a strategic plan on how to act if a person is in a trafficking situation (RedUP, USA).

In sum, many organizations experience anti-trafficking policies are experienced as

counter-effective. Resources are used for humiliating raids and rescue operations targeting all sex workers, instead of only the trafficking cases. Policies may increase police violence and misconduct against sex workers, which leads to a lack of trust in law enforcement. Finally sex worker-led organizations feel that current policies fail to recognize individual needs of people who have been in a trafficking situation. By victimizing them, people are stripped of their agency and lose ownership of their problems.

5.3 Changing laws and influencing policies - Sex worker-led efforts to influence politics

- Nothing about us, without us -

In order to influence law-making and policy-changes, it is important to understand sex worker's needs and realities. The belief of '*nothing about us, without us*' is deeply rooted amongst sex worker-led organizations (CUSP, USA; Proud, Netherlands). Therefore the organization **Proud** does fieldwork to collect data on what sex workers actually want. With its information they lobby in politics and at juridical authorities (Proud, Netherlands). In Cambodia the organization **WNU** are cooperating with other organizations and lobbying with the government to review the law that affect sex workers (WNU, Cambodia). Sex worker-led organizations have the possibility to sue the state, when lobbying does not have the desired effects and harmful laws are implemented. In Germany the organization **BesD** is planning to go to court to fight the new implemented law regarding stricter rules and regulation on sex workers. Alaskan group **CUSP** also focuses on the policy level, both on law reforms regarding criminalization of sex work as well as agency policies. The respondent explained how the organization created new legislation:

Well, what we did this year is that we created a law that stated that people who are victims of sex trafficking or victims of other crimes within the sex industry, like assault, can report the crime to the police and they cannot be charged with prostitution for making a report, so the police say they were a victim. And we also made it so that other sex workers who might be a witness of sex trafficking, can report that without being charged for prostitution. Hopefully we get that through next year (CUSP, USA).

Besides the focus on specific laws where sex workers are criminalized, some groups focus on improving certain aspects of the implementation of legislation. **RedUP** tries to improve the

functioning of the Human Trafficking Intervention Courts. They feel that the system should be improved by making the programs optional instead of mandated. They also added that people should be protected inside the courtroom and that translation should be available to migrants who have insufficient knowledge of the English language (RedUP, USA). In Kenya **BHESP** has urged the government to undertake action against trafficking and to screen migration agencies to reduce the risks of Kenyan migrants (BHESP, Kenya).

In Thailand sex worker-led organization **Empower** published a video in which they ridiculed the raid and rescue operations by police. With the satirical sketch they emphasized how the policies to 'rescue' sex workers from brothels fails and how sex workers experience these raids. Apparently their lobbying and activism has paid off. In 2014, a representative of the Anti-trafficking Network came to Empower to apologize for the failure of raids and rescue policies. They invited the sex worker-led organization to suggest new ways to end trafficking in the sex industry (Empower, Thailand). The organization has worked on a strategic plan and will present this in August 2016. Another organization that participates actively on policy-making level and anti-trafficking strategies is **Mujeres del Sur** from Peru. They have two representatives in the 'Regional Network to combat trafficking and forced labor'. This Network plans and implements strategies and activities against trafficking (Mujeres del Sur, Peru).

In sum, the majority of the respondents mentioned lobbying and influencing politics as one of their core strategies. This lobbying occurs on different levels, varying from criticizing existing laws regarding sex workers and current implementation of legislation to creating new laws and participating in policy-making processes.

5.4 Good for them! - Migration and vulnerability from a sex worker's perspective

- There is the business -

The respondents all spoke about the migration, both internal and international, of sex workers and all confirmed that there is a lot of moving around within their sector. People migrate to improve their living conditions or to try their luck in a different place. Internal migration is when people move from rural areas to bigger cities in order to find a job or a better job. In Kenya the respondent from **BHESP** explained that sex workers migrate to the coastal areas where there is more work in their sector (BHESP, Kenya). Also in Bangladesh, according to a representative from **HARC** most sex workers, 90% or 95% of all sex workers in Bangladesh and in the region are internal migrants. Sex workers move from the country-side or smaller

cities to bigger cities ‘*because there is the business*’ (HARC, Bangladesh). This was confirmed by respondents from Peru, Cambodia and India (DMSC, India; Mujeres del Sur, Peru; WNU, Cambodia). Respondents from **WNU** explained that most sex workers in the capital are migrants, mostly young women from the province. They stated that these migrants tell their families they are working in a factory and send money back to their parents in the province. Sometimes sex workers move from the city to the province, because ‘*in the province the men also would like change of the new face of the women*’ (WNU, Cambodia).

External or international migration is when people move to another country. Representative from **HARC**, emphasized the increase in international migration over the past years. He argued that countries like Malaysia, Kuwait, Saudi-Arabia and the United Arab Emirates have little access to sex workers. He explained how sex workers from Asian countries are ‘invited’ to come and work in those countries:

So, they are sponsoring sex workers in Bangladesh to go to those countries and stay for like one month or two months or three months with them. And they provide the air fare, housing, and also some extra money (HARC, Bangladesh).

When talking about migrants, all respondents talked in a way that portrays migrants as strong, independent, venturous people.

Actually those [migrant sex workers] are quite fierce, independent women who choose to cross half of Europe to make a killing. Good for them! [my translation] (Proud, Netherlands).

Researcher and sex worker activist Agustín states that within the public discourse on trafficking, migrants are often portrayed as powerless victims. However, she argues that migrants are powerful agents who are able to choose and to make powerful decisions to improve their lives (Agustín, 2007).

While many sex workers migrate and move from place to place, either domestic or internationally, sometimes migration goes wrong. As Mishra, a sexual health and gender rights activist wrote in an article ‘trafficking, seen in its entirety and not just from the narrow prism of sex, is migration gone wrong’ (Mishra, 2016). Some of the respondents mentioned vulnerability when talking about migration and migrant sex workers. Sometimes this vulnerability is abused, which may lead to exploitation or trafficking situations. **HARC** respondent stated: ‘*So, yes, of course they are vulnerable when they go there. And sometimes*

they face problems also’ but he emphasized that *‘there is good situations also*’ (HARC, Bangladesh). Some respondents shared examples or experiences of how migrations sometimes goes wrong. Respondent from **Proud** explained how migrants in the Netherlands are dependent on support by others. She argued that there are no support systems or agencies to help migrants to start working in the sex industry. This is because trafficking laws define supporting migrants to start up, as human trafficking. Therefore migrants are dependent on the people who are willing to break the law. That is how migrant sex workers are made dependent and vulnerable to exploitation. However, this should not be seen as trafficking (Proud, Netherlands). In Kenya the respondent from **BHESP** stated that trafficking is talked about in Kenya. According to her, women are taken to different countries, like Saudi-Arabia or the Gulf countries to work there. The problem is that sometimes agencies do not give enough information or lie about the working conditions. However, she argued that this is not trafficking (BHESP, Kenya). People sometimes do end up in trafficking situations. Women who migrated from Kenya sometimes have their passports taken from them and have no option to come back. Then one can talk about a situation of trafficking.

Usually these women they have not a ticket, so they have no option. They have to stay there until the agents try to bring them back. Then that are cases of trafficking (BHESP, Kenya).

According to respondent from the **GAATW** *‘we should not be surprised to find that trafficking happens. Because that’s how work is being organized’* (GAATW, international). She explained this as *‘a development policy failure’*. She argued that since a lot of countries are not able to provide employment or work for their citizens, people are forced to move to other regions, which creates *‘a sort of precarious situation’*. Considering global inequality, the lack of the human rights protection for workers, badly protected labor conditions, it is not surprising that trafficking is happening (GAATW, international). As stated by a respondent who worked for **TAMPEP**, an organization with the focus on migrant sex workers in Europe, *‘trafficking is one of the indicators of vulnerability’*. He stated that *‘trafficking is more like the consequence than actually the root cause’* (TAMPEP, Europe).

Respondent from the **DMSC** agrees and explained that internal migrants who move to the city with little education and networks are vulnerable to exploitation or abuse, because *‘people from the villages, they have very little choices’* (DMSC, India). Some migrants may feel the obligation towards their family to send back money as the respondents of the **WNU** explained

(WNU, Cambodia). Respondent from **RedUP** agreed with the fact that the reason people get tricked in those situations (exploitation or trafficking) is because they lack the resources to address their needs (RedUP, USA).

However, a change has taken place over the last decades according to the respondent from the **GAATW**. She mentioned a change she noticed, in several Asian countries and their migration policies. She stated that these countries benefit from sending their workers to other countries and therefore have taken an ‘out-migration policy’ (GAATW, international). She argued that instead of a discouraging policy that focused on the dangers of migration, some anti-trafficking programs started to provide information about safe migration.

In conclusion, sex workers move from place to place in search for work, seeking adventure, new clients, or higher income (BHESP, Kenya; DMSC, India; GAATW, international; HARC, Bangladesh; VAMP, India; WNU, Cambodia). Whatever their motivation, sex worker-led organizations try to debunk the idea that migrants are mainly vulnerable and lack agency. However, sometimes migration goes wrong. Because of their vulnerable position within society, both as sex workers and as migrants, migrant sex workers risk exploitation, abuse or trafficking. Some migrant sex workers may be dependent on support from others, which could lead to exploitative situations.

5.5 Conclusion

Sex worker-led organizations are all working to strengthen the position of sex workers within society. Not only do sex workers face stigma and discrimination, they also experience the harmful effects of anti-trafficking laws and policies. Because sex work and human trafficking are often conflated in the public discourse, power holders implement legislation in which there is no clear distinction between sex work and human trafficking. Therefore, sex workers could be charged with human trafficking themselves and facilitating sex work in any way that could be defined as trafficking, with severe punishment. Furthermore, anti-trafficking measures such as ‘raid and rescue operations’ are experienced as humiliating and counter effective. Sex worker-led organizations, besides criticizing the failure of the current anti-trafficking measures, are also taking action to change laws or to improve current policies and programs.

They are seeking spaces where they can challenge dominant powers, influence decision-making processes or participate within the existing framework. Depending on the

space there is for SWOs, they choose a certain strategy to speak out and represent the sex worker community. Again, when considering efforts by sex worker-led organizations to influence anti-trafficking politics, I distinguish two approaches. These have to do with the spaces where power is exercised and in what ways sex worker-led organizations can challenge these powers.

The first approach comes from groups that choose to participate within existing framework and make use of open spaces where sex worker-led organizations are invited to participate and voice their opinions. They focus on lobbying at a national level to inform politicians to change current laws or influence law making processes. They attempt to inform politicians about the realities of sex workers and the challenges they face, the effects of certain laws or regulations and their needs. For example, the organizations Proud and BesD stated that they are sometimes asked by politicians to review ideas and to advice about new policies. Another example comes from Mujeres del Sur and their representatives in the Regional Network to combat trafficking and forced labor. They made use of the existing structures and entered an influential space in which they can influence anti-trafficking strategies.

The second approach comes from groups that choose, or only have one option, to challenge power by creating or claiming space. Sex worker group Empower stated that ‘there is no space’ to participate or to engage with power holders. One of their strategies is to reveal the harmful consequences of current anti-trafficking measures, such as the raid and rescue operations, in a humorous, artistic manner. Within the limited space they had, they made a short video in which the raid and rescue operations are ridiculed. Another example comes from groups that start a lawsuit against their state because of harmful laws. Sex worker-led organizations use different strategies to challenge powers that are influential in law-making processes and implementing policies to tackle trafficking.

6. Sex worker-led organizations as allies against trafficking

According to research done for the Red Umbrella Fund on strategies used by sex worker-led organizations, ‘combating human trafficking’ was only mentioned by six percent of the groups in their reports as being part of their strategy (Bakker, 2014). In this chapter I will present the activities that sex worker-led organizations undertake either to prevent, identify or combat cases of trafficking within the sex trade. In the first subchapter I will present so-called explicit strategies of sex worker-led organizations to counter human trafficking. After that, I

will present more implicit strategies to counter trafficking. In the last part of this chapter I will outline some challenges sex worker-led organizations face in order to be an ally in the fight against human trafficking.

6.1 Sex worker community - Explicit strategies to counter trafficking

- We all know each other -

Many sex worker groups argue that it is of great importance to approach people working in the sex industry from within the community itself. Working with sex workers as peer educators and confidants is the right approach to serve those in need. The respondent from **Empower** states that to work with sex workers ‘*you have to be part of the community, you can’t be a visitor or someone from outside. So, that’s what we are*’ (Empower, Thailand).

Many groups talk about ‘the sex worker community’ and explain that many sex workers know each other and that there is a lot of contact and information exchange between sex workers in the industry. Some respondents referred to the mutual contact between sex workers. As one respondent from Alaska state put it: ‘*We all know each other*’ (CUSP, USA). Respondent from **RedUP** argued that the relationship between the police and sex workers needs to be improved, in order to collaborate and report cases of trafficking. She calls for decriminalization (see chapter 6.2) and emphasized the fact that sex workers could play a role in identifying trafficking cases.

What it does is that it makes sex workers and police officers, like law enforcement have a better relationship with each other, so that we can keep each other safe. And we are noticing, sex workers are around other sex workers, all the time. If we are noticing trafficking.. or like, somebody who has been trafficked, we can then report those things because we now have a system of communication (RedUP, USA).

According to several sex worker-led organizations, lack of knowledge about laws, human rights and the legal system makes people vulnerable, thus informing people about these issues is important, according to several SWOs. Sex workers are empowered by sharing information about rights and safety, which decreases their vulnerability and therefore reduces the risks of being exploited, abused or trafficked. The **BesD** organizes workshops to inform sex workers about topics such as legal issues or health education (BesD, Germany). Dutch organization **Proud** has the same strategy. During fieldwork peer educators provide information on legislation, rights and offer their support when sex workers have questions or trouble (Proud,

Netherlands).

In India both the **DMSC** and sex worker-led organization **VAMP** have set up projects where sex workers themselves monitor the sex worker community. In order to ‘*ensure that no trafficked women and underage girls are working within the community*’ (VAMP, India). This is a more practical approach specifically targeting trafficking situations. These programs include sex workers as peer educators to contact and educate other sex workers and to screen people who start working in the sex industry.

When a new entrant wants to work in the VAMP areas, she is encouraged to provide proof of age. Alternatively, she is encouraged to visit the local government hospital where she receives a certificate of age following a physical examination. The onus is on each gharwali (brothel owner) to ensure that the women working in her house are over 18 and copies of the birth certificates are maintained by VAMP (VAMP, India).

If they suspect that the girl has been trafficked the issue is referred to the police, who acknowledge that women from the VAMP collective inform them whenever young girls are trafficked into the area (VAMP, India).

SANGRAM, the organization that provides administrative support to sex worker collective VAMP, published a report in which they illustrate how their organization supports persons who have experienced trafficking. The story is about a young woman from Nepal who was deceived and trapped in a situation where she had no choice other than doing sex work to survive. After she arrived in the red light district of Sangli in India, she told her story to a member of VAMP and stated that she wanted to go home. The sex worker collective asked for support from SANGRAM, and together with a Nepalese sex worker collective to bring the woman back home (SANGRAM & VAMP, n.d.). This story shows how sex workers have a signaling role to identify cases of trafficking and that sex worker groups are concerned with providing support to people in trafficking situations. Moreover, the story mentioned a collaboration between sex workers and brothel owners. The respondent stated that VAMP ‘*has held meetings with brothel owners, given them information on the law and the consequences of aiding and harboring trafficked persons. The brothels over a period of time have taken consensus decisions to refuse trafficked women*’ (VAMP, India). The respondent is convinced that such programs can be replicated in other countries as well and that organizing sex workers is a necessary first step. The organization stated that ‘*restoration of a person trafficked into the brothels is possible when the sex workers are organized and collectivized to*

fight against all forms of injustice' (VAMP, India). The **DMSC** has a similar approach to signal and support people who have been trafficked, and set up self-regulatory boards. Within these boards, sex workers work together with doctors, lawyers, councilors and local functionaries (DMSC, India).

Other organizations pointed out that when they come across people in trafficking situations, they refer these cases to other organizations. This actively referring to other organizations and institutions also happens in Kenya. Respondent from **BHESP** stated: *'to really intervene, we have to work with others'*, referring to an organization that 'rehabilitates' girls (BHESP, Kenya). She explained that when the organization comes across underage girls who have experience some form of trafficking or have been working as sex workers they refer them to a partner organization who 'rehabilitates' them, sends them back to school and teaches them life skills to be able to choose another occupation.

In sum, sex worker-led groups are convinced that sex workers themselves are designated people to contact, support and empower other sex workers. Many respondents argued that within the business many people know each other and that mutual contact is important for sharing practical information, information about rights and for supporting each other in case of abuse. The groups believe that building a strong community will be both beneficial for individual sex workers and for the sex worker's rights movement.

6.2 Decriminalization is key - Implicit strategy to counter trafficking

- It is not our focus -

All sex worker-led organizations that fight to protect sex worker's rights, argued that decriminalization of sex work is a key strategy to protect sex workers from exploitative, abusive and even trafficking situations. They argued that the criminalization of sex work or certain aspects of sex work increases their vulnerability. Therefore nine of the respondents explicitly discussed that their organization is concerned with lobbying politics in order to change policies towards the full decriminalization of sex work. Respondent from sex worker-led group **VAMP** stated that:

In India, the major campaign is centered around the demand for decriminalization and reading down of the Immoral Traffic Prevention Act (VAMP, India).

In 2015 Amnesty International expressed their support for the full decriminalization of sex work (Amnesty International, 2016). The respondent mentioned how **SANGRAM**

organization supported Amnesty International to ‘*build global opinion for decriminalization*’ (SANGRAM, India). The respondent from **RedUP** argued that if sex work would be decriminalized, sex workers could collaborate with the police and contact them if they were to come across a trafficked person. She said improving the relationship between the police and sex workers is essential to work together and combat trafficking cases. The respondent from **TAMPEP** agreed with the importance of decriminalization. He argued that fighting for the decriminalization of sex work means fighting for other issues as well.

(...) fighting for decriminalization of the industry is a big step for fighting trafficking, for fighting HIV, for fighting injustice, for fighting bad working conditions..
(TAMPEP, Europe).

Some organizations feel that improving sex worker rights is their main focus since that is their area of expertise (BesD, Germany; BHESP, Kenya; Empower, Thailand; HARC, Bangladesh). The **WNU** stated that the mandate of the organization is to support sex workers and that they ‘*don’t want to lose the focus*’ (WNU, Cambodia). The BesD argued likewise:

Right now, I don’t think we have human trafficking as a focus as an organization, because we just, we are experts in sex work and not experts in human trafficking, because it just doesn’t happen on a huge scale at all (BesD, Germany).

The respondent from Kenya argued that **BHESP** is ‘*very keen*’ to point out the difference between sex work and trafficking (see chapter 4). However, she expressed her concern about the credibility of the organization when they connect with trafficking:

We very much want to not be connected with any kind of trafficking, because (...) it can really affect our credibility (BHESP, Kenya).

Another example is late Gabriela Leite, a key person in the sex worker’s rights movement in Brazil, who felt that the focus of sex workers movements should be sex workers rights and not trafficking. Therefore they do want to focus on their mandate, which is sex workers rights and fight against the many challenges sex workers face. Trafficking, she felt, was more a topic for other organizations and for social scientists doing research on the topic (researcher, Brazil).

In conclusion, all sex worker-led organizations focus on full decriminalization of sex work. Arguing that protecting the rights of sex workers, will lead to safer places to work and less vulnerability for exploitation, abuse and even trafficking. Many organizations are

concerned with the conflation of sex work and trafficking in the public discourse and focus on separating this conflation. Some of those groups are cautious to link themselves with trafficking. They feel that this separation should be lived out in practice, meaning sex worker organizations working on sex worker rights, anti-trafficking organizations working on combating trafficking. In the next subchapter I will elaborate on the importance of the sex worker community and how sex workers could play a role in identifying people in trafficking situations.

6.3 Obstacles and challenges - Limitations for sex worker-led organizations

- So, they don't trust us -

Sex worker-led organizations do emphasize that they face many challenges in their work. First of all, sex worker-led organizations mentioned practical obstacles while doing their work. The organization **Empower** experiences practical challenges when leaders of the organization are 'rescued' under trafficking law and deported from Thailand (Empower, Thailand). The respondent from **CUSP** also expressed her concern about being arrested, since she files complaints about law enforcement and is well-known to be a sex worker activist. However, in public she states she is a former sex worker to reduce the risk of being arrested (CUSP, USA). Another practical challenge comes from Dutch organization **Proud**. This group was refused a bank account with a certain sustainable bank, because it did not want to be associated with the porn industry (Proud, Netherlands).

A second challenge is mentioned by the Women's Network for Unity (**WNU**) in Cambodia. The respondents explained that there is a lot of migration of sex workers, both internal and external, which makes it difficult to build a strong community and to work as a community-based organization.

So, it's a lot of moveable. That's also one of the challenge that WNU working with them. Because [of this] moving around (WNU, Cambodia).

This lack of community feeling is also present in the Netherlands. The respondent argued that many sex workers have little knowledge about the situation of other sex workers and feel they work in exceptionally well regulated circumstances compared to other places. She believes this undermines the community sense (Proud, Netherlands).

A third mentioned challenge is related to funding. Many sex worker-led organizations have to work with very limited resources in order to achieve their goals. According to the Red

Umbrella Fund, it is difficult to find funding for sex worker's rights, because of the stigma of sex work and the little knowledge and understanding from funders about the importance of sex worker rights (Mama Cash et al., 2014). While combating trafficking is a popular issue where the general public agrees these practices must be stopped, sex worker rights are contentious. This means more money is available for anti-trafficking initiatives. This may cause frustration with sex worker-led organizations, who see money they need, going to counter-effective and sometimes harmful anti-trafficking programs. Respondent from **Empower** mentioned that *'much money is thrown around'* and other organizations that are concerned with trafficking have more money to spend. The group **BHESP** in Kenya also expressed its concern about funding. She states that *'as a small NGO, our hands are tied, our scope of work is limited, and (...) we have no funding towards that, a lot of our funding we need to work with HIV prevention'* (BHESP, Kenya). She argued that because of this limited funding the organization has to choose a specific strategy to work on.

We do not sometimes have the capacity to pick up trafficking and that kind of the case and there are better organizations who are better equipped, who go to handle that (BHESP, Kenya).

Likewise, the **BesD** confirms this and argued that the lack of resources limits their ability to work on other projects.

(...) we are so busy with other problems right now, that quite a few of the projects that we really would like to do.. we just lack the resources and money (...) There's only so much we can do with our spare time. (BesD, Germany).

A fourth challenge mentioned by some sex worker-led organizations is that they are not taken seriously as an ally in debates on combating human trafficking.

They apparently don't think it's important to support sex worker-led organizations in the whole quest of saving and rescue sex workers (BesD, Germany).

With this statement she claimed that sex worker-led organizations are ignored by German policy-making on issues concerning sex workers. This feeling is recognized by project coordinator from **Proud**. She feels that sex workers, although well-organized, are often not perceived as an equal party to join the conversation on policies that affect sex workers.

It is easy to be introduced.. but to be seen as an equal party in the conversation within policy making is quite a bigger challenge [my translation] (Proud, Netherlands).

She argued that this comes from their political opponents who disagree with sex work completely and who think working in this industry is immoral. According to the respondent these opponents claim that **Proud** does not care about the victims of human trafficking and that anything they do is detriment to combating trafficking (Proud, Netherlands).

*Yes, and as long as we don't ram out those idiotic, non-evidence based ideas, we can't do much. But we want to do so in a way that is respectful to those people who are in such a situation. And that is very difficult. Because what we hear, when trying to nuance that image, is "you don't care about them". Well, that is the splits we're in, because we only do this *** because we do care about them! [my translation] (Proud, Netherlands).*

Also in the United States sex worker-led organizations are not perceived as the right party to help women who were in trafficking situations. Program coordinator at the Red Umbrella Project (**RedUP**) explained that her organizations does not work within the anti-trafficking model, which aims to rescue and save women from their 'life-style'. The sex worker group takes a different approach; derived from the premises that '*people are the experts of their own lives*'. According to the respondent this is why the organization is excluded from any support or service within the official state model, because '*that's not common believe in the US. (...) So, they don't trust us*' (RedUP, USA).

To conclude, sex worker-led organizations face several challenges which impedes them from being a strong ally in the combat against trafficking. These could be practical challenges, such as discrimination, arrests, lack of funding or a weak community feeling amongst sex workers. Another challenge is related to their struggle to be taken seriously as a partner or ally in the combat against trafficking. Sex worker-led organizations feel they are not considered an important partner, because of the discourse containing myths and accusations.

6.4 Conclusion

Sex worker-led organizations use different strategies to counter trafficking. This could be implicit strategies or explicit strategies. With explicit strategies the sex worker community

plays an important role. Some organizations mentioned that sex workers know each other and that sometimes sex workers or their organization comes across someone who has experienced trafficking. Support varies from working together with other organizations to accompany this person back home to referring the person to another organization that is better equipped to rehabilitate or support this person.

Other groups take a more implicit approach, and argue that trafficking is not their field of expertise and rather focus on empowering sex workers. All participants in this research call for the full decriminalization of sex work. They argued, this will not only lead to the recognition of sex workers engendering a better protection of the rights of sex workers, but is also helpful for those people in trafficking situations. As discussed in chapter five many groups are lobbying at policy level, to change harmful laws, or plea for different implementation of policies. The majority of respondents recognized the importance of mutual contact between sex workers, and having a strong community in order to tackle abuses and to support each other.

In sum, sex worker-led organizations are dealing with cases of human trafficking, either by identifying, supporting or referring people to the right service, or by working to reduce vulnerability of sex workers, especially migrant sex workers. However, some respondents explained that they encounter challenges that impede them from being more powerful allies in the fight against trafficking. Obstacles that were mentioned varied from discrimination and lack of funding, to being recognized as a serious ally with the same goal: to counter human trafficking.

7. Conclusion and discussion

The main goal of this research was to explore how sex worker-led organizations understand, define and take action regarding human trafficking and how this reflects the contemporary discourse on the subject. The conducted interviews and conversations with various respondents from different sex worker-led organizations, have provided insight into the ways SWOs deal with the issue of human trafficking. I have discussed how SWOs position themselves in the debates on trafficking, how they engage or are reluctant to engage with the trafficking framework and how they experience and deal with the dominant discourse on trafficking. Furthermore, I have discussed how knowledge and discourse on trafficking influences practices and how a dominant discourse is constructed by powerful actors. Moreover, I discussed the effects of anti-trafficking laws and policies on sex workers. Sex

worker-led organizations use different strategies to counter these harmful effects. In addition, I have shown that SWOs feel that migration increases vulnerability and risks and that migrant sex workers should be better protected. Finally, I presented different ways SWOs contribute to the fight against trafficking. Varying from explicit actions, including identifying and supporting people in trafficking situations, to implicit actions, aimed at reducing vulnerability of sex workers, especially migrants and strengthen their position in society.

7.1 SWOs and the trafficking discourse

In chapter four I presented how sex worker-led organizations are dealing with the current discourse on trafficking. I have argued that on the one hand groups are focused on debunking the myths within the public discourse, and criticizing the conflation of sex work and trafficking. For example, they criticize the use of non-evidence based statistics and the sensational images presented in the media. This so-called *reactive* approach is sometimes complemented by a more *pro-active* approach. This refers to actions through which sex worker-led organizations attempt to influence and change discourses on trafficking. All sex worker-led groups stated that one of their aims is to separate sex work and trafficking. They attempt to redefine the discourses on trafficking and on sex work, by voicing their opinions and experiences in public.

The theory on knowledge and discourse states that discourses are constructed based on the knowledge of the ones in power and vice versa. There is a constant interaction between knowledge and power, in which the power holders create a dominant discourse. This dominant discourse on its turn influences the practice of the ones in power (Hall, 2006). Thus, the discourse on trafficking is constructed based on certain knowledge, on collected information, statistics, stories, and ideas about trafficking. For example, the popular discourse is based on claims that trafficking increases during big sports events, that sex work and trafficking are always linked, and that by far the majority of people doing sex work are trafficked. The ones in power perceive and determine this knowledge as truth and therefore determine how the dominant discourse is constructed (*ibid.*). Concurrently, this constructed discourse influences both the general public and the power holders. When a discourse is perceived as truth, people's practices are influenced and shaped according to their knowledge and ideas about the subject. The public discourse on trafficking, in which trafficking and sex work are conflated, will result in laws and policies created by the ones in power, in which these two topics are also conflated. Therefore, the sex worker-led organizations that participated in this research, all emphasized the importance of both reacting to the current

discourse and proactively influencing and changing the discourse on trafficking. A reconstruction of the popular discourse and redefining trafficking is needed, to eventually change laws and policies in such a way that these are not harmful for sex workers and protective for those in trafficking situations.

When groups discussed their strategies of influencing the ones in power that are concerned with trafficking, some groups argued that they are not recognized as serious partner. Respondents feel that their motives are questioned and it is assumed that sex worker-led organizations have different goals than anti-trafficking lobbies and organizations. These ideas are reinforced by the dominant discourse in which sex work and trafficking are conflated. Within this research all groups have argued their concern about this conflation. However, they did not explain what strategies or tactics they use to counter this discourse. Some groups argued they are reluctant to engage with the trafficking framework, because of the false claims and assumptions. In my opinion, by refraining from the anti-trafficking framework or trying not to be linked with any form of trafficking, these organizations exclude themselves from the debates and from any participatory role they could play. Therefore they could focus their efforts to construct an evidence-based counter narrative. The motto of sex worker-led groups ‘nothing about us, without us’, could be used for creating new knowledge and constructing the discourse on trafficking.

Some sex worker-led organizations expressed their suspicion about the powers constructing the discourse on trafficking. They claimed that sometimes the trafficking framework is used for anti-sex work purposes or anti-migration politics. By criticizing the dominant discourse, sex worker-led organizations challenge these hidden powers. According to theory on the various spaces of power, hidden powers are those actors who attempt to set the political agenda on their own terms. These hidden powers can be abolitionist lobby groups that attempt to abolish sex work, anti-migration lobbies, or politicians who are calling for stricter migration policies. Disproving claims that sex work and trafficking are conflated is a way to expose the power of abolitionist lobby groups that use the trafficking discourse to strengthen their arguments for abolishing sex work.

7.2 *SWOs and (anti-)trafficking policies*

Besides their focus on the changing the dominant discourse on trafficking, sex worker-led organizations use different strategies to challenge the powers behind harmful laws and policies. They attempt to influence or change anti-trafficking legislation and implementation,

to reduce the vulnerability of sex workers, and especially of migrant sex workers. When considering the power cube discussed in chapter two, we could analyze power in three dimensions, space, forms and levels (Gaventa, 2006). This theory is helpful to understand the various strategies sex worker-led organizations use to challenge power and to exert influence on anti-trafficking measures.

The first dimension of power is the level on which it is exercised. This can be at the local, national or international level. At the local level power can be exercised by sex worker-led organizations through initiating programs on a local scale in collaboration with local politicians, the local police department and using peer educators to reach sex workers. The programs of both VAMP and DMSC are examples of successful anti-trafficking initiatives on a local scale. Law makers and national politicians exercise their power at a national level. This power can be challenged by criticizing national laws and lobby for law reform. In addition, if sex worker-led organizations are not invited to participate, they can claim their space by suing the national state for implementing harmful laws. On an international level power is exercised by lobby groups that are influential in the public discourse on trafficking. For example when international organizations make certain claims about trafficking, they contribute to a distorted image of trafficking, which complicates rightful approaches to tackle trafficking. These international powers can be challenged, by actors that are influential in the global arena. For example, the call for decriminalization of sex work by Amnesty International is an influential strategy to counter abolitionist pleas.

The second dimension to analyze power structures is by looking at forms of power. Power can be visible, invisible or hidden. Respondents talked about hidden powers when talking about these powers behind the construction of the discourse on trafficking. They argued that lobby groups deliberately influence discourses and use trafficking as an argument to set the political agenda to their wishes. As outlined earlier, sex worker-led organizations use different strategies to redefine and debunk the discourse on trafficking. The second form of power is visible. Visible power is all power that is apparent, and institutionalized. Official law making and government agencies such as the police and the court system are visible forms of power. Depending on the form of power one wishes to challenge, spaces can be explored to influence these powers.

The third dimension in which power can be analyzed is the three spaces of power. Power can be exercised in a closed, open or claimed space. The powerless have no room for participation in closed spaces. As Empower argued about the Thai government, there is no

space to participate or influence in the decision-making process. Laws are designed and implemented top down by experts or representatives. Sex worker-led organizations have voiced their criticisms in uninvited space. They argued that top down approaches lack an understanding of the realities on the ground. Other sex worker-led organizations explained how they made use of invited or open space to influence power holders. They did this by using the existing structures, such as participating in a regional anti-trafficking network (Mujeres del Sur, Peru) or lobby and advise politicians on current or proposed legislation against trafficking (Proud, Netherlands). The last type of space is claimed or created. Sex worker-led groups create their own space to challenge the power structures, when using existing structures is insufficient to achieve the desired results. They do so by criticizing current anti-trafficking policies or ridiculing its implementation, for example the parody video made by Empower about raid and rescue operations (Empower, Thailand). Also, as mentioned in the part on national level powers, the example of suing the state is a way to challenge the ones in power by creating spaces of influence (BesD, Germany).

7.3 SWOs as allies against trafficking

For this research I have collected data from sex worker-led organizations from various countries with their own legal frameworks, challenges and strategies. Core strategies of sex worker-led groups vary from focus on health issues to law reform. Because of this variety in context, the spaces and strategies to challenge power structures differs per organization. There are different ways to deal with the issue of trafficking, depending on the realities and scope of the problem, legislation and policies regarding the issue, space to participate or be excluded from any input, relationships with law enforcement, focus on other (more pressing or essential) prioritized topics, etcetera. Hence, what this research shows is that there is not a 'one size fits all' model, consequently anti-trafficking measures should be considered in its own context.

Sex worker-led organizations are concerned with trafficking, since sex work and trafficking are often conflated in the public discourse and anti-trafficking legislation affects sex workers. Moreover, all groups participated in this research recognized trafficking is happening in their sector, may it not be on a large scale as often suggested. Groups argued that their organizations sometimes comes in contact with people who have experienced trafficking and that sex workers are in a position to identify and signal people in trafficking situations. When this happens, actions vary from sharing information on human rights and

referring them to support organizations to actively accompanying someone home. Therefore, it is important to strengthen the communities of sex workers. Building a strong community that is aware of their own rights is essential to both empower the members of that community and to challenge power structures that exclude them from decision-making processes (Gaventa, 2006).

Despite their efforts against trafficking, some sex worker-led organizations mentioned that they are not recognized as partner in the fight against trafficking. For some groups this is due to the fact that sex work is illegal. Therefore, these groups call for full decriminalization of sex work, reducing the risks and vulnerability of sex workers in society. This approach is like other labor unions, of which their main focus is to protect those working in their sector and prevent them from exploitation and abuse. Their main goal is to call for the recognition that sex work is work and to improve the working conditions in order to protect all sex workers from wrongs and to help those who are forced into their sector. Furthermore, some groups argued that obstacles impede them to actively engage and participate in anti-trafficking measures. When anti-trafficking initiatives have harmful effects on sex workers that makes the position of sex workers more vulnerable, sex workers are reluctant to make use of state institution such as law enforcement or the court system. This impedes an effective collaboration between state institutions and sex worker-led organizations. Other challenges that were voiced by SWOs were lack of funding and a weak community of sex workers to join their efforts.

Based on this research I argue that sex worker-led organizations are valuable allies that fight for the same goal, namely against people forced into their sector and abused and exploited. Therefore I think that recognition of sex worker-led organizations as valuable partners is the first step for an effective collaboration in the fight against trafficking. This means, changing the discourse, separate sex work and human trafficking and listen to their opinions and ideas. Sex worker-led organizations understand the realities of sex workers, their motives, their challenges and their vulnerability. Therefore they can give insight and advice on the realities of trafficking practices and the consequences and effectiveness of anti-trafficking laws and policies. Criminalizing measures may be counter effective and a rights based approach is essential for protecting all peoples human rights. Sex worker-led groups can make recommendations for a more human rights approach to counter human trafficking.

Appendix 1: Overview respondents

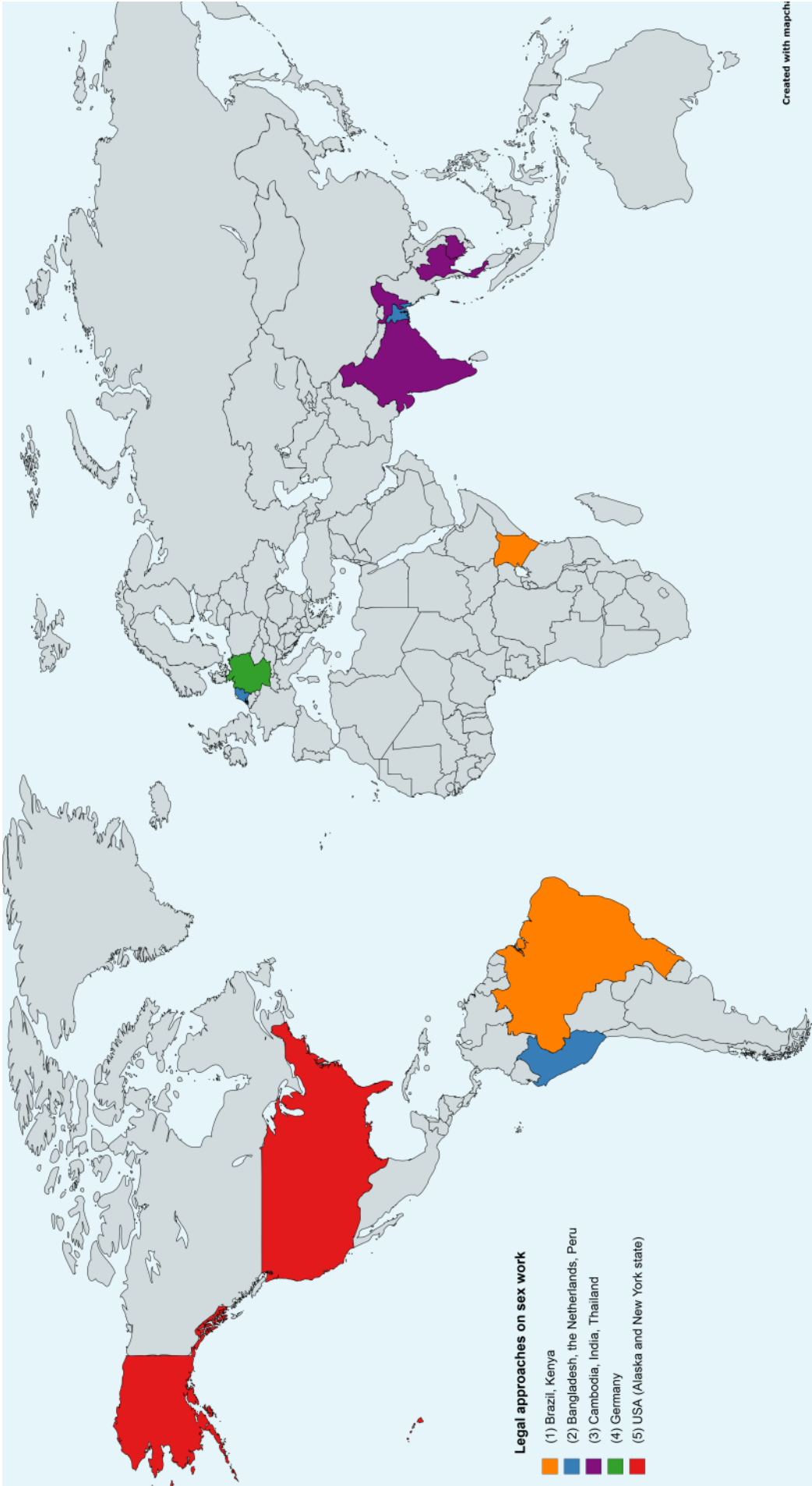
Name of organization	Sex worker-led?	Focus	Function respondent
Asia Pacific Network for Sex Workers (APNSW)	yes	Asia and Pacific region	1) Former chair person, present member 2) Consultant
Bar Hostess Empowerment Support Program (BHESP)	yes	Kenya	Executive director
Berufsverband erotische und sexuelle Dienstleitungen (BesD)	yes	Germany	Co-founder and spokeswoman
Community United for Safety and Protection (CUSP)	yes	USA (Alaska state)	Co-founder and board member
Durbar Mahila Samanwaya Committee (DMSC)	yes	India	Former program director, present advisor
Empower	yes	Thailand	'Team member'
Global Alliance Against Traffic in Women (GAATW)	no	international	Coordinator
HIV/AIDS Research and Welfare Center (HARC)	yes	Bangladesh	Advisor
Asociación de Trabajadoras Sexuales Mujeres del Sur (Mujeres del Sur)	yes	Peru	Former chair, present coordinator
Proud	yes	Netherlands	Project coordinator
Red Umbrella Fund	yes	International	1) Fund coordinator 2) Program associate
Red Umbrella Project (RedUP)	yes	USA (New York state)	Project coordinator
TAMPEP	no	Europe	1) Founder and coordinator 2) Former policy officer
Veshya Anyaya Mukti Parishad (VAMP) <i>daughter organizations of:</i> Secretary General of Sampada Grameen Mahila Sanstha (SANGRAM)	yes ----- no	India	Supporter ----- Founder
Women's Network for Unity (WNU)	yes	Cambodia	1) coordinator 2 & 3) members of coordinating committee

* References to (researcher, Brazil), refer to an informal conversation with a researcher and sex worker rights activist linked to Davida, a sex worker rights NGO in Brazil.

Appendix 2: Overview of legal frameworks on sex work

Legal approaches on sex work (see map on next page)

- (1) It is illegal to organize commercial sex. (Brazil, Kenya)
- (2) It is illegal to sell sex and organize commercial sex except where permission is given by a licensing authority that applies conditions such as health provisions and restrictions on how and where the person or business can operate. (Peru, the Netherlands, Bangladesh)
- (3) It is illegal to solicit to sell sex in a public place and to organize commercial sex in any place. (Cambodia, India, Thailand)
- (4) It is illegal to organize and to sell sexual services except within specific buildings or zones, or away from designated buildings and zones. (Germany)
- (5) It is illegal to buy and sell sex and to organize commercial sex in any place (advertising, living off immoral earnings, operating a brothel, procuring, etc). (USA) (NOTE: this is true for the states of Alaska and New York, some other states have legal approach 2.)



Appendix 3: Topic list

1) Introduction organization and introduction interviewee

Build up rapport, break the ice, get background information on the organization.

- **First, could you briefly introduce yourself and how you became involved in [this organization]?**
- **What is your function or what are your tasks within the [organization]?**
- **To get a sense of your organization's identity, what, do you feel, is the main goal of [your organization]?**
 - How is the [organization] working on this/these goal(s)?

2) Sex work and policy

To get a sense of the political context and situation of sex workers in the context.

- **What are the current policies regarding sex work in your country?**
- **Could you describe what it is like to work as a sex worker in your country?**
 - What are challenges for sex workers in your country?
- **Are sex workers involved in policy-making regarding sex worker issues?**
 - If yes, how?
 - If no, why not?
 - How could this be improved?

3) Trafficking and sex work

Based on the research questions: 'What do sex worker-led organizations know about the issue of trafficking?'. (What do sex workers know about anti-trafficking policies?) (How do these policies affect sex workers?)

- **Why, do you feel, trafficking is so often conflated with sex work?**
 - How do you feel trafficking and sex work are related?
 - What could you tell me about migrant sex workers in your country?
 - What are their challenges?
- **How would you define trafficking?**
- **What do you know about trafficking cases in your country?**

- What do you feel are root causes for trafficking in your country?
- **Are there any policies in place regarding human trafficking in your country?**
What are they?
 - How do these policies affect sex workers in practice?
 - How do these policies affect the work of your organization?

4) Sex worker-led organization and trafficking

Based on the research question: ‘How do sex worker-led organizations approach the issue of human trafficking?’. (Are swo’s involved in policy-making regarding trafficking?) (What do swo’s do for trafficking victims?) (What do they do for preventing trafficking?)

- **Are sex workers involved in policy-making regarding trafficking policies?**
 - If yes, how?
 - If no, why not?
 - Do you feel this is an important issue for sex workers to participate in? How could this be improved?
- **Do you feel trafficking is an issue sex worker-led organizations should be concerned with?**
 - Why? Why not?
- **Does [the organization] come in contact with victims of trafficking?**
 - What happens then?
- **How do you feel your programs could combat human trafficking?**
- **How do you feel sex worker organizations could play a role in the fight against human trafficking?**

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