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Zuleyma Désirée Paz Hillmann 43704	Speciale/ MA Thesis	Combined MA Thesis

Vejleders navn:		
Klaas Dykmann and Lisa Ann Richey		
Afleveringsdato:		
Thursday May 28th 2015		
Antal anslag inkl. mellemrum: (Se næste side)		
226,036 = 94.2 Pages		
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Table of Contents

Abstract.....	page 7
Acknowledgements.....	page 8
Acronyms.....	page 9
1. Introduction.....	page 11
1.1.1 Problem Area.....	page 11
1.1.2 Research Question.....	page 13
1.1.3 Sub Questions.....	page 13
1.1.4 Hypotheses.....	page 13
1.1.5 Relevance.....	page 14
1.1.6 Clarification of Concepts.....	page 15
1.1.7 Structure of the Research Project.....	page 16
2. Methodology.....	page 18
2.1.1 Introduction to Research Approach.....	page 18
2.1.2 Social Constructionism.....	page 18
2.1.3 Qualitative Research.....	page 18
2.1.4 Sources.....	page 22
2.1.5 Delimitations.....	page 23
3. Background.....	page 25
3.1.1 The Global Discourse on Human Trafficking: A Divided Area.....	page 25
3.1.2 The Neo-Abolitionist Side.....	page 25
3.1.3 The Pro-Rights Side.....	page 26

3.1.4	Critique of The Neo-Abolitionist and Pro-Rights Sides.....	page 27
4.	Human Rights.....	page 30
4.1.1	The Human Rights Discourse within the IBR.....	page 30
4.1.2	Critique of UN Human Rights.....	page 30
4.1.3	Universalism, Western Construction, and lack of enforcement measures.....	page 30
4.1.4	Fragmentation of Human Rights.....	page 31
4.1.5	Social and Bourgeois Constructions.....	page 32
4.1.6	Human Rights outside Western Context.....	page 33
4.1.7	Double Standards.....	page 33
4.1.8	Cultural Contexts.....	page 33
4.1.9	Feminist Critiques of Human Rights.....	page 34
4.1.10	Relevance For The Global Discourse on Human Trafficking and Sex Work.....	page 36
5.	Theory.....	page 37
5.1.1	CODA.....	page 37
5.1.2	CDA.....	page 40
6.	Analysis.....	page 44
6.1.1	Sub Question 1.....	page 45
6.1.2	Conflation of sex work with trafficking.....	page 45
6.1.3	The contestation over the terms ‘sex work’, ‘sex worker’ and ‘prostitute’ and Consent and Agency.....	page 48

6.2 Causal Factors for Female Migration in Relation to Sex Work and Higher Risks of Trafficking.....	page 50
6.2.1 Gender-based Discrimination.....	page 50
6.2.2 Restrictive Immigration Policies.....	page 52
6.2.3 Economic Reform Policies.....	page 54
6.2.4 Criminalization versus Decriminalization.....	page 57
6.3 Sub Question 2.....	page 62
6.3.1 Conflation of sex work with trafficking.....	page 62
6.3.2 Consent and Agency.....	page 64
6.3.3 Causal Factors for Female Migration in Relation to Sex Work and Higher Risks of Trafficking.....	page 66
6.3.4 Gender-based Discrimination.....	page 66
6.3.5 Restrictive Immigration Policies.....	page 68
6.3.6 Economic Reform Policies.....	page 70
6.3.7 Criminalization versus Decriminalization.....	page 72
7. Discussion.....	page 76
7.1 Putting the global discourse on human trafficking and sex work into perspective: recent developments.....	page 81
8. Conclusion.....	page 82
9. Works Cited.....	page 85
10. End Notes.....	page 93

Abstract

This thesis is a research study in International Development Studies and Global Studies at Roskilde University. Its focus is the global discourse of human trafficking and sex work. It examines how prominent global NGO's within the area, the CATW, NSWP, the GAATW and the UN as an important global legislative unit working with issues relating to sex work and human trafficking, portray their arguments for or against sex work, particularly in the links between sex work, migration, and human trafficking. Human trafficking is a multifarious area, full of contestations over many issues. Some of these disputes are due to different understandings, ideologies and concepts within the field. This thesis studies, how three of the leading international NGO's have influenced the global debate in relation to human trafficking and prostitution. It looks at how the debate within the UN has responded to the arguments on prostitution, migration, and trafficking set forth in the discourses of the CATW, the NSWP and the GAATW. I examine how the UN places itself in the ideological struggle on human trafficking in the current shifting discourse on the global stage. It looks at to what extent a neo-abolitionist or pro-rights approach exists within the UN.

Acknowledgements

Lisa Ann Richey: Supervisor (International Development Studies): Professor (MSO) and Head of Doctoral School.

Klaas Dykmann: Supervisor (Global Studies): Associate Professor and Head of Studies.

Selina Urbak- Mård

“A special thank you to my younger sister Patricia Hillmann for always having her doors open for me and for her love, compassion, support and encouraging words in my times of trial and to my father, Bent Hillmann, who passed away January 3rd 2015 and who would have been very proud and delighted that I have finally handed in.”

ACRONYMS

CATW - Coalition against Trafficking in Women

CDA - Critical Discourse Analysis

CODA - Constructivist Discourse Analysis

GAATW - Global Alliance against Trafficking in Women

IBR- International Bill of Rights

ICCPR - International Covenant on Civil and Political Rights

ICESCR - International Covenant on Economic, Social and Cultural Rights

IGOs – Inter- Governmental Organizations

ILO - International Labour Organization

IMF - International Monetary Fund

IOs - International Organizations

IOM - International Organization for Migration

OHCHR - Office of the United Nations High Commissioner for Human Rights

NGOs - Non-Governmental Organizations

NSWP - Global Network of Sex Work Projects

SAP- Structural Adjustment Program

UDHR - Universal Declaration on Human Rights

UN - United Nations

UNAIDS - United Nations Joint Program on HIV/AIDS

UNDP - United Nations Development Program

UNESCO - United Nations Educational, Scientific and Cultural Association

UNFPA - United Nations Population Fund

UNODC - United Nations Office on Drugs and Crime

UN WOMEN- United Nations Entity for Gender Equality and the Empowerment of Women

1. Introduction

Throughout the course of my studies within International Development Studies and Global Studies at Roskilde University, I have gained knowledge within many areas spanning from migration, transnationalism, the global economy, international relations, gender (in)-equality, poverty, international institutions, relations between the Global North and Global South, Post-Colonialism and etc. They are all interconnected, and are outcomes of globalization, having implications for people all over the world. Additionally, I am a voluntary outreach worker for ‘Gadejuristen’ⁱ, where I have been able to put my theoretical knowledge into practice, helping migrant sex workers in Denmark. I also have a close friend who sells sex, and through her I gained insight to the sex trade. I discovered there are many precarious issues, which sex workers face and shareⁱⁱ irrespective of their origin, based in the common denominator of selling sex.

One of the issues I find interesting, which is related to migration and globalization, is trafficking in relation to prostitution. Through extensive reading of scholarly literature, media publications, and conversations with Danish and migrant sex workers, I realized it is a complex field full of paradoxes as e.g. the discrepancy between good intentions and negative outcomes of policy practices. I therefore decided to write my thesis about human trafficking in relation to prostitution and migration, hoping to get a deeper insight of the multiple and deeply contested issues within the area. This thesis will let me explore some of the links that lie within human trafficking, sexual labor, and migration.

1.1.1 Problem Area

Throughout time human trafficking has drawn attention and concern from various actors as e.g. national policy makers, religious groups, activists and feminist movements, the media, scholars, and international society (Agustín 2001: 108; Anderson 2007: 3-4; Bernstein 2007: 133- 4; Chapkis 2003: 925; Kempadoo 2003: 146). Situating trafficking within the Global North, the first traces of a human trafficking discourse arose in the 1880’s in Great Britain with ‘white slavery’ (Doezema 2010: 57; McDonald 2004: 160). The discourse emerged from concerns about European women’s migration. Reports of British women working in Belgian brothels and the migration of women and girls caused concern among health professionals, religious groups, policy and law makers, and feminist circles (Doezema 2010: 57; Bernstein 2007: 132; Desyllas 2007: 61; McDonald 2004: 143, 160-3). The discourse was centered on the supposed traffic in women and girls for the purpose of

exploiting them in domestic, and overseas sex trades. In the U.S, concerns on female trafficking were linked to male migration, male labor and to male migrants engaged in delinquency. According to common perception, this led to the rise of prostitution and white slavery, which entailed the seduction, force, and false marriage, in order to lure poor white immigrant women into the sex trade, typically by foreign-born men (Bernstein 2007: 132; Desyllas 2007: 61; Doezema 2002: 23-4; McDonald 2004: 158-60).

The 19th century narrative on white slavery has sown the seeds for today's discourse on human trafficking, which emerged in the 1980's from new geo-political circumstances, and increases in pattern migrations, which still exist (Kempadoo 2001: 29; Sharma 2005: 100), and which has marked the area with moral traces in the dominant discourse from the Global North (Peach 2005: 123). The new narrative revolves around concerns on women's migration. Even though the current debate involves a wider array of tales and actors all spanning from trafficking for the sex trade and other sectors, and entails multiple voices from states, religious groups, human rights movements, feminist organizations, and international society etc., focus is still on the movement of women into sexual labor. Yet, it is now on women migrating from the Global South to the West. Therefore, it can be argued there has been a change in the subject, which inculcates a Global North – Global South Dimension to the discourse (Agustín 2006: 40- 1; Butcher 2003: 1983; Desyllas 2007: 58; Kempadoo 2003: 143-6; Sharma 2005: 100).

Studying the current global discourse on human trafficking within a Global North – Global South perspective is interesting and important, since as Desyllas argues 'it is the hegemonic position of the global North that has dominated the construction of the definition of trafficking and its subsequent policy' (2007: 58). The outcomes of this definition and policies surrounding it have shown that good intentions do not always lead to positive outcomes. For instance the US has had a pivotal role in the global debate and construction of trafficking; reflecting an abolitionist ideology in its policies on trafficking and prostitutionⁱⁱⁱ, and both US foreign and domestic policies on trafficking, have had severe negative outcomes in the supposed fight against trafficking^{iv}. The abolitionist perspective reflected in U.S policy can be accredited to the lobbying efforts of the CATW, which has worked extensively with the Bush Administration. It is a feminist NGO and its goal is to abolish prostitution. It has had success in constructing a discourse on human trafficking and prostitution, which has created a global regime with anti-prostitution as its internationally accepted norm. Yet, it is important to note that today's global human trafficking discourse is not

only centered on the view, which the CATW is a primary espouser of. A counter discourse exists, which has been termed as a ‘sex worker rights approach’. The GAATW and NSWP are the primary advocates of this stance (Agustín 2006: 41; Bernstein 2007: 133-4; Chew 1999: 12; Desyllas 2007: 59- 62; Doezema 2005: 67-8; Kempadoo 2001: 35-6; McDonald 2004: 165-6; Outshoorn 2005: 148-50; Saunders 2005: 347). It is within the neo-abolitionist and the pro-rights perspectives this thesis is based on. In this research project, I study how the CATW, GAATW, and NSWP have contributed to creating and influencing a global debate on human trafficking in relation to sex work, and I try to decipher which position the UN, as an international institution and an important global actor, has taken in this debate.

1.1.2 Research Question

In light of what I have presented above, and in the current context of the global discussion on human trafficking in regards to sexual labor, I therefore ask:

To what extent have the GAATW and the NSWP – who represent the pro-rights side – and the CATW- who represents the neo-abolitionist perspective- influenced the global discourse on human trafficking in regards to sex work?

1.1.3 Sub Questions

In order to find a satisfactory and appropriately grounded answer, I have elaborated my main research question into two sub questions to serve as guidelines:

1. ‘How do the GAATW, the NSWP, and the CATW view sex work in relation to migration and trafficking?’
2. ‘Looking at the discourse of the UN, how has the organization responded to the issue of sex work in relation to migration and trafficking, as set forth by the GAATW, the NSWP, and the CATW?’

1.1.4 Hypotheses

In order to substantiate and answer my sub and main research questions, I put forth a hypothesis that the CATW, NSWP, and GAATW have in fact been able to influence the global discourse on human trafficking in regards to sex work. I argue that their influence has been relatively successful. I support this by contending the UN has taken a clear and uniform stand when it concerns sex work,

but still shows ambivalence when it concerns issues of when engaging in sex work- particularly when moving across borders- can be defined as trafficking or voluntary migration.

1.1.5 Relevance

The field of human trafficking is not an under studied area. Numerous studies have been elaborated in order to better comprehend the scope and magnitude of the problem. These studies come from IOs, IGOs, nation states, NGOs and a vast body of scientific research. It is not an isolated discourse either. As I will show in this thesis, the area has close and relevant ties with other global discourses. Examples of other important discourses, which tie to the global discourse on human trafficking, are e.g.: the global discourse on HIV/AIDS, the discourse on international relations, and the global discourse on international human rights. Concerning the relation between the global discourse on human trafficking and HIV/AIDS it must be noted that HIV/ AIDS prevention measures have been significantly affected by anti-trafficking laws in recent years (Desyllas 2007: 70; Doezema 2010: 130; McDonald 2004: 165). These laws have been accused by some scholars, of having been used in international relations to further other international and geo-political agendas as e.g. anti-immigration laws (Chapkis 2003: 926-7; Desyllas 2007: 61-2). Particularly interesting for this study is how the global discourse on human trafficking overlaps with the global discourse on human rights, simply because first and foremost at its core, human trafficking is a human rights issue since it together with forced labor is defined as a direct violation of these rights, and because in the international political arena, the human rights discourse is the most influential when framing disagreements around oppression and freedom (Desyllas 2007: 63; Doezema 2005: 69; Jahic & Finckenauer 2005: 32; Outshoorn 2005: 147). Given the above, I thus find it relevant analyzing human trafficking as a discourse, since it lies in discursive overlaps and is an area replete with ideological contestations.

I find the global neo-abolitionist and pro-rights side discourses particularly vital in order to examine the different aspects of the global discourse on human trafficking. The CATW, NSWP, and GAATW have an extensive outreach and collaborate with many NGO's located all over the world^v. Furthermore, they have worked together with various UN bodies dealing with human rights, health, and other related issues (Barry 1995: 5-10)^{vi}. I find it relevant to include the discourses of the abovementioned organizations, especially within a human rights perspective, and relate and reflect the arguments set forth by these actors, and see how they have resonated within

the UN. I choose the latter since it is within here, modern international human rights have been formulated (Normand & Zaidi 2008: 10).

1.1.6 Clarification of Concepts

In this thesis I consequently apply the terms ‘sex work’ and ‘sex worker’ over ‘prostitution’ and ‘prostitute’. Both terms are central in the global discourse on human trafficking and are often ideologically inclined¹. The latter terms have been criticized for being condescending, while the former have become more commonplace (Mensah 2007: 1; McDonald 2004: 166; Saunders 2005: 344). I have decided to use the terms sex work/sex worker since I wish to follow the common and less stigmatizing lines. The other two terms will make their appearance when references to external sources are made, and it should be noted that many of the sources referred to apply both ‘prostitution’ and ‘sex work’ interchangeably.

The term ‘trafficking’ used in this thesis follows in line with the internationally defined term, which the UN has set forth in its Trafficking Protocol which states ‘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’ (UN 2000: Art. 3 (a)). I follow this definition since it is within the UN regime a first international definition was elaborated (Anderson 2007: 1; Desyllas 2007: 63; Outshoorn 2005: 149; Peach 2005: 113). Furthermore, since I am looking at how the UN is responding to human trafficking and sex work, I deem it most appropriate to work with the definition set forth by it.

International Human Rights Law is defined as the law aimed at protecting individuals and groups against violations of their internationally guaranteed rights, and the promotion of these rights. Within this study, “human rights” refers to the universal principles shared in the UDHR, ICCPR, and the ICESCR and which together comprise the IBR (Lauren 2003: 244; Normand & Zaidi 2008: 198). These rights are universal, inherent to all human beings and include all

¹ I shall return to this in wider detail later.

generations of human rights, which are: civil and political rights, and social, economic, and cultural rights. Furthermore, they are important to draw into an analysis on the global discourse on human trafficking, since both the neo-abolitionist and pro-rights sides relate their discourse to this human rights discourse.

Other terms that will emerge are: ‘Global North’, ‘Global South’, ‘West’, ‘non-West’, ‘Developed World’ and ‘Developing World’. I use ‘Global North’ to encompass countries which are considered to be located in the ‘West’ and the ‘developed world’ which include the U.S, Canada, parts of Europe, Japan, Australia and New Zealand. These states have been defined as ‘developed’ countries with relatively higher socioeconomic status. The counterparts are the ‘Global South’, ‘non-West’ and ‘Developing World’ and generally refer to Africa, parts of Asia, the Middle East, and Latin America. These countries are often viewed as developing and most of them are former European colonies. It must be noted that these terms are problematic in nature and require critical consideration in their use. I present the terms dichotomously in order to emphasize how they are used to conceptualize difference. Moreover, I do not use them in a strict geographical sense, but also as a social construction. Each category includes differences, exceptions and nuances. The terms will also be used accordingly to contexts and how theorists and scholars use them.

Finally, I also use the term ‘discourse’. It is meant to imply the ideas, ideologies, and opinions the CATW, NSWP, and GAATW, have in relation to human trafficking, migration, and sex work. I use the term to explore the nature of their social actions by looking at how their actions and meanings are constructed through text and talk. Finally, discourse as a term is also used when I study the UN position on human trafficking, sex work, and migration. I look at how the ideologies, ideas, and opinions of the abovementioned actors are reflected in the language of the UN, and thus hope to see how the abovementioned NGO’s have been able to construct and influence a global discourse on human trafficking and sex work.

1.1.7 Structure of the Research Project

Following this introduction I provide my reader with the methodological approach applied. I present the theoretical science approach, which guides this thesis and qualitative inquiry. I delineate why it was used, and which sources have been used. The chapter also includes reflections over delimitations to the chosen methodology.

Then I present an essential background to the complex area of human trafficking and the competing sides within. The chapter presents the neo-abolitionist discourse from which the CATW operates within, and the pro-rights debate within which both the GAATW and CATW reside. Critiques of these two discourses are included. Subsequently, I depict the human rights discourse as expressed within the UN. I provide an insight to what human rights are and I present some critiques they have been subjected to. In relation to the field of trafficking and sex work these critiques are important, since they are relevant for any current talk on human trafficking, human rights, migration, and sex work. Moreover, the human rights issue is particularly pertinent within both sides of the global debate on trafficking, and it is therefore relevant to introduce background information on human rights. The chapter also explains how the critiques fit within the global discourse on human trafficking and sex work

I then introduce the theories used to discuss the extent to which the CATW, NSWP, and GAATW have been able to influence the global discourse on human trafficking and sex work, and how the UN has positioned itself in the field. I begin by delineating Constructivist Discourse Analysis, as elaborated by Neubert and Reich, and Critical Discourse Analysis using Teun van Dijk's and Norman Fairclough's, Jane Mulderrigs' and Ruth Wodaks' approach to the theories. Following this is the analysis. I start by answering my first sub question which examines the ideologies the CATW, NSWP, and GAATW reflect in regards to the link between sex work, migration, and trafficking, and in my second sub question I analyze to what extent the UN has reflected these in its view on the matter. I bring my findings into a discussion in which I juxtapose and discuss the global discourse on human trafficking and sex work in relation to the human rights discourse in the IBR and point out some critical viewpoints in relation to my chosen methodology and theoretical approach. I then depict the recent developments within the area. In my conclusion, I answer to what extent the neo-abolitionist and pro-rights sides have influenced the global discourse on human trafficking and see if my hypothesis holds any validation. It is also in this section that my own personal reflections and opinions will appear.

2. Methodology

This chapter starts with a general introduction to my research approach. I present the theory of science foundation, which guides my thesis: social constructionism. I then situate my study within qualitative research and depict the sources used for this thesis. Finally, delimitations over the methodology and shortcomings, which emerged during its course, are included.

2.1.1 Introduction to Research Approach

2.1.2 Social Constructionism

This thesis is guided by the theoretical science approach of social constructionism. The main idea of this approach rests on the dialectic process in which society is a product of and shaped by human beings, who are likewise shaped by society (Berger 1969: 3). In relation to qualitative research, it is important to stress that this kind of inquiry strives to examine social constructions of reality and ‘how groups and individuals define situations and give meaning to their experiences and surroundings’ (Warren & Karner 2010: viii). Bryman says the ontological position of social phenomena is that these are produced through social interaction undergoing constant revision, in which ‘researchers own accounts of the social world are constructions’ (Bryman 2012: 33). Researchers will always portray a particular version of social reality, which cannot be viewed as definitive, and knowledge is therefore indeterminate (ibid). In order to adequately comprehend human trafficking as a social issue, as well as the different perspectives and understandings as to how the problem arises, it is important to know of and be able to show how such a social problem is constructed in society – one of which is through NGO’s, and international organizations who represent authority via membership of nation states. An in-depth analysis of the neo-abolitionist and pro-rights sides within the global discourse on human trafficking and sex work, is an effective way to observe how the social issue of trafficking is constructed, and how the construction of this particular problem has resonated within a global institution such as the UN, which can be said to have international authority since it currently includes membership of at least 193 states^{vii}.

2.1.3 Qualitative Research

Qualitative inquiry is accredited for its explanatory power and for the plethora and depth of information it provides. Holland and Campbell (2005) describe the field of qualitative research as ‘rather than standardizing to describe the norm, qualitative research seeks to explain difference [...]’

to explore the complexity and multiple realities of societies and communities'(5). Tracy (2013) credits qualitative inquiry for allowing researchers to study contexts in which one is 'personally curious about but have never before had a "valid" reason for entering' (5). She argues qualitative research gives 'insight into cultural activities that might be otherwise missed in structured surveys or experiments' (5). Qualitative research is useful since it 'has the potential to provide insight about marginalized, stereotyped, or unknown populations – a peek into regularly guarded worlds, and an opportunity to tell a story few know about' (Tracy 2013: 5). Bryman applauds qualitative inquiry for being a research tool which does not emphasize on quantification in gathering and analyzing data, and which has an epistemological position based on 'the understanding of the social world through an examination of the interpretation of that world by its participants; and an ontological position described as constructionist, which implies that social properties are outcomes of the interactions between individuals, rather than phenomena 'out there' and separate from those involved in its construction' (Bryman 2012: 380).

Relating the ideas above of how qualitative inquiry can be a useful tool in conducting research, I argue the issues of trafficking and sexual labor are precarious and often the people involved in the sex trade, including migrants and other people who have been trafficked, do not speak openly about their experiences. Their stories are often unknown and they are parts of groups, which are confined to the margins of society. Their narratives come out because some people and institutions are willing to give them a voice. This is the case for the CATW, NSWP, and GAATW who do research and work with people who have migrated, or have been trafficked. This makes these NGOs particularly interesting, since they can be perceived as representing the voices of people who have a story unlike others and who, out of personal concerns, do not want to break with the possibility of being anonymous, due to the stigma that is often accompanied with having sold sex and maybe having crossed borders illegally to do so (Kempadoo 2001: 29-30; Weitzer 2007: 455). Reflecting on Brymans' praise of qualitative inquiry, I argue this particular kind of research method will allow me to understand how the actors within the global discourse on human trafficking and sex work, understand and construct the phenomena of migration, trafficking, and sexual labor, and how they portray the people whose voices they say they represent. Additionally, qualitative inquiry will help me see what the differences, complexities, and multiple realities of trafficking and sex work are.

Another essential part of qualitative inquiry is the role that researchers play in the collection and analysis of data and its dissemination. Researchers often seek to understand how ‘something works’ (Stake 2010: 25). They search for ‘causes, for influences, for preconditions, for correspondences’ (ibid). As much as results might help understand problems, and thus look for solutions, it is not the data itself, however, that provides these. It is more the interpretation of observations, measurements, and data that will stand as ‘persuasion of one meaning more than another’ (Stake 2010: 25). Relating Stakes arguments to my study, I believe qualitative inquiry will enable me to analyze my data so I can find out how the CATW, NSWP, and GAATW construct a trafficking discourse, within a nexus of sex work, migration, and trafficking, and see what they believe to be the causes and influences of trafficking, and how these causes come into play against each other. I believe a qualitative study will help me explore the construction of a trafficking discourse within the UN regimen, and help me analyze if the arguments set forth by the neo-abolitionist and pro-rights sides of the global debate on human trafficking and sex work have been able to resound within the latter.

Other important considerations for choosing qualitative research methods rest on the fact, that the theoretical orientation of this thesis is based on constructivist and critical discourse analysis. Qualitative methods are useful when using discourse analysis in research, since language is constitutive of the social world. Foucault defines discourse as ‘a term that denoted the way in which a particular set of linguistic categories relating to an object and the ways of depicting it frame the way we comprehend that object’ (Foucault in Bryman 2012: 528). Additionally, qualitative inquiry is useful since the latter ‘emphasizes the way versions of the world, of society, events and inner psychological worlds are produced in discourse’ (Bryman 2012: 528). Discourses are constructionist since they portray versions of reality propagated by members of different social settings. Conducting discourse analysis within qualitative methods allows for investigating ‘the fashioning of that reality through their renditions of it’ (Bryman 2012: 529). Furthermore, discourse, is used by people in order to accomplish things through talk and writing (ibid).

Qualitative inquiry is also of use when doing CDA, since the latter is a methodological and theoretical tool that focuses on ‘the role of language as a power resource that is related to ideology and socio-cultural change’ (Bryman 2012: 536). CDA is praised for enabling researchers to be more open towards ‘the idea of a pre-existing material reality that constrains individual agency’ (Bryman 2012: 537). Discourses ‘should be examined in relation to social structures, including the power relationships that are responsible for occasioning them’ (Bryman

2012: 537). Within the contexts of organizations, CDA researchers try to explore how discourses are constructed and maintained in regards to certain phenomena e.g.: trafficking. In order to conduct a study of phenomena there are certain questions, which arise. For example: How has the discourse come to represent a certain meaning, when previously it might have had another. How does the discourse draw on and influence other discourses, how is it constructed through texts, and how does it give meaning to social life and ‘makes certain activities possible, desirable, or inevitable’ (Bryman 2012: 537). Last but not least, CDA studies how certain actors ‘draw on the discourse to legitimate their positions and actions’ (Bryman 2012: 537).

Regarding my thesis I deem qualitative inquiry within discourse analysis useful, since I want to explore how the CATW, NSWP and GAATW have constructed a discourse on human trafficking in relation to sex work and women² in it. I want to know how they propagate the reality constructed in their discourses, and see how these have influenced the debate, taking place within the UN. I find it vital to examine the interplay they have had with the UN. In relation to this, I will be reflecting over the respective discourses and see if they link intertextuality^{viii} within each other or the human rights discourse found in the IBR. Finally, I believe using qualitative research in conducting CODA and CDA will help me decode why certain meanings of trafficking and sexual labor have had precedence, and how these meanings are now being challenged within the current debate. In this sense, I want to see how the historically prevailing neo-abolitionist, has been challenged by the pro-rights side and by the UN.

Finally, I apply qualitative inquiry, since quantitative data on human trafficking is generally lacking or highly unreliable (Agustín 2006: 31; Chapkis 2003: 925; Kempadoo 2003: 143; Jahic & Finckenauer 2005: 27-8; McDonald 2004: 145; Peach 2005: 108). Thus, any attempt at applying a quantitative approach or a combination of methods to my thesis would be futile. It would potentially imply a weak methodological basis, and make my analytical framework questionable.

² I limit my thesis to focus only on women since I have a limited scope and given other precarious issues in relation to children and sex work as e.g. the ability to make rational decisions and difficulties of consenting without knowing the full consequences of this are particularly relevant when it concerns minors.

2.1.4 Sources

This thesis encompasses different sources and types of data. In the background chapter, I portray the two opposing sides of the global debate on human trafficking and sex work. I use data gathered in the form of publishing's from scholars, activists and key sources within the pro-rights and neo-abolitionist sides. I use data from leading figures within the CATW, NSWP, and GAATW. Among these, I mention Barry, Leidholdt, Raymond, McKinnon, Overall,^{ix} Agustin, Bernstein, Chapkis, Chew, Doezema, Kempadoo^x etc. I also make use of other firsthand references as e.g.: the websites of these NGOs.

For the chapter on human rights I use data gathered from scholars as e.g.: Normand and Zaidi, Lauren, Donnelly, Dykmann, Ishay, Cook, Bunch, Okin etc. The reason for choosing these scholars is that they have conducted extensive research and writings on the topic of human rights, either in collaboration with the UN or from within critical, as well as feminist and/or scholarly views. I also make use of first hand sources as official UN websites.

For my theoretical framework I primarily rely on the works of Neubert and Reich within CODA, and on van Dijk and Fairclough, Mulderrig and Wodak within CDA. I chose these theorists since I deem the research tools they have formulated fruitful for conducting a critical inquiry of the global discourse on human trafficking and sex work. Neubert and Reich have drafted a framework within CODA that allows for a theoretical approach, which can help identify how discourses are constructed, and how they can be symbolic of the existence of different interpretive communities. Furthermore, within their framework, I think it is possible to see how the two sides within the global debate on human trafficking try to influence the discourse on this topic within the UN. Within CDA, I mainly chose van Dijk and Fairclough since they have formulated approaches which allow conducting a critical study of how language is part of social power relations, domination, and ideology (Fairclough 2001: 229), and for studying how dominance, power abuse, and inequality are adopted, reproduced, and resisted by text and talk in the social and political contexts (van Dijk 2001: 352). I think the theoretical approaches of the abovementioned theorists will help me see how the organizations in scope construct their arguments, ideas, and ideologies in relation to sex work, and how they might help reenact dominance, power abuse, and inequality in the discourse of the UN.

My analysis relies on sources from prominent persons within the CATW, NSWP, and GAATW, and scholars who do research within the field of trafficking, these include Barry, Ham, Leidholdt, Mensah, Napier-Moore, Pearson, Sullivan, Touzenis and Raymond. The work of these authors will be referred to when I answer the sub and main research questions. I also rely on publications downloaded directly from the official website of the NGOs. The same holds for my data gathered from the UN. I use sources from various UN bodies, which work with trafficking, sexual labor, and human rights. These come in the form of publications by scholars and have been downloaded directly from official UN websites.

2.1.5 Delimitations

Albeit qualitative inquiry being credited as fruitful for conducting research, there are a few points of critique I would like to highlight. Stake points out to various issues, which can lead to constraints when doing qualitative research. He argues that qualitative research is subjective and ‘personalistic’ (Stake 2010: 29). Although subjectivity is a vital element for understanding human activity, like the one taking place when e.g. humans construct a social problem centered on trafficking or when they construct, participate in, and contribute to discursive practices in order to help maintain a particular kind of discourse, it can leave open space for misunderstandings due to the unawareness of the own researchers intellectual shortcomings. This is further underscored by the fact that researchers tend to ‘treat contradictory interpretations as useful data’ (Stake 2010: 29). Regarding my thesis, I try to portray the global discourse on human trafficking in relation to sex work from both sides. I make my reader aware that as far as my academic abilities allow me, I try to keep a critical stance to the data gathered and analyzed, consciously reflecting over it to try to avoid treating it as useful if and when it shows contradictions. Additionally, I want to clarify that I am well aware that the concept of human rights is very ample and does not delimit itself to the UN. Yet given that current international laws on human rights have been shaped within the UN system, I find it more appropriate to focus on human rights within this institution.

Another area of concern within qualitative methods is ‘Self-reflexivity’ (Tracy 2013: 2-3). This is described as ‘the ways in which researchers’ past experiences, points of view, and roles impact the same researchers’ interactions with, and interpretations of, the research scene’ (Tracy 2013: 2). Tracy points out that a researchers’ values, beliefs and background are essential in shaping the way he or she approaches and conducts the study (Tracy 2013: 3). Due to the personal acquaintances I have made with people in sex work, I have my own opinion regarding this issue.

Yet my aim is not to further neither the neo-abolitionist nor sex worker rights based ideologies. I aim at conducting a critical analysis of both sides, and take a critical look at the debate within the UN.

Finally, I would like to clarify my original intention was to provide my own data in the form of conducting online interviews with the CATW, NSWP, and GAATW. I was hoping to present statements from people working with matters of human trafficking and sex work within the UN. I thought producing my own data and getting direct statements from important actors within the organizations would have given my thesis a stronger foundation, since I would have been able to back up my theoretical argumentations with first hand accounts from key figures. I contacted the GAATW and NSWP asking if they could assist in doing interviews, but they politely declined my request on the basis that their work load is too high and resources too few in order to assist a MA thesis student. Given my concern of not wanting to produce research, which could be perceived as biased, I therefore refrained from contacting UN bodies or the CATW. Thus this thesis is based on a theoretical foundation, in which my empirical material is gathered through work from scholars, activists, and Internet sources, but who nonetheless can be regarded as valid and primary sources.

3. Background

This chapter presents the ideological divide in the global anti-trafficking movement; the neo-abolitionist and the sex worker rights based approaches and a brief overview of the critique to which they have been subjected. As mentioned before, human trafficking as an issue dates back to the 19th century with concerns over white slavery. The campaigns issued then, were focused on the trafficking of mainly ‘Western’ women for prostitution in the Global South (Doezema 2010: 4; Saunders 2005: 344-6). Today’s debate on human trafficking has been marked by many feminist NGO’s, such as the CATW, NSWP, and the GAATW. Unlike its historical precedents, the global discourse on human trafficking is now centered on people who predominantly come from the Global South (Doezema 2010: 4; Peach 2005: 108; Sharma 2005: 100). Yet it is still the Global North which by large has led the global discourse, including policy enforcements, definitions and global anti-trafficking efforts (Desyllas 2007: 58; Saunders 2005: 352).

3.1.1 The Global Discourse on Human Trafficking: A Divided Area

Globally the anti-trafficking field is split into two competing sides, characterized by different views on how to deal with human trafficking. On one hand trafficking is seen as a problem related to migration, human rights, or public health, whilst the other sees trafficking as a question of morality, crime, gender inequality, abuse of women and moral- or public order (McDonald 2004: 166) The latter view advocates towards a criminalization of prostitution, whilst the former supports a decriminalization (Agustin 2001: 109; Anderson 2007: 3; McDonald 2004: 166). The contemporary debate on trafficking arose during the 1990s in which new concerns on women’s migration from the Global South to the Global North emerged, and since then it has aroused much debate and favor has in general been given to the neo-abolitionist view (Jahic & Finckenauer 2005: 24; Kempadoo 2001: 36). The CATW is one of the key organizations that work towards spreading the neo-abolitionist ideology globally. The pro-rights side to the debate is mainly influenced by advocates of the sex worker rights movement. Within this view sex is seen as labor, making all trafficking a labor and human rights issue. Key global organizations here are the GAATW, and the NSWP (Agustin 2006: 41; Chew 1999: 12; Desyllas 2007: 62; Doezema 2005: 67-8; Saunders 2005: 347).

3.1.2 The Neo-Abolitionist Side

The leading side of the debate that advocates for the abolition of prostitution includes religious conservatives and radical feminists who promote a view based on moral principles, they are known

as ‘neo-abolitionists’ (Bernstein 2007: 133-4; Desyllas 2007: 59; Weitzer 2007: 449). Within here the joining of feminists, conservatives, and religious groups is grounded in the joint efforts to abolish prostitution. Together they advocate for anti-prostitution, since they perceive it to be immoral and a threat to traditional social values by engaging sex from outside traditional family structures (Bernstein 2007: 134; Weitzer 2007: 451). Within the neo-abolitionist ideology the ideas of women voluntarily engaging in sex work is non-existent; it does not consider sex work as legitimate labor. This automatically implies that ‘sex workers’ and ‘sex work’ do not exist within radical feminist ideology (Barry 1995: 70; Leidholdt 2004: 177; Overall 1992: 712- 14; Saunders 2005: 350; Weitzer 2007: 451).

Any forms of sexual labor are ideologically considered to be violence against women, implicating that women cannot consent to any act of prostitution (Barry 1997: 30; Leidholdt 2004: 172; Raymond 2004a: 324). A main line of argument within this framework is that prostitution cannot be consented to, since it is always forced by circumstances or otherwise, and it is akin to sexual slavery. Women in prostitution are consequently constructed and portrayed as victims (Desyllas 2007: 59; Doezema 2010: 27; Jeffreys 1997: 176-182; McKinnon 1993: 7). The neo-abolitionist line of reasoning automatically links trafficking and prostitution together, and believes that in order to successfully address trafficking, prostitution must be eradicated (Weitzer 2007: 454-5). Additionally, the radical feminist ideology places emphasis on male demand, since it believes that it is the demand for sexual services that maintains prostitution and keeps women in sexual slavery (Barry 1997: 30; Leidholdt 2004: 171; Raymond 2004a: 326)^{xixii}. An important achievement has been accomplished by the radical feminists. The common conflation of trafficking and prostitution has become a common feature when talking about trafficking, given the dominance the sex trafficking framework has had, and the high success the neo-abolitionists have had in advancing their cause (McDonald 2004:168; Saunders 2005: 351; Weitzer 2007: 459-67).

3.1.3 The Pro-Rights Side

A counter discourse representing the voices of those directly involved in sex work has made its entrance on the global center stage. The ‘sex worker rights’ based approach, views sexual labor in a radically different light than the neo-abolitionists. Within this lens it is considered an income generating activity, and workers are seen as individuals who do this to mainly make a living. It is argued that sex work is a service sector job, which is not always inherently degrading. It sidelines prostitution to other jobs and in some instances it is considered a better option^{xixiii}. Unlike the

violence against women discourse, the pro-rights side views sex work as a contractual service which is negotiated and consented to by both parties, as long as both are adults (Anderson 2007: 3; Mensah 2007: 2; Doezema 2005: 70). This indicates that the view of consent is radically different. Whereas the former overrules any possible ideas of women consenting to prostitution, the sex worker rights discourse emphasizes women have the human rights to self-determination and to make personal choices over own bodies and lives (Bernstein 1999: 97-8; Butcher 2003: 1983; Chew 1999: 14; McDonald 2004: 166; Outshoorn 2005: 145; Saunders 2005: 347).

For advocates of the pro-rights view the problem with sex work does not lay specifically within the work itself, but more with the surrounding issues and compounding factors that lead to sex work, and which need to be addressed more adequately if impeding trafficking is the goal (Agustín 2006: 37-43; Anderson 2007: 4; Desyllas 2007: 73; Jahic & Finckenauer 2005: 38; Kempadoo 2001: 42-6). The pro-rights discourse advocates for drawing a clear line between coerced and chosen sex work, and for recognizing that sex work does not always involve trafficking. Hence the sex worker rights movement does not believe that prostitution and trafficking are inextricably linked: the argument held is that for adequately addressing trafficking, sex work must be decriminalized^{xiv} (Anderson 2007: 3; Bernstein 1999: 93; Chapkis 2003: 928-9; Desyllas 2007: 69; Doezema 2010: 21; Outshoorn 2005: 145; Peach 2005: 115). Finally, the pro-rights side places emphasis on state authorities and how they treat people in the sex trade. It is argued that state authorities are the prime violators of sex workers rights, and that current anti-trafficking frameworks do little for the benefit of the people they are intended to help (Bernstein 2007: 139; Bjønness 2012: 197-201; Chapkis 2003: 928-34; Desyllas 2007: 64-9; McDonald 2004: 168 - 70).

As mentioned further up, the neo-abolitionist have been successful in achieving a common understanding of sex work, which equates it with trafficking. Yet at the global stage, the issue of ‘choice’ has become an important and contested component in discussions of how to combat trafficking, and many disputes over whether or not there is a line between coerced and chosen sex work now exist, indicating the sex worker rights based views are challenging the dominant neo-abolitionist ideology.

3.1.4 Critique of the Neo-Abolitionist and Pro-Rights Sides

Both sides have received various critiques. Starting with the neo-abolitionists, many scholars have shown skepticism. They have problematized the acceptance of a model, which does not include

other views for several reasons. The neo-abolitionist does not leave space for differentiating between trafficking victims and sex workers, since they consider all sex work as forced. It has been argued that this produces generalizations, where individual experiences are omitted and agency is consequently denied to subjects, since they are positioned in an inferior manner in a framework which bases them in terms of victimhood (Agustín 2006: 41-3; Desyllas 2007: 68-9; Weitzer 2007: 452 - 3). It is contended that when a dominant global model is assumed to be universal then specific situations in individual countries and localities, may go unattended and, may become over generalized. Moreover, since trafficking is most prominently used in the context of sex work, some scholars believe that trafficking is used strategically to develop other causes as e.g.: anti-pornography and anti-prostitution (Jahic & Finckenauer 2005: 33; Weitzer 2007: 466).

Many scholars argue that the neo-abolitionist side has had great symbolic success and global dominance, since it has been able to influence the anti-trafficking debate with opinions, moral values, and sentiments (Bjønness 2012: 195; McDonald 2004: 169). A crucial criticism towards and accusation of the neo-abolitionist framework is that it bases its work on unsubstantiated and unscientific facts, it exaggerates, and is replete with misinformation (Agustín 2006: 31-2; Jahic & Finckenauer 2005: 27-32; McDonald 2004: 145; Weitzer 2007: 455). High numbers on trafficking are not uncommon since there is a tendency to equate all sex work with trafficking, leading to a great variance in estimated figures, since all sex workers are labeled trafficking victims (Agustín 2006: 40; Sharma 2005: 93). Another critical argument is that the neo-abolitionist camp has only focused on prostitution and sex trafficking, and has overlooked the existence of trafficking for exploitation in other sectors, resulting in the ignoring of trafficked people in sectors outside the sex trade (Jahic & Finckenauer 2005: 33-4; McDonald 2004:169 - 70). Scholars have pointed out that the domination of a sexual discourse has neglected other important issues as e.g.: migration, labor rights, root causes of poverty etc., and criticize the neo-abolitionist discourse for only emphasizing criminalization and law enforcement (Agustín 2006: 42; Desyllas 2007: 70; Weitzer 2007: 457-8).

The pro-rights discourse has also received critique. Not surprisingly, this comes most fervently from advocates of the neo-abolitionist perspective. The criticism is mainly directed towards the decriminalization aspect, the delinking of sex work from trafficking, and 'sex work' terms apparent in the sex worker rights side. It is argued that the latter's promotion of prostitution so it becomes socially and legally accepted, only results in a neutralization of deviance, instead of

identifying the act of dehumanization and violation of human rights which prostitution is per se. Critiques are, that decriminalization does not do any good to women selling sex and doesn't lead to the trade becoming less exploitative, only more available. Furthermore, it is argued that decriminalizing does not have the intended outcomes of granting women in the sex trade better conditions, nor reduces violence against them. In fact, it is assumed contrary to what the pro-rights side argues, that decriminalization will lead to an increase in trafficking, expand the sex industry, and raise abuse of women's human rights (Barry 1995: 31, 72 - 3; Leidholdt 2004: 170; Overall 1992: 723; McKinnon 1993: 2; Raymond 2004a: 316-24). The pro-rights use of the term 'sex work' has also received critique for being a euphemism to cover up the degradation and violence occurring in sex work (Barry 1995: 65-9; Leidholdt 1993: 133; Overall 1992: 709-12). Finally, the strategy of the pro-rights side for delinking trafficking from prostitution is criticized on the grounds that delinking the two phenomena erases the gender inequality inherent in prostitution, and considering trafficking outside the context of prostitution only helps minimize or completely remove focus from the exploitation of women in the sex trade (Barry 1995: 70-3; Leidholdt 2004: 170; Raymond 2001: 5-6).

This chapter has briefly depicted the main lines of arguments that run through the neo-abolitionist and sex worker rights perspectives within the discourse on human trafficking and sex work. As shown, the two sides are divided into very different conceptualizations of not only what trafficking is, but also sex work, and how they relate to understandings of human rights within the area. It is the contested differences within these two perspectives that make an analysis of the global discourse on human trafficking and sex work interesting, especially since the debate has made its appearance on the international political arena as e.g. the UN, where the ideological battles continue to compete against each other, hoping to influence the decision makers within the UN.

4. Human Rights

This chapter depicts modern international human rights within the UN. It depicts the discourse found within the IBR and outlines some of the critique which modern international human rights law has been exposed to. It also describes how these critiques fit within the global discourse on human trafficking and sex work. As mentioned before the global discourse on sex work is linked to many discourses, e.g. HIV/AIDS, migration, gender inequality etc. It should be noted that the other discourses overlap with the human trafficking discourse and are equally relevant. Yet I choose the human rights discourse, since it is the one I currently find most interesting.

4.1.1 The Human Rights Discourse within the IBR

The discourse found within the IBR combines all civil, political, economic, social, and cultural rights (Lauren 1998: 244; Normand & Zaidi 2008: 198). These are e.g. rights to: self-determination, life, liberty and security, fair trial, rights to be regarded as a person before the law, as well as equal protection by the law, freedom of thought, religion, and of conscience and expression, privacy, assembly, association, movement, voting and political participation (UN 1948:1-8; UN 1966a:1-8; Lauren 2003: 228, 245). Other rights guarded are rights to: work, enjoyment of just and favorable work conditions, equal pay, form and join trade unions, social security, protection of the family and an adequate standard of living, health (physical and mental), education, and participation in cultural life (UN 1948: 1-8; UN 1966b: 1-5; Lauren 2003: 228-9, 245).

4.1.2 Critique of UN Human Rights

4.1.3 Universalism, Western Construction, and lack of enforcement measures

Human rights within the UN have been exposed to various critiques from scholars and from member states themselves. The very basic idea of human rights as a universal concept has been criticized, on the argument that in fact sovereign state interests and great- power politics were the main driving force when drafting human rights. Moreover, at the time of its creation, the UN included only a third of its contemporary member states, due to colonial rule and giving a democratic voice to, or recognition of minorities or indigenous peoples was not a given in many states. It was also common with racial segregation and oppression (Dykman 2013: 38; Ishay 2008: 221; Lauren 2003: 220; Normand & Zaidi 2008: 194).

Human rights have been claimed as being founded largely on Western philosophical, legal traditions, and on geo-political imperatives. It has been argued that the U.S exercised major influence within all aspects of UN human rights. This strong influence can be traced back to before the organization was even created. President Roosevelt had already before the end of the Second World War sought to find a way to establish a hierarchy, in which the U.S would hold hegemony and expand not only its economic, but also moral, and ideological values (Donnelly 2007: 291; Dykmann 2013: 26; Ishay 2008: 211-12; Lauren 2003: 177; Normand & Zaidi 2008: 87, 121). A crucial and much criticized aspect of UN human rights is the lack of enforcement mechanisms. Focus has been more on promotion and less on protection of rights. This has in part been because of the strong opposition towards enforcement measures by the U.S and the USSR (Donnelly 2007: 283; Lauren 2003: 191; Normand & Zaidi 2008: 196). Human rights have also been heavily discredited for their controversy in creating quick, uniform parameters. For instance, the IBR has been criticized for having been split up into three different components: the UDHR, the ICCPR, and the ICESCR. Although the first was relatively quick in its making, it took almost 30 years before the two final covenants and the ideal of having an IBR became a reality. (Ishay 2008: 223; Lauren 2003: 236, 244, 248-9; Normand & Zaidi 2008: 145, 240-1).

4.1.4 Fragmentation of Human Rights

Fragmentation happened due to ideological contestations over not only enforcement, and national sovereignty, but also on ideological contestation between the great powers, especially the U.S and the USSR. At the time for drafting what was to be the human rights covenant, there was an escalating conflict between communist and liberal states. This led to an intense political polarization, which affected international affairs in every way. The result was that instead of human rights becoming a common denominator in which legal and ideological differences could be challenged and solved; they became a source for conflictual geo-politics (Dykmann 2013: 35-6; Ishay 2008: 214; Normand & Zaidi 2008: 241). The human rights covenants have been fiercely contested and further split along ideological lines, depending on which human rights were thought of higher importance. Following traditional western philosophies of liberal rights, many western states gave prior importance to establishing a framework for civil and political rights. The USSR, colonial territories, and newly independent states placed higher emphasis on economic, social, and cultural rights (Chesler 2005: 7; Ishay 2008: 221, 223; Lauren 2003: 237; Normand & Zaidi 2008: 191-2). Arguments for the ideological split of civil and political rights and economic, social, and

cultural rights rested upon claims that the first set of rights could be given immediately, and were of a more fundamental character, while the latter required national and international cooperation for their realization (Ishay 2008: 223; Normand & Zaidi 2008: 189).

4.1.5 Social and Bourgeois Constructions

Other critiques are that human rights are social and bourgeois constructions, imperialist concepts, and a Western tool created in order to dominate the developing world. This has shown particularly true within the negotiations that took place when establishing the UN human rights framework. When disagreement on the many issues debated arose, resolution was made quickly in favor of the U.S position (Donnelly 2007: 287; Normand & Zaidi 2008: 148- 59, 195). Most of the drafting documents came from Western English speaking sources (Ishay 2008: 220-4; Lauren 2003: 215-25; Normand & Zaidi 2008: 195). The right to self-determination, which was greatly supported by developing countries and the USSR, met great opposition especially from the British, who were keen on keeping their empire intact. This brought to the fore the underlying ideology of western world hegemony. The UK tried to insert a 'colonial clause' within the human rights framework, hoping to allow colonial powers to decide to which extent rights should apply to colonies. Albeit not being included, the fundamental ideology of the more powerful nations was revealed, and the clause provoked reactions from non-western states, claiming that defenders of human rights were omitting these rights when it concerned colonial issues. The desire for including this clause was seen as a wish to maintain the colonies in an inferior position and open for exploitation (Dykman 2013: 37-8; Ishay 2008: 214, 230-1; Lauren 2003: 240; Normand & Zaidi 2008: 230- 1).

Furthermore, the USSR heavily criticized UN human rights for being replete with bourgeois political philosophy. The main intention of protecting individual rights went against communist ideology, and was understood as 'a war of all against all that disguised and enabled the exploitative rule of capitalist elites' (Normand & Zaidi 2008: 181). It meant to 'liberate man not from persecution but from his own people. That meant putting him in opposition to his own government' (Normand & Zaidi 2008: 180). Individual rights did not conform to communist ideals of rights in order to resist fascism, illegitimate governments, and break class competition, foster solidarity, and achieve harmony between individual people and the collectivity of the state. From the USSR perspective it was especially civil and political rights that were viewed as resting on bourgeois values, and as posing little value to the world (Lauren 2003: 213, 237; Normand & Zaidi 2008: 181).

4.1.6 Human Rights outside Western Context

Other criticisms are that human rights do not originate from the West. Donnelly argues that human rights outside the UN have existed in most religions and cultures across times (Donnelly 2007: 284-6). Yet the understandings of human rights outside the UN context differ greatly from western conceptions. (Dykman 2013: 39; Normand & Zaidi 2008: 11). Conceptualizations within these contexts do not rest on individuals having human rights by virtue of being born human, but more on 'divine commandment, natural law, tradition, or contingent political arrangements. The people could legitimately expect to benefit from the obligations of their rulers to rule justly. Neither in theory nor in practice, though, did they have human rights that could be exercised against unjust rulers' (Donnelly 2007: 286). Furthermore, the idea of equal and inalienable rights based on virtues of simply being human has been missing in virtually all societies, despite human rights claims within these (Donnelly 2007: 285).

4.1.7 Double Standards

There are also criticisms concerning double standards. This is shown true since the U.S, albeit being a proud proclaimer of global human rights did not render these rights to its African American population. Violence, segregation, and racist policies were part of everyday life of many black Americans (Lauren 2003: 218-19; Normand & Zaidi 2008: 162-6). The USSR also proved the double standards within human rights, albeit supporting the African American struggle for human rights, it simultaneously denied the rights to free speech and other civil and political rights to its own citizens (Lauren 2003: 237; Normand & Zaidi 2008: 165).

4.1.8 Cultural Contexts

Criticisms are expressed within cultural contexts. The IBR clearly states that people have the rights to maintain and engage in cultural practices and traditions. Yet cultural rights have been one of the most debated issues within human rights theory, and have been subjected to critiques of being able to be abused in the name of cultural relativism. This is true in cases where states have used the rhetoric of these rights in order to avoid accountability, and divert attention from domestic abuses under the guise of invasive foreign values, or for committing atrocities, which human rights fundamentally are intended to protect against (Donnelly 2007: 283, 294-6; Lauren 2003: 263). Donnelly argues that human rights cannot be made applicable everywhere, due to the many cultural differences across and within the regions of the world and within nations themselves. Purportedly,

the human rights discourse demands respect for cultural differences and ‘the norms of the Universal Declaration are presented, as having no normative force in the face of divergent cultural traditions. Practice is to be evaluated instead by the standards of the culture in question’ (Donnelly 2007: 294).

Yet, Donnelly criticizes cultural relativism for various reasons. First of all, it risks categorizing certain cultures into traditional, old and habitual. It is also a highly doubtful idea that assumes that learning or adjustment within cultures is impossible and ‘dangerously assumes the moral infallibility of culture’ (Donnelly 2007: 295). Another critique is that in the name of cultural relativism atrocities like genocide can suddenly become justifiable as tolerant relativism. Donnelly argues that ‘a multidimensional, multicultural conception of human rights requires appeal to principles inconsistent with normative cultural relativism’ (Donnelly 2007: 296). In such cases, universal human rights themselves will show themselves to be futile. Other criticisms are that arguments of cultural relativism ignore or confuse politics, and force people to tolerate coercive aspects of culture. Cultural relativism also tends to ignore the roles states, markets, colonialism, the dissemination of human rights ideas and other social forces have. The result is a cultural description described as ‘idealized representations of a past that, if it ever existed, certainly does not exist today’ (Donnelly 2007: 296).

Finally, Donnelly criticizes cultural relativism for treating culture as ‘coherent, homogenous, consensual, and static’ (Donnelly 2007: 296) and for ignoring ‘cultural contingency, contestation, and change’ (Donnelly 2007: 296). This latter critique claims that cultural relativism within the human rights discourse does not take into account that cultures are replete with highly contested practices, values, symbols, and different ‘meanings over and with which members of a society constantly struggle’ (Donnelly 2007: 296).

4.1.9 Feminist Critiques of Human Rights

A lot of criticism towards human rights comes from within feminist views. Claims of the inadequateness of human rights granting protection for women have been made, on the basis that women in general have been excluded from the human rights discourse. Instead of drawing benefits, women have on the contrary been made ‘the paradigmatic alien subjects of international law’ (Romany 1994: 85). Charlesworth and Okin offer an explanation of this, claiming the human rights discourse has developed from a position which is ‘androcentric, privileging a masculine worldview’ (Charlesworth 1994: 60), and has been formulated from within a masculine vocabulary and constructed after a male model (Okin 1998: 34). They stipulate that the creation of international

human rights law has been achieved upon the silence of women (Charlesworth 1994: 60), and human rights have developed from within a vision of males as household heads, instead of focusing on all family members, since the human rights discourse makes consequent use of male oriented vocabulary, through the term 'his' (Okin 1998: 40). Bunch criticizes human rights for not including women enough. She argues that the human rights discourse developed since 1948 does not say much about women, it does not approach specific gender issues, and omits much of women's experiences (Bunch 1990: 487).

Crucial to feminist critiques is the division between public and private spheres. The first entails a sphere of 'rationality, order, and political authority in which political and legal activity take place' (Charlesworth 1994: 69), while the latter is a 'private, "subjective" sphere in which regulation is not appropriate. Domestic, family life is typically regarded as the center of the private world' (Charlesworth 1994: 69). These two fields can be regarded as belonging to male and female worlds. The public area has generally been regarded as the province of men, while the private as belonging to women. It is particularly within the home and family that most women and girl children experience violations of their human rights. The dividing of these two fields helps obscure and legitimize male dominance over women and renders female concerns invisible, since they are more dependent on men for their subsistence (Charlesworth 1994: 69; Okin 1998: 36).

Rounding off on the critique of human rights, it is pertinent to note that women's human rights activists from the developing world have been critical towards modern international human rights. They accuse them of generally marginalizing women's rights, making them invisible since 'the narrow definition of human rights, recognized by many in the west as solely a matter of state violation of civil and political liberties, impedes consideration of women's rights' (Normand & Zaidi 2008: 280). A main area of difference between Global North and Global South feminists rests on the importance of acknowledging the importance of social and economic disempowerment as a base for gender-based violence (Normand & Zaidi 2008: 281-2). Moreover, women of color and from the Global South have questioned efforts at universalizing common understandings of feminism; they have charged white western feminists for presuming that their concerns are shared by women everywhere, essentializing women's matters, and assuming all women share same features and experiences. This assumption has been critiqued for ignoring important variables that come into play when talking about women's human rights as e.g.: class, wealth, color, and sexual preferences (Charlesworth 1994: 62).

4.1.10 Relevance for the Global Discourse on Human Trafficking and Sex Work

The criticisms are important within the context of human trafficking and sex work. First of all, since in many parts of the world sex work is an illicit activity, I find the separation of private and public distinctions relevant, since sex work is commonly placed in the former. Moreover, the contestation over and division of civil and political rights from economic, social, and cultural rights proves relevant, since both the global abolitionist and pro-rights sides refer to them in their discourses, for why some women can be incited or forced to do sex work, and for how and why sex work can be made better or abolished in the pursuit for better human rights protections. The critique of human rights being a tool developed by the West to dominate the developing world is important to take into consideration when analyzing sex work, migration and trafficking. As will be portrayed in my analysis, it might be that colonialism has come to an end. Yet due to global economic policy reforms initiated by financial institutions placed in the West, who demand that developing countries comply with these policies in order to bring down national debt and incite national economic growth, women's lives are seriously affected due to the lack and contestations of not only economic, social, and cultural rights, but also of civil and political rights. Finally, critiques of cultural relativism are important since my analysis will show that sex work can be part of cultural practices, in which women are required to contribute to family maintenance, irrelevant of it being through sexual labor. Women may even be required to do sex work, out of various cultural traditions and practices. Yet these practices will show how the human rights discourse which aims at being universal, yet leaves space for respecting cultural differences, conflicts and contradicts itself, helping to violate women's human rights.

5. Theory

In order to study how the CATW, NSWP, and GAATW have been able to influence the global discourse on human trafficking, I will use two theoretical foundations that will allow me to examine their discourses. The two theories I draw on are Constructivist Discourse Analysis (CODA) and Critical Discourse Analysis (CDA). The CATW, NSWP, and GAATW construct their discourse around certain issues in the links between sex work, migration, and trafficking. CODA will serve to examine how the discourses of the respective organizations are constructed and stand in opposition to each other. CDA will serve as a critical theory, which will allow a critical study of how the issues in this link are depicted by the respective NGO's, and will also allow for a critical study of how the UN stands in opposition to the NGO's and how it has responded to their arguments. Any theory will include a multitude of complexities and perspectives. Yet I only introduce the parts of the respective theories I will be using for my analysis.

5.1.1 CODA

Within CODA discourse has many meanings as e.g.: 'speech', 'battle of words', 'discussion', 'treatise', 'conversation', and 'exchange of ideas' (Neubert & Reich 2002: 2). It is often used in the sense of a 'comprehensive body of scientific theory or discussion' (ibid: 2) representative of a particular era or school. It can also be a term to label 'every kind of symbolic order of intentional processes of communication and understanding' (Neubert & Reich 2002: 3). Discourse 'refers to the context of an „interpretive“ community as frame of its existence' (ibid: 3). This means that discourses change with time, since interpretive communities³ change. Thus the specific manifestations of discourse are only stabilized temporarily (ibid). Discourse can be seen as 'symbolic formations which show recurrent patterns of *rules, allocations, and arrangements*. This means a characteristic trait of every discourse is it strives for recurrence in order to inscribe itself and become a model for other discourses' (ibid: 3). An important feature within CODA is the tensional relationship. This is important, since discourse displays '*contingencies, shifts, and displacements*' (ibid: 3) which 'come to play that time and again undermine the security of ordered recurrence' (ibid: 3). Discourses are thus 'moveable orders that exist temporarily in contexts of social understanding and, in their very moment of articulation, often already turn out to be

³ In this thesis the CATW, NSWP; and GAATW can be seen as different interpretive communities each occupying opposing positions within the global debate on human trafficking.

transitions toward other discourses’ (ibid: 3). Moreover, discourses are never complete; there is always something absent or missing, making discourse infinite (ibid).

Cultural contexts are important. Discourses are not just language games taking place outside of practices, routines and institutions. Discursive communication refers to ‘contexts of relationships and life-world that evade scientific objectification’ (Neubert & Reich 2002: 5). This means that the shared convictions of any interpretive community may be claimed as universal perspectives, yet any conviction claimed to be universal is in fact just ‘the shared convictions of an interpretive community’ (ibid: 5). Furthermore, it is important not to strive for consensus when conducting CODA, since it will not allow for the recognition of others, and would not permit ‘different viabilities of different interpretive communities in their struggles for recognition, and the admission of dissent’ (Neubert & Reich 2002: 9).

Neubert & Reich have formulated a ‘discursive tableau’ (Neubert & Reich 2002: 14) within CODA to better grasp the construction of discourses. It contains several levels, which include:

- 1- Observers: it is important to look at the positions of the observer of discourse, both those operating inside and outside, and make statements about them. Observers are usually situated inside the context of interpretive communities. They participate in discursive constructions of realities based on cultural pre-understandings and interact with others (Neubert & Reich 2002: 10). They can also be distant and self-observers. The latter act within discourse by ‘taking places and positions, pursuing intentions claiming truths etc.’ (Neubert & Reich 2002:10 - 11), while the former look at discourse from outside, either by ‘temporal or spatial detachment or from the distance of reflection’ (Neubert & Reich 2002: 11). They are often able to look beyond ‘recognizing other things than the self-observers in their immediate entanglement with their discourses’ (ibid: 11). The distant observer is also a self-observer within his or her own discourse. They may try to project themselves at ‘a given moment into an (imagined) distant-observers position in order to reflect her/his discourse *from a detached position*’ (ibid: 11). This can create tensional fields, where different positions must be considered and differentiated (ibid).

- 2- Places. There are places for the description of discourses and they may be ‘taken, claimed, and occupied, i.e. they may be *filled* in order to maintain positions’ (Neubert & Reich 2002: 11). They also ‘represent places of observation that can be used by self-and-distant- observers in order to look at discourses from different and respectively limited perspectives’ (ibid: 11).
- 3- In the Place of the one something arises and is ‘maintained, claimed or acted upon’ (Neubert & Reich 2002: 11). It is within here the starting point and driving force of the discourse lies. It is also here it gets its dynamics (ibid).
- 4- The place of the other is where correspondence and reply may be found. When encountering the other, the one has to confront this and prove itself. The action that occurs between the two is important, since it can be readily observed as ‘the interplay of force and counter-force’ (Neubert & Reich 2002: 12). This interplay shows that one will always come across something other, which cannot be readily and totally captured on the place of the one (ibid).
- 5- The Place of Construction. Here something is produced and can be maintained as a ‘symbolic result or gain’ (Neubert & Reich 2002: 12). Out of the differences between the one and the other, something emerges which ‘can be stabilized and returned to the discourse and its participants as a symbolic production’ (ibid: 12). In this place, discourses are constructed and reconstructed since the ‘recurrence, taking over, handing down and passing on of existing constructions’ (ibid: 12) gives them stability. Certain strategies can be used for reconstructing discourse, and for controlling and limiting possibilities of free constructions within it. Exclusion, limitations and ‘rarefactions of the speaking subjects’ (Neubert & Reich 2002: 13) are some of these strategies.
- 6- The Place of the Real. Through the interplay of construction, deconstruction and reconstruction, the re and deconstructed has to prove its viability, in order to become acknowledged and confirmed as the reality of the discourse by self-observers within their interpretive community. It is also here that intrusions of the real appear. This implies the ‘obstinate eventfulness of discourses that can never be completely captured’ (Neubert & Reich 2002: 13). The real makes itself felt

unexpectedly and often subverts the place of reality. This means that many times the real shows to be non-sensical and unimaginable for the self-observer, who in turn may reject intrusions in their discourse and when this is not possible, they may not know what to do (ibid). The distant observer may try to get an understanding from a distance, due to intrusions, and assign it a place within the discourse under scrutiny (ibid).

Finally, other elements important to consider when conducting CODA are truth and knowledge. Truth circulates and, all according to the kind of discursive information, it changes. It can appear in different places, it can multiply, and can be plural, albeit within each particular discourse truth will mainly represent a unified and absolute claim, claiming ‘validity for all observers’ (Neubert & Reich 2002: 14). Self-observers might imagine truth claims to be certain, since they may appear generally appropriate and essential. Distant observers may notice that one truth ‘appears not to be identical and unlimitedly transferable for all discourses’ (ibid: 14). They may take notice of changes and successions of many discourses, and make shifts of observer positions and of juxtapositions of discursive formation. This means that what might be claimed as absolute validity can be subjected to relativization (ibid).

Knowledge is closely tied to truth. It can be diverse and reproduce and transcend boundaries. It is plural and accessible for all. Yet, it is always a restricted knowledge, which is maintained as true knowledge. Self-observers may insist on the appropriateness and relevance of their knowledge, claiming it to be the only suited and adequate for conducting their discourses (Neubert & Reich 2002: 15). Distant observers may be able to ‘clearly see the rejections and exclusions adhering to such insistence’ (ibid: 15). They are likely to notice ‘„other knowledge” forming on the margins of the discourse’ (ibid: 15). Thus, conclusiveness is equal to an illusion of the self-observer, which in discourses ‘time and again undergoes deconstruction by the diversity and infinity of knowledge itself’ (ibid: 15).

5.1.2 CDA

Within CDA, discourse can be seen as ‘an analytical category describing the vast array of meaning-making resources available to us’ (Fairclough, Mulderrig & Wodak 2011: 357). It is a kind of social practice, which implies a ‘dialectical relationship between a particular discursive event and all the diverse elements of the situation(s), institution(s), and social structure(s) which frame it’ (ibid: 357).

For CDA, discourse is not only a matter of studying language itself, but also on how the two-way relationship between discursive events is shaped by situations, institutions and social structures, and how it also shapes them (ibid). Discourse is therefore socially constitutive and socially shaped (Fairclough 2001: 231-2; Fairclough, Mulderrig & Wodak 2011: 358; van Dijk 2001: 352-3).

CDA is a discourse analytical research tool which, studies how dominance, power abuse, and inequality are adopted, reproduced, and resisted by text and talk, in social and political contexts (Fairclough 2001: 230; van Dijk 2001: 352). The aim is to show how language figures in social processes, and is critical since, it tries to show the implicit ways in which language is part of social power relations, domination, and ideology. The basis of CDA is language in all its forms. It studies not only written or spoken language, but also semiotic dimensions, which is the ‘meaning-making through language, body language, visual images, or any other way of signifying’ (Fairclough 2001: 229), and can include film, pictures, sound, music etc. (van Dijk 1995: 18). It looks at ways in which dialogues can be compared to the ways politicians, and others in public life represent dialogue, deliberation, or debate. CDA is interdisciplinary. It gives opportunity for communication within disciplines, which analyze linguistic and semiotic meanings and disciplines, which theorize, and study social processes and social change. For it to be beneficial, it is necessary that it be trans-disciplinary, and produces theories, and new analysis methods, which surpass existing disciplines (Fairclough 2001: 230; Fairclough, Mulderrig & Wodak 2011: 357; van Dijk 1995: 17-18).

Important to CDA is the need for researchers to be aware of their role in society. They want to understand, unveil, and resist social inequality and explicitly reject the idea of a “‘value-free’ science’ (van Dijk 2001: 352). They must not just articulate truths but try to interpret and suggest solutions to perceived problems (Fairclough 2011: 230; van Dijk 1995:18; van Dijk 2001: 352-3). A main argument is that science and scholarly discourse are inherent parts of, and influenced by social structure. Discourse is produced in social interaction. Hence, the relationship between scholarship and society needs to be studied for in its own right (van Dijk 1995: 19; van Dijk 2001: 352-3). Theory formation, description, and explanation within discourse are situated in socio-political areas. This, together with the role scholars have, makes reflection on their roles a vital part of CDA (ibid). CDA researchers’ conduct research in solidarity with dominated groups’ (Fairclough, Mulderrig & Wodak 2011: 358; van Dijk 1995:18; van Dijk 2001: 353). Furthermore, intertextuality is important when conducting CDA. It refers to ‘the idea that any text is explicitly or

implicitly ‘in dialogue with’ other texts (existing or anticipated) which constitute its ‘intertexts’. Any text is a link in a chain of texts, reacting to, drawing in, and transforming other texts’ (Fairclough 2001: 233). Discourse and texts do not stand alone, but are always socially embedded with society and each other.

CDA does not have a ‘relatively fixed set of research methods’ (Fairclough, Mulderrig & Wodak 2011: 357), nor ‘a unitary theoretical framework’ (van Dijk 2001:353). It is an interdisciplinary field of research, which is problem-oriented, having several approaches, with their own theoretical models, research methods, and agendas (Fairclough, Mulderrig & Wodak 2011: 357- 9; van Dijk 1995: 17-18). It is also a methodological framework through which common denominators and interests of the approaches can be studied, e.g.: semiotic dimensions of power, injustice, abuse, and cultural or political-economic change in society. The aim is to expose these abuses, and hopefully help make changes in society (Fairclough 2001: 234; Fairclough, Mulderrig & Wodak 2011: 357; van Dijk 1995: 18; van Dijk 2001: 352). In order to achieve its aim, there are certain requirements CDA has to comply with. Since it belongs within the area of more marginal research, it focuses on ‘*social problems* and political issues, rather than on current paradigm and fashions’ (van Dijk 2001: 353). It not only describes discourse structures; it tries to explain them in ‘terms of properties of social interaction and especially social structure’ (ibid: 353). It focuses on how discourse structures ‘enact, confirm, legitimate, reproduce, or challenge relations of *power* and *dominance* in society’ (ibid: 353).

Some of its core principles can be summarized as: addressing social problems, power relations are discursive, discourse constitutes society and culture, discourse does ideological work, the link between texts and society is mediated, discourse analysis is interpretative and explanatory, and discourse is a form of social action (Fairclough, Mulderrig & Wodak 2011: 368-73; van Dijk 2001: 353). CDA has been credited for not just analyzing discourse and texts, but also for analyzing the relation between discourse and elements of a social process (Fairclough 2011: 230). By addressing social injustice in discursive practices, CDA tries to find ways of transforming this, into rights or even changing it (Fairclough, Mulderrig & Wodak 2011: 357, 371- 74; van Dijk 1995: 18).

Albeit not having any fixed theoretical framework or methodological approach, there are some levels of theory and methods for conducting CDA. First, it begins with a topic. The methodological approach is the process of how the topic is elaborated and refined, in order to construct research objects. The adequate methods chosen rely on what is being researched

(Fairclough, Mulderrig & Wodak 2011: 358-9). Second, delineating and exposing how social injustice is maintained and reproduced, requires using certain words⁴. CDA contains a number of basic concepts, which ‘devise a theoretical framework that critically relates discourse, cognition and society’ (van Dijk 2001: 354). It works with micro and macro levels, theoretically creating a link between these two. At the micro-level, it is the use of language, discourse, verbal interaction, and communication of the social order, which is studied. At the macro level, CDA studies power, dominance, and inequality between social groups (ibid: 354).

Van Dijk points out several elements which are useful to draw in when doing CDA, in order to achieve a better integrated analysis and bring together the micro and macro levels of discourse. For example, language users engage in discourses, and are often members of many different social groups, organizations, or institutions. Thereby interchangeably groups may act by their members, this is termed as ‘member-groups’ (van Dijk 2001: 354). The social acts of individual actors are fundamental parts of group actions and social processes. This spans from legislation, news production, or reproduction of certain issues as e.g. racism, and is named ‘actions-process’ (ibid: 354). Situations of discursive interaction are parts of or vital to social structure. Certain settings can be common practices of organizations etc. and ‘local’ and ‘global’ contexts can be closely tied, thus exercising constraints on discourse, these situations can be named the ‘context-social structure’ (ibid: 354). Finally, personal and social cognition is important to bear in mind since language users, as social actors, have this kind of cognition. They can consist of personal experiences, knowledge, beliefs, and may be shared together with members of the group or culture as a whole. This cognition may influence interaction and discourse of individual members. It is the ‘social representations’ that govern the collective actions of a group (ibid: 354).

⁴ Words like ‘power’, ‘dominance’, ‘hegemony’, ‘ideology’, ‘class’, ‘gender’, ‘race’, ‘discrimination’, ‘interest’, ‘reproduction’, ‘institutions’, ‘social structure’, and ‘social order’ compile part of the CDA vocabulary (van Dijk 2001: 354).

6. Analysis

This chapter forms the analytical part of my thesis. First comes an answering of both sub questions and a discussion of my findings, in which I relate and reflect upon the human rights discourse in relation to the answers found. I also consider some critical points related to the applications and limitations of the methodology and theory applied, and give an overview of the recent developments within the field of human trafficking and sex work.

In my first sub question I analyze the conflation of sex work and trafficking and the dispute over consent and the application of the terms ‘sex work’, ‘sex worker’, and ‘prostitute’. I then identify causal factors pointed out by the CATW, NSWP, and GAATW and apply my theory to decode what they point out as these factors, when it concerns the links between sex work, migration, and trafficking. The data used to answer this question are publications from Barry, Leidholdt, Sullivan, and Raymond as representatives of the CATW. Reports from Ham, Napier-Moore, Pearson written for the GAATW, and NSWP’s 2011 summary *Sex Work is not Trafficking Summary*, 2013 ‘Consensus Statement on Sex Work, Human Rights, and the Law’ and Mensah’s ‘Sex Work 14 answers To Your Questions’, all downloaded from the official NSWP website. As mentioned, the theoretical framework rests on Constructivist Discourse Analysis as elaborated by Neubert and Reich and Critical Discourse Analysis as elaborated mainly by Fairclough and van Dijk. I analyze my data by using Neubert and Reich’s discursive tableau within CODA, and CDA when identifying and analyzing the causal factors within women’s migration, sex work, and trafficking. I make note that I was not able to find citations on certain causal factors for women’s migration, sex work, and trafficking from the NSWP, hence I have only used data from the CATW and GAATW for the sections that analyses these factors⁵.

I make use of the 2010 report by Touzenis: *Trafficking in Human beings Human rights and transnational criminal law, developments in law and practices*, published on behalf of UNESCO and The UNAIDS Guidance Note on HIV and Sex Work for answering my second sub question. The UN has been at the lead when it concerns serious anti-trafficking efforts at the global level, since human trafficking can include a wide array of issues; several UN bodies are involved in anti-trafficking measures⁶. Therefore, in an analysis of how the organization has responded to the

⁵ Section 6.2.1 and 6.2.3

⁶ These include UNODC, UNWOMEN, ILO, the OHCHR, UNAIDS, UNDP, and UNESCO.

arguments set forth by the CATW, GAATW and NSWP when it concerns the links between sex work, trafficking, and migration, it is relevant to draw in various UN bodies to get a better understanding of what the UN position to the issues are. I therefore additionally use data on human trafficking from the OHCHR ‘Migration and Development: A Human Rights Approach and the OHCHR Recommended principles and Guidelines on Human Rights and Human Trafficking’, and smaller publications retrieved from the UNFPA and UNWOMEN. I consecutively proceed in answering the second sub question in the same manner as the first.

6.1.1 Sub Question 1

‘How do the GAATW, the NSWP, and the CATW view sex work in relation to migration and trafficking?’

6.1.2. Conflation of Sex Work with Trafficking

Within the CATW, NSWP, and GAATW an important issue is the conflation of trafficking and sex work. The CATW assumes the two are inherently linked and does not agree they can be separated. One of its arguments is that dividing the two from each other obscures their interrelation and downplays sex trafficking, and the violence, which occurs in sex work (Leidholdt 2004: 178; Raymond 2002: 3; Sullivan 2005: 14-18). For the CATW, deciding to engage in sex work, whether within or across borders, is unimaginable, since it equates all prostitution with trafficking (Leidholdt 2004: 178). Citations from key figures within CATW confirm this viewpoint ‘We do not accept emerging arguments that redefine and seek to legitimate prostitution as “sex work”, promoting the view that regularizing “migration for sex work” is one antidote to trafficking. Likewise, it is our contention that trafficking cannot be separated from prostitution. Anti-trafficking policies and programs must address organized prostitution and domestic trafficking’ (Raymond 2002: 3). ‘What most people refer to as “prostitution” can also be seen as domestic trafficking. “Casual prostitution,” prostitution in which a woman with apparent other options enters of her own apparent volition, accounts for only about one percent of the women in the sex industry’ (Leidholdt 2004: 177).

For the GAATW and NSWP it is acceptable to delink the two issues. Both organizations recognize trafficking occurs for forced prostitution, but also for exploitation in other trades. It is argued that the common conflation of trafficking and sexual labor leads to disempowerment and enhances abuse of female sex workers, and ignores abuse in other sectors

(NSWP 2011: 1-4). For both organizations, it is conceivable that women might decide to do sex work and even migrate for it. Thus, sex work is not always a matter of trafficking and force and distinctions between voluntary migration and trafficking for sexual exploitation are made, 'Migration is, simply put, movement from one place to another. It can be assisted or independent movement. It can be international or within a country' (Napier-Moore 2010a: 4). The GAATW distinguishes between different types of migration. It differentiates between migrants, refugees, smuggled people, trafficked persons, and undocumented migrants (ibid) and clearly calls for differences between sex work and trafficking 'Trafficking is distinct from sex work' (Ham 2011: 42). It stipulates 'some groups (including GAATW) have advocated strongly for sex worker's rights and have argued that confusing trafficking and prostitution does little to combat trafficking while actively hurting women in sex work' (Ham 2010: 28). These views are supported by the NSWP 'Sex workers move and migrate for many personal and financial reasons. These include for adventure, curiosity, to visit family, find work, escape violence or disaster, study, marry, or to do business.' (NSWP 2013: 20). I located a summary on sex work and trafficking in which the NSWP already in the title treats the issue as two separate categories 'Sex work is not trafficking'. This summary sums up the challenges that occur for sex workers when it is conflated with trafficking, and urge politicians, donors and civil society to use methods rooted in a human rights approach and for including sex workers, so programs and policies may be developed for the benefit of the people they intend to benefit (NSWP 2011: 1-4).

Bringing in Neubert and Reich's theoretical framework, I argue that for the CATW, NSWP and GAATW the place for the description of their discourses and which can be said to take, claim and occupy certain positions within their discourses and as distant and self-observers, represent a place of observation which shows different and limited perspectives. This is particularly true when it concerns the CATW. In its place of the one, the discourse of the CATW has, as its departing point, the view that all sexual labor is trafficking. By positioning the NSWP and GAATW as actors occupying the place of the other, they confront and reply the CATW by acknowledging trafficking occurs for forced prostitution, for other kinds of labor, and argues that not distinguishing between trafficking and different types of migration, leads to harm when it concerns women who have been trafficked or have migrated to do sex work. This particular aspect of the discourses also shows that for the CATW, the place of the real for its discourse constructs, produces and maintains that all prostitution is forced and trafficking an inherent part of it, reducing it to a matter of violence against women. On the other hand, by positioning the GAATW and NSWP in the place of the real,

in Neubert and Reich discursive tableau, I believe the quotes from the two organizations show intrusions of what is the real for the CATW. They can be said to subvert what is the truth for the latter, since they give an understanding that sex work cannot be reduced only to a matter of force and violence. I thus argue that for the CATW as a neo-abolitionist interpretive community the truth it circulates represents one unified claim. The NSWP and GAATW as pro-rights based interpretive communities have truth claims, which are multiple and plural, yet nonetheless also represent unified and absolute claims for their discourses. Standing in opposition to the CATW, the arguments against conflating sex work and trafficking show that it is not identical or unlimitedly transferable in a discussion on whether or not trafficking and sex work are the same. Neither if force is always an innate part of it, since the NSWP and GAATW acknowledge force, trafficking and violence within sex work, as well as in other areas, yet they do not see it as a given truth in every single case of sex work and migration.

Reflecting on CDA's argument on how language is part of social power relations, domination and ideology, I argue the issue of conflating trafficking with sex work can influence the topic of women's agency and ability to consent within not only sex work, but also their will and decisions to migrate. By conflating trafficking and sex work and reducing it to a question of violence, the CATW denies women's agency and capability of making own decisions. Thus, the discourse helps maintain a view of women in sex work as victims. The NSWP and GAATW resist this view in their discourse and call for a broader and more critical understanding of not only trafficking and sex work, but also women's agency, ability to decide over own life and consent. An example of supporting and acknowledging women's agency and consent can be found in Ham's 2010 working paper for the GAATW 'Migration becomes necessary if there is a lack of socially meaningful and/or economically sufficient livelihood opportunities in a person's place of origin. Migration can stem from opportunity as well as need. People migrate and travel for positive and aspirational reasons as well, such as professional, economic, social, cultural and personal opportunities. Paradoxically, women's migration may often be tied to women's roles as family caregivers or economic providers. Migration can also provide opportunities for independence, autonomy and self-creation, particularly for women who may not fit social or gender norms in their home village, town or city. A 2007 Gallup poll found that 700 million adults would like to migrate to another country if they had the opportunity to do so' (Ham 2010: 13). Napier-Moore's states; 'There are numerous examples of migrant women exercising agency, even if they have very limited space for that. This space is determined not so much by identity, but by the "system" the person

needs to navigate... [...]... Anti trafficking has shown that treating people as victims takes away agency (Napier-Moore 2010: 13). These together with the NSWSP statement on page 3, depicting why sex workers migrate lead me to argue both organizations show explicit support for and recognition of women's agency and resist the victimizing and infantilizing view of women as the one the CATW espouses.

6.1.3. The contestation over the terms 'sex work', 'sex worker' and 'prostitute' and Consent and Agency

Other contested issues are the terms 'sex work', 'sex worker' and 'prostitute'. The CATW strongly opposes them. In an open letter on their website, the organization claims the terms 'sex work' and 'sex worker' were 'invented by the sex industry and its supporters in order to legitimize prostitution as a legal and acceptable form of work and conceal its harm to those exploited in the commercial sex trade ... [...]...The chasm between the meaning of the word "work" and the lived reality of the average prostituted or trafficked person is too vast to be ignored. The term "sex worker" wrongly suggests that the person in prostitution is the primary actor in the multi-billion dollar sex trade. This renders invisible and unaccountable its true beneficiaries - the traffickers, pimps, procurers, brothel and strip club owners, and the buyers of sex. These exploiters prey on vulnerable individuals marginalized by poverty, homelessness, racial and gender discrimination and histories of sexual abuse'^{xv}. It also strongly opposes the use of the term 'prostitute' since it 'stigmatizes and conflates the person in prostitution with the criminal activity inflicted on her or him'^{xvi}. For the CATW the ideal words to apply when referring to the area are "sex industry," "sex trade," or "prostitution." 'In lieu of "sex worker" or "prostitute," we recommend "person in prostitution" or "prostituted person" or "commercially sexually exploited person."^{xvii}. Leidholdt of the CATW underscores this by arguing 'the pro-prostitution lobby uses a common rhetoric. Prostitution is a "job." Prostitutes are "sex workers." The interaction between prostitute and john is a "contract." Pimps and procurers are "third parties." The solution to the oppression and abuse of women in the sex industry is for "sex workers" to organize "prostitutes collectives" and thus become "empowered." Although the pro-prostitution lobby purports to champion "prostitutes rights," what this phrase really means is the right to be sexually exploited, a pseudo rights that violates well established human rights to dignity and equality and to freedom from "cruel, inhuman or degrading treatment.'" (Leidholdt 1993: 133)

For the NSWSP and GAATW the terms 'sex work' and 'sex worker' are important. Claims are the terms allow for 'a rethinking of this activity in terms of contracts, improvement of

working conditions and sex workers' ability to negotiate the different aspects of services they offer (acts, rates and duration). Speaking about sex work paves the way for action about workers' rights: the right to work safely and in health; the right to not be raped, harassed or discriminated against; the right to associate with other workers for protection; and the right to dignity and integrity' (Mensah 2007: 1). Even though I was not able to find much in my data from the GAATW that explicitly calls for using or rejecting the terms mentioned above, I did find citations which show the organizations consecutively using the terms 'sex work' and 'sex workers' 'GAATW has for the most part, shied away from engaging in or considering demand-based approaches. Since GAATW's inception, our work has been grounded in the experiences, knowledge and priorities of trafficked persons and their communities. As such, most of our work has logically focused on advocating for the rights of trafficked persons and migrant women- the concerns and rights of the 'supply', rather than the 'demand'. Demand-based discourses appear to recognize migrant workers only as 'product' to fit simplistic economic analogies, rather than as persons with rights and aspirations. As such, migrant rights organisations in GAATW's membership, have opposed using terms such as 'product' and 'supply' because they reduce workers to commodities. In addition 'end demand' approaches, have been advocated most strongly by prostitution abolitionist groups, which contradicts GAATW's support for sex workers' rights' (Ham 2011: 10).

Analyzing these quotes, I argue if one puts the CATW in the place of the one within Neubert and Reich's discursive tableau, what arises is once again a disregard for agency. Women are consequently portrayed as victims. This shows true when they are said to be vulnerable victims of poverty, homelessness, racial and gender discrimination as well as victims of sexual abuse. The CATW continues to have in its place of construction a discourse, which portrays other actors in the sex sector as unscrupulous people, claims women cannot act on their own behalf, and sexual labor is once again reduced to an issue of exploitation and violence against women. By placing the NSW's and GAATW's in the place of the other in the discursive tableau, the correspondence to these views once again acknowledges women's ability to act and decide over their own lives. I argue that for both organizations, the importance of the terms sex work and sex worker show both organizations believe integrating these terms in discourses about sexual labor, will open up for multiple understandings of the area and pave way for integrating human rights for people who do sex work. Conducting a CDA analysis of the above statements shows that the language, which the CATW uses, reproduces and maintains negative stereotypes of sex workers. This is certainly the case for the CATW who I argue show pejorative attitudes towards sex workers and wants to

categorize them as helpless and in need of rescue- it is an infantilizing view. I back my arguments on quotes from Saunders and Doezema who claim the CATW only includes narratives of sex work which fit the tale of violence, exploitation and victimization of women (Doezema 2005: 74; Saunders 2005: 350-1). Taking into consideration these allegations, together with the statements above as well as quotes by prominent CATW figures referred to in section 6.1.1, I argue the CATW uses the strategies which Neubert and Reich (2002: 13) point out can be applied in order to exclude, limit and diminish the appearance of self-chosen sex workers in their discourse. For the CATW the fact that women may choose to do sex work occupies a place of the real, in which sex workers are non-sensical and unimaginable for the organization as self-observers of their own discourse. Yet statements from key figures also show that even when confronted with the view of sex work as a choice, they continuously deny and exclude this possibility in order to avoid having to rethink and include intrusions in their discourse. The GAATW and NSWP discourse on the other hand leads me to argue that by acknowledging women who sell sex as workers, is an expression which acknowledges women's adulthood and rights to decide over own lives and bodies. By focusing on women in sex work, the challenges they face, and the challenges that come with being trafficked, opens up for an understanding that the organizations aim is to change the current dominant discourse of the CATW, and hopefully help receivers of their discourse have a nuanced understanding of the issues within the area.

6.2 Causal Factors for Female Migration in Relation to Sex Work and Higher Risks of Trafficking

6.2.1 Gender-based Discrimination

Gender-based discrimination is a cause for why women migrate and might end up trafficked. This discrimination includes various aspects: the low status of women and girls, lack of education, discrimination in the public spheres; including the exclusion of women from political participation, and discrimination against women in some religious, cultural, and social practices (Pearson 2000: 35; Leidholdt 2004: 170- 1; Raymond 2002: 2-3). Within gender-based discrimination, the issue of cultural and religious practices is an issue both the GAATW and CAATW recognize as a factor for why women are pushed into prostitution. In her report, Pearson says 'Cultural and religious practices such as Trokosi^{xviii} in Ghana or the similar devadasi and devaki in India and Nepal, show clearly how trafficking and slave-like practice can be institutionalized and accepted by a society as a normal practice (Pearson 2000: 39). 'Trokosi was named a violation of women's human rights in

1997 and in 1999 was declared an illegal practice in Ghana. However traditionalists still maintain the practice and thousands of girls and women remain *trokosi*, *devadasi* and *Devaki* today.’ (ibid: 39). Barry also refers to cultural practices in the Global South which exploit women ‘in Korea, where “Kisaeng” originally referred to singers and dancers, in India and many underdeveloped regions and traditional cultures based on musical entertainment, old forms of entertainment have given way to prostitution...[...]... The *Badini*, the lowest cast in Nepal, have traditionally supported themselves through singing and dancing for the lords and landowners. Now the girls and women bring in income primarily through prostitution (Barry 1995: 180). ‘Globally, religion provides an ideological infrastructure for marital feudalism and its concomitant prostitution. Social validation of prostitution reaches from feudalism into its sustaining ideologies, particularly religions. In India, *Devadasi* is a religious system of temple prostitution; “*Devadasi*” means offering and dedicating girls to the goddess or the god. From the dedication they are auctioned and prostituted. *Devadasi* “account for an average of 15 percent of the prostitution in India, and up to 80 percent of those living in the southern regions of the country.” It is practiced mainly among the untouchable castes’ (ibid: 181).

I argue that albeit the GAATW and CATW each belonging to different interpretive communities, their discourse shows consensus in relation to gender-based discrimination. The quotes show the construction of an understanding of gender-based discrimination as conducive to women being placed in unfortunate situations, which not only leads to their exploitation, but also to violations of their human rights⁷. The way in which the topic of gender-based discrimination and cultural practices is elaborated shows that the discourses, albeit coming from two organizations with very opposing views on trafficking and sex work, cannot only be stabilized, but are also returned to its participants (member groups of the organizations) and thus the issue of gender-based discrimination and cultural practices is constructed so it represents a symbolic production. From a CDA perspective, I argue that the language applied by Pearson and Barry, albeit agreeing that gender-based discrimination and cultural practices are harmful, is very different. Part of CDA consists of conducting an analysis at the micro level. At this level, I argue the language used by Pearson is more neutral and less condescending than the wording used by Barry. Barry consequently refers to certain populations in a pejorative way⁸, she portrays them and their

⁷ I shall further develop on gender-based discrimination, cultural practices, and human rights under my discussion.

⁸ In this context, she refers to the *Badini* castes of Nepal and the untouchable castes of India.

traditional practices of musical entertainment and dancing as exploitative towards women and as backwards. She also portrays religion in a less neutral way in comparison to Pearson. Barry assumes that religion can lead to prostitution and claims religious practices account for quite a big portion of the prostitution rate in India. Thus, in sum, I argue Barry displays a view, which regards countries in the Global South and people from developing countries as backwards and misogynist. Pearson maintains a more neutral tone when discussing these same practices, yet she does not support them. Relating the quotes above to Faircloughs and van Dijks ideas about how dominance, power abuse, and inequality are adopted, reproduced and resisted by text and talk in social and political contexts, I argue that in the social interaction of conducting discourse, the quotes by Barry and Pearson portray non-Western cultural practices and traditions in a stereotypical and negative way.

6.2.2 Restrictive Immigration Policies

Strict immigration policies in the Global North are causal factors for women in the Global South turning to riskier migration methods. The NSWSP states ‘restrictive migration legislation and anti-prostitution policies contribute to the violation of migrant sex workers’ rights, making migrant sex workers more vulnerable to abuse and exploitation’ (NSWP 2013: 20). The CATW states; ‘Another structural factor implicated in the rise of human trafficking is *restrictive immigration policies*. It is normal in many countries to consider trafficked women as migration criminals- i.e., as illegal migrants who should be deported from a country when police raids are conducted on brothels or clubs. Victims are often treated as “undesirable and criminal aliens” in countries to which they are trafficked. This perspective is often reflected in national legislation in destination countries that makes immigration more restrictive, thus obstructing the flow of migrants seeking to enter countries legitimately. Ironically, these restrictive immigration policies tighten up border controls that often are used to harass vulnerable migrants, but have little effect on traffickers’ (Raymond 2002: 3). Quotes from GAATW also point to restrictive immigration law as part of the problem between sex work, migration and trafficking ‘trafficking is becoming increasingly connected with “irregular migration”. When “irregular migration” is linked to or synonymous with trafficking, it is implied that managing and clamping down on irregular migration, through strict border controls, would best address trafficking. Not only does this overlook that trafficking occurs even when a person has migrated through legal and “regular” channels, it also ignores the present reality in which many working class people must migrate through whatever means to survive’ (Napier-Moore 2010a: 10).

‘Despite the growing need for all forms of migrant labour, the immigration laws of countries of destination fail to satisfy the demand. There is a proven need for labour in certain sectors such as domestic work, entertainment, agricultural and garment industries because such work is often low paid or undesirable employment for citizens in developed countries. Hence, a massive contradiction exists between the need for labour and repressive immigration policies. Women from developing countries travelling alone are especially targeted by immigration officials and are often refused visas and entry to other countries. The effect of repressive laws and policies on migration is to make people who are desperate to leave, more likely to use agents and others to facilitate their migration, sometimes even using false documents and illegal modes of travel and entry’ (Pearson 2000: 36).

The quotes show the discourses of the three organizations share consensus when it concerns immigration policies. Thus they are able, even though they in this specific context do not confront each other and share no difference, to construct and reconstruct themselves since they show ability to do what Neubert and Reich have placed in the place of construction of their discursive tableau as the ‘recurrence, taking over, handing down and passing on of existing constructions (Neubert & Reich 2002:12). When it comes to pointing out restrictive immigration policies as a causal factor for migration and trafficking I argue the discourses show stability. For the CATW, GAATW, and NSWP what is real is that the tightening up and closing down of borders impacts on women’s lives. They seek to migrate in order to find more viable life opportunities, yet due to the difficulties in gaining legal access to a country they are placed in vulnerable situations by government policies aimed at keeping foreigners out. The organizations accuse also, not only immigration and national policies but also, police authorities as perpetrators and argue that police and policies criminalize women instead of helping them. The GAATW argues that national and immigration policies adopted by developed countries do not reflect the actual alternations, which occur in an ever more globalized world in which disparities are growing higher, as well as the need for people to do undesired low skill labor in the Global North. Reflecting on CDA tools, I contend the above quotes portray the Global North as a rich and prosperous, yet exclusive club, only interested in keeping borders shut for brown unskilled labor force. The Global South is additionally depicted as poor and backwards, since people want to escape and are willing to use risky means in order to do so.

6.2.3 Economic Reform Policies

Other push factors identified are social, economic, and political issues. For example, globalization, which causes temporary and circular migration, due to demands for flexible labor, and the global economy, which moves goods, deregulates private economies, and reduces or removes trade barriers, leads to increased unemployment. This has caused the growth of informal labor sectors, which are spurred by companies competing in the global economy and their pursuit for maximum profit (Pearson 2000: 34; Barry 1995: 175-8; Raymond 2002: 2). Economic disparities between developed and developing states have also further deepened, due to economic policies as e.g. the SAPs, introduced by Western institutions as the IMF and the World Bank. These are portrayed as increasing female poverty by reducing or withdrawing state support for and privatizing public services⁹, leading to increased costs for people. These policies affect women in particular, since more women are sole providers and bear responsibility for families and households. They have to participate in the labor market, yet in many areas of the globe education and job opportunities are limited for women. Thus in order to seek better possibilities, women might attempt to migrate (Pearson 2000: 34; Raymond 2002: 2).

Quotes from Barry and Raymond of the CATW show they believe Globalization, the Global Economy and Economic reform policies are relevant when it concerns links between women's migration and trafficking. Barry refers to the UN Human Development Index and says 'prostitution in the countries rated lowest in human development have the highest incidence of traditional trafficking in women... [...]... Trafficking from low-development countries involves procuring, which targets the most vulnerable women, those who are migrating over national borders (usually to the adjacent country) for mere survival. Trafficking focuses particularly on indigenous and aboriginal women who are from remote tribal communities where traditional family and religious practices either devalue girl children or reduce girls to sex service, which enables and encourages parents to sell their daughters' (Barry 1995: 177-8). She delineates the consequences the global economy have by saying 'Europe, the United States, and Australia dominate the Western approach to sexual exploitation in the global market by deploying their prostitution strategies in newly developing countries and thereby directly affecting the marketing of women in the developing world by (a) promoting sex as a form of industrialization in the sex industries of pornography, sex tourism, and large-scale brothels that are developed in the early phases of

⁹Education, health, and social welfare etc.

economic development in newly industrializing economies (such as Taiwan, Thailand, the Philippines, and now Vietnam); and (b) promoting the trafficking of women for brothels, sex industries, sex tourism, and mail order bride agencies. Trafficking is usually aimed at the most underdeveloped countries and involves gangs of pimps and procurers who kidnap, buy, or mislead children and women from their families in rural poverty. They are then transported to another country and held in bondage for sexual use or domestic service, which frequently includes sexual exploitation' (Barry 1997: 38). Raymond also cites economic policies and the global economy as a factor found in prostitution, migration, and trafficking 'Promoted by international lending organizations such as the World Bank and the International Monetary Fund, these policies mandate "structural adjustments" in many developing regions of the world, pushing certain countries to export women for labor (the Philippines)- making them vulnerable to trafficking-or to developed economies based on tourism (Thailand), with a huge dependence on sex tourism. Under the "old" regime of structural adjustments imposed by international monetary agencies, and under the "new" regime of globalization, countries continually reduce or withdraw state support for public services like health, education and social welfare. Many of these services have been privatized and thus the cost has not only increased but has been shifted- mainly to women-who must supply these services themselves, work harder or migrate overseas for family survival under worsening conditions' (Raymond 2002: 2).

Pearson states 'Economic reforms have been especially hard on women. More women are heading households, and bearing the financial burden of raising children. This is particularly the case in rural households where husbands are often gone most of the year to work in a town or city and frequently do not send any of the earnings home. At the same time, the wages for men have decreased so where previously one income may have been enough to provide for a family, now two are required. Consequently, some women seek work or opportunities to support their children or younger siblings; some migrate for marriage; other women migrate in order to escape situations of domestic violence. Due to limited education opportunities, work options for women are extremely limited, at home and abroad. Women, particularly migrant women from developing countries, often then find work as entertainers, sex workers, factory workers and domestic helpers. These are the few occupational options available to them, if they want to migrate for work' (Pearson 2000:34). Ham also states these factors as causes for women's migration and trafficking 'the root causes of trafficking can include micro factors such as violence within the home or community or macro factors such as gender-based discrimination and economic reform policies that result in a lack of

livelihood options in countries of origin. A lack of livelihood opportunities in a person's place of origin may stem from discrimination (e.g. barriers in education and the workforce that differentially impact groups), unequal economic policies (e.g. structural reform policies impacting local economies), conflict, displacement (e.g. loss of land tenure, violation of land rights) or other economic, social or political changes in local contexts (e.g. if local food production is no longer permitted or feasible)' (Ham 2010: 11-12).

I contend the CATW and GAATW share consensus on the impact economic reform policies are having on women's lives and are thus important to take into consideration when exploring the link between sex work, migration and trafficking. Albeit the two organizations are different interpretive communities, their discourses inscribe themselves and each other, and albeit being at opposite poles when it concerns sexual labor they do share certain convictions on trafficking and migration. They share certain places within the discursive tableau. First, by positioning both organizations in the place of the one, I argue that what arises and is maintained and acted upon is a common understanding of global forces, having a negative impact on women's lives. These forces include a wide range spanning from economic reform strategies imposed by Western institutions, states willing to adopt them even if it means they have to fail in complying with basic human needs and rights as e.g. providing jobs, health care, schooling and other social benefits. These measures deepen the disparities between developed and developing countries. Due to the increase of poverty and restricted possibilities for particularly women, I argue that for the CATW and GAATW what is the place of construction and the real within their discourse is a common understanding of global financial institutions, such as the IMF and World Bank, and their SAP policies as harm-doers to women in the Global South. Developed countries are portrayed as rogues since they do not provide a safety net for women, and frequently discriminate against them on basis of their gender. Global North countries are also depicted as harm-doers since they deploy pro-prostitution strategies in developing countries as economic development strategies. Furthermore, this common agreement shows the discourses continue to take over and pass on their existing constructions and they circulate a truth, which can be regarded as a unified and absolute claim for the CATW and GAATW. The knowledge they circulate shows their abilities to reproduce and transcend boundaries. The consensus on economic reform policies and the impact it has on women's lives, fluctuates between the discourses and shows that albeit not agreeing on many issues within the nexus between sex work, migration, and trafficking, this particular push factor is plural and accessible within both discourses.

Elaborating further, I contend the CATW and GAATW portray the IMF, the World Bank and states that implement their SAPs in a negative way, and portray women as victims who suffer the consequences of these measures. I think both organizations show very critical stances to economic and social factors as e.g. globalization, expansion of the global economy, economic reform policies and the institutions, which develop them, and states which implement them, as well as the restructuring of family roles due to these measures. They both pinpoint these as severe causal factors for women's lives, since they are the ones who often feel the outcomes of these measures and thus try to migrate, and are put in risky situations which could lead to trafficking. Yet, I also argue there is recognition for women's agency, since it is stated that women, in order to live up to the higher responsibilities given to them, do make active choices for migration in order to alter bad living conditions. Even though Barry's quotes show a continuous view of women as victims, I argue that Raymond shows an acknowledgement of women making active choices when migrating for survival, even under bad conditions. Raymond does then, to some extent, grant women active agency. Returning to Barry, her quote puts women from the Global South in a negative perspective, emphasizing their vulnerability due to traditional and religious practices within their cultures. She emphasizes their racial affiliations by underlining it is mostly women of color (indigenous or aboriginal) from remote tribal communities which devalue female children. I interpret this quote as an expression, which deems indigenous people, and their cultures as backwards and misogynist, since she claims parents within these populations are encouraged to sell their daughters.

6.2.4 Criminalization versus Decriminalization

An important and much contested issue concerns arguments for criminalization or decriminalization of sex work. The organizations place heavy foci on the issue on whether or not it should be criminalized or elevated to the same level as other sectors, acknowledging it as work, and decriminalizing it. Starting with the GAATW and NSWP who represent the global pro-rights side, both organizations call for decriminalizing the area. The NSWP advocates for sex work becoming completely decriminalized 'we demand that governments and responsible authorities take the following proactive measures to realise and respect this right: Repeal laws that criminalise the selling and purchasing of sexual services and third parties, families, partners, and friends. Recognise sex work as an occupation and its inclusion in ILO categorization of occupations.' (NSWP 2013: 25). The GAATW support decriminalization when saying 'GAATW has always supported sex worker's rights and valued the role sex workers rights groups have in the anti-

trafficking movement. Given the diverse context in which our members operate, GAATW has not promoted any specific legislative approaches to sex work, but GAATW's membership does agree that: sex workers have the right to organize; sex workers have the rights to safe working conditions; violence against women in sex work is a grave human rights violation; Trafficking is distinct from sex work; and Anti-trafficking policies must factor in sex worker's concerns and knowledge. The decriminalisation of sex work is considered an important goal for many sex workers rights organisations, including a number of sex workers rights groups in GAATW's membership' (Ham 2011: 42).

Ham portrays the decriminalization model adopted by the New Zealand Government^{xix} as a feasible way of obtaining labor standards and human rights for sex workers and trafficked people. She credits the New Zealand model and argues the success of the Prostitution Reform Act included 'no increase in the number of people entering sex work and enforcement of laws against *underage* prostitution; improved working conditions: women were freer to negotiate safer sex, refuse clients or sexual practices, choose safe working locations, and work with other sex workers to increase safety. Under the policy, fines and fees imposed by employers decreased. Increased feelings of safety: women felt more able to report abuse to police, police attitudes towards sex workers improved, and safe sex was more widely promoted. More efficient use of public resources. Removing a barrier to exiting the sex work industry: Sex workers are no longer at risk of getting a criminal record for working in the sex industry. Safeguarding sex workers' rights, such as: The right for children under 18 not to be in sex work; the right of adults not to be forced into sex work; the right to refuse clients or sexual practices; the right not to be subject to exploitative, degrading employment practices' (Ham 2011: 44). She argues decriminalization may be the only proper way to address trafficking successfully, since it could 'help prevent misuse of anti-trafficking laws to punish women in sex work' (ibid) and help 'assist anti-trafficking efforts by fostering cooperation between police and sex workers. Sex workers would be more enabled to practice their rights and feel safer about reporting concerns to police without fear of arrest or harassment' (ibid: 45).

The CATW exhibits strong opposition to decriminalization. In a study of the impact of decriminalization of sex work in Victoria Australia, Sullivan argues it has been in vain despite efforts of the Victorian Government adopting a 'harm minimization approach to tackle the social problems and human rights abuses that prostitution created. However, in every category,

legalization has exacerbated these harms and produced many of its own making' (Sullivan 2005: 3). She argues it has led to an uncontrollable area that 'thrives not just because of high profits but also because it is a relatively low risk activity as there are minimal laws against trafficking for sexual servitude' (Sullivan 2005: 15). She claims that in Victoria, there is no adequate law to handle sex trafficking and that sex trafficking has been restricted to an immigration offence, which usually ends with the immediate deportation of trafficked people (ibid: 14). Barry and Leidholdt support this view 'whenever a country eases its laws on pimping, trafficking of women and children from poorer or underdeveloped countries flourishes. Throughout the 1980's and 1990's there has been a substantial increase in the trafficking of women to the Netherlands, especially from Southeast Asia, that has paralleled the legalization of Dutch prostitution' (Barry 1997: 39). Leidholdt provides a firsthand account of what she sees decriminalization contributing to; 'I flew into Frankfurt, Germany on my way to Strasbourg, and there I was able to study, up close, the contemporary sex industry in all of its complexity. The Frankfurt city fathers has created a system of legal, regulated brothels, apparently in an effort to stamp out an array of evils, including street prostitution, control of the sex industry by organized crime, and the spread of sexually transmitted diseases. From what I could see, their strategy was a colossal failure. Street prostitution was flourishing; organized crime groups were running underground brothels filled with Asian, Latin American, and Eastern European women and girls; and only the few legal brothels (which were grossly outnumbered by their underground counterparts) made an effort to ensure that customers used condoms.' (Leidholdt 2004: 168).

The criminalization model, which the CATW advocates for, is the 'Swedish Model'. In 1997, Barry was advocating for a 'Convention Against Sexual Exploitation', which was to be based on the harms resulting from prostitution and the objectification of sex and human beings. The convention's aim was to disregard completely the idea of consent since it would see all sexual labor as an act of harm itself (Barry 1997: 28-9). Leidholdt and Raymond have also made concerted efforts at advocating for the criminalization of clients. They credit the Swedish model for being the only plausible way of eradicating prostitution 'The Swedish government developed an antithetical policy response. In 1999, it passed and implemented legislation that stepped up measures against organized prostitution not only by directing strong penalties against pimps, brothel owners, and other sex industry entrepreneurs but by also instituting criminal sanctions against customers...[...]... After the passage of the new law, Sweden spearheaded a public education campaign warning sex industry customers that patronizing prostitutes was criminal behavior...

[...]... The result was unexpected. While there was not a dramatic decrease in the incidence of prostitution, sex trafficking to Sweden declined significantly. The danger of prosecution coupled with a diminished demand made Sweden an unpromising market for global sex traffickers' (Leidholdt (2004: 180). 'Instead of abandoning women in the sex industry to state-sponsored prostitution, laws should address the predation of men who buy women for the sex of prostitution. Men who use women in prostitution have long been invisible. Legislators often leap onto the legalization bandwagon because they think nothing else is successful. But there is a legal alternative. Rather than sanctioning prostitution, states could address the demand by penalizing the men who buy women for the sex of prostitution' (Raymond 2004a: 326). Raymond expands her argument by saying 'Sweden has drafted legislation recognizing that without male demand, there would be no female supply. Thinking outside the repressive box of legalization, Sweden has acknowledged that prostitution is a form of male violence against women and children, and the purchase of sexual services is criminalized... [...]... Results of the Swedish legislation thus far have been promising. The prohibition against men buying prostituted women has received strong social support ... [...]... Most importantly, women who are attempting to leave prostitution support the law. Swedish NGOs that work with women in prostitution also support the law and maintain that since passage of the law, increased numbers of women contact them for assistance. The very existence of the law, and the fact that people know it will be enforced, they say, serve as an aid to young women who are vulnerable to pimps and procurers.' (ibid: 326-7).

To start with, I place the NSWP and GAATW as interpretive communities advocating for full decriminalization in the place of the one within the discursive tableau. For the two organizations, what arises and gives their discourse driving force is an understanding that in order to combat and eradicate the social evils, which occur within sex work it, is necessary to elevate the trade and place it on the same level as other sectors. In the place of construction, I argue the decriminalization arguments are produced and maintained as a symbolic result of the GAATW and NSWP, as espousers of the pro-rights view within the global discourse on human trafficking and sex work. I argue that decriminalizing sex work is a stable component of both organizations discourses and thus they reconstruct themselves and gain stability, since at no point was I able to find any hints in my data which questioned complete decriminalization. Likewise, by placing the CATW in the place of the other, I argue interplay occurs in the debate on decriminalization of sex work. The CATW can be seen as giving a reply that at no point shares any consensus with decriminalization arguments. The organization continues in its place of construction to form a

discourse centered on exploitation and violence against women. For all organizations, the place of the real is where they continuously reconstruct their discourse around either arguments for or against decriminalization. In order to become acknowledged and confirmed as the reality of their discourses, the CATW, NSWP, and GAATW bring in examples of decriminalization or criminalization laws, which have either worked in favor or against sex workers. Particularly important in conducting a constructivist discourse analysis, I find the citations from Sullivan and Leidholdt interesting, since they provide arguments against decriminalization and what the negative impacts of these measures have been in countries like Germany and Australia. Thus I argue the CATW discourse provides intrusions of what is the real for the NSWP and GAATW, that decriminalization is the only viable solution, and also shows that for the self-observers within the CATW discourse the idea of decriminalizing sex work is unimaginable and does not make sense. Finally, the truth and knowledge circulated by the CATW, NSWP and GAATW shows that for the CATW once again the idea of sex work as violence against women, represents a unified and absolute claim in which members of the CATW as self-observers view the violence against women argument, as generally appropriate and essential when it concerns the links between sex work, migration and trafficking.

The way buyers are viewed is also an important component in the context of sex work, migration, and trafficking. Looking at the GAATW and NSWP, the buyer is virtually invisible in their discourse, which I find critical and see as a strategy in order to exclude and limit the role consumers of prostitution may have. The CATW on the other hand places a high emphasis on buyers. Using the ideas on how language is part of ideology, I argue the above statements by Barry, Leidholdt, and Raymond show that part of the CATW ideology is a view that sees men who buy sex as harm doers and part of the social evil of prostitution. The CATW explicitly wants to hold male consumers of bought sex responsible when saying male consumers have been invisible for too long and that they need to be dealt with by, for instance, making the purchase of sex illegal in order to eradicate prostitution. In general, I found the CATW lacking in providing arguments that show a critical stance towards state authorities, especially police, when it concerns women in sex work. The NSWP on the other hand displays a critical view when it regards official authorities. In its 2013 Consensus statement the organization explicitly points out how sex workers are treated by state authorities ‘Sex workers do not receive equal treatment before the law. This inequality includes a lack of protection from employment laws granted to other workers. The culture of stigma affects judicial decision-making (e.g. sex work being used to demonstrate bad parenting, flawed moral

character, or behaviour) and this creates a climate of mistrust between sex workers and officials.’(NSWP 2013: 5). I argue that part of the social evil within sex work, according to the NSWP, lies within the way state authorities deal with sex workers, by depriving them several social and human rights on the basis of selling sex. The way state officials conduct themselves in relation to sex workers is much more important and for the organization, the only viable way solution to the problem of unequal treatment of sex workers is to decriminalize the area.

6.3 Sub Question 2

‘Looking at the discourse of the UN, how has the organization responded to the issue of sex work in relation to migration and trafficking as set forth by the GAATW, the NSWP, and the CATW?’

6.3.1 Conflation of Sex Work with Trafficking

The data retrieved shows the UN has a nuanced approach towards the conflation of trafficking with sex work. The UNESCO states one of the major problems when dealing with trafficking, is the ‘lack of clarity in terms and definitions used by governments, international agencies, NGOs, academics and the media. In particular it is necessary to pay attention to the fact that often there is no clear distinction made between trafficking and migration, trafficking and smuggling, trafficking and prostitution and between voluntary and forced prostitution. This is a serious issue since it results in distorted data and confused debates with unfortunate policy and public responses. Some debates concerning female migrants (trafficking victims, forced prostitute) and confusion regarding the definition has led to the effect of making cross border movement of women seem illegitimate’ (Touzenis 2010: 23). The UNAIDS is in favor for delinking trafficking from sex work. It states ‘anti-trafficking laws or actions often encourage the assumption that all, or at least most, trafficked persons are trafficked for commercial sexual exploitation, and that all or most sex workers are trafficked into sex work against their will. In reality, trafficking and sex work are two very different things. Trafficking involves coercion and deceit; it results in various forms of exploitation, including forced labour, and is a gross violation of human rights. Sex work, on the other hand, does not involve coercion or deceit. Even when it is illegal, sex work comprises freely entered into and consensual sex between adults, and like other forms of labour provides sex workers with a livelihood’ (UNAIDS/Annex 3 2009: 14). Another quote which shows an understanding that sex work and trafficking are distinct comes from UNWOMEN ‘The issues of sex work, sexual exploitation and trafficking are complex issues which have significant legal, social and health

consequences. Due to such complexity, it is important that we do not conflate these three issues which deserve to be considered in their own right. We cannot consider sex work the same way we consider trafficking or sexual exploitation which are human rights abuses and crimes. The conflation of consensual sex work and sex trafficking leads to inappropriate responses that fail to assist sex workers and victims of trafficking in realizing their rights. Furthermore, failing to distinguish between these groups infringes on sex workers' right to health and self-determination and can impede efforts to prevent and prosecute trafficking' (UNWOMEN 2013:1).

Analyzing the statements, I argue that by placing the UN within the discursive tableau, the organization occupies the place of a distant observer in relation to the discourses of the CATW, NSWP and GAATW, observing the discourses of these organizations from a distance. In relation to the view of all sex work amounting to trafficking as the CATW advocates, the UN recognizes something other than the CATW as a self-observer of its own discourse. For the UN it is clear that sex work and trafficking are not always the same, this creates a tensional field between the discourse of the UN and the CATW, since there is no consensus on this matter. In relation to the place of the other, the UN view on the conflation of sex work and trafficking allows for an understanding that the discourse of the organization compounds a correspondence to the discourse of the three organizations above. In relation to the discourse of the CATW, since the view of the UN differs, it thus constitutes a counter-force and the CATW, as occupants of the place of the one, have not been able to manage to prove themselves and their arguments on equaling all trafficking with sex work. Thus the UN discourse allows room for the GAATW and NSWP to construct a discourse that stabilizes and returns itself and thus represents a symbolic production of the two pro-rights organizations, since their discourse has been able to hand itself into the UN view on the conflation of trafficking and sex work. For the CATW, this particular UN view shows that what is real for the former, that all prostitution is trafficking, is subverted by the UN. Thus, the organization understands that the area is replete with multiple truths. It acknowledges that trafficking and sexual exploitation are abuses and crimes, yet it also understands that sex work can be a chosen option, and that responses to the problems with trafficking often have adverse effects for the people they intend to help. As a distant observer, the UN does not acknowledge the one and unified truth claim of the CATW in relation to conflating sex work with trafficking. The assumption of the CATW discourse that sex work and trafficking are the same is not identical to the UN view and unlimitedly transferable for its discourses. Furthermore, the UN view shows that what the CATW claim as absolute validity has been subjected to relativization within the UN discourse.

The inclination of the UN to delink trafficking from sex work also shows a resistance towards the dominant neo-abolitionist discourse, which the CATW has been a prime espouser of. In relation to the topic of sex work and trafficking always being the same, the UN does not adhere to reproducing the dominant and unequal ideology by the CATW. By acknowledging that sex work and trafficking are not always the same, that data on the matter gets distorted and women's freedom of movement can be jeopardized, as well as policies and responses having negative outcomes on the language of the organization resists the social inequality that may arise when all sex work is equated with trafficking, and all people in sex work get labeled as victims. By acknowledging that trafficking is a social and political issue and by recognizing that sex work must be seen in different shades, the UN exposes the abuse that happens when failure to distinguish between the two occurs and calls for a more ample understanding of the issues. This view of the UN is closely related to the issue of consent and agency in relation to sex work, which I elaborate on in the section below.

6.3.2 Consent and Agency

The issue of consent and agency is also present in the UN discourse. The organization displays a view that acknowledges women's capacity to consent and respect for women's agency. This is particularly shown within the UNAIDS 'Sex worker organizations globally, and locally, understand sex work as a contractual arrangement where sexual services are negotiated between consenting adults, with the terms of arrangement having been agreed upon between the seller and the buyer of sexual services. By definition, sex work means that adult female, male and transgender sex workers who are engaging in commercial sex have *consented to do so* (that is, are choosing voluntarily to do so), making it distinct from trafficking. For sex workers, working in the sex industry is not usually a result of coercion or an irrational act of desperation arising from their economic or social vulnerability. On the contrary, men, women, and transgendered people who sell sex are exercising their agency to make a realistic choice from the options available to them. A woman deciding to sell sexual services in order to support herself or her family is not a trafficked person. A man deciding to sell sexual services to fund his drug use is not a trafficked person. A transgender person deciding to sell sexual services because of lack of employment options is not a trafficked person. There may be people in sex work who might prefer to be in other employment, but do not have many alternatives- a situation that many people in other employment sectors are in. They should not be deemed as being coerced into sex work, as trafficked persons are' (UNAIDS/Annex 3: 15).

Yet the UN draws the issue of consent into question in Touzenis's 2010 UNESCO report, which albeit acknowledging women's ability to consent to migration, questions if consent can at all be given 'Real consent is only possible and legally recognizable, when all the relevant facts are known and a person is free to consent or not. Defendants do not lose their right to raise all defenses. Thus despite evidence that the victim consented to migrate, to carry false documents and to work illegally abroad, defendants cannot argue that the victim 'consented' to work in conditions of forced labour, slavery or servitude. For example, a woman can consent to migrate to work in prostitution in a particular city, at a particular brothel, for a certain sum of money. However, if the defendant intended actually to hold the woman in forced or coerced sex work, then there is no consent because everything the defendant trafficker told the woman is a lie. No one can consent to a lie. Even if a person agrees to work in very bad conditions, for very little money, with very little freedom, he would still be a victim of trafficking if the trafficker intended to hold him/her in debt bondage, involuntary or forced conditions' (Touzenis 2010: 34).

These statements show the issue of agency and consent can be precarious. For the UN, within its place of construction, what is produced and maintained is an understanding that not only women, but also men and transgendered people, can be active agents in their own lives and make the best out of the options available to them. Thus the UN grants adult people in sex work agency and by mentioning male and transgendered sex workers, the UN also directly acknowledges that sex work is a livelihood which not only women make. Yet in its place of the real, the UN view of consent and agency intrudes itself. Albeit acknowledging agency and consent, the statement from Touzenis shows that the two can be very precarious and can be questioned, especially in the link with sex work, trafficking and migration, since if at any given time the person migrating does not know all the true facts, albeit migrating voluntarily maybe even for sex work, then the persons situation can easily be reverted from a case of voluntary migration into a case of trafficking. Thus in this particular context in the place of the real, the UN discourse deconstructs and reconstructs itself, acknowledging that consent can be given yet it can also always be drawn into question and implies that the obstinate eventfulness of the UN discourse in this case can never be completely captured.

Analyzing the view on agency and consent from a CDA approach, the two statements above show the UN ideology places itself both within the CATW discourse and the NSWP and GAATW discourses. On one hand, it calls for the acknowledgement and respect for the choices some people make about selling sex, while on the other it rejects this by saying that true consent in

the context of trafficking can only be valid if every single detail is known and the person has agreed- meaning that if there in the course of migration or upon arrival are any alternations, then the person can easily end up in a case which can be classified as trafficking, and thus any initial consent becomes nullified. In the context of migration, trafficking and sex work, this can then be applied in a way which labels any given person who has migrated, as a victim and thus perpetuates the neo-abolitionist denial of agency and ability of adult people to make active decisions. I thus argue that the above statement from the UNESCO could potentially help reproduce, reinforce the dominant view of the neo-abolitionist side of the discourse on human trafficking and sex work.

Finally, I noticed in some of my data, the derogative terms prostitute/prostitution are present, whilst the terms sex work/sex worker also appear. Analyzing this from within a micro-level of CDA, and taking into account the dissociation which the CATW, GAATW and NSWP¹⁰ have towards one or both, I find it interesting that the UNFPA and UNESCO in some instances have not taken into consideration the appliance of especially the word prostitute and the negative connotations it holds¹¹. The other UN data makes consequent use of the terms sex work/ sex worker, this holds particularly true for the UNAIDS, UN WOMEN and the UNESCO. Looking at this from within a micro level within CDA, I argue that albeit the UNFPA and UNESCO in some instances make use of negative terminology, which potentially could help maintain a negative and discriminatory view towards people in sex work, the publication from the UNAIDS, UN WOMEN and the 2010 UNESCO report show a change in the vocabulary of the UN discourse, indicating that the organization has been receptive towards the arguments of the pro-rights side, which vehemently defends the use of the terms sex work and sex worker.

6.3.3 Causal Factors for Female Migration in Relation to Sex Work and Higher Risks of Trafficking

6.3.4 Gender-based Discrimination

Several UN bodies identify gender-based discrimination as a causal factor. The UNFPA states ‘Poverty and inequity are root causes of trafficking. Gender discrimination within the family and

¹⁰ Please see section 6.1.2.

¹¹This is the case for the UNFPA publication on trafficking and the UNESCO executive summary on the conference “Trafficking of women: exploring effective policies and mechanisms to prevent it through education”. Especially in the latter the term ‘prostitute’ takes precedence over the more political correct term ‘sex worker’.

the community, as well as a tolerance of violence against women and children also come into play. Lack of appropriate legislation and political will to address the problem, restrictive immigration policies, globalization of the sex industry, and the involvement of transnational organized criminal networks are other causal factors^{xx}. UNAIDS states ‘Gender inequality causes many women to enter sex work. Globally, most sex workers are women or girls. With unequal access to education, employment, credit or financial support outside marriage, women and girls often see sex work as one of the few options available to support themselves’ (UNAIDS 2009: 20). The OHCHR utters ‘Patterns of instability, oppression and discrimination may place women and children at greater risk everywhere, with social and cultural prejudices and the prevalence of gender violence presenting additional challenges to their effective protection. Trafficking of girls and women can also be connected to a high prevalence of overall violence in public and private spheres against women. Under extreme circumstances, poor families, unable to support their children may be induced to sell or hire them out. Trafficking is also facilitated by the lack of education (OHCHR n/a: 5). UNESCO states ‘In many societies, girls are less valued than boys and are expected to sacrifice their education and assume domestic responsibilities such as taking care of their parents and siblings. In addition, women who are marginalised economically, socially and politically, are unable to enjoy many basic rights enjoyed by men. These realities lead to a feminization of poverty and a lack of choices, which makes women more vulnerable to traffickers. Also, racial discrimination may lead to lack of opportunities, which may force people to seek opportunities elsewhere. States are obliged to enact legislation to eradicate discrimination and ensure the right of equal access to e.g. health facilities, education, jobs, housing. Discrimination is a problem both at the point of origin and destination. Discrimination can make it difficult or impossible to obtain education and work and thus make migration seem the only alternative and upon destination there may be a clear hierarchy of employability, salaries and conditions based on race’ (Touzenis 2010: 96).

Theoretically, I argue that for the UN as a distant observer to the discourses of the GAATW, NSWP and CATW, the reply given to these organizations shows agreement with the argument that gender-based discrimination is a cause for why women and girls risk becoming trafficked. The issue of gender-based discrimination is a symbolic result, which is constructed, produced and maintained within the discourses of all four organizations and the discourses of the CATW, NSWP and the GAATW have shown their ability to stabilize and return themselves within the UN discourse. Analyzing the issue of gender-based discrimination also renders the UN a position within the place of the real within the discursive tableau of Neubert and Reich. In here I

argue that the discourse of the GAATW, NSWP and CATW have been able to prove their viability and can be confirmed as the reality of the discourse by self-observers within the neo-abolitionist and pro-rights interpretive communities, since they have been able to reconstruct themselves within the UN discourse on the links between sex work, migration and trafficking. Finally, the truth and knowledge concerning gender-based discrimination produced by the CATW, GAATW and NSWP can be said to represent a unified and absolute claim, which has validity for its observers since the UN points to these same issues, which lie within gender-based discrimination and sex work, migration, and trafficking. Like the neo-abolitionist and pro-rights organizations, the UN also identifies cultural practices as part of the problem with trafficking in women, as well as exclusion of women and girls from many spheres within society. Thus, just like the above mentioned organizations the UN shows that, in relation to gender-based discrimination, sex work, migration and trafficking, there are plural truths and a diverse knowledge which has been able to reproduce itself from the discourse of the CATW, NSWP and GAATW into the discourse of the UN, thus rendering the truth claims on gender-based discrimination from these organizations to be certain, since they appear generally appropriate and essential for the discourses of the four organizations.

The issue of gender-based discrimination within the UN also shows that the organization understands a variety of reasons for why women may migrate if they experience discrimination. By pointing to lack of appropriate legislation and political will to eradicate discrimination, as well as unequal access to school, work or other financial support outside marriage, I argue that the UN indirectly holds states responsible for not securing women a viable option in their own countries of origin, or banning certain religious or cultural practices which are pejorative to women and girls, thus forcing them to seek alternative options possibly through migration, and thus posing themselves to the risk of being trafficked.

6.3.5 Restrictive Immigration Policies

In line with the CATW, GAATW and NSWP the UN also regards restrictive immigration policies an important factor when identifying and understand the links between sex work, migration and trafficking. UNESCO points to these laws as risk factors ‘Trafficking has long been identified as a migration issue. Like migrant smuggling, trafficking involves facilitated, and often illegal, migration... [...]... Approaches to prevention and suppression of trafficking necessarily raise important migration and freedom of movement issues, from control of borders to the consequences of immigration law and policies on law enforcement and protection of victims. In the context of

preventing trafficking, the need to balance border control with freedom of movement- and to do so in a non-discriminatory way- is extremely important. Another important issue to consider is the extent to which existing immigration laws and policies contribute to trafficking and its related abuses. Because of strict immigration regimes in Western Europe and North America, for example, people seeking work or a better life increasingly turn to criminal networks and employment or marriage brokers to provide access to the West. Once in abusive situations, lack of papers and fear of arrest or deportation often prevent trafficked people from leaving or seeking help' (Touzenis 2010: 126-7). The OHCHR backs up the view by stating 'the tightening of geographical borders by many governments is another cause of irregular migration, because of the ensuing lack of legal migration opportunities. At the same time as borders are being enforced, the activities of traffickers and smugglers have expanded, routes have become more hazardous, and the dangers facing migrants during illegal travel and transport, have grown exponentially. The majority of irregular migrants are seeking an opportunity to support their families and their home communities through their work and earnings. The experience of the last decade has shown that restrictive approaches, based on efforts to obstruct or deter people from moving from one country and region to another, have not succeeded (OHCHR n/a: 15).

Once again placing the UN as a distant observer, I argue that, and as depicted under the first sub question, in the place of the one for the CATW, NSWP and GAATW what arises is an understanding of states and restrictive immigration policies as causes for women's migration, trafficking and engagement in sex work, the same view holds true within the UN discourse. Thus even though the UN can be said to occupy the place of the other, the correspondence and reply does not differ from that of the latter organizations, and they do not have to prove themselves, since no counter force exists within the UN view on immigration policies. Looking at the places of the real and of construction, I argue the way the arguments regarding strict immigration policies and the outcomes it has for the link of sex work, migration and trafficking constitute a symbolic gain of the discourses of all four organizations and they thus stabilize and return themselves to their participants and re and deconstruct themselves into each other. Due to the consensus the organizations share on this topic, I argue that the discourses do not have to prove their viability to become acknowledged and confirmed as the reality of the discourses by the self-observers of the interpretive communities, and the CATW, NSWP and GAATW have been able to recur and pass on existing constructions into the UN discourse, rendering themselves stability. Furthermore, within a CODA approach, I argue that in the context of strict immigration polices, there are no intrusions of

the real, strict immigration policies can lead to trafficking since people seek riskier ways of migrating when legal venues are closed, and the discourse of the UN circulates the same truth on immigration policies as the other organizations, rendering restrictive immigration policies and the outcomes they have for migration and trafficking a unified and absolute claim. Finally, the knowledge aspect found within the discursive tableau also shows the knowledge produced by the CATW, NSWP and GAATW on these policies is reproduced within the UN discourse, making it able to reproduce itself and transcend boundaries. It does not limit itself to the discourse of the respective organizations, but has been heard, received and rearticulated within the UN.

Conducting a CDA approach to the issue of restrictive immigration policies, I argue the way the UN depicts these, shows an understanding of states and their policies constituting part of the social, political and human rights problem which trafficking is. Through their policies I see that states, especially those situated in the Global North, are portrayed as actors who maintain inequality and domination over people in the Global South. Furthermore, an important thing I noticed in the statements is how the police are portrayed. In line with the quotes in section 6.3.2, the UN acknowledges that a big part of the problem with safeguarding migrants and trafficked people is the ill treatment by state authorities, instead of providing safe guards for trafficked people. State authorities in fact help perpetuate discrimination against sex workers and trafficked people so they don't feel safe to seek help in cases where their human rights might be violated. Finally, using van Dijks ideas on how research within CDA must try to interpret and suggest solution to perceived problems, I argue that for the UN part of the solution to the problems, which restrictive immigration policies have, lies in changing these policies and making immigration easier so that abuse on part of state authorities diminishes, as well as the abuse and dangers which occur when people have to turn to traffickers and smugglers in order to migrate to developed countries.

6.3.6 Economic Reform Policies

SAPs have also been identified as causal factors. UNESCO refers to studies which have 'revealed how, throughout the world, cutbacks in state services and subsidies meant a transfer of considerable costs to the private sector, which costs are carried primarily by women. Referring to many studies across the developing world the main mechanism of transmission of burdens have been identified as the rigidity of the gender division of labour in the household according to which domestic provisioning is women's main responsibility. Pressure to diversify sources of household income to meet basic needs further intensifies the demand on women's time and evidence of any

corresponding rise in the range and intensity of men's inputs to the household and its survival is mostly either insignificant or totally absent. A spate of research on the grassroots impacts of structural adjustment programmes in different parts of the world demonstrated unequivocally that the burdens of debt crisis and neo-liberal reform were being shouldered unequally by women and men' (Touzenis 2010: 96). The UNESCO elaborates further saying 'Economic stagnation and the failure of the adjustment policies have amplified migration as a component of traditional livelihood systems. A balanced account of the nexus between growth and poverty (reduction) cannot bypass an analysis of social relations- to which gender relations are central- for it is these that mediate between market forces and household resources. Local gender norms of entitlements have played a central role in transmitting the burdens of adjustment to women and children' (Touzenis 2010: 97).

In its discourse, the UN has constructed an understanding of global economic reform policies as part of the cause for why migration and trafficking occurs. The view of the UN matches the ones of the CATW and the GAATW who also point to SAPs as a cause for migration and trafficking. Thus the discourse of the GAATW and CATW have shown their ability to hand down and pass on their existing constructions into the UN discourse, rendering them stability. The reply of the UN in connection with SAPs does not present any intrusion to the discourses of the CATW and GAATW, and the reality of the discourses of these two organizations is confirmed and acknowledged in the UN discourse. Thus, I contend that for the self-observers within the CATW, GAATW and UN part of the reality of their discourse on sex work, migration and human trafficking, is that economic reform policies aimed at debt reduction are an important factor in the links between these three issues. The truth and knowledge shown in the UN discourse shows that the knowledge and truth, which the CATW and the GAATW have in their discourses, is able to circulate and thus represent a unified and absolute claim with validity for the UN as a distant observer to the discourses of the former. Furthermore, since the UN view on SAPs does not differ from the CATW and GAATW view, I argue that for the self-observers within the discourses of the three organizations, the truth claim of SAPs having a negative impact on the lives of people in the Global South, appears as an essential and generally appropriate truth claim. The knowledge produced by the CATW and GAATW has been able to transcend into the UN discourse, reproducing itself and can be claimed to be a restricted knowledge, maintained as true knowledge, since I was not able to find statements which contradicted the view on SAPs.

The way in which the UN portrays SAPs shows that for the organization, a multitude of problems surrounding these debt relief measures have detrimental effects, and while maybe reducing debt for states, the social outcomes are that the people are driven further into poverty, women in particular. Although not mentioning the institutions¹² that have created these policies explicitly, I argue from a CDA approach that the IMF, the World Bank (and thus the West) are portrayed as institutions which keeps people in developing countries in a subordinate financial position, devaluating their already fragile living conditions and reproducing and maintaining social inequality towards them. Furthermore, and in accordance with the CATW and GAATW, the UN also explicitly states that women are double burdened not only by the SAPs, but also by social and family structures, in which many times male contribution to the home and family are minimal or null. Thus, women bear the double burden of having to take care of kin and participating in the labor market. For the UN parts of the solution to this particular problem, lies in acknowledging the gender and social relations as a central component when balancing growth and poverty reduction, and relieve the double burden poor women in the Global South carry.

6.3.7 Criminalization versus Decriminalization

The issue of criminalization or decriminalization has been taken up by the UN discourse. Certain statements show favor for decriminalization. UN WOMEN for example states ‘UNAIDS, of which UN Women is a co-sponsor, supports the decriminalization of sex work in order to ensure the access of sex workers to all services, including HIV care and treatment. UN Women also supports the regulation of sex work in order to protect sex workers from abuse and violence’ (UN Women 2013: 2). The abovementioned reference to UNAIDS and its support for decriminalization of sex work is found in its 2009 publication ‘States should move away from criminalizing sex work or activities associated with it. Decriminalisation of sex work should include removing criminal laws and penalties for purchase and sale of sex, management of sex workers and brothels, and other activities related to sex work. To the degree that states retain non-criminal administrative law or regulations concerning sex work, these should be applied in ways that do not violate sex workers’ rights or dignity and that ensure their enjoyment of due process of law (UNAIDS Annex 1: 6). The 2010 UNESCO report also calls for decriminalization of various sectors, not only sex work, in

¹² The IMF and World Bank introduced SAPs in the 1980’s which were aimed at reducing debt in developing countries. The programmes are based in a neo-liberal approach which cut back state expenses for public and social services: <http://www.who.int/trade/glossary/story084/en/> [accessed on 03/31/2015 at 11.30 am].

which human trafficking constitutes a problem, ‘Focusing on the dimension of human trafficking is not significant in itself- it is important to understand and measure for which purpose trafficking happens, i.e. in which specific market trafficked people are exploited. This will allow designing more focused and effective interventions. This means the implementation of policies oriented in detecting and deterring demands for prostitution, drugs, work, and organs, and in bringing these black markets to a legal dimension. It is necessary to understand that not all forms of exploitation are the same and to assess demands and supply in the different markets by separating the legal ones from the illegal ones, to develop criminal sanctions and regulatory disincentives in the labour market’ (Touzenis 2010: 161).

One final quote comes from the OHCHR which says ‘As the denial of demand for labour in specific sectors of the economy is one of the causes of irregular migration, countries of destination should assess the demand for migrant labour in the various sectors and proceed to harmonize their immigration, migration and labour policies in commensuration with demand for labour.’ (OHCHR n/a: 21). In my data gathered from the UN, there are hardly any statements that show a disposition in favor of addressing the male demand side to sex work. In an executive summary from a 2012 conference ‘Trafficking of women: exploring effective policies and mechanisms to prevent it through education’ only two statements reflect this ‘Education and awareness raising, as cost-effective preventive measures, can help combat the issue at its roots. Prevention through education must start as early as possible, and target young boys and girls in schools not only as potential victims but as potential future consumers as well, in order to act on the demand for trafficked victims’ (UNESCO 2012: 4). ‘To be effective, we must leave the moral debate on the legality of the sex work sector aside and focus on awareness-raising. Too many people in the Netherlands hold a romantic view of prostitution, and believe that it is primarily the independently working Dutch women that populate the red-light district. However, many of the women working as prostitutes are being forced, and there is nothing romantic about that. The population of prostitutes in Western Europe has changed dramatically over the last ten years, as has the profile of traffickers, yet we tend to ignore these changes.’(UNESCO 2012: 6).

I argue that the UN as a distant observer to the discourses of the GAATW, the NSWP and the CATW, recognizes other things important in the link between sex work, migration and trafficking. This is particularly true in relation to the CATW view on criminalization of clients of sexual services. Albeit mentioning the need to address the demand for labor in specific sectors and

awareness-raising, at no point does the UN explicitly state its favor for criminalizing clients of sex workers. This constructs a tensional field in relation to the CATW who unequivocally advocate for the criminalization of the buyer. I find that albeit the 2012 UNESCO executive summary mentioning the need to address the issue of trafficking via education and awareness-raising, it does not state support for client criminalization. Yet it does hold male demand responsible and calls for teaching both girl and boy children about the issue of trafficking, not only to avoid female children from the potential risk of trafficking, but also in an effort to deter future male consumers to refrain from buying sex. Thus by placing the UN discourse within the truth and knowledge angles of the discursive tableau, I argue that the UN discourse constructs an understanding that trafficking is a serious issue, and circulates a truth which is plural, since the organization acknowledges and emphasizes that trafficking also occurs for other sectors, and that in order to address the ills of trafficking the only viable solution is to change policies concerning sex work, immigration, migration and labor. Furthermore, the knowledge found within the UN discourse shows a diverse understanding of trafficking and issues related to migration, sex work, and other sectors, I argue that juxtaposing the UN with the other three organizations shows that the NSWP and GAATW as self-observers within the pro-rights discourse, can claim the appropriateness and relevance of their knowledge on sex work, migration and trafficking, as suitable and adequate for conducting their discourses, since their arguments have transcended into the UN discourse. Albeit the CATW producing knowledge centered primarily on trafficking for sexual exploitation and criminalization of the customer, the UN discourse along with the NSWP and GAATW discourses shows that these organizations as distant observers to the CATW discourse, prove that other knowledge is being formed in the margins of the global debate on human trafficking and sex work. Furthermore, the decriminalization of sex work in order to improve the situations of not only trafficked people, but sex workers too, symbolizes a symbolic gain of not only the UN discourse, but also the GAATW and NSWP discourses, which in section 6.2.4 strongly advocate for a decriminalization of sex work. Therefore, the NSWP and GAATW discourses show recurrence within the UN discourse and are able to pass on their existing constructions, rendering themselves stability. Moreover, in the context of decriminalization the UN leans more towards the view of the GAATW and NSWP showing that the discourses of the latter have been able to reconstruct themselves in the UN and thus prove their viability and are acknowledged and confirmed as the reality of discourse, not only by themselves as self-observers and an interpretive community advocating for a pro-rights approach to sex work, but also by the UN as a distant observer and interpretive community of international human rights law.

Finally, analyzing the UN view on decriminalization of sex work from a CDA approach, I argue that the UN shows an understanding of the issue, which recognizes state as irresponsible actors in relation to trafficking. States represent part of the political and social issues, which are associated with trafficking. By pointing to criminal laws on sex work and arguing that many laws on immigration, migrant labor and labor policies together with demand for labor need to be adjusted, the UN implicitly calls for state attention and responsibility in order to better apprehend and deter trafficking. Therefore, for the UN part of the problem with trafficking, migration and sex work lies in states not living up to their responsibilities in making sure that laws reflect the actual needs of people seeking work through migration, people who have been trafficked and the needs of labor markets. Furthermore, the UN also points out the lack of appropriate laws based on the needs of people migrating or who have been trafficked, results in violations of sex workers rights. This is overtly shown in the statement from UNAIDS, which calls for laws that ‘do not violate sex workers’ rights or dignity and that ensure their enjoyment of due process of law’ (UNAIDS Annex 1: 6), thus pointing out state authorities, as violators of sex workers human rights. Additionally, the UNAIDS call for complete decriminalization, shows that the discourse of the UN shows intertextuality with the NSWP and GAATW discourse, not only does the organization, not focus on male demand, but acknowledges multiple issues linked to sex work, migration and trafficking and the call for complete decriminalization of all aspects related to sex work, shows very much an ideology linked to the one of especially the NSWP, which calls for a complete decriminalization of sex work as shown in section 6.2.4. Taking the different statements on decriminalization into consideration, I thus argue from a CDA approach, that the UN both tacitly and explicitly proposes as part of the solution to trafficking, a decriminalization of sex work. Yet the two statements from the 2012 UNESCO executive summary shows that, to a certain degree, there is an understanding that male consumers are also part of the problem of trafficking, since they create a demand side and thus open up for trafficking to occur. Yet the summary does not state an inclination in favor of criminalizing the buyer, it only calls for awareness raising through education, as part of the solution to combat trafficking.

7. Discussion

Given what has been depicted in my analysis, I contend the CATW, NSWP, GAATW and the UN have demonstrated there are several human rights issues at stake, in the link between sex work, migration, and trafficking. Some of the referenced quotes in both sub questions can be linked to the human rights discourse in the IBR.

The NSWP's 2013 Consensus Statement on Sex Work, Human Rights, and the Law is formulated in a way so it directly refers to and shows intertextuality to the human rights discourse. It is built up with eight different sections and shows direct referral to the IBR human rights discourse. Some of the rights referred to are rights to associate and organize, to be protected by the law, to be free from violence, to be free from discrimination, to privacy and freedom from arbitrary interference, rights to health, rights to move and migrate and to work and free choice of employment. The GAATW discourse also shows intertextuality to the abovementioned rights. I argue the analysis has shown that for the GAATW, an important part of its discourse rests on issues related to the human rights of freedom of movement as stipulated in articles 13 of the UDHR, and 12 of the ICCPR. As shown in section 6.1.1 the pro-rights organizations stipulate the need to delink trafficking from sex work and for differentiating between different kinds of migration in order to avoid abuse of migrating people's human rights. They both advocate for the need to respect people's human rights to freedom of movement, even if the intention is to engage in sex work. Other important human rights related issues in the discourses of the two pro-rights based NGO's relates to the rights to self-determination¹³, which is 'the foundation and cornerstone of the entire human rights framework'(Normand & Zaidi 2008: 212). By acknowledging women's capacity to consent to do sex work, the NSWP and GAATW also grant women their rights to determine over themselves, their lives and bodies and thus indirectly show reference to rights to self-determination in the ICCPR and ICESCR. Concerning the CATW, I argue the denial of women's consent as shown in sections 6.1.1 and 6.1.2 and the victim hood language used by the organization indirectly denies women their human rights to self-determination (UN 1966a: 1; UN 1966b:1). Furthermore, by not acknowledging sex work as work, the CATW refutes any notion that human rights as e.g. the rights to work and free choice of employment and to associate (UN 1948: 6; UN 1966b:2-3) being applicable to sex work.

¹³ Articles 1 in the ICCPR and ICESCR stipulate this right.

Although the CATW refers to the human rights discourse, I did not find it as thorough in mentioning human rights as the other two organizations. Taking into consideration the ideology of the organization rests on a victimization framework, I noticed the vocabulary found in its discourse relates more to the human rights, intended to guarantee protection from being held in slavery or servitude¹⁴ and from torture or cruel, inhuman or degrading treatment¹⁵. Moreover, the causal factors pointed out by the CATW, NSWP and GAATW under my first sub question show that the discourses of these respective NGO's acknowledged a multitude of issues, which not only lead to women opting for sex work, but also for their migration and possible risk of being trafficked. Due to issues as gender-based discrimination in many societies and women's exclusion or limited access to education and jobs, clearly shows that in the context of sex work, migration and trafficking, the IBR human rights discourse can prove futile for women. I argue that both Barry and Pearson have demonstrated this by pointing to certain cultural and religious practices in section 6.2.1 and the UN mentioning of gender-based discrimination in section 6.3.4 affirms that social and cultural prejudices lead to women's vulnerability. I argue that this causal factor proves how the IBR can contradict itself. First of all, articles 1 and 2 of the UDHR and articles 3 of the ICCPR and ICESCR declare men's and women's equal rights to full enjoyment of civil, political, economic, social and cultural rights, and that these rights should be afforded to everyone regardless of race, color, language, gender, religion, political, national or social origin etc. Yet, the gender-based discrimination embedded in practices such as the Trokosi, Devaki and Devadasi shows the mentioned articles can be breached by articles 15 of the ICESCR, articles 27 of the ICCPR and UDHR, which affirm cultural rights, thus women can be kept in slavery and servitude and discriminated against on basis of their gender, under the guise of the human right to practice cultural rights as affirmed by the two last mentioned articles. Furthermore, and in relation to human rights and the criticisms these have been exposed to, especially within a cultural context, I contend that Barry's portrayal of cultural practices in Korea, Nepal and India, as well as her argument that indigenous, aboriginal, and tribal communities have practices which devalue girl children and reduces them to sexual commodities, encouraging parents to sell their daughters (6.2.1), can be juxtaposed to the criticisms of cultural rights. Considering Donnelly's criticism of how cultural relativism can categorize certain cultures into traditional, old and habitual, I contend that Barry's portrayal of the abovementioned communities does this, and categorizes them and their cultural

¹⁴ Articles 4 in the UDHR and 8 of the ICCPR.

¹⁵ Articles 7 of the ICCPR and 5 of the UDHR.

practices as what Donnelly describes as ‘coherent, homogenous, consensual and static’ (Donnelly 2007: 296).

Elaborating further on how the causal factors for sex work, migration, and trafficking relate to the human rights discourse, it is important to look at how all four organizations point to restrictive immigration policies and economic reform policies and the results of these in relation to the human rights discourse. As pointed out by the tightening up of borders by countries in the Global North leads to women, who wish to migrate in order for survival to look for alternative and riskier routes of migration, many times putting themselves at risk of being trafficked and exploited. Relating this to the human rights discourse, strict immigration policies not only breach articles 13 of the UDHR and 12 of the ICCPR, which affirm the rights to freedom of movement. They thus contribute indirectly to other human rights violations as e.g. being protected from slavery, servitude or cruel, inhuman and degrading treatment, which constitute the articles 7 and 8 of the ICCPR and articles 4 and 5 of the UDHR, since women are left with no other options than turning to riskier methods of migration, including the risk of being trafficked. Regarding economic reform policies, I contend the way these factors impact on women’s lives is important because they contribute to numerous violations of women’s human rights. The ICESCR and UDHR affirms several social and economic rights as e.g. work rights including fair pay, a decent living, and safe and healthy working conditions¹⁶. Rights to social security and social insurance,¹⁷ rights to an adequate standard of living¹⁸, health¹⁹ and education²⁰. Yet by imposing SAPs and reducing public expenditure on public services, the IMF, World Bank and states implementing these policies, violate the articles in the UDHR and ICESCR mentioned above. Reflecting on some of the human rights criticisms given by Chesler, Ishay, Lauren, Normand and Zaidi, depicted in chapter 4 section 4.1.4, arguing the division of the two human rights covenants, is due to ideological contestation over which rights were of higher importance. I argue the breaching of these human rights can in part be accredited this contestation in which the West do not place high emphasis on economic, social and cultural rights. Taking into regards that the IMF and World Bank are Western institutions, the emphasis on economic, social and cultural rights have clearly not been a priority when adopting these measures.

¹⁶ Articles 7 of the ICESCR and 23 of the UDHR.

¹⁷ Article 9 of the ICESCR and 22 of the UDHR.s

¹⁸ Article 11 of the ICESCR and 25 of the UDHR.

¹⁹ Article 12 of the ICESCR

²⁰ Article 13 of the ICESCR and 26 of the UDHR.

Regarding the arguments for or against decriminalization and how they can be juxtaposed to the human rights discourse, I argue that the NSWP, GAATW and UN discourses show traces of the IBR human rights discourse. These three organizations admit that by decriminalizing sex work many of the human rights abuses, which occur within the field, can be avoided. By advocating for decriminalization and for better and more efficient human rights based policies in order to fight trafficking, the organizations show direct support for granting not only sex workers, but also trafficked and migrating people, basic human rights as e.g. life, liberty and security²¹, recognition before and protection by the law²², protection against arbitrary arrest, detention or exile²³, rights to assembly and association²⁴ to form and join trade unions²⁵, social security²⁶ work rights²⁷ and rights to a minimum standard of living²⁸. The CATW on the other hand, by viewing sex work in terms of victimhood and violence against women, and by calling for global political measures aimed at a partial decriminalization of the area; do not relate their discourse to human rights as the GAATW, NSWP, and the UN do.

An important issue to bear in mind, when it concerns decriminalizing or criminalizing sex work, is how the human rights discourse can prove futile. As Kempadoo has pointed out, one of the major obstacles in the field of human trafficking lies within sex work occurring in hidden spaces and informal sectors, which renders invisible women's work and is further complicated by the fact that sex work is often a stigmatized and illicit activity (Kempadoo 2001: 29-30). Drawing in the critiques by Charlesworth and Okin in section 4.1.9, where they criticize human rights for being divided into public and private spheres, in which most women find themselves in the private sphere, I contend that due to the illegal nature of sex work, as well as its occurring in the informal sector, can make it difficult for the human rights discourse to gain any foothold within the area, since it does not take place in the open public sphere due to its illegality, and the associated stigma it carries. Weitzer supports the idea that the victimizing and violence against women approach, with

²¹ Articles 1 of the UDHR and 9 of the ICCPR.

²² Articles 9 and 16 of the ICCPR and 6 of the UDHR.

²³ Articles 9 of the UDHR and 9 of the ICCPR.

²⁴ Article 20 of the UDHR.

²⁵ Article 8 of the ICESCR.

²⁶ Articles 9 of the ICESCR and 22 of the UDHR.

²⁷ Articles 23 of the UDHR and 6 of the ICESCR.

²⁸ Articles 11 of the ICESCR and 25 of the UDHR.

the aim of criminalizing the clients of sex workers, may further exacerbate human rights violations and exploitation within the area since a criminalization may push the sector further underground (Weitzer 2007: 453). This would make it even more precarious for the human rights discourse to be applicable in the field.

Concerning some of the critical points in relation to the methodological applications and limitations to this thesis, I would like to point out that I do believe my results would have been more valid if I could have had conducted online interviews with the respective organizations. Yet as I have mentioned in chapter 2, the GAATW and NSWSP were not able to meet my query and thus I refrained from contacting the CATW and UN since I did not want to produce data, which could be perceived as biased. Furthermore, given the fact that the field of human trafficking and sex work is loaded with contestations when it concerns data (Agustín 2006: 31; Chapkis 2003: 925; Kempadoo 2003: 143; Jahic & Finckenauer 2005: 27-8; McDonald 2004: 145) I opted for qualitative inquiry, since I would not be able to rely on any figures I possibly might have come across. Thus, the results produced throughout the course of this thesis do not show to how big a magnitude the issues lying in the link between sex work, migration, and trafficking are. Instead, they only show what some of the causes are. Yet I argue my analysis has shown, that even though these causes can and often do come into play, they are not a given in every single case where sex work, migration and trafficking are part of the equation.

Concerning my theoretical framework, I am aware that CODA and CDA have only allowed me to depict and analyze a small fraction of some of the pertinent issues in the field of human trafficking and sex work. Yet, just as Neubert and Reich point out that discourses are dynamic, shifting with time and are never complete (Neubert & Reich 2002:3), a complete analysis of the discourses of the CATW, NSWSP, GAATW and the UN would have been too exhausting to conduct, since, as shown above, the discourses fluctuate significantly and are constantly undergoing transformation. Concerning CDA, the theory has enabled me to get a critical view at some of the issues present in the link between sex work, migration and trafficking. Yet since it does not contain a 'unitary theoretical framework' (van Dijk 2001:353) nor a 'relatively fixed set of research methods' (Fairclough, Mulderrig & Wodak 2011: 357) and taking into consideration Stake who says that the interpretation of observations, measurements, and data will stand as 'persuasion of one meaning more than another' (Stake 2010:24), I am aware that the results produced in my analysis

represent my own observations and understandings of the data, and that consequently other researchers within the field may acquire other results.

7.1 Putting the global discourse on human trafficking and sex work into perspective: recent developments

As this chapter has shown, the global discourse on human trafficking and sex work is a highly contested area and is currently undergoing some radical shifts. Many of the issues elucidated in this thesis are also taken up in a global debate, which not only includes the organizations in scope in this thesis, but other actors including governments, NGO's and IO's. Currently the global discourse is moving in two opposed directions: one that approaches sex work and trafficking as two separate phenomena with the ideal of decriminalizing prostitution²⁹ and another which connects prostitution and trafficking together, advocating for criminalization.

At a meta-level, in February 2014 the debate was taken up in the EU where a resolution was drafted and passed by Mary Honeyball, in which recommendations are made for EU member states to follow in line with the Swedish model of criminalizing the male demand side to prostitution. An intense discourse arose out of this resolution, and researchers within the field voiced their view by signing and sending petitions either in protest or support of the EU resolution. Arguments against the resolution were centered on concerns of the safety and health of sex workers. The protest group argued that criminalizing prostitution would drive sex work underground and exacerbate already risky working conditions. Furthermore, the resolution is rejected on grounds that it lacks evidence and does not include research from the pro-rights side of the debate^{xxi}. Arguments in support of the resolution placed emphasis on gender equality, male attitudes towards prostitution and the assumed close link between trafficking and prostitution into the discussion^{xxii}. The resolution was passed in favor of its supporters in February 2014.

²⁹ Amnesty International and Human Rights Watch support this approach

<http://www.amnesty.ie/content/policy-consultation-decriminalisation-sex-work> [accessed 05/01/2015 at 12.26 pm],

http://www.nswp.org/sites/nswp.org/files/HRW_world%20report%202014_web_0.pdf (page 47) [accessed 0pm].

8. Conclusion

In this chapter, I tend to my main research question: *To what extent have the GAATW and the NSWP- who represent the pro-rights side- and the CATW- who represents the neo-abolitionist perspective- influenced the global discourse on human trafficking in regards to sex work?* I also try to validate my hypothesis, that the CATW, NSWP, and GAATW have been able to influence the global discourse on human trafficking in regards to sex work. Finally, I include some personal reflections over the results this thesis has produced.

Given the results drawn in the two sub questions and the discussion stemming from these, I believe my hypothesis, to a certain extent, holds true. What can be summarized from the global discourse on human trafficking in relation to sex work is that the debate is moving away from the dominant neo-abolitionist ideology originating in the Global North, in particular the U.S and the E.U. This is evidenced in the way the UN positions itself, advocating for the need to rethink trafficking, migration and sexual labor outside the historical and dominating neo-abolitionist approach to the area. In the introduction to this thesis, I uttered how the Global North, in particular the U.S and the CATW, have had a major influence in the construction of an abolitionist view on trafficking and prostitution. As shown, the UN has in recent years been moving away from the automatic conflation of trafficking and prostitution, and the organizations discourse includes traces from the CATW, NSWP, and GAATW. Yet the UN's current ideological basis shows a strong influence from particularly the pro-rights side. I believe my results have shown the UN is leaning towards a more nuanced approach, acknowledging that a pro-rights understanding of the area currently seems most feasible. Although the UN still admits, there are issues within the area, which are precarious. This holds particularly true when it concerns consent. Whereas consent is non-existent for the neo-abolitionist movement, the UN does regard it an option. Yet it also acknowledges that when it comes to sex work, migration and trafficking, consent can always be questioned, since migrating people cannot rely on knowing every single step of their migration routes and thus the organizations ideas on this matter places itself somewhere in between the neo-abolitionist and pro-rights ideologies.

As shown in my analysis, there are many factors, which are important to take into account when dealing with sex work in general, and particularly when studying the links it has with migration and trafficking. The CATW, NSWP, and GAATW have all pointed to some of the same causal factors necessary to take into consideration. Yet the two latter organizations lobby for

rethinking and changing policies, which are the results of increasing globalization. As shown, they call for current issues as e.g. immigration, labor and migration policies to be critically considered and possibly adjusted, so they can meet the desires of people who wish to migrate, so they can do this under safe circumstances, and so the demands of the dynamic global market forces can be met. A crucial difference in the discourses of the GAATW, NSWP and the CATW is that albeit the CATW pointing to the same issues in relation to prostitution, migration and trafficking, is that the organization does not provide arguments, which call for the same changes as the GAATW and NSWP. Instead, it continues to view the area in the same victimhood and violence against women framework. The answering of my first sub question clearly shows how the CATW continues to construct women as individuals who have no say in relation to their own migration trajectories, and the status quo of the CATW discourse is that they are victims of male sexual desire and demand. They are victims, not only of bad social circumstances in their home countries, but also of socio-economic measures imposed on them by the West in e.g. need for unskilled and cheap labor force and economic adjustment policies, with negative social outcomes for poor women in the Global South.

The UN has responded to the issue of sex work in relation to migration and trafficking by acknowledging the same causal factors as the three other organizations, but does not place itself within the victimization or violence against women ideology. The UN has clearly shown its concession with the more wide ranging ideology of the pro-rights based GAATW and NSWP. This is shown e.g. through the UN's view that there is a need for changing policies which relate to globalization, immigration, migration and labor so they do not discriminate peoples human rights to e.g. freedom of movement and place them in risky situations with trafficking being a potential outcome. A particular and important part of the UN discourse is how the organization has responded to the calls for decriminalization of sex work. It is clear the NSWP and GAATW have been able to influence the UN on this. As shown above, the UN is moving away from a criminalization stance towards support for decriminalization of sex work, deeming it the most appropriate way to combat the difficult issues, which lie within the area. The organization has shown a move away from the dominant neo-abolitionist ideology on prostitution, and is drawing strong distinctions between sex work and trafficking. It has allowed for alternative perspectives on the area, and has included the sex worker rights movements in their work and discourse. Thus, the dominant global discourse, which has been led by the neo-abolitionist side of the debate, is being challenged on the global arena. I conclude that the CATW has, to a certain extent, been able to

influence the global discourse on human trafficking in regards to sex work, especially within the U.S and E.U context. Yet on the global arena, it is the GAATW and NSWP who have been more successful in influencing this discourse, since the UN has been more responsive to their arguments concerning the issue of sex work in relation to migration and trafficking.

Finally, considering my own personal reflections, I believe that neither an entire neo-abolitionist nor pro-rights ideology is suitable when dealing with sex work. The pro-rights side tends to portray sex work and the lives of sex workers as any other kind of labor. Considering Peach's argument that within sex work there are varieties of issues which are also present in other low prestige jobs, in sex work a big difference is that unlike in other kinds of work, the stigma, vulnerability, and gender relations are ever more omnipresent (Peach 2005: 120-21). I therefore argue the issues, which arise for sex workers, are not sufficiently addressed by international human and labor rights standards. I believe a more appropriate angle to human trafficking, migration and sex work should take into regard historical, social, cultural, and political specificities and include all the aspects in order to construct a broader debate, which can cover related issues as e.g. human rights, labor rights, socioeconomic and sociopolitical issues, as well as migratory issues, in order to best attend to occurrences of exploitation and individual experience. In my view, a better approach towards sex work, migration, and human trafficking lies in the middle of the neo-abolitionist CATW's victimizing discourse and the GAATW's and NSWP's 'idealistic' sex worker rights approach.

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END NOTES

ⁱA Danish NGO which helps vulnerable people in the red light district of Copenhagen.

ⁱⁱ My friend who is a Danish national told me about her experiences with Danish tax and police officials, in which numerous of her most basic human rights were violated. Her statements were further supported by the narratives of migrant and Danish women selling sex on the streets of Copenhagen's red-light district.

ⁱⁱⁱ The purchase or providing of the latter is an outlawed activity in all states of the US, except for Nevada (Outshoorn 2005: 144).

^{iv}As part of its anti-trafficking efforts the US Government has strict limitations regarding funding for health programs. In order to receive funding national and international NGO's must explicitly state they are against prostitution and sex trafficking. Organizations which do not acknowledge prostitution as a violation of women's human rights, but instead allow space for an understanding of sex work as an employment option, a survival strategy for women, or who advocate for the decriminalization of prostitution are excluded from funding possibilities (Butcher 2003: 1983; Desyllas 2007: 70; Jahic & Finckenauer 2005: 34; McDonald 2004: 155).

^v<http://www.catwinternational.org/projects/campaigns> [accessed 10/06/2014 at 1.33 pm].

<http://www.catwinternational.org/Projects/Campaigns/Preventing> [accessed 10/06/2014 at 1.38 pm].

<http://www.gaatw.org/#members> [accessed 10/06/2014 at 1.39 pm].

^{vi}<http://www.nswp.org/unaid-advisory-group> [accessed 10/06/2014 at 1.41 pm].

^{vii}<http://www.un.org/en/members/growth.shtml> [accessed 10/06/2014 at 1.49 pm].

^{viii} Intertextuality is the social and historical context in which a discourse is embedded (Bryman 2012: 538), and is 'the idea that any text is a link in a chain of texts, reacting to, drawing on, and transforming other texts' (Fairclough, Mulderrig & Wodak 2011: 361).

^{ix} These are leading scholars and activists within the neo-abolitionist stance on sex work. Furthermore Barry, Leidholdt and Raymond have had important roles within the CATW.

^xThese scholars have paid significant contributions to the pro-rights side of the global discourse on human trafficking. I find scholar and activist Jo Doezema of particular interest, since she is not only holds a Ph.D. within the field, but is also a member of the NSWP and a sex worker (Doezema 2005: 81):

<http://gaatw.org/publications/Alliance%20News/dec2004/gaatwnews2004dec-01.pdf> [accessed 10/06/2014 at 1.50 pm].

^{xi}<http://www.catwinternational.org/Projects/Campaigns/Ending> [accessed 10/06/2014 at 1.54 pm].

^{xii} A prime example of law focusing on male demand can be found in the Swedish anti-trafficking law. In 1999 Sweden banned the purchase of sexual services, as well as any third parties profiting from the prostitution of others, in order to combat trafficking and eradicate prostitution. At the same time it decriminalized the sale of sexual services (Dodillet & Östergren 2011: 1; Harrington 2012: 344- 7; Leidholdt 2004: 180; Raymond 2004a: 326; Skilbrei & Holmström 2013: 13).

^{xiii} For example it may be viewed as a better option to sweatshop labor, factory work or cleaning jobs.

^{xiv} The most extensive law of decriminalizing sex work is found in New Zealand. Contrary to the Swedish model, the New Zealand Parliament passed the Prostitution Reform Act in 2003; which has decriminalized not only the buying and selling of sex, but also allows for third parties provided these live up to the strict rules and demands written into the law, hoping to better fight trafficking and help the people employed in the sex trade, by providing human rights based

approaches (Abel, Fitzgerald & Brunton 2009: 516-17; Harrington 2012: 341; New Zealand Ministry of Justice 2003: 4-6).

^{xv} <http://www.catwinternational.org/Content/Images/Article/587/attachment.pdf> [accessed 04/12/2014 at 10.53am].

^{xvi} Ibid.

^{xvii} Ibid.

^{xviii} Trokosi is a Ghanaian cultural practice in which a family becomes liable to give a priest or a deity a female virgin child in cases where calamity hits the family or one of its members commits a misdeed. The girl child is bonded to the shrine priest and forced to spend the rest of her life at the shrine. She has to provide domestic and sexual services without pay. Many girls are bonded to each shrine, so each priest has a harem of girls. If they refuse sex or try to leave the shrine without permission they are severely punished (Pearson 2000: 3).

^{xix} The Prostitution Reform Act was adopted in New Zealand in 2003.

<http://www.legislation.govt.nz/act/public/2003/0028/latest/DLM197815.html> [accessed 15/12/2014 at 1.28pm].

^{xx} <http://web.lb.unfpa.org/gender/violence1.htm> [accessed on 03/25/2015 at 1.21 pm].

^{xxi} <http://www.sexworkeurope.org/news/general-news/560-ngos-and-94-researchers-demand-members-european-parliament-reject-ms-honeyball> [accessed on 04/23/2015 at 11.06am].

^{xxii} <http://spaceinternational.ie/wp-content/uploads/2014/02/FINAL-Honeyball-support-letter.pdf> [accessed 04/23/2015 at 11.09am].