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Uncertain Outcomes: Evaluating the Effects of the Trafficking in Persons Reports in South Africa and Thailand

Matt Riback^[1]

Abstract

Demonstrated by the establishment of anti-human trafficking institutions such as the Palermo Protocol and the Trafficking Victims Protection Act (TVPA) of 2000 (and the associated Trafficking in Persons (TIP) reports), the commodification of forced labor swiftly rose to the forefront of political and humanitarian consciousness beginning in the 1990s. The dominating institution remains the unilaterally enforced TIP reports, issued annually by the United States. This paper examines the TIP reports, seeking to explain their effects on human trafficking outcomes for institution-implementing nations. Focusing on two critical cases—Thailand and South Africa—this research demonstrates the ways in which the same anti-trafficking models can lead to very different consequences—both beneficial and costly—for implementing countries. Ultimately, through an examination of cultural values, political alliances, and economic well-being for implementing nations, it is shown that the effects of the TIP reports on human trafficking outcomes-- as measured by the new 3P human trafficking index-- are dependent on complex and differing variables that are difficult to empirically measure. Further research is needed to draw finite conclusions as to what settings within a domestic country allow the TIP reports to have beneficial human trafficking outcomes

Keywords

human trafficking, South Africa, Thailand, TIP reports, trafficking institutions, cultural values, economic wellbeing, political alliances.

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1. Introduction

The past decade has witnessed an unprecedented growth of international interest and engagement with the global human trafficking crisis. Beginning in the 1990s, globalization created “complex new networks”² and mechanisms which allowed the international human trafficking industry to grow both more prevalent and elusive. At the same time, the world witnessed a rise in labor migration, with mass movements of people forming the cross-border streams in which transnational criminal syndicates went “fishing”³ for human capital. This paper explores the efficacy of international efforts to combat human trafficking; specifically, it focuses on the anti-human trafficking regimes established by the Trafficking Victims Protection Act of 2000 (and the associated Trafficking in Persons (TIP) reports). The TIP reports, as opposed to the Palermo Protocol developed under the United Nations Convention against Transnational Organized Crime, exists as the most powerful anti-trafficking institution due to its enforcement component in the form of economic sanctions. Issued annually by the US Department of State (USDOS), the TIP reports evaluate over 170 countries in their ability to prosecute, protect from, and prevent human trafficking. Countries that do not meet minimum standards face the threat of sanctions and public shame. What, then, are the effects of the TIP reports in regard to human trafficking outcomes for implementing nations? For better or worse, what domestic variables in an implementing

nation help explain the effects of this unilaterally enforced institution?

This inquiry is necessary because it questions and analyzes the effectiveness of the international community's most relevant anti-human trafficking institution. A growing, large-scale problem that respects no borders and affects millions of lives per year, human trafficking represents a threatening assault to human dignity and personal freedom. The global human trafficking industry grew from US \$32 billion in profits in 2006 to US \$150 billion in profits today. Approximately 21 million people are now victims of forced labor⁴. To evaluate the effects of the TIP reports are, in part, to assess the international community's ability to mitigate this tenacious issue. Consider the variety of ways in which human trafficking can enslave individuals across diverse identities and all regions of the globe:

*“Trafficking victims include agricultural workers who are brought into the United States, held in crowded unsanitary conditions, threatened with violence if they attempt to leave, and kept under constant surveillance; child camel jockeys in Dubai who are starved to keep their weight down; Indonesian women who may be drawn to a domestic service job in another country, are not paid for their work and are without the resources to return home; child victims of commercial sexual exploitation in Thailand; and child soldiers in Uganda.”*⁵

Not only does human trafficking inflict tremendous personal damage to those

² Gallagher, A.T. (2009), “Human Rights and Human Trafficking: Quagmire or Firm Ground? A Response to James Hathaway,” *Virginia Journal of International Law*, Vol. 49, No. 4, 789–848.

³ Chuang, Janie. "The United States as Global Sheriff: Using Unilateral Sanctions to Combat Human Trafficking." *Michigan Journal of International Law* 27 (2006): 437-94. Web.

⁴ *ILO Global Estimate of Forced Labour: Results and Methodology*. Geneva: ILO, 2012. Print.

⁵ Taken from: US Government Accountability Office (GAO). 2006. *Human trafficking: Better Data, Strategy, and Reporting Needed to Enhance U.S. Anti-Trafficking Efforts Abroad*, US Government Accountability Office, Washington D.C.

who become its victims, it also imposes damaging societal externalities such as fueling criminal networks and raising public health costs (GAO 2006). Moreover, the presence of human trafficking increases a nation's vulnerability to security threats (Bales 2005).

Research that analyzes the efficacy of the TIP reports may reveal gaps in their effectiveness, detailing inefficiencies or areas in need of improvement. This study carries the potential to offer new conceptualizations of how this anti-human trafficking institution operates as domestic nations respond to its guidelines and evaluations. Seeking to isolate key variables that can help explain human trafficking outcomes in regard to the TIP reports, this analysis can aid policy formation within the international community, ideally with the potential to save lives that may otherwise be severely crippled by human trafficking. This research will highlight areas, relationships, and theoretical applications that demand further research with respect to studying the efficacy of the annual Trafficking in Persons reports. To do so, I compare the experiences of two countries affected very differently by the effects of the TIP reports—South Africa and Thailand—to better understand the methods through which the same policies can generate different outcomes. The primary analysis of both countries will begin in 2001, the year the USDOS first issued the TIP reports, and will continue to the present. In order to measure human trafficking outcomes in relation to the TIP reports, this paper will employ the "3P human trafficking" index developed by Cho, an aggregate of statistics, reports and measurements that evaluates states abilities to combat human trafficking. The comparison of the two case-studies will focus on political relations with the United States, cultural values pertaining to feminism and sex work, and economic well-being to determine if and to what extent these factors

lead to arguable success in one country—South Africa—and failure in another—Thailand.

2. Literature Review

There is a vast body of literature concerned with the different strategic approaches that the international community can implement in its efforts to combat human trafficking. First, this text will summarize the establishment of the major anti-trafficking regimes (the Palermo Protocol and the Trafficking in Victims Protection Act (TVPA) of 2000) and the broad ways in which those affect the international community. This paper will provide an understanding of these institutions by explaining their scope, reach, and power. What are their shortcomings, mechanisms of enforcement, and applications? Then, after this introduction, my research will proceed to examine the variables within a nation-state that affect the manner in which these anti-trafficking institutions-- namely, the TIP reports-- are absorbed by implementing nations. While this study will reveal the need for further research in this area, three key variables are isolated as particularly important. Serving as independent variables that help explain human trafficking outcomes within a domestic country as a result of implementing and responding to the TIP reports, these include: 1) political relations with the United States, 2) cultural values pertaining to feminism, sex work, and labor, and 3) economic stability and wellbeing. Switching perspective to see how these variables manifest themselves within my chosen case studies, South Africa and Thailand, the relevant literature, in combination with statistical indicators, will lay the foundation for a comparative analysis that will reveal the differences in human trafficking-related outcomes as affected by the TIP reports.

To begin, consider the major anti-trafficking institutions and the significance they bear to the global human trafficking industry. As Nadelmann (1990) described, global prohibition regimes define “principles, norms, rules and decision-making procedures around which actor expectations converge in a given issue-area.” Not only do these regimes “institutionalize substantive norms” (Nadelmann) regarding the suppression of human trafficking, forced labor, slavery, etc., but they also institutionalize the processes by which these norms are enforced. Thus, the discussion of global anti-trafficking regimes also contains the power dynamics and strategic norms and protocols with which trafficking is combatted.

An item that forms one of the two main international institutions dedicated to human trafficking prevention, Janie Chuang and Anne Gallagher summarize the importance of the Palermo Protocol to the UN Convention Against Transnational Organized Crime (Crime Convention), ratified in New York in 2000, as “the first international treaty to deal with organized crime,” (Chuang). While there was, however, already in existence the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949), that operational framework was dated and “ill-equipped to prosecute traffickers and to provide appropriate protections... to trafficked persons,” (Chuang). Thus, as Anne Gallagher (2009) writes, who was present during the Vienna process in which the Palermo Protocol was drafted, the conventions sought to replace “the existing international legal framework [that] was woefully inadequate.”

This protocol established a common international consensus-- mainly, by defining key terms such as “trafficking in persons”-- off of which further dialogue regarding anti-trafficking responses and human rights could

be generated. Chuang (2006) writes that the Palermo Protocol reflected the “fragile international consensus, born from hard-wrought compromise on complex and highly contested issues over legal definitions and frameworks for addressing this transnational problem.” Adding to this, Gallagher (2009) writes that the international legal definition of trafficking established in the Trafficking Protocol proved to be “sufficiently broad” in its ability to encompass the wide range of ways in which trafficking can harm individuals and societies. Pertaining to this paper, the Palermo Protocol will provide operational definitions of human trafficking.

More relevant to my research question is the passing of the Trafficking Victims Protection Act of 2000 and the accompanying Trafficking in Persons (TIP) reports issued by the United States annually from 2001 onward. Developed by the United States Office to Monitor and Combat Trafficking in Persons within the Department of State, the TIP reports are often viewed as a unilateral attempt to monitor and evaluate over 170 nations in their relationship to human trafficking (Gallagher).

Specifically, the Trafficking in Persons report ranks nations into three tiers according to both their government’s ability to meet the challenges imposed by human trafficking and also by how prevalent human trafficking is within a specific country. As Janie Chuang (2006) informs, classification of these tiers depends on whether countries (1) fully comply with the minimum standards (Tier 1); (2) do not yet fully comply but are making significant efforts to do so (Tier 2); or (3) are not making significant efforts to comply (Tier 3); in addition to the three tiers, there is also a “watch list” (introduced in 2003) of countries requiring special scrutiny during the following year. The Watch List contains Tier 2 countries “where (a) the absolute number of victims of severe forms of trafficking is very significant or is

significantly increasing; (b) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecutions and convictions of trafficking crimes; increased assistance to victims; and decreased evidence of complicity in severe forms of trafficking by government officials; or (c) the determination that a country is making significant efforts to bring themselves into compliance with minimum standards as based on commitments by the country to take additional future steps over the next year (TVPRA, 2003, § 110b).” At the end of a two-year period, countries that have not implemented increased anti-trafficking measures, as judged by the United States government, are demoted to a Tier 3 ranking.

As Gallagher (2010) writes, the report lays down “minimum standards for the elimination of trafficking as well as detailed criteria for evaluating the performance of states.” To outline a few of these minimum standards and evaluations⁶, governments are required to: prohibit and appropriately punish trafficking; make serious and sustained efforts to eliminate such trafficking; adopt preventative measures such as public education, birth registration, control of nationals deployed in peacekeeping and similar operations; investigate, prosecute, and take appropriate measures against the involvement of public officials in trafficking; cooperate with other governments in investigation and prosecution; and more. Countries are also required to make “serious and sustained efforts” to reduce the demand for commercial sex acts and the participation in sex tourism by international consumers. While the list is extensive, countries ultimately must be willing to maneuver laws and governmental bodies and be open to

international cooperation (particularly with the United States) in an attempt to combat human trafficking.

Bridging the gap between evaluation and consequences, Gallagher continues to inform that any bottom-tier state, or one that does not comply with the minimum standards outlined by the State Department, “may be subject to a range of economic sanctions.” Economic sanctions constitute the main mechanism of enforcement for countries that fail to meet the minimum guidelines established by the TIP reports. In instances of neglect or failure in relation to human trafficking prevention, protection, and prosecution, the United States will “only provide humanitarian and trade-related assistance,” (Wooditch). Moreover, Tier 3 countries face the threat of the United States intervening with the World Bank or the IMF to oppose aid to countries that do not comply with the anti-trafficking minimum standards (Gallagher, 2006). The other enforcement mechanism involves the shame from being publically ousted by the United States (Britton and Dean). Not all Tier 3 countries face the same punishments by the United States for non-compliance; however, these differences in sanction distribution will be discussed in connection to the political alliances of these bottom-tier nations.

Chuang describes how, “as a powerful but blunt weapon for influencing the behavior of other states, unilateral sanctions have long been criticized as inconsistent with international law and ineffective in practice.” Moreover, the enforced sanctions on the part of the United States arguably elevate U.S. norms over international norms (including the “fragile” Palermo Protocol) by “giving the former the teeth the latter so often lack,” (Chuang). Hence, the United States has proclaimed

⁶ For a comprehensive list, consult the State Department website:
<www.state.gov/j/tip/rls/tiprpt/2011/164236/htm>

itself as a daunting authority in the realm of human trafficking due to its unilateral, globally enforced institution.

For this reason, my research focuses on the TIP reports as the most important global anti-human trafficking institution. While the Palermo Protocol carries the authority of the United Nations and the signatories of all member states on the Crime Convention, it lacks the enforcement mechanisms that the TIP reports wield in their enforcement arsenal.

The idea that the TIP reports dominate as the most affecting anti-human trafficking institution can also be viewed in the body of literature that critiques this U.S.-based regime. Noticing the highly unilateral nature of the TIP reports and the sometimes very consequential effects that they can pose for other nations, scholars question the legitimacy, effectiveness, and worth of this U.S.-based anti-trafficking system. Understanding these critiques will allow me to better evaluate the efficacy of the TIP reports act as they pertain to successful or unsuccessful anti-trafficking outcomes within implementing nations. Moreover, these critiques will provide a base point for studying variables, such as political relations with the US, that shape the ways in which the TIP reports affect the state of human trafficking within implementing nations.

To begin a discussion of this critical literature, one camp that bases their reasoning in the potential for hidden political motives that can lie at the heart of human trafficking evaluations. Scholars Nancy Qian and David Yanagizawa emerge as leaders in this region due to their work in showing correlations between US political allies and the way that those nations are treated in regards to human trafficking evaluations and, if relevant, accompanying sanctions. Qian and Yanagizawa used a “country-level panel data set to test the hypothesis that the United States biases its human rights reports of

countries based on the latter’s strategic value,” (Qian and Yanagizawa). The study used Amnesty International reports as a control against which to measure bias. Qian and Yanagizawa showed that “allying with the United States during the Cold War significantly improved reports on a country’s human rights situation from the U.S. State Department relative to Amnesty International,” (Qian and Yanagizawa). The study is summarized because it represents the foundation off of which other scholars question the legitimacy and authority of unilateral powers in their fight to combat human trafficking. Other scholars have built off of this framework, finding other reasons for U.S. discrimination, such as a failure to respond to concerns and priorities of other nations and international organizations (Chuang, Poe and Sabine and Vazquez, and Skinner). The study concludes by stating that the “United States shows significant favoritism towards countries that it values strategically.”

In “How Much is a Seat on the Security Council Worth?” scholars Kuziemko and Ilyana further demonstrate the concept that United States favoritism and political bias can fuel their actions within the international community. Their research analyzed the amount of aid received from the United States by countries within the UN Security Council. Specifically, this study reviews UNSC voting patterns relating to global affairs critical to the United States as measured by the amount of times that the *New York Times* reports on priority issues for the US. The findings indicate that countries who remain on the Security Council during turbulent periods for the United States, also voting in their favor, received a 170% increase of U.S. aid. Ultimately, Kuziemko and Ilyana report that the “United States can distribute foreign aid in accordance with its strategic interests without garnering the formal support of other countries, whereas

bureaucrats hailing from multiple nations must cooperate to dispense U.N. aid.”⁷ The United States has demonstrated not only that they can influence the political actions of other countries through aid disbursement, but that they can do so at a level that elevates their power and reach beyond that of the United Nations.

This research, combined with that of Qian and Yanagizawa, formed the roots that nurtured the idea that U.S. strategic maneuvers relating to political alliances may also show their fingerprints with regard to the TIP reports. More specifically, my research postulates that political alliances form a significant variable that helps explain human trafficking outcomes in countries implementing and responding to the guidelines laid out by the TIP reports. Evidence for this hypothesis can be seen in the literature, still concerned with U.S. political biases, that specifically studies the TIP reports.

Scholars have indicated that there is a connection between the implementation of TIP reports and the political alliances of the United States (Wooditch, Feingold). Consider the normative idea that bottom-tier nations would all face the same level of economic sanctions corresponding to equal amounts of human trafficking neglect. Wooditch, however, describes that, in 2007, President Bush only sanctioned 5 out of the 15 Tier 3 countries. Moreover, there are moments when Tier 2 countries “clearly do not meet the minimum standards,” yet “several among them have not been threatened with Tier III and the loss of foreign assistance that accompanies that status,” (International Justice Mission, 2007).

⁷ Kuziemko, Ilyana, and Eric Werker. "How Much Is a Seat on the Security Council Worth? Foreign Aid and Bribery at the United Nations." *Journal of Political Economy* 114.5 (2006): 905-30. Web.

⁸ "U.S. Relations with India." *U.S. Department of State*. U.S. Department of State, 09 Oct. 2015. Web.

Wooditch continues to detail how “India and China have been on the Tier 2 Watch List for 6 years yet have not been listed as Tier 3 countries (U.S. DOS, 2008a, 2008b, 2009).”

Following the logic, it is evident that the United States does consider India an important ally in the Asia-Pacific region. According to the Department of State, the “U.S. supports India's critical role as a leader in maintaining regional stability ... The United States and India also are developing their defense partnership through military sales and joint research, co-production and co-development efforts.”⁸ China, one of the world’s global powers, too represents a key strategic partner for the United States. In 2008, China became the largest holder of U.S. debt. According to the Council on Foreign Relations, “the growing interdependence between the U.S. and Chinese economies becomes evident as a financial crisis threatens the global economy.”⁹ Thus, it appears that the United States is selective with which countries deserve punishment for failing to comply by minimum standards; so too is the United States selective with which countries get demoted from Tier 2 to Tier 3.

In *The Social Construction of Human Trafficking Data*, David Feingold discusses the inconsistencies in human trafficking evaluations by the United States as seen in their TIP reports. He writes in response to when the U.S. TIP report placed Laos in Tier Three.

Although Laos does have a trafficking problem, it is certainly less severe than many other countries in the region. However, Laos had several factors working against it. First,

07 Apr. 2017.

<<https://www.state.gov/r/pa/ei/bgn/3454.htm>>.

⁹ Sherlick, Jeremy, Carin Zissis, Christopher Alessi, and Eleanor Albert. "U.S. Relations With China (1949–Present)." Council on Foreign Relations, n.d. Web. 02 Apr. 2017. <<http://www.cfr.org/china/us-relations-china-1949present/p17698>>.

it was a communist country, without political clout, that was of little use to the United States. Second, Laos was essentially penalized for doing the right thing: because Laos allowed research to be conducted where previously little research on trafficking had been carried out and that research found more trafficking than had been anticipated, it was portrayed as a country with a growing trafficking problem that was not being addressed.

Hence, ample evidence taken from interactions with multiple countries suggests that the political alliances, strategies, and interests of the United States constitute an important variable that helps explain the enforcement of the TIP reports.

Switching focus, a different critique of the United States' TIP reports comes from a cultural perspective. In *Understanding Global Slavery: A Reader*, Kevin Bales discusses how social and cultural practices can contribute to human trafficking. For example, Bales (2005) describes how "devaluation of women and girls in society, and the practice of entrusting poor children to more affluent friends or relatives," can create vulnerable situations relating to human security. This, in turn, makes potential human slaves more accessible and less protected. Moreover, cultural notions of the exotic, especially with respect to prostitution, can influence human trafficking patterns. For example, in a study for the International Organization for Migration (IOM), Anderson and O'Connell write that "white Western men who practice sex tourism to Southeast Asian, Latin American and Caribbean countries reveal a constellation of attitudes towards gender, race and sexuality that simultaneously sexualize racially 'othered' persons and de-sexualize white women." Thus, cultural attitudes emerge as an important variable for explaining human trafficking outcomes.

More specific to the TIP reports, other scholars writing from a cultural framework emphasize the dangers that come from a unilateral approach that fails to completely address the problems of marginalized peoples (Gerull, Soderlund, Spanger). From a feminist perspective, the language and authoritative manner in which the United States introduces human trafficking norms and policies into the international community can lead to adverse effects for women. Oftentimes defining the role of women and building off underlying assumptions that they are objects to be protected and are thereby lacking free will, the Trafficking in Persons reports and their associated institutions carry the potential to further oppress women through controlling feminist narratives both within the scope of human trafficking but also at large (Soderlund).

For example, such literature raises concerns that the narratives surrounding human trafficking, particularly female sex trafficking, can "draw on the rhetoric of abolition to underscore the urgency of their cause," (Soderlund, 65). Embedded within these constructions are blurry notions of captivity and freedom, which can raise questions of what it means to be a "slave," and of which sets of people that word can apply to. Without careful attention, these ripples of rhetoric can form waves that turn into cultural norms regarding women, feminism, and slavery in general (Gerull, Soderlund).

Spanger uses a Foucauldian approach to examine the lines of thinking, underlying biases, and histories of thought and knowledge that come to form policies on prostitution. Moreover, her work studies the "problematization of human trafficking," analyzing the spaces and manners in which scholars, legislators and leaders discuss anti-trafficking efforts. Using a feminist perspective, this scholar ultimately warns

that cultural notions embedded in human trafficking rhetoric and spaces-- defining women, their level of freedom, and their connotations-- form the theoretical foundation that shapes how the international community will behave and react to modern day slavery.

This literature reveals the ways in which the TIP reports can indirectly lead to adverse effects for implementing nations-- if the TIP guidelines do not adhere to the cultural landscape of the country that needs to incorporate them, then conflict and confusion may occur. While the research of Spanger and Soderlund is rooted in theory and is more difficult to empirically measure, it still demonstrates the relevance of analyzing cultural attitudes with respect to human trafficking outcomes. Feingold (2010) writes that "The situation in Moldova is not that of Burma; the problems of Indonesia do not neatly map onto those of Thailand." How, then, does a unilateral set of guidelines, not individually tailored for differing cultures and contexts, manifest differently depending on the implementing nation? My research posits that cultural differences between countries can likely determine different ways in which the TIP reports are domestically interpreted and realized, thereby leading to differing human trafficking outcomes.

To discuss the last variable that my research will analyze, there is abundant evidence citing the relevance of economic stability and wellbeing in relation to human trafficking levels (Bales, 2004, 2007; Britton and Dean; Jones et al; Wheaton et al). Poverty and insecurity are major contributing factors to human trafficking, rendering individuals more vulnerable and at risk for migratory opportunities promising a better life yet organized by the black market (Bales, 2007). In *The Economics of Human Trafficking*, Wheaton demonstrates that local economy and political instability can "make populations vulnerable to labour market

exploitation and, possibly, human trafficking." As Jones writes in 2011, "traffickers rely on the economic desperation of victims." This is particularly true for migrants, who often face economic pressures, discrimination based on ethnicity or gender, and lack of social support networks (Jones). In *Economic Crises and Migration*, Green and Winters discuss the relationship between economic factors and migration, noting that immigrants "often have less secure job contracts, are more likely to be temporary or part-time... may also face discrimination." The paper also cites that, during the economic crisis in Sweden of the early 1990s, "non-European immigrants faced unemployment risk twice as high as that faced by natives." On the enforcement side, however, a strong and stable political economy is equally as valuable to prevent human trafficking. State capabilities such as technological advancements, available resources, and expertise all help determine the outcome of global prohibition regimes (Nadelmann, 1990). From both an individual and governmental perspective, political and economic security emerge as important variables that help explain human trafficking outcomes.

Switching focus to the case-studies which will allow me to analyze in depth the consequences that this regime places upon implementing countries, I will first begin with South Africa. Over the past decade, research on human trafficking within South Africa has generated a number of reports and articles by institutions such as the IOM, UNICEF, UNESCO, UNODC, SADC, and more (Allais). Per a 2003 UNICEF report, South Africa, known as the "economic heart" of sub-Saharan Africa, is the major destination country in southern Africa for trafficked men, women, and children. This demonstrating the prevalence of trafficking within South Africa, adding importance to its selection as a case. As "human trafficking is

increasingly recognized as an outcome of economic insecurity, gender inequality, and conflict,” which “are all significant factors in the region of Southern Africa,” Hannah Britton and Laura Dean further highlight the impact of human trafficking in South Africa. Adding a nuance, Britton and Dean continue to reference how South Africa is unique in its push to implement international norms—specifically the TIP reports and the Palermo Protocol—in efforts to domestically combat trafficking. Per the annual Trafficking in Persons reports, South Africa has remained a tier 2 nation since 2011; this indicates that South Africa has failed to meet the minimum standards laid out by the TVPA report, but that the country is making significant efforts to improve. South Africa remains a nation on the brink of anti-human trafficking success. Britton and Dean emphasize that the country is unique in the way that it has diffused the policies laid out by international norms to fit the specific context of South Africa. This includes making special provisions regarding local wars and conflict, disease epidemics, traditional leaders both medicinally and religiously, as well as specific applications of prostitution and pornography law. Because of these reasons, South Africa is a country that can largely benefit from implementing the TIP protocols (in 2013, South Africa enacted the Prevention and Combating of trafficking in Persons Act--TIP Act), and has great potential to learn from leaders such as the United States in this arena (Mollema). Yet, as South Africa is a country still very much in-progress in regards to combating trafficking, Allais highlights the need for additional research in this area, particularly in regards to “evaluation research on the effectiveness of governmental anti-trafficking policies.”

To discuss the other critical case that I am selecting for research, consider a brief overview of human trafficking in relation to Thailand. Thailand is one of the states most affected by human trafficking in the world,

and is also one of the first to address this problem internally, bilaterally, and regionally (Guentert). Despite this, Thailand has never risen above a Tier-2 level on the TIP reports from their outset, and has been placed on the special watch list multiple times. In 2008, Thailand initiated policy changes at the national and provincial level in response to the TIP reports, and in 2014 entered into multiple bilateral and regional agreements concerning the elimination of trafficking (Guentert). Despite this fact, Thailand has never been able to find significant success in its efforts against human trafficking (Guentert). Reasons cited include a turbulent political history, influenced by Vietnam, a corrupt and incapable police/judicial system, and a social culture that incorporates prostitution as an acceptable, valid aspect of society. Within Thailand, the TIP reports have been heavily criticized for being imposing of moral U.S.-based moral views and cultural values (Guentert). The implementation of laws outlined by the TIP reports have proven largely ineffective and, some argue, cause more tension in Thailand than would otherwise be present without the influence of the unilateral regime (Guentert).

3. Methodology

My research will evaluate the effectiveness of the annual TIP reports in their ability to engender positive outcomes with respect to human trafficking in South Africa and Thailand. I posit that these human trafficking outcomes can be better understood by examining 1) political relations with the U.S., 2) cultural values pertaining to feminism and sex work, and 3) economic stability and wellbeing. Positive outcomes often refer to practices, policies, laws, security networks, uses of technology, and more that are often associated with a greater ability to prevent, prosecute, and

protect from human trafficking. However, these outcomes have proven extremely difficult to empirically measure in relation to the number of lives that have been protected from human trafficking. Not only has the human trafficking world historically been plagued by a lack of data, but it is also difficult to use available data-- for example the amount of governmental bodies or laws designed to combat trafficking-- to draw clear connections pertaining to human trafficking outcomes (Feingold, Gallagher 2010, Warren).

To evade the difficulties of drawing causal relationships that scholars have shown to be obscure and difficult to measure, this study will use the 3P Human Trafficking index developed by Cho et al as an empirical measurement of human trafficking outcomes among nations¹⁰. Developed in 2014, this index serves as a massive contribution to human trafficking literature. It utilizes data from two human trafficking reports-- the Annual Reports of Trafficking in Persons (USDOS, 2001-2010) and the Reports on Trafficking in Persons: Global Patterns (United Nations Office on Drugs and Crime, 2006-2009) -- "to construct separate indices on the three policy dimensions (prosecution, protection and prevention), as well as one overall aggregate anti-trafficking policy index for up to 177 countries." The index ranks countries each year, beginning in 2000, on a scale of 1-5 as an indicator of that state's level of compliance with the "3 P's" mentioned above. A score of 5 indicates full compliance with guidelines established by the Palermo Protocol, while a score of 1 indicates zero to negligible amounts of compliance. Thus, states are evaluated on a 1-5 scale in their ability to 1) prosecute, 2) protect, and 3) prevent human trafficking. An overall score, an aggregate of the three

subscores previously mentioned, then serves as an indicator of that nation's general ability to combat human trafficking; the overall score is ranked out of 15 points, with 15 serving as the highest possible level of compliance. This paper will focus on the overall score, serving as a comprehensive overview of a nation's ability to combat human trafficking. My research will begin analysis at year 2001, the first year that the Trafficking in Persons reports were released.

Components that help comprise Cho's 3P index evaluation involve the following. To evaluate prosecution, Cho measures governments according to six distinct areas: 1) the adoption of anti-trafficking law, 2) the adoption of child trafficking law, 3) the application of other relevant laws, 4) the stringency of penalties, 5) the level of law enforcement, and 6) the collection of crime statistics. These indicators were selected based on the criminalization article (article 5) of the Palermo Protocol. To evaluate protection, the 3P index "assesses the level of governmental efforts to protect and assist the victims of human trafficking," (Cho et al). Nine requirements, again outlined by the Palermo Protocol (articles 6, 7, and 8) are evaluated: 1) no punishment of victims, 2) imposing no self-identification in order to prove their status as a victim, 3) assistance for legal proceedings, 4) the provision of residence permits, 5) basic services for housing, 6) medical training, 7) job training, 8) assistance for rehabilitation and 9) assistance for repatriation. Prevention, the last dimension of the 3P index, is evaluated by "governmental efforts to prevent and combat human trafficking," (Cho et al). Cho lists a variety of examples used in the development of the prevention component of this anti-trafficking index: "the implementation of campaigns for anti-

¹⁰ Cho, Seo-Young, Axel Dreher, and Eric Neumayer. "Determinants of Anti-Trafficking Policies: Evidence from a New Index." *The*

Scandinavian Journal of Economics 116.2 (2014): 429-54. Web.

trafficking awareness; training government and military officials (including peace keepers); facilitating information exchange among relevant authorities; monitoring borders, train stations, airports, etc.; adopting national action plans for combating trafficking in persons; promoting cooperation with NGOs and international organizations; and facilitating cooperation with other governments,” (Cho et al).

The 3P categorization is important to my research because it is the same categorization that the USDOS uses when evaluating countries in their annual TIP reports.¹¹ To prove the precise level at which TIP reports are responsible for specific human trafficking outcomes within implementing nations remains a difficult and unlikely task. However, a side-by-side comparison of TIP evaluations with human trafficking outcomes as listed in the 3P index from 2001-2015 will allow for a more informed discussion of the potential or likely effects of this unilaterally enforced institution.

The implementation of the Trafficking in Persons reports will serve as the dependent variable for this study. The term implementation refers to the efforts to administer the policies recommended by the U.S. Department of State by a domestic foreign country, and will be assessed using Cho’s 3P human trafficking index. Thus, in order to then explain the effects of TIP implementation in South Africa and Thailand, this research will explore three independent variables: 1) the political relations of the domestic country with the United States, 2) the cultural values of the domestic country (specifically, related to feminism, sex, and labor), and 3) the economic stability and wellbeing of the domestic country. I hypothesize that these

variables will help determine why and how implementation of TIP guidelines both succeeds and fails in different contexts and countries. Moreover, I hold that these variables will emerge as important factors necessitating future scholarship and empirical research.

In order to evaluate the economic stability of both South Africa and Thailand, I will follow the lead of Wooditch, who previously listed economic indicators important to human trafficking outcomes. In his article, *The Efficacy of the Trafficking in Persons Report*, Wooditch develops on Bales’ research from 2007 to isolate three critical economic measures relevant to human trafficking outcomes: 1) GDP per capita, 2) the GINI index, and 3) percentage employed. My research, too, will use these three measurements as indicators of economic stability and wellbeing. Because Cho’s 3P index evaluates countries from 2001-2015, I will use this time frame when examining economic stability and wellbeing. A brief overview of South Africa and Thailand’s political-economic history will aid in interpreting these statistics.

In order to evaluate gender equality, I will again follow the lead of Wooditch in using indicators that can serve as estimates for the role of women in both South Africa and Thailand. One indicator involves female participation in the workforce (measured as percent of total workforce), as reported by the World Bank. The other indicator involves the Gender Empowerment Measure, introduced in 1995 as a component of the United Nations Development Program’s Human Development reports. This indicator seeks to measure women’s political, economic, and social participation, and draws on relevant statistics to compile an aggregate score from 0-1, 1 representing the highest level of female

¹¹ The 3 P’s (prosecution, protection and prevention) were also outlined in the Palermo Protocol as critical policy dimensions

participation and 0 representing the lowest. As Charmes discusses in *Measuring Women's Empowerment*, "gender is primarily a relation of power."¹² Following the discursive logic of Foucault, the author continues to show how gender is a construct-- used as a controlling and oppressive force-- that permeates all aspects of society. By reviewing estimates of a nation's female empowerment, their anti-trafficking capabilities can be better understood with respect to women, who historically have been vulnerable to trafficking (Bales 2007). Connected to the role of women in society are cultural values that are, by definition, difficult to empirically measure. These statistics will help ground a discussion of cultural values in concrete evidence. Still, Charmes writes that, in addition to the potential for misleading statistics that help compile the GEM¹³, there are wider components to feminine power that will always lie beyond the scope of numbers. Because statistics can only reveal so much, this research seeks to also present a discussion of cultural values pertaining to sex, feminism, and labor as found in the relevant literature pertaining to South Africa and Thailand. I posit that these cultural factors may influence the implementation of the TIP reports, in the process revealing the potential incongruences of a unilaterally enforced model applied to varying cultures and lifestyles.

To measure the political alliances of South Africa and Thailand with respect to the United States, this research will employ relevant literature, news pieces, and official government statements. The aggregate of

these mediums will help reveal an overall picture of the relationship between the United States and Thailand and South Africa as it pertains to political strategy and interests.

While this research is more concerned with the implementation of the TIP reports as opposed to evaluating the nature of human trafficking, I follow the Palermo Protocol's definition on what constitutes human trafficking. According to the Protocol, human trafficking is defined as follows.

- Trafficking in persons is (Art. 3.a):
- the action of: recruitment, transportation, transfer, harboring, or receipt of persons
 - by means of: the threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim
 - for the purposes of: exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced labor, slavery or similar practices, and the removal of organs.
 - Consent of the victim is irrelevant where illicit means are established, but criminal law defenses are preserved (Protocol Art. 3.b, Convention Art. 11.6)

4. Case Presentation and Analysis

This paper focuses on South Africa and Thailand because, while the United States initially evaluated both countries as poor (tier 2) in regards to their relationship

¹² Charmes, Jacques, and Saskia Wieringa. "Measuring Women's Empowerment: An Assessment of the Gender-related Development Index and the Gender Empowerment Measure." *Journal of Human Development* 4.3 (2003): 419-35. Web.

¹³ For example, the "political power" component of the GEM is measured by the number of women

occupying seats in parliament; however, Charmes writes that "parliaments are not always the locus of power in a country" (p. 433), citing that women's share of parliament seats actually dropped following the overthrow of former repressive, socialist states (as in after the fall of the Berlin Wall).

with human trafficking, both nations represent different outcomes in their responses to the TIP reports. South Africa, long a tier-2 country, is on the brink of becoming an anti-trafficking success story or failure. Scholars (Britton and Dean, Mollema) argue that South Africa has, in general, been positively affected by the TIP reports-- South Africa implemented the report's anti-trafficking protocols and was spurred to do so by the threat of sanctions. Thailand, however, represents an opposite case. An infamous home for a thriving prostitution economy, Thailand has long served as the poster child for a country horribly afflicted with human trafficking. They have received consistently poor evaluations on the TIP reports, fluctuating at times between tier-2, tier-3, and tier-2 with a "special watch" demarcation. Yet, Thailand has made significant efforts to respond to the TIP reports and to improve their human trafficking situation. Despite these efforts, Thailand remains afflicted. Hence, these two cases-- one a seeming improvement and the other a continuation of failure-- offer the opportunity to understand how the implementation of the TIP reports can lead to very different outcomes. Statistical tables can be found at the end of the case analysis.

South Africa

To begin, consider a brief history of South Africa. A post-conflict and post-colonial nation, South Africa struggles with a turbulent history that provides structural foundations conducive to human trafficking. Conflict and economic instability, key factors in predicting and determining trafficking (Bales 2007), has ensued as South Africa battled to end colonial domination and authoritarian rule. Apartheid, lasting until 1994 and perpetuated by a white minority government, enforced the separation of races

through physical, structural, and gendered violence and oppression (Allen, Ezeilo). Although South Africa remains celebrated for their peaceful transition of power, they still face steep developmental challenges, particularly with respect to inequality and mitigating their dual economy (World Bank). Moreover, while the UNAIDS program cites that South Africa is now "at the forefront of the global aids response", their history with HIV/AIDS made their population vulnerable to poverty, particularly affecting women and oftentimes due to sexual violence (Allen). As Britton and Dean summarize, "While many of the conflicts have ended and most of southern Africa is now relatively peaceful and democratically oriented, the legacies of economic inequality, political unrest, and migration continue." Thus, the political-economic context of South Africa sets the stage for a difficult fight against human trafficking.

From the initial TIP reports, South Africa struggled in their ability to protect from, prosecute, and prevent human trafficking as seen in Cho's 3P trafficking index. From 2001-2007, South Africa fluctuated between an overall 3P score of 5-8, indicating poor capabilities to combat human trafficking. Yet, from 2008-2015, South Africa's overall ranking steadily increased to fluctuate between 10 and 11-- this indicates a clear improvement in their ability to successfully adopt anti-human trafficking measures as evaluated by the Palermo Protocol and also the TIP minimum guidelines. Yet, how clear is the connection between South Africa's improvement with respect to human trafficking and the implementation of the TIP reports?

According to Mollema, the absorption of the TIP institution has "contributed tremendously to fight sex and labor trafficking." The realist incentive imposed by the economic sanctions provided the spark for South Africa to adopt better

policies; moreover, they were able to do so in an informed manner due to the detailed recommendations provided by the Palermo Protocol (Mollema). The Palermo Protocol and the TIP reports served as an incentive and guiding force to “push for a comprehensive, stand-alone trafficking law” in South Africa (Britton and Dean). By studying how the United States has maneuvered their domestic policy to combat trafficking with the TVPA act, South Africa was able to use that information as a case-study that informed their own country’s implementation (Mollema). Providing further influence, when South Africa was placed on the special watch list from 2005-2008, the country felt massive pressure and shame (Britton and Dean), thus building further momentum to establish better anti-trafficking policies. Perhaps it is no coincidence that, after South Africa was placed on the special watch list, the country witnessed their most dramatic improvements in human trafficking outcomes as estimated by Cho’s 3P index.

Economically, South Africa’s GDP per capita steadily increased; their total unemployment fluctuated, and their inequality measure remained high. South Africa’s norm diffusion¹⁴ may help explain how they were able to mitigate their developing economy while improving their human trafficking outcomes. South Africa arduously strove to match international norms to local South African context, employing consultants, policy advocates,

researchers, and other key actors to do so (Britton and Dean). They also established bilateral agreements within the African Union (AU), strengthening information sharing, power, and capabilities to prevent human trafficking (Britton and Dean). In this way, South Africa’s ability to localize and adapt to the international anti-trafficking norm established by the TIP reports may have lessened the economic strain needed to fight human trafficking.

With respect to political alliances, relations with the United States were severely damaged during South Africa’s fight to end apartheid. Nelson Mandela remained on the US terrorist list, deprived of a visa, until 2008¹⁵. The U.S. State department now reports that trade relations are strong; yet, there seem to be more grievances than smiles when reflecting on the history of the two nations. From a realist perspective, Britton and Dean showed that the shame incurred as a result of being placed on the TIP watch list lead to positive anti-human trafficking formations as demonstrated by Cho’s 3P index. This serves as an example of how political relations with the United States inversely lead to beneficial anti-trafficking outcomes. Had the United States favored South Africa more, leading to more respectable TIP evaluations, perhaps South Africa would have had less incentive to change their anti-trafficking policies.

¹⁴ To operationalize this term, I use the same definition as Britton and Dean: “norm diffusion is the transfer of international norms from the international to the regional and national levels of governance through international treaty accession, ratification, approval, or acceptance. Norms can also be diffused through the adoption of new policies aimed to complement or expand upon these international treaties. Although these norms have diffused and countries have adopted new policies and ratified international treaties, this does not mean that the norms have been localized. Norm localization is

defined by Acharya as the “contestation between emerging transnational norms and preexisting regional normative and social order” (2004: 241). This localization occurs when “norm-takers perform acts of selection, borrowing, and modification in accordance with a preexisting normative framework to build congruence between that and emerging global norms” (Acharya 2004: 269).

¹⁵ “US Has Mandela on Terrorist List.” USA Today, Apr. 2008. Web. <http://usatoday30.usatoday.com/news/world/2008-04-30-watchlist_N.htm>.

The statistics pertaining to gender empowerment for South Africa are not plenty and in some cases are not available; as a result, a qualitative analysis as seen in the relevant literature can prove more informative. Culturally, South Africa held a variety of attitudes and practices, particularly connected to gender equality, that increased the nation's vulnerability to human trafficking (Dworkin, Kruger, Morrell). The *ukuthwala* custom, debated by some as abduction and others as negotiation, is generally viewed as a "forced marriage of young girls to adult men," (Kruger). Morrell, focusing on the male perspective, highlights historically high levels of violence against women (including murder, rape, and domestic violence), "domination of certain spheres of public life-- corporate and state-- by men to the exclusion of women," (Morrell). He argues that it is constructions of masculinity-- what it means to be a man-- that are most threatening about men in South Africa. However, there are also cultural trends-- with strong feminist momentum-- that seek to reverse this gendered history (Allen). Gender is a fluid concept, and in some instances is already changing in South Africa to reflect more equitable principles (Morrell, Dworkin). This conversation-- deserving of more attention and empirical research-- can help inform the ways in which South Africa look to improve their relationship to human trafficking. These cultural factors-- an ugly gendered history combined with traces of promise for empowering changes-- may help explain the ways in which the TIP report affects South Africa's human trafficking outcomes.

Thailand

Historically, Thailand was fortunate to become the only Southeast Asian country that did not experience colonial domination. Politically, however, Thailand is victim to a long series of successive military overthrows, resulting in long periods of instability. By 1991, 17 different military coups seized control since 1932. Despite brief respites of peace, rapid political turnover was a constant-- corruption remained rampant during this history, and is cited as a critical factor pertaining to Thailand's struggles with human trafficking (Bales, Skeldon). After a series of coups, concomitant with violence that spread to civilians, voters approved a new constitution in 2016 that ensured greater power for military rule in the government.

Economically, the 1997 Asian financial crisis marked a critical period for Thailand, signaling two very strenuous years. The IMF intervened to spurn neoliberal economic restructuring; by 1999, the economy began an upward recovery. Thailand enjoyed similar success to the nation's East Asian peers through undertaking rapid, export-based industrialization beginning in the 1970s. Thailand introduced market liberalization measures and welcomed foreign direct investment; this helped transition the economy from being agrarian-focused to instead become industrialized. Yet, the transition is yet to be complete. 40% of the workforce still works in agrarian settings, according to the Asian Development Bank. GDP per capita, per World Bank numbers, has grown from 192 US\$ in 1970 to 6,225 US\$ in 2013. In 2011, Thailand "joined the ranks of upper-middle-income countries."¹⁶ While the nation still works to transition to full industrialization, Thailand represents a

¹⁶ *Thailand Industrialization and Economic Catch-Up*, Asian Development Bank. 2015.

success story within the sphere of economics. While Thailand's political history foreshadows its difficulties in responding to human trafficking, its economic history offers hope.

Thailand has received low rankings on the TIP reports from their onset; with time, they have either stagnated or worsened. When comparing their TIP rankings to Cho's 3P trafficking index, however, the analysis appears confusing. Thailand's scores have, at their lowest, been average; in some years (2007, 2008-- both ranking 13), they have been impressive. Thailand received an overall ranking of 12 six times from 2001-2015. One of those times, in 2012, only 5 nations received a perfect overall score of 15¹⁷-- 21 nations (including the United States) scored a 13. Relative to the standards outlined in the Palermo Protocol and the TIP reports, for a country infamous for being plagued by human trafficking, Thailand ranked surprisingly high.

The explanation comes, in part, from Thailand's fear of sanctions. Carolin Guentert helps explain this phenomenon, describing the TIP reports as "more adept at inducing the passage of legislation that ensuring its enforcement." Illuminated under the global spotlight, Thailand was forced to normatively oppose human trafficking with all the rigor that the TIP reports demanded (Guentert). Due to corruption, contradictory social views (particularly regarding prostitution), and economic incentives in industries benefiting from trafficked labor (fishing, shrimp), it is in Thailand's interest to superficially adopt stringent anti-trafficking measures while internally remaining passive (Guentert).

An examination of Thailand's culture with respect to sex trafficking and prostitution helps to explain Guentert's findings. She explains that "sex trafficking

has existed in Thailand for centuries... women and children are the most vulnerable victims." Profits from illicit sex work in Thailand are estimated to amount to millions of US\$ each year (Guentert). Child prostitutes in Thailand, depending on the estimate, number between 60,000 and 200,000 (Lau). Religion also influences Thailand's culture pertaining to sex work; as a predominantly Theravada Buddhist society, "prostitution is deemed acceptable through the concept of karma and merit-making," (Lau). An example of this involves a daughter who wants to "show gratitude and obtain merit by raising money to support her family," (Lau). In a qualitative study into Thai prostitution, Loring Jones recounts the story of Noi, who gave up "her dream of attending college due to family poverty," (Jones):

After finishing junior high school, I took an exam and got a quota seat to study in an agricultural school. However, my father did not have money to support my studies. There was never enough food . . . After finishing school I worked in a rice field for 2-3 years. When I was 19 years old, I heard that there was a job selling sex in Bangkok, so I decided to go because I wanted to help my family.

This story helps to provide a human face to the cultural factors the undermine sex work in Thailand. It allows for an understanding of sex work in Thailand not as a dichotomous concept good vs. evil, but as ingrained cultural values fundamentally different from those seen in the United States. From this space, it is easier to conceptualize the difficulty of translating the unilateral institution of the TIP reports into Thai society.

¹⁷ These nations include France, Netherlands, Australia, South Korea, and Switzerland

The Gender Empowerment Measurements may add to this nuance. While not in the highest tier of female empowerment, Thailand's rankings are decent for a developing country. They do not indicate an extreme suppression of women--this might stem from the fact that sex work in Thailand (a component of human trafficking) cannot be viewed as solely exploitative. This analysis does not intend to, in any form, justify sex trafficking or sexual exploitation; rather, it hopes to expand our conceptions of cultural differences that can, in turn, aid in our ability to prevent and end human trafficking.

In regards to political relations between Thailand and the United States, the two countries have enjoyed net positive diplomatic ties since the end of WWII. According to Zeboli (2009), "The United States and Thailand have developed close relations, as reflected in several bilateral treaties and by both countries' participation in UN multilateral activities and agreements." In 2003, the United States deemed Thailand a "Major Non-NATO Ally," (USDOS 2017). However, the United States' positive view of Thailand appears only to exist when Thailand coincides with America's international interests. For example, as reporter Shawn Crispin writes about Thailand, "after a decade of political turmoil and concerns about future stability due to an uncertain royal succession, there are rising calls in Washington to leverage the coup as an opportunity to disengage with Thailand and bolster relations with countries more aligned with the 'pivot' [changing US strategy in Asia]." ¹⁸ While Thailand face a pivotal moment with regard to their

relationship with the United States, it is unlikely that this will affect human trafficking outcomes as an effect of the TIP reports due to Thailand's already-very-low rankings.

Reviewing Thailand's economic measures, they do not appear to explain human trafficking outcomes in relation to the TIP reports. Thailand's gradually and rapidly decreasing Gini coefficients demonstrate that, with industrialization and increased GDP, their society has mitigated those economic changes in a relatively egalitarian manner¹⁹. By this standard, Thailand's political-economy throughout industrialization, over time, has trended increasingly toward egalitarian distributions of wealth. One would expect these positive economic changes to result in increased anti-trafficking performance as measured by either the 3P index or the TIP reports; yet, there appears to be no such correlation. In sum, cultural factors seem to best explain the effects of Thailand's implementation of the TIP reports.

5. Conclusion

"The challenge for anti-trafficking research," wrote Warren, "is to follow campaigns across major world regions to see how national governments and social movements reinterpret international norms for their own ends in distinctive cultural and economic contexts." The Trafficking in Persons reports constitute the most domineering anti-human trafficking institution shaping our efforts on a global scale; yet, surprisingly little scholarship is

¹⁸ Crispin, Shawn W. "US-Thailand Relations on a Razor's Edge." *The Diplomat*, 11 Aug. 2015. Web. 15 Mar. 2017. <<http://thediplomat.com/2015/08/us-thailand-relations-on-a-razors-edge/>>.

¹⁹ For comparison, Thailand's distribution of income is more egalitarian than that of the United States-- in

1986, the GINI coefficient for the US was 37.73; in 2013, it was 41.06. For another example, the GINI coefficient for France, in 2012, was 33.1; Germany's, in 2011, was 30.13. (taken from World Bank).

dedicated to exploring the nuances of how that mechanism operates. Chuang assesses its unilateral nature, Gallagher critiques its effectiveness, and Feingold satirizes its scientifically poor methods and inaccurate data. Wooditch iterates on Bales' research to analyze dependent variables that influence the scoring of the TIP reports. But very few scholars (Guentert, Mollema, and Britton and Dean excluded) study the unilateral institution's effects in terms of specific case studies that attempt to answer the question, "In what ways do the TIP reports influence human trafficking outcomes in X country, and what variables help explain that process?"

Still, there are many causal barriers to overcome. It is often difficult to tell if the dog is wagging the tail or if it is the other way around. Does a nation's political relationship with the United States, for example, affect that state's TIP ranking, in turn affecting human trafficking outcomes? Or is it the nation's reaction to TIP rankings that leads to different relations with the US, still affecting trafficking outcomes but in a different way? The answer is likely neither here nor there; yet, this type of analysis can open doors to new empirical studies and ways of thinking regarding the effects of the TIP reports. This unilaterally-enforced institution is purported to have positive benefits in some contexts

(South Africa), but negative consequences in others (Thailand). To find more precise reasons as to why this happens is not just to reach the end of an intellectual puzzle-- it is to save lives who might otherwise be permanently damaged or lost as a result of human slavery.

Lastly, this research recognizes that the TIP reports are unilateral evaluations published by the world's largest traditional hegemon-- the United States. While countries may not agree with or support the idea of unilateral evaluations, it is irrefutable that evaluated countries cannot ignore them. These reports are deeply attached to public diplomacy, security, notions of legitimacy, international trade, and more. From a realist perspective, it is clear that evaluated countries have no choice but to accept the consequences of these evaluations. Thus, this study focuses on the TIP reports solely due to their power and associated effects with regard to human trafficking outcomes.

Conflict of Interest Statement

The author declares no conflict of interest with respect to the research, authorship, and/or publication of this article.

Appendix A

Table 1. Yearly TIP and overall 3P Index Rankings for South Africa and Thailand

Year	Thailand		South Africa	
	TIP ranking	Overall 3P Index Scores**	TIP ranking	Overall 3P Index Scores**
2001	Tier 2	10	Tier 2	5
2002	Tier 2	12	Tier 2	8
2003	Tier 2	13	Tier 2	9
2004	Tier 2 watch list*	12	Tier 2	8
2005	Tier 2	11	Tier 2 watch list	8
2006	Tier 2	12	Tier 2 watch list	6
2007	Tier 2	13	Tier 2 watch list	6
2008	Tier 2	13	Tier 2 watch list	8
2009	Tier 2	11	Tier 2	8
2010	Tier 2 watch list	11	Tier 2	10
2011	Tier 2 watch list	12	Tier 2	11
2012	Tier 2 watch list	12	Tier 2	9
2013	Tier 2 watch list	11	Tier 2	11
2014	Tier 3	11	Tier 2	10
2015	Tier 3	12	Tier 2	10

Sources: US Department of State, Trafficking in Persons Reports

*Watch list introduced in 2003

** All reports available at <http://www.economics-human-trafficking.org/data-and-reports.html>

Table 2. Economic Measures

Year	Thailand			South Africa		
	GDP per capital (US\$)	Gini index	Total unemployment (% of total labor force)	GDP per capita (US\$)	Gini Index	Total unemployment (% of total labor force)
2001	1897	x	2.6	2,706	x	25.4
2002	2,093	49.94	1.8	2,541	x	27.2
2003	2,349	x	1.5	3,807	x	27.1
2004	2,643	42.54	1.5	4,901	x	24.7
2005	2,874	x	1.3	5,453	x	23.8
2006	3,351	41.82	1.2	5,668	64.79	22.6
2007	3,963	39.76	1.2	6,161	x	22.3
2008	4,385	40.29	1.2	5,817	63.01	22.7
2009	4,231	39.75	1.5	5,916	x	23.7
2010	5,112	39.4	1.0	7,392	x	24.7
2011	5,539	37.46	0.7	8,078	63.83	24.7
2012	5,915	39.26	0.7	7,570	x	25.0
2013	6,225	37.85	0.7	6,911	x	24.6
2014	5,970	x	0.9	6,496	x	25.1
2015	x	x	x	x	x	x

Source: World Bank Data Estimates

“x” refers to no available data for given year

Table 3. Gender Measures

Year	Thailand		South Africa	
	GEM Thailand (rank)	Female % total labor force*	GEM S. Africa (rank)	Female % total labor force*

2001	x	45.7	x	46.3
2002	0.458 (50)	45.8	x	46.0
2003	0.457 (55)	46.0	x	45.4
2004	0.461 (57)	45.7	x	44.7
2005	0.452 (63)	46.0	x	45.0
2006	0.486 (60)	45.6	x	45.3
2007	0.472 (73)	45.8	x	45.0
2008	0.472 (73)	45.8	x	44.5
2009	0.514 (76)	45.4	0.687 (26)	44.4
2010	Not measured	45.4	Not measured	44.2
2011	Not measured	45.4	Not measured	44.6
2012	Not measured	45.4	Not measured	44.3
2013	Not measured	45.4	Not measured	44.1
2014	Not measured	45.5	Not measured	43.8
2015	Not measured	x	Not measured	x

Gender Equality Measure (GEM) taken from Human Development Reports published under the UNDP

* Female % of total labor force taken from World Bank Statistics

“x” refers to no available data for given year

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