Promoting A Victim-Centered Approach to Combating Human Trafficking and Commercial Sexual Exploitation

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Abstract

Trafficking in human beings for sexual exploitation is the second most profitable trade in the world. Eastern Europe has become the second most concentrated region of source, transit and destination countries for victims of human trafficking. Current debates on how to approach the problem revolve around whether or not prostitution should be legalized. If legalized, some proponents suggest safety provisions rendered under government regulation will stop the trade, while others argue that legalization of prostitution exacerbates the demand for women in the sex industry.

Not only do these two very different approaches have extremely different impacts, but they also approach victims in a very different manner. Through comparison of service provisions by regional NGOs on both sides of the debate, this study seeks to uncover the most prominent gaps in addressing victims’ needs and how the approach itself is fundamental to meeting those needs in the larger context of the crime and empowering women at both an individual and a societal level. This paper will take the normative position that prostitution exacerbates the demand. Only by criminalizing the demand will victims’ needs truly be met, by challenging the current social dynamic of power relations and promoting gender equality.
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List of Abbreviations:

CEDAW – Convention on the Elimination of Discrimination Against Women
CSE – Commercial Sexual Exploitation
CSW – Commission on the Status of Women
EU – European Union
GDP – Gross Domestic Product
IOM – International Organization for Migration
IOs – International Organizations
NANE – Women for Women Together Against Violence (NANE) Association
(Nor; Hungarian: Nők a Nőkért Együtt az Erőszak Ellen (NANE)
Egyesület)
NGOs – Non-Governmental Organizations
OSCE – Organization for Security and Cooperation in Europe
TRM – Trans-national Referral Mechanism
UN – United Nations
VoTs – Victims of Trafficking
MPS – Hungarian Association of Prostitutes
(Nor; Hungarian: Magyar Prostituáltak Szovetsege)
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Introduction:

Human trafficking has gradually moved its way to an epicenter of transnational discourse on policy provisions and developments for governments, NGOs and International Organizations alike. The primary focus on combating human trafficking is related to what may be referred to as the ‘sex-slave trade.’ Women in less developed countries around the world do their best to obtain decent jobs and a better standard of living for themselves and their loved ones. However the opportunities presented to them are often fictitious, deceptive and life-altering as traffickers have developed elaborate techniques to ensnare and assist the movement of women for the purposes of sexual exploitation.

Much of the research and reporting done by agencies such as the IOM, OSCE, and IMCPD, that assist governments in their policy decision-making process, have focused on prevention policies. The field is now evolving to incorporate victims’ rights and repatriation procedures, through the developments of such instruments as the Transnational Referral Mechanism (Solkner, 2008), and the Handbook on Anti-Trafficking Data Collection (IMCPD 2008). These instruments are meant to inform and train the government agencies that will encounter trafficking victims, such as border guards and public service providers.

The reports however indicate that while strategies are being created and actors are signing their commitments to these international and national agreements, that there is little implemented in regards to recommendations. All of these efforts establish recognition of the problem, but have yet to determine a coordinated and effective
approach. That leads into the question of how much are victims’ needs being met? Before this question can be examined however, it is important to discover what government policies have been in combating the criminal aspect of trafficking and the relation to the sex industry of trafficking for purposes of sexual exploitation. Modern governments have started to refocus their policies to combating human trafficking for sexual exploitation from prevention programs to the debate around legalization or criminalization of the women in prostitution. These policies have a huge impact on market aspects of human trafficking in the sense that women have become commodities. This requires examination of the legislation that pertains to the destination countries in which the demand is concentrated and the conditions that exist in the source countries that allow this trade to flourish.

This paper aims to explore how the anti-trafficking NGOs position themselves around this argument of legalization of prostitution and how this aligns their service provision to the victims: are victims’ needs really being met? Are victims empowered through rebuilding their self-worth and identity within society with the tools they are provided? By exposing the gaps in service provisions around the argument of legalization of prostitution, critically analyzed against existing feminist theories and government policies, this paper will conclude with recommendations that empower women by decriminalizing their status, while criminalizing the men, who drive the demand in the market of commercial sexual exploitation.

Chapter 1 will provide background to the global problem of human trafficking for sexual exploitation and a regional focus in order to locate the problem in regards to its scope. Basic definitions and their employment will be delineated here. Once this
is established, I will then move onto exploration of two facets of literature that will form the basis of my analysis and conclusions. Thus I will expose the relationship of government policies and libertarian feminist theory in regards to its impacts on the market dynamics of the sex industry regarding trafficking of human beings. This examination will reveal the failures of policies thus implemented. Counter-arguments based in Radical Feminist politics of gender relations and identity will form the normative basis of policy recommendations to government policies that remain fragmented in their approach and illustrate that the issues are not mutually exclusive.

As I will be analyzing the service provisions of NGOs on both sides of the legalization of prostitution debate, I chose countries with high instances of trafficking for sexual purposes. Chapter 3 comprises the methodology and accounting for any caveats that may be criticized as gaps in the analysis. The strengths and weaknesses of the NGOs examined against the evidence in the literature will be examined in Chapter 4’s analysis.

In its efforts to combat trafficking, Sweden has led a victim-centered approach, recognizing that it is crucial to decriminalize women in prostitution in order to engender trust towards authorities and security in seeking assistance. In that vein, Chapter 5 will illustrate in these recommendations, and Sweden’s has innovative yet imperative measure to criminalize the demand, in recognition that prostitution and trafficking are inseparable issues to achieving gender equality therefore truly meeting the needs of victims.
Chapter 1: Background

1.1: Scope of the Problem

Trafficking in human beings now ranks as the second most lucrative industry in the world (Naím, 2005; Carr, 2009), lagging only behind drug trafficking, raking in an estimated $10-12Billion dollars per year as of 2005 (Naím, 2005). Ukraine’s Ministry of Interior for instance, estimates that over 400,000 women were trafficked in the 1990s alone (IOM, 2001 cited in Denisova & Hughes, 2001). The relationship between prostitution and trafficking in human beings is multi-faceted and inseparable. Since 1949, the UN Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others has stated, “prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community,” (cited in Denisova & Hughes, 2001, pg20-21). This is also one of the most important documents that act as a precursor to the modern movement for gender equality in recognition that prostitution is a human rights violation that predominately afflicts the female sex. Current approaches however are disembodied from the root causes of the problem and leave large gaps to be addressed.

There is a lack of trust among the target population, whether due to stigma, legislation, accountability, political will or actual resources (Solkner, 2008; Denisova & Hughes, 2001; Futo & Jandl, 2007) of NGOs and the state (of the victim’s origin or current location). The IOM (Solkner, 2008) indicates that many victims are reluctant to work with state authorities in order to obtain service and assistance out of fear and lack of trust, preferring to work with NGOs, some of which do not have full
capabilities to meet victims’ needs due to funding. Victims often choose not to
identify themselves as victims, (Solkner, 2008; Raymond, 2003) which thus
disenfranchises them from access to state services and protection. Victims are often
unable to compromise the reality of their situation within themselves, as the
psychological consequences of acceptance are too much too bear (Futo & Jandl,
2007; Raymond, 2003). Without recognizing these fundamental impediments, the
problem is unremitting as victims remain without options or recourse.

While sex trafficking occurs all over the world, Southeast Asia was long known to be
the most predominantly afflicted region. However, after the fall of Communism in the
former Soviet states and the Eastern bloc countries, there existed a power vacuum
that was quickly filled by a convergence of pre-existing powerful forces; the former
apparatchiks with access and contacts on the upper level and the black marketeers
with resources and networks on the lower level. That which had allowed people to
survive through Communism and once had a sense of true legitimacy in supporting
the people through the black market now took on all the shadows of what it really
was. Realizing the demand for women in the West, criminal supply markets of the
Eastern bloc countries readily organized to meet these demands. Efforts became
more coordinated and sophisticated in order to expand “recruitment” of women, as
profits enjoyed by a booming sex industry were growing and expanding with
technological innovation and rapid communication of the internet, providing even
greater access to the demand. This has undermined true legitimacy and respect for
the rule of law in these newly establishing democracies, with weak governments,
formal economic collapse and only partial political will to establish a new system.
The regional focus has been chosen to locate the problem, given the high-risk security implications on the EU’s borders as it pursues expansion and stabilization while recognizing the proliferation of trafficking since the dissolution of the Soviet Union. EU border expansion and the creation of Schengen Zone have ironically created even greater opportunities for the nourishment of transnational black market trades. The freedom of mobility offered under the Lisbon Treaty enables traffickers to assist victims in obtaining credible documentation (Futo & Jandl, eds., 2007) and then move the victims around freely within the EU as demand or evasion dictates, while confiscating their documents. Moisés Naím (2005), editor of Foreign Policy magazine, poignantly notes, “Borders are a wonderful thing for traffickers and a huge, horrible nightmare for government agencies. At the end of the day, these trades are driven by profits.”

1.2: Some Definitions

**Human Trafficking:** The working definition for the purposes of this paper will be that employed under Article 3 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime:

(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 labour 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, 2000)

This Protocol is also more commonly known as the “Palermo Protocol” and will be referred to as such. “Victims of Trafficking” will henceforth be referred to as VoTs.

**Commercial Sexual Exploitation (CSE):** Several sources link commercial sexual exploitation with trafficking, but in order to reinforce the normative position of the paper, I will be using the definition employed by the American Salvation Army (*Caring Magazine*, 2005), that refers to prostitution as commercial sexual exploitation in recognition that prostitution is rarely if ever a choice for women and that prostitution and trafficking are themes that cannot be separated (Ekberg, 2003, p. 69 cited in Raymond, 2003). When prostitution is argued as a choice for women it is also an argument for normalization of exploiting women who are poor and marginalized from society (Denisova & Hughes, 2001; GAATW, 2001; Raymond, 2003). As these women already suffer from social and economic marginalization, terms such as “prostitute” carry negative stigmas in society – even in societies that have legalized prostitution or CSE (Denisova & Hughes, 2001; Hughes 2000, Raymond, 2003). De-stigmatization is one of the biggest challenges that victims face when coming forward and are often coerced during their confinement with threats of blackmail that their families will be informed that they are prostitutes (Denisova & Hughes, 2001).

CSE does however have the broader implications of encompassing the entire sex industry, such as strip clubs, “exotic” dancers, pornography, etc. Many of the women who participate in such sexual ‘entertainment’ are there out of marginalized “options” wrought by desperation are also the same women who are trafficked and coerced...
(Denisova & Hughes, 2001). For the purposes of this paper, CSE will refer to prostitution, and when referring or encompassing dancers, strippers, pornography, etc., will explicitly reference these as the “sex industry,” also inclusive of CSE, unless otherwise specifically noted. When discussing arguments for legalization of prostitution, it will simply be referred to as such, in order to distinguish the argument that the libertarian defense of prostitution as choice does not involve exploitation, or as the Dutch government put it, “there are good kinds of exploitation and bad kinds of exploitation.” (Denisova & Hughes, 2001) Although this paper will not discuss the differentiation between “good” and “bad” exploitation, it will employ a definition of exploitation that is wholly and completely negative, considered to be a non-desirable condition.
Chapter 2: Literature Review

2.1: The Dynamics of Supply & Demand

In order to combat human trafficking for CSE, governments are seeking to explore the potential benefits of legalization of prostitution to combat the trade. In the first instance, legalization allows increased tax revenues (Raymond, 2003) that may even ostensibly be committed to further enforcement measures by enforcing zoning and licensing laws. Politicians leverage their votes when they acquiesce to libertarian feminist activists who purport that it’s a woman’s right to employment of any means (Pateman, 1988 cited in, & MacKinnon, referenced in Miriam 2005; Raymond, 2003) and can thus position themselves as promoting gender equality by meeting the demands of women.

There is the impression that legalization theoretically affords the ability to regulate the industry and therefore stem the flow of women imported into their country for CSE. When regulation and oversight are introduced, it is inferred that those who choose that profession (i.e. prostitution) will be protected under labor laws as they are no longer afraid to reach out for support to escape abuse from pimps and clients. Regulating the trade by registering sex workers and mandating testing is positioned to curb the impacts of STDs and HIV/AIDS (Pateman, 1988 cited in Miriam, 2005; Raymond, 2003). Most of all: governments will be seen as promoting their best efforts to controlling the exploitation of VoTs for CSE, by allowing increased cooperation with source countries in establishing a quota of migrants (Raymond, 2003).
Each and every argument seems to have its merits and may be plausible enough. The unfortunate reality is that in any country examined where legalization has been implemented, the implementation is not mutually exclusive and somehow leads to a relaxed observance of actual efforts to combat the trade in human beings.

Following the deconstruction of how government policies have failed to mitigate trafficking through legalization of prostitution, I will then counter the arguments of NGOs and libertarian feminists that promote such policies of legalization. This will be done by engaging a Radical Feminist critique of the arguments of “choice” and the construction of power relations and trends that mitigate that choice and perpetuate gender inequality. This is a critical aspect of the literature review in order to position the analysis of the NGOs against the theoretical arguments that drive policy promotion.

2.1.1: Governments, Trafficking and the Sex Industry

Government policies to combat trafficking through legalization have failed. The following literature review will examine cases that are on the receiving end of the trade in human beings for CSE. Legalization of prostitution exacerbates demand and as will be demonstrated, intensifies trafficking in the host countries.

“In all cases [of illegal industry] ...you have a government trying to contain a market. This is about arbitrage.” (Naím, 2005)

When prostitution is legalized, the illegal industry expands alongside it, often exponentially, as zoning laws fail to be enforced. The expansion of licensed
brothels, unlicensed brothels and an increase in “hidden prostitution” in private apartments has expanded the illegal industry (BNAC, 2010; Gray, 2010; Denisova & Hughes, 2001). Both the Netherlands and Australia saw an increase in trafficked persons, an increase in “hidden prostitution” and an increase in child trafficking for CSE. (Raymond, 2003; Denisova & Hughes, 2001) Victim assistance NGOs in the Netherlands have reported this dramatic influx (Bureau, NRM, 2002 cited in Raymond, 2003; Denisova & Hughes, 2001). Once prostitution was legalized in Victoria, Australia, unlicensed brothels accounted for the majority growth of the sex industry in (Sullivan & Jeffreys, 2001 cited in Raymond, 2003).

CSE now accounts for 5% of the Netherlands national GDP (Daley, 2001 cited in Raymond, 2003; Denisova & Hughes, 2001). This sizable stake in the economy is illustrative of how government now has a vested interest in the sustainability of the industry through increased tax revenues alone. Legalization has sanctioned and fueled the demand for women’s bodies. As demand becomes normalized, the distinctions between legal and illegal operations blur and legalization facilitates a second sort of ‘state capture’ in which the police become corrupted, either through monetary bribes or sex (Denisova & Hughes, 2001; Futo & Jandl, 2007; Hughes, 2000; Raymond, 2003; Solkner, 2008).

In an industry where criminals see high profit margins, the need for trafficked women to meet demand expands. In order to regulate the flow of women, the Netherlands has suggested a quota of visas to be allocated in source countries (Bureau, NRM, 2002 cited in Raymond, 2003). However, the majority of trafficked women (70-90%)  

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1 The Netherlands saw a 300% increase in child trafficking. In Australia, the rates of child trafficking in states outside of Victoria remained the same, although after legalization, the rate of child trafficking victims present in Victoria was exponential. (Raymond, 2003)
already hold legitimate documents, usually obtained to as either work or student visas (Carr, 2009; Denisova & Hughes, 2001; Futo & Jandl, 2007; NCSTP, 2004; UNHCR, 2005). These legitimate documents may have simply been altered or falsified to match the victim (Denisova & Hughes, 2001; Futo & Jandl, 2007). Thus registered quota provisions simply provide additional access to legal documentation, facilitating traffickers’ needs. Trafficking in Germany to facilitate CSE has also “been euphemistically described as ‘facilitated migration.’”(Raymond, 2003).

The assumption that women will be safer in a regulated industry is belied by the fact that police and industry regulators must enforce labor laws; but this also means that prostitution must be legalized in the labor code and not simply decriminalized under the criminal code, as is the case in Hungary. Women are no more protected or provided safer working conditions than prior to legalization. Registration of sex workers to regulate the health concerns of the industry through mandated testing allows for profiling as sanctioned prostitution stills suffers from social stigmatism (MPS? ). Clearly, where there is an aversion to being identified as a prostitute that this is not a chosen identity of free choice that they have taken upon themselves.

Regardless of the precautionary medical exams that women undergo, the demand – the men who frequent these women do not have to undertake any sort of clearance or testing. Women, as a whole are exposed to greater health risks as most men who engage in CSE are educated professionals and businessmen who have families (Sullivan & Jones, 2001 cited in Raymond 2003; “Unknown” source cited in Hughes, 2001a). The protection rendered by testing only supports the appearance of government efforts to safeguard against the ills that could be spread throughout
society, which cannot actually be mitigated without strict control on both ends of the exchange in the supply and demand. The woman however would then be rejected and even further marginalized were she to contract a disease. Women in legalized prostitution only work in the knowledge that they won’t be arrested for the sale of their bodies - regardless of who has control over that sale. These factors examined expose the gaps in policies that promote the freedom to choose prostitution as a means of employment as government sanctified exploitation of women from poor countries (GAATW 2001; Raymond 2003).

Government measures and international cooperative agreements are doomed to failure in combating the sale of human beings where legalization of prostitution is allowed to create room for further exploitation. The ability to regulate is only possible when governments establish coordinated policies and very strictly applied regulatory measures of controlled access for each stakeholder, which the capacity has not evidenced as plausible. Therefore, the next section will counter the arguments of libertarian empowerment through the understanding of social power relations in a Radical Feminist view of what allows the acceptance of such positions that misguide policy direction.

2.1.2: Radical Feminist Politics of Gender Relations & Identity: A Response to Libertarian Arguments of ‘Empowerment’

It is difficult to posit that women are exercising their freedom of choice when survival and dignity become concepts distinguished as competing and disposable components of that choice. A 5-country study (Hughes 2005 cited in Raymond, 2003) utilizing direct interviews with CSE victims indicates that the women do not
promote it as a trade, or something that they recommend anyone do by choice. The
damning assumption here is that choice presupposes agency (Miriam, 2005), where
these women have none.

The question of legalization lies more in the premise that the sexual services
provided are meant to empower women in a trade in which by its very definition is
disempowering. And to what effect and measure does that serve the greater good of
humanity to work to empower one group of women, while disempowering another
group of women, undermining the status of being Woman overall an underclass, to
be used and disposed, tolerated only in a transaction-like setting? Legalization of
prostitution enforces such disparate power relationships such that if there is
disagreement among genders in a relationship that respect and equality are
substantively unattainable as the users of prostitutes have ultimate recourse in
discriminating and disrespecting women as individuals and as a body of humanity.

The argument of one libertarian feminist (Pateman, 1988 cited in Miriam, 2005) is
based upon the contractual exchange theory based in understanding of relations
between two persons, yet this contractual exchange theory does not address the fact
that not only is the supply side of the equation providing a service, but is also
providing contract over her person. And if command over one’s person can be
bought, then there is no sanctity of autonomy in the respect of a human being and
therefore of human rights. As Miriam (2005) states, the argument of choice is “thus
[based on] a model that presupposes and conceals the social relations of domination
that obtain for prostitution.”
In order to understand the limitations of the liberal contract on the female gender, it must be understood that the “public conception of the self as the equal and abstract bearer of rights from which liberalism proceeds, is belied from the inequality, asymmetry and domination permeating the private identity of this self as a gendered subject,” (emphasis added: Benhabib & Cornell, 1987) and the roles that are then prescribed upon that increasingly sexualized (Riley, 1988) and gendered subject (Lopata & Thorne, 1978). In this light, the rights born to women, already ascribed by their gender are preceded by the liberal context and the extension of which their contractual rights lie in relation to the governing of themselves and their own beings; quite frankly, choices are limited before options may even be present.

The choices and opportunities afforded to women must be framed in a context of women’s position in society (Riley, 1988) and the power relations over her (Lopata & Thorne, 1978) and the relations of access to her (Miriam, 2005) that permit domination and subjugation to persist through arguments of contracts, in which the self cannot be disengaged from the gendered being (Miriam, 2005). But it is the very pretense of these assumptions that legitimize for society men’s practice of unrestrained access to women (whether in private or public relations of intimacy or exchange), in assuaging and quenching their sexual desires, while (Layden 2003; Miriam, 2005) the desires and sexualities of women are suppressed (Hughes, 2000) only to be engaged in supplication to male sexual desires. Women in such marginalized constructs thus become resigned to abuse “until eventually they think it is their role in life.” (Hughes, 2000)
Legalization only intensifies the demand as it becomes sanctioned in the minds of men and boys who grow up learning that it is acceptable to use a woman’s body for self-gratification (Hughes, 2001a). The more disturbing factor of this engagement lies in the disregard that it furthers the distinction between men and women and that women are enforced as some sub-set of humanity, and rather than recognizing the violations to Humanity the argument must be made as to the violations against Women. The regressions to the advancement of equality are evident by the very nature of the how the debate must be framed, in the almost exclusive predominance that women are exploited rather than men for sexual gratification (except in rare cases, where of males VoTs for CSE are generally child victims).

The pervasive conception that men need sex is explicit of women’s subjugation and repression in the denial of women’s own needs for intimate fulfillment, their sexually expressivist identities, and an excuse for legitimizing women’s sexual exploitation for profit (Hughes, 2000; Layden 2003; Miriam, 2005). Prostitution is not liberation of women’s expression as Pateman argues, (1988 cited in Miriam, 2005) but rather conformity to their repression; a “choice” that is so completely bound by the limited agency of constraints that it has taken refuge in the guise of freedom as a libertarian operative and deceived the subject itself.

2.2: Normalization & Exacerbation of Demand

Countries with tolerated sex industries often lead the way to legalization. Legalization sanctifies and normalizes the practice. Demand expands, encouraging men to participate, where previous social and moral barriers prohibited such
complete manifestations of self-gratification and misogynic oppression. This is all displayed through the pornography, prostitution, sexually explicit performances, and forced abductions into sexual slavery (Hughes, 2000, 2001a; Raymond, 2003) that define CSE and the sex industry. Just how normalized is it in our world today? Hughes (2002) informs us that “the Global sex industry is estimated to make $52 billion dollars a year.... use[ing] up women, physically and emotionally, necessitating fresh supplies (sic), which keeps trafficking so profitable.”

2.2.1: Misogynic Pornography and the Normalization of Sexual Exploitation

The sex industry has pioneered engagement and innovation of new media communication technologies, often inventing platforms and service provision ahead of private enterprise (Hughes, 2001a; Gross, 2010). “According to one official, ‘If it can be done, they’re doing it.’” (Kaplan 2001, cited in Hughes, 2001a, pg. 10) The use of internet technology and instant communication has exponentially affected the demand for pornography as well as the misogynic nature that has proliferated in content (Hughes, 2000).

According to Hughes, (2001) the increasing portrayal of raping, abusing and mutilating confined women on photos and live video feed is the manifestation of the increased competition in the industry. Graphic sexual exploitation is less about sexual urges and more about misogyny, upsetting even producers who have worked over 20 years in the porn industry (Rich 2001, cited in Hughes, 2001a). She goes on to assert that the more grotesquely women are dominated, the higher the demand for such content. While such demand marks hidden psychological tendencies,
where men abuse *themselves* in painful attempts to maintain continuous arousal (Taylor, Quayle and Holland, 2000 *cited in* Hughes, 2001a; Layden, 2003), her research demonstrates the perpetuation of victimization. Meanwhile, the women who suffer are unknown, increasing in number every day because profit margins expand with each new posting and each user viewing.

Hughes (2001) also posits that the same women who are trafficked are often used for the creation of pornography and prostitution. Whether the images and portrayals are torturous renderings or dominated women who enticingly smile at the camera, the women depicted do not have a choice whether they smile or not. In the same way that a client may ask if she “enjoyed it,” – the women are abused, raped and beaten into submission until they know the act to play, the words and moves of command and the successful retail of their bodies. This forced acquiescence is obliged in the tentative self-consolation that by ultimate submission these women may still have a stake in obtaining their freedom (Denisova & Hughes, 2001; Hughes, 2000, 2001a; Raymond, 2003; Stability Pact, 2004).

The target population of VoTs ranges anywhere between 12-25 years of age. (Hughes, 2000; Gray, 2010) In many countries, the lower end of the age margin would then also constitute child trafficking and child pornography. Traffickers do not distinguish much based on age however. They intentionally abuse children and attempt to ensnare them (Denisova & Hughes, 2001). This correlates with the fact that producers of child pornography are often wanted in relation criminal histories of robbery, assault and murder (Hughes, 2001a). One can only speculate on the profile of the producers of adult pornography, when these lines blur and where there is no
Men attempt to justify their exploitative abuse of women through various modes of denial (Layden, 2003) which persist throughout the world and which Hughes (2001) has labeled as the biggest challenge to combating trafficking for CSE. The proliferation of the internet and the normalization by society in acceptance of misogynic material has increased competition of the supply to satiate the demand. This growth of access and competition continues to feed the beast that is trafficking and tearing to pieces segments of generations of poor and marginalized young women. Government policies have done little to react and thus create the need become proactive in discovering and closing the gaps to meeting victims’ needs and ending the need for assistance by stopping the demand itself. The next section will delineate my methodology of approach in order to form this analysis.

\[\text{2 In her research on misogynistic pornography – the kind which is especially perpetrated upon VoTs – acclaimed researcher on human trafficking for CSE, Donna M. Hughes had to seek professional counseling for emotional distress after seeing the images of brutally forced vaginal, oral and anal rapes, torn and cut genitals of the victims, painful and degrading sex acts, all committed by hooded and concealed perpetrators. The specific website noted was Slave Farm, operating in Russia, (Hughes, 2001a) where many Ukrainian victims are trafficked and have disappeared (Denisova & Hughes, 2001; Hughes, 2000). Her studies emphasize the nature of the traumatic, explicitly painful and perverse abuse of the victims, while linking the proliferation to the demand. Other studies, also conducted by Hughes (2000), cite the documentation by an American of live rapes and tortures of women and children, broadcast via internet feed on a pay-per-view website in Cambodia. The crucial signifier in all of these cases is to realize that they have become normalized, they are available everywhere, and that these situations are not simply drastic extremes, but heightened by publicity in their reporting, while there are yet many cases uncovered and unreported as many women continue to suffer repetitive, torturous abuse.}\]
Chapter 3: Methodology, Selection & Normative Divide

Countries selected for this analysis are Hungary, Bulgaria, and Ukraine, ultimately focusing on Hungary and Ukraine, due to lack of NGO responses.

It is important to note that the case selection is not intended to be representative or comprehensive in scope; but rather is deemed as a critical starting point for the examination and analysis of approaches to combating human trafficking for CSE by focusing on victim’s rights specifically as they pertain to individual needs. This will be achieved by obtaining a sample distribution that involves NGOs working on both sides of the legalization debate in each country selected and analysis of how that shapes their services in regards to whether or not these NGOs truly meet VoTs’ needs through this ideological divide.

3.1: Country Selection

In my case selection I relied heavily upon two secondary sources: the US Dept of State, Trafficking in Persons Report, 2009, and the ICMPD’s 2006 Year Book on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe. Initial selections were based upon categorization of Tiers in the US State Dept. report. The State Department methodology is based upon 11 minimum criteria to rank country efforts. (US Department of State, 2009a,b); the condemnation of the sale of commercial sex acts is perhaps the most contentious component of criteria from the State Department.
In order to keep conformity amongst the selection, I looked at Countries in Tier 2 and those on the Tier 2 watch list which were in the geographic proximity of the European Neighborhood region: in other words, countries that either already acceded into the EU or those on the external borders of the EU. The reason for this focus is because the Central & South Eastern European region acts simultaneously as source, transit and destination in regards to the countries located within.

There is also the caveat to the ranking in the TIP report: the ranking of each country is not held against others’ performance for a given year, but rather, a country is held against its own performance record for the year prior (Hernandez, 2010). Hungary for instance was a Tier1 last year but has declined to a Tier2 this year, because efforts must improve every year in order to maintain status in a given Tier, and not simply maintain the measures provided the year prior (Hernandez, 2010); so while Hungary’s efforts have remained level between 2008 to 2009, it has decreased in the rankings. It is therefore important to keep in mind that the rankings do not necessitate the extent of the problem, but rather government efforts to hedge the problem respective to its own record.

In the country case selection, such factors considered from the ICMPD 2006 Handbook were number of border apprehensions, number of apprehensions in origin, share of illegal women as immigrants, share of minors as illegal immigrants, migration related apprehensions, numbers and percents of legal border crossings, numbers of reported cases of falsified, fraudulent or forged documents, number of persons removed per year, indicative fees paid to authorities by smugglers based on origin of person, country of transit and country of destination, numbers of
apprehended traffickers, numbers of recovered victims, type of border crossings
where apprehensions took place, and numbers and nationalities of violators - all of
which are indicators of possible trafficking cases as trafficking is highly
underreported by the victims themselves out of fear from authorities, reprisals and
stigmatization (Solkner, 2008). There were high numbers available for Romania as
well in most of the IMCPD charts referenced however case selection of countries
also depended heavily upon the factor of information available for each country and
thus far information on Romania was not as prominent.

The ICMPD report indicates that one admonition to the reporting may be a gender
bias in over reporting women as suspected trafficking victims because authorities are
seeking to identify possible victims of sex trafficking rather than apprehending all
trafficking for labor and other exploitative purposes. One of the other problems with
identifying possible VoTs is the sheer numbers by volume considering that “border
guards faced the difficult job of identifying one irregular migrant among every 17,777
legal border crossings” (Futo & Jandl, eds., 2007, pg 20) in the region, which highly
contributes to the factors of under-reporting.

There are some additional caveats to consider as well when interpreting the
numbers and data reported in the ICMPD report when defining my methodology for
selection. Numbers such as reported border apprehensions do not necessarily
mean that the problem is getting worse in the country; it could rather be an indication
of a crackdown on enforcement measures. A current and prime example of this is
the newly recognized phenomenon of trafficking for sexual purposes in Iraq, brought
on by stresses of the Iraq War. While there are many cases in Iraq, there have been
no prosecutions against traffickers thus far (Human Rights Watch cited in Jamjoom, 2010). Once prosecutions and legal provision are secured, these numbers of prosecutions will not reflect a “sudden” problem but rather reflects the authorities newly attempted efforts to mitigate these crimes.

Likewise, as border patrols are trained to recognize VoTs more effectively, numbers of border apprehensions would be expected to increase as a result. In this regards, the country may actually have a better position in its fight against trafficking but may reflect a worse ranking or position. It is important to recognize that the numbers are not straightforward causal indicators and must be read in the context of further comparative information, of which this study will not explore. Perhaps further research could endeavor to compare trainings of border patrols on a cross-national basis, examining the number of guards, the proportion trained in VoT identification in a given year, and the number of apprehensions and number of referrals through the TRM for instance, to provide a more accurate reflection on of the actual indications of these numbers.

When numbers of apprehensions decrease over a year’s time, it is not easily ascertained whether controls and efforts may have relaxed or whether traffickers have developed new modus operandi to evade detection, or whether the crackdown of law enforcement is having a true effect on illegal migration in that country. It may be a combination of all three factors, but due to the secretive, illegal nature of trafficking, it may be impossible to render this reality. However, efforts such as the ICMPD national database (IMCPD, 2008) will shed more light on this as the data collection is first implemented by a country and all operating NGOs and service
providers, in addition to staff of all acting bodies being properly trained and
sensitized to allow appropriate identification of victims, perpetrators and even the
problematic identification of “cross-overs.”

3.2: NGO Selection & Ideological Division on Approaches to Legalization of
Prostitution

Many of the well-known and active NGOs in assisting VoTs are contracted to run
programs by international organizations or collaborative government strategies, such
as the IOM, who contracts often with La Strada International, which was initially
formed by the governments of the Netherlands, Poland and the Czech Republic and
supports the legalization of prostitution. All of these countries have thriving sex
industries that make up a large portion of their GDP and tax revenue. These NGOs
do not represent the grassroots movements of the people that live in the
communities that they purport to assist (Denisova & Hughes, 2001).

As this division of influences is so apparent in assistance schemes, it also coincides
with the thematic divide in the debate to the legalization of prostitution. In order to
form a consistent sample, my intention was to conduct interviews with 2 NGOs from
each of the three chosen countries; one NGO that stands behind the legalization of
prostitution and one NGO that is against legalization. Due to time constraints in the
research process and lack of resources on the part of some of the contacted NGOs,

3 Cross-overs are women who were once trafficked and exploited themselves, but have found their means of liberation through
compliance and assistance with the traffickers and pimps. These women often return to their home towns with stories of false
job offers and life abroad in order to entice and ensnare the next wave of victims (Denisova & Hughes, 2001; Hughes, 2001a;
Sőkner, 2008). Some of these women even become pimps themselves, without any sympathy for those under their control in
their new position of power relations, as girls experience the same sort of rapes and beatings that the now-acting women pimps
once experienced (Hughes, 2001a). While there are many women who are complicit in furthering the exploitation of victims, not
all of them are “cross-overs,” though these are increasing in numbers. There are implicit difficulties in categorization of this sort
of perpetrator for assistance provisions of these acting “cross-overs,” and categorization of whether they were “once a victim” or
“still a victim.” While there are variations in national legislation against trafficking, there does not yet seem to be legislation that
would specifically cover this increasingly common scenario.
unfortunately not all interviews could be facilitated to provide country-specific snapshots for comparison. The information from the interviews obtained however have been more than insightful and it is hoped that the lack of consistency in sampling for reasons beyond the control of the research is outweighed by the insights and comparisons gained through the available analysis against existing literature. I will not include the methodology for selection for those NGOs who have been unable to assist, due to parameter constraints in submission of this research endeavor.

**Methodological caveat** – One interview was conducted in person while using an assistant translator, and two NGOs simply completed the questionnaire and sent back to me, due to time constraints. In regards to the translated interview, there are obviously elements lost without being in the direct conversation, so understanding of the responses is limited to that which is conveyed. Even when speaking in person, there is the chance that questions are not clear as with conversion of information into another language may take on a different meaning. The operative language of my research is English, while English is a second language for every interviewee. Transcription from the oral interview is based on notes and provided in full sentences on questionnaire archives.

*Transcriptions of interviews/questionnaires may be provided upon request.*

3.2.1: NGOs for the Legalization of Prostitution as a Choice of Employment & Empowerment

**La Strada Ukraine:**
La Strada International is the most prominent, powerful, connected, well-funded and familiar organization which combats trafficking in human beings for sexual purposes that does promote legalization of prostitution as a means of women’s empowerment, for which La Strada Ukraine was selected. La Strada works as an international institution alongside other international organizations (such as the IOM) and participates as a key voice in international summits and cooperation efforts, able to influence political decisions of European political leaders. These connections and this visibility also facilitate La Strada’s access to resources which are then allocated to the local NGOs that La Strada contracts to represent the organization in a particular country. The “hosting” NGOs must follow the mandates of La Strada International in order to receive the resources and connections that are facilitated by representing La Strada. La Strada International Opinions that have been published cite the Lisbon Treaty’s freedom of movement (“Title IV”) of workers as a tool for empowerment and engagement for those who wish to enter into prostitution.

**Magyar Prostitualtak Szovetsege:**

Magyar Prostitualtak Szovetsege has been selected for representation in Hungary as I was assisted with obtaining contact with the organization and may offer insight using the same ideology as La Strada. However as a different organization independent from La Strada, it will also give reflection into how other NGOs may promote the same ideology differently and what implications this may have. This organization not only posits the position that prostitution is a choice for women, but runs active campaigns and programs to empower women in prostitution, provide health care and unionize their labor force. All of these efforts are attempts to take
the stigma and exploitative factors out of prostitution and enforce that it is a legitimate trade service.

3.2.2: NGOs Against the Legalization of Prostitution as Promotion of Gender Inequality and Exploitation

NANE:
Women for Women Together Against Violence (NANE) Association is a Hungarian NGO that originally focused on domestic violence has since expanded its mandate as of 2003 to directly assist trafficking victims. In 2002, NANE prepared on shadow report on the situation in Hungary on violence against women and submitted this to the CSW under CEDAW’s mandate (NANEa, n.d.). In that regards, NANE was chosen to represent the NGO in Hungary that is against legalization of prostitution and recognizes prostitution along the terms of the definition of CSE. NANE has a long history in Hungary, established as a grassroots movement in 1994, but has grown in capacity to coordinate the activities and missions of many NGOs in Hungary under a national umbrella (“Mission and Goals of NANE Women’s Rights Association”).
Chapter 4: Comparative Analysis of NGO Service Provisions in Meeting the Needs of VoTs

By comparing NGO approaches, based on interviews (Appendix A), this analysis will expose the gaps in service provisions in order to make valid recommendations of how to best meet VoT’s individual needs. All NGOs, regardless of ideology driving their service provision, believed that best way to meet victims’ needs was a strong partnership and cooperation with government authorities and other NGOs. However, ideology between service providers can sometimes inhibit cooperation.

First it is important to delineate the type of clients that each organization mostly worked with, because while trafficking is under their mandate, it is not always the primary audience. NANE for instance was established to assist battered women, as previously mentioned. Since trafficking has come under its mandate, there previously had a prevention hotline for women traveling abroad, however the hotline has not been active for several years, due to lack of funding, and as such, information from NANE is limited. NANE is the only organization interviewed that does not promote legalization of prostitution. This view is not explicitly articulated but rather positioned by trying to work with other NGOs that do not support legalization. They will of course serve a client/victim who believes in legalization, in attempts to provide the best service to the individual; if their needs were specific to their rights as prostitutes, Judit Wirth, who spoke for NANE (2010), said they would then refer them to an organization that could meet those needs.

Some of the women who called in were encouraged to work with authorities as NANE could not provide more than counseling. Victims in Hungary have had an
aversion to working with the authorities (Wirth), and there was no one that they could turn to that would address their needs as a VoT. This is an important and critical comment NANE is only capable of sending referrals; if there is nowhere to refer VoTs that can address their needs, then this exposes that the reality of the problem is much worse.

Only 10% of the women MPS encounters are forced into prostitution, as the women who use the organization network and mentor each other, they also inform MPS when they see a situation that requires a social worker to intervene and assist the woman out of her captivity. While regularly trained and updated on trafficking issues, they rarely have encountered any trafficking victims. Clientele are mostly Hungarian women, though information is available in other languages.

La Strada Ukraine, is the only NGO that primarily serves VoTs and relies heavily upon identification of VoTs from other NGOs and laws enforcement, noting that it is rare that victims will identify themselves. Workers also complete a questionnaire with victims in order to identify their status. MPS takes the stance that only the victim can identify themselves as a victim. Often clashing with Radical Feminist groups who insist prostitutes are ‘victims,’ girls who use the organization often speak publicly and insist, “we are not victims, we are workers, we choose this; this is our right. It is not your right to label us as victims."

The identification of victims therefore sometimes becomes lost; for instance MPS acknowledged there is a small number of Romanians and Bulgarians that may have been trafficked, but do not want to return home, and seek to move further West.
This aversion to “labeling” victims is in direct conflict with how the Palermo Protocol identifies victims. As VoTs do not often identify themselves (as noted in the literature, and by La Strada Ukraine, above), and the authorities and local NGOs are not assisting in meeting their needs, VoTs will remain largely unidentified and unassisted in Hungary which also contributes to possible reasons why MPS hardly encounters this type of referral.

MPS works with women who advertise themselves on the street, while pimpsing and assistance by any other intermediaries in are considered illegal in Hungary. This means that the women in illegal brothels and “massage” parlors are largely disconnected from society and any assistance NGOs. There are many loopholes to enforcing the law in Hungary. Implementation of the law still allows clubs and strip joints that offer sexual services, run by an owner who hires the women; only the women can individually offer the services (Interviewee #1). In this way, a pimp may own a club, place a sign for a “great night of entertainment” with a picture of a girl, and once inside, the girl (under the pimp’s control) can directly ask the client what “services” he wants performed. Police officers often conduct raids on “massage” parlors, calling in advance to see if the business is a cover-up for trafficking women (Interviewee #1).

The most prominent impression of MPS is the goal of maintaining self-worth and a sense of dignity for the women in prostitution. While MPS acknowledges that 90% “choose” prostitution due to economic circumstances, this only highlights the distinction that the choice is made out of desperation. At some point, when the decision is made to sell one’s body, there must be reconciliation within the psyche as
this is chosen as a last resort. Interviewee #1 acknowledges that the most common problem among the women they assist is drug addiction, while a former Madame in Victoria, Australia describes the decline into drug and alcohol abuse as further desperation to detach oneself from the physical and mental reality of pain (WCLF, 2005).

The argument of “choice” denies the conflict of the inner self, posing as empowerment. This deception in trying to detach one’s self from the reality is distinguished by the MPS’s position that, “it is not about ethical principles to be a prostitute, it’s about rights and possibilities, if they are willing to do it because they have a right to live, so they have a right to earn money in the way that they can. This is voluntary is they choose to earn their living this way. It’s their right. The right to living comes first. We are objective. It is a job. That’s it.” (Interviewee #1)

To retain some autonomy of fate, and retain some rights as a human being, while being exploited is a struggle. In this view can easily be seen how so many girls can propagate it as their right: The right to earn a living; the right to dignity; the right to safety; the right to compete in the struggle for survival. To deny a prostitute’s right to safety would be along the same lines as purporting that a prostitute cannot be raped; this position insinuates that simply because she sells sex, or by some other social standard – if a woman is categorized as ‘loose’ or ‘asking for it’ – that she deserved such treatment, and therefore does not have a choice in what she is subjected to (Crenshaw, 1991; Hughes, 2000; Miriam, 2005). That is exactly why, from the normative position of the radical feminist, these women are victims; the struggle to survive should not be reduced to such basic principles of the very nature of being
human beings, to be afforded one’s right to autonomy while simultaneously contracting that right to sale or subjugation. Quite simply, if one struggles for rights and dignity, this cannot be separated from ethical principles.

In this vein, it is crucial to note that MPS puts forward the proposition that the demand needs to be educated — men need to be educated on how to treat women. Both MPS and La Strada Ukraine do not deem prostitution to be a promotion of ‘sexism.’ However the contradiction lies in the fact of what men desire out of this exchange is the fact that they are commodifying women — objectifying women — for their own gratification, to be used and walked away from. Similarly, La Strada Ukraine does view trafficking to be a symptom of sexism. If prostitution creates the demand for trafficking, as this paper argues, then sexism as a social struggle of power dynamics between genders is indistinguishable from either context.

MPS believes men in relationships should exercise fidelity because the women are not seeking to have a relationship with men; only an economic exchange. But this practice itself undermines respect for all women — in relationships and in CSE. In this regards, the aspect of educating the demand also needs to be addressed when it comes to a requisite of testing for STDs and HIV/AIDS. Prostitution cannot be promoted as a choice, when fidelity is also encouraged to men. These theories and principles of educating the demand to treat women with respect and exercise fidelity are incongruent with the practice of the ‘right’ to sell sex by the very practice of disengaging women from their humanity and therefore perpetuating gender discrimination.
La Strada Ukraine and MPS both offer assistance for their target populations in the way of legal assistance, medical exams, shelter and education, whether directly or in partnership with other NGOs and service providers. However, while La Strada will provide the referral, MPS takes ownership of the situation, assisting a girl from the beginning to the end of the process, accompanying clientele to all appointments and ensuring provisions are free. This method of “hand-holding” needs to be implemented for all assistance of VoTs in order to encourage a sense of real empowerment rather than meeting surface level needs. As long as distance is maintained by the excuse of organizational capacity, the intention of provision in truly meeting personal needs of each individual VoT will never be realized.

It seems quite evident simply from comparing the types of clients that each organization assists, how the promotion of ideology guides the aims of its objectives and influence. There are some things to learn for example from MPS that could be applied to either La Strada (as a local, non-active promoter of legalization) or of NANE, were they to expand services beyond hotline provisions. For instance, the women who utilize MPS rely mostly on a self-sustainable network and mentor one another. Realizing the risks they expose themselves to, they work to protect and assist one another, while still promoting their “trade.” It is my strong opinion that in order for VoTs to learn to trust others once again in society and become fully independent human beings, that they must develop a system or network around which they can assist one another with their experiences and resources.

As the women gradually become more independent, the perspective of experience and insight will encourage and enable the others. This network should be built
around the hub of the assisting NGO. At MPS, a girl may call in and ask if anyone else has called and where to find the best clients. This is a resource and support. If VoTs can extend this to one another in how to find jobs or have a callback buddy system, they can strengthen their chances of survival and full reintegration into society, which is often unfulfilled. In the worst and few cases, they may become VoTs again (Bochkor, 2010).

While La Strada Ukraine most directly assists VoTs, and has the largest capacities and publicity in partnerships to the provision of services, there is much to learn from MPS’s modes and methods of empowerment. MPS does not provide all services directly, but they act as the constant “go to” point for all needs, and follow up with those they assist in order to ensure the success and safety of the individual. Ideologically, they operate with a different objective, where the societal situation does not bode for changing power dynamics, but they enable the individual to feel empowered in her life by providing as much support possible to sustain a quality of living by opting for this “non-choice” of prostitution.
Chapter 5: Concluding Recommendations and Objectives

As I have just illustrated through the previous analysis of services, there are many gaps in the current provisions of empowerment for VoTs. The different models for comparison have allowed critical examination of the effectiveness of each institution and lessons to be learned across the ideological divide. The locally based NGOs have less power but more direct support of the clientele they serve as they specifically focus on needs from the ground up, while the more influential NGOs (such as La Strada) have more funding, but work to designate and refer treatment imparting an impression that they act more as a processing agency than a direct site to address victims’ needs. While they still do positive work and handle the largest amount of VoT cases directly, the comparisons allow for a basis of exposing where needs are still unmet.

NGOs cannot however be expected to meet all needs. There must be a concerted effort at the national level through legislation that can work to level the gender balance of power dynamics. This emphasis on gender equality in policy recommendations will truly meet the needs of victims realizing that this inequality is what gives rise to this great disparity of oppressive and abusive acts of sex trafficking; an act and a crime against humanity based solely on the sex of one segment of humanity as the current power dynamic locates each individual in society by the value placed upon their gender. By condemning the social practice and acceptance of domination of one gender over another through exploitation of their physical beings, equal treatment between genders becomes normalized, desexualizing women for their sex, and recognizing their rights as human beings not to be exploited for their sex.
Criminalization of demand provides explicit recognition of the current dynamic of gendered domination in perpetuating the human rights abuses of victims; without it, every government effort to hedge trafficking in human beings is undermined. While legalization of prostitution is strongly discouraged as a policy option in the normative position of this paper, it is important to note that it is also crucial to assisting victims that prostitution or CSE is decriminalized. Many countries where prostitution is illegal criminalize the women who are often victims and receive little if any help from the authorities in this regards (ABA, 2003; Raymond, 2003; Solkner, 2008; Jamjoom, 2010). Women need to be secure in the knowledge that they can turn to assistance and outreach programs, whether they are NGOs or government agencies without the fear of re-victimization, which often tends to be the norm (Solkner, 2008).

Governments however are less likely to come under criticism for liability in efforts when they blame “source control” in the countries of victims’ origins rather than control the consumer demand that drives market profitability (Naím, 2005). Source countries are often poor, which ease the task of traffickers in deceiving and luring in their targets (Denisova & Hughes, 2001; Raymond, 2003). Sweden has confronted this challenge and has been the only country to effectively combat the trade, not only stemming the tide, but virtually ceasing its existence by criminalizing the demand (Raymond, 2003).

Sweden has been so successful in its campaign, recognizing that prostitution is inseparable from trafficking in women and promoting gender equality that countries such as Norway have also recently adopted legislation to criminalize the demand
(Fautré & Poinier, 2010), while it is under consideration in the UK (Gray, 2010; Pearson, 2008; Pierdomenico, 2008). The head of Sweden’s Anti-Trafficking Unit in Gothenburg states that “ Trafficking is a business. ...We try to destroy the market.” (Hughes, 2005 cited in Pearson, 2008). Implementation has seen drastic effects in the decline of trafficked women – and Sweden notes there is no indication the trade has moved underground.

Given the open freedom of movement in the Schengen Zone, it is also bit of a wonder that countries haven’t coordinated their labor laws to the free movement of persons who have obtained visas. Women attempting to leave prostitution in Sweden support the law and NGOs have seen more women come forward as the law is enforced and women do not fear criminalization upon themselves (Ekberg 2001, cited in Raymond 2003). Sweden’s law is also explicit in acknowledgement that tolerated and legalized CSE is a root cause of trafficking (Raymond 2003) and that “prostitution and trafficking in women...cannot and should not be separated...in order to effectively eliminate [the trade].”(Ekberg 2003, cited in Raymond, 2003).

Norway has also led a pioneering project where a government-supported NGO established a forum for men to discuss their engagement of women in CSE. The discussions were studied to then assist the Norwegian government in policy formation in order to address the problem. While it is not socially sanctioned to engage with women in prostitution in Norway’s culture, the forum discussion has allowed insights as to why men engage and what creates the demand from a male perspective. (Skarsaune, 2010) Of the 12% who engaged in CSE most did so while traveling, and were therefore outside of their own cultural context and cultural
normative restraints (Skarsaune, 2010). One of the most important ways to addressing the activity when men travel abroad, is to engage the demand in discussion. Not only does is allow for additional policy prescriptions to the criminalization of demand, in the short term, but it also allows society as a whole to be encompassed in the dialogue and discussion of creating and enforcing normalization of gender equality.

The most critical means and measure to reforming the liberal operative context of women’s oppression in power-over and access-to social relations, is to reform and redefine those relations with the counter-subject: to move the dialogue outside of feminist academia. After all, a substantive dialogue can only develop when discussion is held between groups, and not limited to discussion within. This initiative allows Feminists to move beyond the concept of campaigns of awareness-creation, to actual civil dialogue in an effort to address and confront the forces that shape the current precepts, allowing women to engage and effectively challenge the predominating discussion. Women and men must both be effectively engaged, allowing both to be heard in order to challenge and reshape predominating views, therefore, reshaping the liberal context and discourse of the current power dynamics of oppression that encourage and support the division of the sexes by exploitation on the basis of sex. In order to effectively meet victims’ needs by essentially stemming the tide of victims, criminalization of demand must be supported, enforced, and normalized with conviction by a single, undivided, un-gendered Humanity.
Appendix A - Questionnaire

**Victim’s Rights & Addressing Needs:**

1.) How do you inform victims of their rights? What rights do you inform them of? Is it provided in their language?

2.) What are the most common needs you see among women whom your organization interacts with?
   
   a.) Are you able to meet these needs? In what ways?

3.) In what ways are education and personal developmental needs met/assisted by your organization? (right of access)

4.) Do victims have access to medical exams as well as psychological counsel?

5.) Do you work with legal counsel to provide information on rights to victims? To what extent?

6.) How do you address segregation and exclusion in education and labor markets?
   
   How do you assist in securing legal access and provision of the law (substantive & due process)?

7.) What labor laws does your organization engage and educate victims on?

8.) Which labor reforms do you support?

**Position on Prostitution**

9.) Is prostitution a manifestation of sexism? Why or why not?

10.) Do you believe that women who have prostitution as an option are indeed empowered? How often do you service those who initially engaged in prostitution voluntarily?
11.) What is your organization’s position on legalization of prostitution? Why or why not?

12.) What is your organizations’ position on criminalization of demand? Why or why not?

**Receiving Clients:**

13.) How do you receive most of your clients? Are they referred? From which organizations? What are the sources? (NGOs, police, walk-ins, etc.)

14.) How often do victims identify themselves as victims of trafficking? Who determines this identification?

15.) How many times have those you assist been trafficked? Is this asked or reported?

16.) How many clients do you serve? What is your average turnover period? How many clients per turnover period?

17.) How are you working with the community? How do you position women’s human rights?

**Organizational Capacity:**

18.) Are your staff specially trained to work with trafficking victims?

19.) What are the most common needs that you see that your organization cannot address?

   a.) Do you refer them elsewhere?

20.) What are the limitations of expanding your organization’s capacity to handle these needs yourself?
a.) Do you think it is more productive to have all-inclusive in-house services or specialized actors?

21.) How willing are those you assist willing to work with the authorities or governmental services? Why or why not?

a.) What are the most common obstacles or barriers to working with authorities?
b.) Which method do you think is more effective? (Government services or NGOs?)

22.) During the referral process, are patients/clients given the information to use on their own or are they assisted throughout the referral process along with the introduction of needs to receiving agencies?

Information Sharing & Best Practices:

23.) Does your organization support information sharing and best practices? Do you contribute to national databases?

24.) Do you think that systematic data collection should be in place?

(Additional – If there is time)

Community Involvement & Interaction:

25.) Do you educate the community about sex-trafficking and de-stigmatization?

26.) Who are your community partners? Do you work with employment centers?

27.) Do you assist in training and sensitizing community actors? How?

28.) Who are your most common partners? NGOs? Governmental institutions/ministries? International Organizations?

29.) Do you have a systematic referral process? Is so, how is it based? Are most of your partners governmental or NGOs? National or international?
Appendix B: NGOs Interviewed (conducted by author)

La Strada Ukraine – International Women’s Rights Center

*Completed by:* Natalya Bochkor – all views expressed are representative of the organization and are not personal views.

*Date completed:* May 18, 2010

[info@lastrada.org.ua](mailto:info@lastrada.org.ua)
[www.lastrada.org.ua](http://www.lastrada.org.ua)

Magyar Prostitualtak Szovetsege (MPS)

*Completed by:* Interviewee #1

*Date completed:* May 19, 2010

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[http://www.prostitualtak.hu](http://www.prostitualtak.hu)

NANE

*Completed by:* Judit Wirth, women’s human rights activist, helpline-volunteer, lobbyist and trainer at NANE for 12 years. Some answers were personal views based on experience at NANE.

*Date completed:* May 27, 2010

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[http://www.nane.hu](http://www.nane.hu)
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