

## THE PHENOMENON OF SEX TRAFFICKING IN THE EUROPEAN UNION: HOW TO BETTER FRAME THE ISSUE?

### Introduction

In order to fight sex trafficking, we must first understand what it is. However, understanding and thus correctly framing this phenomenon is not an easy task. Indeed, sex trafficking encompasses many different and at times opposing fields of studies, such as security and human rights, it involves international and criminal elements and at the same time it can be framed either as an immigration, labor or a gender issue and all of these elements are inextricably linked (Berman, 2003).

Each of these different approaches in framing the issue of sex trafficking leads to diversified policy strategies and responses and the outcome of these policies is indeed legitimized by resort of a certain understanding of sex trafficking.

This research does not aim at finding the best and most correct way to frame the issue of sex trafficking; however, it tries to highlight the inherent flaws and structural weaknesses tied to the most common understanding of such a phenomenon and to propose an alternative discourse for framing it that is increasingly endorsed by a larger number of scholars. Even the former President of the European Commission's Expert Group on Trafficking in Human Beings and one of the most renewed experts on trafficking, Marjan Wijers, has declared to regret having pushed the term of sex trafficking into the European political agenda and not a more neutral term as 'forced labor' that would have enclosed a larger number of migrant categories (Andrijasevic, 2010, 142).

Even if it is important not to neglect the fact that also male can be victims of sex trafficking, the vast majority of victims are made up by women and girls who constituted the 95% of the victims in trafficking for sexual exploitation in the European Union (EU) between 2015 and 2016 (European Commission, 2018) and this is why my analysis will focus mostly on the sex trafficking of women, especially in the context of the EU.

In the first part, the focus will be on the framework within which discourses on sex trafficking are currently enclosed. After having shown some of the available data on sex trafficking in EU, an analysis of the most important international legal tools addressing this phenomenon is carried out, concentrating in particular on the so-called 'Palermo Protocol' and its 'criminalisation' approach. It will then be shown how such a criminalisation approach leads to a certain pattern of policy responses in the EU revolving around stringent measures against migration and a proliferation of border controls in the name of protecting the human rights of trafficked victims. It will be clear how such measures have, however, led to the opposite outcome and further supported trafficking.

In the second part, therefore, such framing is challenged to show how the dichotomy victim-perpetrator might be a misleading one and considering instead women's agency in the process of trafficking and the variety of reasons that persuade women to migrate and get into sex trafficking. The two main feminist scholars view on sex trafficking and sex work are then considered showing how if we take the view that women consciously and willingly enter into the sex industry to work as sex workers, the current frame of sex trafficking exclude them completely from any sort of protection in case of exploitative conditions. It is argued therefore that in order to construct policy responses effectively able to tackle the issue, a change in perspective shall be made, considering the array of reasons why women migrate and expand the human rights protection in tackling the issue also to other categories of workers and migrants.

## 1. The current framework: sex trafficking as 'modern slavery'

Sex trafficking is part of the very vast phenomenon of human trafficking which concerns the “buying and selling of women, girls and boys like commodities” (European Commission, 2018). In particular, trafficking for the purpose of sexual exploitation is the most common form of human trafficking and between 2015 and 2016 in EU it constituted more than a half of registered victims in trafficking (56%) (European Commission, 2018).

The most recent available data are signaling an increase of sex trafficking in the world as a whole, with a peak of over 24.000 detected victims of trafficking in 2016 (UNODC, 2018), that while on the one hand it may signify an improvement in the detection of victims by States, on the other hand, such an increase in numbers year by year might be a hint of the magnitude of the phenomenon.

In the EU, in particular, many women are trafficked from Eastern Europe, and Moldova and Romania are usually identified as states of origin, while Serbia and Albania as transit states before arriving in the Member States of EU, the main recipients, even if now most states of Eastern Europe have characteristics belonging to all the three categories (origin, transit and destination countries) (Lindstrom, 2004).

It must be noted that it is quite problematic collecting clear and accurate estimates on the volume and patterns of such phenomenon due, first of all, to its clandestine and surreptitious nature. Many victims of trafficking are usually resistant to denounce their situation to the police mainly for fear of deportation and thus they prefer remaining in the shadows and in their irregular position. Traffickers as not to incur in indictments are likely to frequently change routes and to adopt even more hidden and subtle forms of trafficking so that their identification becomes extremely difficult. Moreover, especially in the context of East Europe, several people transit through many countries in a relatively short time at the expense of identification of trafficking and its victims.

These uncertainties as much as it regards the collection of reliable data and estimates on this phenomenon are also due to the ambiguous nature of sex trafficking and the different ways to frame this complex phenomenon.

First of all, although they might have some common elements and tend to merge, trafficking should be distinguished from smuggling as they are two different phenomena. While smuggling concerns cross-border movements and the facilitation of the illegal entry of the individual, trafficking can take place also within a country, without any cross-border elements being present, and it involves not only the displacement of migrants but “the exploitation of trafficked persons in the destination country” (Nieuwenhuys & Pécoud, 2007, 1678).

The EU Directive *on preventing and combating trafficking in human beings and protecting its victims* (Directive 2011/36/EU) explicitly refers to the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* commonly addressed to as the “Palermo Protocol” and detects the phenomenon of sex trafficking when an element of “exploitation of the prostitution of others or other forms of sexual exploitation” is present. The Palermo Protocol which entered into force in 2003 constitutes the main international legal framework for human trafficking and it has provided the first internationally recognised and widely accepted definition of trafficking in Article 3a that reads as follows:

“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.”

From this definition, it is possible to recognise the three distinctive elements of human trafficking: the action (“*recruitment, transportation*” etc.), the means to enforce such act (“*the threat or use of force or other forms of coercion, of abduction*” etc.) and the purpose, that is the exploitation, and in the case of sex trafficking a sexual exploitation (Gaspari, 2019).

All three elements need to be present for the crime to subsist and they are described with a voluntary vagueness so that they can be interpreted in a broader sense as to enclose different types of situations.

The Palermo Protocol undoubtedly represented a step forward since for the first time it linked trafficking with forced labour and made a clear distinction between trafficking and prostitution.

Exploitation with the Palermo Protocol, moreover, became “the key actionable element in the trafficking process” shifting the accent away from consent, (Segrave, 2009) that becomes non-influential if obtained with fraud or deception (Art.3b), reaching a sort of political compromise between the different positions negotiating the agreement, in particular between the ‘abolitionist’ International Human Rights Network and the Human Rights Caucus that will be analysed in the second part.

The Palermo Protocol works as a framework of anti-trafficking laws on the basis of the so-called 3P policies, “prosecution, protection and prevention” and in this context, women are usually depicted as victims of a big “modern slavery” (Kara, 2017).

The rhetoric of ‘victimisation’ is largely present in many international and regional conventions, in reports by international organisations or NGOs as well as in media and political representations that convey an image of the woman completely devoid of an active role in the crossing of borders and trafficking. Women are seen as powerless actors, unconditionally subject to the course of events and imprisoned in the hands of their torturers, like a sort of modern slaves. They have been kidnapped, displaced and deceived into prostitutions by their captors and sex trafficking functions as a rhetorical device that assures this victim-villain binary. Indeed, the media often also draws a very precise portrayal of traffickers as violent men and evildoers, being part of criminal Mafia-like organisations and organised crime. This narrative tends to reproduce the dichotomy of innocent and passive victim and of the powerful and actor perpetrator that tend to replicate some stereotypical representations of femininity and masculinity (Andrijasevic, 2004, 17).

According to this logic, it is pretty straightforward that the proper response for fighting sex trafficking and free these ‘trafficked sex slaves’ becomes criminalisation which aims to stop these perpetrators from “violating the sovereign bodies of women and the sovereign spaces of nation-states” (Berman, 2003, 41). As it is obvious, these political and legislative efforts based on the fight against modern slavery generate general consensus as in the modern era everyone undoubtedly condemns any form of slavery, in the words of J.C. Hathaway “the fight against slavery is one of the very few human rights imperatives that attracts no principled dissent” (Hathaway 2008, 7-8).

Since the 19<sup>th</sup> century, when the phenomenon of sex trafficking was first recognised, the international instruments fit within this framework of criminalisation and modern slavery. The earlier international treaties adopted by the League of Nations such as the 1904 *International Agreement for the Suppression of White Slave Traffic* and the 1910 *International Convention for the Suppression of White Slave Traffic* referred to sex trafficking as “white slavery” and aimed at criminalizing the recruitment of European women and girls for prostitution. The later conventions, such as the 1921 *International Convention for the Suppression of the Traffic in Women and Children* and the 1933 the *International Convention for the Suppression of the Traffic in Women of Full Ages* abandoned the notion of slavery and especially the latter provided that the traffic of women had to be punished even if it took place with their consent (Art.1). In 1949 another major UN Convention was signed which is still in force today, *the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others*, covering only trafficking for sexual exploitation of women, men and children. It has been criticized for being outdated (Gaspari, 2019) since it does not take a human rights approach and focuses only on punishment of traffickers.

The 2000 Palermo Protocol on Trafficking was the first instrument covering all forms of trafficking and it is regarded as a major achievement in the fight against trafficking as it has been ratified by a large majority of States – 178 States parties up to today. However, neither the Palermo Protocol is a human rights instrument, which might explain such a large ratification and adherence by States. Indeed, the Palermo Protocol on Trafficking is part of the UN Convention Against Transnational Crime and these two legal instruments must be interpreted together under the aegis of the UN Office on Drugs and Crime. Even if some provisions about the protection and assistance to trafficked victims are present (Section II, Artt. 6,7,8), these are not mandatory for the ratifying States and the Protocol does not foresee any human rights protection mechanism either, even though the phenomenon of trafficking might actually lead to severe human rights abuses.

Such a crime control approach is not only reflected in international legislation, but also in the stricter border controls and immigration policies taken at the European level.

Indeed, this criminalisation rhetoric provides a framework which nurtures and strengthens state sovereign responses and performances. The EU, acquires through such framing, the symbolic role of “guardian” of the European soil against the threat that trafficking poses to

security. Moreover, European Eastern women who are frequently trafficked into the Member States of the EU have white skin and an 'European physiognomy' in a way that they are not clearly distinguishable as foreign trafficked women, constituting a new kind of white slave trade. Eastern European women, thus, are regarded both as an "external threat" to the European community since they are illegal migrants and as an "internal threat" as not easily detectable by the police or border authorities (Berman, 2003). This means that they do not only pose a tangible security threat, but by being white illegal prostitutes they represent a transgression to the "European moral order in which women's sexuality plays a pivotal role" (Berman, 2003, 60).

In the European context, criminalisation is evident by the fact that sex trafficking is included in the particularly serious forms of organised crime in the area of judicial cooperation on criminal matters that calls especially for cooperation of law enforcement authorities and border police.

EU increasingly started restricting its borders during the process of European integration when sex trafficking of women especially coming from Eastern Europe was on the rise and since then, it has adopted an aggressive approach in fighting this phenomenon. With the fall of Soviet Union and with the globalisation wave, the presence of trafficked East European women increased and Europe faced a "boundary crisis" (Berman 2003, 54). "Much of the hysteria over sex-trafficking coincides with the integration and expansion of the EU after 1992" (Berman, 2003, 50). 1992 is indeed the year of Maastricht Treaty that by allowing for more freedom of movement within Europe, was seen as permitting the intensifying of trafficking as well. Such "anxiety" for trafficking over European borders was further accentuated by the 1995 Schengen Convention that definitely dissolved the intra-state boundaries between Member States of EU. At the same time, however, the external borders of the EU were reinforced and, in this sense, "Schengen designated how some people – EU citizens – are freer to move than others – non-EU citizens." (Berman, 2003, 51).

Finally, the 1999 Tampere Council created an area of freedom, security and justice within EU and it was a further occasion for reasserting control over the European community for the creation of a 'fortress Europe' where the candidate Member States to access the EU in those years, namely the countries from Eastern Europe, took on the role of the migration 'gatekeepers' for stopping traffickers before they entered into the EU territory.

Such “delocalisation of controls” in the field of sex trafficking had in recent years increased even more so that now scholars refer to the concept of “virtual borders” (Freudenstein, 2001) and “remote control” (Nieuwenhuys & Pécoud, 2007) for showing how control that once was a prerogative of borders is now exercised “by a variety of means and in a variety of locations” (Andrijasevic, 2010, 130). Among such means of externalisation of borders, we find visa regulation systems, more controls in sending transit countries, readmission agreements or detention facilities outside EU and also the same Palermo Protocol ‘preventive measures’ for counter-trafficking such as security and control of documents, legitimacy and validity of travel documents, and enhanced cooperation with immigration officials (Section III, Artt. 9-13). Moreover, control has been externalised also to non-state actors, such as airline companies that check migrants’ documents and to increasing use of anti-trafficking campaigns. The latter have been developed primarily by IOM since 1990s in Central and Eastern Europe and aim at discouraging human trafficking and undocumented migration before migrants even leave their countries by raising awareness on “irregular migrants’ tough living conditions so that they perceive undocumented migration not as an opportunity but as a source of danger and vulnerability” (Nieuwenhuys & Pécoud, 2007, 1675). They are seen as a valid tool in combating sex trafficking as they portray explicitly and in an emotional way the risks trafficking entails; however they seem not consider the many studies which demonstrate that migrants tend to leave even if informed because of “collective strategies and social structures” and they also overestimate the idea that migrants take rational decisions on the basis of the available information, so these campaigns actually depend upon “a fragile connection between the information available to migrants and their decision to leave” (Nieuwenhuys & Pécoud, 2007, 1691).

The latest *EU Strategy towards the eradication of trafficking in human beings 2012-2016* also went in the direction of emphasizing this law enforcement and restrictive migration approach at the expense of human rights and structural changes, by aiming at increasing cross-border police and judicial cooperation, as well as an increasing cooperation beyond borders for improving women's conditions outside of the EU.

It should be noted that these anti-trafficking campaigns, the tightening of borders and other coercive measures imposed on migrants are often justified in the name of victim protection from modern slavery. The concept of “humanitarian borders” which was developed by the

IOM (International Organisation on Migration) aims at managing borders for “ensuring protection of human rights of those who cross international borders” (IOM) as in the case of human trafficking; however, in some situations, such border management might conflate with repressive measures by States that are legitimised as humanitarian actions taken for ‘protecting’ victims from trafficking, while in reality they results only to an increasing in the phenomenon trafficking itself. Indeed the term “victim” fails to recognise that many times these women are not kidnapped or forced to migrate, but they willingly take such decision on a more complex set of reasons and therefore due to border restrictions and tightening of migration policies, they are even more likely to circumvent these policies and to turn to traffic networks for their own migration purposes.

More rigid controls in East Europe not only constitute an obstacle for labour migration but have also the effect of increasing travel expenses leading women who intentionally seek to migrate to turn to traffickers in order to be able to cover high expenses and they remain stuck in a condition of debtors vis-à-vis their traffickers.

Therefore, if on the one hand, this proliferation of border controls increases the risks and thus the costs of “traffickers’ business”, on the other hand, it passes such costs on the shoulders of migrants and it, thus, inadvertently supports traffickers’ economic interests and turns them in a sort of alternative or supplementary system of migration, leading for even more opportunities of exploitation. Such approach, thus, makes immigration more expensive and women more vulnerable without halting the phenomenon of sex trafficking and expands the “level of control” these third parties exert over migrant women (Andrijasevic 2010).

States keep fighting what is the consequence of their harsh measures and in the long run this leads to a vicious circle of restrictive border management and increasing of the phenomenon of sex trafficking.

## 2. Reconsidering the framing of sex trafficking under a new perspective

As we have seen in the previous part, since the usual policy response to sex trafficking seen under the lens of 'modern slavery' is criminalization which in turn leads to a tightening of immigration policies, we may conclude that such rhetoric of 'victimization' might not be the most appropriate one in order to frame this phenomenon.

Needless to say, this should not be interpreted as meaning that criminal elements are never involved, that women are not victims of extreme violence and that traffickers have not bad and cruel intentions; however, such framing should be broadened in order to better grasp the inherent complexities and ambiguities of sex trafficking and to find more appropriate policy responses.

Some scholars (Andrijasevic 2010; Berman 2003; Breuil et al. 2011; Wijers 2015) have argued that the image of trafficked women as victims might be too narrow to enclose all the different factors of trafficking and all the different experiences that migrant women live.

The discourse on modern slavery circumscribes a number of "deserving victims" and excludes many other categories of migrants. Indeed, in the majority of European states, migrant women in order to legally be identified as 'victims of trafficking', have to show that they did not initially consent to trafficking and show a certain degree of violence and threat, which is usually set at a very high level. (O'Connell Davidson, 2010). Studies have shown, instead, that not only very often decisions to migrate are voluntary and well-informed, but also that a large part of women is conscious of the possibility of being involved in sex work and of what this entails, and perhaps just ignore the exploitative working conditions under which they will have to work. (Andrijasevic, 2004). Moreover, the dichotomy victim-perpetrator might be sometimes blurred as it might occur that victims take up an active role in the trafficking of other women, becoming in fact their perpetrators.

The perspective of women as victim of modern slavery is in particular the view of the so-called abolitionist feminist scholars who argue that all forms of prostitution are coerced and are the result of male oppression; this view is particularly endorsed by the Coalition Against Trafficking of Women (CATW), part of the NGO International Human Rights Network. In opposition to such perspective, scholars and Sex Worker Open University in London and the International Committee on Rights of Sex Workers-Europe (ICRSE) have argued that the

phenomenon of sex trafficking should be seen, instead, from a 'sex workers' rights' and labor migration perspective. Such view, represented by the Human Rights Caucus, considers sex work a service sector job that women might willingly and voluntarily perform responding to the demand for trafficked labor in the sex industry in the West. In this sense, they endorse the concept of women's agency, showing that women can indeed choose to work in the sex industry and be migrant sex workers (Berman, 2003).

Under this perspective, attempts by the State to criminalize sex work are seen as a breach of their rights to self-determination. They argue, therefore, that instead of talking about 'trafficking' and directly link it to prostitution, this phenomenon should be termed as 'forced labor' and the way to correctly address the issue is to strengthen and implement protection and labor rights for workers in the sex industry. Indeed the UN Protocol on Trafficking has been interpreted in these years as separating 'sexual exploitation' from 'labour exploitation', in a way that suggests that forced labour is not present in the sex industry, thus depriving sex workers of any protection in this sense (Wijers, 2015). These studies call for a rethink of the distinction between trafficking and migrant labor exploitation without distinguishing between women deserving protection and those who do not (O'Connell Davidson, 2010).

The first step in challenging such distinction is considering the vast array of factors that characterize women's experiences and that should be taken into account. Not all trafficked women are helpless, powerless, passive, ignorant and uninformed about what sex trafficking entails, but still, they decide to leave their home country and fall into the hands of trafficking networks for a variety of structural causes, which are often obscured by this rhetoric of victimization.

Trafficked women come from very different realities and not all of them have the same socio economic background. (Breuil et al., 2011). R. Andrijasevic in her research has interviewed several trafficked women in Italy and described several reasons that force women to migrate. One pull factor for migratory project is undoubtedly poverty in the sense of economic deprivation; especially in the countries of the former Soviet Union, the transition from a planned to a market economy and the liberalization of trade led to high levels of women's poverty and unemployment due to their working positions especially in sectors subjects to economic restructuring. However, Andrijasevic argues that "an economic rationale alone is not sufficient to understand the intricacy of migrant lives" (Andrijasevic,

2010, 3) and that poverty should not be understood solely in terms of economic deprivation, but also in light of women's subjectivities and many other social factors. She mentions, for example, the importance of the search for an economic improvement since studies demonstrate the relative high level of education of Eastern European women that migrate and the high level of employment before women migrate, thus not having a job per se is not a pull factor. However, many women are worried by the absence of further job opportunities and of a professional progress in their careers in their countries and so they tend to move. Moreover, intra-family violence and desire for autonomy from their family and self-determination definitely play an important role in women's migratory projects.

Reducing therefore the phenomenon of trafficking to the one of modern slavery and criminal activity entails the failure to consider these complex structural, legal, political and economic inequalities and conditions under which women turn to traffickers. This has a direct consequence, as we have seen, on the design of EU policies to prevent and halt the sex trafficking phenomenon as criminalization shifts the focus away from migrants' human rights and usually deportation of trafficked women comes before any other form of assistance. In this sense, the Italian case constitutes one best practice of victim protection since article 18 of Law 40/1998 on immigration grants to victims of trafficking a renewable work permit on the condition that they accept to leave prostitution and to take part of a social protection program. The victims have to demonstrate that their life would be under threat if they went back to their country of origin and that there are detectable threats and patterns of violence or dangers of detainment by their traffickers. Even if measures like this one are advocated by many scholars as a way to reintegrate women in the labor market in a legal way without deporting them, the Italian measure is still wedged into the rhetoric of victimization. It thus institutionalizes such a rhetoric by not admitting the possibility that these forms of exploitation might occur to many other groups of labour migrants and that for some women prostitution might be inherent part of their migratory project (Andrijasevic, 2010).

In these years, EU legislation has increasingly gone from a repressive approach towards a more human rights perspective (Gaspari, 2019), with, for instance, 2011/36 Directive which acknowledged human trafficking as a violation of human rights or article 5 of the 2000 *Charter of Fundamental Rights of the European Union* that expressly prohibits human trafficking. The

ECHR judgement in *Rantsev v. Cyprus and Russia* has definitely contributed to this change in perspective as it recognized “human trafficking as a serious violation of fundamental and individual human rights, human dignity of victims and a threat to democratic societies” (para 282).

However, these legislative changes, even if remarkable as they go in the direction of a more enhanced protection and assistance of trafficked women, are still framed in a victimization and criminalization rhetoric and therefore they are coupled with harsh policies pushing for security measures and border restrictions. Moreover, a human rights approach which tends to exclusively focus on rights of victims might not reduce the consequences of sex trafficking. Marjan Wijers claims that the basic human rights principles that should be upheld are those of participation, empowerment and non-discrimination not only of victims of sex trafficking but of sex workers in general who are in the same way affected by anti-trafficking laws and policies (Wijers, 2015). Policies and practices should uphold rights *de facto* and extend the protection afforded by trafficking victims to all the people who are subject to forced labour practices, so sex workers, migrants and refugees. Furthermore she suggests that these latter should be directly involved in the design, implementation and evaluation of these policies for them to be really effective.

If EU policies really wants to tackle the issue of sex trafficking, they need to approach and better address the intricate reasons that stand at the basis of the issue, going beyond the frame of criminalisation to consider the real forces that drive women to migrate as well as their real needs and wishes.

## Conclusions

The current framing of sex trafficking based on criminalisation and victimisation and on a stark distinction between sexual and labour exploitation has led to a certain pattern of policy responses, both at the international and European level. The EU and Member State governments have concentrated their efforts on restriction of migrations, taking a 'human security' approach (Nieuwenhuys & Pécoud, 2007), and increasingly tightening and externalising border controls. Rather than focusing on safeguarding the human rights of trafficked women, the main objective has been the one of prosecuting traffickers, restricting legal access to migrant workers and deporting trafficked women back to their country of origin from where most of them escaped for better social and economic conditions. In order to meet these objectives, States make use of militarised border walls, razor wires, unlawful detention and violence. However, these actions and measures do not amount to 'trafficking' or 'modern slavery', rather they are praised in that they manage to convey the image of a 'fortress Europe' standing up for the protection of European moral and fundamental values. Therefore, while on the one hand EU seeks to condemn this type of 'modern slavery' and the application of coercion on migrants, at the same time it applies even more coercive pressures to halt their movement "in the name of protecting them from modern slavery" (O' Connell Davidson, 2010).

Such supranational and state-sponsored violence against migrants becomes however invisible within a 'trafficking as modern slavery' discourse (Andrijasevic, 2010). Moreover, as we have seen, such discourse excludes from its scope exploitation and abuses that many other groups of migrants, such as migrant sex workers, experience. This is why some authors (Andrijasevic 2010; Wijers 2015) have claimed that not only a new framing of the issue would be necessary, but even a new terminology describing such phenomenon is crucial, since terms such as 'trafficking', 'modern slavery' or 'victims of trafficking' inevitably carry with them a semantic load which is exclusive of a certain category of migrants and discriminatory of others and that further supports the discursive logic of criminalisation and victimisation that is just a tool through which the State imposes repressive measures.

Although modifying terms that have been eradicated in our roots for so long might be a difficult task, a change in perspective must take place and this might actually reveal us the

EU's role and responsibility in the spreading of this phenomenon due to a wrong policy approach.

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