**Definitions**

**TRAFFICKING**
- 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 (United Nations "Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children").

**SEX WORK**
- Sex work is a commercial transaction between consenting adults.
- Sex workers include "female, male and transgender adults and young people (aged 18-24) who receive money or goods in exchange for sexual services, either regularly or occasionally" - United Nations and World Health Organisation.

**TRAFFICKING HAS 3 DISTINCT COMPONENTS – ALL OF WHICH NEED TO BE PRESENT BEFORE A CRIME CAN BE CLASSIFIED AS “TRAFFICKING”**.

<table>
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<tr>
<th>ACTION</th>
<th>Recruit, transport, transfer, harbour or receipt of persons.</th>
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<td>TRANSPORT</td>
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<td>MEANS</td>
<td>By means of 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.</td>
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<td>COERCION</td>
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<td>PURPOSE</td>
<td>For the purpose of exploitation.</td>
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“The conflation of trafficking and sex work provides both the anti-prostitution and anti-immigration lobbies with the necessary ammunition to carry out their respective agendas. Anti-prostitution groups utilise anti-trafficking rhetoric to end prostitution. The anti-immigration lobby uses the ‘sex work as violence’ and anti-trafficking discourse to step up immigration restrictions. They emphasise sex workers’ vulnerability during migration to justify placing restrictions on their mobility” - Global Network of Sex Work Projects

**CASE STUDY**

**A prime example: Confusing migrant sex work and trafficking**

Migrant sex workers are routinely viewed as victims of trafficking, and anti-trafficking interventions such as ‘Raid and Rescue’ operations target locations where migrant sex workers work. ‘Raid and Rescue operations’ are often associated with far-reaching human rights violations, lead to the deportation of migrant sex workers, and drive sex workers away from accessing social services.

“Anti-trafficking policies have negatively impacted sex workers; they have been used to detect undocumented immigrants and to deport women. Migrant sex workers are counted in statistics as women at risk but all that is done with these women is to deport them.” Colectivo Hetaira, Spain

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**Sex work, exploitation and migration/mobility model**

*Blue:* If sex work intersects with mobility, it generally refers to migrant sex work or mobile sex workers.

*E.g.* a *sex worker who leaves her home town to work elsewhere and sends remittances for her children’s school fees.*

*Red:* If sex work overlaps with violence or exploitation, it would refer to sexual or labour exploitation in the context of sex work.

*E.g.* a *brothel-owner forces sex workers to work long hours or doesn’t allow them to refuse clients.*

*Green:* If mobility overlaps with exploitation or violence and all three elements of the UN Trafficking Protocol are present (transportation, coercion, and exploitation), this would constitute human trafficking.

*E.g.* a *construction worker is recruited to work on a building site in another country and promised a range of benefits. When he arrives on site, his employers confiscate his passport and he is forced to work before his passport is returned.*

*Yellow:* Only if the exchange of sexual services, exploitation and mobility intersect, is human trafficking for the purposes of sexual exploitation present.

*E.g.* a *woman is promised a job as a waitress in a resort hotel in another country. Her contact helps her to travel there. When she arrives, her travel documents are confiscated, and she is forced to have sex with hotel patrons.*

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**CASE STUDY**

**Sex workers’ rights advocates support evidence-based anti-trafficking programmes that respect human rights, and that emphasise accountability and transparency.**

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**For example, the self-regulatory Board developed and implemented by the Durbar Mahila Samanwaya Committee in India works closely with the sex worker community. It has built on relationships with health services, with rigorous protection and confidentiality mechanisms, as well as case management and case follow-up. They have helped three times more trafficked women and girls than other agencies.**

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**References:**