Defining the Phenomenon:
Trafficking in Persons, Advocate Organizations and Issue Framing

by

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Abstract

The modern era of Trafficking in Persons (TIP)—beginning with the African Slave Trade (AST)—has seen an alarming increase in the number of victims of the phenomenon. Contemporary TIP (cTIP) is a result of the increased capability for human migration, advances in technology and persistent social iniquities. Reminiscent of the AST, cTIP has become an integral part of the global agenda and has engendered competition between nongovernmental organizational stakeholders (NGO) in the process to define TIP for the new millennium. This exploratory study examines the question: "How does the constellation of stakeholders involved in cTIP policy advocacy affect how the phenomenon is defined," focusing on the current position of cTIP NGOs 15 years after the adoption of the UN Palermo Protocol. Problem definition is important to the policy process as defining of a problem bounds that problem and limits the potential policy responses. This research utilizes a mixed methodological approach. The findings of the study indicate that cTIP stakeholders regard the Palermo Protocol definition of cTIP as the best definition of the phenomenon. Though stakeholders were generally in support of the UN definition of cTIP, the organizations also engender a view that there are areas of improvement, namely: better implementation of current policy; greater attention to types/forms of cTIP; addressing the contributing social inequities; and establishment and maintenance of an effective social safety-net. An additional finding of this exploratory study is the need for further research on the diffusion of social policy ideas from the micro levels of nation states to the trans-macro level of the international arena.

Acknowledgments

One nugget of wisdom that many children are told by their elders is that, "Anything worth having is worth working for." When I decided that a doctoral degree was worth having, I was not fully aware of the level of work and sacrifice that would be required; however, that became abundantly clear within my first few weeks as a doctoral student. An undertaking such as this can be quite lonely and very intimidating. It is quite a blessing to have individuals that recognize your goals and provide guidance to help you achieve those goals. To that end, I would like to sincerely thank my dissertation committee: Dr. Linda Dennard, Dr. Kelly Krawczyk and Dr. Arianne Gaetano for their time and valuable insight. Many heartfelt thanks to my chair, Dr. Mitchell Brown, who provided guidance and the necessary reality checks along the way; and my co-chair, Dr. Kathleen Hale whose enthusiasm often helped to resuscitate and sustain my own. Lastly, I would like to thank Mother, my family and my dear friends whose encouragement and prayers were always on time.

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Computer Software Used: LaTex; Microsoft Excel; Qualtrics

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List of Abbreviations

AST	African Slave Trade
CATW	Coalition Against Trafficking in Women
Convention	Convention for the Suppression of the Traffic in Persons and the Exploitation of Prostitution of Others
cTIP	Contemporary Trafficking in Persons
DOJ	Department of Justice (US)
DOL	Department of Labor (US)
DOS	Department of State (US)
DSM-V	Diagnostic and Statistical Manual of Mental Disorders
EAsP	East Asia and the Pacific
EECAs	Eastern Europe and Central Asia
EHA	Event History Analysis
EWL	European Women's Lobby
GAATW	Global Alliance Against Trafficking in Women
HRC	Human Rights Caucus

IAF	International Abolitionist Federation
IHRLG	International Human Rights Law Group
ILAB	Bureau of International Labor Affairs
INTL	International
IOM	International Organization for Migration
NAfME	North Africa and the Middle East
NCAmC	North and Central America and the Caribbean
NGO	Nongovernmental Organizations
OPDAT	Office of Overseas Prosecutorial Development, Assistance and Training
Org	Organization
Palermo Protocol	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children
PROTECT	Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (US)
Protocol	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children
RAC	Royal African Company
RICO	Racketeering Influenced Corrupt Organizations Act (US)

SAm	South America
SAs	South Asia
SDT	Self Determination Theory
SSAf	Sub-Saharan Africa
SSN	Social Safety Net
TIP	Trafficking in Persons
TVPA	Trafficking Victims Protection Act of 2000
UN	United Nations
UNC	Caribbean
UNCAf	Central Africa (Middle Africa)
UNCAm	Central America
UNCAs	Central Asia
UNEAf	East Africa
UNEAs	East Asia
UNEE	Eastern Europe
UNK	Unknown
UNNAf	North Africa

UNNAm	North America
UNNE	Northern Europe
UNO	Oceania
UNODC	United Nations Office on Drugs and Crime
UNSAf	South Africa
UNSAm	South America (Latin America)
UNSAs	South Asia
UNSE	Southern Europe
UNSEAs	South-Eastern Asia
UNWAf	West Africa
UNWAs	West Asia
UNWE	Western Europe
US	United States
USAID	US Agency for International Development
USD	United States Dollar
WCE	Western and Central Europe

Chapter 1

Introduction

Trafficking in Persons (TIP) is not a new phenomenon; however, as a result of the increased ability for human migration, increases in technological advances, the persistence of iniquities such as classicism, sexism and globalization, the contemporary form of Trafficking in Persons (cTIP) has reached critical heights and thus fought its way to the front of the global agenda (Farrell, Owens, and McDevitt 2014; Cho, Dreher, and Neumayer 2013; Smith 2011; Wong 2011; Farrell and Fahy 2009; Limoncelli 2009; Heredia 2008; Schauer and Wheaton 2006). The competition between nongovernmental stakeholders, notably feminist organizations and coalitions, to define the question of "What is Trafficking in Persons" has been fierce, lengthy and persevering (Meyers 2014; Cavalieri 2011; Wong 2011; Musto 2009; Heredia 2008; Desyllas 2007; Doezema 2005; Joachim 2003). The framing of the phenomenon of TIP is of importance because how an issue is framed determines the policy response, such as, how policymakers and governmental bodies address the issue (Baumgartner and Jones 2015; Kingdon 2003; Stone 2002; Dye 2001; Oh 1998; Lyles and Mitroff 1980). One of the most important aspects of framing an issue and the subsequent policy response, especially in the case of a multi-faceted global phenomenon such as TIP, is the diffusion of information (Hale 2011; Shipan and Volden 2008; Walker 1969). Understanding how and why information or

as it is regarded in this research–ideas–are diffused is critically important to understanding the public policy process from problem formulation to policy response (Hale 2011; Mossberger 2000; Mooney and Lee 1995). This research study examines the question of: How does the constellation of stakeholders involved in cTIP policy advocacy affect how the phenomenon is defined?

Trafficking in Persons is the contemporary terminology given to the act of exploitation of a human being "by means of the threat or use of force or other forms of coercion..." for monetary or social benefit (UN General Assembly 2000). TIP is not, as aforementioned, an issue that is new to human societies; however, as the modern era has witnessed phenomenal growth in human development, TIP has witnessed a growth that is unparalleled in history (Angeles 2013). Beginning with the African Slave Trade in the 15th century TIP has progressed, in one form or another, at a steady pace. The contemporary form of Trafficking in Persons, cTIP, is a global phenomenon, thus, the focus of this research is global and begins with the United Nations (UN).

There were several important legal developments in modern human trafficking in the 20th century including: UN 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery and the 1926 Slavery Convention by the League of Nations (Goodey 2008). The UN's involvement in cTIP (versus "traditional" slavery) began with the 1949 Convention which produced the "Convention for the Suppression of the Traffic in Persons and the Exploitation of Prostitution of Others" which was enacted in July of 1951 (Goodey 2008). The 1949 Convention's primary focus was the prostitution of women and children (UN

General Assembly 1949). The Convention also focused on white women and white slave traffic and incidences of other forms of TIP, for example trafficking for purposes of labor, where not delineated. In the 1990s, the issue of cTIP gained the support of numerous nongovernmental organizations (NGO) who competed for the honor of defining TIP for the new millennium (Doezema 2005). These groups included many feminist organizations that criticized the 1949 Convention for its prohibitionist stance and its focus on prostitution. This view, however, is ironic because that is exactly what this new fight for TIP did—it drew lines in the sand along the concepts of choice and prostitution (Doezema 2005). Feminist coalitions lobbying the UN for improved trafficking policy essentially fell into one of two camps: those that wanted the framing of Trafficking in Persons to be narrowly focused and those that advocated for a broader definition of TIP. The primary point of contention, which was also one which garnered support for TIP in western nations, was that of differentiating sex "trafficking" from sex "work" (Farrell and Fahy 2009; Musto 2009; Desyllas 2007). This differentiation would warrant the resulting legislation to acknowledge that women not only had the right to choose to involve themselves in the sex trade but that the sex trade was "valid" work. The resulting policy improved upon the 1949 Convention but side-stepped the issue of choice and prostitution. The UN "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplemented the United Nations Convention against Organized Crime" (Protocol/Palermo Protocol) was the policy outcome. The Protocol was adopted in November of 2000 and

enacted in December of 2003. This research attempts to add to the body of literature in the policy area of Trafficking in Persons.

In looking at the framing of cTIP by nongovernmental stakeholders, I begin with a brief review of modern human trafficking. The next section, "Trafficking in Persons: Past and Present," examines modern trafficking on a continuum. The discussion takes a turn to the African Slave Trade (AST), an important part of modern human trafficking. AST and cTIP have many similarities which presents advocates within the Trafficking in Persons policy arena with a knowledge base from which to begin the advocacy process. Some of the highlighted similarities are the nature and causes of Trafficking in Persons including industry and development—or economics—which is an idea championed by several Human Trafficking scholars.

Similarities of the AST and cTIP provide important information but so do the differences between these "versions" of Trafficking in Persons. For example, one important difference is the change in the nature and view of human Traffickers. During the AST, governments (and it's members) were listed among those who participated in Trafficking in Persons—both directly and indirectly—through legislative and monetary protections. Those who participated into the business of Trafficking in Persons were also regarded as upstanding members of society. This view is in stark contrast to the view of human Traffickers in cTIP. Although slavers, toward the end of the era of the AST, were criminalized due to new abolition policies—notably Britain's Abolition Bill—the level of criminality of human Traffickers was still accepted as the the "norm." In regard to cTIP, governments (in general), no longer support

Trafficking in Persons as a legitimate business enterprise and have set in place institutions—though not perfect—to deter this type of economic undertaking.

1.1 Trafficking in Persons: Past and Present

> Slavery is a booming business and the number of slaves is increasing. People get rich by using slaves. And when they've finished with their slaves, they just throw these people away. This is the new slavery, which focuses on big profits and cheap lives. It is not about owning people in the traditional sense of the old slavery, but about controlling them completely. People become disposable tools for making money (Kevin Bales, *Disposable People: New Slavery in the Global Economy*, [Los Angeles: University of California Press], 4.).

In this chapter, there is an abbreviated review of modern human trafficking. This review compares and contrasts the African Slave Trade and contemporary Trafficking in Persons. Both of these phenomena are classed as Trafficking in Persons and due to this fact, they hold similarities. However, society has evolved and thus there are also differences between the phenomena. This review is to acknowledge the importance of understanding modern Trafficking in Persons as a cohesive phenomenon; one that matures and evolves with the maturity of human society. This chapter also introduces the research study that focuses on issue framing to include the diffusion of ideas in the Trafficking in Persons policy arena.

It can surely be said that the belief that one human being has the right or authority to enslave another is purely hubris. However, human society has been dealing with the issue of slavery, human bondage or servitude, arguably from the beginning of human civilizations. The modern era of Trafficking in Persons

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began with the African Slave Trade (AST/Trade) in the 15th century where the magnitude of the slave trade presented as inordinately greater than at any other time in human history (Angeles 2013). It has been estimated that, during the course of the Trans-Atlantic Slave Trade (15th — 19th centuries), 12.5 million Africans were enslaved (Angeles 2013). This view of the nefariousness of the AST is significant when compared to 21st century TIP as the proposed upper limit of those persons being trafficked worldwide tops that number, with some advocates and activists putting the number of current "slaves" at over 200 million (Siskin and Wyler 2012; Bales 1999). The AST and cTIP demonstrate some similarities as well as differences including public sector engagement of the issue. Understanding these similarities and contrasts can present valuable information in the construction of policies set in place to address the cTIP phenomenon. The present analysis between the AST and cTIP is brief. However, due to the nature of the phenomenon of Trafficking in Persons, a review of all of modern trafficking (as a continuum)—of some of the similarities and differences between the AST and cTIP—provides valuable insight into the maturation of TIP and it's evolution to 21st century cTIP.

The AST by major European states occurred between the 15th and 19th centuries. The trade was abolished, first in Denmark in 1803 and then by the British in 1807. The "institution" of slavery in European colonies was a different matter altogether. It was not until 1834 that slavery was abolished in the British West Indies. Other nations followed suit: the French and the Dutch in 1848 and 1863, in turn, and lastly, the Spanish in 1873 in Puerto Rico and 1886 in Cuba. The former Portuguese colony of Brazil was the last to abolish

slavery which ended there in 1888 (Oostindie 2009; Pettigrew 2007; Jennings 1976; Conrad 1969). Eradication of the AST was more of a process rather than an act or an event. One important detail to keep in mind is that abolishing of the slave trade should not be confused with dismantling of the institution of slavery itself. The ending of the AST was only one step in the course to the abolishment of slavery (Howard 2006). This is one of the first differences that can be highlighted between the AST and cTIP. In the past, the slave trade was keenly distinguished from the institution of slavery, whereas, currently there is no such emphasis on this distinction. Pre-abolitionists viewed slaves as goods to be bought and traded which is not an unfamiliar understanding for cTIP. After the revving of the abolitionist movement, the focus was always on the AST not the institution of slavery itself (Brown 2007; Pettigrew 2007). William Pettigrew writes:

> The distinction between slavery and the slave trade derived partly from the abolitionists' decision to legislate against them separately and partly from the development of a culture of slave-holding in what would become the United States that noted the benefit of creating a self-sustaining population of slaves to prevent the need to buy slaves in the trade (William A. Pettigrew, *Free to Enslave: Politics and the Escalation of Britain's Transatlantic Slave Trade, 1688–1714*, [William and Mary Quarterly] Footnote 3).

Christopher Brown (2007) noted that during the organization of the British Africa trade during the late 18th and early 19th centuries when the British abolitionist efforts were taking shape, the questions were not on the nature of the trade but, first, in who has the right to participate and how and secondly, if and when the trade was to end. The 18th century history for the British slave trade is limited due to its treatment by parliament during that time

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(Brown 2007). Though the AST was a significant part of their lives and national wealth, "[f]or most of the British nation, as well as for most members of parliament, the African slave trade was at once fundamental and almost entirely invisible" (Brown 2007).

An important elementary difference between the AST and cTIP is the change in the nature of the Traffickers. In the beginning of the modern era of people trafficking, the act of enslavement was sanctioned by governments, many of whose members participated in the trade and the institution of slavery. During the AST, primary Traffickers were the governments of nation states, sometimes not directly but through provision of support such as the British parliamentary support of the Royal African Company (RAC) which at various times was defended as not only protection for the AST but to advance in-land trade for the British Empire (Brown 2007). Following the demise of the RAC, trade to Africa—for any reason—was open to all British subjects who wished to subscribe to the subsequently established Company of Merchants Trading in Africa. Participation in the AST became progressively illegal through enactment of governmental policy. In the contemporary society, trafficking is criminalized (generally) and those who participate in the sordid enterprise face legal and societal sanctions.

The system of cTIP is, at least publicly, condemned by governments both in words and in policy but maintained by nefariousness and greed. Traffickers are no longer only "men of means and status." Whether it is due to increases in technology or changing economic factors, there is an increase in the number of small-time, primarily domestic Traffickers. There are several hypotheses on

the nature of Traffickers (past and present). One hypothesis proposes that people enslave those of different cultural identities; however, that hypothesis does not necessarily hold true for cTIP, culturally-speaking, but perhaps citizenship-wise. An estimated 64% of convicted Traffickers globally, for 2010 onward, are citizens of the country in which they are convicted (United Nations Office on Drugs and Crime 2014). However, the UN found that most victims of trafficking are not citizens in the countries in which they are identified as human trafficking victims though they may remain in the same region. Another difference between the AST and cTIP is that the AST primarily centered on trafficking for labor purposes whereas the majority proportion of victims of cTIP is more focused in trafficking for purposes of sexual exploitation (United Nations Office on Drugs and Crime 2014). According to the UN, 53% of persons trafficked in 2011 were trafficked for sexual exploitation compared with 40% for forced labor (United Nations Office on Drugs and Crime 2014).

Public interest and opinions are important factors in addressing social conditions and issues. Bringing the AST to the public agenda began with the lack of interest in "African questions" by the British parliament and the lowered standing of the Company of Merchants. This disinterest by parliament set the stage for the emergent abolitionist movement which brought questions of morality, rather than that of finance or organization to the public agenda (Brown 2007). This lowered standing of the Company of Merchants also served to increase AST as did the demise of the RAC through lack of regulation of behaviors of slavers.

Following governmental abolition of TIP, the British government (and others) experienced great difficulty enforcing their policy to abolish the AST including amongst their own citizenry. This was due to diplomatic relations, poor commercial policy, for example, the expansion of the Sierra Leone-Guinea commercial system which served as tinder for the internal slave trade; and lack of commitment by some authorities such as the American Judiciary in the case of whalers cum slavers (Howard 2006; Reilly 1993; Lightner 1990; Jennings 1976). Malfeasance, as demonstrated by Brazilian governmental officials through exemplars such as the Marquis of Barbacena, was also a factor which undermined abolitionist efforts. In 1826, a treaty was established between Britain and Brazil which made illegal the participation of Brazilian subjects in the AST. This was followed with more stringent action by the Brazilian government, with "assistance" from Britain, in which there was an unconditional end to the importing of African slaves. For this action, Britain committed to recognizing Brazilian independence. This treaty went into effect in March of 1830. The Brazilian government, in November of 1831, went one step further and passed legislation which liberated all enslaved Africans entering Brazil at that time onward (Conrad 1969). The change in Brazilian policy to the AST did little to suppress the Trade as did declarations of support of illegal activities made by prominent government officials. Robert Conrad (1969) argues that a strong economy; resentment of British interference in Brazilian affairs; unpopularity of governmental steps to suppress the AST; and the continuing demand for slaves were to blame for difficulty in enforcing Brazilian abolition policy.

Current enforcement of abolition policy is no easier than it was during the AST judging by the continued increase in the number of victims of cTIP. The 2014 UN Global Report on Trafficking in Persons (2014 Report) discovered that there continues to be an increase in the number of victims of cTIP. It has been well established that there are significant difficulties in designing research that is accurate and efficient at identifying an exact number of global victims of trafficking (Siskin and Wyler 2012; Smith 2011; Musto 2009; Goodey 2008). Though difficulty in accurately identifying victims may contribute to this increase, it is not the only possible cause of the continued rise in the number of victims of cTIP. Currently, there are nation states whose governments are not actively pursuing abolition policies which certainly can contribute to the increasing numbers (US Department of Justice 2006).[1] This seeming lack of interest in definitively addressing cTIP, notably, not party to the UN Protocol or poor local policy, leaves many vulnerable populations prey to modern Traffickers which will feasibly lead to an increase in the number of victims of cTIP. The UN also detected an increase in the number of persons trafficked for purposes other than sexual exploitation: panhandling, armed combat and petty crimes (United Nations Office on Drugs and Crime 2014). An additional difference of enforcement of cTIP abolition policy, in comparison to the AST, is that current participation in people trafficking is not generally viewed

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[1]According to the United States (US) Department of State (DOS), there are 195 independent countries. Currently, 186 countries and territories participate in the UN "Convention against Transnational Organized Crime" and its protocols which include the "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplemented the United Nations Convention against Organized Crime," to some extent. Many countries are criticized still because, though they are signatories to the Protocol, they are doing little to enforce the policy.

as an "excusable" practice as it was in the past exemplified, again, by the Marquis of Barbacena who excused the AST as acceptable due to its importance to the agriculturalists of Brazil and staving off the poverty of "peaceful landlords...men full of industry and virtue..."(Conrad 1969). The Marquis' stance is reminiscent of the other supporters of the abominable trade in what was growing North America.

The demand for slave labor increased during settlement of the North American colonies. In America, following the British declaration (and seagoing actions) outlawing the AST, the focus shifted to the internal system of slave trading—the American Interstate Slave Trade (Lightner 1990). This shift could also be seen in the Sierra Leone colony as well as other colonies (Howard 2006). This regional aspect of the AST is reflected in cTIP as noted by the United Nations. The UNODC found in the 2014 Report that the majority of cTIP victims are "traded" or transported within confined regions. In their figures for 2010–2012, the UNODC found that of trafficking flows by geographical reach, 34% of victims were trafficked within national borders with an additional 37% trafficked cross-border but within the same sub-region (United Nations Office on Drugs and Crime 2014).

On a fundamental level, policies to abolish slavery in human society became necessary on the occasion that policies to create and regulate slavery were drafted and enacted. In modern society, the necessity of the process of "abolishment" gained importance through the establishment of slavery as an integral part of the economy. Policies may be created by governments but it must be supported by the citizens. There are a sect of scholars of slavery

and the slave trade who are proponents of the theory that economic factors were responsible for the significant volume of Africans enslaved in the African Slave Trade. Manufactures, in other words, technology/industry development, is proposed as the fuel which caused the explosion in the number of slaves and the fuel which advanced the AST. In cTIP, advancing technology has also affected the adeptness of people trafficking. For example, sexual exploitation victims can be advertised via sites such as Backpage and "Johns" (sex trade consumers) can purchase "dates" (sex services) with victims via mobile phones. Advances in technology, not only increases the market demand for victims of cTIP, but also makes exploitation easier and more efficient.

The opinion of the public is always of significance to any social issue. Public opinion was important in affecting the AST abolishment being placed on the policy agenda as was public opinion on cTIP. In regards to Britain's Abolition Bill, public opinion—not only that of British subjects but of the international community—was an integral component of the relative success of the bill. This need for the international community to "buy in" is demonstrated with the UN Protocol which needed support from international interest groups and nation states. The importance of public opinion is also demonstrated with AST in how the phenomenon is currently remembered and thus treated. Gert Oostindie (2009) notes, as an example, the difference in the treatment of Dutch involvement in the slave trade and slavery. The Dutch were involved in both the Atlantic system and slaving in the Indian Ocean which was the purview of the Dutch East India Company (VOC) (Oostindie 2009). Oostindie highlights the lack of public and scholarly interest in the Indian Ocean system so

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much so that the "400 years jubilee of the establishment of the VOC could be extensively celebrated in the Netherlands" a behavior which would not occur for the West India Company in charge of the Atlantic system (Oostindie 2009, 620). This behavior is due to the practicality that recognizing or addressing current issues of Trafficking in Persons is heavily determined by the presence of legacy victims at the proverbial table. Oostindie also notes that in the case of AST, leaders from nations states, for example Europe and the Americas, have acknowledged the devastation and barbarism of the AST; however, the Iberian countries and Denmark display a lack of national discussion or debate on the matter due to the lack of "a sizable community of post-colonial migrants" of the AST legacy (Oostindie 2009). The presence of those with AST heritage forces a different perspective on the matter and thus increases the realm of possible treatments or responses (or lack there of) to the issue.

Downs (1972) discusses the important tool that public opinion can be in the domestic policy arena. He argues that public attention only remains on one issue for brief periods before it shifts to focus on another problem deemed to be of "crucial importance" (Downs 1972). Downs refers to this phenomenon as the "issue-attention cycle." The cycle has five stages, beginning with the pre-problem stage in which a problem exists but only has the attention of special interests and experts; the public is not yet alarmed by the issue (Downs 1972). For example, although cTIP is ranked as one of the most lucrative illegal activities after arms and drug trafficking and has been a problem for decades, public attention has just recently focused on the issue in the late 1990s and

early 2000s even though advocates were aware of the problem of cTIP much earlier (Siskin and Wyler 2012; Mahmoud and Trebesch 2010; Goodey 2008).

The second stage is the "alarmed discovery and euphoric enthusiasm stage" where a focusing event, for example an oil spill, brings the issue to the attention of the public (Downs 1972). Discovery is accompanied by "enthusiasm" that the problem can be solved. Downs contends that strong public pressure in the US for those in leadership to make the claim that every problem is solvable is partly responsible for the combination of the alarm and discovery (1972). This is due to the tradition of Americans to view obstacles to social progress as an external phenomenon to society itself; thus, every obstacle or barrier to this process can be overcome without any fundamental change having to occur to society itself (Downs 1972). For example, social structure impacts how cTIP "functions" (root causes) yet these issues are viewed as secondary in regards to how TIP policy is constructed.

The third stage of the issue-attention cycle is the stage in which the public becomes aware of the cost of significant progress. This is the "reality check" stage in which there is a gradual realization that addressing the issue has a high cost. The costs are not limited to monetary expenses, but, also to social outlays to large sectors of the population; in other words there is realization that the social arrangement which is contributing to the problem is also providing benefits to members of society—which essentially amounts to exploitation of one group or groups for the benefit of others (Downs 1972). For cTIP, the population is global. For the problem of TIP to truly be solved,

the current social structure must be addressed, for example, the socioeconomic structure, particularly, the distribution of wealth and resources.

The gradual decline of the intense public interest is the fourth stage of the issue-attention cycle. This stage is characterized by lessening of enthusiasm when the true costs of solving the issued is realized. At this stage the problem engenders feelings of discouragement, threat—which leads to suppression of thoughts of the issue, or boredom (Downs 1972). The final stage is the post-problem stage where the problem is no longer the center of attention, but does not return to the position it occupied in the pre-problem stage. The issue may not be the center of attention but it holds the potential to recapture public attention (Downs 1972). Downs contends that problems that are likely to follow the issue-attention cycle are ones in which: only a minority (relative) of the population is experiencing that problem, social arrangements are contributing to the presence of the phenomenon and the problem is exciting. In this current information driven time, the importance of public opinion and interest is demonstrated in cTIP through international and domestic nongovernmental organizations—those composed of neo-abolitionists, lobbyists, activists, service providers and advocates and those which arise from survivors of cTIP who fight to end this contemporary brand of trafficking.

1.2 The Research Study

Human trafficking or Trafficking in Persons (TIP) has significantly increased over the last 30 years (Heredia 2008). Although this condition has become more of a global plague, the issue is not unusual or unfamiliar. TIP

has a long history that has matured with the help of human migration, varying economic regimes and social inequities (Bales 1999). In regard to the contemporary form of TIP, advocates have looked to previous centuries (primarily the 18th and 19th centuries) for tools to combat what some have termed "modern slavery." This aligning of past and current theory and methodology is emphasized in the groups that were prevalent in the late 20th century (and now in the 21st century) and those that rose to the forefront of the cTIP agenda, particularly in the United States during the Bush Administration (Melzer 2005). The African anti-slave trade movement presented the likes of the Colonizationists from which Liberia is arguably their "crowning" achieving; religious groups such as the Evangelicals and Calvinists; and the Abolitionists, for example, the Quakers (Burin 2012; Goodey 2008; Kern 2004; Kaufmann and Pape 1999; Abasiattai 1992). These groups are illustrated in the make-up of modern day anti-trafficking stakeholders such as the "neo-abolitionists" and the fundamental Christians who were notably influential following the enactment of the United Nations Protocol and the United States' Trafficking Victims Protection Act of 2000 (TVPA) (Wong 2011; Heredia 2008; Desyllas 2007; Wolken 2006; Soderlund 2005).

In the social policy arena, defining of a problem or framing of an issue is exceptionally important. The ability of an organization to frame a social issue discharges to that organization a certain level of power and influence (Stone 2002). Framing of an issue for maximization of influence of stakeholder nongovernmental organizations (NGO) exhibits two characteristics which are important, according to Jutta Joachim (2003). First, issues defined by NGOs

are framed in a way in which "actors deliberately package and frame policy ideas to convince each other as well as the general public that certain policy proposals constitute acceptable solutions to pressing problems" by triangulation of neglected methods—those disregarded by liberals and constructivists (Campbell 2002; Joachim 2003, 250). Next, framing draws attention to "the conflicts over meanings and shared understandings that lie at the heart of the definition of new issues and interests" (Joachim 2003, 251). In order to gain an understanding of the process of problem definition including diffusion of ideas in the TIP policy arena and how NGOs involved in Trafficking in Persons influentially frame the issue, a mixed methodological approach can be employed for exploratory purposes. The purpose of this research study is the discovery of where nongovernmental stakeholders are currently positioned in regard to the definition of cTIP and what the definition of Trafficking in Persons, according nongovernmental stakeholders, reflect 15 years following the adoption of the Palermo Protocol.

1.2.1 Research Questions and Expectations

There are many approximations concerning the number of victims of cTIP (Smith 2011; Goodey 2008; Siskin and Wyler 2012; Bales 1999). According to some estimations, there are currently over 200 million persons subjected to practices of "slavery" worldwide (Bales 1999). The US Central Intelligence Agency estimated that, globally, six to eight hundred thousand persons are trafficked annually (Siskin and Wyler 2012). Given these assessments, the assumption would be that convictions of human Traffickers would reflect some

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growth due to recent implementation of trafficking policies. However, this is not the case. In their 2014 report, the UN noted that the number of cTIP convictions globally has remained extremely low (United Nations Office on Drugs and Crime 2014). Examining data between 2010 and 2012, the UN found that about 40% of countries reported less than 10 convictions per year with 15% of the 128 countries included in the report not recording any convictions (United Nations Office on Drugs and Crime 2014). The previous UN TIP report that examined data from 2007–2010 found similar results with 16% of countries recording no convictions between the aforementioned years. However, the UN reports that the IGO has continued to note an increase in the number of victims, primarily child victims, most notably girls under the age of 18 years (United Nations Office on Drugs and Crime 2014). There are a myriad of complaints concerning the indiscernible cause of the small number of Trafficking in Persons cases in contrast with the number of victims of cTIP. Several reasons have been proposed in the literature. In my estimation, we should "begin at the beginning" with problem definition, thus, the question: How does the constellation of stakeholders involved in cTIP policy advocacy affect how the phenomenon is defined? More specifically: How do advocate organizations define the phenomenon of TIP 15 years following the adoption of the UN Palermo Protocol? Though there is no hypothesis for this study, there is one primary expectation based on the literature: There will continue to be a divide regarding the validity of sex work. This divide will be due to the issue of "true" choice and the relationship to the increase in Trafficking in Persons for purposes of sexual exploitation.

1.2.2 Importance

The importance of understanding a phenomenon that harms the most vulnerable of human society notwithstanding, understanding what factors determined (and continues to determine) how a phenomenon is framed is of specific importance to policymakers especially in the instance of a global and multi-faceted phenomenon such as TIP. Interest groups (stakeholders) are of central importance to the policymaking process due to their practice of aggregating philosophies, principles and/or theories. NGOs were an integral part of the defining of cTIP. Consequently, it is important to understand how the various stakeholders, including interest groups or NGOs, view cTIP. Thus, a point of departure for addressing the issue of cTIP is to ask the question: How does the constellation of stakeholders involved in cTIP policy advocacy and recognition affect how the phenomenon is defined? In order to answer this question, this project endeavors to: (1) identify the overarching themes of organizational definitions of cTIP for advocate NGOs; (2) identify the most important (subjective to the organization) concepts of these definitions; and (3) determine current level of support of cTIP definitions (global and domestic).

In the interest of answering the previously posed questions, this study will attempt to: (1) gather information about similarities and differences in the major concepts and elements of cTIP; (2) Explore the ways in which NGOs identify, frame and integrate the elements of cTIP into a cohesive operational definition from which solutions can be formulated; this question recognizes and highlights the diffusion of ideas throughout the policymaking process;

and lastly, (3) examine how the concepts of power, social mobilization and self-determination impact the framing of cTIP.

1.2.3 Conceptualization

Every concept, just as every phenomenon, can be defined differently. In his study of NGOs, Joachim notes that there are a variety of issues which affect the positioning and ability of these organizations to succeed in the framing of an issue which necessitates identifying major conceptual landmarks (Joachim 2003). This study will utilize mixed methodology in identifying the major concepts and themes in the defining of cTIP. The preliminary concepts of political power, social mobilization and self-determination will also be examined in association with the identified organizations. This data will be analyzed in relation to the predominant global definition of cTIP (United Nations Office on Drugs and Crime 2014).[2] For purposes of this study the following definitions of political power, social mobilization and self-determination will be utilized for comparative clarity. These are noted in Table 1.1.

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[2]The United Nations Palermo Protocol is the only definition to gain recognition and acceptance as the foremost definition of Trafficking in Persons and will be utilized as the predominant global definition of cTIP.

Table 1.1: Political Power, Social Mobilization and Self-Determination

Concept	Defined	Source	Integral Concepts
Political Power (Power)	The capacity of persons or collectivities to get things done effectively, in particular when their goals are obstructed by some kind of human resistance or opposition.	Talcott Parsons	Capacity; Authority; Collectivities; Relationships
Social Mobilization	A process that engages and motivates a wide range of partners and allies at national and local levels to raise awareness of and demand for a particular development objective through face to face dialogue—social mobilization seeks to facilitate change through a range of players engaged in interrelated and complementary efforts.	UNICEF	Facilitation; Coordination; Planning
Self-Determination	To respect and promote the right of clients to self-determination and assist clients in their efforts to identify and clarify their goals.	NASW	Power; Inherent Dignity; Self-Worth; Choice

Political Power

The idea of political power in the literature tends to embrace an elite theory perspective (Birkland 2014). According to elite theory, there is relatively "few people in key positions in government, industry, academe, the media, and other institutions [who] control a disproportionate share of the nation's economic and political resources" (Birkland 2014, 105). The concept of political power changes in relation to the social environment or circumstance to which one is referring. This results in a myriad of definitions of the concept. Although elite theory is the prevailing perspective in the literature on political power, this study maintains an open perspective on the topic. This means that it is acknowledged that elite theory is the leading perspective treated in the literature on political power, however other perspectives and understandings of on this concept are possible.

Although the initial concept proposed in this study is "political power," the **intent** is "power in the socio-political environment." Power is the key element in political power and there are several different views of what the concept entails. It can be thought of as the ability to compel others to act against their will or to prevent others from acting at all (Birkland 2014). According to Birkland, we intuitively know that some people possess more power than others in that they can influence policy debate outcomes (2014). Political systems and structures possess bias which allow some issues to be raised while others are blocked (Birkland 2014). These biases can stem from social or cultural values which permeate the system. Another important characterization

of power is the lack of exerting a legitimate claim to power; this also can be due to how the system is structured (Birkland 2014).

For the purposes of this exploratory study, the simplified core definition of power referred to by sociologist Talcott Parsons will be utilized (Parsons 2000). Parsons identified the core concept of power to be "the capacity of persons or collectivities to get things done effectively, in particular when their goals are obstructed by some kind of human resistance or opposition" (Parsons 2000, 232). This simplified core definition is adopted to limit the bias of elite theory present in the literature.

Social Mobilization

The second concept of interest is social mobilization. Social mobilization is another conception for which the literature has many definitions. One such definition is that by Deutsch (1961) whose research looks at the normative behavior of social mobilization. He defines the concept as "the process in which major clusters of old social, economic and psychological commitments are eroded or broken and people become available for new patterns of socialization and behavior" (494). This element is important in the socio-political debates due to its potential effects on the political strata. Mobilization on the social front also has the potential to expand participation in the political world beyond the elites (Deutsch 1961). Social mobilization also changes the "quality" of the political process through the changing of human needs which are fueled by human development (Deutsch 1961).

The element of social mobilization is important to cTIP in that Trafficking in Persons is reactive to normative views of mobilization in the social environment. However, social mobilization which is functional in nature is also of significance. The concept of social mobilization will be observed in this study as it impacts entities and persons in social environments. The UN International Children's Emergency Fund or UNICEF defines social mobilization as:

> [A] process that engages and motivates a wide range of partners and allies at national and local levels to raise awareness of and demand for a particular development objective through face to face dialogue...social mobilization seeks to facilitate change through a range of players engaged in interrelated and complementary efforts (United Nations International Children's Emergency Fund 2012).(UNICEF, *Communications for Development: Social mobilization*, 2012.)

Concepts that are implied in social mobilization are coordination, facilitation, and planning (United Nations International Children's Emergency Fund 2012). For purposes of this project, the UNICEF definition of social mobilization will be utilized.

Self-Determination

Self-determination is a concept which is treated in the literature, typically, along with motivation (Katz and Assor 2007; Gagné and Deci 2005; Deci and Ryan 2008; Deci and Ryan 2000). The most recognized framework for self-determination is that of self-determination theory (SDT) proposed by Deci and Ryan (2000). Self-determination theory is a macro-theory of human

motivation; the theory addresses basic issues in human development such as "personality development, self-regulation, universal psychological needs, life goals and aspirations, energy and vitality, nonconscious processes, the relations of culture to motivation, and the impact of social environments on motivation, affect, behavior, and well-being" (Deci and Ryan 2008, 182). SDT has been utilized as a framework to understand human action and motivation such as student learning or worker motivation. Distinguishing between autonomous motivation and controlled motivation are central to SDT (Gagné and Deci 2005). Elements such as autonomy and choice are associated with self-determination. Gagné and Deci (2005) define autonomy as "acting with a sense of volition and having the experience of choice" (333). An example of autonomous motivation is intrinsic motivation in which persons act fully out of their own volition (Gagné and Deci 2005). This differs from extrinsic motivation in that there is some external regulation to the person's behavior such as a negative consequence, for example, doing your work so that you will not be fired or acquiescing to the demands of the Trafficker to prevent self harm.

Physiological needs (need to eat, to drink, etc) have been highlighted in social theories of motivation and can provide the stimulus or drive for someone to act. These needs are also highlighted by the hierarchy of needs proposed by Abraham Maslow (1987). Maslow posited that the basic needs, the physiological needs of an organism, when absent all other needs would dominate the individual (Maslow 1987). SDT focuses on psychological needs which impact

motivation rather than the physiological needs (Deci and Ryan 2008). However, in Trafficking in Persons, both sets of needs are in question. One of the needs focused on in SDT and important to cTIP is the need for autonomy (Katz and Assor 2007). Motivation in self-determination is relevant to the topic of Trafficking in Persons. In this study the concept of self-determination is selected due to the history of the element of "choice" in the framing of cTIP. The Protocol addresses the ability of the victim to consent (or not) to the illegal activity. Self-determination has been framed in literature to encompass many elements including that of choice. Thus, this concept has been selected instead of the more narrow concept of choice to be discussed by the sampled organizations.

Self-determination, when viewed in light of intrinsic and extrinsic motivation is important to cTIP. The National Association of Social Worker's (NASW) conceptualization of self-determination is proposed as the starting point for this study. According to subsection 1.02 of the NASW Code of Ethics, individuals have a right to self-determination which may only be limited when, based on professional judgment, that individual's actions or probable actions "pose a serious, foreseeable, and imminent risk to themselves or others" (National Association of Social Workers 2008). The concept of self-determination reflects the elements of power, inherent dignity, self-worth and finally, choice which is notably reflected in the arguments concerning the nature and definition of cTIP. Choice and self-determination are arguably interchangeable or at the very least involve several reflective elements in common. The question

of choice was an integral component of the process to define cTIP and thus, is an important concept to revisit.

1.3 Summary

Trafficking in Persons is a perplexing social phenomenon that has been recognized by both national and international governments and nongovernmental humanist organizations as an issue which is damaging to equitable human growth and development. cTIP has significantly increased over the last 30 years. The phenomenon has matured due to a myriad of causes including human migration and the continued presence of social inequalities. Although the aforementioned entities can agree on the existence of this phenomenon and are concerned about the intensification of cTIP, contention still surrounds the issue of how to define the phenomenon of Trafficking in Persons due to the global community's differences in their understanding of the issue and thus differences in what should comprise a common definition of the phenomenon. The United Nations "Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children" was the first major legislation that garnered recognizable agreement of the nature of cTIP. Moreover, the Palermo Protocol also contained the only definition that gained any consensus in the global community. Defining of a problem, issue, or occurrence is of great importance in the process to preserve, enhance, or prevent the occurrence of that phenomenon. In regard to the first stage of the decision making process, problem formulation, problem definition is arguably the most important (Dye 2001). This stage helps to drive the rest of the process and

ultimately determines what the final stage of action will be. This research utilizes mixed methodology to explore the current status of the framing of Trafficking in Persons based on the perspectives of nongovernmental organizations in the cTIP policy arena following the adoption and enactment of the United Nations Palermo Protocol.

Chapter 2, "Literature Review," takes a survey of the literature concerning governments' policy response to Trafficking in Persons. Due to the global perspective of this research study, the primary policy response examined is that of the international governmental organization of the United Nations. The impact of the United Nations' policy response, the "Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children"—which is one of the associated protocols of the United Nations Convention against Transnational Crime—is examined. The Trafficking in Persons policy arena is heavily populated with advocates and organizations that embrace feminist ideology which lends a feminist bent to policy advocacy. The United Nations is central to Trafficking in Persons, not only because of its interactions with feminist lobbying blocs but primarily due to the results of the activities of these blocs and those of human rights activists—the Palermo Protocol. This piece of legislation contains the only globally accepted definition of Trafficking in Persons. Thus, the Palermo Protocol provided nation states with a framework to address the globally important issue of Trafficking in Persons.

In chapter 3, "Methodology," the methodological process utilized in conducting this study is delineated. Trafficking in Persons is complex in nature.

The framing of this problem by nongovernmental stakeholders is explored utilizing mixed methodology. The strengths of a mixed methods approach, which encompasses the strengths of both qualitative and quantitative methodology, include qualitative analysis to answer the question of why (or why not) an observed relationship exists and the tools of uni-variate, bi-variate and multivariate statistics, among others, if applicable to the study. The sampling methodology in each phase of the research is also explained. There are two methods of data collection, survey and content analysis, in which total population sampling and proportionate stratified random sampling were utilized, respectively.

Chapter 4, "Findings," presents the singular and compiled results of the survey and the content analysis. This includes descriptives of the sampled organizations: organization establishment dates, primary services, functions, regions and etcetera. This chapter also includes several tables of direct response by organizations to the questions presented to them including their view of the prevailing definition of trafficking and their nations states' trafficking legislation's framing of Trafficking in Persons. Organizations' views on how the phenomenon should be defined, what causes and exacerbates Trafficking in Persons and what policy responses are required to combat trafficking are presented as well as the results of other investigative queries.

The final chapter, "Discussions, Conclusions, Future Research and Implications for Practice," discusses the findings of the research study. This chapter also presents the limitations of the study including language and geographical limitations. Biases and possible errors are presented including possible bias

with regard to the issue of self-determination and error in sampling due to limited organizational resources. The concept of movement in Trafficking in Persons and the issue of sex work are examined as issues relevant to the discussion. Finally, the importance of problem framing and diffusion of ideas to the public policy process is reviewed.

Chapter 2

Literature Review

This chapter examines the literature on issue framing in the Trafficking in Persons policy arena. The focus of the review centers on how nongovernmental stakeholders, primarily those in the international network in this policy area, frame cTIP. The review begins with the literature on agenda setting and problem definition—reviewing the process of agenda setting, for example, how and why problems rise to the political agenda and the importance of the problem definition and issue framing in the public policy process. The history of feminist lobbyist organizations and conflict in framing cTIP, primarily in relation to the Palermo Protocol, is also examined. In addition, the history of the "Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children," which contains the only globally recognized definition of Trafficking in Persons, is reviewed. The United Nations (UN) Palermo Protocol has influenced many domestic policies in regard to cTIP framing and policy responses. Thus, literature on policy diffusion is also reviewed with the American states as an exemplar. The United States (US), in its policy response to cTIP, has created a controversial position for itself in the global arena. The US policy response is also examined.

Trafficking in Persons (TIP) has a long and varied history. The term "human trafficking" is a contemporary term given to the act of "forcing and

transporting people into slavery" (Bales 1999; Desyllas 2007).[1] Some scholars and advocates term the 21st century version of the phenomenon as "modern slavery"—emotion-provoking terminology which no doubt gains attention to the issue of cTIP. Slavery, modern or otherwise, is not new; however, there exists no varied body of scholarly literature or research which addresses TIP on a continuum. The bulk of the available literature originates from governmental departments and agencies; nongovernmental organizations (NGOs), primarily lobbying entities; and international governmental organizations (IGOs), for example, the United Nations, most of which focus on the policies enacted (or not) by governments (Weitzer 2011; Heredia 2008; Desyllas 2007). The literature concerning policies address the actions of governments and the interaction of governments and public sector entities, NGOs and IGOs, but there is relatively little research on people trafficking which addresses the issue of how the definition of trafficking affects the treatment and character of the phenomenon (Heredia 2008). An important example of the flow of influence is demonstrated in the defining of any phenomenon which is the important first stage of the problem solving process (demonstrated in agenda-setting). The defining of a problem is of great significance because it not only demonstrates the diffusion of ideas but it also bounds the problem and thus the universe of solutions.

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[1]There are current disagreements among nongovernmental stakeholders as to whether a definition of Trafficking in Persons should require "force" or "coercion." This detail is contentious due to the fact that it affects what would qualify as TIP and thus how governments and other public stakeholders, for example, the criminal justice system, would address TIP.

There are a myriad of complaints concerning the unidentifiable cause of the paucity of Trafficking in Persons cases in contrast to the number of purported victims of trafficking. Several reasons have been proposed including the all-important question of how the phenomenon has been defined. This section first introduces the basic process of problem definition and discusses its importance in agenda-setting and thus the policy process. Next, the UN's Palermo Protocol is introduced to provide a background on the basis of international anti-human trafficking policy. The flow of influence of problem definition is then demonstrated through the four basic mechanisms of the diffusion of policy, namely, diffusion of ideas. The section concludes with a review of the exemplar, the United States and its primary human trafficking policy—the Trafficking Victims Protection Act of 2000 (TVPA).

2.1 Agenda-Setting and Problem Definition

Agenda setting, of which problem definition is an important part, is an essential component of the policy process. It is "the process by which problems and alternative solutions gain or lose elite attention" (Birkland 2014, 106). John Kingdon (2003) notes that there can be intense competition among the problems and issues vying for attention from policymakers; some of these issues rise to prominence on the policy agenda and others "fade away." The reasons behind problems disappearing from the public domain can represent a variety of causes such as: the growth rate of problems leveling off; people becoming used to the condition; or the problems becomes "faddish" (Kingdon 2003). Frontrunners in the problem definition rivalry typically benefit from a

cogent and compelling problem definition such as defining trafficking as "modern slavery" or focusing the argument on exploitation of "innocent women and children." Another example is defining a problem as a "crisis" which would likely garner attention and resources from legislators (Kingdon 2003).

According to Kingdon, public policy can be "oversimplified" to be a set of processes which includes: agenda-setting; specification of alternatives from which to make a choice; "an authoritative choice among those specified alternatives...and the implementation of the decision" (Kingdon 2003, 2–3). These "processes" or stages are reminiscent of the scientific method in which each stage of the process is at once interdependent and independent of the others, thus, success at one stage does not necessarily translate to success at another. The concept of agenda, per Kingdon, is "the list of subjects or problems to which governmental officials and people outside the government closely associated with those officials, are paying some serious attention at any given time" (Kingdon 2003, 3). The rationale under-girding the agenda-setting process is to narrow down topics or subjects from the universe of topics to those that will actually receive attention from policymakers. Those that participate in the agenda-setting process, according to Kingdon, include a wide range of stakeholders: various governmental forces including the bureaucracy, the president, the Congress; other nongovernmental entities including the media, interest groups, political parties, and the general public all of which could provide topics for the agenda or alternatives; "[t]hus agenda setting may involve the transfer of items from a nongovernmental, 'systematic' agenda to a governmental, 'formal' agenda, partly through the mobilization of the relevant

publics by leaders" (Kingdon 2003, 16). The importance of NGOs (interest groups) has been found to frequently impact the government's agenda and is demonstrated to correlate to the group's activity which can be exampled as the mobilization of support, writing letters, and use of delegates which stimulates the group's allies to respond in kind (Kingdon 2003). This increased activity garners the attention of governmental entities and can be positive or negative in nature; encouraging or discouraging a particular action or course (Kingdon 2003).

Problem definition in any policy arena is of significance. Defining of a problem, issue, or occurrence is important in the process to preserve, enhance, or prevent the occurrence of the phenomenon. One scholar notes importantly that "the battle over policy may well be decided in the preliminary stage of problem definition because it determines in large part the subsequent course of action" (Oh 1998, 109). Problem definition is also necessary to understand how and why problems rise to the public domain (Kingdon 2003). The process of problem definition is utilized by different activities, for example, political bodies, social welfare geographers, or various other organizations, to place boundaries on phenomena as to enable the creation of solutions to these as observable facts. The course of defining or framing a problem is vital owning to the actuality that the practice serves to bring the issue to the attention of the "assigned" problem solvers and by virtue of how the problem is characterized, dictate the most effective path of resolution. Organizations, based on their identified objectives, may define problems quite differently. Nongovernmental organizations with the same identified focus (in this case, Trafficking

in Persons) may recognize and adopt different solutions to the phenomenon based on how that organization originally defined the issue.

As above-mentioned, the definition of a problem narrows the field of solutions available to solve that problem. This suggests that the process by which organizations identify problems is of great importance. Thus, questions which are important in understanding how organizations frame problems concern the normative processes involved and the internal and external pressures which first, normalize the issue by framing it in a specific manner and then champion a specific course of action. There are few research endeavors that attempt to grant an understanding of problem formulation processes of organizations.

Problem formulation is the stage of which problem definition is a very important "layer." Marjorie Lyles and Ian Mitroff (1980) delineate problem formulation as "a process taking place over a period of time, involves first sensing the existence of a problem, then identifying contributing factors and, finally, reaching a definition of the problem" (Lyles and Mitroff 1980, 104). Perhaps one of the explanations for a lack of empirical studies, as recognized by scholars, is that problem definition is only one part of a multiphased and multi-layered process (Lyles and Mitroff 1980; Massey and O'Keefe 1993; Jahic and Finckenauer 2005). Problem definitions are also subject to debate and interpretation. Opposing definitions are standard even within the same policy arena; different actors present diverse explanations for the nature and existence of a particular problem. Kingdon, in his work on agenda setting, notes

that problems are usually defined in terms of values, for example liberal versus conservative standing; by categories, namely where do problems fall, for example, civil rights vs. worker's rights; or by comparison such as between nation States (Kingdon 2003). He proposes a model of policymaking involving three "streams" identified as the problem, political and policy streams. The convergence of these streams, which results in public policy, are what Kingdon calls "windows" (Kingdon 2003). Windows can "open" when there is a change in the national mood or new popular opinions. When windows open and results in a reorganization of the governmental agenda, it could be the consequence of what occurred in the problem or policy streams, but, opening still requires a convergence of the three streams (Kingdon 2003). Problems can also be identified by "indicator data or a body of research," for example, an increase in cancer deaths (cluster) or rising program costs or lack of goal-oriented program results (McDonnell and Weatherford 2013). Research-based information such as the aforementioned examples will usually be regarded by the identified policy network as being valid due to the fact that "there is a perceptual interpretive element" in defining policy problems; that interpretive element manifests in the highlighted data, the interpretation of this data and the identified causal factors (McDonnell and Weatherford 2013).

Trafficking in Persons, similar to other global socio-political phenomenon, has encountered definitional difficulties (Wong 2011; Potocky 2010; Farrell and Fahy 2009; Heredia 2008; Wolken 2006). This difficulty is driven by numerous social policy dynamics present in the public policy spheres of nation states. The policy arenas of States differ in four broad categories: cultural, for

example, liberal vs. non-liberal; economic, for example, level or status of industrialization; political, for example, federated vs. unitary; and institutional factors and structure (Adolino and Blake 2001). Although there is a globally accepted definition of cTIP, there exists continual definitional discord among cTIP stakeholders, chiefly, in the domestic arena which dominoes into global discourse. Organizations define problems differently and adopt or support different solutions based on that definition. Many NGOs are openly hostile toward one another because they disagree over definitions and thus possible solutions to cTIP (Wheaton, Schauer, and Galli 2010).

The lack of a cohesive definition of cTIP by stakeholder organizations, primarily NGOs, is reflective of the lack of a normative problem definition process. Stone (2002) contends policy debates oftentimes focus on the notion that identification of a problem's root cause is necessary to solve the problem; addressing the symptoms of the problem, for example, displacement and psychological trauma in the case of cTIP, is not enough. In political society, the model of causal reasoning differs from the normative model of (1) identification of cause of problem and (2) creation of policy to eliminate, reduce, modify, neutralize, or suppress the problem (Stone 2002, 188–189). In politics, the "true" reasoning behind trying to identify the cause is not only to understand the problem but to assign responsibility i.e blame, for it (Stone 2002). Downs (1972), in his issue–attention cycle, identified that solutions to problems usually involve recognition that one population is benefiting from the presence of the problem. The identification of the cause of a problem, follows the same logic in that one population is seen as responsible for the perpetuation of the

problem. These issues in the policy process make it difficult to identify the normative process of organizational issue identification and framing.

It would probably be more accurate to say that the lack of scholarly research about cTIP is also the same for scholarly and empirical research about NGOs and their functions including problem definition as it relates to the social agenda. Given the importance of problem definition as part of the problem solving process, there is an expectation of methodological foundations by which organizations can evaluate their processes in relation to other entities of similar function; however, this is not the case. There have been quite a few studies and articles detailing problem definition activities, but these works were oftentimes more descriptive in nature offering little in the way of methodology (Büyükdamgacı 2003; Wood and Doan 2003). The lack of any consistent methodology leaves a knowledge gap that can create great variances in defining of any social occurrence. For example, in framing cTIP there has been use of several different strategies to combat the occurrence of trafficking (Goodey 2008). These strategies were engendered by the different stakeholders such as activists and policymakers. One strategy, demonstrated in the United States, was connecting cTIP to national security. This linkage elevated the issue of cTIP and gave credence to the matter (Farrell, Owens, and McDevitt 2014). Another definition cast cTIP as a human rights issue which also helped to legitimize the phenomenon. However, there have also been associations that have lessened the "worthiness" of the phenomenon in the estimation of some advocates and policymakers. Sex trafficking, one of the subcategories of cTIP is often associated with prostitution and other forms of

work in the sex industry (Jahic and Finckenauer 2005). These close associations with seemingly voluntary and socially objectionable (in some opinions) acts lessen support for "true" victims of cTIP who oftentimes are sexually exploited through various forms of prostitution.

In the instance of cTIP, the bulk of information on the issue arises from countries' governments, intergovernmental organizations (IGO), and nongovernmental organizations as the supposed primary stakeholders (Jahic and Finckenauer 2005). One aspect of the literature that addresses the human trafficking issue is that the greater part of the literature available on topic is more descriptive than empirical in nature. Also reflected in the literature by the aforementioned entities within the phenomenon "trafficking has been nationally and internationally defined through the use of ethnocentric language and western assumptions" (Desyllas 2007, 60). Moshoula Capous Desyllas (2007) points out the interchangeable use of the term "trafficking" with concepts of migration such as "illegal immigration" and other concepts for instance, "sexual exploitation" and "modern slavery." This lack of distinction between phenomenon and concept confounds the framework of the cTIP phenomenon (Desyllas 2007). The variety of concepts used to explain cTIP is a reflection of the difference in the problem definition process of the stakeholder organizations, for example, NGOs whose mission includes cTIP.

The mobilization of interests by NGOs plays an important role in policy arenas—the image of the policy, its venues and outcomes (Baumgartner and Jones 2010). In a study of NGOs which demonstrates organizations' strategic

resources, Joachim argues that the success of NGOs is due to their engagement is the strategic framing process (2003).[2] Framing draws attention to "the conflicts over meanings and shared understanding that lie at the heart of the defining of new issues and interests" (Joachim 2003, 251). Agenda setting, according to Joachim, can be assumed to have three phases: defining of the problem; development of the solutions and policies; and politicization of the issue. Acceptance of these framing processes by governments is "contingent on the dynamic interaction of primarily two factors: first, the opportunity structure in which NGOs are embedded, which is defined by access to international institutions, the presence of powerful allies, and changes in political alignments or conflicts" (Joachim 2003, 248, 252). The second factor is the "mobilizing structures that NGOs have at their own disposal, comprising organizational entrepreneurs, an international constituency, and experts" (Joachim 2003, 248). Joachim concluded that "framing draws attention to the fact that power results not only from military and economic resources as Realists assume, but also, as constructivists approaches suggest, for the power to (re-) define and (de-) legitimize" (Joachim 2003, 269). Regardless of the structure of which the NGO is a part, Joachim concluded, the organization can and does act under its own agency to influence social issues and the treatment of these issues by diverse actors.

Group resources can advantage or disadvantage an organization in their quest to affect policy agendas. An abundance of resources does not guarantee success in affecting policy agendas or alternatives and a lack of resources does

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[2]Joachim conducted a research study in which he examined the influences of NGOs on agenda setting based on NGOs framing of an issue.

not necessary signal lack of ability to do so. Resources, according to Kingdon, could come in the form of electoral advantages such as geographical locations, for example, the group dispersion in congressional districts; group cohesion; and abilities such as the ability to mobilize support or the ability to affect the economy, for example, such as in the case of unions (Kingdon 2003).

As noted above, group cohesion is recognized as an asset to groups attempting to affect the policy agenda. In the case of cTIP the differences in views of how cTIP should be framed was not just a dissent between leaders of the cTIP NGOs but between those individuals affected directly by cTIP policies and those that supported them. This dissension manifested during the lobbying of the UN in the form of two blocs with competing views (Desyllas 2007; Doezema 2005). These factions are of great significance in the current global definition of cTIP assumed by the UN as well as the domestic definitions of nation States. Prior to the construction of the Protocol (and currently), there exists various competing feminists views (Meyers 2014; Raymond, Hughes, and Gomez 2001). These views were organized into two lobbying blocs the first of which was the Human Rights Caucus (HRC). The HRC consisted of an alliance of human rights, anti-trafficking and sex worker rights organizations and activists. Within the HRC, there was a leading role for the International Human Rights Law Group (IHRLG) and the Global Alliance Against Trafficking in Women (GAATW). The HRC took a sex workers' rights stance which contended that "sex work is a form of labor and should be addressed as such, outside criminality and deviance" (Ditmore and Wijers 2003).

The second bloc was led by the Coalition Against Trafficking in Persons (CATW). The CATW and its allies which included, among others, the European Women's Lobby (EWL) and the International Abolitionist Federation (IAF), assumed the stance that regarded the "institution" of prostitution as a violation of human rights in the same tone as slavery. This second bloc "took a victims' stance, that sex work was **inherently a human rights violation** and should be abolished and punished without punishing prostitutes themselves as this would constitute blaming and punishing the victim" (Ditmore and Wijers 2003, 81).[3] In the interpretation of CATW and its allies "any distinction which refers to the will or consent of the women concerned is meaningless, as no person, not even an adult is believed to be able to give genuine consent to engage in prostitution (Ditmore and Wijers 2003, 81).[4]

Stemming from the varying definitions of cTIP and the various domestically driven strategies that have been engendered by both advocates and policymakers: connecting of cTIP to national security; casting cTIP as a human rights issue (noted in the UN process) which also helped to legitimize the problem; and associations that have decreased the "worthiness" of the phenomenon such as the association of sex trafficking with prostitution, the themes of human rights (encompassing the right to choose) and prostitution are arguably two of the most contentious themes in the Trafficking in Persons policy arena (Musto 2009). These associations or themes each present different difficulties for the framing of cTIP. Take, for example, the above-mentioned

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[3]Emphasis added

[4]The CATW has revised the above statement by Ditmore and Wijers as: "genuine consent to engage is prostitution is 'rare,' " 2016.

association of trafficking with national security—a solution which arose from domestic interpretation of the definition of cTIP; this association highlighted a contagion in the complex system of cTIP policy according to some advocates. This disturbance is the added dimension of voluntary migration which can include human smuggling.

2.2   Human Smuggling versus Trafficking in Persons

Human smuggling is an important conceptual challenge present in the cTIP arena because it oftentimes overlaps with and is confused with Trafficking in Persons (Heredia 2008). Though the process and implications of trafficking and smuggling differ somewhat significantly, these actions frequently occur simultaneously. Recalling the UN's Office on Drugs and Crime (UNODC) definition:

> Human trafficking is the acquisition of people by improper means such as force, fraud, or deception, with the aim of exploiting them. **Smuggling of migrants** involves the procurement for financial or other material benefit of **illegal entry of a person into a State of which that person in not a national or resident** (United Nations. Office on Drugs and Crime, *A Comprehensive Strategy to Combat Trafficking in person and Migrant Smuggling*, emphasis added.)

This definition of cTIP involves concepts such as force, fraud and deception. Human smuggling and migration, can be voluntary (Desyllas 2007); or involuntary in which case it crosses into the realm of Trafficking in Persons. Human smuggling is more of an issue of immigration policies and laws (Schauer and Wheaton 2006). It can (or not) involve those same concepts of force, fraud,

and deception if the human Trafficker misrepresents themselves to the smuggled person. Human smuggling has thus added dimension to cTIP which has increased the strife, not only between different feminist factions but between advocates and governmental organizations.

There have been suggestions of confusion of migration and trafficking by nation states through discounting or misalignment to meet States' interests and utilization of cTIP (confounded with migratory concepts) policy to deny women entry into countries under the guise of "protecting" them from being trafficked (FitzGerald 2012; Smith 2011; Goodey 2008). This confusion also opens the potential for creation of a hostile environment for women's migration and criminalization of victims who are not regarded as victims due to illegal migration (Farrell and Fahy 2009). For example, Jennifer Musto (2009) notes that "there is a tendency amongst policymakers and law enforcement agents in the US to consider all 'irregular' migrants, whether smuggled or trafficked, as criminals first and victims only after they have proven to have been lawfully exploited;" this "lawful exploitation" referring to victims becoming state's witnesses against their victimizers (Musto 2009, 283).

2.3   Defining the Phenomenon

2.3.1   The United Nations

The United Nations (UN), currently 193 members strong, was the first global body to create legislation that attempted to address persons that were the victims of cTIP. The UN constructed resolution 53/111 in December 1998 which established an open-ended intergovernmental ad hoc committee (UN

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General Assembly 2001). The purpose of this committee was to create an international convention against transnational organized crime including trafficking in women and children and migrant smuggling (UN General Assembly 2001).

Although there were concerns about the intensification of cTIP, the global community diverged in their understanding of the issue and thus could not agree upon a common definition. The United Nations "Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Organized Crime," (Palermo Protocol/Protocol) was the first major legislation that garnered agreement of the nature of cTIP (Heredia 2008).[5] Moreover, the Palermo Protocol also contained the only definition that gained any consensus in the global community. The Protocol was adopted by resolution on 15 November 2000 and went into force on 25 December 2003 in accordance with article 17 which declared that the "Protocol shall enter into force on the ninetieth day after the date of deposit of the fortieth instrument of ratification, acceptance, approval or accession...." There are 186 countries and territories that participate in the UN Convention against Transnational Organized Crime and its Protocols to include the aforementioned Palermo Protocol. Trafficking in Persons has been defined by the UN in the Protocol in Article 3 as:

> (a) Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipts of persons, by means of the threat or use of force or other forms of coercion, of abduction, or

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[5]The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children was one of two supplements to the United Nations Convention Against Organized Crime. The supplement gained consensus in 2000 and went into force in 2003.

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 exploitation, forced labour 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 sub-paragraph (a) of this article shall be irrelevant where any of the means set forth in sub-paragraph (a) have been used. (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph(a) of this article (UNODC, *The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and children*, 2000).

The UN defines a child as, for the purpose of the Protocol, being any person under the age of 18 years.

The UN recognized that a multilevel strategy was necessary to address cTIP. The intergovernmental organization (IGO) has created a policy that has allowed a certain degree of flexibility in its interpretation by member States. The Palermo Protocol identifies four areas that bound the strategies to address cTIP:

1. Prosecution: Article 5 of the Protocol requires that State Parties criminalize TIP by adopting "such legislative and other measures as may be necessary to establish as criminal offenses the conduct set forth in article 3. . ." of the Protocol.

2. Protection: Articles 6 and 7 of the Palermo Protocol call on State Parties to adopt specific measures to assist victims such as protection of victim's

privacy and implementation of measures to "provide for physical, psychological and social recovery." Other measures, specified in Article 7 are the permission of the victim to remain in the territory.

3. Prevention: Article 9 requires State Parties to establish "comprehensive policies to prevent and combat trafficking in person" and to implement other actions such as research and social and economic processes to prevent TIP.

4. Promotion of Cooperation: Article 2 of the Protocol states that the purpose of the Protocol is to "promote cooperation among States in order to meet..." the objectives of prosecution, protection, and prevention standards set forth in the Protocol (UN General Assembly 2001).

The UNODC has been tasked as the guardian of the Organized Crime Convention and its Protocols on Trafficking in Persons and Smuggling of Migrants. The UNODC plays a leading role in strengthening and coordinating the criminal justice response to human trafficking and smuggling of migrants; this includes implementation and promotion of the above-mentioned strategic boundaries (prevention, protection, and prosecution) (United Nations Office on Drugs and Crime 2012). According to the UNODC, victims of trafficking come from 127 countries and have been found in 137 countries around the world (United Nations Office on Drugs and Crime 2012). It is estimated that there is at least 2.4 million people who are being trafficked at any one time. However, some estimates run even greater—from 27 million to an estimated 200 million current victims worldwide. UNODC notes that the most visible

form of exploitation is for commercial sex purposes with approximately 79% of trafficking victims trafficked for sexual exploitation and 18% trafficked for forced labor. It is estimated that over $30 billion (USD) are generated in profits by trafficking activities (United Nations Office on Drugs and Crime 2012).

2.3.2 The Flow of Influence: A Look at Diffusion in Federated States—The American Exemplar

Trafficking in Persons is a multifarious phenomenon that has been shown to require a vast network of actors and intergovernmental relationships to address its many facets. In contemporary times, the true nature of the phenomenon—following the governmental abolition of the African Slave Trade—has just begun to be understood. The cooperation of the vast network of actors required to maintain and finally abolish the AST is now necessary to address cTIP due to technological maturation amongst other human developments. The United Nations' Palermo Protocol has served to catalyze the introduction and implementation of new policy and programmatic frameworks addressing cTIP.

Kurt Weyland (2005), in his article "Theories of Policy Diffusion: Lessons from Latin American Pension Reform," pose several questions that I contend are also relevant in the study of the human trafficking policy process. Weyland asks: "Do foreign actors, especially international organizations, promote certain reform approaches and successfully pressure countries to adopt these approaches? Or do domestic decision makers enjoy considerable autonomy and emulate foreign models on their own initiative?" Moreover, "if this is so, are

these emulation decisions driven primarily by the quest for international legitimacy and the resulting desire to comply with new international norms? Or do policymakers mostly pursue self-regarding interests and adopt foreign models that promise to maximize their benefits" (Weyland 2005)? The purpose of all of these queries is simply to determine what facilitates the transference or diffusion of human trafficking policy or policy ideas in general.

Policy diffusion is the diffusion of policy ideas from one entity to another (Weyland 2005). This diffusion process may include diffusion of the policy idea in total or diffusion of elements of the ideas such as how the problem is framed or the accepted solution to the problem. The process of policy diffusion is a topic area that has generated significant scholarly discussion among American political scientists. Beginning with Jack Walker (1969), the study of diffusion of innovations between American states has added significant knowledge to the subject matter. Walker's 1969 study of innovations among states focused on the "inter-organizational context," which proved to be of significance in the adoption of innovations among federated states. The study, which concentrated more on horizontal relationships rather than the vertical relationships of other studies, focused on the speed and spatial patterns present in the adoption, not creation or invention, of new programs and services (Walker 1969). Walker analyzed the diffusion of ideas for 88 programs and assigned an "innovation" score based on above criteria—relative speed and spatial patterns of adoption (1969). This scholar found that there exist internal and spatial determinants that were important factors in policy diffusion for state innovations. However, the study hinted at the importance of information: though

regionalism was found to be important, improvements in communication, such as, expanding networks, translates into an increasingly broader focus of decisionmakers.

Berry and Berry (1990) added to literature, on topic, in their 1990 study of state lottery adoptions. The researchers, as did Walker, examined the effects of regional diffusion and internal determinants on policy diffusion. However, they proposed a new approach for studies in policy diffusion—event history analysis (EHA). EHA, according to Berry and Berry, is an apt approach to the study of state policy diffusion due to conception of the adoption of a policy idea by a state being an "event" (1990, 397). The researchers also proposed that both internal and regional influences, building on Mohr's 1969 theory that "the propensity to innovate is a function of 'the motivation to innovate, the strength of obstacles against innovation, and the availability of such resources for overcoming such obstacles,' " determined a state's likelihood of innovation (Berry and Berry 1990, 396). Previous models attempted to keep internal determinants and spatial diffusion as two distinct elements (Berry and Berry 1990). However, Berry et al contends that this is a failure in research to understand that neither regional diffusion nor an internal determinants model, in isolation, can explain state innovations (1990). Both internal determinants and regional diffusion should be studied in a unified model, rather than separate models; this unification of models would be a more accurate approach to studying state innovations, moreover, diffusion of policy ideas (Berry and Berry 1990).

Mooney and Lee (1995) studied diffusion of state innovations (abortion regulation reform) that possessed a moral question. "Morality policy raises questions that instigate debate over first principles, resulting in uncompromising clashes of values..." for example, relevant to cTIP, "...which sexual practices are inherently sinful," or the question: could there truly be a choice in the instance of prostitution (Mooney and Lee 1995, 600). Morality policy also contains issues that are more widely and easier to understand (Mooney and Lee 1995). Mooney et al's analysis utilized three dimensions of policy adoption: diffusion; reinvention, and state determinants (1995). The researchers found that social learning was a driving factor in policy diffusion and reinvention of abortion regulation reforms. In addition, there are innate characteristics of an entity that enhance or discourage the adoption of a policy idea (Mooney and Lee 1995). They also found that the incremental reinvention that they observed was "indicative of the way that decisionmakers pursue change under uncertainty" (Mooney and Lee 1995, 621). Thus, diffusion and reinvention in morality policy presented "familiar patterns" to state policy adoptions of other types of policies and social learning (Mooney and Lee 1995, 621).

The diffusion of ideas represents the movement of information. Information is an important commodity is the political sphere. Stone (2002) notes that information in the ideal market is "perfect" but in the polis (political society) is "interpretive, incomplete, and strategically withheld" (28). The policy process involves large amounts of information that must be sorted and digested by policymakers. Consequently, owners of information possess a measure of influence in the policy process. Who are these "owners" and where

does this information originate? Scholars have studied both the horizontal and vertical flow of information, with a particular focus on vertical intergovernmental relationships (Walker 1969). Walker has highlighted the presence of networks of communication which influence what information decision makers have available to them when considering policy ideas (1969). Mossberger (2000) continues this theme in her study of state enterprise zones. She examined three aspects of the policy diffusion process: the nature and extent of diffusion; the potential for informed decision making through diffusion; and the process through which policy information enters into decision making (6). The nature and extent of diffusion refers to the kinds of information available (and from where); the level of filtration to policymakers; and what information was actually borrowed by states. Informed decision making refers to the whether or not diffuse sources contributed to the process of informed decision making and whether that information was balanced—from both critics and advocates. Lastly, the decision making process aspect—those that utilized diffused information—examines whether or not the process differed among states and what conditions contributed to differences. A notable observation by Mossberger is that of diffusion of policy labels versus diffusion of policy content; a policy idea may diffuse as a "loose category of targeted policies" that is general and possess inherent symbolism versus diffusion of policy content which are concepts or design elements of a policy (Mossberger 2000, 116). Mossberger also introduced the concept of "polydiffusion" which differs from point source diffusion of vertical relationships in that it takes into account horizontal channels of information as well as vertical channels (Mossberger 2000).

This scholar contends that there is a need to study the diffusion of information through this network, as well as the diffusion policy models because state decision making is based on more than models (Mossberger 2000).

Hale (2014) expands on Mossberger's information networks by expounding on the role of nonprofits (information networks) in policy design and diffusion using a drug-court exemplar. The primary basis of the study was that the information relationships that exist between nonprofits and public administrators could "enhance the ability of the public sector to deliver its responsibilities" (Hale 2011, 17). The national nonprofit information network is conceptualized by the researcher to be "an unchartered information environment of national nonprofit groups organized informally around ideas for policy innovation" (Hale 2011, 23). Hale presents four information positions that typify the information diffused to public administrators via this nonprofit information network; the first of these is champion organizations which are highly active and engaged with the issue—creating opportunities to engage with public administrators and providing the momentum to maintain the policy direction (Hale 2011). Supporter organizations are focused on furtherance of their missions and support champion ideas in ways that support their organization's missions, whereas, challenger organizations are those who are highly involved with the issue, similar in that sense to champions; however the challenger's policy view is generally at odds with the ideas of the champion (Hale 2011). The value of the challenger is that their position forces champions to address ambiguities in the policy innovation (Hale 2011). Bystanders, though experts in the field, do not interact significantly with the issue due to lack

of a perceived need to act (Hale 2011). These information source types provide the public administrator with an important source of information in the policy process to build a case for or perhaps against a particular innovation and further provide means (sources) by which public administrators can make informed policy decisions (Hale 2011).

Shipan and Volden (2008) examined the mechanisms of diffusion via anti-smoking policies at the state and local levels. As outlined in Table 2.1, Shipan et al express policy diffusion as having four different mechanisms: learning, imitation, economic competition, and coercion. These scholars maintain that policy diffusion makes sense as policy construction and the policymakers that design these policies do not exist in a vacuum; thus there is bound to be aspects of learning, imitation, economic competition, and coercion in the policy process (Shipan and Volden 2012).

Table 2.1: Seven Lessons of Policy Diffusion for Scholars and Practitioners Lesson

	Lessons
1	Policy diffusion is not (merely) the geographic clustering of similar policies.
2	Governments compete with one another.
3	Governments learn from each other.
4	Policy diffusion is not always beneficial.
5	Politics and government capabilities are important to diffusion.
6	Policy diffusion depends on the policies themselves.
7	Decentralization is crucial for policy diffusion.

Adapted from Charles R. Shipan and Craig Volden "Seven Lessons of Policy Diffusion for Scholars and Practitioners."

The first mechanism, learning, occurs when policymakers learn by observing the politics and impact of policy adopted by other entities (Shipan and Volden 2008). Learning generally "involves a determination of whether a policy adopted elsewhere has been successful" (Shipan and Volden 2008, 842). Policies which are deemed successful are more likely to be adopted. State policy adoptions also take into consideration economic "spillovers," both the positive and the negative. The third proposed mechanism of diffusion, imitation, has been referred to by Walker (1969) as emulation. This is where states' focus is not on the policy, but on the entity adopting the policy; the states look at what the government did and what they need to do to "appear to be the same" as that other entity (Shipan and Volden 2008, 842). The final mechanism proposed by Shipan et al, is coercion which can be horizontal—between entities or preemptive—which is more of vertical coercion. Preemptive coercion occurs when one entity, in this case the state, possess some jurisdiction over the other entity (the cities). In the next section, I take a look at the TVPA which possess the element of horizontal coercion in the trans-macro arena.

2.3.3 Policy Diffusion: The TVPA, An Exemplar

Policies reflect the diffusion of ideas. Adoption of a policy is reflective of adoption of a set of ideas which could lead to fundamental changes in social, economic and/or political processes. The importance and influence of problem definition or issue framing further demonstrates itself in the process of policy diffusion. Policy diffusion can be simplistically "defined as one government's

policy choices being influenced by the choices of other governments..." in this instance, the precipitating influence of the congregate of UN member states and later, individual states, for example, the US (Weyland 2005; Shipan and Volden 2008).

In regard to the diffusion of cTIP policy, the interaction of both international and domestic factors is accountable. In the cTIP policy arena, the primary "influencer" is the UN Palermo Protocol which supplanted the UN's "Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others." The latter policy, which was enacted 25 July 1951 was criticized by cTIP advocates, particularly feminist entities, for its staunchly prohibitionist stance against and focus on prostitution. In the 1990s, the UN began to approach trafficking, particularly of women, as a human rights violation.

TIP Policy and the United States

The United States (US), as is most western nations, is primarily a destination country (trans-regionally) for the trafficking of men, women and children. However, as the trafficking phenomenon continues to mature the US is becoming more of a source and transit site (United Nations Office on Drugs and Crime 2014). Trafficking in the US occurs for a variety of reasons including "commercial sexual exploitation in street prostitution, massage parlors and brothels, and for labor in domestic service, agriculture, manufacturing, janitorial services, hotel services, hospitality industries, construction, health and

elder care and strip club dancing" (US Department of State Office to Monitor and Combat Trafficking in Persons 2011; Finklea, Fernandes-Alcantara, and Siskin 2015). The great majority of US citizen victims are often found in sex trafficking but foreign victims are more often victims of labor trafficking. The countries that predominated as source countries for the US in Fiscal Year (FY) 2010 included the countries of Thailand, India, Mexico, [the] Philippines, Haiti, Honduras, El Salvador and the Dominican Republic(US Department of State Office to Monitor and Combat Trafficking in Persons 2011).

One of the most effective means of addressing any social concern is the enactment of legislation. The Trafficking Victims Protection Act of 2000 (TVPA) was the first comprehensive human trafficking policy enacted in the US (US Public Law 2000). Since enactment of the original Trafficking Victims Protection Act, the TVPA has been reauthorized four times, beginning with the first re-authorization in 2003. Currently, all fifty states have enacted some form of anti-trafficking policy, with Wyoming being the last. Several states have also created anti-trafficking task forces assisted by the US Department of Justice. The TVPA has also served as a catalyst for the introduction and implementation of new policy and programmatic frameworks. Trafficking policy in the US was promoted by neoconservatives, abolitionist feminists, nongovernmental organizations and religious leaders. Michael Horowitz of the Hudson Institute, a Washington D.C. think tank, was a neoconservative who formed a coalition with powerful evangelicals and lobbied for anti-trafficking legislation (Desyllas 2007; Wolken 2006). This legislation became the Victims of Trafficking and Violence Protection Act of 2000 (Division A) or Trafficking Victims Protection

Act, Pub. L. 106–386, which was signed into law on 28 October 2000 during the 106th Congress. The TVPA is the US government's primary tool for tackling cTIP. It is unique in US anti-trafficking initiatives in that it recognizes "trafficking as a distinct act, rather than lumping trafficking into one of its associated acts such as immigration violations, labor law violations, prostitution or other peripheral crimes" (US Department of State Office to Monitor and Combat Trafficking in Persons 2011).

The TVPA focused on three strategies: prevention of trafficking; prosecution of Traffickers; and protection of victims (Siskin and Wyler 2012). The Act provided an easier means for prosecuting Traffickers. Prior to the TVPA's enforcement, federal investigators and prosecutors had to cobble together various laws to be able to prosecute and convict trafficking offenders. The Act provided a more consolidated instrument that enhanced penalties and crimes available for holding Traffickers accountable (Farrell, Owens, and McDevitt 2014). The TVPA also provided a modicum of protection for victims of trafficking. One truly significant aspect of the TVPA is that it includes provisions that expanded the US Government's anti-trafficking activities internationally. The US became a signatory of the Palermo Protocol in December of 2000 during the Clinton Administration six weeks following the enactment of the TVPA (WhiteHouse.gov 2015). President George W. Bush took office in January of 2001. The Protocol was re-authorized in 2003 during the Bush Administration and subsequently in 2005, 2008 and 2013 (Finklea, Fernandes-Alcantara, and Siskin 2015).[6]

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[6]The Trafficking Victims Protection Act of 2000 was re-authorized and became the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2003, then 2005, 2008, and

The TVPA was not the first US legislation that addressed the issue of TIP in some form. The US' attempt at addressing contemporary slavery (following abolishment of the AST and African slavery) began with the Mann Act of 1910, sometimes referred to as the White Slavery Act. Other legislation, which began proliferating in US states in 1972, attempted to attack the economic basis of cTIP such as the Tariff Act of 1930, the Customs and Facilitation and Trade Enforcement Act of 2009 and the Racketeering Influenced Corrupt Organizations Act (RICO). There was also the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (PROTECT) Act of 2003 which attempted to deter consumers of child sex tourism both in the US and abroad (Polaris Project 2014). The Amber Alert System was a strategy that sprung from PROTECT in addition to grants for transitional housing of children of sexual assault (Polaris Project 2014). Another act, the National Defense Authorization Act of 2013 section 1701–1708, attempts to control trafficking in persons by government contractors. This act gives "governmental agencies the ability to terminate, without penalty, any contract or grant with any organization or individual that engages in human trafficking" (Polaris Project 2014). The National Defense Authorization Act also mandates that a written certification, for all grants and contracts which are worth more than $500,000 (USD), certifying "that no party in the transaction will engage in or support human trafficking practices. It also establishes methods of reporting and investigating possible instances of human trafficking

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2013. The Justice for Victims of Trafficking Act of 2015 makes amendments to the TVPA including incorporation of "victims of trafficking" in section 103 of the TVPA and clarifying Trafficker actions in anticipation of legal actions.

associated with government contracts and grants" (US Department of State Office to Monitor and Combat Trafficking in Persons 2014). The most recent legislation came in 2015 with the Justice for Victims of Trafficking Act of 2015.

International Relationships

International relationships, as framed in the Palermo Protocol, are exemplified in US trafficking policy practice. The US' effort at international relationships goes significantly beyond those exampled by the British during the enforcement of their Abolition Bill. The Department of Justice (DOJ) Assessment of Efforts report highlights some of these cooperation efforts. Through the Department of State (DOS), the Department of Labor's (DOL) Bureau of International Labor Affairs (ILAB), and the US Agency for International Development (USAID), the US Government provides a "substantial amount of international assistance" to assist with the prevention of cTIP. For example, an increase in funds in FY 2005 was due to the "Presidential Anti-Trafficking Initiative, which transferred almost $50 million (USD) to eight countries: Brazil, Cambodia, India, Indonesia, Mexico, Moldova, Sierra Leone and Tanzania. The majority of ILAB's funding comes from annual Congressional appropriations for ILAB's International Child Labor Program" (US Department of State Office to Monitor and Combat Trafficking in Persons 2014). Other projects that the US supported internationally were the Terre des hommes Transnational Action against Child Trafficking project (Albania) and provision of funds to NGOs that provide services, prevention education and aid to victims and the International Organization for Migration (IOM) Global Emergency Fund.

US Funding initiatives are focused primarily on those countries that are identified as needing to improve their anti-trafficking efforts (US Department of State Office to Monitor and Combat Trafficking in Persons 2014). The US DOJ also operates the Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) that has been tasked to "develop and administer technical assistance designed to enhance the capabilities of foreign justice sector institutions and their law enforcement personnel, so they can effectively partner with the Department of Justice in combating terrorism; trafficking in persons; organized crime; corruption; and financial crimes" (US Department of State Office to Monitor and Combat Trafficking in Persons 2014).[7] In support of this mission, OPDAT provides training in cTIP prevention.

The TVPA: The United States as Anti-Trafficking Watch Dog

The TVPA is the central US policy on Trafficking in Persons. This legislation contains provisions that have placed the US in a position that cannot be described as anything other than a "watchdog." The TVPA, as demonstrated, is very closely linked in language and form to the Palermo Protocol, going into effect a mere six weeks prior to the US becoming a signatory of the Protocol. The TVPA has adapted the framework of the Palermo Protocol including the Protocol's definition of cTIP (with few conceptual adjustments and expansions). What is unique to the US' TVPA is, as part of the prevention element,

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[7]In FY 2011, OPDAT conducted 69 TIP programs involving 16 countries: Albania, Bangladesh, Djibouti, Ghana, Indonesia, Iraq, Kyrgyzstan, Mexico, Nigeria, Philippines, Russia, Serbia, Taiwan, Tanzania, Thailand, and Ukraine. For more information see US Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) at http://www.justice.gov/criminal/opdat/about/mission.html

the Act sets minimum standards to the governments of source, transit and destination countries. Section 108 of the TVPA sets forth the following:

1. The government of the country should prohibit severe forms of trafficking (defined explicitly in the TVPA) in persons and punish acts of such trafficking.

2. For the knowing commission of any act of sex trafficking involving force, fraud, coercion, or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault.

3. For the knowing commission of any act of a severe form of trafficking in persons, the government of the country should prescribe punishment that is sufficiently stringent to deter and that adequately reflects the heinous nature of the offense.

4. The government of the country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.

The TVPA also denotes in section 110 the actions that will be taken against any government not meeting the minimum standards. In section 104 of the TVPA, requirements of meeting these minimum standards are noted for countries receiving economic assistance. The US Department of State is tasked to generate an annual country report on human rights practices of

other countries that contain details such as "a description of the nature and extent of severe forms of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000, in each foreign country... and an assessment of the efforts by the government of that country to combat such trafficking" (US Department of State Office to Monitor and Combat Trafficking in Persons 2014). These annual assessments of other countries' anti-trafficking efforts include assigning a rank to "each country according to the procedures a country takes in order to 'combat' trafficking. The Office to Monitor and Combat Trafficking in Persons with the State Department has a mandate from Congress to issue annual ... [cTIP]... reports that rate each country's progress on eliminating trafficking" (US Department of State Office to Monitor and Combat Trafficking in Persons 2014).

Tier Ranking

The US has taken a position which ascribes significant force in the sphere of human trafficking (Soderlund 2005). The US stance is based on the TVPA and the regulations that are set out in that policy including the annual report of human trafficking activities which include the tier ranking. As before mentioned, the US Department of State generates a report of the status of each country in regards to cTIP, annually. Demonstrated in Figure 2.1, in these reports countries are placed in one of three general tiers: 1, 2, or 3 with a fourth tier being "2WL" or Tier 2 Watch List. According to the 2011 report, the tier placement of a country is not to distinguish the size of the problem that the

country has with cTIP but to assess the "extent of government action to combat trafficking. . . . The analyses are based on the extent of governments' efforts to reach compliance with the TVPA's minimum standards for the elimination of human trafficking" (US Department of Justice 2006). Tier 1 is the highest ranking tier; but it is stressed that a designation of Tier 1 does not indicate that the designated country does not have a human trafficking issue. A Tier 1 designation merely indicates that the country's government has (1) acknowledged the existence of human trafficking, (2) has made efforts to address the problem, and (3) meets the TVPA's minimum standards (US Department of State Office to Monitor and Combat Trafficking in Persons 2014). According to the 2015, the country narratives and tier rankings for the US Trafficking in Persons Report was determined based on the following criteria:

- Enactment of laws prohibiting severe forms of trafficking in persons, as defined by the TVPA, and provision of criminal punishments for trafficking offenses.

- Criminal penalties prescribed for human trafficking offenses with a maximum of at least four years' deprivation of liberty, or a more severe penalty.

- Implementation of human trafficking laws through vigorous prosecution of the prevalent forms of trafficking in the country and sentencing of offenders.

- Proactive victim identification measures with systematic procedures to guide law enforcement and other government-supported front-line responders in the process of victim identification. Government funding and partnerships with NGOs to provide victims with access to primary health care, counseling, and shelter, allowing them to recount their trafficking experiences to trained social counselors and law enforcement in an environment of minimal pressure.

- Victim protection efforts that include access to services and shelter without detention and with legal alternatives to removal to countries in which victims would face retribution or hardship.

- The extent to which a government ensures victims are provided with legal and other assistance and that, consistent with domestic law, proceedings are not prejudicial to victims' rights, dignity, or psychological well-being;

- the extent to which a government ensures the safe, humane, and–to the extent possible–voluntary repatriation and reintegration of victims.

- Governmental measures to prevent human trafficking, including efforts to curb practices identified as contributing factors to trafficking such as employers' confiscation of foreign workers' passports and allowing labor recruiters to charge prospective migrants excessive fees(US Department of State Office to Monitor and Combat Trafficking in Persons 2015).

The DOS expresses that the assignment of rankings are not impacted by the efforts of a nation state's nongovernmental stakeholders; government and non-governmental sponsored public awareness events that lack definitive ties to

prosecution of human Traffickers and; law enforcement or developmental initiatives which are broad-based(US Department of State Office to Monitor and Combat Trafficking in Persons 2015).

TIER 1

Countries whose governments fully comply with the TVPA's minimum standards for the elimination of trafficking.

TIER 2

Countries whose governments do not fully comply with the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards.

TIER 2 WATCH LIST

Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards AND:

a) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;

b) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or

c) The determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional steps over the next year.

TIER 3

Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so. The TVPA lists additional factors through which to determine whether a country should be on Tier 2 (or Tier 2 Watch List) versus Tier 3.

First, the extent to which the country is a country of origin, transit, or destination for severe forms of trafficking.

Second, the extent to which the country's government does not comply with the TVPA's minimum standards and, in particular, the extent to which officials or government employees have been complicit in severe forms of trafficking.

Third, reasonable measures required to bring the government into compliance with the minimum standards in light of the government's resources and capabilities to address and eliminate severe forms of trafficking in persons.

Penalties for Tier 3 Countries

Pursuant to the TVPA, governments of countries on Tier 3 may be subject to certain sanctions, whereby the U.S. government may withhold or withdraw non-humanitarian, non-trade-related foreign assistance. In addition, countries on Tier 3 may not receive funding for government employees' participation in educational and cultural exchange programs. Consistent with the TVPA, governments subject to sanctions would also face U.S. opposition to assistance (except for humanitarian, trade-related, and certain development-related assistance) from international financial institutions such as the International Monetary Fund (IMF) and the World Bank. Imposed sanctions will take effect on October 1, 2011; however, all or part of the TVPA's sanctions can be waived if the President determines that the provision of such assistance to the government would promote the purposes of the statute or is otherwise in the United States' national interest. The TVPA also provides for a waiver of sanctions if necessary to avoid significant adverse effects on vulnerable populations, including women and children.

Figure 2.1: US Trafficking in Persons Report Tier Structure

No tier ranking is a permanent condition. Countries can move up or down based on changes in their Trafficking in Persons policy response. For example, as demonstrated in Table 2.2, comparing the tier rankings from the 2011 and 2016 TIP Reports: 25 of the nation states (approx. 13%) increased one tier; 2 (1%) increased two tiers; 38 (approx. 21%) decreased one tier; and 4 (approx. 2%) decreased two tiers.[8] The 2011 report ranked 184 nations with three special cases and the 2016 report ranked 185 nations with three special cases.

Table 2.2: Five Year Tier Comparision: 2011 to 2016

2011	2016
2011: Tier 1	2016: Tier 1
Australia	Armenia
Austria	Australia
Belgium	Austria
Bosnia and Herzegovina	The Bahamas
Canada	Belgium
Colombia	Canada
Croatia	Chile
Denmark	Colombia
Finland	Cyprus
France	Czech Republic
Georgia	Denmark
Germany	Finland
Ireland	France
Italy	Georgia
Korea, South	Germany
Lithuania	Iceland
Luxembourg	Ireland
Macedonia	Israel
Mauritius	Italy

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[8]Nations states classified as "Special Case" not included in this evaluation.

2011	2016
Netherlands	Korea, South
New Zealand	Lithuania
Nigeria	Netherlands
Norway	New Zealand
Poland	Norway
Portugal	Philippines
Slovak Republic	Poland
Sweden	Slovenia
Taiwan	Spain
United Kingdom	St. Maarten
United States of America	Sweden
	Switzerland
	Taiwan
	United Kingdom
	United States of America
2011: Tier 2	2016: Tier 2
Albania	Albania
Antigua And Barbuda	Angola
Argentina	Argentina
Armenia	Aruba
Aruba	Azerbaijan
Bahrain	Bahrain
Belize	Bangladesh
Benin	Barbados
Bolivia	Bhutan
Botswana	Bosnia and Herzegovina
Brazil	Botswana
Bulgaria	Brazil
Burkina Faso	Brunei
Cambodia	Burkina Faso
Chile	Cambodia
Czech Republic	Chad
Djibouti	Croatia
Egypt	Curaçao
El Salvador	Dominican Republic

Continued on next page

Continuation of Table 2.2

2011	2016
Ethiopia	Ecuador
Fiji	Egypt
Gabon	El Salvador
Ghana	Estonia
Greece	Ethiopia
Guatemala	Fiji
Guyana	Greece
Honduras	Guatemala
Hong Kong	Guyana
Hungary	Honduras
Iceland	Hungary
India	India
Indonesia	Indonesia
Israel	Iraq
Jamaica	Jamaica
Japan	Japan
Jordan	Jordan
Kazakhstan	Kazakhstan
Kenya	Kenya
Kosovo	Kosovo
Kyrgyz Republic	Kyrgyzstan
Laos	Latvia
Latvia	Lebanon
Lesotho	Lesotho
Macau	Liberia
Malawi	Luxembourg
Marshall Islands	Macau
Mexico	Macedonia
Moldova	Madagascar
Mongolia	Malawi
Montenegro	Malta
Morocco	Mauritius
Mozambique	Mexico
Namibia	Micronesia
Nepal	Moldova
Nicaragua	Mongolia

Continued on next page

2011	2016
Oman	Montenegro
Pakistan	Morocco
Palau	Namibia
Paraguay	Nepal
Peru	Nicaragua
Philippines	Nigeria
Romania	Palau
Rwanda	Panama
St. Lucia	Paraguay
Senegal	Peru
Serbia	Romania
Seychelles	Sierra Leone
Sierra Leone	Singapore
Singapore	South Africa
South Africa	Tajikistan
Sri Lanka	Timor-Leste
Suriname	Togo
Swaziland	Turkey
Switzerland	Uganda
Tajikistan	United Arab Emirates
Timor-Leste	Uruguay
Togo	Vietnam
Tonga	Zambia
Trinidad and Tobago	
Turkey	
Uganda	
Ukraine	
United Arab Emirates	
Uruguay	
Zambia	
2011: Tier 2 WL	2016: Tier 2 WL
Afghanistan	Afghanistan
Angola	Antigua and Barbuda
Azerbaijan	Benin
The Bahamas	Bolivia

Continued on next page

Continuation of Table 2.2

2011	2016
Bangladesh	Bulgaria
Barbados	Cabo Verde
Belarus	Cameroon
Brunei	China (PRC)
Burundi	Congo, Democratic Rep. of
Cameroon	Congo, Republic of
Chad	Costa Rica
China(PRC)	Cote D'Ivoire
Comoros	Cuba
Congo, Republic of	Gabon
Costa Rica	Ghana
Curaçao	Guinea
Cyprus	Hong Kong
Dominican Republic	Kiribati
Ecuador	Kuwait
Estonia	Laos
The Gambia	Malaysia
Guinea	Maldives
Iraq	Mali
Kiribati	Mozambique
Liberia	Niger
Malaysia	Oman
Maldives	Pakistan
Mali	Qatar
Malta	Rwanda
Niger	Saudi Arabia
Panama	Senegal
Qatar	Serbia
Russia	Seychelles
St Vincent and The Grenadines	Solomon Islands
Solomon Islands	Sri Lanka
Syria	St. Lucia
Tanzania	St. Vincent and The Grenadines
Thailand	Swaziland
Tunisia	Tanzania
Uzbekistan	Thailand

Continued on next page

2011	2016
Vietnam	Tonga
	Trinidad and Tobago
	Tunisia
	Ukraine
2011: Tier 3	2016: Tier3
Algeria	Algeria
Burma	Belarus
Central African Republic	Belize
Congo (DRC)	Burma
Cuba	Burundi
Equatorial Guinea	Central African Republic
Eritrea	Comoros
Guinea-Bissau	Djibouti
Iran	Equatorial Guinea
Korea, North	Eritrea
Kuwait	The Gambia
Lebanon	Guinea-Bissau
Libya	Haiti
Madagascar	Iran
Mauritania	Korea, North
Micronesia	Marshall Islands
Papua New Guinea	Mauritania
Saudi Arabia	Papua New Guinea
Sudan	Russia
Turkmenistan	South Sudan
Venezuela	Sudan
Yemen	Suriname
Zimbabwe	Syria
	Turkmenistan
	Uzbekistan
	Venezuela
	Zimbabwe
2011: Special Case	2016: Special Case
Cote D'Ivoire	Libya

Continued on next page

Continuation of Table 2.2	
2011	2016
Haiti	Somalia
Somalia	Yemen

Adapted from the US Trafficking in Persons Report 2011 and 2016.
Green: Tier 1; Yellow: Tier 2; Orange: Tier 2 Watch List; Red: Tier 3; Grey: Not ranked.

Other countries and scholars, due to what they perceive as the hypocritical nature of the position of the US as the "anti-trafficking police," have criticized US actions (Wolken 2006). It is argued that US "citizens are among the most voracious consumers of trafficking—either directly as sex tourists or indirectly as corporations profiting from a complicated and insulated corporate structure built on exploited labor in developing countries" (Wolken 2006, 413). Wolken (2006) argues that the US utilizes unprincipled methodology to maintain its position as a global leader on the issue of trafficking:

> [T]he United States government has quietly reduced its estimate of the number of people trafficked in the United States each year - without any explanation of the disparity in its numbers. The TVPA of 2000 was passed after a comprehensive government assessment of the trafficking problem in the United States. Congress found that at least 700,000 people were trafficked globally and 50,000 women and children were trafficked into the United States each year. However, according to the Department of Justice's 2004 report on government efforts to combat trafficking, between 600,000 and 800,000 people are trafficked across international borders each year, including between 14,500 and 17,500 people who are trafficked into the United States. In the span of just four years, even using the 2000 estimate that excluded male victims entirely, over 32,500 victims in the United States simply disappeared while global trafficking numbers remained steady (413).

This, Wolken says, frustrates the anti-trafficking program initiatives such as the Rescue and Restore Campaign initiated by the US Department of Health and Human Services (2006). The contention with the US' assumed position does not end there. Another criticism reports that the US, "along with a few other western European countries, has awarded itself Tier 1 status...[however] Mezler...has called to attention the interesting parallel between those countries that are ranked as Tier 3 countries and their poor political relations with the U.S., such as Cuba, North Korea, and Venezuela" (Desyllas 2007, 66). Regardless of the complaint that the US is specious in trying to set the agenda for world, to date, the US continues to operate within the bounds of the TVPA, thus the annual cTIP report continues to be generated (US Department of State Office to Monitor and Combat Trafficking in Persons 2016; Desyllas 2007; Soderlund 2005).

Table 2.1: Seven Lessons of Policy Diffusion for Scholars and Practitioners Lesson

	Lessons
1	Policy diffusion is not (merely) the geographic clustering of similar policies.
2	Governments compete with one another.
3	Governments learn from each other.
4	Policy diffusion is not always beneficial.
5	Politics and government capabilities are important to diffusion.
6	Policy diffusion depends on the policies themselves.
7	Decentralization is crucial for policy diffusion.

Adapted from Charles R. Shipan and Craig Volden "Seven Lessons of Policy Diffusion for Scholars and Practitioners."

The US has attempted to provide justification for this coercion of other governments, as a human rights matter based on the US Constitution's Thirteenth Amendment which abolished and prohibits slavery or involuntary servitude in the United States (Dottridge 2007). According to the Global Alliance Against Traffic in Women in support of US actions, "many of the initiatives which the US has financed in other countries since this Act was adopted have promoted respect for human rights. Between 2001 and 2006, the US government's own accounts indicate that more than US $447 million was spent on such efforts..."(US Department of State Office to Monitor and Combat Trafficking in Persons 2014).

2.4   Summary

Defining of a problem, issue or occurrence is of pronounced importance in the process to preserve or prevent the occurrence or re-occurrence of that phenomenon. The process of problem definition is utilized by different entities, for example, governments and nongovernmental organizations, with the express purpose of placing boundaries on a particular phenomenon to enable the creation of practical solutions. The course of defining problems also serve to bring an issue to the attention of policymakers. Importantly, by virtue of how the problem is defined or characterized, dictates the most effective path of resolution.

Why is understanding how a problem, in this case Trafficking in Persons, is defined is due to the practicality that problem definition or issue framing is essentially the beginning of the hard-wired policy process. It corrals or

bounds an issue so that the issue can be addressed by those charged with such responsibility. Let's take for example the millions of Americans that suffer from a diagnosable mental health condition every year in the United States. A person is only diagnosed with Schizophrenia if she meets specific criteria according to the Diagnostic and Statistical Manual of Mental Disorders (DSM-V). She will not be approved for services via insurance if she does not meet the DSM-V criteria. Schizophrenia has been defined in a specific way which dictates a specific course or courses of action. It's the same with social conditions in that they are bounded to allow for a specific policy response.

The United Nations' Palermo Protocol has engendered many nation states to act more deliberately on the issue of cTIP. The United States' TVPA is an example of this policy diffusion in that it has adopted the framework of the Protocol focusing on the three strategies of prevention and prosecution of Traffickers and protection of victims. A fourth pillar encouraged by the UN is one of cooperation. The US has taken a global stance, through the TVPA's interpretation of this fourth pillar, which places restrictions on other nation states which fail to meet the minimum standards set by the TVPA. This "right" to police the behavior and policy of other countries have been highly criticized. Many of these criticisms lay in the perceived lifestyles and behaviors of US citizens and the US government's marked horizontal coercion—assigning rankings to other nations. Regardless of this, the US continues to publish its annual Trafficking in Persons report containing the rankings and assessments of other nation states.

Although the UN Protocol contains a definition of cTIP that is globally supported, there continues to be some discord surrounding the defining of this phenomenon. How Trafficking in Persons is defined affects the treatment and character of the phenomenon as issue framing does with other sociopolitical issues. The lobbying by feminist factions of the UN to define cTIP broadly or more narrowly (delineating the difference between sex trafficking and sex work) surrounded the element of choice in relation to the issue of prostitution as valid labor. The question remains whether or not choice, in relation to Trafficking in Persons continues to present a point of contention. In the next chapter, the methodological approach utilized in this study is explained.

Chapter 3

Methodology

This chapter outlines the methodological process utilized in this exploratory study. Nongovernmental stakeholders are an important part of the issue of Trafficking in Persons. How these stakeholders frame this issue is explored utilizing mixed methodology. The sampling methodology in each phase of the research, (survey and content analysis), as well as the methods of data collection, are also reviewed.

3.1 Methodological Process

In reviewing the literature, the global statistics proposed for the number of current victims of trafficking, including those trafficked nationally and internationally, range from two to four million, annually (Siskin and Wyler 2012). Some advocates propose the number of persons who are current victims of Trafficking in Persons is over 200 million, globally (Bales 1999). There are, admittedly, some difficulty in establishing the "actual" number of current victims of cTIP. This is due to the difficulty of research in the cTIP policy arena—difficulty that is due to a variety of reasons (Van Dijk and Van Der Heijden 2016; Brunovskis and Surtees 2010; Tyldum and Brunovskis 2005). Trafficking in Persons involve "hidden populations"—which are groups "for whom the size and boundaries are unknown, and for whom no sampling frame

exists" (Tyldum and Brunovskis 2005, 18). Adding to this issue of hidden populations is that these populations–sex workers, sex "agents," trafficking survivors, etc. are subjects of stimga (Brunovskis and Surtees 2010; Tyldum and Brunovskis 2005). Furthermore, there is an element of criminality that threatens this group and helps to maintain the obscure nature of both the sex trade and sexual exploitation. Politicization of the issue also makes research in this arena difficult. This is due to the presence of the political agendas of policymakers and the practical reasons of policymaking (Van Dijk and Van Der Heijden 2016; Brunovskis and Surtees 2010; Tyldum and Brunovskis 2005). Take for example the institutional bias in the recognition of sex trafficking over other forms of trafficking. Tyldum and Brunovskis (2005), contends that the increased focus on sex trafficking by law enforcement leads to greater resources spent in this area and a greater representation of the "discovered" victim of sex trafficking over those persons that may have experienced other types of exploitation or those who remain "undiscovered" after exploitation. Finally is the ever present definitional difficulties present in the TIP policy arena (Van Dijk and Van Der Heijden 2016; Potocky 2010; Farrell and Fahy 2009; Heredia 2008; Wolken 2006; Tyldum and Brunovskis 2005). Before the number of victims of cTIP is able to be determine, there has to be a coherent definition of what truly constitutes Trafficking in Persons.

The UN Office on Drugs and Crime (UNODC) constructs the Global Report on Trafficking in Persons that takes a global look at the phenomenon. The 2012 report determined that among victims, women made up 59%, girls 17%, men 14% and boys 10% (United Nations Office on Drugs and Crime

2014). However in the 2014 report, which reports the numbers for 2011, the UNODC notes that although the number of women victims (49%) has fallen the number of girls (21%), boys (12%), and men (18%) have risen (United Nations Office on Drugs and Crime 2014). The decline in the number of women partners an increase in the number of minor (under the age of 18 years) girls. Some other statistics: one in three known victims of cTIP is a child, a rise of 5% compared with the period from 2007 to 2010 (United Nations Office on Drugs and Crime 2014). Also, girls make up two out of three child victims and with women, account for 70% of overall trafficking victims worldwide (United Nations Office on Drugs and Crime 2014). Although the UNODC has noted that there is an increase in the number of victims of trafficking, many countries report no (0) or less than ten (10) convictions of Traffickers (United Nations Office on Drugs and Crime 2014). So the question remains as to why there are so many purported victims but so few convictions? As previously noted, this research explores how stakeholders (NGO) currently frame the phenomenon of cTIP. Understanding a problem's stakeholders is of great importance to success in the policy process (Bryson, Cunningham, and Lokkesmoe 2002). This is because "stakeholder support is needed to create and sustain winning coalitions and to ensure the long-term viability of organizations" (Bryson, Cunningham, and Lokkesmoe 2002, 571). Not satisfying key stakeholders can lead to policy failure.

This researcher identifies five categories of stakeholders in the Trafficking in Persons arena:

1. Governments and their institutions

2. Nongovernmental Organizations including non-profit organizations

3. Corporations: local, national and transnational

4. Victims: past, current and future

5. Human Traffickers

The diffusion of ideas among ALL of these groups is important to the policy process and deserves attention. However, in the present study, the complex nature of problem definition via nongovernmental stakeholders is explored utilizing a mixed methods approach. A mixed methodological approach is selected due to the strengths of the methodology. Mixed methods allows the researcher to utilize the strengths of both qualitative and quantitative methods: use of univariate, bivariate and multivariate statistics and the allowance of theory and/or qualitative analysis to answer the question of why the observed relationship exists between the identified variables (Brown and Hale 2014). Two methods of data collection, beginning with surveys of United Nations (UN) affiliated nongovernmental organizations, are employed. Content analysis was utilized following survey administration completion. Documents reviewed were organizational documents such as annual reports; mission, goal and vision statements; activity reports; consensus statements; news reports and other administrative documents. The UN NGO database was also utilized as source material. Each organization entered into the database provided a description statement which included details about the organization's mission, main activities and main achievements. The database also included the organizations' target groups, interventions and method of activities.

3.1.1 Sample Selection

In selecting the sample, four criteria guided the process. The United Nations Office on Drugs and Crime NGO Database was first utilized to identify prospective organizations. The UNODC database information is provided by the NGOs. The information included in the database was a starting point in determining which organizations to sample. This electronic database details over 3000 nongovernmental organizations which participate in alternative development; the prevention, treatment and rehabilitation of drug addicts; crime prevention including anti-trafficking and anti-corruption activities; and various criminal justice reforms (United Nations Office on Drugs and Crime 2016). The first criteria was that the organization was affiliated with the United Nations—was included in the database. A second avenue of identifying UN affiliated organizations was the identification of organizations that were participants in the "The Global Sex Industry: Trafficking and the Global Sex Industry—Need for Human Rights Framework" June 21–22, 1999 Conference (1999 Conference Participants [CP]). This criteria was utilized not only as an avenue to narrow down potential organizations but to identify organizations that possessed a global perspective on cTIP. There are thousands of organizations that participate in the cTIP policy arena or provide services to cTIP stakeholders. Many of these organizations are domestic organizations and due

to the global perspective of this research, it would have been significantly difficult to identify organizations with the use of a central database due to lack of such an open database. [1]

The second criteria required that the selected population consists of NGOs that include "anti-human trafficking" as one of their spheres of action. The multi-faceted nature of Trafficking in Persons requires a multi-disciplinary and holistic social policy response. Thus, many organizations that may have other mission objectives, for example childhood poverty or hunger, may also have objectives and/or goals that have an anti-trafficking focus. This focus need not have been the "primary " sphere of concern of the organization. This criteria held for anti-human trafficking organizations involved as consultants and/or participants in 1999 Conference.

The third criteria concerned UN language of the organizations. The UN has six official languages:

1. Arabic

2. Chinese

3. English

4. French

5. Russian

[1]The Polaris in collaboration with the Freedom Fund, and the Walk Free Foundation, has launched the "Global Modern Slavery Directory," a publicly searchable database of over 770 organizations and hotlines which work in Trafficking in Persons. The Directory provides a resource for those in the TIP arena to easily identify those organizations and the available services. This tool is new and still developing and was appropriate for the purposed of this research. https://polarisproject.org/news/press-releases/worldwide-directory-modern-slavery-organizations-launches.

6. Spanish

Selected organizations had to have English listed as one of their UN languages (United Nations 2016a). As with the second criteria of anti-trafficking sphere of concern, English did not have to be the organization's "official" language, however it must have been delineated as one of the UN languages in the database. There were some organizations that did not include any organizational languages. These organizations were included and culled, during a later phase if there was not evidence that the organization conducted any business in English. For example, some organizations included in their websites means to translate documents or provided documents in several languages.

The final criteria to complete the sampling frame required that the organizations be active. This was the most difficult criteria to determine. The administration of the survey served to initially cull inactive organizations and the final reviews via the content analysis provided the final culling of the available population. The sampling aim was 50% of the available population. The sampling process is denote in Figure 3.1.

Selection Criteria	1	2	3	4	5	Beginning Population/Sample				
						Survey	Survey Sample	Content Analysis	Content Analysis Sample	Subtotal
1 UN Affiliation 1. Entered into the United Nations Office on Drugs and Crime NGO database. 2. Conference Participant (NGO Consultation with UN/IGOs on Trafficking in Persons, Prostitution and the Global Sex Industry, June 1999.)	1=573 2=58	X	X	X	X	X		X		631
2 Organizational Spheres of Action/Areas of Concern include "Anti-Human Trafficking."	X	631	X	X	X	X		X		0
3 English listed or determined as one of organization's UN languages. 1=Yes 2=No	X	X	1=578 2=53	X	X	X		X		(53)
4 Demonstrable activity in time period 2015/2016: Active Website; Active Social Media Site; Civil Society Activity	X	X	X	348=No Demonstrable Activity (2015/2016)	X	X		X		(348)
5 OTHER	X	X	X	X	4=Duplications	X		X		(4)
Total Organizations						226	48 (21%)	178	67 (30%)	226

Figure 3.1: Sampling Matrix

This study, as before-mentioned, utilized a global perspective. The sampling frame and thus, the sample, addressed this global aspect of the research by utilizing a regional, sub-regional, and micro-regional categorization of the organizations which is outlined in Table 3.1. To guide this process, the regions and sub-regions delineated in the UNODC 2014 Global Report on Trafficking in Persons was utilized. The micro-regions were created from the UN sub-regions utilizing the "UN Statistics Division: Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" (United Nations 2016b) The sub-regions were divided into their smaller geographic regions, for example, the sub-region of "Eastern Europe and Central Asia" were divided into the micro-regions of "Eastern Europe" and "Central Asia" to enable a more representative sample.

Table 3.1: UN Regions, Sub-Regions and Micro-Regions

UN Major Regions	UN Sub-Regions	Micro-Regions
Africa and the Middle East	North Africa and The Middle East; Sub-Saharan Africa	North Africa; East Africa; Central Africa; West Africa; South Africa; West Asia
The Americas	North and Central America and The Caribbean; South America	North America; Central America; South America
The Europe and Central Asia	Western and Central Europe; Eastern Europe	Northern Europe; Southern Europe; Eastern Europe; Western Europe; Central Asia
South Asia, East Asia and the Pacific	East Asia and the Pacific; South Asia	South Asia; East Asia; West Asia; Oceania

Regions and Sub-Regions are based on UN delineation in the United Nations Office on Drugs and Crime "Global Report on Trafficking in Persons Report 2014." Micro-Regions adapted by researcher from the "UN Statistics Division: Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings."

3.1.2 Data Collection

In this study, primary data collection was accomplished through two different avenues. The first method of data collection was via surveys, electronic and paper-based, depending on the organization's capability and/or preference. The survey is utilized primarily to collect data. However, the survey process also served a secondary purpose. The focus and intent of this study was global. This fact introduced the challenge of geography. A survey process allows the researcher to overcome geographical limitations; however, location is still at issue because the researcher cannot readily interact with the units. The process provided opportunity to further verify the appropriateness of the sample. The survey process utilized is delineated in the next section.

Surveys

The first round of data collection was accomplished through surveys. Survey invitations were disseminated either electronically or by traditional mail to the organizations depending on capability and the access to resources of the organizations. Traditional mailed surveys were included to ensure that organizations that possessed limited fiscal resources were not excluded. Some organizations are small and lack the resources necessary to maintain electronic capabilities. Survey invitations and survey questionnaires to those organizations were forwarded through traditional mail.

There were three waves of survey invitation disseminations. The first wave was completed electronically to all organizations. Following the first wave of surveys, culling of the list of organizations was completed. Surveys

that were returned or "bounced back" due to expired or incorrect contact information were reviewed to verify that the error was not due to error on the part of the researcher. Electronic contacts were corrected, if possible, and the e-invitations to participate in the survey were re-disseminated. Organizations which presented no viable electronic contact were placed on the mailing list and the first wave of survey invitations were disseminated via traditional mail. Following this first mailing, invitations that were returned were reviewed for error and/or change in contact information and re-mailed or culled based on findings. There were a total of three waves of survey invitations disseminated (electronic and traditional mail) over a course of five months.

The total number of organizations sampled began with 631 NGOs and was scrubbed to 578 units following elimination of those organizations which did not demonstrate that English was as one of their identified UN languages. The UN NGO Database organizations and CPs were then culled for listed contact information and duplications which further eliminated another four organizations. The survey began with 574 organizations: 302 electronic invitations and 272 invitations by traditional mail. The final scrubbed sample following the culling processes denoted above and culling of organizations that did not display any evidence of direct work with any form of Trafficking in Persons, was 226 organizations.

Content Analysis: Conceptual Analysis

The second round of data collection was accomplished through content analysis. The research tool of content analysis is utilized to "determine the

presence of certain words or concepts within texts or set of texts...Researchers quantify and analyze the presence of meanings and relationships of such words and concepts, then make inferences about the messages within the texts..." (Busch et al. 2016, 1). The content analysis portion of the data collection began with a review of the sample. As aforementioned, organizations that were successfully surveyed were removed from the sample. The sample was again reviewed and restricted to organizations that displayed activity within the 2015/2016 time-frame. The organizations' websites were reviewed for activity as well as social media sites such as Facebook and blogs. Some organizations did not have a formal website but maintained an active presence through social media sites. The overwhelming majority of organizations, greater than 98%, had more than one area of concern, thus, a significant amount of time was spent reviewing documents to parse out those references to cTIP. What appears to be the case is that, in the view of the organization, the areas of concern are oftentimes the cause of trafficking thus addressing these concerns will therefore lessen—if not eradicate—the incidences of cTIP.

Following the three disseminations of surveys and the elimination of organizations that participated in the survey phase of the study, the content analysis portion of data collection began with a population of 184 organizations. Thirty percent of the this population was then sampled for content analysis. To complete the 50% overall sample, proportionate stratified random sampling was utilized to select approximately 30% or 67 of the organizations remaining, following culling of the organizations for survey completion, for content analysis. The regional make-up of the sample for both data collection phases is

demonstrated in Figures 3.2 and 3.3. The final sample, including organizations surveyed was approximately 50.8% of the available sampling frame.

UN Subregions	Subregion L-Code	Organizations Surveyed	Organizations for Content Analysis	Total Organizations per Subregion	%
East Asia and the Pacific	EAsP	1	3	4	3
Eastern Europe and Central Asia	EECAs	6	2	8	7
North Africa and the Middle East	NAfME	2	1	3	3
North and Central America and the Caribbean	NCAmC	1	19	20	17
South America	SAm	2	0	2	2
South Asia	SAs	7	12	19	17
Sub-Saharan Africa	SSAf	12	3	15	13
Western and Central Europe	WCE	13	27	40	35
Unknown	UNK	4	0	4	3
Total		48	67	115	100

Figure 3.2: Sample Distribution
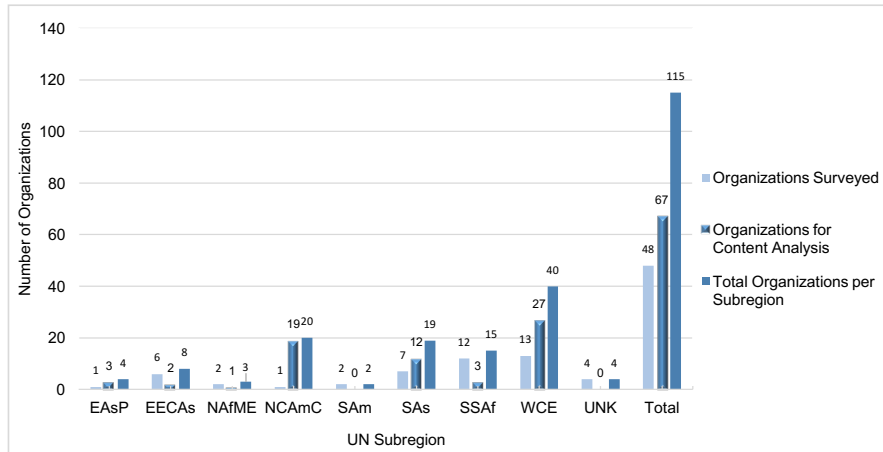
Figure 3.3: Sample Distribution by UN Sub-Region

3.1.3 Coding

Survey

The surveys were sources of both qualitative and quantitative data. The survey—refer to Appendix A—was structured as a semi-structured instrument that utilized both closed and open-ended questions. The survey was organized into four sections which focused on organizational information; human trafficking (general); and human trafficking policy activity. The open ended questions were utilized to facilitate organizational ideas about human trafficking. These open-ended questions allowed the discovery of the ideas (concepts and themes) which organizations embraced. The closed-ended questions in the survey were

not "true" closed-ended questions because they allowed more than one response or provided a "write-in" text answer.

Organizations were queried about the various definitions of Trafficking in Persons currently present in the TIP arena, primarily the UN Protocol legislation definition and their nation state domestic legislation definition. Organizations' were asked to identify their level of support for these definitions, including identifying which definition was the best of these and the concepts that made this definition the "best." Organizations were also asked to identify the most important concepts in the case of a "general" definition of Trafficking in Persons.

In addition to the main concepts and themes presented by the organizations, the preliminary concepts of political power, social mobilization and self-determination were coded utilizing the following criteria:

- Location/Investment/Direction

    - Where does political power/social mobilization/self-determination originate?

    - Where is it vested?

    - What is its direction, mainly, from who to whom?

- Purpose/Worth/Value

    - What does political power, etc. do?

    - What does the vested power gain the owner?

- What are the dominant inherent qualities of concept (excluding the above criteria), for example, political power = will, ability, etc.

The organizations were asked to define each of the concepts, whether or not and how they related to cTIP and in the case of political power and social mobilization, what is the relationship of the concepts to each other.

Quantitative analysis focused on univariate statistics. The first section of the survey, Organizational Information, was utilized for descriptive statistics. This included: establishment date, primary functions, beneficiaries, and primary services and organizational activity regions. Table 3.2 lists the organizations that were surveyed.

Table 3.2: Sample of Surveyed Organizations

Organization	Micro-Region
Association "Generatie Tanara" (Unga Liv)	UNEE
Association for Social Programs Development Iasi	UNEE
Atina -Citizens Association for combating trafficking in persons and other types of gender based violence	UNSE
Committee for the Support of the Dignity of Women (COSUDOW)	UNWAf
Dominican Sisters of Bethany	UNSEAs
Dominican Sisters of Bethany	UNWE
Dominican sisters of St. Catherine	UNSEAs
Empower India	UNSAs
Fundacion Anar	UNSAm
Girl Guides Association of Dominica Inc	UNC
GLOWA - Global Welfare Association	UNCAf
Good Thinkers Organization for Human Development (GTO)	UNSAs
Guyana Girl Guides Association	UNSAm
HAART Kenya	UNEAf
Human Rights Defenders Solidarity Network HRDSNET (Uganda)	UNEAf
Idia Rennaissance	UNEAf
Institute for Democracy	UNEE
La Strada Belarus	UNEE
Legal Support for Children and Women (LSCW)	UNSEAs
Manav Seva Sansthan Seva	UNSAs
Mercy House	UNSAf
Missing person's families support center	UNNE
New Line Social Organization	UNSEAs
NGO Living for Tomorrow	UNNE
Nongovernmental org. Tanadgoma Center for Information and Counseling on Reproductive Health	UNWAs
NSWP - Global Network of Sex Work Projects	UNNE
Pakistan Rural Workers Social Welfare Organization (PRWSWO)	UNSAs
People's Harmonious Development Society	UNWAs
Psycho-Social Center "Vatra"	UNSE
PULSE Foundation	UNEE
Pulse Foundation	UNEE
Samtök um kvennaathvarf	UNNE
Save Visions Africa (SVA)	UNWAf

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Organization	Micro-Region
Stop the Traffik (Australian Coalition)	UNO
Swaziland Girl Guides Association	UNSAf
Trade Union Congress of the Philippines (TUCP)	UNSEAs
Uganda Youth Development Link (UYDEL)	UNEAf
Vidyaranya	UNSAs
Women Consortium of Nigeria (WOCON)	UNWAf
Women Protection Org	UNWAf
Women Skill Creation Center	UNSAs
Youth Net and Counselling (YONECO)	UNEAf
Org99-1	UNSAs
Org99-2	UNSA
Org99-3	UNSEAs
Org99-4	UNK
Org99-5	UNK
Org99-6	UNK
N	48

End of Table

Content Analysis

In addition to the coding scheme utilized for the survey on political power, social mobilization and self-determination, the content analysis portion of the methodology utilized several probes which are detailed in Table 3.3 for data collection including, if necessary, what an organization does or how it has responded to the phenomenon of cTIP, as a way to determine how the organization defines cTIP. This is because the way a problem is defined or framed determines how that problem is addressed. Problem definition bounds the

problem and in turn the possible solutions. So, in essence, this probe is working back from how the organization addresses cTIP to determine how they define cTIP. This was the first general question used to develop the analysis.

Table 3.3: Content Analysis Data Collection Probes

Probes
How does the organization define human trafficking?
What types of activities does the organization do to counteract human trafficking and why?
What populations does the organization service or lobby for?
What (or if) services does the organization provides?

The concepts, in relation to Trafficking in Persons, were recorded in a general form, for example, power = powerful. Any formulation of a word/concept, including phrases was coded as that concept i.e power = powerful = political sway. Frequency of concept, not just existence, was also a determinant of concept importance and noted.

In regard to documents: a minimum of two documents were utilized per organization with the UNODC database description statement being the first of these. If a description statement was not included or was uninformative, documents were utilized based on availability:

1. UNODC NGO Database description

2. Annual Reports

3. UN Reports

4. Other Organizational Reports, for example, activity reports

5. Mission, Vision, History and Goal Statements

6. Promotional and Campaign Materials

7. Supported Reports and Studies

Shown in Table 3.4, the minimum number of documents utilized per organization was two including the NGO database statement, if available. The final number of organizational documents used depended on the quality of the information contained in the document or on the website. As noted above, most of the organizations sampled had more than one sphere of concern and thus, Trafficking in Persons may not have been the primary area of concern. In some of these cases more documents were need to establish the position of the organization with regard to the globally recognized definition of cTIP and the organization's ideas of what cTIP is or is not. More than two documents or web-page materials (website content) were also used in those cases where there were no "strong" reports, for example, annual reports, available.

Table 3.4: Content Analysis: Documents and Materials

Organization	Micro-Region	UN Statement	Documents and Materials
Childfund UNC*	UNC	Yes	News Articles: Why you should care about child trafficking; Breaking the Chains of Global Slavery; How Innovative Ideas Keep Children Safer; Report: Annual Report 2015
Association Enfants, Jeunes et Avenir	UNCAf	Yes	Areas of Achievement: Participatory local development; Partnership and networking; Human rights; Lobbying; HIV/AIDS; Social Housing; Fight against poverty; Basic infrastructures; Access to drinking water; Domains: Support and promotion; Participatory local development; Providing aid; Partnership and networking; Human rights; Lobbying/Advocacy; HIV/AIDS; Social Housing; Fight against poverty; Basic infrastructures; Access to drinking water.
Justice And Peace Commission	UNCAf	Yes	Manual: 2009 Human Rights Manual for Christian Communities; Poster: Law No. 2011/024 of December 2011
Istiqbolli Avlod (Future Generation)	UNCAs	Yes	Website Content: !Caution: Human Trafficking; Projects

Continuation of Table 3.4

Organization	Micro-Region	UN Statement	Documents and Materials
Kazakhstan International Bureau for Human Rights	UNCAs	Yes	<u>Report</u>: Report on Human Rights Situation in the Republic of Kazakhstan 2012; <u>Report</u>: US Trafficking in Persons Report 2015
Eye of the Child	UNEAf	Yes	<u>Social Media</u>: Facebook page; Youtube Video: Eye of the Child Malawi in Action
International Movement Against All Forms of Discrimination and Racism	UNEAs	Yes	<u>Statement</u>: Human Trafficking (HRC 14th, 2010, OS); Statements submitted to the UN Human Rights Bodies (1993-2005)
Lighthouse Center for Human Trafficking Victims	UNEAs	Yes	<u>Publication</u>: Information pamphlet; <u>Website Content</u>: What Human Trafficking is
American Bar Association Rule of Law	UNNAm	Yes	<u>ABA Center for Human Rights</u>: Projects; Article: What's Human Trafficking
Break The Chain Campaign (Institute for Policy Studies Program)	UNNAm	Yes	<u>Website Content</u>: About; <u>Website Content Resources</u>: TVPA, TVPRA 2008
Casa Alianza/ Covenant House	UNNAm	No	<u>Report</u>: Homelessness, Survival Sex and Human Trafficking: As Experienced by Youth of Covenant House New York May 2013; <u>Website Content The Issues</u>: Human Trafficking

Continued on next page

Continuation of Table 3.4

Organization	Micro-Region	UN Statement	Documents and Materials
Catholic Relief Services	UNNAm	Yes	<u>Policy Paper</u>: Trafficking in Persons; <u>Publication</u>: CRS and Trafficking
Coalition to Abolish Slavery and Trafficking	UNNAm	Yes	<u>Report</u>: Impact Report; <u>Website Content About the Issue</u>: Understanding Slavery and Trafficking
Crime Stoppers International (Canada)*	UNNAm	Yes	<u>Brochure</u>: Human Trafficking; <u>Website Content</u>: Human Trafficking
Equality Now	UNNAm	Yes	<u>Report</u>: Annual Report 2014; <u>Website Content Our Programs</u>: End Sex Trafficking
Free the Slaves	UNNAm	Yes	<u>Report</u>: Annual Report 2014; <u>Website Content Our Model for Freedom</u>: Community Based Causal Model
Heartland Alliance	UNNAm	Yes	<u>Website Content</u>: What is Human Trafficking; <u>Projects</u>: The National Immigrant Justice Center (A Heartland Alliance Program): Counter-Trafficking Project
Human Trafficking Awareness Partnerships Inc	UNNAm	Yes	<u>Website Content</u>: About Us (HTAP); FAQ: The role of the community

Continued on next page

Continuation of Table 3.4

Organization	Micro-Region	UN Statement	Documents and Materials
International Centre for Missing & Exploited Children	UNNAm	Yes	Report: Comprehensive Legal Approaches to Combatting Trafficking in Person: An International and Comparative Perspective; Report: The Digital Economy: Potential, Perils and Promises (A Report of the Digital Economy Task Force)
International Justice Mission	UNNAm	Yes	Website Content: Force Labor Slavery; Sex Trafficking; Report: International Justice Mission Justice Review: A Journal on Protection and Justice for the Poor
International Organization for Victim Assistance	UNNAm	Yes	UN Crime Congress: Statement-IOVA Calls on UN to Invest Now or Pay Later for Victims; Statement-5 Goals for Sustainable Development Achievable within 10 Years.
International Rescue Committee	UNNAm	Yes	Article: An Interview with the IRC's Beyenech Taye for Human Trafficking for Human Trafficking Awareness; Report: Annual Report 2015

Continued on next page

Continuation of Table 3.4

Organization	Micro-Region	UN Statement	Documents and Materials
International Social Services	UNNAm	Yes	Report: International Social Services Global Report 2015; Editorials: The 1996 Hague Convention: A unique role in cross-border protection of children?; Is inter-country adoption linked with trafficking for exploitation?
Mercy Corps	UNNAm	Yes	Articles: Fighting Sex Trafficking in Colombia's Tourist Jewel; The War on Child Soldier Recruitment Begins at School; Website Content: QA: How we begin to help girls fulfill their potential.
Mere Mist International	UNNAm	Yes	Website Content: Human Trafficking Basics; Human Trafficking Video
National Center for Missing and Exploited Children	UNNAm	Yes	Report: Missing Children, State Care, and Child Sex Trafficking-Engaging the Judiciary in Building a Collaborative Response; Website Content: Child Sexual Exploitation-Sextortion; Child Sex Trafficking.
Anti Slavery International	UNNE	Yes	Report: Annual Review 2015; Website Content: Slavery Today: What is Modern Slavery.

Continued on next page

Continuation of Table 3.4

Organization	Micro-Region	UN Statement	Documents and Materials
Cambridge Centre for Applied Research in Human Trafficking	UNNE	Yes	Website Content: About CCARHT; CCARHT Blog; Publication: Teamwork!
Christian Action Research and Education	UNNE	Yes	Publication: Human Trafficking Leaflet; Website Content: Human Trafficking Supporter Briefing.
Christian Aid	UNNE	Yes	Report: Christian Aid Annual Report and Accounts 2014/15; Articles: UK government should lead by example over rights of domestic workers; Young people in Asia demand better protection from trafficking and exploitation.
Estonian Women's Studies and Resource Center	UNNE	Yes	Website Content: Human Trafficking and Prostitution; Projects; Current and Former Partners
Focus on Labour Exploitation	UNNE	Yes	Publications: Vulnerability to Human Trafficking for Labor Exploitation; Beyond Compliance: Effective Reporting Under the Modern Slavery Act (A Civil Society Guide for Commercial Organizations on the Transparency in Supply Chains Clause)

Organization	Micro-Region	UN Statement	Documents and Materials
Forum for Women and Development	UNNE	Yes	<u>Article</u>: Coalition against Trafficking in Women to Implement Trafficking, Prostitution, Law and Reforms Internationally (FOKUS supports The Coalition against Trafficking in Women (CATWA), an international women's network that works with women's rights and campaigns against human trafficking.); <u>Website Content Projects</u>: Campaign Against Trafficking and Sexual Exploitation of Women and Children; <u>Website Content Blog</u>: Abolish Prostitution by Punishing those who Purchase and Exploit Women and Children.
Anti-Slavery Project	UNO	Yes	<u>Publication</u>: Factsheets Numbers 1, 5, 7-What is Slavery?; Human Trafficking; What is Anti-Slavery Australia?; <u>Report</u>: US TIP Reports; Australian Trafficking in Persons Report.
Alliance Against Trafficking in Women and Children in Nepal	UNSAs	Yes	<u>Website Content About AATWIN</u>: Vision, Mission, Goals, Major Objectives, Target Groups, Endorsement; Major Programs of AATWIN

Continuation of Table 3.4

Organization	Micro-Region	UN Statement	Documents and Materials
Apne Aap Women Worldwide	UNSAs	Yes	Report: Annual Report 2013-14; Website Content: Our Approach
Bachpan Bachao Andolan	UNSAs	Yes	Report: Annual Report 2012-2013; Website Content: Trafficking
Bangladesh National Women Lawyers Association	UNSAs	No	Report: Annual Report 2013-2014; Website Content Projects: Prevention of Child Trafficking Through Strengthening Community and Networking; Rehabilitation of Child Trafficked Victims (including sexual violence) and Children at Risk in Shelter-Based Facilities.
Bhoruka Public Welfare Trust	UNSAs	Yes	Website Content Projects: Anti-girl Trafficking Program; Child Watch Program
Centre For Social Research	UNSAs	Yes	Report: Annual Report 2015; Website Content: About Us
Contact Base (Banglanatak dot com)	UNSAs	Yes	Reports: Research on Causes and Consequences of Trafficking in Women and Children using Theatre Based Techniques November 2005—January 2006; Training of Police Officials for Empowering and Capacity Building on Anti-Human Trafficking August—December 2008.

Continued on next page

Organization	Micro-Region	UN Statement	Documents and Materials
Creating Resources for Empowerment in Action	UNSAs	Yes	Publication: Ain't I a Women–A Global Dialogue Between the Sex Worker's Rights Movement and the Stop the Violence Against Women Movement, Bangkok, Thailand, March 2009 (2011); Website Content: Theory of Change and Outcomes.
Durbar Mahila Samanaya Committee	UNSAs	Yes	Website Content: About Us—The Durbar Mission, The Durbar Vision; History; Anti-Trafficking.
Global March against Child Labor	UNSAs	Yes	Reports: Annual Report 2014; Hidden Slavery: Child Domestic Workers.
Guria Swayam Sevi Sansthan	UNSAs	Yes	Website Content: About Us; Activities
I-India	UNSAs	Yes	Website Content: About I-India; Programs
Associazione Comunità Papa Giovanni XXIII/ Community of Pope John XXIII Association	UNSE	Yes	Website Content: APG23 at the UN: Human Trafficking; News Article: The Defense of the Dignity of Persons from Their Origin.

Continued on next page

Continuation of Table 3.4

Organization	Micro-Region	UN Statement	Documents and Materials
Caritas Internationalis	UNSE	Yes	Reports: Annual Report 2014, US TIP Report; Website Content Blog: Combatting Trafficking in Human Beings—COATNET Summit in Paris; Article: Caritas and Partners Advance Fight Against Human Trafficking.
Cross Culture International Foundation	UNSE	Yes	Website Content: Project Stop; Human Trafficking Awareness—Modern Slavery Bill (UK); Report: US TIP Report 2014
Healthy Options Project Skopje	UNSE	Yes	Website Content: Programs: Program for Support of Sex Workers; Advocacy, CEDR; Mission, Vision and Profile; Sexwork in Republic of Macedonia
International Forum of Solidarity	UNSE	Yes	Website Content: Surf Safely: Child Trafficking; Information: Facts; Statistics; Terms
Jesuit Refugee Service	UNSE	Yes	Report: Annual Report 2015/2014; Articles: Dominican Republic: JRS Condemns Trafficking of Haitian Children; Global: International Day of Prayer and Awareness for Human Trafficking; Latin America: Regional Response Needed to Address the Needs of Haitian Migrants.

Continuation of Table 3.4

Organization	Micro-Region	UN Statement	Documents and Materials
Anti Sex Trafficking Action	UNSE	Yes	<u>Website Content</u>: Projects—Stop! Stop Trafficking of People; Facts: What is trafficking in Human Beings; Trafficking in Serbia; <u>Publication</u>: Rights for Compensation for Victims of Human Trafficking; <u>Report</u>: US TIP Report 2016
Cambodian Women's Development Agency	UNSEAs	No	<u>Website Content</u>: Anti-Trafficking: Community Self Prevention; SMILE Asia Project; Peer Education; Poverty Alleviation; Women's Safe Shelter: About Us; Women's Health Services: Safe Work Project.
Acting for Women in Distressing Circumstances (SENGSAVANG)	UNSEAs	Yes	<u>Website Content</u>: Our Work: Human Trafficking Laos; Who We Help; What We Do; Who We Are/Mission.
Asia Pacific Forum on Women, Law and Development (APWLD)	UNSEAs	Yes	<u>Website Content</u>: Our Work: Labour and Migrations; <u>Article</u>: How Regional Solidarity Helped Save a Life; May Day Call for Workers: Is It Time for a Global Strike?; <u>Publication/Poster</u>: Briefer: Trans-Pacific Women vs. Trans-Pacific Partnership

Continuation of Table 3.4

Organization	Micro-Region	UN Statement	Documents and Materials
Chab Dai	UNSEAs	No	<u>Report</u>: Impact Report 2014: Global Learning Community (Asia); The Butterfly Longitudinal Research Project 2013; <u>Website Content Project</u>: Collaboration; Prevention; Research; Justice; Advocacy.
Damnok Toek Poipet	UNSEAs	Yes	<u>Website Content</u>: Home—Overview; Our Activities; About Us: Vision and Mission; Beneficiaries.
ECPAT International	UNSEAs	Yes	<u>Report</u>: ECPAT 25 Years: Rallying the World to End Child Sexual Exploitation; Annual Report 2015; <u>Briefing Paper</u>: Emerging Global Threats Related to the Sexual Exploitation of Children Online.
Arab Center for the Development of the Rule of Law and Integrity	UNWAs	Yes	<u>Website Content</u>: Projects: Enhancing Protection for Vulnerable Women and Girls Among the Internal Displaced Persons from Sexual Gender Based Violence and Trafficking in Iraq; Activities: National Workshop on Trafficking in Persons.
Alabaster Jar. e.V.	UNWE	Yes	<u>Website Content</u>: Mission; Our Work; Prostitution in Germany; Human Trafficking. Resources: Links.

Continued on next page

Continuation of Table 3.4

Organization	Micro-Region	UN Statement	Documents and Materials
Ban Ying Counseling and coordination Center against trafficking in Persons	UNWE	Yes	<u>Website Content</u>: Mission Statement: Who We Are; Our Values; Who We Work For; How We Work. Areas of Work: Trafficking in Human Beings: Human Trafficking in Germany; Modern Day Slavery; People Affected by Human Trafficking; Indicators of Human Trafficking.
Bundesweiter Koordinierungskreis gegen Frauenhandel und Gewalt an Frauen im Migrationsprozess e.V.	UNWE	Yes	<u>Website Content</u>: About Us: Objectives; Key Issues; Human Trafficking: Into Labour; Into Sexual Exploitation; Into Marriage; Other Themes: Prostitution and Migration.
Defence for Children International	UNWE	Yes	Report: Annual Report 2014; <u>Website Content</u>: Thematic Areas: Child Trafficking; Children in Conflicts; Violence Against Children; Children on the Move; Child Labour; Justice for Children

Continued on next page

Continuation of Table 3.4

Organization	Micro-Region	UN Statement	Documents and Materials
European Forum for Urban Security	UNWE	Yes	Report: Trafficking in Human Beings, International Knowledge and Local Practices 2007; Article: "Supporting and Protecting Victims of Human Trafficking is a Way to Fight" Interview with Patrick Hauvuy, Director ALC; Website Content: About US
EXIT - Verein zur Bekämpfung von Menschenhandel aus Afrika	UNWE	Yes	Website Content: Who We Are; What We Do: Cases X Who We Are; What We Do: Cases XYZ; EXIT Nigeria
FIZ Advocacy and Support for Migrant Women and Victims of Trafficking	UNWE	Yes	Website Content: About Us: Fields of Activity; Services: Counseling Center for Migrant Women (Information); Information Sheets; FIZ Statutes
N			67

(*) Determined to be "extension" organization: an organization which began in a different nation state and maintains some working relationship with the "primary" organization.

3.2 Piloting: Survey

During the 1990's, feminist groups lobbied the UN to encourage the construction of a definition of human trafficking that was, in their estimation, more suitable to the contemporary phenomenon and the most vulnerable groups (women and girls) than what was previously dictated by the 1949 Convention. The lobbying groups were generally assembled into two opposing blocks with differing views as to the breadth or scope of the new policy—essentially, how choice would play a role. Following the adoption of the UN Trafficking in Persons Protocol (Protocol/Palermo Protocol), there was a great blossoming of organizations that included cTIP as their primary area of concern or as one of their areas of concern.

To pilot the research protocol and instrument, anti-trafficking organizations were randomly selected. Initially, the instrument was to be administered to three organizations while systematically avoiding eliminating influential key stakeholders. Organizations were selected randomly from the UN nongovernmental organization database and from the organizations presented in "The Global Sex Industry: Trafficking and the Global Sex Industry—Need for Human Rights Framework" report. During sampling, it was discovered that some of the groups were not anti-trafficking NGOs and were thus eliminated. In addition, due to the global nature of the research, there was a chance that non-western groups would be eliminated through the piloting process. To avoid this accidental elimination, the determination was made to administer the survey in interview form to one of the five key organizations that was instrumental

in organizing the 1999 Conference. The survey was completed via telephone conference.

There were several discoveries gleaned from this pilot which required pursuant action as follows: (1) several questions were revised for clarification; (2) additional questions were added concerning several key areas that arose during the interview; and (3) the UN definition of cTIP has been included in the survey for respondents to review. It was also noted that advocate organizations were as invested in the substantive area of cTIP policy as they were prior to and during the lobbying of the UN. Based on the completed literature review and the pilot, concepts that are attributed to cTIP are highly contested as relevant to the substantive issue and the framing of cTIP. These concepts were thus included in the survey instrument for review.

3.3   Summary

In this research study to explore and determine the current position of stakeholders in the cTIP policy arena, a mixed methodological approach was utilized. Mixed methods provides a useful array of analysis tools for the researcher including the ability to synthesize large amounts of qualitative data, identifying themes and patterns and the use of quantitative tools such as univariate and bivariate statics. The sampling frame utilized presented four criteria: UN affiliation, anti-human trafficking sphere of concern, English as one of the organization's official languages and lastly, demonstration of activity in the 2015/2016 time period. There were two methods of data collection utilized beginning with a semi-structured survey which looked at organizational

functions and services, current positions on Human Trafficking definitions and current and past organizational Human Trafficking activities.

The second method of data collection was content analysis which utilized proportionate stratified random sampling, correcting for those micro-regions that had low representation in the surveys based on the determined number of active organizations. Documents utilized for the content analysis portion were organizational reports, the UN NGO Database summaries, website content, mission, vision and goal statements and other official organizational reports. Piloting of the survey was completed via oral survey with a key stakeholder in the cTIP arena. Following piloting, adjustments were made to the research survey instrument. These adjustments included revision of several questions for the purposes of clarification; addition of questions to address key areas of concern and inclusion of the prevailing global definition of cTIP. The next chapter discusses the study's findings.

Chapter 4

Findings

This chapter discusses the findings of this exploratory study. In order to answer the question of how advocate organizations define or frame the phenomenon of contemporary Trafficking in Persons (cTIP) 15 years following the adoption of the UN Palermo Protocol, this research utilizes a conceptual approach beginning with qualitative analysis. Pattern matching and emergent themes and trends through axial coding was used to determine the concepts which organizations believed were essential to understanding and framing the phenomenon of cTIP. The focus of the analysis was on the level of support of the organizations for UN and domestic definitions of cTIP; the organizations' belief of the concepts that domestic and global definitions of cTIP should possess; and the importance/relevance of the concepts of political power, social mobilization and self-determination to the phenomenon of cTIP. The singular and compiled results of both the survey and the content analysis are presented. This includes descriptives of the respondent organizations including establishment dates, primary services, and functions. Also, discussed in this chapter are organizational views on how the phenomenon should be defined, particularly, what concepts are most important to identify in framing the issue. Finally, included in the chapter are direct organizational responses to

queries of the framing of Trafficking in Persons as well as views on the causes of human trafficking and the actions necessary to combat the phenomenon.

4.1 Organizations

The organizations sampled for the survey were selected based on four criteria:

1. The organization was UN affiliated.

2. Anti-human trafficking was an organizational area of concern.

3. One of the organizations' UN languages was English.

4. The organization demonstrated active status for the time period of 2015/2016.

Demonstrated in figures 4.1 and 4.2, the sampled organizations were from all UN regions: Africa and the Middle-East, The Americas, Europe and Central Asia, and South and East Asia and the Pacific; UN sub-regions: East Asia and the Pacific (EAsP), Eastern Europe and Central Asia (EECAs), North Africa and the Middle East (NAfME), North and Central America and the Caribbean (NCAmC); South America (SAm), South Asia (SAs), Sub-Saharan Africa (SSA), and Western and Central Europe (WCE) and; micro-regions: Caribbean (UNC), Central Africa or Middle Africa (UNCAf), Central America (UNCAm), Central Asia (UNCAs), East Africa (UNEAf), East Asia (UN-EAs), Eastern Europe (UNEE), South America (Latin America) (UNSAm), North Africa (UNNAf), North America (UNNAm), Northern Europe (UNNE),

Oceania (UNO), South Africa (UNSAf), South Asia (UNSAs), Southern Europe (UNSE), South-Eastern Asia (UNSEAs); West Africa (UNWAf); West Asia (UNWAs), and Western Europe (UNWE). The least amount of survey responses were in the The Americas Region while the greatest number of responses were in Central, South and East Asia.
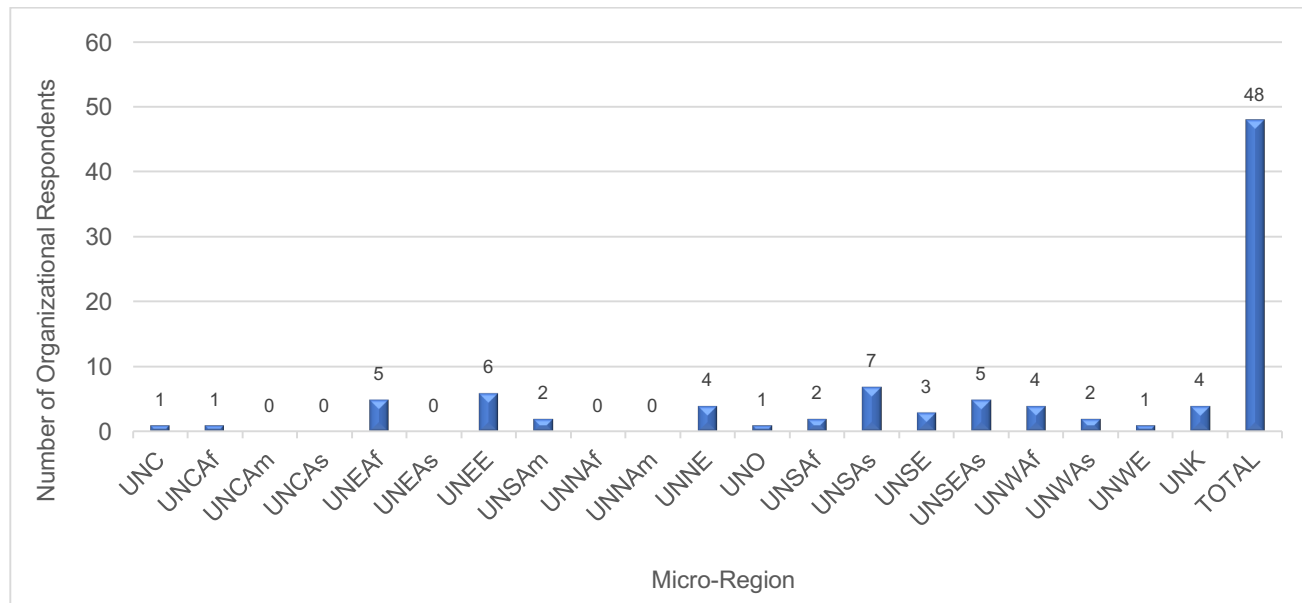
Figure 4.1: Survey: Response by Micro-Region

Iceland
Lithuania
Scotland-UK
Serbia
Estonia
France
Albania

EUROPE AND CENTRAL ASIA

Republic of Moldova
Belarus
Romania
Bulgaria

**SOUTH ASIA, EAST ASIA
AND THE PACIFIC**

Georgia

**AFRICA
AND
THE MIDDLE EAST**

Afghanistan
Pakistan
Nepal
India

Cambodia
The Philippines

Dominica

THE AMERICAS

Guyana

Nigeria
Uganda
Swaziland
Kenya
South Africa
Cameroon
Malawi

Peru

Australia

Figure 4.2: Survey Sample Distribution: Organizations by Nation States

The United Nations Palermo Protocol was adopted in November of 2000 and went into effect in December of 2003. Prior to that time, there was intense lobbying of national governments and the United Nations to establish a framework, namely boundaries, of Trafficking in Persons. Although the sampled organizations have an establishment range of 1866 to 2010 (See Figures 4.3-4.5), there was a significant increase in the number of organizations established between 1997 and 2001 during the lobbying of the UN and the adoption of the Palermo Protocol. Greater than one-quarter of the the organizations sampled were established during that 5 year period.
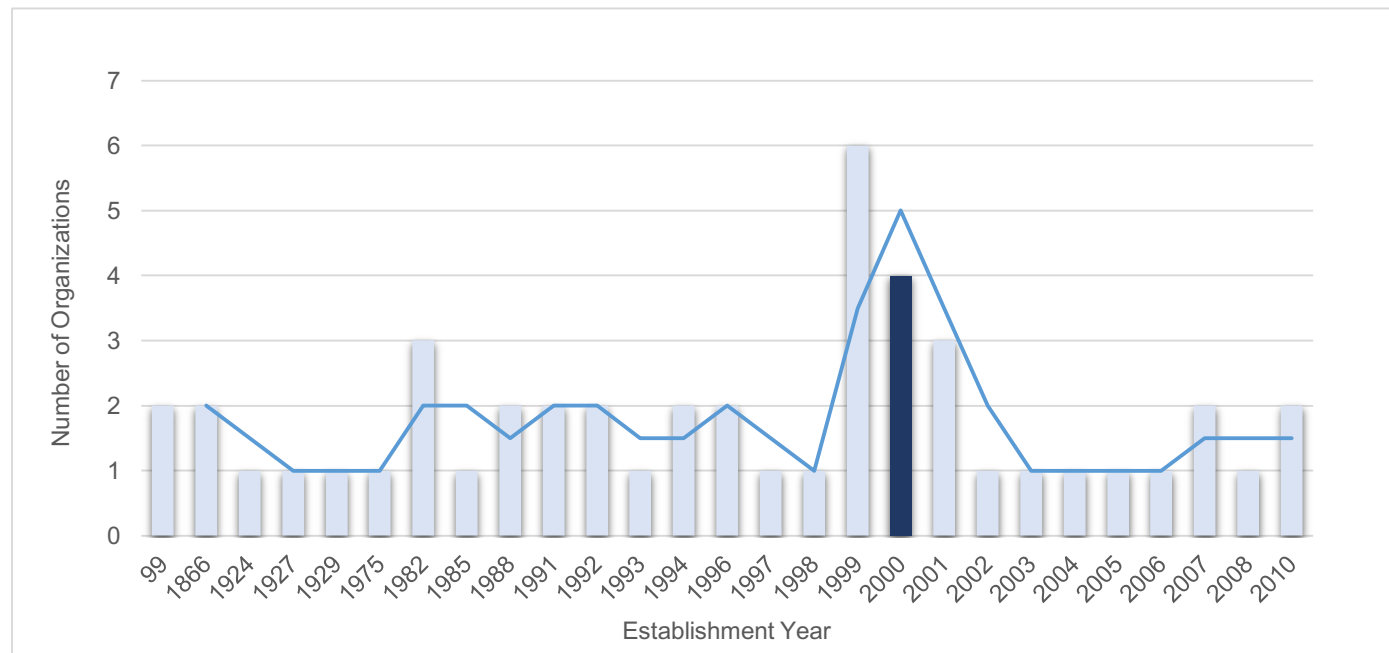
Figure 4.3: Survey: Organizations by Establishment Date
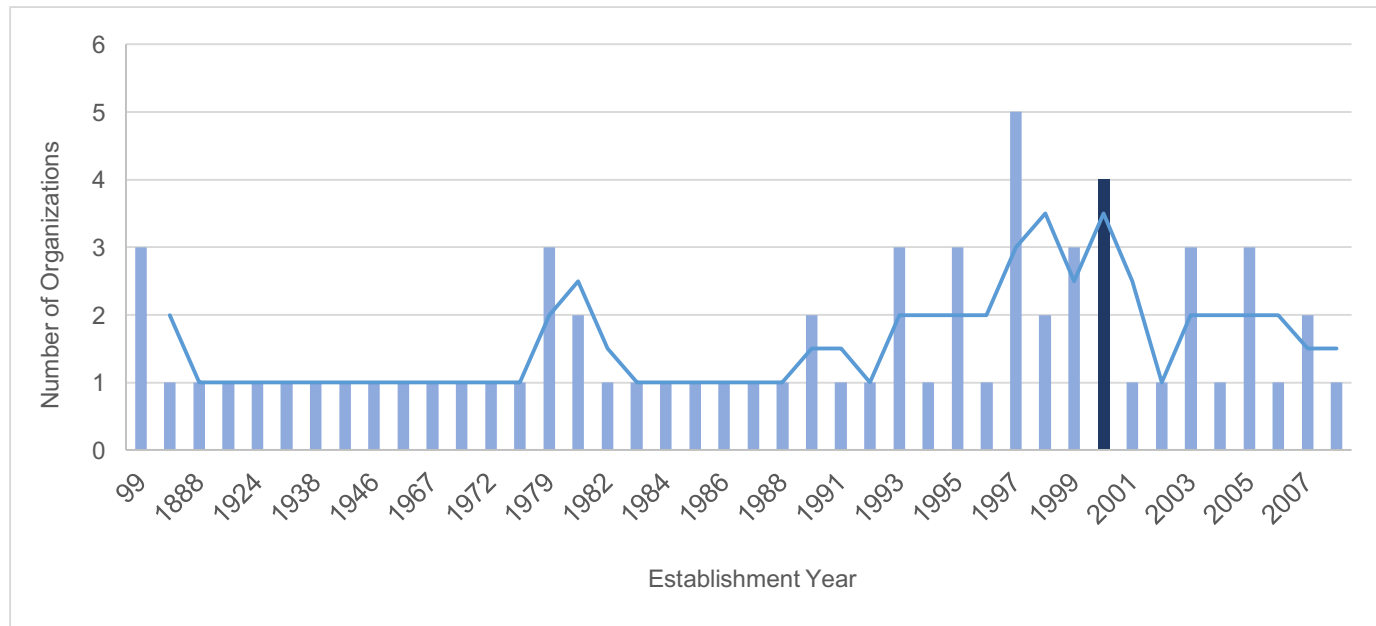
Figure 4.4: Content Analysis: Organizations by Establishment Date
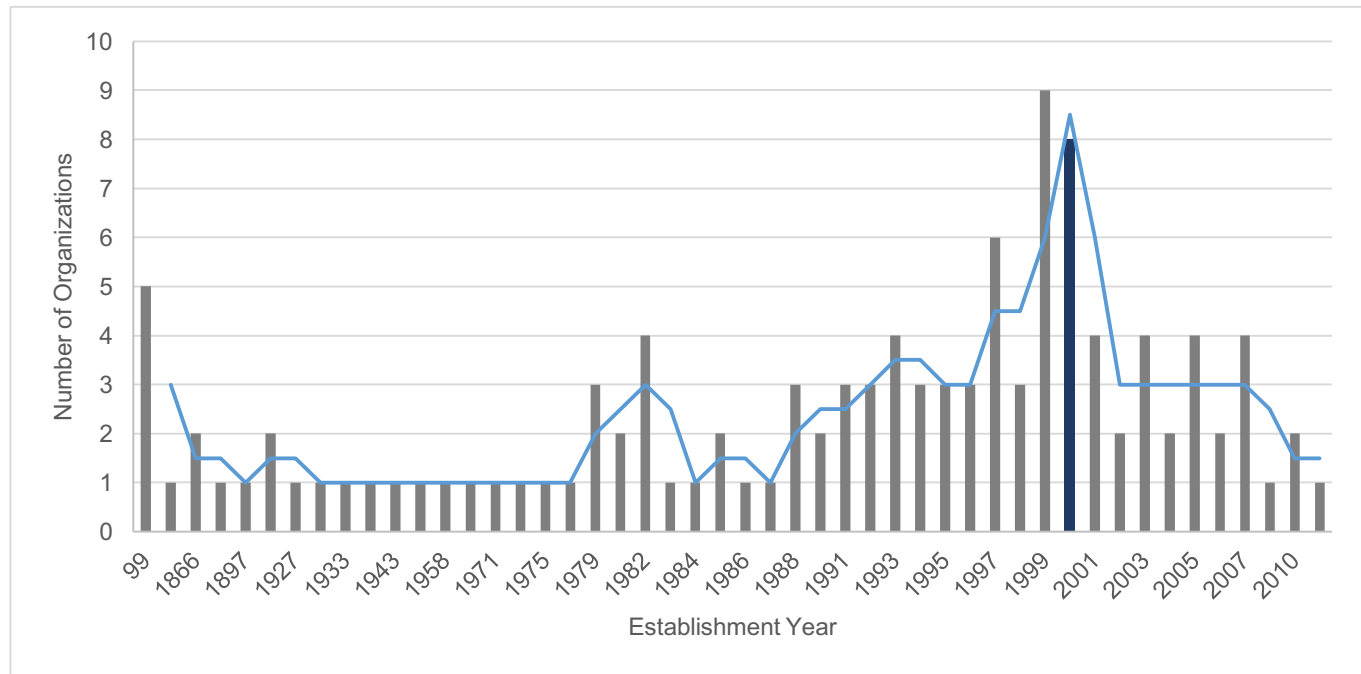
Figure 4.5: Sample Organizations by Establishment Date

The organizations' trans-regional trafficking designations varied between destination and sources countries, as demonstrated in Figure 4.6. Though most nation states have elements of source, transit and destination activities, trans-regionally, there may exist more elements of a particular designation. These designations were determined by the traffic flows denoted by the United Nations Office on Drugs and Crime in the 2014 "Global Report on Trafficking in Persons." The surveyed organizations carried the designations of source country for approximately 69% of the organizations, 21% carried the designation of destination country and the remainder were undetermined. For the content analysis sample, approximately 33% were source country organizations and 64% destination country organizations. Thus, the total sample was generally distributed between source and designation country organizations.
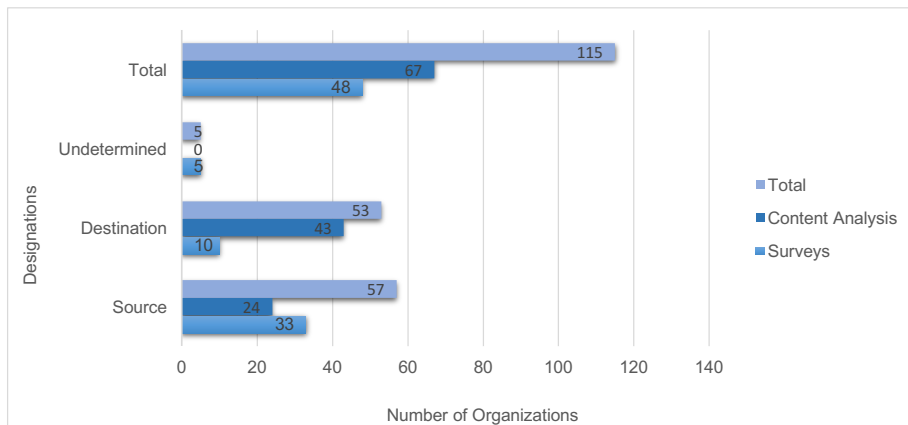
Figure 4.6: Organizations by cTIP Trans-regional Designations

Regions of activities of the surveyed organizations were also noted. The surveyed organizations had the greatest activity in the sub-regions of Sub-Saharan Africa at 27%, Eastern Europe and Central Asia at 20% and South Asia at 16%. The micro-regions where the organizations presented the most activities were Eastern Europe at 19%, South Asia at 16% and West African at 10%. This is outlined in Figures 4.7 and 4.8. Activity region for the content analysis sample was centered in the The Americas due to the sampling proportion of that region.
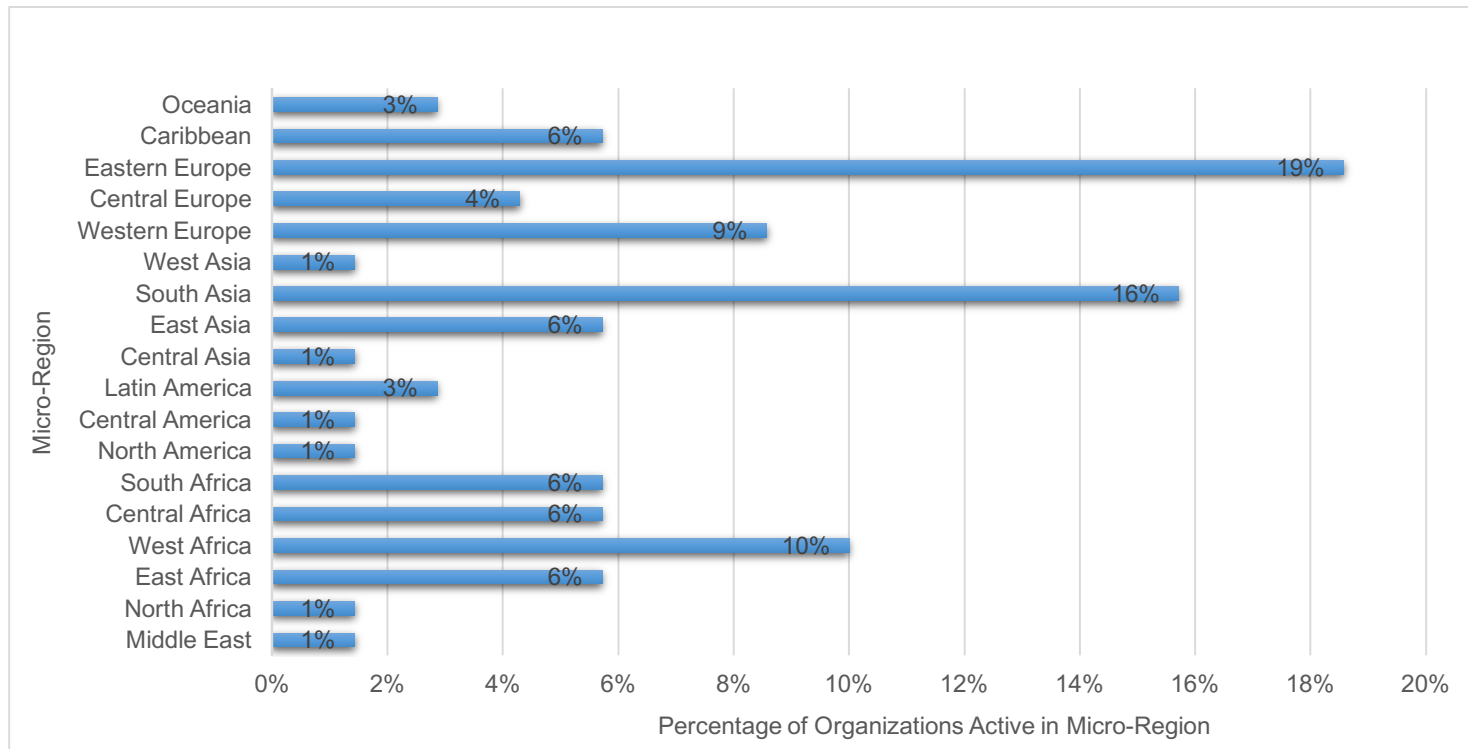
Figure 4.7: Survey: Micro-Region Organizational Activity
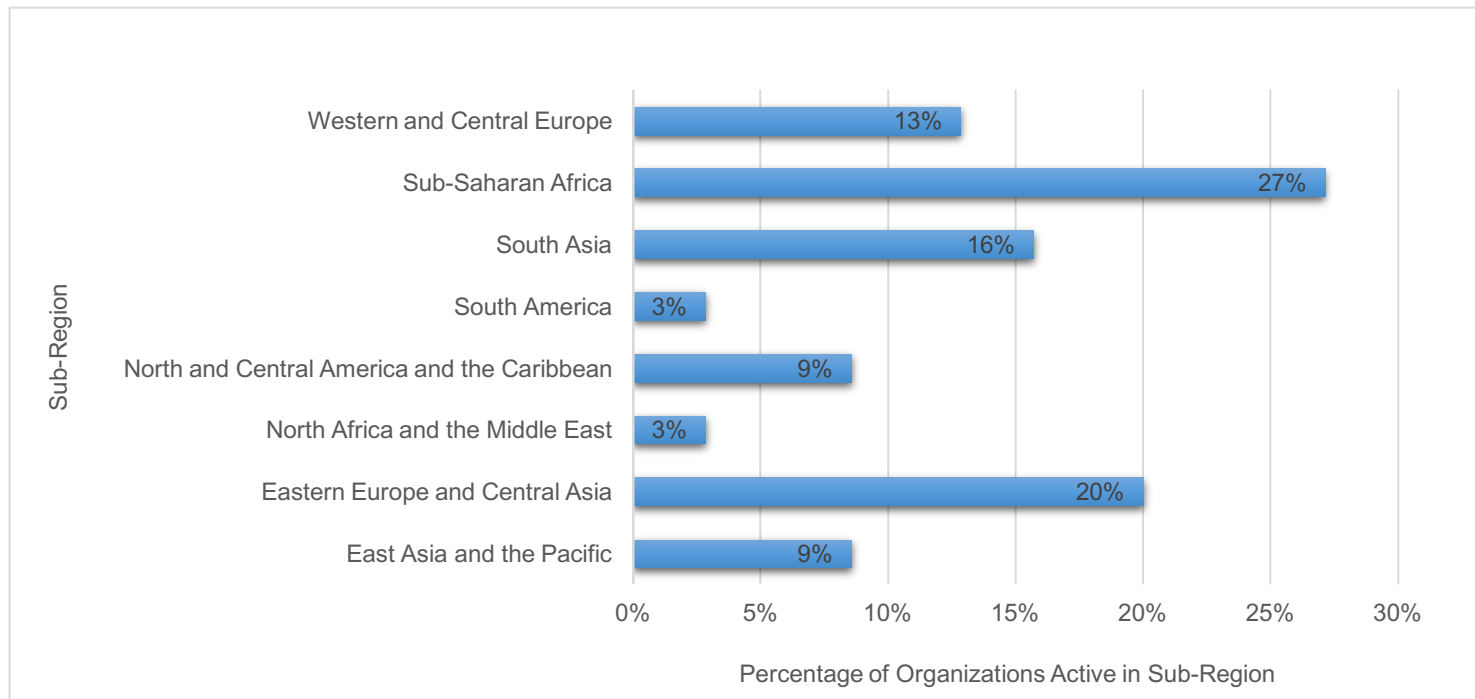
Figure 4.8: Survey: Sub-Region Organizational Activity

Organizational functions of surveyed organizations also varied as shown in Figure 4.9. The **primary** functions of the surveyed organizations were: anti-human trafficking (14%); human rights, lobbying and prevention (8%); and legal assistance, victim protection and training (7%). There were 18% of organizations that listed primary functions as "other" due to daily operations encompassing many of these functions. Some of the other functions listed were: capacity building; repatriation; and rescue and rehabilitation.
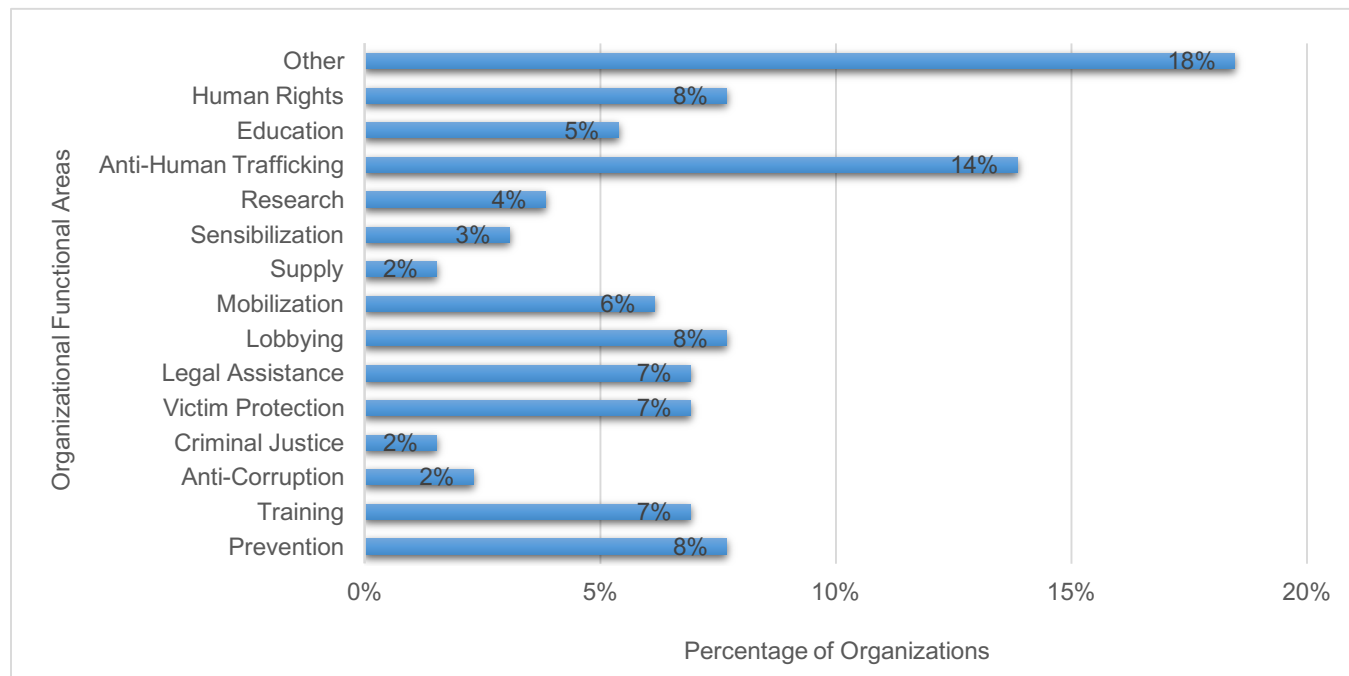
Figure 4.9: Organization: Primary Functions

The primary services offered from the surveyed organizations encompassed both direct and indirect services including referrals. Demonstrated in Figure 4.10, the top three primary services were counseling at 27%, rehabilitation at 25% and sustainable livelihood/alternative development at 20%. Drug treatment services were the least at 2%. Other services (13%) entailed training, worker protection and education, social services and research and policy development.
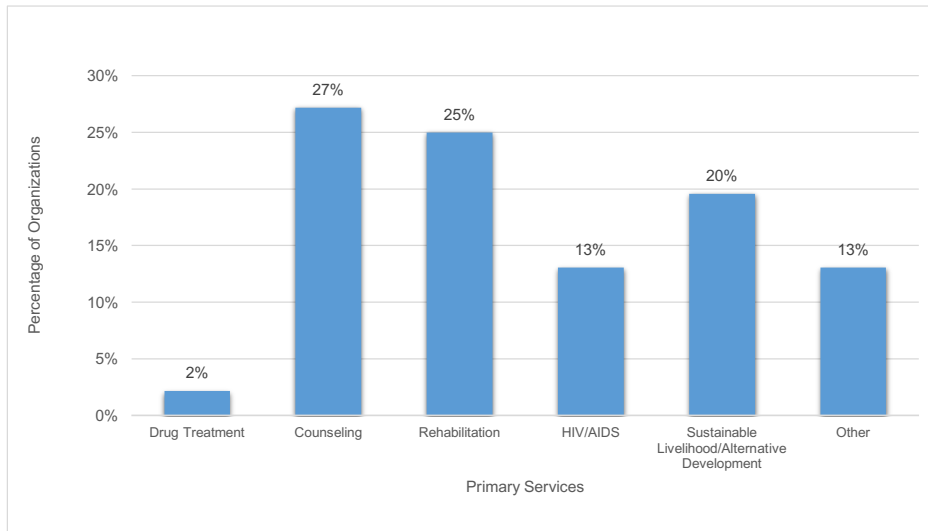
Figure 4.10: Survey: Primary Services

Organizational beneficiaries of services varied from victims to Traffickers. Surveyed organizations provided services primarily to women and children as outlined in Figure 4.11. The top categories of beneficiaries were: women-sex exploitation (12%); children both labor (10%) and sex exploitation (10%); women-labor trafficking (9%); and nongovernmental/nonprofit organizations

(9%). Other (3%) beneficiaries included sex workers, migrant workers and the trans-gender community.
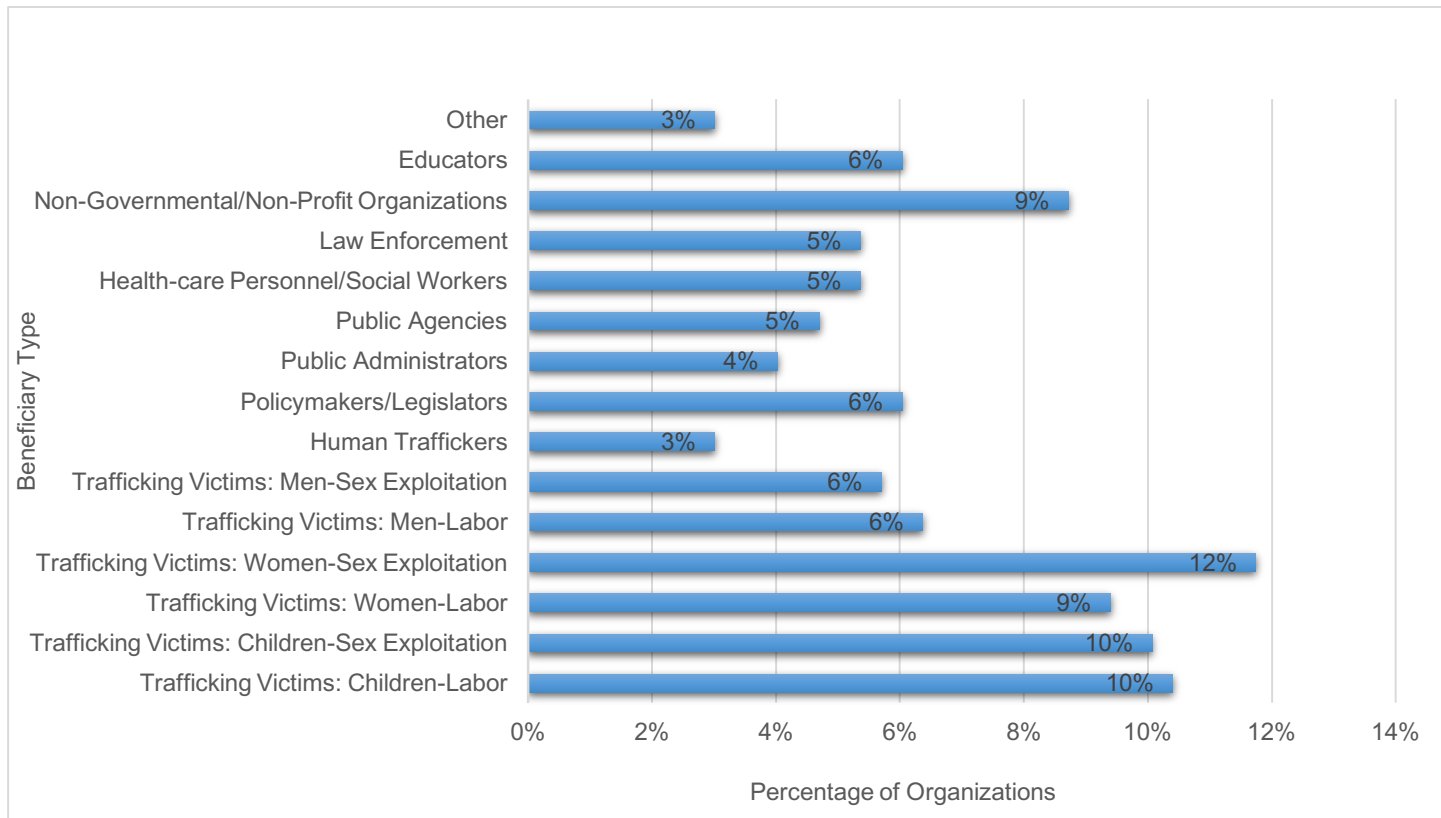
Figure 4.11: Organizational Beneficiaries

The position of the surveyed organizations were also queried. The primary position of surveyed organizations centered around victims of Trafficking in Persons. Refer to Figure 4.12. The organizations were primarily service providers (37%) and victims' advocates (22%). Organizations were also positioned as lobbyists (12%) and activists (12%). There were 10% of organizations that identified as "other" citing a combination of several identifiers (positions).
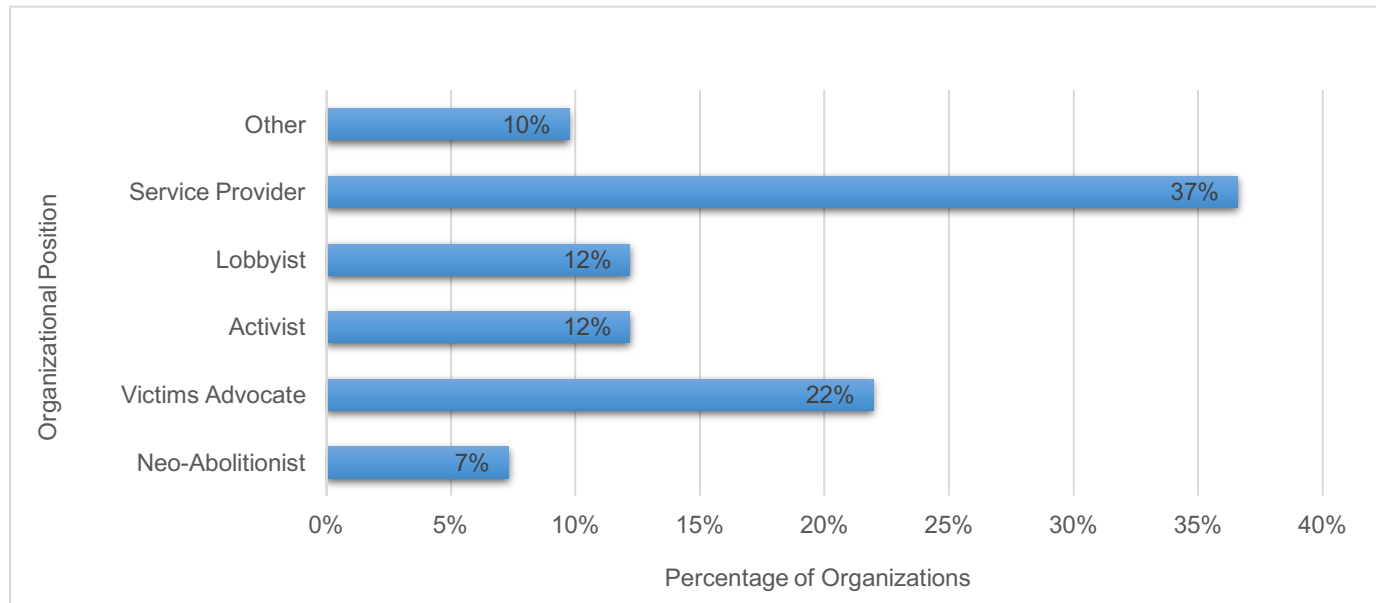
Figure 4.12: Survey: Organizational Primary Position

4.2 Survey

The survey, available in Appendix A, utilized in this research study was a semi-structured instrument which consisted of 26 open- and closed-ended questions. Respondents had the option of completing a paper-based survey or an electronic survey via Qualitrics or a version e-mailed directly to them. The survey included questions on organizational functions in regard to the Trafficking in Persons phenomenon, the organization's understanding of and position on current Trafficking in Persons definitions and the organization's general involvement in the Trafficking in Persons policy arena. The survey also included questions on organizational activities, general functions, advocacy positions, areas of concerns and regions of activity.

The level of response from the culled population of organizations to the surveys was 24.8%. Following elimination of non-viable surveys, namely surveys that were less than 50% complete, the response rate was 20.8%. The sample consisted of organizations from all eight sub-regions and 14 of the 19 micro-regions. The micro-regions of Central America, Central Asia, North Africa and North America did not have any survey responses. The distribution of survey respondents is outlined in Figures 4.1 and 4.2. The greatest number of identified survey responses were from the micro-regions of South Asia, Eastern Europe, East Africa and South East Asia.

Results

To determine current level of support of cTIP definitions (global and domestic), the question "If you were asked for the best definition of human

trafficking what would it be" was asked of the organizations. The support of the UN Palermo Protocol legislation as containing the **best** definition of cTIP, shown in Table 4.1, was 76.6%. In contrast, 19.15% of organizations identified their nation state's domestic legislation definition as the best definition of Trafficking in Persons. Organizations that identified legislation other than the Protocol as containing the best definition of Trafficking in Persons presented reasoning such as clarification of trafficking in the domestic sphere and treatment of "intent" in prosecution of human Traffickers. For example, one organization identified both these issues:

> The–[Other Act]–employs a wider definition of trafficking than that of the UN. According to the Act, a person is guilty of trafficking if he or she delivers, recruits, transports, transfers, harbours, sells, exchanges, leases or receives another person within or across the borders of the Republic for the purposes of exploitation. This may be done through: The threat of harm; The threat or use of force or coercion; The abuse of vulnerability; Fraud; Deception; Abduction; Kidnapping; Abuse of power; Directly or indirectly giving or receiving payments or benefits to obtain the consent of a person...who has control or authority over another; or Directly or indirectly giving or receiving payments, compensation, rewards, benefits or any other advantage.

The most commonly identified reason—for those organizations that included a reason as to why they chose a definition other than the Protocol as the "best" definition of Trafficking in Persons—was punishment of an "agent" or "accomplice." Facilitation of cTIP as an agent is tantamount to Trafficking in Persons, thus the agent should be punished as a Trafficker would be punished for the actual act of trafficking. This idea mirrors that of other criminal policies and is usually identified as "conspiracy" to commit the actual offense.

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The UN addresses this idea in Article 5 of the Protocol. Article 5 outlines "criminalization" of Trafficking in Persons. The UN Protocol, (refer to Appendix B) in Article 5, Section 2, Sub-section (b) states: "Participating as an accomplice in an offence established in accordance with paragraph 1 of this article;" and Sub-section (c): "Organizing or directing other persons to commit an offence established in accordance with paragraph 1 of this article (2000)." Paragraph 1 of Article 5 states, "Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences the conduct set forth in article 3 of this Protocol, when committed intentionally (2000)." Although the Protocol does mention the presence of an accomplice and suggests criminalization of that accomplice, in Article 5 as outlined above, the penalization of that accomplice is not explicit even when referring to Article 3, Section (a): "Trafficking in persons shall mean...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 over another person, for the purpose of exploitation**." These articles are not decisive and very narrow in its outline of the criminality of those who facilitate Trafficking in Persons. The article, as it stands, focuses on immediate Traffickers (supply chain), which ignores the importance of other players (facilitation chain) whose actions contribute to the perpetration of cTIP. Dissenting organizations are calling for employing a more concise and explicative definition of who a Trafficker is or is not, in the Protocol. One organization which identified their domestic legislation as containing the best definition of cTIP, identified the

separation of trafficking from smuggling and trafficking "stages." The identi-fication of "stages of trafficking" means that the legislation extends to those who are knowing members of the "facilitation" chain of trafficking of a hu-man being; for example, impeding travel by destruction of travel documents or knowingly leasing property to a Trafficker. A more rigorous treatment of the Traffickers outside the supply chain, but in the "facilitation" chain would no doubt enter the realm of business practices and thus that of trans-national corporate activities and practices which, by the accounts of some advocates, is pointedly avoided.

Table 4.1: Legislation: Best Definition of cTIP

Organizational Response	Percentage (Number of Organizations)
Domestic	19.15 (9)
The Palermo Protocol	76.60 (36)
Other	4.25 (2)
N	47

 Note: The question asked of respondents was "If you were asked for the best definition of human trafficking what would it be?"

The next question asked the individual organizations to identify the con-cepts of the Protocol which were viewed as "most important." Outlined in Table 4.2, concepts identified as important to a **general** definition of Traf-ficking in Persons include, exploitation, fraud, recruitment, movement, abuse, force, educate, forms of trafficking, and act, means and purpose. It is evident from this response that these concepts are present in the Protocol and most likely contributed to the generally high level of support for the legislation.

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These concepts were also identified by those who preferred their nation states definition of cTIP. This question was followed up with questions of support, in general, for the UN Protocol and Domestic cTIP policies.

Table 4.2: Defining cTIP: Current Definition vs General Definition

Current Definition of Trafficking: UN Protocol Concepts	General Definition of Trafficking: Org-Identified Concepts
Abuse	Abuse
Act/Means/Purpose	Act/Means/Purpose
Benefit	Benefit
Consent	Criminality
Educate	Educate
Exploitation	Exploitation
Force	Force
Forms of Trafficking	Fraud
Fraud	Forms of Trafficking
Freedom	Movement
Movement	Recruitment
Power	Vulnerability
Receipts/Harboring	
Recruitment	
Vulnerability	

When queried of general support for the UN Protocol definition of Trafficking in Persons, 98% of surveyed organizations supported the UN legislation definition which is denoted in Figures 4.13 — 4.15. In contrast, 89% of organizations generally supported their country's domestic definition including those that did not believe that their country's or the UN definition was the *best* definition of Trafficking in Persons (Category: Other). Organizations generally supported both their country's definition and the UN Protocol, but a higher

percentage of organizations selected the UN Protocol as the better of the two legislative definitions of Trafficking in Persons.

Many of the organizations note the diffusion of the UN Protocol conceptual ideas—that the framework of the Protocol has provided a starting point in domestic policy. One organization credits this incorporation with "legitimacy" of their country's domestic policy: "We consider [it] appropriate that [the Protocol] had been included in [our country's] definition...because it allows you to enjoy international legitimacy...all the time in [my country's] case, it faces a problem of international character with presence in borders with neighboring countries."

Although the UN Protocol enjoys a high level of support, there are reservations to this support. For example, according to a respondent organization who supports the UN legislation: "The UN definition included the basic and important elements that make it [cTIP] human trafficking." The organization continues, "however, they should look into the definition of human trafficking given in the Sustainable Development Goals (SDG) for consistency of definition...." Another organization who supports the UN Protocol definition of cTIP does so as the Protocol is "adequate for now." This organization reiterates that the explanation of Traffickers need to be more definitively outlined. Doing this, according to the organization, would "make unsuspecting 'helpers' more alert to crimes that are being committed around them." Another organization responds that the Protocol "contains problematic language ('exploitation of the prostitution of others') open to misinterpretation and abuse by those who do not recognise sex worker rights." This organization cites

the UNODC definition, by "expanding on this idea (act, means, purpose) being more useful." Also, pointed out as a deficiency of the legislation was the need of the legislation to be more responsive to and proactive in highlighting the different forms of trafficking, for example, one organization responds that "the definition on human trafficking on force labor should be expanded and be clearly articulated because of new developments on force labour like the force labor on fishing in Asia."
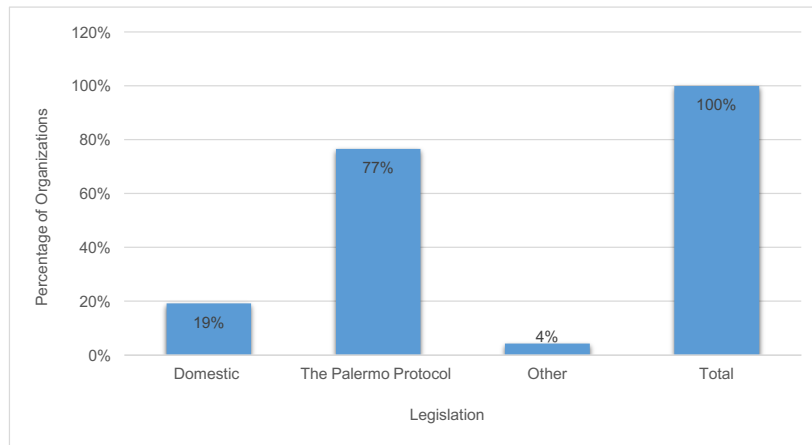
Figure 4.13: Best Legislative Definition of cTIP
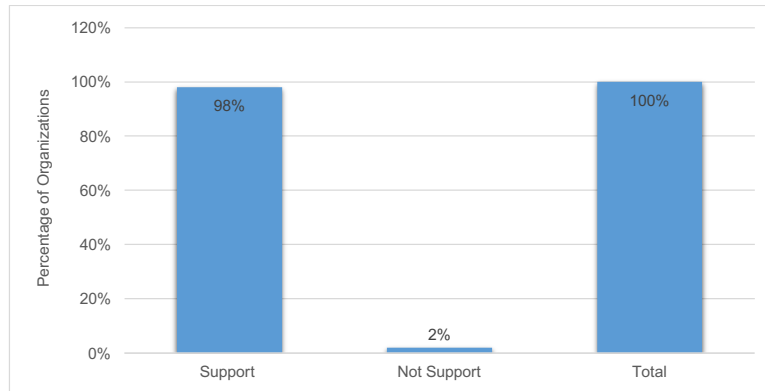
Figure 4.14: Support-Palermo Protocol
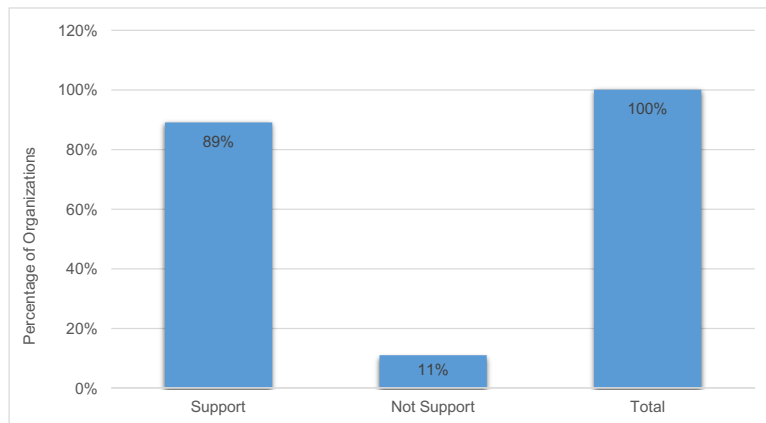
Figure 4.15: Support-Domestic Definitions

The overarching themes of organizational definitions of cTIP for advocate NGOs and the most important elements of these definitions centered on the ideas of exploitation, fraud, recruitment and movement of some kind. Other

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important concepts were that of force, education/awareness, and means of benefits and identification of forms of trafficking which organizations said was lacking in current legislation. Identified in Table 4.2, are elements of the current definition of Trafficking in Persons in contrast with what organizations identified as concepts that a general definition "should" have. Many of these are concepts identified in the UN Palermo Protocol and identified as the reason for support of the legislation. The issue at hand is not that the Palermo Protocol does not include important and necessary conceptual ideas, it that these ideas are not defined clearly enough to provide the guidance needed in the global arena.

4.2.1   Political Power

Political Power Defined

This research study identified three initial ideas. These were that of political power, social mobilization and self-determination. Organizations were asked to define these concepts and identify elements that were inherent to these ideas. Organizations were also queried as to the importance of and the relationship of these concepts with cTIP.

The organizations identified several elements that they maintain are inherent to political power. Concepts identified as representative of and inherent to political power were the elements of influence: who held or controlled that influence and the value of the influence to incite change being of utmost importance; authority; and change. Refer to Table 4.3. This power (political power) was determined to be held by all levels of society. However, the source

of this power was not the elite. Political power was viewed to primarily stem from the people. For example, an organization from the micro-region of West Africa defined political power as

> A system...where people and community having input in the system of government; implementing projects and policies. [It is] government of the people, by the people and for the people. This is how it is supposed to be but it is like this: political power...[is] authority held by a group within society that allows for administration of public resources and implementation of policies for society. Also, power may be acquired as a means of governmental direction or in opposition to a government group.

Another organization responded that: "Political power is the strength of the people," and still a third: "power given to someone by the people to represent them;" and fourth: "...the power which rests on a citizen or group of citizens for the administration of the policy and the State, this may come from the popular will, for the designation of political office or the vote of confidence, for the designation of officials of the public administration." Political power may have been viewed to originate from the people, but as a tool, it is regarded as most utilized by the elite. For example, the "sovereign authority in a state;" or "the authority led by a political party in a country that take charge of people's welfare...." Political power was viewed as requiring more concerted efforts by micro-society to effect change on the mezzo or macro levels of society.

Table 4.3: Concepts of Political Power

Org-Identified Concepts
Authority
Change
Decisions
Enact
Group of people
Held by group
Influence
People
Political Will

Political Power and cTIP

The relationship of political power to cTIP was also examined. So, do organizational stakeholders believe that there is a relationship between political power and cTIP? The general consensus by the responding organizations is that there is an important relationship between the phenomenon and political power. The vast majority of organizations (27, N=29) responding to this question supported the idea of a connection between cTIP and political power. The most common reason of why political power was important was the ability of those who held it to create means of change, particularly, legislation or policy. See Table 4.4 for organizational explanations and/or responses. Among those organizations which responded to this question, there was one dissent for a connection between political power and cTIP.

Table 4.4: How does political power relate to Human Trafficking or is it important at all to Human Trafficking?

Organizational Response	UN Region
It is the main factor.	South Asia, East Asia and the Pacific
If government system is not run appropriately it can lead to Human Trafficking where people look for survival by all means.	Africa and the Middle East
The political power in [this] — case has a very close relationship, since it has been identified that many cases of human trafficking where the political power was enabled them to evade justice in the courts. Furthermore, it also has presented cases of congressmen of the Republic that have business related to trafficking, especially of labor and sexual exploitation. The political decision has also enabled to multiply its budget to combat the Human Trafficking and the commitment of the politicians and other leaders who have allowed the visualizing the cases and sensitize the society.	The Americas
Political power can be used to bring the reality of Human Trafficking to the awareness of the public and so to the decision makers.	Africa and the Middle East
If political power is willing to start counter trafficking program it will of course make human Traffickers more difficult to operate.	Africa and the Middle East

Continued on next page

Organizational Response	UN Region
The state or those vested with political power within a society make, implement and punish law breakers and so, the recognition that trafficking in persons is a crime deserves government intervention.	Africa and the Middle East
Political power is very key to Human Trafficking as it can deal with issues of law enactment, law enforcement and prevention of trafficking through awareness and livelihood activities.	Africa and the Middle East
Only—political power can eliminate—human trafficking —.	South Asia, East Asia and the Pacific
Political power can be effectively used to abolish human trafficking.	Africa and the Middle East
It is a duty of the politicians to approve, improve and effectively implement national/ international legislation or mechanisms in defense of victims of trafficking.	Europe and Central Asia

Continued on next page

Organizational Response	UN Region
The Government of — does not fully comply with the minimum standards for the elimination of trafficking. Authorities recognized legal aid and long-term reintegration support were insufficient (US Trafficking in Persons Report-2015). In 2006, several government investigators, prosecutors and senior officials - including the deputy director — [prominent center for TIP] — were dismissed from their jobs for assisting a prominent Trafficker and his syndicate, but have not been prosecuted. Staff at…[international agency's rehabilitation center] — reported state employees continuously refer to victims as "prostitutes." In practice, there is a conflict of interest between the objectives of law enforcement efforts and victim rehabilitation and protection. [S]taff [at international agency] report past problems with police coming to its Rehabilitation Center unannounced to interrogate beneficiaries or to take them elsewhere to identify the accused Trafficker.	Europe and Central Asia
An Educated nation is able to choose what is best for the wholesome development of its people hence [the nation] will advocate against Human Trafficking.	The Americas
It is crucial.	South Asia, East Asia and the Pacific
The way you should go in order to help the victim, depends on political decisions.	Europe and Central Asia

Continued on next page

Organizational Response	UN Region
The political power must define topics to sustain victims of the Trafficker first of all, and also must define support activities in the departure countries to contrast the activities in those countries.	Europe and Central Asia
There is a relationship between political power and human trafficking — Perpetrators are usually people with authority or superiority. The political power is so important to change the situation where applicable.	Africa and the Middle East
Political will is important in ensuring commitment and focus on the issues of human trafficking on the state level, including development of adequate legislation and Action Plan.	Europe and Central Asia
Very important, however in many cases failed.	Europe and Central Asia
I think policy measures have an important role in preventing and combating trafficking.	Europe and Central Asia
It is very important! However, many governments do deny the problem, so that they don't have to (re)act.	Europe and Central Asia
Important, because without political will and bringing it to agenda it is impossible to solve the HT.	South Asia, East Asia and the Pacific

Continued on next page

Organizational Response	UN Region
Yes, it is important. It may influence the policy makers and can amend the legislative framework in this regard.	Europe and Central Asia
It is important because it has to prevent human trafficking.	Africa and the Middle East
It is important because from the political attitude depends enforcement of the legislation in synchrony with the international regulating the fight against human trafficking.	Europe and Central Asia
Subject greed in human trafficking is a top priority for policy makers.	South Asia, East Asia and the Pacific
Political power can be used positively to change the negative impact of human trafficking in a community by using all structures of political structures and political opinion leaders and powers in the environment to fight the scourge and educate the people or the community dwellers.	Africa and the Middle East
Allocation of government resources to combat human trafficking.	South Asia, East Asia and the Pacific
Political power is most relevant in relation to human trafficking: through political power one can influence the development of legislation both nationally and internationally, and also provide input on concrete policies concerning inter alia victim support and law enforcement.	Europe and Central Asia

End of Table

4.2.2 Social Mobilization

Social Mobilization Defined

Social mobilization was the second initial idea examined. The concepts that the organizations associated with social mobilization, delineated in Table 4.5, were that of community, motivation and change. This concept was also associated with action by the organizations. For example, an organization active is Western, Eastern and Central Europe defines social mobilization as "the engagement of various actors, including those directly influenced by various policies and programmes, in action concerning themselves and society." Other organizations present the same "sense" of action in defining social mobilization: "the process of motivating or inspiring stakeholders to come together to create awareness in a particular cause or area of specialization for the purpose of fulfilling the objectives of the cause;" and another: "It is when one engages the community members, shares critical issues affecting their lives and jointly identify solutions to challenges." This action is centered in both the people/society and civil society—both global and domestic. Social mobilization was also viewed as one of the primary vehicles of change in the cTIP arena.

Table 4.5: Concepts of Social Mobilization

Org-Identified Concepts
Awareness
Change
Community
Motivate
Participation
People
Power
Problem Coordination
Process

Social Mobilization, cTIP and Political Power

Responding organizations generally acknowledged the connection between social mobilization and cTIP (25, N=27). See Table 4.6 for organizational explanations. The connection was generally due to the "means" of social mobilization as a way to gain political power. The importance of political power, as aforementioned, relates to the ability to participate in the policymaking process. In other words, the ability to mobilize the people or society bestows upon the mobilizer a measure of influence which can be utilized in inciting change—for the common good or bad.

Table 4.6: What does social mobilization mean to Human Trafficking, if anything at all?

Organizational Response	UN Region
Social mobilisation means: enhanced…reduction if not eradication of Human Trafficking through mobilization of communities by creating awareness and sensitization; and possibly advocate and lobby the government on child trafficking especially.	Africa and the Middle East
Social mobilization is very important to combating Human Trafficking, because NGOs, churches, youth groups, schools etc, can educate the public, raise awareness and lobby for policy change and implementation.	Africa and the Middle East
It can help create pressure on human trafficking policies and force policy makers to implement better policies.	Africa and the Middle East
It is the mobilization of people to address human trafficking issues within a society.	Africa and the Middle East
It means a lot as it can promote awareness, responsiveness when a suspected Trafficker has been identified or a victim has been trafficked. It can keep a society on alert against human trafficking.	Africa and the Middle East
We can strengthen ourselves to eliminate the human trafficking through Social Mobilization. If society support the cause, success chances increase.	South Asia, East Asia and the Pacific

Continued on next page

Organizational Response	UN Region
Social mobilization is a powerful tool to fight human trafficking.	Africa and the Middle East
As the articulated actions that have as actors to justice operators, NGOs, children and adolescents and the society in general to learn, prevent and raise awareness of the problem of human trafficking.	The Americas
Social mobilization can "pressure" the government for an effective implementation of the legislation in this field and to respect the rights of victims of trafficking.	Europe and Central Asia
Important role: civil society forces the power to fight traffic[king].	Europe and Central Asia
Social mobilization can help tremendously in pursuit of ending Human Trafficking.	The Americas
Everyone who is trafficked is trafficked from community to a community. Aware, educated, mobilised communities are more resilient to human trafficking.	South Asia, East Asia and the Pacific
Social mobilization—move the soul of the person to [get] involved [with] victims in the society, support them and give them political dignity. Empowerment of victims and communities to demand for change and action against human trafficking.	Europe and Central Asia
Its means a lot.	Africa and the Middle East
It is very important.	Europe and Central Asia

Organizational Response	UN Region
The problems of human trafficking represent a priority at the level of European continent, in extra-community contexts, and at international level, this phenomenon being an important subject not only in the relationship between the states that are members of the European Union, but also in the relationship with the third parties, precisely because of the global character.	Europe and Central Asia
Very important! If people could read the signs of exploitation and have the courage to make it open, many bad situations could be solved.	Europe and Central Asia
1. It is about work with attitudes regarding prostitution, migration — social labelling. 2. It is about making ordinary people sensitive towards individual crisis situations (abroad), readiness to help/inform about possibilities to obtain help.	Europe and Central Asia
Most of women and girls are trafficked for flesh trade only and this business is happening in the community only. Hence the social mobilization is very much important for prevent human trafficking.	South Asia, East Asia and the Pacific
Everybody should know what human trafficking involves and take part in this awareness campaign that must occur in schools, in institutions, but also in mass media.	Europe and Central Asia

Organizational Response	UN Region
Social mobilization teams protective information and create a network of people in different areas of the city.	Africa and the Middle East
Its relation to human trafficking is that it mobilizes relevant stakeholders and change agents to come together to combat the scourge of human trafficking in any given Society through diverse interventions including outreaches, awareness campaigns and other forms.	Africa and the Middle East
It mainstreams evils of human trafficking to elicit action to combat human trafficking.	South Asia, East Asia and the Pacific
Social mobilisation is important for human trafficking prevention: especially NGOs that speak on behalf of victims and survivors, but also research, can give a voice to those affected by policies and programmes and thus show the concrete ramifications of anti-trafficking policies and problems that need to be addressed.	Europe and Central Asia

End of Table

In response to whether there is a connection between social mobilization and political power, 82% of surveyed organizations supported the opinion that a connection exists between the two concepts. Various explanations and concepts were given to explain this connection, as shown in Table 4.7—however, the concept of power or gaining power, was the most common. For example, an organization from the sub-region Africa and the Middle East notes that, "a society that has capacity to mobilize can also produce political power."

Table 4.7: Do you believe that there are any connections between political power and social mobilization?

Organizational Response	UN Region
Social Mobilisation is a means of having a voice or input in the system of government; a means of bringing people together and make a decision, lobbying and advocate for a particular issue/s; A means of influencing the government policies and implementing it.	Africa and the Middle East
Yes. Because— [my country's] — Act was only recently signed into law — (2015), for many years there have been connections between the groups who were involved in social mobilization—NGOs, social networks, awareness raising campaigners and political power. It was the pressure of social mobilization groups that brought pressure to bear on the government to sign the act into law. Constant awareness, asking questions, bringing cases to the media: are all ways of connecting to the legislators.	Africa and the Middle East
A society that has capacity to mobilize can also produce political power.	Africa and the Middle East
That the government vested with political power has greater influence to effect social mobilization and can do this effectively through her various agencies and other non-state actors.	Africa and the Middle East
It will pressurise the — [government] and UN agencies.	South Asia, East Asia and the Pacific

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Organizational Response	UN Region
Yes we do. Because the leadership and the spaces of participation that generates the political power allows you to mobilize more broadly to society. This has generated marches that have counted with the promotion and participation of political actors. To turn these gears allow legitimize the changes in the rules and public policies to address more efficiently the problem of trafficking in person.	The Americas
The awareness, litigation and response mechanism depend on commitment of Political power.	Africa and the Middle East
Through social mobilization, we can influence the political power.	South Asia, East Asia and the Pacific
Both politicians and the community must unite to work together.	Africa and the Middle East
Yes. The political system can control the social mobilization in — [my country].	Europe and Central Asia
Mobilizing the power of making more transparen[cy].	Europe and Central Asia
People can be mobilise to leverage political power to bring change.	South Asia, East Asia and the Pacific
If there are no forces to demand for changes and no political will to create the changes. No political will, difficult social mobilization.	Africa and the Middle East
I think so.	Europe and Central Asia

Continued on next page

Organizational Response	UN Region
They are interconnected, one influences other and v.v.	Europe and Central Asia
Social mobilization can be generated by some incorrect decisions taken by policy makers which lead to protests against the law.	Europe and Central Asia
Yes, it is necessary — [T]he professionals who offer services to victims to be well trained to recognize and identify human trafficking.	Europe and Central Asia
If political power of information and network security teams cannot support [social mobilization] create a lot of problems.	South Asia, East Asia and the Pacific
The connection is that the two are able to mobilize and strategize for a change.	Africa and the Middle East
Allocat[ion of] government funds to raise awareness on and combat human trafficking.	South Asia, East Asia and the Pacific
While few victims possess political power, many of the organisations working with them do have some amount of influence and access to political power, even if they themselves might not possess direct political power.	Europe and Central Asia

End of Table

4.2.3   Self-Determination

Self-Determination Defined

The final initial idea was self-determination. The organizations were asked to define what the concept of self-determination entailed. The respondents identified several elements inherent in the idea of self-determination; these were the concepts of choice, identity, ability and self with the concept of self-determination. See Table 4.8 for a comparison of the concepts identified by the NASW and those identified by the responding organizations.

Table 4.8: Concepts of Self-Determination

Org-Identified Concepts	NASW Defintional Concepts
Ability	Choice
Choice	Individual Right
Decide	Inherent Dignity
Destiny	Power
Free	Self-Worth
Identify	
Motivation	
Self/Selves	
Society	
Without External Compulsion	

Self-Determination and cTIP

To examine the perceived relationship between self-determination and cTIP, the organizations were asked the question: "Do you believe there are any connections between self-determination and Human Trafficking?" 85% of the organizations responded in the affirmative that self-determination is

an important concept to human trafficking. The explanations ranged from societal responsibility to protect it citizens to the destruction of this ability or capability by society and by Traffickers. See Table 4.9 for organizational explanations.

Table 4.9: Do you believe there are any connections between self-determination and Human Trafficking?

Organizational Response	UN Region
In some instances the society may not be ready to protect its citizens or may have demanded their self- determination. This may lead to serious violations of human rights.	Africa and the Middle East
Community must be self-determined to fight human trafficking.	Africa and the Middle East
Civil society forces the power to fight traffic.	Europe and Central Asia
The Traffickers kill the self-consciousness.	Europe and Central Asia
If one doesn't have determination to leave the trafficking situation they will be trapped. Or if they don't have inner assets to stop Traffickers.	Africa and the Middle East
Victims cannot — .	Europe and Central Asia
In negative way: victims of trafficking don't have (any) self-determination.	Europe and Central Asia

Continued on next page

Organizational Response	UN Region
It is about whether a victim can define him/herself a victim and what are the roots and consequences of that within this or that legal culture.	Europe and Central Asia
If we do not ready to take risks, it is highly impossible to fight against human trafficking.	South Asia, East Asia and the Pacific
Of course, in terms of the persuasive capacity of one person to another.	Europe and Central Asia
Because when victim identify as such [self-determined] is more agree[able] to look for support.	Europe and Central Asia
No, there is no relationship between self-determination and human trafficking but tries people [sic] for more freedom.	South Asia, East Asia and the Pacific
No matter how long it takes to be free, a trafficked person can always strongly determine to work out her freedom in the long run.	Africa and the Middle East
One of the elements of human trafficking is the means used in exploiting. These means are exactly the examples of lack of self-determination.	South Asia, East Asia and the Pacific
Victims of trafficking should have the right to make their own decisions, even when it might be against the recommendations of victim support organisations and others working to help victims.	Europe and Central Asia

Continued on next page

Organizational Response	UN Region
If you are self-determine[d] and have ability to say No to some things that we know is not right then you can say No to Human Trafficking even in the face of poverty and lack.	Africa and the Middle East
Yes. People can choose to respond to employment advertisements, to travel to other countries, towns, parts of the county or world for many innocent reasons.	Africa and the Middle East
Yes we do. Because within the right to self-determination, is not conceived the consent of the victim of human traffiking, since it does not guarantee the freedom to choose.	The Americas
People can search for better living conditions.	Unknown
These people are determining their own way forward, but are vulnerable to the Traffickers.	Africa and the Middle East
Without being made aware of the dangers of believing those who offer better opportunities, potential victims can become enmeshed in the world of the Trafficker.	Africa and the Middle East
At individual level self-determination can lead to change.	Africa and the Middle East
No.	Africa and the Middle East

4.3 Content Analysis: Document Analysis

Results

In the content analysis phase it was necessary to consider the differing levels of resources possessed by the organizations. In other words, it was easier to acquire highly organized documents such as annual reports and research studies from some organizations versus from others due to availability of resources. Thus, the content analysis portion of the study focused on: organizational definitions of trafficking which could be determined from basic organizational information such as mission, goals and objectives present in basic website content; level of support for the UN Protocol also contained in basic website content; and the interplay of political power, social mobilization, and self-determination demonstrated and/or supported in available documents and website content, for example, projects, programs, goals, etc.

The analysis to determine current level of support of cTIP definitions (global and domestic) also mirrored the major concepts supported by the organizations which were surveyed. Approximately 21% of the organizations explicitly utilize the Palermo Protocol as their organizational definition of cTIP in contrast with approximately 11% support for domestic definitions of trafficking. Many of these organizations referred directly to the Protocol, such as IMADR, Lighthouse Center for Human Trafficking Victims, Anti-Slavery Project and ASTRA; and when presenting their definitions of Trafficking in Persons, some organizations reproduced portions of the Protocol to defend their position of elements of cTIP. Organizations that did not explicitly note

the Palermo Protocol oftentimes utilized the main elements of the policy in their practice demonstrated through their activities: prevention, protection, prosecution and the support and encouragement of cooperation. Organizational activities were scrutinized closely as what an organization does, namely its programs, reflect the organization's view of cTIP, its scope, causes, and "cures." For example, many organizations offer a myriad of social services such as homelessness services (Covenant House/Casa Alianza), targeting social vulnerabilities (Free the Slaves, Cambodian Women's Development Agency), and addressing rehabilitation needs (Sengsavang) of cTIP survivors which helps to prevent victimization and re-victimization.

The major elements and conceptual phrases identified for the organizations are detailed in Table 4.10. The identified concepts were force, coercion, dehumanize/dehumanization, violation of human rights, exploitation and global. The concepts of force and coercion were proposed in relation to lack of choice by the victim and suggested vulnerability on the part of the victim. Several organizations, both in the content analysis phase and the survey administration phase reference the manner is which human Traffickers treat their victims, primarily as commodities to be bought or sold, thereby dehumanizing their victims. At the core of cTIP is the intent of the Trafficker to exploit their victims—to take from that person a commodity owned by that individual whether social, economic or political, by force. All of these elements are demonstrated by organizations such as AATWIN who endorses the belief that, "Trafficking in women and children is violation of fundamental human rights."

[In addition] "[n]ational and international policies and boundaries, class exploitation and various types of discriminations are responsible for this. Only the end of existing discriminations and exploitation will eradicate trafficking." The idea of exploitation is not just the Trafficker exploiting the victim but of social and political processes that exploit these individuals, as well.

Table 4.10: Concepts of Definition of Trafficking

Org-Identified Concepts
Act, Means, Purpose
Coercion
Dehumanize
Exploitation
Force
Fraud
Gain/Value/Benefit
Global
Hidden
Human Dignity
Multi-faceted Not Sex Work
Recruitment
Threat
Violation of Human Rights
Violence

Political Power, Social Mobilization, and Self-Determination

The ideas of political power, social mobilization and self-determination were expressed by the sampled organizations, as well. Social mobilization (and civil society) presented as a concept important to Trafficking in Persons through cooperation and networking with other agencies, for example the

partnership of Apne Aap Women and Bachpan Bachao Andolan or ECPAT International or Chab Dai's learning communities. Organizational consensus statements, objectives, organizational histories and organizational activities, including services provided, for example, referrals to other agencies, also demonstrated the importance of social mobilization to cTIP. The relationship between cTIP and self-determination was primarily presented as an element which was taken from victims of cTIP. Table 4.11 details the most commonly occurring conceptions of social mobilization and self-determination.

The concept of political power was not directly addressed in any of the reviewed content, directly, in regards to cTIP. However, the elements of power and politics and political activity were commonly discussed relative to combating cTIP and has been noted in Table 4.11. Power and political activity centered around victims, current policies and policymaking processes in the Trafficking in Persons policy arena. Organizations frequently advocated the adoption of or change in social policy or political process which, in their view, better addressed the issue of cTIP. Important in the political process are international organizations such as the UN and domestic agents, for example, law enforcement, who oftentimes interact with victims of cTIP and local and national governments who create social policies.

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Table 4.11: Conceptual Matrix

Primary Concepts	Power	Politics and Political	Social Mobilization	Self-Determination
Org-Identified Concepts	Capacity Empowerment Power Strength	Crime INTL Conventions Law Enforcement Legislation National Laws Policy Rule of Law	Awareness Community Engagement Involvement Mobilize Government Mobilize Organizations Mobilize People Network Outreach People	Capacity Building Choice Control Dignity Empowerment Freedom Involvement Potential Victim Survivor Victim

4.4 Summary

This chapter discussed the results of a globally fielded survey on the framing and status of Trafficking in Persons. The survey was fielded in three waves to organizations that were determined to be UN affiliated, utilized English as one of their UN languages, had a sphere of concern of anti-human trafficking, and was currently active in the cTIP arena. This chapter also reviewed the findings of the content analysis phase for determination of current framing of Trafficking in Persons and status and/or position of advocacy organizations, currently. In answering the question of how advocate organizations frame cTIP 15 years following the adoption of the UN Palermo Protocol, this research utilized mixed methodology to identify organizations' positions on the issue. Organizations included in the total sample were from all UN regions and sub-regions and the 19 identified micro-regions. The vast majority of organizations were established between 1997 and 2001. It was discovered that organizations generally supported both the UN definition of Trafficking in Persons and the legislation developed by their country's government. However, the UN definition of cTIP was cited at the best definition of contemporary Trafficking in Persons. The organizations' belief of the concepts that domestic and global definitions of cTIP should possess included themes of exploitation, fraud, recruitment and movement. The concepts of political power, social mobilization and self-determination were determined to be relevant to the phenomenon of cTIP in that they were all required in order to combat trafficking and lack of any one of these would lead to increases in the phenomenon. For

example, political power was necessary due to agenda-setting; those who possessed political power can affect society through policy and legislation. Also, social mobilization is regarded as20 a means to gain political power to effect change. Self-determination and its inherent concept of choice is still important to the issue of cTIP. However, that importance is not just associated with sex trafficking. Choices on all levels of society affect the phenomenon of cTIP, for example, recognition or denial of the phenomenon by governments (political power) and/or causes of the phenomenon such as poor social services and social inequities which increase vulnerability for at risk groups. The next chapter discusses the findings and conclusions of this research, limitations, future research and policy implications.

Chapter 5

Discussion, Conclusions, Limitations, Future Research and Implications for

Practice

5.1 Discussion and Conclusion

This chapter discusses the findings of this study. Recalling the research question of "How does the constellation of stakeholders involved in cTIP policy advocacy affect how the phenomenon is defined," this research aimed to determine the current level of support of cTIP definitions (global and domestic); to identify the overarching themes and concepts of organizational definitions of cTIP for advocate NGOs; and to discover where organizations are positioned with regard to cTIP policy 15 years onward of the United Nations Palermo Protocol. In addition, the concepts of political power, social mobilization and self-determination were examined for impact or relevance in the framing of cTIP. Beginning with the level of support of organizational stakeholders of the international policy for cTIP, including cTIP's framing and their domestic framing, the overwhelming majority of organizations support the Palermo Protocol and consider this policy to contain the best definition of cTIP.

5.1.1 The Concept of Movement

One idea which was regarded as important to the defining of cTIP is the that of movement. Movement was among the top concepts referred to

throughout organizational definitions, causes of cTIP and tools to combat cTIP. Movement or better still, the concept of migration—human migration—is important to the phenomenon and the definition of the phenomenon due to migration's exacerbating effects on trafficking. Organizations referred to movement as important and distinguished voluntary from involuntary movement. The migration of unaccompanied minors, persons in search of safety due to civil unrest or persecution or individuals in search of means to support their families, are common occurrences and provide fodder for the phenomenon. The need for movement to be acknowledge in defining the phenomenon as it relates to transfer or transporting victims was determined to be an important factor. In addition, movement also relates to a level of power over the victim demonstrated in the restriction of movement: holding of people, violent oppression, entrapment, restricting and restraining. Movement is demonstrated in the dehumanization of victims, "handling" them as though they were commodities, goods or merchandise through shipping, transfer and exportation. Unlike in AST, there are relatively few organizations that separate the actual trading or transferring of a human being as anything different than slavery or Human Trafficking.

5.1.2 Causes of the Phenomenon

Organizations identify several reasons as to the cause of Trafficking in Persons. One of the concepts identified as important to the definition of cTIP is the global nature of the phenomenon. This global nature of cTIP was identified as an "aggravator" of the phenomenon: globalization—which is reminiscent of

the AST, and the needs that develop with increased expansion, growth or industrial development. Another category of concepts ascertained to be the root cause of cTIP is that of social factors, primarily social inequities. These determinants can be broken down into those aspects which are social and those which are economic. Social factors include: political factors such as lack of protection of women's rights; corruption; unequal justice before the law; a weak justice system and lack of awareness by law enforcement; poor emergency response by authorities; and absence of a system of services (social welfare services). Highlighted by the organizations was a poor justice system in which people hold no respect for the law and thus the vulnerable suffer due to lack of legal deterrent. Noted by organizations is that countries in which civil war or civil unrest occurred or is occurring should have systems in which victims and potential victims are identified to prevent victimization or re-victimization. Civil unrest provides strong opportunity for Traffickers due to the vast numbers of vulnerable women and children who may become desperate due to absence of means of fulfilment of basic physiological needs. Civil unrest and poor justice systems also encourage migration in search of safer environments or a means in which to care for family. The victimization of victims by law enforcement was identified as an issue which also represents failure of the justice system.

Other social elements which emerged were poverty, trauma, abuse, lack of: education; awareness; opportunity; and multiple forms of discrimination against minorities: racism; national origin; ethnic origin; and gender. Concepts such as gender inequity and other forms of discrimination were important

in that they affect how systems of protection, such as law and policy, protect (or not) and identify victims of the phenomenon. All of the aforementioned socio-political concepts create vulnerable populations which in turn provide the environment for Trafficking in Persons to occur. Socio-cultural concepts are also of significance. For example, the perpetuation of forced, early or child marriage is one that has traditional and cultural association and in many instances makes cTIP difficult to address. Traffickers also take advantage of other cultural traditions, for example, those in which children are sent to or are raised by extended family or friends. In some of these instances these "trusted" individuals, for a variety of reasons, victimize or allow others to victimize their ward.

5.1.3 Combating cTIP

According to the organizations, the means of combating cTIP can occur through the following: civil access, social services, education and civil networks. Civil access is a concept that describes a citizen's ability to participate in their political system most commonly through voting. In addition to social inequities, such as gender and ethnicity discrimination which limit civil access, social services were determined to be an issue especially when coupled with the causes of poor civil access. A strong social service system is one of the greatest deterrents in combating cTIP. This is because one of the greatest generators of potential victims of cTIP is absence of means by which to meet basic physiological needs. If there are strong social service systems which could bridge

this gap, women and children especially, would not be placed in desperate circumstances which lead them to make poor or uniformed decisions.

Perhaps the most championed idea to prevent cTIP is education which, according to the vast majority of the organizations, equals prevention. Prevention is an act or a process that has the aim to arrest the perpetration or occurrence of a particular phenomenon or issue. Generally, prevention is thought to occur before there is victimization. However, an important aspect of prevention is prevention of **re-victimization**. According to the UNODC, in cTIP, the largest proportion of victims are victimized through sexual exploitation (United Nations Office on Drugs and Crime 2012). Persons who experience sexual trauma have an exponentially higher chance of being re-victimized (Classen, Palesh, and Aggarwal 2005; Coxell and King 2010; Lalor and McElvaney 2010). Couple this statistic with the conditions which facilitated victimization in the first instance and what develops is a recipe for victimization **and** re-victimization. Education has been championed for use in primary and secondary prevention through education of women and children who are the most vulnerable with the intent to provide them with tools to prevent their victimization through expansion of opportunities and through awareness of potentials for harm. Education is also utilized for rehabilitation and reintegration of victims into their communities. Awareness through education is also championed as essential for authorities who oftentimes criminalize victims and vulnerable communities.

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5.1.4 Political Power, Social Mobilization and Self-Determination

Political Power

There was only one organization that explicitly associated the concept of political power with victims and vulnerable populations. However, the concept of power was associated with victims through the idea of **loss** of power and the need to **reclaim** power. Thus, victims were viewed as possessing power. Political concepts focused on the rule of law, legislation and policy as means to combat cTIP. Several organizations supported the need for policies and legislation, however, the need to utilize and enforce **current** policy was identified, on par, with the need to create policy. As the organizations view the issue, there is no benefit to the effort to eradicate cTIP if the only action is to create new policies and not enforce them or the policies that are currently available.

Social Mobilization

Social mobilization was identified through several concepts as being important to the phenomenon of cTIP. The community was seen as a tool to lessen, if not eliminate cTIP. This was identified through community involvement, engagement, outreach and awareness. Generally, the organizations identified cTIP as a phenomenon that requires cooperation, networking, partnerships and knowledge sharing. The need for mobilization of the people, organizations and the government was recognized as essential due to the requirement of a global response to cTIP.

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Self-Determination

Self-determination was demonstrated to be an important concept to Trafficking in Persons. This importance was due, not only to the obvious lack of self-determination of victims of trafficking, but as a deterrent of victimization and re-victimization. Choice plays an important role in self-determination and in the defining of cTIP especially in regards to what distinguishes sex trafficking from sex work. This is one of the areas where feminists and advocates split on the issue of defining cTIP. Many organizations lobbied the UN for a more narrow definition of trafficking to ensure that sex work and sex workers were distinguished from sex trafficking and victims. The distinguishing factors between sex work and sex trafficking is that of choice versus coercion. Although self-determination encompasses the concept of choice, which is important to the defining of CTIP, it goes beyond "just" choice. Before a person can effectively self-determine they must be empowered by the society in which they live. For example, in some cultures women are bound by the religious laws or political structures and are demanded to conform to particular standards. In cTIP, it is recognized that in many cases victims are bound by their society which limits their self-determination and thus, creates vulnerability. Furthermore, victimization by Traffickers who feed on these vulnerabilities further limit self-determination. In regards to combating cTIP, the concept of self-determination continues to play an important role.

5.1.5 Defining Trafficking in Persons

Greater than 90% percent of the survey sample of organizations support the UN Palermo Protocol while 76.6% of surveyed organizations identify it as containing the **best** definition of Trafficking in Persons. The concepts identified as most important are exploitation, fraud, recruitment, movement, abuse, force, to educate, power, receipts/harboring, benefit, freedom, consent, vulnerability, forms of trafficking, act, means and purpose and power—all of which were reinforced with the findings from the content analysis. Conceptions recognized as important to a general definition of trafficking from document analysis are the concepts of exploitation, fraud, recruitment, movement, abuse, force, educate, forms of trafficking, act, means and purpose. From the content analysis phase, the concepts which were utilized to **define** Trafficking in Persons were human dignity, not sex work, fraud, force, coercion, act, means and purpose, recruitment, dehumanize, threat, violation of human rights, violence, gain, value and benefit, exploitation, global, multi-faceted and hidden. As evident, many of the concepts which were determined by the sample organizations to be important to address in a general definition of cTIP are present in the Palermo Protocol with notable limitations. For example, the issue of consent (choice) is addressed but the important and divisive issue of sex work and its relationship to cTIP is not explicitly discussed in any form.

5.1.6 Improvements in Policy

Though there is a high level of support for the Protocol, there is also awareness that policies should mature as the phenomenon that it governs matures. Several issues were presented as being important to address in framing cTIP. First, the needs and interest of victims should be addressed to a greater extent. For example, one way in which victims of trafficking are assisted is repatriation—to return them back to their nation state. This is a logical course of action, however, caution should be taken that the survivor of trafficking is not being returned to the situation which perpetuated victimization in the first instance, for example, civil unrest or a poor economic system.

Secondly, address the different forms of trafficking as those denoted in Table 5.1. Different countries have different forms of trafficking which need to be globally recognized to enlist support in preventing its perpetuation by the global community, for example, descent-based slavery and adoption of children (trans-nationally). Third, address supply and demand, for example sexual exploitation of children through travel and tourism. Also, focus on the supply side of the equation, providing guided **holistic** assistance for successful rehabilitation and reintegration of victims, many of whom are displaced due to their trafficking experience. Fourth, address the important and intensification effects of technology which has led to new forms of trafficking, such as cyber-trafficking, and more efficient means of trafficking. Also important to framing trafficking is to understand and address inequities which provided tinder for the growth of trafficking: address the inequalities—do not just create policies. Finally, it is not effective or worthwhile to just create policies. The worth is

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not in the creation of policy but the enforcement or implementation of that policy.

Table 5.1: Forms of Contemporary Trafficking in Persons

Org-Identified Forms of cTIP
Child Domestic Worker
Child Pornography
Childcare Worker/Nanny
Commercial Surrogacy
Cyber-trafficking (Cybersex and Cyber Pornography)
Debts
Domestic Labor or Domestic Servitude
Drug Trafficking (Drug "jockey")
Early Marriage
Exploitation of Child Labor
Food Service Industry Worker
Force Pornography
Forced Marriage
Forced or Bonded Labor
Illegal Adoption/Illegal or Forced Inter-country Adoption
Organ Removal/Tissue Extraction
Panhandling
Ritual Killings
Sex Tourism Sexual Exploitation
Sexual Exploitation of Children through Travel and Tourism
Slave Labor
Slavery
Surrogacy
Trafficking of Children through Adoption for Purposes of Exploitation

Note: The general categories of childcare worker, Nanny, food service worker or adoption on its own does not constitute cTIP. It is when these categories of labor or processes are combined with force or the removal of choice or conditions are sub par of that of "regular" workers in these industries or outside the regular processes that it becomes cTIP.

5.2 Diffusion of Policy Ideas in the Trans-Macro Environment

TIP is not an entirely new phenomenon; however, the true nature of the phenomenon has just begun to be understood in this information-driven time. According to the US Central Intelligence Agency, Trafficking in Persons is the third largest illegal trade following drug and arms trafficking. TIP generates billions of dollars per year and destroys the lives of many vulnerable persons including children. cTIP victims are of both genders though the majority of victims are women and girls. Traffickers utilize various methods to garner victim acquiescence including confinement, physical and sexual assaults, starvation, and forced drug use. Compounding the problem is the global nature of cTIP. The varying views of the phenomenon has led to research in cTIP that is narrowly focused, biased and in service to politically convenient and elitist ideas of the nature of the phenomenon.

In reviewing the findings of this exploratory study, the diffusion of policy ideas is evident. The concepts that organizations believe are important, such as movement, fraud, exploitation, and others, are present not only in the Protocol, but in domestic cTIP policy, as well. Various elements of policy diffusion witnessed in policy diffusion in federated states: Walker's (1969) social learning, Mossberger (2000) and Hale's (2011) information networks, Mooney and Lee's (1995) reinvention and various contingencies of adoption as noted by Shipan and Volden (2008, 2012) (learning, economic competition, imitation and coercion), are at play in the global arena. Underlying the focus of this study—the position of NGOs in the cTIP policy arena 15 years after the Protocol's adoption—is the process by which social policy ideas are diffused

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in the trans-macro arena. Admittedly and as explained below, NGOs are only one part of the process of diffusion in the cTIP arena. Understanding where policy ideas originate, what determines the elements of the idea, how these ideas are facilitated or impeded is of importance in the policy design process.

Research study in the area of policy diffusion has been undertaken by scholars, however, in a limited fashion. Though these studies have added valuable knowledge to the literature in the normative policy process, the attention of these studies tends to be narrowly focused. Primarily, research studies have concentrated on the public and not for profit sectors and the information structures and relationships of these sectors. When attempting to understand the diffusion of policy ideas in the international arena for a multi-faceted social issue such as Trafficking in Persons, it is of great importance to understand the total process. What is meant by the "total" process is that progression which commences with the recognition of a problem through to the final policy response. There have been scholars, such as Kingdon (2003), who have studied problem cycles in the agenda setting process, but these studies have also focused on governments and the nongovernmental (organizational) sector. The diffusion of policy ideas within these sectors are only one part of the total picture.

5.2.1 The Model

The issue of Trafficking in Persons is a global phenomenon which requires study at each level of society. In the cTIP policy arena, there are several stakeholders: government and their associated organs i.e intergovernmental

organizations (IGO); nongovernmental organizations; victims (past, current, potential) of cTIP; domestic and transnational corporations; and human Traffickers. In understanding how policy ideas diffuse in the cTIP arena, it is important to understand the ideas of the phenomenon itself from each of these stakeholders who occupy differing levels of the process.

In my view, the policy process for a global social phenomenon is composed of four levels. The first of these levels is the Micro level and is where the problem originates. This level of the policy process is often not given much attention. The problem with ignoring the Micro level is that the population which is directly affected (usually negatively) by the phenomenon, composes this level. The Micro level, for Trafficking in Persons, is comprised of the victims: current victims, potential victims and cTIP survivors; and human Traffickers. Informal organizations and groups, such as church groups and support groups are also a part of the Micro level. In addition, corporations are also contributors to this level of the process. Resulting policy responses which do not take into consideration the Micro level ideas of what a phenomenon is or is not—an important part of any policy—risks a policy response which is limited at best and ineffectual at worst. Affected groups have to "buy-in" to a policy and if the policy idea, namely the framing of the phenomenon is too far off of what the group believes are the boundaries of the phenomenon, the policy response will be ineffective in addressing the issue.

The next level of the process is the Mezzo Level. In the Mezzo level we cross over into the public sector. This level is primarily comprised of non-governmental organizations. One question that will surely be asked is of the

importance of the public. Public opinion, as is the media, in this model is relegated to a tool of the Mezzo level (primarily). Nongovernmental organizations are vehicles of aggregation similar to interest groups and political parties. NGOs aggregate the ideas of the Micro level and mold public opinion in support of their issues. These organizations also provide a means by which the Micro level can gain political "legitimacy" and get their issue on the political agenda. The primary question at this level is what is the process by which organizations decide which ideas are maintained and what are the elements of those ideas which comprises the issue. Kingdon (2003) has acknowledged that there are players in the agenda setting process outside of the government—political parties, various interest groups, the public and the media—who are sources of agenda items and agenda alternatives. However, in this currently proposed model of trans-macro diffusion, those aforementioned players are represented by NGOs or utilized by NGOs in the Mezzo level as tools.

The third level is the Macro level of diffusion in the international arena. State or regional governments, depending on the political system, compose the Macro level in diffusion of policy ideas in the global arena; this level operates as more of a "pass through" level which filters ideas. At the Macro level, depending on the aggregation of ideas and the nature of the social issue, these ideas may be passed on to the next level of the policy process. Some elements of the diffusing policy idea may begin to be institutionalized and interim policies may be constructed; however, issues that possess a strong global nature (For example, migration/immigration, transnational corporations) tend to require

a coherent policy response within a nation state an will likely pass through this level.

The final level of the policy diffusion process enters into the trans-macro arena. National or central governments and extra-governmental organs such as the UN, are the primary players at this level. Global phenomenon, as afore-mentioned usually requires a coherent policy response. Lack of cohesiveness can injure the policy process, in other words, limit the effectiveness of national policy. If all nation states are addressing the same general phenomenon, but differ on the boundaries of the phenomenon, the resulting fractured policy response could result in inter-nation conflict. The trans-macro policy arena presents many variables—including political, social, economic, and cultural differences—not present in the other levels that can enhance or impede the diffusion of policy ideas. This study utilized the US TVPA as an example of policy diffusion, however, the US position also presents the opportunity for study of horizontal coercion of social policy ideas in the trans-macro arena. More in-depth study and data collection is required to fully test this model and understand the diffusion of social policy ideas in the international arena.

Overall, the passion for eradication of the occurrence of Trafficking in Persons remains robust. Though there are conflicts as to how the idea of trafficking should be framed and thus how it should be addressed, there is agreement that understanding the phenomenon is of great importance in or-der to address the issue effectively. Some organizations regard the framing of trafficking to be simple; they contend that at its heart, whether it's called

slavery or Trafficking, it's exploitation and new forms of this exploitation continue to arise during conflict, post-conflict, during civil unrest, development, and etcetera. However, the phenomenon of cTIP has proven to be complex set of ideas which requires a definition that can allow cooperation on the national and international fronts. The Palermo Protocol, as a policy idea, is widely supported in this effort but the reminder from this study is that there is a great deal about cTIP that we now recognizing, in addition to the maturation of the phenomenon, itself. This being the case, it is a necessity that ideas from each level of the process are understood and addressed. Policies should also be able adapt and mature along with the flow of ideas.

5.2.2 A Note on the Element of Slavery in Framing Trafficking in Persons

It is evident that there is continuing debate as to how cTIP should be defined. One framing behavior that confuses the issue is whether the element of "slavery" should encompass all forms of Trafficking in Persons. Although there is certainly a strong case for all forms of trafficking to be classed as slavery—this focus on "slavery" diverts from what is truly important. Though it is important to understand TIP on a continuum (all of modern Trafficking), regardless of what slavery is or is not, the ideas of what causes slavery, modern slavery, human trafficking, etc. is well known to policymakers and advocates alike—human development (both increased and lack of), globalization and it's requirements, and the continuance of social inequities—wealthy vs. poor, well-fed vs. starving, safe vs. unsafe and so on. These contrary social conditions

provide fuel for the abuse of human beings as commodities regardless of how the phenomenon is identified. They create a global community in which individuals are forced to either "choose" to or surrender themselves to abuses to their liberty and/or human dignity. In short, an important idea that many (but not all) of these organizations endorse, is that it doesn't matter if Trafficking in Persons is slavery or not; the important lesson to be learned is that cTIP will continue as long as the root causes—paternalism, classicism, sexism, economic instability, and other–continues. Of course, it is important to be able to identify the elements which comprise the idea of what a social phenomenon consists of for the practical purpose of politically addressing the condition. However, policy efforts are useless if the final policy response—the winning policy idea—ignores the responsible social elements.

5.2.3   A Note on Sex Work

Regarding the issue of choice in cTIP, it was as expected that **choice** in sex work (or prostitution depending on perspective) continues to be a point of contention in the defining of cTIP. There are several arguments proposed as to why sex work should and can be distinguished from sex trafficking apart from choice. Some of the organizational proponents of sex work argue that it is a legitimate profession and women should have the right to make this choice— to self-determine. What this amounts to, according to advocates, is that sex **work** is **not** sex **trafficking** (Figure 5.1). Additionally, reorganization of sex work as **true** labor would protect sex workers and give them the rights that

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they deserve. Proponents have also lamented the treatment of sex work in policy. One organization says about the Protocol:

> Defining the Act, Means and Purpose but importantly including not conflating sex work with trafficking and implying that all forms of "prostitution" are exploitative/coercive, denying sex workers agency. Many countries use anti-trafficking legislation and interventions to crack down on sex work–thereby diverting crucial funds from fighting real trafficking. Countries/member states require a clearer definition that does not lead to them implementing punitive laws, policies and practices that breach the rights of sex workers–under the guide of 'tackling human trafficking.'
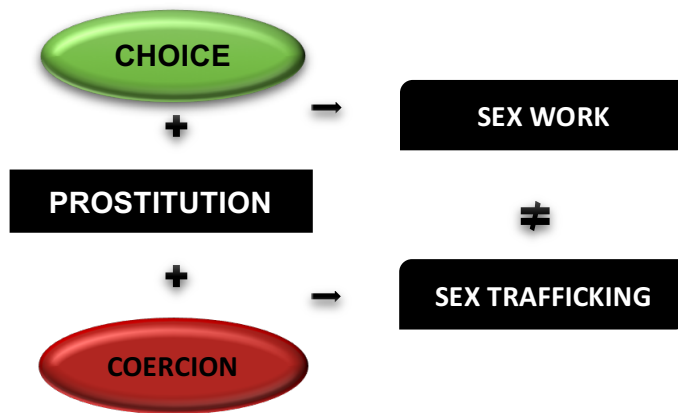
Figure 5.1: Proposed Difference in Sex Work vs Sex Trafficking

Opponents counter with the arguments that (1) legalization of prostitution has not brought safety to sex workers and (2) only serves to heighten sex trafficking—giving Traffickers the cover of legality in which to continue their disreputable trade. The question of whether legalized prostitution or sex work has a negative impact on Trafficking in Persons has been asked by researchers (Cho, Dreher, and Neumayer 2013). However, there is currently no **definitive answer**—negative or affirmative—of the effect of legalization of the sex trade

on sex trafficking. This lack of an answer to this question is not surprising given the difficulty of research in the Trafficking in Persons arena. Regardless, the element of sex work is an important one which must be considered in cTIP policy.

5.2.4 Summation of Definition of Trafficking in Persons: General Definition

This study aimed to determine how stakeholder organizations were positioned with regard to the framing of cTIP. According to the findings of this study, a general definition of Trafficking in Persons is that:

> Trafficking in Persons is a destructive, multifaceted, global phenomenon resulting from sociopolitical-economic inequalities which create populations of vulnerable persons who are exploited by means of violation of their human rights and dignity through violence, fraud, coercion, force, or threat of these demonstrated by removal or restraint of freedom or self-determination for the purpose of economic or social gain. Trafficking in Persons differs from human smuggling, however, human smuggling can create the environment for Trafficking in Persons via vulnerability. Trafficking in Persons for sexual exploitation is *not* sex work.

5.3 Limitations

5.3.1 Logistical Concerns

The primary logistical concern in this study was access—access to: (1) organizational agents and (2) geographically remote organizations. As previously mentioned, cTIP is a global phenomenon. Many of the influential organizations involved are international organizations based outside of the US. In

addition to threatened access due to geographical location, language generated another possible barrier.

Geographical Location

This study utilized surveys and content analysis as primary data collection methodologies. Both methods were selected for their effectiveness at generating direct evidence from many people about their beliefs, opinions, perceptions, attitudes, practices, and backgrounds (Brown and Hale 2014). In this instance, opinions on the definition of Trafficking in Persons to include the root cause and methods of combating the phenomenon were of interest. These methods were also selected for their inherent flexibility. A geographical limitation can be overcome with the use of survey research and content analysis. Surveys can be administered electronically or through traditional mail and documents for analysis can be accessed through electronic means via an organization's website or social media sites. Although survey research offers flexibility there was one difficulty with the paper-based survey administration. The primary difficulty with the dissemination of the paper-based surveys was the difference in postal systems. Some surveys that were sent through traditional mail were extremely slow in reaching its final destination, being re-routed or returned. This caused the process of dissemination to be extended beyond the original time-line of nine weeks to approximately 20 weeks. The successful completion of the survey was essential to establishing the most accurate population.

Language

Some organizations were self-eliminating (and inaccessible) due to language. The micro-regions of Central America and North Africa were eliminated based on language. Some organizations listed English as one of their UN languages but did not demonstrate this in their documents or via their electronic sites. There were also several organizations that did not identify **any** UN languages and were researched to establish a language base. Organizations that presented no evidence of English language was culled. All available resources were utilized to limit the number of organizations eliminated for reasons such as geographical location and/or UN language. Organizations who included English as one of but not their primary UN language were maintained as part of the population but presented a challenge especially during the content analysis phase. This difficulty was due to some of the primary organizational reports being in the organization's national language. Several reports, news articles and other organizational reports were utilized to compensate for not having a primary organizational report, for example, an annual report available for analysis.

5.3.2 Bias and Error

Error

There is a possibility in this research for a source of error in sampling. As aforementioned, many of the organizations sampled are small grassroots organizations most of which are in industrializing nations. The culling process

for the sample eliminated those organizations that did not demonstrate activity, mainly through electronic means, for the time period of 2015/2016. There exists a possibility that lack of adequate funding denied smaller organizations access to electronic networking resources, thus, they would have been falsely eliminated as defunct.

Bias

A source of researcher bias that may exists in this research hinges on the background of the researcher. As a social worker, there is a "trained" and regulated comportment to not only advocate for an oppressed population, but to support measures which protects the right of self-determination. It has been discussed by this researcher that during the lobbying of the Palermo Protocol (and previously) that they has been an issue of choice which was reflected in the two lobbying blocs—one for a broader definition of trafficking and one for a narrower definition of Trafficking in Persons which would allow for those who choose sex work to be distinguished from trafficking through forced prostitution. Choice can be conceptually argued to be the same as self-determination. At minimum, choice is a component of self-determination. Self-determination was selected as one of the distinguishable concepts for the following two reasons.

First, the concept of choice was—as mentioned above—a point of contention during the lobbying of the UN. This concept continues to be a point of division, as demonstrated by the literature and thus warranted inclusion in this study. Instead of utilizing the concept of choice, it was determined that

self-determination was more apropos given the broad social and global nature of Trafficking in Persons. Secondly, like other social phenomena, the inclusion of the victim or survivor is essential to determining what a phenomenon is or is not. As a social worker, one of the earliest lessons learned is that people only come to social workers when they are in need—when they are vulnerable; however, regardless of their vulnerability they are quite aware of what they want and oftentimes what is wanted supersedes what is needed. It is the right of that individual or individuals to determine for themselves what is or what is not. I have had the occasion to meet homeless individuals that are "at home" on the street. In their reality, homelessness does not exist for them in the same manner that it exists for those of us who chose to live in mainstream society. In sum, the concept of choice or self-determination cannot be ignored and must be addressed by advocates and scholars alike because these elements are crucial to those who live the reality that we are trying to understand.

5.4 Future Research

In the Trafficking in Persons policy arena, there have been many studies of NGOs and governments and their processes in issue framing at the mezzo and macro levels. There remains an insufficiency in the literature on many cTIP issues such as the interaction of industrializing nations and other stakeholders, outside of government and the international NGOs, with the phenomenon. A great deficiency surrounds victims—past, present, and potential—and possibly to a greater extent, human Traffickers and domestic and transnational corporations. Though it is important to understand the effects that organizations

have on ideas which identify Trafficking in Persons: how the phenomenon is defined and how it is treated by global civil society, understanding how victims and Traffickers interact with the phenomenon and what they believe are the boundaries of cTIP is where the central presence of the ideas of cTIP lie. More research is needed to understand how these ideas are translated or rather "diffused" in the policy process from the micro level to the trans-macro arena.

Additionally, further studies are needed for understanding how victims of trafficking regard the phenomenon, not just what trafficking is or how it is defined, but what is needed in the way of policy and service models to lessen the phenomenon, prevent victimization and to restore survivors to some semblance of independence and dignity. If not, the situation will be as Soderlund (2005) describes it—as one in which victims are "running from their 'rescuers."' Gretchen Soderlund in her article, "Running from the Rescuers: New U.S. Crusades Against Sex," noted the common discrepancy in the view of the phenomenon between NGO and governmental entities and victims of cTIP (2005). Oftentimes these perspectives are unaligned due to "rescuers" determining what is best for victims rather than what victims or potential victims believe are their best options. Social policies are responses to social problems and need to accurately reflect the **functional** reality of the policy's target population. It is a waste of time and resources for policies to disregard the agency of the "injured" populations of a problem's origin. In the past I worked with a doctor who always told me that if I listened to my patient, they would not only tell me what was wrong but how to fix it.

5.5 Recommendations for Practice and Theory

This section discusses recommendations for practice and theory based on the overarching themes and important concepts which were identified in this study as necessary, not only in the defining of Trafficking in Persons, but also in gaining an understanding of the underlying concepts which garner support and promotion from nongovernmental stakeholders. The questions guiding the research focus on the position of nongovernmental stakeholders (NGOs) currently involved in the cTIP policy arena. The overarching themes which emerged in this research centered on the ideas of exploitation, fraud, recruitment and movement of some kind, with movement being the most pervasive.

The recommendations stemming from this research focus on several broad suggestions: first, understanding the importance that movement, in the form of human migration, has had and continues to have on the phenomenon; second is careful implementation of current and future cTIP policies; third, greater attention to types/forms of cTIP which are affected by human migration; fourth is to address the contributing social inequities which leads to the fifth recommendation—establishment and maintenance of effective social safety-nets. In addition, to the aforementioned recommendations, another discovery made during this research was the narrow manner in which NGOs and scholars in the cTIP policy arena study the phenomenon. cTIP is regarded as a separate phenomenon from other eras/types of TIP, namely, the AST which began the modern era of TIP. In chapter one of this study, an abbreviated overview of the similarities and differences between cTIP and the AST, both of which comprise Modern Human Trafficking, was presented. The recommendation

from this finding is that TIP be studied in total; cTIP should be studied as a part of Modern Human Trafficking rather than as a separate phenomenon. A final recommendation of this study, which is in the interest of policy creation, is the need for further research on the diffusion of social policy ideas from the micro levels of nation states to the trans-macro level of the international arena.

The United Nations' Palermo Protocol went into effect greater than a decade ago in December of 2003. The lobbying blocs that petitioned the United Nations differed on several points with the concept of choice, in regard to sex work and sex trafficking, being one of the most contentious. This inability to reconcile choice and it's relationship to sex work was the line along which the blocs divided. I introduce the concepts of political power, social mobilization and self-determination—all concepts which have importance in any social phenomena. In the present study, the element of choice was encompassed in the concept of self-determination which also includes the inherent elements of power and self-worth, among others. The study utilized both a fielded survey and content analysis of currently active, UN affiliated nongovernmental organizations in the Trafficking in Persons policy arena. Nongovernmental stakeholders in this study demonstrate a high level of support for the Palermo Protocol (98%). However, this high level of support does not demonstrate full acceptance of the how the UN defines Trafficking in Persons or the policy ideas that diffused from UN TIP legislation into domestic policy arenas. Trafficking in Persons is not an issue that is novel to human societies. However, growth in human development has contributed to new developments in TIP.

Modern Trafficking in Persons, beginning with the African Slave Trade, has steadily progressed and has once again gained the attention of the international community, which is essential in addressing this issue. The following sections review the implications of the findings and the significance of this work.

5.5.1 The Implications of Movement

There were several overarching themes which emerged from this research; of these, the theme of movement was most ubiquitous. Movement has been determined to be the means by which Traffickers dehumanize their victims. Through shipping, transferring, trading, and leasing, people have been reduced to the station of merchandise or commercial goods. Moreover, this movement creates a power transfer from the victim to the Trafficker. The Trafficker restricts the victim's freedom through physio-psychological means—taking away the victim's power or agency of self. This translates to a loss of power for the victim and a gain of power for the Trafficker.

Another important aspect of movement is movement in the form of human migration. To clarify, human migration is a type of movement. Identifying human migration as "human movement" serves, not only to identify migration as a form of movement, but also to classify the character of that movement. Human migration or human movement is important to TIP due to its exacerbation effects. Human migration is movement which has been present, like human trafficking, perhaps from the start of human civilizations. Human beings move for a variety of reasons, for example, to meet basic needs, such as

food and shelter, and in contemporary times for opportunities and commonly to meet their basic safety needs. It is essential that there is an understanding of human migration and the similarities and differences between the varying forms: voluntary and involuntary. It is not uncommon that these forms of movement are confused in the cTIP policy arena, namely between cTIP and human or migrant smuggling. Trafficking in Persons involves movement which is always involuntary due to the transfer of power from the victim to the Trafficker. The victim has severely limited agency. In the case of migrant smuggling, human movement can be voluntary or involuntary. A person can voluntarily choose to move, for whatever reason, and choose to partner with a human smuggler to accomplish that desired movement. In this case, negating socio-political economic circumstances that may make it more desirable to relocate, for example, limited means to meet physiological needs or threat to safety, the movement is wholly voluntary—if illegal. Migrant smuggling which is involuntary crosses over into the realm of cTIP. This involuntary movement occurs with persons who reflect the same loss of agency as those who are victims of trafficking within their own nations. Migrant smuggling which begins as voluntary can become involuntary due to the vulnerability created if only from the actuality that the enterprise is illegal. The illegality of this type of movement places the smuggled individual at a disadvantage which the smuggler cum possible Trafficker can exploit.

5.5.2 Causal and Preventative Implications

There are several elements to deliberate when attempting to understand the root causes of TIP. In considering the determinants which attribute to the proliferation of Trafficking in Persons, globalization is of great effect. Globalization, demonstrated in increases in human development and advances in the social world, set the stage for Trafficking in Persons through changes which produce social, political and economic opportunities. These opportunities trigger the all important activity of human migration or movement. As noted above, human beings migrate for any number of reasons: seeking status improvement; means to care for themselves and their family's physiological needs or perhaps to escape other social conditions such as civil unrest or social persecution. This increased migration then adds to the number of potential victims of Trafficking in Persons especially if that movement is by necessity, for example, civil war in which refugees are seeking safety or through human smuggling. Concurrent with these types of human movement, particularly migrant smuggling, vulnerability is created through illegality. This vulnerability can lead to persons then becoming victims of cTIP.

Another factor in the social environment that contributes to increases in potential victims of trafficking is the lack of social safety nets (SSN). A SSN is social protection provided by a political or social entity which protects citizens from circumstances in which their basic physiological needs are chronically neglected, namely, lack of provision of basic needs such food, shelter and physical safety. The lack of protection of these needs create populations of vulnerable persons seeking to meet these needs by any available means. Provision of a

SSN serves to lessen the number of potential victims of Trafficking in Persons through lessening vulnerability.

In the effort to combat Trafficking in Persons, the importance of a concerted international effort is pivotal. However, perhaps more important to the control and/or eradication of TIP is education. It is important to educate all stakeholders in the Trafficking in Persons arena on the types and forms of TIP due, not only to the necessity of a global effort, but also because of the dynamic nature of the phenomenon. Though there are concepts that surely typify the phenomenon of cTIP such as those that exemplify other social ills, for example hunger and poverty, Trafficking in Persons can take different forms in different regions and sub-regions of the world.

Although several forms of trafficking can exist simultaneously, different nation states, given their level of human development, economic systems, traditions, cultural acceptances, and etcetera are plagued by predominant forms of trafficking which may seem to require a different policy approach; for example, countries in the midst of civil wars and their challenges with the perpetuation of using child soldiers or countries with unstable economic systems coupled with traditions of child brides in which girls are regarded as commodities to be bought and sold rather than as individuals with rights of self-determination. In an industrializing nation where perhaps human development is currently low, at some point, may reach a higher level of human development and the predominant form of trafficking may change or grow requiring an adaptable policy response.

In short, throughout the world, TIP presents in varying forms such as commercial surrogacy, descent–based slavery, sexual exploitation of children through travel and tourism and early marriage. However, forms of TIP are not static. Many forms of trafficking, such as early marriage or child brides were spawned out of culture and traditions. Human migration—encouraged by globalization—encourages the transfer of these forms of trafficking throughout the world via cultural and traditional retention by those who migrate. Policies and those who participate in the policymaking process need to be educated on this dynamic nature of Trafficking in Persons and take it into consideration in order to create policy responses which are more aligned with the functional reality of the issue.

Another aspect of combating Trafficking in Persons is the understanding of prevention and its role in resisting the spread of the phenomenon. Prevention is primarily thought of in its primary sense, in other words, halting the original occurrence of a phenomenon. In addressing survivor victims of trafficking, it is essential to take secondary prevention into consideration. In attempting to lessen the number of potential victims of trafficking, attention must be paid to survivors of trafficking via the services provided to them. It is also important to note that these victims have a dual label—that of victim and potential victim. This is where secondary prevention comes in. Effort in the form of holistic services must be provided to victims of trafficking to eliminate the circumstances that allowed for original victimization. Eliminating these circumstances lessen the population of potential victims through provision of protection against re-victimization.

Understanding the role that technological advances play is also important to combating Trafficking in Persons. Technology, which aids in globalization also allows cTIP to occur more efficiently. Mobile phones, tablets, iPods and other such implements allow both human Traffickers and consumers of trafficking to conduct this illicit business with more ease. Technology also introduces new forms of trafficking and provides a supplementary environment, the Internet which is mostly unregulated, in which Trafficking in Persons can occur.

An important activity in the policymaking process is the implementation stage of policy. Trafficking in Persons requires a multi-disciplinary approach and thus, various different policies can be utilized to address the prevention and the management of the phenomenon. However, these policies are useless if they are not implemented at all, are implemented haphazardly or have counteracting policies. Care must be taken, not only in the initial stages of the policymaking process, but also in the implementation stage of the process to ensure that the policy is effective in the functional world.

In the same vein as care in the implementation of TIP policies, is the creation of the policies. Trafficking in Persons is a complex social phenomenon that has been shown to require a vast network of actors and intergovernmental relationships to address its various aspects. The effect of cTIP on the victim is long lasting and is perhaps one of the greatest challenges to face public servants. The victims of cTIP require intense, holistic and consistent services which are oftentimes not present. cTIP victims also have added complications such as their alien citizenship and poor socioeconomic status. Public servants will have to create sustainable frameworks to attend to this overwhelming

issue. More research, which takes the origin of the problem into consideration, is needed to create policies which are more operational. This would require involvement of the problem's origin, that is, the victims and Traffickers in the Micro arena. It is crucial to understand how this population sees themselves, frames the problem and regards themselves in relation to the problem. Ignoring this level of the process sets the entire process up to failure due to lack of "buy-in" by those persons directly affected by the issue. Creation of a policy does not equate to success in the policy arena; the usefulness of the policy is the true test of its value. In political science there is insufficiency of research in this topic area and moreover, deficiency in the instance of social policy in diffusion of and aggregation of ideas in the Trans-Macro arena. More research which takes into consideration the diffusion of policy ideas from the Micro arena, though the Mezzo and Macro arenas, to Trans-Macro arena is needed.

5.6   Significance of Work and Contribution to the Field

This research adds to the literature, in agenda setting, primarily problem definition and policy diffusion in the Trafficking in Persons policy arena. From a policy perspective, the importance of problem definition lies in the fact that the process of framing an issue dictates the miscellany of solutions for that problem. In other words, problem definition is a path dependent process which contains innate mechanisms that eliminate possible solutions while elevating others. The overall significance of any research that addresses issues in the social/social welfare arena is that the research adds to the information

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available to policymakers to allow for more informed and effective or **operational** policies, namely, policies which will have an impact—not only for the present time but is crafted so that they can be modified as the phenomenon they address ages and the target population matures and changes. As part of the agenda setting process, the diffusion of ideas also play a significant role in how policies are designed; thus, those entities who are a part of the process are integral to the ideas which are identified as relevant to the problem and thus to the resolution. Policies created by entities such as intergovernmental organizations, for example the UN, and federated states such as the US can represent new instruments or a reinvention or adoption of another entity's policy idea.

In the trans-macro arena, the development of policies which address social phenomena of a global nature presents unique challenges to those involved in the policy process. This research explored the position of nongovernmental organizations on the framing of cTIP 15 years after the adoption of the Palermo Protocol. During the lobbying of the UN for more functional Trafficking in Persons policy, there were many ideas set forth for how the phenomenon was to be defined. This study presents an update of how advocate organizations view the current definitions of TIP, including their level of support of domestic definitions of TIP. Also, highlighted in the study is the improvements in policy that are currently being championed by those organizations. Policies addressing dynamic phenomenons such as TIP, as a necessity, should be dynamic in nature to be able to address the functional reality of the phenomenon. Additionally, this study introduces the idea of addressing trafficking on a continuum

rather than identifying cTIP as a phenomenon unto itself. Many scholars and some NGOs have recognized that Trafficking in Persons is a phenomenon that arose from and advances with human societies. However, it has been demonstrated by the literature and the history of advocacy in the cTIP arena that cTIP is continually distinguished from the TIP of the past. Yes, there are admittedly differences in Trafficking in Persons in the past and currently, but there are also similarities (see chapter one) from which advocates and policymakers can gain knowledgeable insight to assist in the fight against Trafficking in Persons.

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Appendices

Appendix A

Research Survey

DIRECTIONS FOR COMPLETING SURVEY

This survey should be completed by a member of the organization knowledgeable about organization's mission, works and history.

Please carefully read and answer the following questions. Use only an ink pen when completing the survey. Responses may also be typed. Please feel free to use additional pages, if necessary. If using additional pages, please number your responses.

ORGANIZATIONAL INFROMATION

The following questions concern your organization's functions in regard to the Human Trafficking phenomenon. (#1-#4)

Organization/Agency:_____

Organization Founded/Established (Year)_____

Organizational Region: Please check all that apply.

- ☐ Middle East
- ☐ North Africa
- ☐ East Africa
- ☐ West Africa
- ☐ South Africa
- ☐ Central Africa
- ☐ North America
- ☐ Central America
- ☐ Latin America
- ☐ Central Asia
- ☐ East Asia
- ☐ South Asia
- ☐ West Asia
- ☐ Western Europe
- ☐ Central Europe
- ☐ Eastern Europe
- ☐ Caribbean
- ☐ Oceania

1. What are the <u>primary function (s)</u> of your organization? Please check all that apply.
   - ☐ Prevention
   - ☐ Training
   - ☐ Anti-Corruption
   - ☐ Criminal Justice
   - ☐ Victim Protection
   - ☐ Legal Assistance
   - ☐ Lobbying
   - ☐ Mobilization
   - ☐ Supply
   - ☐ Sensibilization
   - ☐ Research
   - ☐ Anti-human Trafficking
   - ☐ Education
   - ☐ Human Rights
   - ☐ Other_____
     _____

2. What are the <u>primary service (s)</u> of your organization? Please check all that apply.
   - ☐ Drug Treatment
   - ☐ Counseling
   - ☐ Rehabilitation
   - ☐ HIV/AIDS
   - ☐ Sustainable livelihood/Alternative Development
   - ☐ Other_____
     _____
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3. Who are the beneficiaries of your organization's services? Check all that apply:

   <u>Victims</u>
   - ☐ Trafficking Victims: Children-Labor
   - ☐ Trafficking Victims: Children-Sex Exploitation
   - ☐ Trafficking Victims: Women-Labor
   - ☐ Trafficking Victims: Women-Sex Exploitation
   - ☐ Trafficking Victims: Men-Labor
   - ☐ Trafficking Victims: Men-Sex Exploitation

   <u>Human Traffickers</u>
   - ☐ Human Traffickers

   <u>Public/Government Agencies</u>
   - ☐ Policymakers/Legislators
   - ☐ Public Administrators
   - ☐ Public Agencies
   - ☐ Healthcare personnel/Social Workers
   - ☐ Law Enforcement
   - ☐ Non-governmental /Non-profit Organizations
   - ☐ Educators
   - ☐ Other_____
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4. Identify the three (3) groups that are most in need of your services and why?

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5. What interventions do you utilize to assist the organizations' beneficiaries?

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HUMAN TRAFFICKING

The following questions concern your organization's understanding of and position on current Human Trafficking definitions (The UN Protocol and your country's domestic definition of Human Trafficking. See page 6 for UN Definition). (#6-#10)

6. If you were asked for the best definition of human trafficking what would it be?
   - ☐ My country's domestic definition
   - ☐ The United Nations Protocol to Suppress, Prevent and Punish Trafficking in Persons, Especially Women and Children
   - ☐ Other:_____

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7. What are the <u>most important</u> points of the <u>above</u> selected definition?

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8. What are the <u>most important</u> points that a <u>general</u> definition of Human Trafficking should address.

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9. What is your view on the global definition of Human Trafficking (UN)? (See page 6 for UN Definition)

   ☐ Support UN definition
   ☐ Not Support

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10. What is your view on your country's domestic definition of Human Trafficking?

   ☐ Support domestic definition
   ☐ Not Support

Comments_____

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HUMAN TRAFFICKING POLICY ACTIVITY

The following questions address your organization's involvement in the Human Trafficking policy arena. (#11-#23)

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11. In the fight against Human Trafficking, what is your organization's <u>primary</u> position? Check one.

   ☐ Neo-Abolitionist
   ☐ Victim Advocate
   ☐ Activist
   ☐ Lobbyist
   ☐ Service Provider
   ☐ Other_____
     _____

12. Were there any NGOs with which you developed a relationship during the lobbying of the United Nations and its member states to establish global Human Trafficking policy?

   ☐ Yes
   ☐ No
   ☐ Not applicable: Organization established in the year 2000 or later.

If yes, please list these organizations.

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13. What was your organization's position on Human Trafficking policy prior to the UN Protocol (2000)?

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☐ Not applicable: Organization established in the year 2000 or later.

14. Have there been any changes in this positon since 2000?

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☐ Not applicable: Organization established in the year 2000 or later.

15. Are there any NGOs with which you currently share a working relationship in regard to your Human Trafficking work?
   ☐ Yes
   ☐ No

If yes, please list these organizations.

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16. How do you define **political power**?

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17. How does **political power** relate to Human Trafficking or is it important at all to Human Trafficking?

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18. How do you define **social mobilization**?

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19. What does **social mobilization** mean to Human Trafficking if anything at all?

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20. Your agency provides a service to your target population; are there reasons that this population cannot mobilize and defend their own interests?

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21. Do you believe that there are any connections between political power and social mobilization?
    ☐ Yes
    ☐ No

If yes, please explain.

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22. How do you define **self-determination**?

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23. Do you believe that there are any connections between self-determination and Human Trafficking?
    ☐ Yes
    ☐ No

If   yes,   please   explain.

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> THE UNITED NATIONS PROTOCOL TO SUPPRESS, PREVENT AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN (PROTOCOL)

Human trafficking has been defined by the United Nations in Article 3 of the Protocol as:

(a) Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipts of persons, by means of the threat or use of force or other forms of coercion, of abduction, or 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 exploitation, forced labour 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.[1]

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[1] U.N. General Assembly, 55th Session. "Resolution 55/25 (2001) [United Nations Convention against Transnational Crime]" (A/RES/55/25). 8 Jan 2001.

ADDITIONAL COMMENTS (Please feel free to use additional pages):

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Thank You!

Appendix B

A/Res/55/25: The United Nations Convention against Transnational
Organized Crime

Annex II: Protocol to Prevent, Suppress and Punish Trafficking in Persons,
Especially Women and Children, supplementing the United Nations
Convention against Transnational Organized Crime

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

Preamble

The States Parties to this Protocol,

Declaring that effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights,

Taking into account the fact that, despite the existence of a variety of international instruments containing rules and practical measures to combat the exploitation of persons, especially women and children, there is no universal instrument that addresses all aspects of trafficking in persons,

Concerned that, in the absence of such an instrument, persons who are vulnerable to trafficking will not be sufficiently protected,

Recalling General Assembly resolution 53/111 of 9 December 1998, in which the Assembly decided to establish an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and of discussing the elaboration of, inter alia, an international instrument addressing trafficking in women and children,

Convinced that supplementing the United Nations Convention against Transnational Organized Crime with an international instrument for the

prevention, suppression and punishment of trafficking in persons, especially women and children, will be useful in preventing and combating that crime,

Have agreed as follows:

I. General provisions

Article 1. Relation with the United Nations Convention against Transnational Organized Crime

1.   This Protocol supplements the United Nations Convention against Transnational Organized Crime. It shall be interpreted together with the Convention.

2.   The provisions of the Convention shall apply, mutatis mutandis, to this Protocol unless otherwise provided herein.

3.   The offences established in accordance with article 5 of this Protocol shall be regarded as offences established in accordance with the Convention.

Article 2. Statement of purpose

The purposes of this Protocol are:

(a) To prevent and combat trafficking in persons, paying particular attention to women and children;

(b) To protect and assist the victims of such trafficking, with full respect for their human rights; and

(c) To promote cooperation among States Parties in order to meet those objectives.

Article 3. Use of terms

For the purposes of this Protocol:

(a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(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;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph *(a)* of this article;

(d) "Child" shall mean any person under eighteen years of age.

Article 4. Scope of application

This Protocol shall apply, except as otherwise stated herein, to the prevention, investigation and prosecution of the offences established in accordance with article 5 of this Protocol, where those offences are transnational in nature and involve an organized criminal group, as well as to the protection of victims of such offences.

Article 5. Criminalization

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences the conduct set forth in article 3 of this Protocol, when committed intentionally.

2. Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offences:

(a) Subject to the basic concepts of its legal system, attempting to commit an offence established in accordance with paragraph 1 of this article;

(b) Participating as an accomplice in an offence established in accordance with paragraph 1 of this article; and

(c) Organizing or directing other persons to commit an offence established in accordance with paragraph 1 of this article.

II. Protection of victims of trafficking in persons

Article 6. Assistance to and protection of victims of trafficking in persons

1. In appropriate cases and to the extent possible under its domestic law, each State Party shall protect the privacy and identity of victims of trafficking

in persons, including, inter alia, by making legal proceedings relating to such trafficking confidential.

2.   Each State Party shall ensure that its domestic legal or administrative system contains measures that provide to victims of trafficking in persons, in appropriate cases:

(a)   Information on relevant court and administrative proceedings;

(b)   Assistance to enable their views and concerns to be presented and considered at appropriate stages of criminal proceedings against offenders, in a manner not prejudicial to the rights of the defence.

3.   Each State Party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate cases, in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, and, in particular, the provision of:

(a)   Appropriate housing;

(b)   Counselling and information, in particular as regards their legal rights, in a language that the victims of trafficking in persons can understand;

(c)   Medical, psychological and material assistance; and

(d)   Employment, educational and training opportunities.

4.   Each State Party shall take into account, in applying the provisions of this article, the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care.

5.   Each State Party shall endeavour to provide for the physical safety of victims of trafficking in persons while they are within its territory.

6.   Each State Party shall ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered.

Article 7.   Status of victims of trafficking in persons in receiving States

1.   In addition to taking measures pursuant to article 6 of this Protocol, each State Party shall consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases.

2.   In implementing the provision contained in paragraph 1 of this article, each State Party shall give appropriate consideration to humanitarian and compassionate factors.

Article 8.   Repatriation of victims of trafficking in persons

1.   The State Party of which a victim of trafficking in persons is a national or in which the person had the right of permanent residence at the time of entry into the territory of the receiving State Party shall facilitate and accept, with due regard for the safety of that person, the return of that person without undue or unreasonable delay.

2.   When a State Party returns a victim of trafficking in persons to a State Party of which that person is a national or in which he or she had, at the time of entry into the territory of the receiving State Party, the right of permanent residence, such return shall be with due regard for the safety of that person and for the status of any legal proceedings related to the fact that the person is a victim of trafficking and shall preferably be voluntary.

3.   At the request of a receiving State Party, a requested State Party shall, without undue or unreasonable delay, verify whether a person who is a victim of trafficking in persons is its national or had the right of permanent residence in its territory at the time of entry into the territory of the receiving State Party.

4.   In order to facilitate the return of a victim of trafficking in persons who is without proper documentation, the State Party of which that person is a national or in which he or she had the right of permanent residence at the time of entry into the territory of the receiving State Party shall agree to issue, at the request of the receiving State Party, such travel documents or other authorization as may be necessary to enable the person to travel to and re-enter its territory.

5.   This article shall be without prejudice to any right afforded to victims of trafficking in persons by any domestic law of the receiving State Party.

6.   This article shall be without prejudice to any applicable bilateral or multilateral agreement or arrangement that governs, in whole or in part, the return of victims of trafficking in persons.

III.   Prevention, cooperation and other measures

Article 9.   Prevention of trafficking in persons

1.   States Parties shall establish comprehensive policies, programmes and other measures:

(a) To prevent and combat trafficking in persons; and

(b) To protect victims of trafficking in persons, especially women and children, from revictimization.

2.   States Parties shall endeavour to undertake measures such as research, information and mass media campaigns and social and economic initiatives to prevent and combat trafficking in persons.

3.   Policies, programmes and other measures established in accordance with this article shall, as appropriate, include cooperation with non-governmental organizations, other relevant organizations and other elements of civil society.

4.   States Parties shall take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.

5.   States Parties shall adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.

Article 10.   Information exchange and training

1.   Law enforcement, immigration or other relevant authorities of States Parties shall, as appropriate, cooperate with one another by exchanging information, in accordance with their domestic law, to enable them to determine:

(a) Whether individuals crossing or attempting to cross an international border with travel documents belonging to other persons or without travel documents are perpetrators or victims of trafficking in persons;

(b) The types of travel document that individuals have used or attempted to use to cross an international border for the purpose of trafficking in persons; and

(c) The means and methods used by organized criminal groups for the purpose of trafficking in persons, including the recruitment and transportation of victims, routes and links between and among individuals and groups engaged in such trafficking, and possible measures for detecting them.

2.   States Parties shall provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in

persons. The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of the victims, including protecting the victims from the traffickers. The training should also take into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society.

3.   A State Party that receives information shall comply with any request by the State Party that transmitted the information that places restrictions on its use.

Article 11.   Border measures

1.   Without prejudice to international commitments in relation to the free movement of people, States Parties shall strengthen, to the extent possible, such border controls as may be necessary to prevent and detect trafficking in persons.

2.   Each State Party shall adopt legislative or other appropriate measures to prevent, to the extent possible, means of transport operated by commercial carriers from being used in the commission of offences established in accordance with article 5 of this Protocol.

3.   Where appropriate, and without prejudice to applicable international conventions, such measures shall include establishing the obligation of commercial carriers, including any transportation company or the owner or operator of any means of transport, to ascertain that all passengers are in possession of the travel documents required for entry into the receiving State.

4.   Each State Party shall take the necessary measures, in accordance with its domestic law, to provide for sanctions in cases of violation of the obligation set forth in paragraph 3 of this article.

5.   Each State Party shall consider taking measures that permit, in accordance with its domestic law, the denial of entry or revocation of visas of persons implicated in the commission of offences established in accordance with this Protocol.

6.   Without prejudice to article 27 of the Convention, States Parties shall consider strengthening cooperation among border control agencies by, inter alia, establishing and maintaining direct channels of communication.

Article 12.   Security and control of documents

Each State Party shall take such measures as may be necessary, within available means:

(a) To ensure that travel or identity documents issued by it are of such quality that they cannot easily be misused and cannot readily be falsified or unlawfully altered, replicated or issued; and

(b) To ensure the integrity and security of travel or identity documents issued by or on behalf of the State Party and to prevent their unlawful creation, issuance and use.

Article 13.   Legitimacy and validity of documents

At the request of another State Party, a State Party shall, in accordance with its domestic law, verify within a reasonable time the legitimacy and validity of travel or identity documents issued or purported to have been issued in its name and suspected of being used for trafficking in persons.

IV.   Final provisions

Article 14.   Saving clause

1.   Nothing in this Protocol shall affect the rights, obligations and responsibilities of States and individuals under international law, including international humanitarian law and international human rights law and, in particular, where applicable, the 1951 Convention[1] and the 1967 Protocol[2] relating to the Status of Refugees and the principle of non-refoulement as contained therein.

2.   The measures set forth in this Protocol shall be interpreted and applied in a way that is not discriminatory to persons on the ground that they are victims of trafficking in persons. The interpretation and application of those measures shall be consistent with internationally recognized principles of non-discrimination.

Article 15.   Settlement of disputes

1.   States Parties shall endeavour to settle disputes concerning the interpretation or application of this Protocol through negotiation.

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[1]United Nations, *Treaty Series,* vol. 189, No. 2545.

[2]Ibid., vol. 606, No. 8791.

2.   Any dispute between two or more States Parties concerning the interpretation or application of this Protocol that cannot be settled through negotiation within a reasonable time shall, at the request of one of those States Parties, be submitted to arbitration. If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court.

3.   Each State Party may, at the time of signature, ratification, acceptance or approval of or accession to this Protocol, declare that it does not consider itself bound by paragraph 2 of this article. The other States Parties shall not be bound by paragraph 2 of this article with respect to any State Party that has made such a reservation.

4.   Any State Party that has made a reservation in accordance with paragraph 3 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 16.   Signature, ratification, acceptance, approval and accession

1.   This Protocol shall be open to all States for signature from 12 to 15 December 2000 in Palermo, Italy, and thereafter at United Nations Headquarters in New York until 12 December 2002.

2.   This Protocol shall also be open for signature by regional economic integration organizations provided that at least one member State of such organization has signed this Protocol in accordance with paragraph 1 of this article.

3.   This Protocol is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approval if at least one of its member States has done likewise. In that instrument of ratification, acceptance or approval, such organization shall declare the extent of its competence with respect to the matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

4.   This Protocol is open for accession by any State or any regional economic integration organization of which at least one member State is a Party

to this Protocol. Instruments of accession shall be deposited with the Secretary-General of the United Nations. At the time of its accession, a regional economic integration organization shall declare the extent of its competence with respect to matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

Article 17.   Entry into force

1.   This Protocol shall enter into force on the ninetieth day after the date of deposit of the fortieth instrument of ratification, acceptance, approval or accession, except that it shall not enter into force before the entry into force of the Convention. For the purpose of this paragraph, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

2.   For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Protocol after the deposit of the fortieth instrument of such action, this Protocol shall enter into force on the thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date this Protocol enters into force pursuant to paragraph 1 of this article, whichever is the later.

Article 18.   Amendment

1.   After the expiry of five years from the entry into force of this Protocol, a State Party to the Protocol may propose an amendment and file it with the Secretary-General of the United Nations, who shall thereupon communicate the proposed amendment to the States Parties and to the Conference of the Parties to the Convention for the purpose of considering and deciding on the proposal. The States Parties to this Protocol meeting at the Conference of the Parties shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted and no agreement has been reached, the amendment shall, as a last resort, require for its adoption a two-thirds majority vote of the States Parties to this Protocol present and voting at the meeting of the Conference of the Parties.

2.   Regional economic integration organizations, in matters within their competence, shall exercise their right to vote under this article with a number of votes equal to the number of their member States that are Parties to this Protocol. Such organizations shall not exercise their right to vote if their member States exercise theirs and vice versa.

3.   An amendment adopted in accordance with paragraph 1 of this article is subject to ratification, acceptance or approval by States Parties.

4.   An amendment adopted in accordance with paragraph 1 of this article shall enter into force in respect of a State Party ninety days after the date of the deposit with the Secretary-General of the United Nations of an instrument of ratification, acceptance or approval of such amendment.

5.   When an amendment enters into force, it shall be binding on those States Parties which have expressed their consent to be bound by it. Other States Parties shall still be bound by the provisions of this Protocol and any earlier amendments that they have ratified, accepted or approved.

Article 19.   Denunciation

1.   A State Party may denounce this Protocol by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

2.   A regional economic integration organization shall cease to be a Party to this Protocol when all of its member States have denounced it.

Article 20.   Depositary and languages

1.   The Secretary-General of the United Nations is designated depositary of this Protocol.

2.   The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Protocol.