

**RESOURCES AND CONTACTS ON HUMAN TRAFFICKING
COMPILED BY
THE INITIATIVE AGAINST TRAFFICKING IN PERSONS,
THE INTERNATIONAL HUMAN RIGHTS LAW GROUP**

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The following list is not intended to be a complete of the literature or important documents on trafficking in human beings or a complete list of the organizations working on trafficking. It simply contains references and contacts that the Initiative has found useful or important.

Pages added since the last update are noted with **NEW!**

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INTERNATIONAL DOCUMENTS

UN TREATIES

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000)

www.odccp.org/crime_cicp_documentation.html (The Convention and the list of signatory countries are also found on this site.)

The Interpretative Notes (Travaux Préparatoires) (A/55/383/Add.1 Addendum) to the Protocol

http://www.odccp.org/crime_cicp_convention_documents.html.

See particularly the explanation of the definition of trafficking and the list of signatory countries. The Interpretative Notes are available in other languages at the same site.

NOTE: The definition and its Interpretative Note are reproduced at the end of this Bibliography.

The Annotated Guide to the Complete UN Trafficking Protocol

Ann Jordan, International Human Rights Law Group (2002)

http://www.hrlawgroup.org/initiatives/trafficking_persons/

Optional Protocol to Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

<http://www.unhchr.ch/html/menu2/dopchild.htm>

Slavery Convention

<http://www.unhchr.ch/html/menu3/b/f2sc.htm>

Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery

<http://www.unhchr.ch/html/menu3/b/30.htm>

INTERNATIONAL LABOR ORGANIZATION TREATIES

Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour No. C182

<http://ilolex.ilo.ch:1567/english/convdisp2.htm> . Click on C182 in left menu.

Convention Concerning Forced or Compulsory Labour No. C29.

<http://ilolex.ilo.ch:1567/english/convdisp2.htm> . Click on C29 in left menu.

Additional Human Rights Instruments, listed by country, name of treaty, type of treaty, reporting status, ratifications and reservations

<http://www.unhchr.ch/tbs/doc.nsf> or <http://www.unhchr.ch/pdf/report.pdf>

REPORTS

UN High Commissioner for Human Rights, Mary Robinson

- **Recommended Principles and Guidelines on Human Rights and Human Trafficking**
Report of the United Nations High Commissioner for Human Rights to the Economic and Social Council (United Nations E/2002/68/Add.1) May 20, 2002
<http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/caf3deb2b05d4f35c1256bf30051a003?OpenDocument>
Principios y Directrices recomendados sobre los derechos humanos y la trata de personas -
<http://www.unhchr.ch/huridocda/huridoca.nsf/2848af408d01ec0ac1256609004e770b/63898101a6a32e23c1256bf30052b9f7?OpenDocument&Highlight=2,E%2F2002%2F68%2FAdd.1>
Principes et directives concernant les droits de l'homme et la traite des êtres humains : recommandations
<http://www.unhchr.ch/huridocda/huridoca.nsf/2848af408d01ec0ac1256609004e770b/bee45c5723ab3ec7c1256bf300522a2a?OpenDocument&Highlight=2,E%2F2002%2F68%2FAdd.1>
- **Women's Rights are Human Rights, Special Issue on Women's Rights - Spring 2000**
<http://www.unhchr.ch/html/menu2/womenpub2000.htm>
- **Informal Note** (relating to the negotiations on the UN Trafficking Protocol)
<http://www.uncjin.org/Documents/Conventions/dcatoc/4session/16e.pdf>
- **The Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and the International Organization for Migration**
Comments on Draft protocols on migrant smuggling and trafficking in persons
<http://www.uncjin.org/Documents/Conventions/dcatoc/8session/27e.pdf>
- **Statement at Working Group on Contemporary Forms of Slavery, June 1999**
<http://www.unhchr.ch/huricane/huricane.nsf/FramePage/Statements?OpenDocument>

The UN Special Rapporteur on Violence Against Women, Radhika Coomaraswamy

- **Trafficking in women, women's migration and violence against women, submitted in accordance with Commission on Human Rights resolution 1997/44**
E/CN.4/2000/68, 29 February 2000
<http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/e29d45a105cd8143802568be0051fcfb?OpenDocument>

The UN Special Rapporteur on Human Rights of Migrants, Gabriela Rodriguez Pizarro

- **Questionnaire for allegations of violations of migrants, including trafficked persons.**
Information about specific cases can be sent to Ms. Pizarro. The form is available in English, French, Spanish, Arabic, Chinese, Russian at:
<http://www.unhchr.ch/html/menu2/7/b/mmig.htm>

Getting at the Roots: Stopping Exploitation of Migrant Workers by Organized Crime

Patrick A. Taran and Gloria Moreno-Fontes (highly recommended)

<http://www.december18.net/paper44ILOUNICRI.pdf>

INTERGOVERNMENTAL ORGANIZATIONS

International Organization for Migration

<http://www.iom.int/ct/default.htm>

TRAFFICKING LISTSERVS

Stop Traffic Listserv

<http://fpmail.friends-partners.org/mailman/listinfo.cgi/stop-traffic>

To subscribe to the listserv, go to the above site or send a message to:

stop-traffic@friends-partners.org

Stop Traffic archives: <http://fpmail.friends-partners.org/pipermail/stop-traffic/>

Traffickinglaw Listserv

This listserv is dedicated to the discussion of US legal issues related to trafficking in all of its forms. Members are US-based advocates, attorneys and service providers.

http://www.hrlawgroup.org/initiatives/trafficking_persons/

UNITED STATES AND CANADA

UNITED STATES LAW

HR 3244 Victims of Trafficking and Violence Protection Act of 2000 (USA)

<http://thomas.loc.gov/cgi-bin/query/z?c106:H.R.3244.ENR>; Sections 1-113.

Note: H.R. 3244, was assigned Public Law No. 106 – 386

Joint Explanatory Statement of the Committee of the Conference, Concerning Division A.

The House and Senate met in a joint Conference to resolve differences between the House and the Senate trafficking bills. The following site contains the first section of the Conference Committee report. Open the site and then click on “forward” to go the next section.

[http://thomas.loc.gov/cgi-](http://thomas.loc.gov/cgi-bin/cpquery/1?cp106:./temp/~cp106KFeS:e285344:&&sid=SeFK01p&&report=hr939.106&&sel=TOC_285343&&previous_query=&&xform_type=1000&&hold_doc_count=1&&level=3&&variant=no&&item_number=1&&bool=n&)

[bin/cpquery/1?cp106:./temp/~cp106KFeS:e285344:&&sid=SeFK01p&&report=hr939.106&&sel=TOC_285343&&previous_query=&&xform_type=1000&&hold_doc_count=1&&level=3&&variant=no&&item_number=1&&bool=n&](http://thomas.loc.gov/cgi-bin/cpquery/1?cp106:./temp/~cp106KFeS:e285344:&&sid=SeFK01p&&report=hr939.106&&sel=TOC_285343&&previous_query=&&xform_type=1000&&hold_doc_count=1&&level=3&&variant=no&&item_number=1&&bool=n&)

Justice Department/Immigration and Naturalization Service

- **T nonimmigrant status under the new trafficking law:**
 - **Interim rule with request for comments, 4783–4820 [02–2186].**
http://www.access.gpo.gov/su_docs/fedreg/a020131c.html
 - **Freedom Network (USA) comments to INS on Interim Rule**
http://www.hrlawgroup.org/initiatives/trafficking_persons/
 - **Application forms for T nonimmigrant status**
<http://www.ins.gov/graphics/formsfee/forms/i-914.htm>

- **Section 107(c) provisions: Interim Rule, Trafficking victims; protection and assistance, 38513–38522 [01–18388].** Search for above title at:
www.access.gpo.gov/su_docs/fedreg/a010724c.html
 - **NGO comments on Interim Rule**
http://www.hrlawgroup.org/initiatives/trafficking_persons/
- **Brochures**
<http://www.usdoj.gov/crt/crim/wetf/trafficbrochure.pdf>
<http://www.usdoj.gov/crt/crim/wetf/victimbrochure.pdf>
- **US Attorney General Guidelines for Victim and Witness Assistance, 2000 edition**
<http://www.ojp.usdoj.gov/ovc/infores/agg2000/>

State Department <http://usinfo.state.gov/topical/global/traffic/>

- **Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons Report of 2002 Report**
<http://www.state.gov/g/tip/rls/tiprpt/2002/>
- **Global Issues: Arresting Transnational Crime**
An Electronic Journal of the U.S. Department of State, August 2001 Vol. 6, Number 2
<http://usinfo.state.gov/journals/itgic/0801/ijge/ijge0801.htm>
Also available in French, Portuguese, Russian and Spanish.
Including: Trafficking in Human Beings: The Slavery that Surrounds Us by Ann Jordan, Director, Initiative Against Trafficking in Persons, International Human Rights Law Group,
<http://usinfo.state.gov/journals/itgic/0801/ijge/gj05.htm>

GOVERNMENT REPORTS

International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery and Organized Crime

Amy O'Neill Richard, Nov. 1999.

<http://www.cia.gov/csi/monograph/women/trafficking.pdf>

International Matchmaking Organizations: A Report to Congress

U.S. Immigration and Naturalization Service

<http://www.ins.usdoj.gov/graphics/aboutins/repstudies/Mobrept.htm>

CONGRESSIONAL HEARINGS

The U.N. and the Sex Slave Trade in Bosnia: Isolated Case or Larger Problem in the U.N. System?

House Subcommittee on International Operations and Human Rights April 24, 2002

http://www.house.gov/international_relations/iohr107.htm

NON-GOVERNMENTAL REPORTS

Hidden In The Home: Abuse of Domestic Workers with Special Visas in the U.S. - U.S. Laws And Their Enforcement: Domestic Workers Falling Outside Government Scrutiny And Protections In Violation Of International Law

Human Rights Watch, 6/01, Vol. 13, No. 2 (G).

<http://www.hrw.org/reports/2001/usadom/>

Maid to Order

Joy Mutanu Zarembka, in ColorLines Fall 2001 Issue Vol. 4 No. 3

http://www.arc.org/C_Lines/CLArchive/CL4_3.html

Trapped: Human Trafficking for Forced labor in the Commonwealth of the Northern Mariana Islands (a U.S.Territory)

Global Survival Network 1999

<http://www.globalsurvival.net/pdf/9905cnmi.pdf>

Migrant Sex Workers from Eastern Europe and the Former Soviet Union: The Canadian Case

Lynn McDonald, Brooke Moore and Natalya Timoshkina (November 2000)

<http://www.swc-cfc.gc.ca/publish/research/001115-0662653351-e.html>

NGOS

Freedom Network (USA) to Empower Trafficked and Enslaved Persons

<http://www.freedomnetworkusa.org/>

International Human Rights Law Group-Initiative Against Trafficking in Persons (USA)

http://www.hrlawgroup.org/initiatives/trafficking_persons/

Coalition to Abolish Slavery and Trafficking (USA)

<http://www.trafficked-women.org/>

Human Rights Watch (USA)

<http://www.hrw.org/about/projects/women.html>

Campaign for Migrant Domestic Worker Rights, Institute for Policy Studies

<http://www.ips-dc.org/campaign/>

AFRICA, MIDDLE EAST

LAWS AND POLICIES

Declaration on the Fight Against Trafficking in Persons

Economic Community of West African States (December 2001)

http://www.undcp.or.at/adhoc/crime/trafficking/Declarationr_CEDEAO.pdf

REPORTS

Israel: Human rights abuses of women trafficked from the Commonwealth of Independent States

Amnesty International

www.web.amnesty.org/ai.nsf/index/MDE150172000

Research on Trafficking in Women in Nigeria, Women's Consortium of Nigeria,
<http://www.wocononline.org/>

Trafficking of Nigerian Girls to the Netherlands
Terres des Hommes Netherlands, in cooperation with the Nigerian Union Netherlands (1999)
<http://www.terredeshommes.nl/>

NGOS

Israel Hotline for Migrant Workers

Nigeria International Human Rights Law Group

http://www.hrlawgroup.org/country_programs/nigeria/

Gender Rights Project

genderrightsproject@hyperia.net

Women's Consortium of Nigeria and Women in Law and Development-Africa

<http://www.woconline.org/>

ASIA PACIFIC

REPORTS

Trafficking in Women in the Asia-Pacific Region: A Regional Report, GAATW

<http://wagner.inet.co.th/org/gaatw/index.html>

Research Report on Mainland Chinese Sex Workers: Hong Kong, Macau & Town B in Pearl River Delta

Zi Teng (Hong Kong 2000)

www.ziteng.org.hk

“Trafficking, Sex-Work and Prostitution”: Discourses and Representations of the Subcontinent re/productions #2 (April 1999)

<http://www.hsph.harvard.edu/Organizations/healthnet/SAsia/ejournals/ejournalsframe.html>

NGOS

Cambodia Cambodian Women's Development Association <http://www.bigpond.com.kh/users/cwda>

Cambodian Women's Crisis Center

Center Against Trafficking, Cambodian Defenders Project <http://www.cdpcambodia.org/>

Hong Kong Ziteng www.ziteng.org.hk

Philippines Asian Women's Human Rights Council www.awhrc.com

Thailand Global Alliance Against Traffic in Women-GAATW

<http://wagner.inet.co.th/org/gaatw/index.html>

CENTRAL AND EASTERN EUROPE, RUSSIA, CENTRAL ASIA

REPORTS

New! **The “Natasha” Experience: Migrant Sex Workers from the Former Soviet Union and Eastern Europe in Turkey**

Leyla Gulcur and Pinal Ilkcaracan, Women's Studies International Forum, Vol. 225, No. 4, pp. 411-421 (2002)

Reference Guide for Anti-Trafficking Legislative Review with Particular Emphasis on South Eastern Europe

Angelica Kartusch, Ludwig Boltzmann Institute of Human Rights (September 2001)
http://www.osce.org/odihr/attf/attf_refguide.pdf

Trafficking in Human Beings in Southeastern Europe (Albania, Bulgaria, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia, Former Yugoslav Republic of Macedonia, Moldova and Romania)

Barbara Limanowska with support from UN Children's Fund, UN Office of the High Commissioner for Human Rights and the Organisation for Security and Cooperation in Europe/Office for the Democratic Institutions and Human Rights. 2002
http://www.unicef.org/sexual-exploitation/report_trafficking.html

Trafficking in Women: Moldova and the Ukraine

Minnesota Advocates for Human Rights, December 2000.
www.mnadvocates.org/Home%20Page%20Links/public.htm

Reports on Czech, Slovakia, Hungary, Romania, Bulgaria & International Standards

Ludwig Boltzman Institute of Human Rights (Vienna)
<http://www.univie.ac.at/bim>

Legal Study on the Combat of Trafficking in Women and Forced Prostitution in Ukraine,
Kateryna Levchenko, La Strada-Ukraine, September 1999

Victims of Trafficking in the Balkans

International Organization for Migration, 2001
http://www.iom.int/DOCUMENTS/PUBLICATION/EN/balkan_trafficking.pdf

Crime & Servitude: An Exposé of the Traffic in Women for Prostitution from the Newly Independent States

Gillian Caldwell, Steven Galster, and Nadia Steinzor, Global Survival Network 1997
<http://www.globalsurvival.net/femaletrade/9711russia.html>

NGOS

Belarus YWCA of Belarus, a La Strada Partner

Bosnia & Herzegovina –

International Human Rights Law Group
http://www.hrlawgroup.org/country_programs/bosnia_herz/

Bulgaria Animus Association, a La Strada partner, <http://www.animusassociation.org/>

Czech Rep. La Strada <http://www.ecn.cz/lastrada>

Macedonia Open Gate, a La Strada partner

Moldova Moldavian Family Planning Association, a La Strada partner

Poland La Strada <http://free.ngo.pl/lastrada/>

Russia Association of Women's Crisis Centers
Perm Center Against Violence and Human Trafficking, www.cavt.ru

Serbia Astra - Anti Sex Trafficking Action <http://redirect.to/astra>

Ukraine La Strada <http://www.brama.com/lastrada/>

WESTERN EUROPE

LAWS AND POLICIES

Council Framework Decision of 19 July 2002 on combating trafficking in human beings
(2002/629/JHA)

http://europa.eu.int/eur-lex/en/dat/2002/l_203/l_20320020801en00010004.pdf

Proposal for a COUNCIL DIRECTIVE on the short-term residence permit issued to victims of action to facilitate illegal immigration or trafficking in human beings who cooperate with competent authorities. Brussels, Feb. 11, 2002, COM(200) 71 final, 2002/0043 (CNS)

http://europa.eu.int/eur-lex/en/com/pdf/2002/en_502PC0071.pdf

Communication from the Commission to the Council and European Parliament on combating trafficking in human beings and combating the sexual exploitation of children and child pornography (Com 2000 854 final/2), January 2001.

http://www.ecre.org/eu_developments/cmtraffick.pdf

Communication from the European Commission to the European Council and the European Parliament: Combating trafficking in human beings and combating the sexual exploitation of children and child pornography.

<http://www.antislavery.org/archive/other/EU Framework Decision.pdf>

NGO recommendations on the Communication

Human Rights Watch and Anti-Slavery International

<http://www.antislavery.org/archive/other/trafficking-framework.htm>

European Court of Justice. Judgment of the Court of 20 November 2001: Prostitution is an “economic activity” and so Polish and Czech nationals can work as self-employed sex workers in EU on same basis as nationals.

Aldona Malgorzata Jany and Others v Staatssecretaris van Justitie. Case C-268/99.

http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexplus!prod!CELEXnumdoc&lg=en&numdoc=61999J0268

REPORTS

Domestic Slavery

Prepared by John Connor, Ireland, Group of the European People’s Party for the Council of Europe Committee on Equal Opportunities for Women and Men, Document 9102, 17 May 2001

<http://stars.coe.fr/doc/doc01/EDOC9102.htm>

Report on Combating organized crime: further actions in the fight against trafficking in women on the communication from the Commission to the Council and the European Parliament 'For further actions in the fight against trafficking in women'

Prepared by Patsy Sorensen, member of the European Parliament for the Committee on Women's Rights and Equal Opportunities 2 May 2000 (A5-0127/2000)

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=REPORT&L=EN&PUBREF=-//EP//TEXT+REPORT+A5-2000-0127+0+NOT+SGML+V0//EN>

The trafficking and smuggling of refugees: the end game in European asylum policy?

John Morrison, July 2000

<http://www.unhcr.ch/refworld/pub/wpapers/wpno39.pdf>

Campaign against trafficking in women: Report to Committee on Equal Opportunities for Women and Men, Council of Europe Parliamentary Assembly, Rapporteur Mrs. Lydie Err, Luxembourg
Doc. 9190, 7 September 2001
<http://stars.coe.fr/doc/doc01/EDOC9190.htm>

Report on Berlin Conference, October 2001, Auswärtiges Amt in Co-operation with the OSCE Office for Democratic Institutions and Human Rights (ODIHR)
http://www.osce.org/odihr/documents/reports/europe-against-trafficking/berlin2001atconf_fr.pdf

Memorandum of Concern: Trafficking of Migrant Women for Forced Prostitution into Greece
Human Rights Watch.
www.hrw.org/backgrounders/eca/greece/index.htm

The traffic in foreign women in Berlin: A description of the present situation
Ban Ying Coordination Center, December 1994

Redefining Prostitution as Sex Work on the International Agenda
Jo Bindman, Anti-Slavery International, with participation of Jo Doezema
<http://www.walnet.org/csis/papers/redefining.html>

RESOURCES

Legal Agenda for Migrant Prostitutes and Trafficked Women on the Internet
Amnesty for Women e.V. and the TAMPEP Network
<http://www.femmigration.net/>

EUROPEAN INTERGOVERNMENTAL ORGANIZATIONS

Organisation for Security and Cooperation in Europe
Office for Democratic Institutions and Human Rights
<http://www.osce.org/odihr/democratization/trafficking/>

NGOS

Austria	Lefo lefoe@t0.or.at
Belgium	Payoke http://www.payoke.yucom.be/
Germany	Ban-Ying http://www.ban-ying.de/ KOK-NGO Network Against Trafficking in Women http://www.kok-potsdam.de/
Netherlands	Foundation Against Trafficking in Women (STV)
UK	Anti-Slavery International www.antislavery.org

LATIN AMERICA, CARIBBEAN

REPORTS

I Never Thought This Would Happen To Me: Prostitution and traffic in Latin American women in the Netherlands

Fanny Polania Molina & Marie-Louise Janssen (Foundation ESPERANZA 1998)

NGOS

Columbia Fundacion Esperanza <http://www.fundacionesperanza.org.co/>

Costa Rica Casa Alianza <http://www.casa-alianza.org/>

OTHER REPORTS AND DOCUMENTS

Human Rights Standards for the Treatment of Trafficked Persons

http://www.hrlawgroup.org/initiatives/trafficking_persons/

<http://wagner.inet.co.th/org/gaatw/index.html>

Special Rapporteur on Violence Against Women (see her 2000 Report under UN Documents):

“One of the most noteworthy products of a collaborative process by the Global Alliance against Traffic in Women, the Foundation against Trafficking in Women and the International Human Rights Law Group is the Human Rights Standards for the Treatment of Trafficked Persons (January 1999). “The Standards are drawn from international human rights instruments and formally-recognized international legal norms. They aim to protect and promote respect for the human rights of individuals who have been victims of trafficking, including those who have been subjected to involuntary servitude, forced labour and/or slavery-like practices.” The Special Rapporteur would encourage Governments to utilize the Human Rights Standards in creating new policies and laws. She would encourage the international community to do the same.” (para. 106)

Human Rights or Wrongs?: The Struggle for a Rights-Based Response to Trafficking in Human Beings, Gender and Development Journal (2002 Oxfam),

Ann Jordan, Initiative Against Trafficking in Persons, International Human Rights Law Group

Report from the Roundtable on the Meaning of "Trafficking in Persons": A Human Rights Perspective

Ali Miller and Alison N. Stewart, Women's Rights Law Reporter 20.1:11 (1998)

Trafficking in Women: Forced Labour and Slavery-like Practices in Marriage, Domestic Labour and Prostitution

Wijers, Marjan and Lin Lap-chew. Women, Ink, 1997

Health Issues Associated with the Smuggling and Trafficking of Migrants

Brian D. Gushulak and Douglas W. MacPherson, Journal of Immigrant Health, Vol. 2, #1, 2000

Although this article does not clearly distinguish between trafficking and smuggling, it does provide an excellent overview of many of the health consequences, and causes, of trafficking and migration in general.

Handbooks available from GAATW: <http://wagner.inet.co.th/org/gaatw/index.html>

Human Rights and Trafficking in Persons: A Handbook

Human Rights in Practice: A Guide to Assist Trafficked Women and Children

The Migrating Woman's Handbook
Removing the Whore Stigma

INTERNATIONAL DEFINITION OF TRAFFICKING IN PERSONS

(including official explanation of certain terms)

UN Protocol to Prevent, Suppress and Punish Trafficking in Persons

"(a) 'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability [footnote 1] 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 [footnote 2], forced labour or services, slavery or practices similar to slavery [with footnote on illegal adoptions], servitude or the removal of organs [with footnote explanation];

Explanation (1): "The travaux preparatoires should indicate that the reference to the abuse of a position of vulnerability is understood to refer to any situation in which the person involved has no real and acceptable alternative but to submit to the abuse involved."

Explanation (2): "The travaux preparatoires should indicate that this Protocol addresses the exploitation of prostitution and other forms of sexual exploitation only in the context of trafficking in persons. The terms 'exploitation of the prostitution of other' or 'other forms of sexual exploitation' are not defined in the Protocol. The Protocol is therefore without prejudice to how States Parties address prostitution in their respective domestic laws." *{In other words, the Protocol does not define all prostitution as trafficking and so recognizes the difference between forced and voluntary participation in the sex industry by adults. Voluntary migration for sex work is covered by the Smuggling Protocol, which was developed at the same time as the Trafficking Protocol.}*

"(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) shall be irrelevant where any of the means set forth in subparagraph (a) are established; [footnotes 4 and 5]"

Explanation (4): The travaux preparatoires should indicate that this subparagraph should not be construed as imposing any restriction on the right of accused persons to a full defence and to the presumption of innocence.***"

Explanation (5): "Paragraph b of this Article should not be interpreted as laying upon the victim the burden of proof, as in any criminal proceedings, it is incumbent upon the public prosecutor to prove the elements of the offense in accordance with domestic law."

[NOTE: For an extensive discussion of the UN definition, please see the Annotated Guide to the Complete UN Trafficking Protocol under UN Treaties above.]