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# **CRIMINAL PROSECUTION OF FEMALE SEX TRAFFICKING VICTIMS IN FINLAND**

Examining Expert Knowledge on the Victim-Perpetrator Overlap

Faculty of Social Sciences

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# ABSTRACT

Anniina Korpela: CRIMINAL PROSECUTION OF FEMALE SEX TRAFFICKING VICTIMS IN FINLAND

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In this thesis, I examine expert knowledge on the criminal prosecution of female sex trafficking victims in Finland. The inherent agency and the active role of female victims of human trafficking have not been broadly acknowledged and a research gap exists especially in the context of the victims committing criminal acts. The research aim of this thesis is to reveal how and what types of knowledge Finnish authorities use to approach the victim-perpetrator overlap in the context of female victims of trafficking in persons for sexual exploitation in Finland. The research is aimed implicitly to investigate expert knowledge and thus data was collected through semi-structured thematic interviews with three relevant actors who work in the field of anti-trafficking in Finland in the police, the criminal sanctions agency, and the Finnish National Assistance Systems for Victims of Human Trafficking. The data is analyzed using the problem-centred expert interview method, which proved useful for determining the type and quality of expert knowledge on the research topic.

The results of this study indicate that even though the experts interviewed for this study personified model authority figures able to self-educate themselves by practical experience, generally Finnish police and criminal sanctions agency have alarmingly little – or worryingly concentrated – knowledge on how to identify and assist unidentified trafficking victims who are facing criminal charges. According to the data, all four types of offences (lacking identity documents, committing criminal offences, attempting to free herself from traffickers, becoming a trafficker) that the previous literature has listed as offences typically performed by female victim-perpetrators of sex trafficking, occur in Finland in small quantities. Even though the international consensus is that trafficking victims ought not to be prosecuted for their crimes, my research indicates that thus far, the principle of non-punishment has not been tested in Finland in cases relating to trafficking and henceforth its effectiveness remains unknown. Finally, the data indicate that according to the experts, Finland is participating in the revictimization of the victim-perpetrators of trafficking for sexual exploitation by deporting them to their countries of origin.

Keywords: human trafficking, trafficking for sexual exploitation, forced prostitution, victim identification, non-punishment principle

The originality of this thesis has been checked using the Turnitin OriginalityCheck service.

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## Acknowledgements

I dedicate my work to Ella.

This research would not have been possible without you.

## List of Abbreviations and Acronyms

EU – European Union

LGBTQ+ – Lesbian, gay, bisexual, transgender, queer (or questioning), and others.

Migri – Finnish Immigration Service

NAS – The Finnish National Assistance Systems for Victims of Human Trafficking

NGO – Non-governmental organization

OHCHR – Office of the High Commissioner for Human Rights

PCI – The problem-centred interview

UN – United Nations

UNODC – United Nations Office on Drugs and Crime

## List of Appendices

Appendix 1 – Interviews (dates and times)

*“Sometimes it happens so that we have all sorts of great systems here in a welfare state, but we forget to approach those to whom they apply.”*

– Prison director Kaisa Tammi-Moilanen (Interview 27.1.2021)

*“It was an exceptional experience to realize that I have told a trafficker not to tell the police. But I also knew that those girls whom she had trafficked were currently pimping new girls and thus were traffickers themselves.”*

– NAS Senior adviser Terhi Tafari (Interview 9.2.2021)

## 1. Introduction

Survivors of trafficking for sexual exploitation have to cope with the trauma they suffered as victims as well as the circumstances that lead to them being vulnerable to trafficking in the first place. Criminally prosecuted victims<sup>1</sup> additionally have to cope with the stigma of being seen as perpetrators as well as with the legal consequences, such as time served in prison, and possible deportation to their country of origin. In consequence, the European Commission

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<sup>1</sup> I use terms ‘victim-defendant’, ‘victim-perpetrator’ and ‘victim-offender’ interchangeably to describe individual victims of trafficking who face criminal prosecution for their engagement in illegal actions. I switch between the terms depending on which stage of their victimhood I am referring to and what prior research I am referencing. With these terms I hope to underscore the defendants’ status as primarily a victim. Furthermore, in this thesis I use female pronouns she/her/hers for trafficking victims, but I recognize that exploitation by human trafficking is not limited to only women.

among other international actors has stated that victims of trafficking should not be prosecuted or be subject to penalties imposed for their involvement in criminal activities which they have been compelled to commit as a direct result of being subjected to trafficking (European Commission, 2013, p. 5) Nevertheless, victims who themselves have committed criminal acts often go unnoticed by the officials and hence they face being persecuted for their crimes while lacking the care they would require to cope with the trauma they have experienced. Even if their history of victimization is discovered, trafficked sex workers who have become offenders or traffickers themselves, fall outside the legislated construction of the “ideal victim” (Baxter, 2020, p. 335) and as a result, they are punished as perpetrators, rather than aided as victims.

Even though violence performed by women is a rising research topic in feminist peace and conflict research, this particular field of female perpetrators has largely been neglected in academic research. However, human trafficking is connected to conflicts all around the world and trafficking for the sexual exploitation of women and girls has been recognized as a threat to international peace and security (CEDAW, 2020, p. 5). The correlation between human trafficking and conflicts is complex since people are being trafficked both into and out of conflicts (Shelley, 2010, p. 1). In the former cases, women may be coerced into regional conflicts as comfort women as the presence of international peacekeepers has led to the sexual exploitation and abuse of host country citizens (Horne & Barney, 2019, p. 3). Indeed, even the UN’s Department of Peacekeeping Operations has acknowledged the relationship between peacekeeping and human trafficking (2019, p. 4). In the latter cases, people are trafficked out of conflicts, initially consensually, but often exploited in transit or destination countries (Shelley, 2010, p. 1). Furthermore, human trafficking is used by organized crime groups to fund conflicts and other illicit activities (2010, p. 1). It is therefore apparent that the problem of human trafficking must be taken seriously as regional conflicts continue and with it the phenomenon of trafficking in human beings (2010, p. 3). In traditional security studies, not much place has been given to examinations of gender and a possible reason for the limited impact that feminism has had on security studies has been the paradox of gender stereotypes (Gizelis, 2018, p. 2). The conventional sexual and gender ideologies have also largely determined how trafficking for sexual exploitation is depicted in both in academic research and public understanding: Men rescue women and girls (Baker, 2013, p. 17) while women are cast as victims in need of protection (Soderlund, 2005, p. 82). What is largely ignored is that not all traffickers are men, but also women and girls can act as perpetrators of trafficking for sexual



exploitation (UNODC, 2020, p. 8) and often run recruitment agencies, organize trafficking, and control woman's work in forced prostitution (Andrijasevic, 2010, pp. 78–79).

I argue that the biggest danger when addressing sex trafficking is the usage of oversimplified interpretations and scandalous narratives of the trafficking victims as agency deprived sex slaves. The inherent agency and the active role of female victims of human trafficking have not been broadly acknowledged, although some significant studies have been published in recent years (see for example Viuhko, 2020). In the last few years, more information on the phenomenon of victim-perpetrators of sex trafficking has become available as some small-scale studies have been conducted (Baxter, 2019; Broad, 2015; Wijkman & Kleemans, 2019). However, the limitation of these studies is that they have been highly localized, which makes them lacking in generalizability. Larger-scale, international studies on the overlap between victimization and offending among female sex trafficking victims have been absent. As this thesis was already in process, the United Nations Office on Drugs and Crime published an extensive case law analysis in late 2020 focusing for the first time on the roles played by female victims of trafficking for sexual exploitation and their sentencing on a global level (UNODC, 2020, pp. 110–111). The UNODC study analysed case law on trafficking in persons for sexual exploitation involving female defendants, who had been or contemporaneously were being exploited as trafficking victims. Fifty-three cases were analysed from 16 different jurisdictions, with a focus on the European region (UNODC, 2020, p. 5). The study was conducted through a victim-centred, gender-sensitive lens, and it brought to light many complex issues surrounding the phenomena of victim-defendants trafficked for sexual exploitation. Thus, my thesis can be seen as a single-country focused continuum of the UNODC case law analysis. Studies have identified several needs for further research on the topic of human trafficking in Finland. Koskenoja, Ollus, Roth, Viuhko and Turkia (2018, p. 202) have noted that the issue of victims of sexual abuse in Finland and what help those victims need requires further research. Hence, I believe that the topic for my thesis has been studied to a degree sufficient for me to have a grasp of the existing literature, but still unresearched enough for me to contribute to the existing research. Additionally, my research is an opening for an academic discussion about the special needs of female victim-perpetrators of sex trafficking in the Finnish context.

I call into question what happens to female victim-perpetrators<sup>2</sup> of sex trafficking in Finland and how authorities could help the victim-perpetrators help themselves to move on by exercising their agency and start the process of transition from victims to survivors. My main research question is how and what kind of knowledge experts use to identify and aid female victims of sex trafficking who have resorted or forced to illegal behaviour in Finland. I combine previous academic findings with three expert interviews conducted with Finnish officials. The experts that were chosen for this study exert significant influence in how cases of female victim-offenders of sex trafficking are processed in the pre-trial investigation, prison, and victim assistance. As my thesis leans heavily on the pre-existing literature, as well as on selected expert interviews, individual interviewees' perspectives are emphasized. This being the case, the experts are from three distinctly different fields and they all personify a complex interdependence of knowledge and power in their sectors and are thus uniquely positioned to offer their viewpoints on the Finnish system. By giving equal weight to the previously accumulated theoretical and empirical knowledge and the individual knowledge and personal experiences of the interviewees, this study will reconstruct the implicit dimensions of the expert knowledge around female victim-offenders of sex trafficking.

As human trafficking is not an area that has been given great attention to in my studies, I found it a useful theme for me to build expertise on when choosing my thesis topic. I became familiarized with the subject of convicted victims of sex trafficking while working as a journalist in a newspaper *Hämeen Sanomat*. Two female victims of sex trafficking had been identified in a local prison called *Vanajan vankila*. Since no official training is provided for prison officers in Finland, the prison staff were uncertain what to do in such a situation. The prison officers were not even aware that there was an assistance system to help them in Finland. It was by pure coincidence that the prison director had heard of a Christian organization working in the field that was willing to give the prison a hand in dealing with the situation. I was allowed to interview the prison director and some officials in the assistance system, as well as the Christian organization, as I had already done some research on the phenomenon of sentencing female victims of sex trafficking to imprisonment on account of their violent behaviour. My coverage of the story was released in newspapers nationwide through *Lännen Media*, Finland's leading regional media. However, the research and the interviews I did were

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<sup>2</sup> The term victim-perpetrator in this context is understood comprehensively, as any person with a victimization background in the realm of sex trafficking, who is now being subjected to criminal prosecution.

for journalistic purposes and hence it was necessary to conduct new interviews for academic research purposes.

In my thesis, I shed light on the blurry line between victimization and criminalization in the context of trafficking in persons for sexual exploitation. One might pose the question of why the victims<sup>3</sup> of human trafficking would be criminally prosecuted and sentenced? As Baxter has noted, trafficked women have a high risk of resorting to violent behaviour, not always regarded as self-defence (Baxter, 2020, pp. 335–336). In her research, Baxter applied the concept of the victim-offender overlap to an analysis of six Australian cases involving female offenders in trafficking-related crimes. Other researchers have outlined how the offences trafficking victims commit range from staying in a country without a permit to committing petty crimes under coercion or to using violence against their pimps in an attempt to exit their situation (Schloenhardt & Markey-Towler, 2016, pp. 13–15). In some cases, violent physical behaviour occurs between trafficked women who are put in extremely competitive positions by the pimps and hence are under immense pressure to perform well in their job and get more clients than their peers (Interview 27.1.2021). Perhaps the most ethically challenging reason trafficked women end up being prosecuted, and in some cases also sentenced, is when they have risen in the trafficking hierarchy and have become traffickers themselves. It might come as a surprise that in recent years data collected by UNODC has consistently indicated the over-representation of women and girls not only as victims but also as perpetrators of trafficking for sexual exploitation (UNODC, 2020, p. 8). That prosecutors and courts must take into account any prior victimization of women defendants in their decision-making has been demonstrated as being necessary (UNODC, 2020, p. 110). To increase attention towards the role of abuse officials ought to be educated on how to recognize the structural aspects of coercive control (2020, p. 111). With this thesis, I aim to provide an important insight into the phenomenon of female victim-defendants of trafficking for sexual exploitation in Finland. I especially seek to investigate whether the authorities working with the victim-defendants have the adequate expertise to recognize coercive control and prior victimizations that may have been essential factors in the women's path to crime.

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<sup>3</sup> In this paper I use the term 'victim' to refer to an individual who is a recognized or suspected subject of trafficking in human beings. Throughout this paper I use the term 'victim of trafficking in human beings' instead of 'survivor of trafficking in human beings' in accordance with EU legislation. However, I recognize the weaknesses of the term 'victim' since it reinforces the dualistic idea of the victim and the perpetrator as separate actors. The terminology of victimhood will be examined more closely later on.

Victims who become victimizers is a complex theme to research. The lines that distinguish between victim and perpetrator are blurred by ongoing cycles of belligerence and retribution and as victims are incorporated into political campaigns, it is nearly impossible to separate the victim from the politics (Jacoby, 2015, p. 511). Research points to earlier experiences of victimization being strongly associated with later offending (see for example UNODC, 2009; 2012; 2020, pp. 110–111), even though not all victims become perpetrators. The focus of my thesis brings a great deal of tension to the work: on the one hand, it is a matter of identifying the victims, but since I am examining the phenomenon in the context of criminality, it is only when the victims have been or are suspected of having committed a crime. This deconstructs the dichotomous idea of the victim and the culprit as separate actors and opens up a multidimensional moral field for my thesis. It should be noted that the contentious dilemma between the usage of the terms “survivor” or “victim” in the realm of sex trafficking and cases of gender-based violence will not be resolved in this thesis, nor have I attempted to do so. As the dichotomy does not conceptually address the multifaceted nature of victimization, it neglects the usage of coping and survival strategies employed in response to coercion and fails to examine the linkages between agency and victimization (UNODC, 2020, p. 21). Neither will I propose any groundbreaking policy definitions in the debate between depicting women trafficked for sex work as ‘victims of crime’ or as ‘willing prostitutes’. I do not find these issues in need of resolution, but instead, see them as standpoints that must be acknowledged if we wish ever to make a lasting improvement to these extremely vulnerable people’s lives. To outline my personal view on the matter, I view convicted victim-perpetrators as victims of a miscarriage of justice since the principle of non-criminalization has not been extended to them. Additionally, without completely disregarding the arguments of anti-prostitution activists that all women in prostitution are victims despite evidence to the contrary (Cheng, 2021, p. 5), I support Andrijasevic (2010, pp. 95–96) in her proposition that since many women’s subjectivities are constituted via a myriad of factors, for example, both by migration and prostitution, they do not fall into either of the two categories of ‘victims of crime’ or ‘willing prostitutes’ and should not be forced into them.

I have taken a feminist intersectional perspective since it has been argued that feminists should be the first to interrogate and critique the beliefs around global sex trafficking, and especially

call into question the prominent narratives of 'rescuing' the prostitutes (Soderlund, 2005, p. 64). The empirical research on gender, conflict, and peace is a fairly new scholarly field that brings together diverse traditions, the common ground being the effort to understand the role of gender in shaping outcomes of conflict and peace (Gizelis, 2018, p. 7). While women and girls are not the only targets of sexual violence, nor trafficking for sexual exploitation, they remain the largest percentage of victims in both and as such form the primary focus of my research<sup>4</sup>. In my thesis, I conceptualize the different systems of oppression the trafficked women face, including different identities based on radicalization, sexuality, economic status, nationality, and religion. I have taken a special focus on the gender-based violence dimensions and the notion of sexual victimhood. Therefore, I do not simply attempt to find solutions to protecting or 'rescuing'<sup>5</sup> trafficking survivors, but I focus on empowering them after the identification process. Examining the choices behind victimhood as a tool for justice renders visible its relation to broader struggles for recognition and emancipation (Jacoby, 2015, p. 153). Additionally, to effectively address victim-defendant offending, the linkages between intimate partner violence, domestic violence, and human trafficking must be understood since sex trafficking often involves or even stems from intimate partner violence (UNODC, 2020, p. 32).

In the second chapter of the thesis, I examine the phenomenon of human trafficking first more broadly and then focusing on trafficking for sexual exploitation as my research focus is on the victim-offender overlap in the realm of sex trafficking. Globally the phenomenon is known but whether the issue has also arisen in Finland is unresearched. I connect my research topic to peace and conflict research through themes of global inequality and conflict-stemming economic deprivation, as well as recent discussions on how trafficking for sexual exploitation is recognized as an increasing threat to international peace and security. After this, I take a closer look at anti-human trafficking efforts in the European Union and Finland to demonstrate the roles of the different authorities.

Then, in chapter three, I highlight some key findings from previous studies that relate to the identification of female defendants of trafficking for sexual exploitation and as well as the

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<sup>4</sup> Although this thesis is focused on female victims of trafficking, I cannot highlight enough that the term sex trafficking relies heavily on stereotypically gendered imagery. Not all victims of trafficking, not even all victims of trafficking for sexual exploitation, are women.

<sup>5</sup>'Rescue' often implies objectification and silencing of trafficking victims (Snajdr, 2013, p. 296).

difficulties regarding their assistance. I demonstrate how trafficking for sexual exploitation is set to become perhaps the most worrying and rapidly increasing form of human trafficking. In chapter four, I introduce the theory of victimhood and connect my research further to peace and conflict studies via the construction of victim-based identity and sexual victimhood. Along with the theory, I open up the multidimensional moral field of my thesis and attempt to deconstruct the dichotomous idea of the victim and the perpetrator as separate actors. I do this by highlighting the active roles that migrant women working in the sex sector take.

After this, in chapters five and six, I present my research questions and methods. In chapter seven, I seek to offer a rich picture of the line between victimization and criminalization in the context of trafficking in women for sexual exploitation in Finland by analyzing the expert interviews I have conducted. I focus on identified cases of victim-perpetrators and how the special needs of these women have been taken into account in the Finnish system. Additionally, I unravel to what extent the different officials are prepared for these issues– within the criminal prosecution system as well as in the different assistance systems that are in place to help the victims of human trafficking. Finally, in chapter 8, I conclude my thesis by evaluating whether the Finnish authorities have the expertise required for the identification of victim-perpetrators of sex trafficking and if so, whether the complex healthcare needs of these extremely vulnerable persons are met in Finland. In addition, I offer some policy recommendations and suggestions for further research.

## 2. Trafficking in Human Beings for Sexual Exploitation

The implementation of the UN Trafficking Protocol in 2000, as well as the European Union Council Framework Decision on combating trafficking in human beings in 2002, were starting points for the establishment of global anti-trafficking strategies and activities (Roth, 2011, p. 160). While the UN definition has certainly provided a basis for the criminalization of trafficking in many countries, there are still uncertainties and disagreements concerning the actions that constitute human trafficking (Roth, 2011, p. 75). Trafficking is generally seen to take place when a person has been recruited and transported by a third party utilizing deception into exploitative working conditions to profit from their labour. In legal terms, trafficking in persons means:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. (UN General Assembly, 2001)

Protecting the victims is one of the key aims of international efforts against trafficking in human beings (Schloenhardt & Markey-Towler, 2016, p. 10). Article 6 of the Convention on the Elimination of all Forms of Discrimination Against Women ensures that states have the legal obligation to “take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women” (UN General Assembly, 1979). Article 6 of the Convention is based on Article 8 of the 1967 United Nations Declaration on the Elimination of Discrimination against Women (CEDAW, 2020, p. 4). This legal basis requires that Article 6 be read as an indivisible provision, which links trafficking and sexual exploitation. Current legal instruments include a range of mechanisms protecting the rights of trafficking victims, providing them assistance and counselling, as well as protecting them from traffickers (Schloenhardt & Markey-Towler, 2016, p. 10). Perhaps the most disputed mechanism is the non-punishment principle, which protects victims from prosecution for offences which they

may have committed during the course of, or as a direct consequence of their trafficking experience (2016, p. 10). The scope and effectivity of the principle in the Finnish jurisdiction system are at the centre of this study and hence the principle itself will be more closely examined further on. Despite the surfeit of anti-trafficking policies at the national, regional and international levels, women continue to encompass the majority of detected victims of trafficking across the world whereas perpetrators go undetected and unpunished (CEDAW, 2020, p. 3).

It is essential to distinguish trafficking in human beings from smuggling human beings (also called *people smuggling*). Both are typically motivated by money (Myatt, 2019, p. 560) and consist of the illegal movement of persons across borders. The distinguishing factor, however, is that the former is involuntary migration and the latter voluntary migration. Andrijasevic (2010, p. 7) has described human smuggling as standing for a consensual and voluntary form of crossing the borders whereas trafficking involves involuntary and nonconsensual acts. For trafficking to be legally acknowledged three elements need to be in place: the act, the means to enforce the act, and the outcome (Andrijasevic, 2010, p. 7). This could, for example, mean recruiting a victim and transporting them across a border, threatening the victim, or using force against them if they do not comply, and finally forcing the victim to third-party controlled prostitution in the destination country. An important difference between smuggling and trafficking is that in smuggling the exploitation is limited to the period of the migratory process whereas in trafficking the exploitation continues in the destination country (Andrijasevic, 2010, p. 7). It is also essential to distinguish between (migrant) prostitution and trafficking for purposes of sexual exploitation. Simplified, prostitution involves the exchange of sex for money whereas trafficking for sexual exploitation occurs when a person is forced, coerced, or deceived to engage in sex work (Finn, Muftić, & Marsh, 2015, p. 76).

Migrants' presence in sex work is largely encompassed under the umbrella of sex trafficking, which as a term is highly problematic. Not only does it hide the agency the women take in their migratory processes<sup>6</sup>, but there is also inconsistency in the usage of the term. At its core, the debate on the definition of trafficking in persons for sexual exploitation concerns whether adult migration to prostitution, with or without consent, should be seen as human trafficking or

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<sup>6</sup> Female agency in is examined in more detail later on.



whether a distinction ought to be drawn between consenting migrating prostitutes and non-consenting victims of sexual exploitation (Roth, 2011, p. 75). Additionally, trafficking in persons for sexual exploitation is a challenging phenomenon to research, since collecting numerical data on the victims of human trafficking is difficult and data on female migration processes and patterns is nonexistent (Andrijasevic, 2010, pp. 126–127). Estimates on the number of human trafficking victims and the number of persons engaged in prostitution are notoriously unreliable due to their nascent nature (Finn et al., 2015, p. 76). The existing data tends to be precarious since data collection is irregular, the victims are distrusting towards the police, and there are divergent definitions of what constitutes trafficking and who can be labelled a legitimate victim of it (Andrijasevic, 2010, p. 127). Because trafficking operations are often so similar to other forms of labour migration, in some cases it makes the distinction between forced labour (such as human trafficking) and voluntary migration unmanageable. Some scholars, for example Andrijasevic (2010), have gone as far as to decide against the use of the term ‘trafficking’ and instead speak of ‘conditions of confinement’ or in the case of sex trafficking, ‘a third party controlled prostitution’. For the sake of clarity, I will be using the terms ‘trafficking in human beings for sexual exploitation’, and in short, ‘sex trafficking’, since those are the most often used terms for the phenomenon I am researching. Additionally, the rhetoric of victimhood holds a certain legislative weight that was useful in my interviews. I would, however, like to point out that not all presumed victims of sex trafficking can be legally identified as human trafficking victims nor do they all want to be labelled as such, and hence my usage of the term is broader in its understanding of victimization in the sector of sex trafficking. I also want to highlight that by deciding to use the term ‘victim’ I by no means wish to diminish the active role that these women have taken in their migratory processes.

## 2.1. Trafficking as Part of Global Inequality

United Nations have recognized the connection between trafficking in persons, sexual violence and transnational organized criminal activities, and ways in which these can prolong and exacerbate conflicts and instability or intensify its impact on civilian populations (United Nations Security Council, 2016). Trafficking and sexual exploitation in women and girls have been recognized as a threat to international peace and security (CEDAW, 2020, p. 5). However, women and girls migrate for a myriad of reasons. In addition to constraints shared with men, such as poverty or displacement, women specifically are influenced by non-economic factors

such as physical violence, unhappy marriages, and the impossibility of divorce (Kofman, Phizacklea, Raghuram, & Sales, 2000, p. 21). Female migration can hence be a means of resistance and escapism, and a way to gain self-respect by exiting unsatisfactory marriages or family dynamics (Kofman et al., 2000, p. 22). One commonality among trafficking schemes, as Myatt (2019, p. 560) has pointed out, is that traffickers routinely prey on the vulnerable. Women and girls are targets of traffickers for specific forms of exploitation due to pervasive and persistent gender and age inequalities: Females' economic, social and legal status is lower in comparison to that which is enjoyed by men and boys (CEDAW, 2020, p. 6).

Even though it is undeniable that poverty is a common pushing factor in human trafficking, migratory processes ought not to be analyzed solely based on economic factors. Nevertheless, the growth of the sex industry can be seen as an indirect consequence of globalization and the rise of the service sector (Andrijasevic, 2010, p. 6). However, the perspective of sex trafficking as a form of organized crime and a consequence of economic restructuring amid poverty is not a straightforward one. Furthermore, not all sex workers can be labelled victims as some choose prostitution due to its being better paid than other types of domestic work (Kofman et al., 2000, p. 117).

Women and girls are at a heightened risk of being trafficked during all stages of their migration journey: in transit, in reception and accommodation facilities, at borders and in destination countries (CEDAW, 2020, p. 6). This is because the migratory journey is typically a continuum of the same threats women are fleeing in the first place. Women are again confined in male-dominated private spaces (Kofman et al., 2000, p. 25) as migratory processes are regulated either by the official immigration policies or illegal human trafficking/smuggling routes. In Europe, job opportunities for migrant women hit a downfall since the 70s as the easily accessible manufacturing jobs have slowly disappeared. Kofman et al. have pointed out that job hunting is made even more difficult by the larger structural constraints that limit women's opportunities. Apart from low-level service jobs in the private domain such as sex work or domestic work, avenues for employment are close to non-existent for migrant women (Kofman et al., 2000, p. 114)

Andrijasevic (2010, pp. 46–49) has argued that in the case of sex trafficking, emphasis on poverty leads to a misleading understanding of migration solely in terms of rational economic action, failing to take into consideration women's other motives and desires to migrate, such as the pursuit of financial independence, autonomy from family and a desire for mobility. Although trafficked women working in the sex sector rarely disclose what type of work they do to their families, the finances acquired from the sex work are brought/send home in hopes of gaining recognition and respect from parents and other family members (Andrijasevic, 2010, p. 53). Women who return home are often celebrating and elevated as role models in the community but were it to be made public that the money was earned in prostitution, recognition would give way to shame (Andrijasevic, 2010, p. 102). This creates a controversial state of affairs in which the very thing the women are ashamed of is what will improve their reputation back home. For this to happen, women's migratory journeys back home must be done on their right and not as a result of deportation or receiving victim-of-trafficking -status. This is why counter-trafficking is a two-edged sword. As Adrijasevic (2010, p. 55) has brought up, most counter-trafficking measurements for the sex sector are fueled by the assumption that trafficking is orchestrated by evil traffickers who force or mislead innocent women into sex work. The author has gone far as to argue that anti-trafficking measures taken in Europe are an instance of decolonization (2010, pp. 130–131). Border control and immigration regulations do not prevent people from migrating. Andrijasevic (2010, p. 129) has noted that these measures only prolong the already difficult and dangerous migratory journeys. Neither is deporting undocumented sex workers the solution to ending human trafficking. Kofman et al. (2000, p. 117) have concluded that the sole effect of the deportations is that traffickers go free and the migrant sex workers are left unemployed and stigmatized. Once returned home, migrant sex workers may experience reprisals and re-victimization (CEDAW, 2020, p. 6).

The policy measures are then directed toward strengthening international borders which does not so much protect migrating women but rather force them into hiding. Andrijasevic (2010, p. 9) has stated that framing sex trafficking as organized crime and thus justifying Europe-wide anti-trafficking campaigns we are not so much battling the organized crime networks but reinforcing the stereotypical, gendered framework and painting the migrant woman as these extremely traditional representations of womanhood. Andrijasevic goes on to argue that anti-trafficking campaigns effectively place women outside of the labour market and into the realm of the home by limiting non-EU female nationals' migratory possibilities. Hence, one can argue

that the anti-trafficking campaigns end up hurting those whom they are claiming to protect: the *victims* of human trafficking.

In conclusion, human trafficking stems from economic, political and – in the case of sex trafficking – gender inequalities. As Kofman et al. (2000, p. 118) have underlined, it is those inequalities that should be the central cause for our concern. Sexual exploitation persists due to the global failure to discourage the demand that fosters exploitation and leads to trafficking (CEDAW, 2020, p. 7). Persevering norms and stereotypes of male domination, male control of power, patriarchal gender roles, male sexual entitlement, coercion and control drive the demand for sexual exploitation of women and girls (CEDAW, 2020, p. 7). Committee on the Elimination of Discrimination against Women (CEDAW, 2020) has emphasised in their General recommendation No. 38 that the realities of trafficking in women and girls extend beyond the scope of the United Nations Trafficking Protocol. They have stated that combatting trafficking in women and girls in the context of global migration requires the engagement of the larger protection framework which would include instruments such as international humanitarian law, refugee law, criminal law, labour and international private law, statelessness, slavery and slave trade conventions and international human rights law.

## 2.2. Non-Punishment Principle

Can a person who has been trafficked be regarded as a criminal? What if the crime has been committed under the coercion of a trafficker? The reality that trafficking victims often have little choice but to partake in criminal conduct has been increasingly recognized in academic research and scholars have brought to attention that the existing criminal and anti-trafficking laws inaptly protect victims from the threat of being prosecuted, imprisoned and deported as a result of been trafficked for forced criminal activities (Schloenhardt & Markey-Towler, 2016, p. 37). Over many years concerns have been raised that arresting, charging, detaining, prosecuting and punishing trafficking victims who commit crimes in connection with their victimization would be unjust (ICAT, 2020, p. 1). This continues to be a relevant issue as one major form of human trafficking is coercing persons into committing crimes and benefiting from them. Victims who are already being forced to work in prostitution may additionally be coerced into selling drugs, using violence, or committing other criminal acts. This tactic is often

used by traffickers as a means of maintaining further control over their victims (ICAT, 2020, p. 1).

Since the 2000s, the international consensus has been that victims of trafficking are not to be prosecuted or be subject to penalties imposed for their involvement in criminal activities which they have been compelled to commit as a direct result of being subjected to trafficking in human beings. This is known as the non-punishment principle (in some contexts also known as *the principle of non-criminalization or non-prosecution*<sup>7</sup>). The main reasoning for the principle's existence is the recognition of victims who are forced to engage in illicit actions during their trafficking experience (Schloenhardt & Markey-Towler, 2016, p. 10). Further reasons that uphold the principle include maintaining the interests of justice, safeguarding the rights of victims and encouraging victims to cooperate with law enforcement in the investigation of their traffickers (ICAT, 2020, p. 1; Schloenhardt & Markey-Towler, 2016, p. 10).

The principle has had many different wordings in several international and regional instruments and guidance notes. The non-punishment principle was affirmed by the UN General Assembly in 2010, but it can be traced back to the negotiations of the United Nations Trafficking in Persons Protocol of 2000 (ICAT, 2020, p. 3). The notion of non-punishment can be traced even further than that (Piotrowicz & Sorrentino, 2016, p. 7). However, we are still lacking a universal articulation of the principle's application (ICAT, 2020, p. 3; Schloenhardt & Markey-Towler, 2016, p. 37). Schloenhardt and Markey-Towler have proposed the development of a uniform principle of non-criminalization<sup>8</sup> that would be recognized in international law and adopted into national systems (2016, p. 37).

Explicit recognition of the non-punishment principle in the European context emerged in the 2010s, first through the Council of Europe and later through the European Union (Piotrowicz

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<sup>7</sup> I am using the term non-punishment principle in accordance with article 26 of the Council of Europe Convention.

<sup>8</sup> 'Non-criminalization' is a broader term than non-punishment, which is currently in usage in the EU. While the term non-punishment only refers to the sanctions that victims may face, the non-criminalization advocates that criminal liability should not arise in the first place (Schloenhardt & Markey-Towler, 2016, pp. 32–33).

& Sorrentino, 2016, p. 6). The principle is coded in the following manner to the Directive 2011/36/EU:

“National authorities are entitled not to prosecute or impose penalties on victims of trafficking in human beings for their involvement in criminal activities which they have been compelled to commit” (European Parliament, 2011)

and

“Victims of trafficking in human beings should -- be protected from prosecution or punishment for criminal activities -- that they have been compelled to commit as a direct consequence of being subject to trafficking.” (European Parliament, 2011)

However, the non-punishment principle does not mean victims of human trafficking would be immune from prosecution simply because they have been trafficked (Piotrowicz & Sorrentino, 2016, p. 5). The principle cannot provide blanket immunity, especially if serious offences have been committed (Schloenhardt & Markey-Towler, 2016, p. 37). Trafficked persons are bound by the law just as much as any other individual. With this in mind, what makes the legal cases against victims of human trafficking unique is that their culpability may be significantly diminished or extinguished because of their situation of being under the control of the traffickers (Piotrowicz & Sorrentino, 2016, p. 5).

As a concluding remark, it must be noted that for the non-punishment principle to be effective, the victims ought to be recognized swiftly by the pre-investigative authorities. Hence, training to support early victim identification is critical to successfully implementing the non-punishment principle and referring victims to assistance services (ICAT, 2020, p. 5). Finland has struggled with this enormously and a large proportion of trafficking offences in especially in cases of sexual exploitation go undetected due to the inexperience of the police to investigate that type of crimes (Majewski, 2020). Next, I'll take a short look at the history of sex trafficking in Finland as well as a look at the current state of its anti-trafficking actions.

### 2.3. A Legal Perspective to Sex Trafficking in Finland

In the 1970s and 1980s, and the early 1990s, the phenomenon of human trafficking was perceived as a distant issue for Finland, and its criminal law regulations were not considered necessary (Kimpimäki, 2009, p. 195). During the 1990s, however, sex trafficking began to be linked to organized crime as human trafficking as a trend in Europe was suddenly greatly exasperated by the fall of the Soviet Union and the following rural impoverishment and urban unemployment (Andrijasevic, 2010, pp. 6–8). From the mid-1990s, the large differences in living standards between Finland and the former Soviet area became apparent and the discussion on human trafficking in Finland became more concrete as it was noticed that prostitutes were brought in from the eastern neighbouring countries (Kimpimäki, 2009, p. 199–201). Women's economic vulnerability and low social status in the former Soviet area made migrant sex work a profitable business and Russian and Baltic women started to do short tourist trips for prostitution purposes to Finland (Roth, 2011, p. 158). Organised crime groups soon took control of these trips and the women's opportunities to influence their prostitution activities started to diminish (2011, p. 158). However, this was a time when there was not yet a generally accepted definition of trafficking in human beings, neither at the national or international level (Kimpimäki, 2009, p. 202), so despite the increased foreign prostitution, Finnish authorities and politicians widely believed that trafficking in human beings did not concern Finland and that all foreign prostitutes engaged in prostitution voluntarily (Roth, 2011, p. 155).

By the beginning of the 2000s majority of prostitutes in Finland were already foreigners and almost all of them, including the Finnish prostitutes, were forced to work under the control of Estonian and Russian organised crime groups (Roth, 2011, p. 161). Nevertheless, human trafficking was not recognized as a domestic problem until the early 2000s, when Finland was obligated to take part in anti-trafficking activities due to international and EU regulations (Roth, 2011, p. 155). Thus, Finland adopted and implemented international and EU legal instruments to take legal and other measures to prevent trafficking, to assist and protect trafficking victims, and to ensure prosecution of those who commit the crime of human trafficking (2011, p. 155). In 2004, Finland enacted special penal provisions concerning trafficking and aggravated trafficking in human beings (2011, p. 155). A year later, Finland adopted the first National Plan of Action against Trafficking in Human Beings and established an inter-ministerial steering group to monitor the implementation of the said action plan (2011, p. 155). Furthermore,

Finland put into place a special system to assist (potential) trafficking victims<sup>9</sup> and also enacted special sections in the Aliens Act<sup>10</sup> which now ensured that a trafficking victim staying in the country illegally may be granted a reflection period and a temporary or continuous residence permit (2011, p. 156). The purchase of sexual services from procured prostitutes and victims of trafficking was also criminalized in 2006 (2011, p. 156). Almost a decade later, in 2015, amendments were added to the criminal code, at which time, the name of the law also changed making the tasks related to human trafficking directly reflected in the title as well as the contents of the law today<sup>11</sup> (Sisäministeriö, 2016, p. 9).

#### 2.4. Current Actions Against Trafficking in Human Beings in Finland

International human rights law imposes obligations on states to identify victims of trafficking (CEDAW, 2020, p. 9). Victims of human trafficking are entitled to myriad forms of assistance and support if only authorities have reasonable grounds to believe that they might have been trafficked (European Commission, 2013, p. 4). The rights listed in EU law include, but are not limited to: safe accommodation and material assistance, medical treatment including psychological assistance, information, advice and support relevant to the rights of victims, and protection during and after criminal proceedings<sup>12</sup>. Official victim status is not required to be eligible for these rights. Neither is assistance and support conditional on the victim's willingness to cooperate in the criminal investigation or trial (European Commission, 2013, p. 4). However, the victim's consent on an informed basis is always required – help cannot be forced on a person who does not wish it.

As outlined, Finland is bound by many human rights treaties<sup>13</sup> that impose obligations on anti-trafficking measures (Sisäministeriö, 2016, p. 11). Hence, helping victims of human trafficking is an official governmental responsibility in Finland. However, despite the raised awareness on the issue of human trafficking and the considerable legislative reforms and organisational

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<sup>9</sup> Act on the Integration of Immigrants and Reception of Asylum Seekers, 439/1999

<sup>10</sup> Aliens Act, 301/2004

<sup>11</sup> Laki kansainvälistä suojelua hakevan vastaanotosta sekä ihmiskaupan uhrin tunnistamisesta ja auttamisesta, 388/2015

<sup>12</sup> Directive 2011/36/EU, Article 11; Directive 2011/36/EU, Article 12; Directive 2012/29/EU, Article 9

<sup>13</sup> Such as the United Nations International Covenant on Economic, Social and Cultural Rights (SopS 6/1976), the Convention on the Elimination of All Forms of Discrimination against Women (SopS 67-68 / 1986) and the Convention on the Rights of the Child (SopS 59-60 / 1991). )



establishments, the efforts to counteract human trafficking have proved to be rather ineffectual (Roth, 2011, p. 156). Additionally, research has shown that the psychological support needed by victims is far from sufficient and is not available on time (Government action plan against human trafficking 2016-2017).

In practicality, the responsibility to help victims of human trafficking in Finland lies in the Assistance System for Victims of Human Trafficking (*Ihmiskaupan uhrien auttamisjärjestelmä*, hereafter: NAS). The assistance system is an independent part of the Finnish Immigration Service MIGRI and they are responsible for helping both Finnish citizens and nationals of other countries who are in Finland. The assistance system's activities are based on law, and it has a legal obligation to offer its services to the customers admitted to the system, who are victims of trafficking (Ihmiskauppa.fi, 2018). Individuals who are accepted as clients of NAS are initially classified as presumed victims of human trafficking. Once in the system, clients can be officially identified as victims of human trafficking (MIGRI, 2020, p. 17). There are also several non-governmental organizations working in the field of victim-support in Finland, but their operating conditions are currently insufficient to meet their victims' service needs if the needs are not initially covered by the public assistance system (Koskenoja et al., 2018, p. 196).

Koskenoja et al. (2018) discovered that more than a third of the customer terminations in NAS during the years 2014–2016 were due to the fact that in the preliminary investigation or prosecution, the criminal title was something other than human trafficking. According to the report, the NAS considers that if the pre-trial investigation authority investigates a crime under a title other than trafficking in human beings or the criminal title changes in a preliminary investigation or the prosecution of trafficking in human beings for some other crime, the customer must be removed from assistance system (Koskenoja et al., 2018, p. 196).

In Finland, the majority of identified victims of human trafficking are from labour-based trafficking but the number of victims of sex-based trafficking has been rising. From all the clients in the NAS on 31 December 2020, 35 per cent were admitted due to sexual exploitation and 40 per cent for forced labour (MIGRI, 2021). However, the lower percentage of sexual

exploitation cases may not reflect the actual proportion of trafficked victims, since sex work is difficult to detect. Researchers, for example, Roth (2011, p. 166) has argued that the authorities investigate more offences related to labour exploitation than to sexual exploitation, and hence identify more economically exploited than sexually exploited trafficking victims.

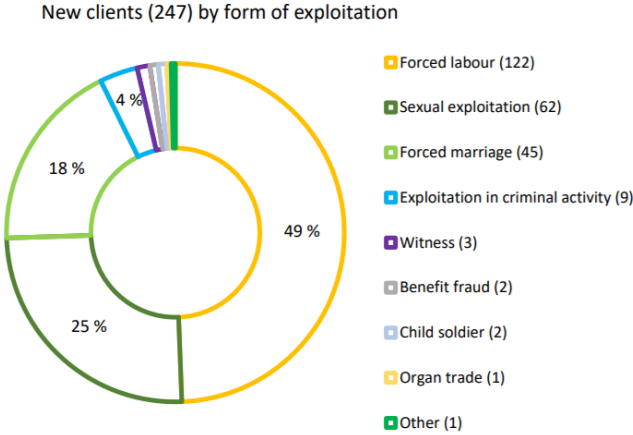


Figure 1: In 2020, more people were referred to the assistance system than ever before. The most common form of exploitation was forced labour.

Source: [http://www.ihmiskauppa.fi/files/526/NAS\\_annual\\_statistics\\_2020.pdf](http://www.ihmiskauppa.fi/files/526/NAS_annual_statistics_2020.pdf) (2.2.2021)

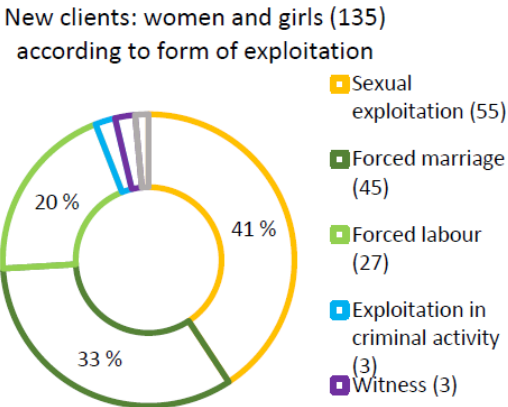


Figure 1: For women and girls, the most common purpose for trafficking was sexual exploitation. In recent years, the percentage has shifted between 41– 48 % of the women and girls referred to NAS (MIGRI, 2020, p. 12)

Source: [http://www.ihmiskauppa.fi/files/526/NAS\\_annual\\_statistics\\_2020.pdf](http://www.ihmiskauppa.fi/files/526/NAS_annual_statistics_2020.pdf) (2.2.2021)

To better protect and support victim-defendants of trafficking, it has now been proven successful that training ought to be provided to law enforcement officers and justice sector professionals on proactive victim identification and measures at an early stage (UNODC, 2020, p. 109). This has been pursued in Finland for a while now. Human trafficking and victim identification were incorporated into the basic training of new Finnish police officers and border guards as an experiment in 2017. The training was first conducted under the IHME project, administered by the assistance system and funded by the European Union (MIGRI, 2019, pp. 14–15). The project lasted from 2017 to 2019 and was intended to reinforce competence in anti-trafficking in Finland, particularly for the criminal investigation authorities (MIGRI, 2019, p. 14). New teaching methods were implemented to educate police and border officials to identify victims of human trafficking. Although the project ended in summer 2019, the training of the pre-trial investigation authorities has continued in the police force and the Border Guard. The training modules that were created during the IHME project have been made a permanent part of the training of pre-trial investigation authorities (MIGRI, 2020, p. 3). According to an annual overview of the assistance system (MIGRI, 2020), the training has been beneficial. In 2019, the assistance system received a record number of proposals for admitting possible victims of human trafficking into the system. A record number of clients were admitted, and the total number of clients had doubled from two years previously (MIGRI, 2020, p. 3). However, the training that is provided is limited and it is not offered to all sectors in need of such training, such as and prisons.

A considerable factor in the difficulty of victim identification is that the characteristics of, for example, sexual exploitation as a crime are perceived burdensome by the police since investigating trafficking offences for sexual exploitation requires criminal investigators to have a wide range of expertise (Majewski, 2020, p. 58). Changes were recently made for the Finnish police to develop and maintain professional skills in such a difficult type of crime and specialized investigation teams to detect and investigate trafficking offences were introduced at the beginning of the year 2021. Before this, most of the sex trafficking crimes have been investigated only in Helsinki, and even there only one police officer had had the experience of doing revealing work among sex trafficking-related crimes (Gustafsson & Reinboth, 2020). Specialization of the police is believed to have an enhancing influence on the human trafficking investigation (Majewski, 2020, p. 69), but only time will tell how the newly formed

investigative teams will change the state of identifying victims of trafficking in Finland and imposing trafficking charges to those responsible.

### 3. The Struggle for Authentic Victimhood

In this chapter, I demonstrate the importance of my research topic by opening up its scholarly context. I position myself to the literature I have reviewed, build on previous insight, and develop the ideas further. I demonstrate how my research addresses a gap in the literature and how I contribute to the discussion of the criminal prosecution of the female victims of sex trafficking. I begin the chapter by presenting arguments why the term sexual slavery ought not to be used when referring to human trafficking. Despite the popularity of rhetoric, it has a myriad of problems. Titles such as ‘modern-day slavery’ or ‘21st-century slavery’ are media-sexy and attention-grabbing, but the slavery rhetoric has some serious drawbacks, which need to be examined here before moving on to deconstructing the dichotomous roles of the victim and the perpetrator. After this, I approach my research topic by examining gendered stereotypes of ‘woman the victim’ and ‘man the perpetrator’ and then continuing to the most crucial concept for my thesis, ‘the victim-perpetrator overlap’. With this concept, I follow those scholars before me who have attempted to deconstruct the dichotomous idea of the victim and the perpetrator as separate actors – focusing especially on the gendered perspectives of the two.

#### 3.1. Modern-Day Slavery -Rhetoric

Discussions of sex work are inextricably bound up in discussions of patriarchy, of men subjugating, objectifying, purchasing, possessing, and degrading the female body to maintain or increase their political, social, and economic dominance; prostitution thus becomes a form of slavery. (Dennis, 2008, p. 20)

As compelling as Dennis’ argument is, most scholars are against the usage of slavery-hinting rhetoric when addressing human trafficking. Nevertheless, human trafficking, and particularly trafficking in women for sexual exploitation is widely referred to as ‘modern-day slavery’ (Milivojevic & Copic, 2010, p. 283). The language of slavery in addressing trafficking has spread in the last decades as it's been used by diverse groups from the United Nations, national and regional governments to human rights organizations (Hoyle, Bosworth, & Dempsey, 2011, p. 314). Slavery rhetoric is especially favoured in campaigns that raise awareness about

trafficking and funds for anti-trafficking initiatives (Andrijasevic & Mai, 2016, p. 1). Even media seems keen to emphasize that trafficking amounts to enslavement (Hoyle et al., 2011, p. 326).

Several reasons have been brought to light in academia explaining why words hinting at slave trading should be expressions of the distant past. First of all, the language of slavery oversimplifies our understanding of trafficking (Hoyle et al., 2011, p. 314). The rhetoric of slavery upholds the false idea that a victim of trafficking is someone that is physically constrained and thus forced to engage in whatever activities that the trafficker wishes. Although this is undoubtedly one possible scenario of trafficking, it delegitimizes women who do not fit into its narrow category (Milivojevic & Copic, 2010, p. 286). Furthermore, in the context of trafficking for sexual exploitation, Andrijasevic has similarly argued that the phrase ‘sexual slavery’ should not be used since it does not take into account the complexity and correlations of various factors that constitute the conditions of confinement (2010, p. 93).

Secondly, depicting trafficked women as slaves directs attention away from the agency women exercise despite the abuse (Andrijasevic, 2010, p. 93). Some scholars (Milivojevic & Copic, 2010, p. 289) have even argued that referring to trafficking as slavery entirely removes women’s agency. In a matter of fact, slavery representations tend to portray all migrant sex workers as powerless victims, regardless if they have been trafficked or not (Andrijasevic & Mai, 2016, p. 5). This generalization conceals the agency of the migrants working in the sex industry, ignoring the fact that for most migrant women, sex work offers an income and an opportunity to achieve social mobility (Andrijasevic & Mai, 2016, p. 5). By entirely ignoring migrant women’s agency and choice in leaving their country of origin can result in harsh treatment of economic migrants, as well as smuggled people and asylum seekers (Hoyle et al., 2011, p. 326).

Thirdly, the language of slavery sets up a false dichotomy between these imagined, agency-deprived ‘ideal victims’ and the real-life-victims, whose experiences of being trafficked are typically far more nuanced and complicated (Hoyle et al., 2011, p. 326). Authors have forewarned that this false dichotomy may deny the justice of those who are not seen as ‘ideal victims’. Victim-perpetrators can most certainly be placed in this excess group, who do not fit

the qualifications (2011, p. 326). Possible consequences of the denial of justice are deportation, another imprisonment, but there are also broader consequences of the denial of women's agency: it legitimates and tighter border controls and limits women's employment (Hoyle et al., 2011, p. 326).

The justifications for why trafficking is still commonly depicted as slavery are grave. Racialized narratives legitimate policies of criminalization of sex workers (Andrijasevic & Mai, 2016, p. 1). By using slavery in anti-trafficking stories and images, it is relatively easy to make the public want to 'rescue' women trafficked for sex (Baker, 2013, p. 3). Consequently, the public outcry against sexual slavery has already resulted in tighter anti-immigration measures around the world (2016, p. 3). In the EU, slavery-based sex trafficking rhetoric has been seen as an act of statecraft as a way of consolidating a comprehensive EU policy framework on immigration and preserving national discretion (Berman, 2003, as cited in Andrijasevic, 2010, p. 132). Trafficking rhetoric was initially pushed for a political agenda to make visible the abuses migrants face during their migratory journeys (Andrijasevic, 2010, p. 142). Most scholars have argued that the narratives around sex trafficking should be changed, for example, so that the phenomenon would be acknowledged as the trade and exploitation of labour under coercive conditions, not as the enslavement of women (e.g. Snajdr, 2013, p. 297). Although scholars and activists have tried long to replace the image of the passive and enslaved trafficking victim with representations of active migrant workers, the attempts have largely been in vain (Andrijasevic & Mai, 2016, p. 4).

### 3.2. Sexualized Racism and the Gendered Rescue Narrative

Sexualized racism pervades the discourses around sex trafficking (Baker, 2013, p. 20). Anti-trafficking campaigns impose stereotypical gendered representations of migrant women as victims and migrant men as criminals (Andrijasevic, 2010, p. 131). Third parties that control street prostitution are usually seen as a homogenous category, an evil mass of 'traffickers' that exert control over innocent women. Discourses on sex trafficking portray "dangerous brown men" as evil and barbaric Others threatening innocent femininity, rendering Western men to be the heroic rescuers of the victims (Baker, 2013, p. 20). Baker has proposed that the

disproportionate focus on sex trafficking over other types of trafficking is connected specifically to the political and cultural representations.

Discourses around trafficking are in a continuous process of reestablishing traditional notions of gender and sexuality, objectifying the female body by portraying its sexual purity in danger, and thus depicting girls and women in need of male protection. According to Baker, these paternalistic discourses reinscribe power relations that based on race and nationality to justify relationships of domination (Baker, 2013, p. 20). Religious anti-trafficking organizations treat sex work as an issue of conscience and morality, emphasizing protection of victims and disregarding any agency, autonomy and empowerment the sex workers may be gaining from their work (Soderlund, 2005, p. 81). The commercialization of sex, on the other hand, has intersected with traditional gender roles and resulted in the normalization of male demand, which “feeds off girls made vulnerable by poverty and a culture that sexualizes them” (Baker, 2013, p. 19). Even Western feminists have been criticised for participating in the production of patronizing attitudes toward non-Western women onto whom victim status is projected (Soderlund, 2005, p. 82).

This dominating trafficking discourse is usually called the gendered rescue narrative (known also as *sex slavery discourse*<sup>14</sup>) within academic research (Baker, 2013, p. 2). The rescue narrative is especially used by governments and the media to frame the sex trafficking of women and girls. The rescue narrative includes a heroic rescuer (typically white, Western man) who saves the trafficking victim (typically a brown female) from a cruel trafficker (typically a man of colour or an immigrant). An integral part of the narrative is that begins with the evil trafficker or pimp abducting, deceiving, or luring the innocent and naïve girl into forced prostitution (Baker, 2013, pp. 2–3). Thus, by assuming the innocence and vulnerability of the victim, the rescue narrative actively deprives the trafficking victim of agency of her own. The heroic rescuers and saviours are given a moral leadership role and therefore know the best. The victim is portrayed only as a naïve, deceived girl, who therefore needs to be rescued, not empowered.

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<sup>14</sup> Due to the aforementioned reasons, I am obtaining from using slavery hinting terms if they are not essential for the analysis. Hence this discourse will hereonafter be labelled ‘the gendered rescue narrative’.



Anti-trafficking organizations and activists against trafficking use the rescue narrative as well, although this is typically justified by stating that they are trying to counter society's victim-blaming attitude toward sexually active young women by highlighting the problem of innocent young girls being threatened by evil traffickers (Baker, 2013, p. 6). The portrayal of woman as vulnerable and in need of help can in turn be seen to fuel the anti-trafficking campaigns and media stories even further. Baker argues based on her study on media representations in the US that despite the good intentions of the anti-trafficking activists, the rescue narrative reinforces the social and cultural conditions (sexism, racism, xenophobia etc.) that make women and girls vulnerable to sex trafficking in the first place (2013, p. 17).

In conclusion, race and nationality are in a continuous cycle of resurfacing in predictable ways within the sex trafficking discourse in practically every possible sector from media, to politics to activism. Western men continue rescuing women and girls, often from developing countries, while traffickers are either men of colour or Eastern Europeans (Baker, 2013, p. 17). As Baker has noted, such a retelling reinforces conservative beliefs and values around gender, sexuality, and nationality. Although the rescue narrative continues to be prominent, it has long been critiqued for casting women as victims in need of (state) protection rather than as subjects deserving of positive rights (Soderlund, 2005, p. 82). Further problems of the gendered rescue narrative are examined in the following subsections. First I deconstruct the falsely gendered aspect of the narrative. Then, I examine how the narrative has constructed what is known as the ideal victim of trafficking.

### 3.3. 'Woman the Victim' and 'Man the Perpetrator'

Women's violence is often discussed in terms of gender expectations: women are not supposed to be violent (Gentry & Sjoberg, 2015, p. 3). Violent women, then, are thought of in a sense that their violence makes them bad at being women (2015, p. 3). Similarly, a violent victim (and a woman, no less) is a bad and undeserving victim. Gentry and Sjoberg have proposed that women's violence would provide yet another area for the application of feminism's strengths. I draw from that thought here as I examine the gendered aspects of trafficking crimes performed by women. One major phenomenon that the gendered rescue narrative fails to recognize is that

not all sex trafficking victims are women and not all the traffickers are men. Male sex workers exist everywhere in the world, yet they are almost completely ignored by social services, media, and scholarship<sup>15</sup> (Dennis, 2008, pp. 11– 12). If a male prostitute is mentioned, which is rare, they are depicted as active and agentive, capitalizing on their talents instead of being coerced (2008, p. 20). Dennis has attributed the invisibility of men in trafficking discourses to the gendered assumption that women are victims and men make choices, meaning they are either the traffickers or the saviours. According to Dennis, only women *can* be objectified (2008, p. 20).

In addition to the requirement that the trafficking victim “must” be a woman, further distinguishing factors depict *what kind of a woman* the victim has to be to deserve a status of a victim (known as ‘the worthy victim’, ‘the ideal victim’ or ‘the deserving victim’). Just as violent women are seen to have failed at being women (Gentry & Sjoberg, 2015, p. 3), a violent victim (and a woman, no less) is generally perceived as a bad and undeserving victim. The rescue narrative requires the trafficking victim to be ‘worthy’ or the portrayal would no longer generate sympathy for the victim. Thus, victim protection is often offered selectively as it only stretches to those deemed innocent (Soderlund, 2005, p. 82). Innocence carries a particularly heavy burden in the realm of sexuality (Soderlund, 2005, p. 81) and it is maybe the most used identification in recognising the ‘worthy’ victims within the global sex trade. Baker (2013, p. 6) has argued that conventional sexual and gender ideologies largely determine what makes a victim worthy: she must be innocent, virgin-like and never complicit in her sexual exploitation. This is usually achieved by depicting the victims as so young they couldn’t possibly be held liable for their sexual victimization.

Trafficking victims who do not fit into the narrow category of the deserving victim and hence become undeserving (called ‘the Prostitute’ in some studies) are delegitimized and often denied official victim status and the benefits it would bring with it. These ‘undeserving’ sex trafficking victims are frequently labelled as common prostitutes by both society and officials (Milivojevic & Copic, 2010, p. 286). The undeserving victim is characterized by lost honour and dignity, violated virtues and propriety and therefore embodies “the emotional and historical weight of

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<sup>15</sup> It should be stated that this paper suffers of the same limitation as well, as I am specifically examining *female* victims of sex trafficking.

women's sexuality in the nationalist imagination" (Cheng, 2021, p. 5). If a victim of sex trafficking is seen as complicit in their victimization (for example, if it is discovered they have been working as a prostitute before victimization) victim-blaming attitudes can direct the actions taken to either ignoring those victimized or persecuting, even criminalizing them (Soderlund, 2005, p. 83). The simplified view of the gendered rescue narrative fails to address many issues as already outlined. One that is yet to be examined here is the complexities of those who organize trafficking-based prostitution. Andrijasevic showed with her study on forced prostitution in Italy that not all third parties are men, but women are often featured in running recruitment agencies, organizing trafficking, and controlling woman's work in street prostitution (2010, pp. 78–79). Andrijasevic conducted her research with original ethnographic interviews with migrant women in the sex sector and her work has been much referenced ever since its publication due to her groundbreaking theorization of sex trafficking through lenses of agency and citizenship rather than criminalization and sexual slavery. With this study in mind, let us move to the key phenomenon that this paper examines: the overlap of victims and perpetrators of sex trafficking.

### 3.4. Victim-Perpetrator Overlap

Research investigating trafficking in human beings for sexual exploitation has largely been victim-focused. In politics and the media global sex trafficking is conveyed through lenses where the line between victims and villains is clear and the offences therefore ghastly (Soderlund, 2005, p. 81). This approach ignores the overlap that exists among victims and offenders in the realm of sex trafficking, otherwise known as the 'victim-perpetrator overlap' (also known as 'the victim-offender overlap'). From the criminal opportunity perspective, overlap can be expected in all form of crimes (Dijk & Steinmetz, 1983, p. 301). Among all the theoretical perspectives that have been used to explain the overlap between violent offending and violent victimization, routine activities theory is the most recognizable (Jennings, Piquero, & Reingle, 2012). The theory deciphers the influence that opportunity structures and risky lifestyles have on increasing the likelihood of committing an offence or experiencing victimization (2012, p. 17).

The concept of victim-perpetrator overlap has only recently been more widely applied to the study of trafficked women involved in the sex industry (for example, Baxter, 2019; Levy, 2016). The lack of research has created confusion as to how to respond to such women who present complexities in their victimization and offending experiences (Finn et al., 2015, p. 87). However, a ground-breaking study was published recently by the United Nations Office on Drugs and Crime (UNODC, 2020, pp. 110–111), in which the role played by female victims of trafficking for sexual exploitation in human trafficking-related crimes played the main focus. The study was conducted through a victim-centred, gender-sensitive lens, and it brought to light many complex issues surrounding the phenomena of victim-defendants trafficked for sexual exploitation. The UNODC study included fifty-three cases from 16 different jurisdictions, with a focus on the European region. The study produced valuable information on case laws on trafficking in persons for sexual exploitation involving female defendants, who had been or were contemporaneously being exploited as trafficking victims (UNODC, 2020, p. 95).

The several policy and legislative recommendations that have been made on the effective implementation of the non-punishment principle (e.g. OSCE, 2013) include comprehensive lists of several different types of offences that victims of trafficking have found to commit. However, for the sake of clarity, I have used here a summarization of the most typical offences made by scholars Schloenhardt & Markey-Towler, who have categorized the offences into three main types and one additional one. In condensed form, the offences that victims of trafficking commit most often are the following: 1) Status offences, meaning victims lack the required travel or identity documents, 2) consequential offences, meaning victims commit criminal offences because they were coerced or forced by their traffickers to do so, and 3) liberation offences, meaning cases where a victim has felt compelled to commit an offence in an attempt to free herself from the trafficker (Schloenhardt & Markey-Towler, 2016, pp. 13–15). Criminal offending (whether forced or not) typically occur in transit and destination countries where the trafficking victims are usually unaware of local laws and are at the mercy of their traffickers. In addition to the aforementioned types, Schloenhardt and Markey-Towler have listed an additional fourth type of offending: 4) trafficking offences, in which a victim assists their traffickers and, in some cases, gradually becomes a trafficker themselves (2016, p. 15). Victims may begin to collaborate with their traffickers for multiple reasons: to improve their situation (2016, p. 15) or because they are in a romantic relationship with their trafficker (Broad, 2015, p. 1061). However, a distinction has to be drawn between the offending types of 1–3, in

which victims act under compulsion or out of necessity, and type 4, in which (former) victims willingly collaborate with their traffickers becoming, for example, brothel madams (2016, p. 15).

In a simplified manner, made by me for this thesis, victims-perpetrators in the realm of sex trafficking can be set along a continuum, of which the two ends are in a way opposites to each other. On the first end are those victims-perpetrators who are forced to part take in illicit actions (such as drug smuggling, or lower-level jobs on the trafficking hierarchy) somewhat against their will, and on the other end are those former victims who willingly decide to step to the side of perpetrators, usually by moving up the hierarchy and becoming madams or traffickers themselves. This latter category appears to be in line with Van Dijk and Steinmetz’s argument that victimization weakens normative values (1983, pp. 291–306). I would, however, keep in mind that the division of willing and unwilling victim-perpetrators is not black and white since some grey area can be found – victims of sex trafficking suffer from a lack of opportunities and illegal actions can be seen as a last resort in many cases. Additionally, an interesting and unique position in the realm of sex trafficking is that of a ‘Bottom Girl’. These are typically women who have been with a pimp longest and made the most money and hence managed to rise a bit higher than the other women in the trafficking hierarchy (Levy, 2016, p. 131). According to Levy, being the right hand to a pimp gives the Bottom girl status and power but is also often looked at as an aggravating aspect in the sentencing if the woman in question is caught by the police.



**Victims**

- newly recruited for sex work
- lower level criminal tasks in addition to sex work
- may be unaware that what is asked of her is illegal
- no options to refuse due to fear of violence, deportasion etc.
- best protected by law if caught and identified as a victim



**Intermediate roles**

- for example bottom girls, who have status and power over the other women working for the same pimp
- responsibilities, such as recruitment of other girls into the sex trade, managing day-to-day operations, and delivering profits



**Perpetrators**

- has had the choise and possibility to leave illicit sex trade but had decided to stay
- significant status and power
- has risen in hierachy
- no longer working for a pimp but has become a trafficker herself

Figure 3: *A simplified version of the vertical mobility of females in the trafficking hierarchy, done by AK. Based on the distinction made by Levy, 2016 and Schloenhardt & Markey-Towler, 2016.*

The earlier mentioned UNODC report (2020, pp. 110–111) gave some much-needed insight into the motives that sex trafficking victims' have for their offending. The study revealed that victim-perpetrators' motives differ greatly from those typically attributed to traffickers (UNODC, 2020, pp. 6, 31–33). Five broad motives for victim-defendants to engage in trafficking are evident in the case law examined in the study:

1. to alleviate their levels of exploitation and vulnerability
2. to secure or maintain effective ties with the trafficker
3. to rise within an organizational hierarchy
4. to receive economic gain
5. where they had no choice but to comply with the trafficker's orders. (UNODC, 2020, p. 33)

It ought to be highlighted that this study found only very few cases where victims had engaged in trafficking as a means of moving up within the trafficking hierarchy (2020, p. 6). Economic gain as a motive was also rare, appearing only in a few cases, including attempts to escape extreme poverty that rendered the victim susceptible to trafficking.

Victim-perpetrators of sex trafficking have numerous and intersecting vulnerabilities and they often suffer from multiple violations of their human rights. Firstly, women perform lower-level roles in trafficking that render them more susceptible to detection, making their arrest more likely (Broad, 2015, p. 1061). This is an explicit tactic employed by traffickers to avoid criminalization (UNODC, 2020, p. 109). Consequently, women's status as 'low-hanging fruit' results in their over-representation among those arrested for human trafficking-related crimes. Male traffickers usually hold higher positions within the criminal hierarchy, and hence are less often apprehended (UNODC, 2020, p. 109). The dynamic that renders women susceptible to detection is immensely beneficial to traffickers, yet for the female victim-defendants, it is a violation of international standards that are in place to protect their rights as trafficking victims (UNODC, 2020, p. 109).

Secondly, trafficking victims are uniquely situated due to their suffering from varying degrees of coercion that often directly contribute to their involvement in criminal conduct (Myatt, 2019, p. 556). The consensus among criminal justice professionals is that victimization is a key pathway into trafficking for women (Broad, 2015, p. 1065). As already briefly mentioned, Van Dijk and Steinmetz (1983, pp. 291–306) have proposed that victimization may weaken normative values, and hence the subjects of the crime may end up committing the same offences as they experienced as victims.

The third vulnerability is that convicted female traffickers are frequently involved in intimate relationships with male traffickers and have acted as co-offenders with them (Broad, 2015, p. 1061). Cases involving romantic relationships between victim- perpetrators and traffickers calls into question the use of coercive control as a means of transforming the victim into a criminal participant. UNODC's case law analysis revealed that even though relationships of victim-defendants and the gendered roles of those relationships are often recognized in court, they are rarely given adequate attention concerning the offending done by victim-defendants (UNODC, 2020, p. 108). This is seen as a serious barrier against women's equal treatment before the law (2020, p. 109).

There is still considerable uncertainty concerning how the victim status of female victim-defendant affects their sentencing. Evidence has revealed that many female offenders have a history of victimization (see for example UNODC, 2009; 2012; 2020, pp. 110–111), but studies focusing on the sentencing of those female victim-defendants have had differing results. After analyzing the prosecutions of female traffickers, Broad (2015, p. 1066) has suggested that there is an acceptable level of offending behaviour that can be perceived as a result of victimization. Broad continues that there is also a line that can be crossed, after which most criminal justice systems cannot justify the women's behaviour as simply a response to their prior victimization. The nature of that line, the author argues, is open to interpretation. Other observations have indicated that a history of victimization has the opposite effect on the sentencing of female offenders. In her study of the victim-offender overlap in Australia, Baxter (2020, p. 335) found out that histories of victimization are used as an aggravating factor in sentencing, particularly in cases where the offender was a victim of trafficking for sexual exploitation. In her research,

Baxter examined the phenomenon of the victim-offender overlap in Australian cases of trafficking in persons for sexual exploitation through an analysis of six cases involving female offenders. A thematic qualitative text analysis approach was utilized in the research to focus on the judges' sentencing remarks. Based on this methodology, Baxter identified two themes, labelling them as "similar circumstances to victims" and "she should have known" (2020, p. 327). Baxter argues that two themes are interconnected, and allow reflection on the judges' expectation of behaviour by female victim-perpetrators of sex trafficking. Furthermore, Baxter states that a black-and-white categorization of innocent victims and guilty perpetrators is idealistic, unsupported by the research done on victim and offender overlap, and in the case of victims of sex trafficking, the sentencing does not take into consideration the social-cultural constraints and lack of free will that the trafficked women have experienced when resorting to illegal behaviour (Baxter, 2020, p. 337). Hence, due to the differing results of studies done so far, further research on how the victim status of a female victim-defendant affects their sentencing is still very much needed.

As a concluding remark, I argue that the characteristics of the sentencing of the victim-perpetrators in the context of trafficking for sexual exploitation still have not been dealt with enough depth on a global scale. Most studies have tended to focus on single countries and their juridical systems which has resulted in diverging conclusions. It appears that simply recognising victim-perpetrators as victims of trafficking is not enough to tackle the multidimensional moral aspects of their sentencing. With this in mind, I'd like to bring to light a proposition made by UNODC that awareness of gender-based violence ought to be broadened in the criminal justice sector (2020, pp. 110–111). UNODC has hypothesized that the sentences given to female victim-defendants would be reduced if guidelines were to be developed on how prior sexual victimhood should be taken into consideration in sentencing (UNODC, 2020, p. 111). I'll come to the concept of sexual victimhood and its effects on sentencing in more depth later on in this thesis. What I hope to have illuminated here so far is that the global anti-trafficking strategies do not exist in isolation but carry a heavy historical and sociocultural burden which affects also how we in a Finnish society understand the meaning of a 'proper' victim of human trafficking.



### 3.5. Moving Beyond Dichotomies

There is a clear distinction between the "good" victim's passive conduct and the "bad" perpetrator's active conduct -- which, in turn, makes the assignment of blame and criminal liability fairly straightforward. Upon a closer look, however, it becomes apparent that a troubling dichotomy between the roles of victim and perpetrator plagues victims of human trafficking. (Myatt, 2019, p. 555)

To deconstruct the dichotomous idea of the (female) victim and the (male) culprit as separate actors in the realm of human trafficking, we must take under scrutiny the instances where the two overlap. The false dichotomy is brought to life when trafficking victims engage in criminal activities during the course of their trafficking that in some ways relates to their victimization but also violates the law (Myatt, 2019, p. 555). Additionally, the stereotype of a male culprit in trafficking persons for sexual exploitation is misleading. In reality, more than 30 per cent of trafficking in persons prosecutions and convictions involve female offenders (UNODC, 2020, p. 5). Nevertheless, there exists a general assumption that women working in the sex sector cannot speak for themselves, and this is especially true in the case of victims of human trafficking for sexual exploitation (Soderlund, 2005, p. 83). Sex workers' rights advocates have critiqued that the lack of protection and labour rights for workers in the sex industry is the number one problem that leaves women vulnerable to abuse such as in the case of sex trafficking (Andrijasevic, 2010, p. 15). Additionally, prior forms of violence, such as sexual abuse, must be considered as factors that may contribute to trafficking (UNODC, 2020, p. 18). Hence, fostering a broad recognition of the gendered dimensions of human trafficking and placing it legally into a human rights-based discourse would help create gender-specific responses to the matter (UNODC, 2020, p. 110). Furthermore, UNODC has lobbied that training on gender-based violence dimensions of human trafficking should therefore be offered for defence lawyers and that the judicial recognition of the impact of trauma on victim-defendants should be ensured to prevent revictimization (2020, p. 110).

Comprehensive solutions to combat sex trafficking have been offered by a myriad of different sectors: researchers, politicians, NGOs and anti-trafficking activists. An overarching theme,

especially within the gendered rescue narrative is to prosecute the traffickers. However, also more nuanced solutions have been theorized. Baker (2013, pp. 2–3), who has analyzed US sex-trafficking discourses, has proposed supporting laws and social programs that aim to ameliorate the poverty that makes many people vulnerable to trafficking in the first place. Baker has criticized the criminal justice approach to trafficking and its solution to rescue victims and prosecute traffickers. According to Baker, attention should instead be paid to policies that would reduce the wage disparities based on gender and race and end the continuing segregation of women into low-paying jobs (2013, pp. 19–20). I agree with Baker that all of these aforementioned factors indeed contribute to the ongoing economic marginalization of women and children, making them vulnerable to sex trafficking. Whether combatting these alone would be enough to end the trafficking of women, I am wary.

A largely neglected area in the field of human trafficking has been the agency of trafficked women. When moving from victimhood to survival, it is pivotal to affirm trafficked women's agency to challenge the highly stereotypical representation of migrant woman as the passive and oppressed Other (Andrijasevic, 2010, p. 141). Especially the active role of women who have a background as victims of human trafficking is unacknowledged and that is where I seek to contribute to the existing research. The line between victimization and criminalization in the context of trafficking in women for sexual exploitation in Finland needs to be examined since globally the phenomenon is known but whether the issue has also arisen in Finland is unresearched. In this thesis, I gather expert knowledge on identified cases of female victim-perpetrators and how the special needs of these women have been taken into account in the Finnish system. In addition, I examine the preparedness of different officials – within the criminal prosecution system as well as in the different assistance systems that are in place to help the victims of human trafficking. I propose that more attention should be focused on identifying female victims of sex trafficking that are facing or have faced criminal prosecution since being perpetrators themselves does not diminish these women's needs to overcome the trauma they have faced as victims.

In the next chapter, I introduce the theory of victimhood and adapt it to the realm of trafficking for sexual exploitation. Additionally, I draw from the research done on female perpetrators of violence and the psychological discussions on the questionable innateness of violence

performed by women. As women have long been seen only as passive victims, limiting the scholars' views of them, I focus on expanding the female agency and examining trafficked women as complex actors capable of actions of their own. To achieve this more broad focus I examine the terminology of victimhood and the blurry line between coercion and consent with trafficked sex workers. Finally, I take a closer look at the coping strategies of human trafficking victims.

## 4. Victim-Based Identity of Trafficked Women

“If victimhood is inherently political, and thus depends for its expression on power and resources, is there any reliable basis upon which to define a victim?” (Jacoby, 2015, p. 512)

In this chapter, I take a closer look at what and who is a ‘victim’. To make sense of the competing claims of victimhood in disputed political contexts, I employ here a set of plausible theoretical assumptions by which I examine key concepts of noteworthy studies, such as the idea of the worthy victim. I utilize a political theory of victimhood constructed by Tami Jacoby (2015, pp. 527–528) since her pioneering theorization has offered considerable insight into the distinction between victimization and the construction of victimhood. While adding elements from a wide range of studies, I use Jacoby’s theory of victimhood as grounds to examine the pursuit of victim status and the use of coping and survival strategies. Additionally, I justify the linkages between agency and victimization by approaching the victim-based identity construction from the theoretical viewpoint of sexual victimhood.

### 4.1. Construction of Victim-Based Identity

It is often said that victimhood cannot coexist with an agency (Viuhko, 2020, p. 49). Hence, should a woman desire to be identified as a victim, she would automatically be assumed as someone deprived of agency. However, there is power within the label of a victim. Victim status can validate the experiences of the injured party and additionally it can open possibilities by allowing the victim to access support services, and even claiming compensation (Hoyle et al., 2011, p. 326) and as such, it is a much-desired label for both legal and social reasons. However, the status of a trafficked victim needs to be actively claimed, and that can only be received with a certain kind of narrative of abuse and coercion. United Nations has set the international agenda for defining victims as the following:

persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that do not yet constitute

violations of national criminal laws but of international recognized norms relating to human rights <sup>16</sup>.

Jacoby<sup>17</sup> has criticized this definition for its lack of addressing the complexity of victim-based identity and that absent from it is the understanding of the relationship between victims and politics (Jacoby, 2015, p. 515). Being recognized as a victim is a right – as argued by Jacoby, even a privilege (2015, p. 517) – and as such, victim status is not something that is equally bestowed on all injured people. The Western emphasis on victimization is linked to the historical necessity of activist publicity around race and gender issues (Soderlund, 2005, p. 82). The patriarchal state has exalted and protected only those victims whose innocence could be established or asserted in sympathetic terms (2005, p. 82). This has resulted in the construction of the ‘deserving victim’, as was examined in the previous chapter.

Jacoby formulated her political theory of victimhood based on the distinction between victimization as “an act of harm perpetrated against a person or group”, and victimhood as “a form of collective identity based on that harm” (Jacoby, 2015, p. 153). According to the researcher, the relationship between the two is mediated by the politics of the underlying political context. Jacoby has theorized that once the victimization takes place, victims usually seek the recognition of victim status to attain the values (material, political, spiritual etc.) that come along with a victim identity – victimhood – in contexts that support rights-based recognition (Jacoby, 2015, p. 514). The theory of victimhood proposes a sequence of five stages in which grievance-based identity takes shape and Jacoby has argued that the absence of any one of these stages will diminish and potentially obstruct the fulfilment of victimhood (2015, p. 518). The first step is structural conduciveness, where victimhood begins with the injuring act. The injuring takes place within a particular political context and the laws and practices of this context effects if the harm is done is perceived as wrong (Jacoby, 2015, pp. 513, 517–518). For the grievance-based identity to take shape, the victim must understand that she has been victimized. Hence, the second step of victimization according to Jacoby is the formation of political consciousness. According to the author, the normative settings that prevail affect the

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<sup>16</sup> United Nations, General Assembly, A/RES/40/34, 29 November 1985, Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power

<sup>17</sup> This subsection outlines the political theory of victimhood created by Tami Jacoby and hence the text here relies heavily on solely this single authors arguments.

injured parties awareness of the wrong that is done to them, as well as their ability to engage in collective action against the wrongdoer (2015, pp. 513, 517–518). What is needed from the victim at this state is the progression from awareness of harm to awareness of wrongdoing. Once a victim becomes aware that the harm done against her constitutes a violation of existing norms, the third step is ideological concurrence. As mentioned by Jacoby, it depends on the contemporary frameworks how the wrongdoing is perceived and how the grievance-based identity of the victim is recognized (2015, p. 518). Finally, the fourth step is political mobilization, followed by step five, gaining political recognition, which according to Jacoby is a product formed within the dynamics between the victim, the perpetrator and the audience (2015, p. 526).

However, the weakness of this theory is that even if an injured person would religiously follow the above explained five steps, her victim-based identity may never be recognized. Jacoby herself has noted the inconsistency of the effectiveness of the steps by admitting that some are recognized as victims and they gain the benefits bestowed to those victimized, and some fail to get recognized and thus are deprived of any benefits (2015, p. 516). This hypothesis holds a crucial value to my research – I argue that female victims of trafficking for the exploitation of criminality within the context of sex trafficking are consistently left on the losing side of the divide, and hence rarely gaining any benefits that an identified victim would be entitled to.

Considering the politics behind victimhood helps to understand the complexities behind a victim-based identity. Whether the injured party is recognized as a victim or not depends on a myriad of factors. As some of the most notable ones, Jacoby has listed laws and institutional definitions of criminality, political capacity and possibilities to abuse power, perspectives on rights and responsibilities, political values, moral norms and fundamental belief systems (2015, p. 517). The institutional definitions, as well as the persisting notions of authentic victimhood, complicate gaining political recognition for one's victimhood in cases of victim-perpetrators. However, as this thesis, has already showcased: victims and perpetrators are often the same.

As a final remark before moving onwards, I wish to bring forth an observation that Jacoby has made regarding the geopolitics of victimhood: victimhood is a more prominent identity in

democratic countries since they allow grievance-based identities to emerge (Jacoby, 2015, pp. 519, 528). Societies that produce more victims present obstacles for the injured for claiming victimhood as an identity and hence victims in such states have little to gain from pursuing a grievance-based identity (2015, p. 519). Jacoby has proposed that victim-based identities are more common in democracies because there exist better opportunities for political expression, freedoms and higher expectations of political effectiveness than in authoritarian regimes in crisis or transitional societies (2015, p. 520). Jacoby is not alone in these remarks. For example, Rainer Strobl (2010) has researched the construction of victimhood and concluded that who is perceived as the victim or the offender depends firstly on formal rules within a nation-state, but secondly on informal rules that vary between different cultures and subcultures. For Strobl, becoming a victim in a socially relevant essence requires the ascription of a special social status according to society's rules (2010, p. 5). A conclusion to be made here is that victim-based identity is only possible when the surrounding political structures allow it. Societies have differing understandings of what a victim is and is not, and hence they provide different spaces for victims to express their grievances (Jacoby, 2015, p. 517). Jacoby's statements about victimization and victimhood offer an interesting viewpoint for my thesis since most trafficking victims identified in Finland are foreign nationals. Only 16 per cent of the 247 new clients admitted to the NAS in 2020 were Finnish citizen according to residence status (MIGRI, 2020). Now, to situate Jacoby's theory better to the context of trafficking for sexual exploitation, I will approach the victim-based identity construction next from the theoretical viewpoint of sexual victimhood.

## 4.2. Sexual Victimhood

What is sexual victimhood and how does it resonate with trafficking in human beings for sexual exploitation? It has been said that a sexually violated woman has the power to incite moral outrage, compel consensus and inhibit dissent (Cheng, 2021, p. 3). However, violations of the sex trafficking victims' right to sexual self-determination as rarely addressed in the criminal cases examined<sup>18</sup> (UNODC, 2020, p. 7). Nevertheless, there is often a nexus between human trafficking and gender-based violence as the UNODC study confirmed. The UNODC study

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<sup>18</sup> This is worrying because female victims of gender-based violence require special support and protection in accordance with Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime.

analysed case law on trafficking in persons for sexual exploitation involving female defendants, who had been or were contemporaneously being exploited as trafficking victims. Fifty-three cases were analysed from 16 different jurisdictions, with a focus on the European region (UNODC, 2020, p. 5). The analysis utilized a thematic and qualitative textual analysis of the judicial decisions, reinforced with prior academic literature and expert hearings. The report indicated a severe lack of a gender-based perspective in most, if not all, criminal justice systems (2020, p. 7). Alarming, a significant conclusion of the study was that in cases where trafficking had occurred within the context of family relationships and prior gender-based violence, the violence was normalised to the extent that the women were unaware of their status as victims (UNODC, 2020, p. 5).

Along with gender-based violence comes the question of the terminology of the subject in question. There is an ongoing discussion about what kind of wording would best fit the category of women trafficked for sexual exploitation. No clear accord has been reached whether they ought to be called 'victims of crime' or 'labour migrants' or something in between and to what extent would their consent or the lack of it be taken into consideration. The tendency for seeing all women in sex work as victims (victimhood of prostituted women) is especially magnified in the anti-prostitution movement in global campaigns to combat the trafficking in women (Cheng, 2021, p. 10) The fixation on women's sexual victimhood within the context of sex trafficking has also been largely questioned. For example, Andrijasevic (2010, p. 140) has noted how odd the victim rhetoric is when one takes into consideration the efforts, energy and expectations that many trafficked women have invested in their migratory journeys. Furthermore, Kofman et al. (2000, p. 124) have questioned whether any immigrant woman ought to be labelled a victim, since having decided to migrate, each one has left their home to sell her labour on the global market place. Nonetheless, studies (see for example Andrijasevic, 2010, p. 112) have also shown that many trafficked women prefer to claim the victim position. Recognized victim status can help them not only to gain legal assistance but also counter stigmatization and further them from the poor social position of a prostitute.

The threshold for a victim of sexual abuse to report to the police and tell about their experiences is always high (Majewski, 2020, p. 59). This is also true for victims of human trafficking for sexual exploitation. In addition to shame and severe trauma, the victim may as well be indebted



or fear for the safety of themselves or their children (Majewski, 2020, p. 59). In Europe, mistrust towards the police plays a dominant role in trafficking victims' attitudes towards the police and other pre-investigative authorities, mainly due to the fear of deportation (Andrijasevic, 2010, p. 80). Survivors are often reluctant to self-identify as victims of trafficking or disclose their traffickers for fear of retaliation, prosecution and deportation (CEDAW, 2020, p. 9) To further the survivors willingness to come forth, information on trafficking and where to report it and seek help, ough to be more easily accessible. Similarly, prior experiences of sexual victimhood need to be acknowledged in the criminal proceedings of sex trafficking victims since it has been proven that prior victimization increases women's likelihood of accepting abusive treatment from perpetrators as a norm and thus normalising gender-based violence (UNODC, 2020, p. 18). Furthermore, the traumatic effects of victimization by multiple forms of gender-based violence is found to severely limit specifically victim-defendants' ability to exercise self-determination (UNODC, 2020, p. 60).

In concluding this short section on sexual victimhood, I want to highlight that the potential impact of earlier trauma in victims' engagement with the criminal justice system ought to be given more weight in both academic research and practice. Understanding the spectrum and continuum of gender-based violence – from domestic sexual violence to human trafficking – helps us to gain a deeper understanding of the phenomenon of victims and offenders and offer explanations to the limited agency that victim-defendants suffer from (UNODC, 2020, pp. 21, 60).

#### 4.3. Discussion on Female Agency in Sex Trafficking

The female agency – or rather the lack of it – is something that must be addressed here since most sex trafficking discourses demand the disavowal of autonomy and agency of the female victim and instead opt to portray women through lenses of childlike dependency on masculine protectors (Soderlund, 2005, p. 83). The idea of an agency-deprived victim of sex trafficking is problematic and several scholars have been making groundbreaking work trying to break the stigma. In interviews done among migrant sex workers in Italy, many have shared that they sought the traffickers themselves in desire the migrate and that some had been working in third-party controlled prostitution multiple times while returning home in between (Andrijasevic,

2010, p. 29). However, some researchers (see for example Viuhko, 2020) have shown the myriad of ways in which the agency of the victims is restricted by the offenders' actions, the control they use and the exploitive nature of their relationships (Viuhko, 2020, p. 99). When understanding of trafficking victims is very narrow, it complicates the acknowledgement of their agency and capability to make choices concerning their life (Viuhko, 2020, p. 99). Roth (2011, p. 72) has argued that among the most urgent problems in defining trafficking and identifying trafficked persons is the overemphasis of the aspect of (physical) force rather than the exploitative outcome of recruitment.

Generally, victims tend to cast their narratives according to already established criteria, which often positions victims as the passive recipients of services and needing others to act on their behalf (Jacoby, 2015, p. 529). Therefore, once victims mould themselves to the needs of others in broader political structures, it is difficult to establish the victim as someone with agency. Furthermore, already the rhetoric of sex trafficking hides the active roles that women take by implying that the victims have faced an unexpected departure forced by a third party (Andrijasevic, 2010, p. 29). This phrasing amplifies the sensational narrative of sex trafficking victims as naïve women kidnapped by the traffickers.

From the feminist economists' point of view, sex work and trafficking are still conceptualized through the lens of agency and stigma. In their literature review study, Bettio et al. concluded that the typical view is that the higher the stigma, the lower the agency (Bettio, Della Giusta, & Di Tommaso, 2017, p. 5). The authors argue that the current theoretical and policy debates offer misleading dichotomies regarding both agency and stigma. Sex workers are seen either as prostitutes or as victims. The narrative positioning of female sex workers can typically be placed into one of these two categories: women are portrayed either as 'deserving victims' or as 'whores' – there is no in-between. Snajdr (2013, p. 297) has proposed that what is needed is the deconstruction of these contrasting and exclusive narratives that define women trafficked for sex and understanding trafficking in its all complexities. According to Snajdr, it is essential that the multiple identities of trafficked women are acknowledged, and that women's victimization in the context of various forms of oppression is given a voice (2013, p. 297). In this regard especially anti-trafficking campaigns are to be critiqued. Cheng has described that global anti-trafficking campaigns have created a situation in which a prostituted woman can

only be redeemed via her sexual victimhood by acquiring the status of the authentic victim (2021, p. 12).

Bettio et al. have stated that dichotomous views unavoidably lead to a stark policy opposition between legalizing and criminalizing the sex industry (2017, p. 5). In the European context, migrant sex workers are typically put in the former category and nationals of the country in question in the latter (see the gendered rescue narrative). Interviews of trafficked sex workers reveal that they actively make distinction themselves too: being trafficked, they are selling sex while coerced (either by force or economic pressure) and hence are the 'victims', whereas the non-trafficked prostitutes are seen as the 'whores' (Andrijasevic, 2010, pp. 113–123). By recuperating from the social stigma of a 'whore', it may be easier to attain the feeling of self-worth in addition to the legal benefits – undocumented migrant woman seen as a 'whore' is more likely to face deportation than an identified 'victim' of human trafficking (Andrijasevic, 2010, p. 121).

#### 4.4. The Blurry Line Between Coercion and Consent

The level of the consent of a sex worker brings us to an important debate: the grey areas between sexual exploitation, forced prostitution, pimping, sexual slavery, willing prostitution et cetera. As mentioned by Candia and Carceli (as cited in Andrijasevic, 2010, p. 86) trafficking literature is lacking in understanding the relationships between the third party and the trafficked woman. This all affects how and what we see as a victim of human trafficking.

The consent of a victim of trafficking in human beings to the intended exploitation is legally irrelevant (ICAT, 2020, p. 5). In the past, however, the relevance of consent has been a highly contentious topic in negotiations around the UN Trafficking Protocol as some lobby groups have argued that all prostitution should be considered trafficking, while others have insisted that coercion is necessary for a migratory process to be labelled trafficking (Doezema, 2002, p. 20). A something of a compromise between these positions was found when the UN Trafficking

Protocol was signed by over 80 countries in 2000. UN definition<sup>19</sup> for trafficking lists force as a necessary condition for trafficking to take place. However, what can be labelled force is debatable. Research (Andrijasevic, 2010, p. 113) has shown that migrant sex workers consider that they have been *forced* when they have been under economic pressure. In the European Union, the consent of a victim of trafficking in human beings to the exploitation, whether intended or actual, has been deemed to be irrelevant (European Commission, 2013, p. 3). Although the notion of consent has played a pivotal role in defining victims of human trafficking, it is now considered irrelevant whether the decision to migrate was done by the victim or forced onto them or whether they knew what kind of work they would be doing once arrived.

Andrijasevic (2010, p. 30), who has conducted interviews with trafficked women, sheds light on cases where women have contacted the third party themselves and asked to be trafficked, and where the trafficker then has imposed a quick departure to “manipulate the respondent easier and to keep up the deception about the type of work she was expected to perform abroad”. One arrived in the destination country, work conditions have greatly differed from the women’s expectations: the amount of clients per shift is extremely high, the conditions of confinement are strict and the behaviour of the pimps is violent (Andrijasevic, 2010, pp. 57–93). The situation of confinement is thus exasperated by the fear of deportation as well as the impossibility to access work other than in prostitution.

Candia and Carceli (as cited in Andrijasevic, 2010, p. 86) suggest that a greater deal of negotiation is possible within the confinement than is usually understood and that many victims can negotiate a change in their contract or exit the third party controlled prostitution. These negotiations complicate the differentiation between sex trafficking and willing prostitution. There has been much discussion, some also in the academic field (see for example Lo Iacono, 2014), of the willingness of for example trafficked Nigerian women to stay in the line of sex work. These are women that were trafficked against their will in the past have made a career in the trafficking hierarchy and organized crime groups in Europe (Lo Iacono, 2014, p. 110). These

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<sup>19</sup> UN general assembly, united nations convention against transnational organized crime: Resolution / adopted by the general assembly, 8 january 2001, A/RES/55/25, available at <https://www.refworld.org/docid/3b00f55b0.html> ,

willing victim-perpetrators of sex trafficking make the discussions on coercion even more complex. When the question arises should this partner-in-crime be prosecuted or not according to the non-punishment principle, the level of coercion is essential since then it is established is there a causal connection between the offences committed against the victim, and those committed by them (Schloenhardt & Markey-Towler, 2016, p. 37). In the next subsection, I'll examine the possible consequences that time served in prison has on victim-perpetrators of trafficking for sexual exploitation.

#### 4.5. Wrongful Imprisonment: From 'Victimhood' to 'Survivorship'

The impacts of time served in prison are largely unresearched in the case of victim-perpetrators of sex trafficking. With little prior research to lean on from my specific field, I'll additionally take a quick look into the ontological understanding of the harms associated with wrongful imprisonment<sup>20</sup> to gain a deeper understanding of the lingering effects conviction has on a trafficking victim's life.

As mentioned, little is known of the troubles of sentenced victim-perpetrators of trafficking for sexual exploitation. However, research conducted in the US has shown preliminary indicators that the long-term effects of arrest, conviction, and sentencing extend well beyond the obvious punishment of prison and severely hinder the successful recovery of trafficking victims (Myatt, 2019, p. 576). The study found that a criminal record obstructs the trafficking victims from receiving steady jobs, which in turn decreases their eligibility for loans and other educational opportunities, as well as severely limits their ability to secure permanent housing (2019, p. 570). These findings correspond with research done on wrongful imprisonment. Tan (2011, p. 182) has demonstrated that the harms of unjust imprisonment do not exist independently but instead can be conceptualized as a domino's effect in which one form of harm sets off a chain of other harmful effects. Nevertheless, Tan has argued, the ultimate source of harm experienced by victims of wrongful imprisonment is a wrongful conviction itself (2011, p. 182).

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<sup>20</sup> I am depicting victim-defendants of sex trafficking as wrongfully imprisoned on the bases of the moral wrongfulness of their sentencing and the fact that the non-punishment principle has not been extended to them.

Whilst the harms of wrongful imprisonment are both complex and devastating, victims of such imprisonment need not be perceived as entirely passive (Tan, 2011, p. 175). Actions, behaviours and attitudes of wrongful imprisonment victims can disable, as much as enable their capacity to cope with the harm inflicted upon them (2011, p. 183). Hence, victims of wrongful imprisonment are agents capable of adopting survival strategies to resist and even overcome the effects of the harms that they experience (2011, p. 183). For example, gaining employment or engaging in education are proven beneficial in a victim's potential transition from victimhood to survivorship (2011, p. 188). I approach how relevant these survival strategies are in the next subsection.

#### 4.6. The Feminisation of Survival: Empowerment, Recovery, and Hope

I loaned the first part of the title of this subsection from Sassen (2002), who has identified sex trafficking as a counter-geography of globalization that offers an alternative income by relying mainly on women's labour and as such signals a new political-economic reality that the author has described as the 'feminisation of survival' (2002, p. 274). I took a liking to the phrase, but not necessarily in the same context as in which Sassen used it. Here, I wish to construct a new meaning for the term, in the setting of post-victimization of trafficking for sexual exploitation. I see it as a depiction of the emancipation of a sex trafficking survivor, characterizing the empowerment and hope that recovery hopefully brings with it. It should be noted that although guidelines for developing response protocols in health care settings have been described to sex trafficking victims, there is a lack of expertise – and perhaps, willingness – to help victims of trafficking for the exploitation of criminality within the context of sex trafficking. Henceforth, also the specific literature on the needs of victims-perpetrators is insufficient.

Victimhood – once gained – can be redemptive and healing, particularly if it is accompanied by political solutions (Jacoby, 2015, p. 529). When a victim is attempting to get their victimization officially recognized, they may be in search of a myriad of goals depending on what they consider valuable and worthy of achievement: justice, a voice, truth, peace, monetary compensation, martyrdom, independence or political representation (Jacoby, 2015, p. 517). However, to gain power and recognition, victims must formulate their struggles through ideas that sit well within the society, communicate these ideas successfully to others, satisfy

acceptable ways of representing their issues, and finally fit their demands within a comprehensive belief system (2015, p. 517).

Coping means re-establishing the stability of a person (Strobl, 2010, p. 15). Research has been done on the navigational processes of “reconstructing a sense of self,” that the victims of human trafficking go through and literature on the field has identified contextual factors of the coping strategies of human trafficking victims (see for example Le, 2017, pp. 509–519). Myatt (2019, p. 177) has hypothesized, based on his study on victims of wrongful imprisonment, that survival strategies are put into action by both the structural forces that shape the lived realities of victims post-release as well as the inherent agency that they possess. This emphasizes the specialized social services provided to trafficking victims. It is regrettable that although many actors seek to contribute to the counter-trafficking work, there is a constant shortage of services provided to help the victims of human trafficking for sexual exploitation.

Human trafficking victims have to cope with extensive health problems, including substantial trauma due to the high rates of abuse and violence they have endured while under coercion (Judge, Murphy, Hidalgo, & Macias-Konstantopoulos, 2018, pp. 658, 661). Other health effects of trafficking are more of a physical sort. Research has indicated the physical effects of trafficking to include bodily injuries, sexually transmitted infections, communicable diseases, malnutrition, skin conditions, dental problems, chronic pain, and chronic diseases (Judge et al., 2018, p. 658). Hence, health care workers play a critical role in identifying survivors and engaging them in ongoing care. Judge et al. argue that the main challenge in the assistance and support of trafficking victims is that the victim’s continuing engagement in health care services (2018, p. 658). The authors have noted that high rates of disengagement, lost contact, and premature terminations are seriously obstructing long-term care and that they must be better understood and overcome. Additionally, they argue that challenges of financial sustainability also must be resolved and that the health services will have to be reimagined to enhance the victims’ continuing engagement in health care services. Furthermore, Judge et al. suggest providing flexibility in appointment times, coordinating care across disparate disciplines, and supporting multidisciplinary teams, and advocacy (2018, p. 662). While all these aforementioned strategies are important, it is difficult to say if any single one of them is essential or would work for all victim-perpetrators in the realm of sex trafficking. While

studying methods of a successful transformation from victimhood to survivorship, Tan (2011) has concluded none of the strategies are definite, but rather a part of a myriad of conditions that might contribute to the process of reintegration and reparation for victims as they struggle to get their lives back.

What I hope to have elaborated in this chapter is that in the realm of trafficking for sexual exploitation, victims are not all equal. Some victims are deemed to be ‘ideal’ while others are not. Hoyle et al. (2011, p. 326) have forewarned that there may be negative ramifications of the current construction of victimhood in sex trafficking. Authors have argued that constructing notions of ideal trafficking victims by leaning heavily on the language and images of slavery can result in unintended and adverse consequences for those who do not match peoples ideas of slavery and what it means to be under coercion (2011, p. 326). Finally, as a concluding remark before moving onto my research questions, I wish to circle back to the victimhood of ‘prostituted women’. What I want to keep in mind as I move towards the research focus of this thesis are the complexities around sexual victimhood in the context of trafficking for sexual exploitation and willing prostitution. The image of an undeserving victim – a whore – who does not fulfil the slavery-hinting characteristics of a worthy victim, allows the continuing circulation of the global anti-trafficking campaigns that perpetuate a global hegemony of victimhood in understanding female sexual labour and migration (Cheng, 2021, p. 16). As I move to examine victim-perpetrators of sex trafficking, the question becomes even more complex – Who is an authentic victim? What are the multi-layered factors that affect the identification and assistance of defendants with a background in sexual victimhood?



## 5. Research Questions

Here I first state my research puzzle from where I then narrow and specify my research questions. My research puzzle is what knowledge do Finnish experts have on female traffickers and victims of trafficking for the exploitation of criminality within the context of trafficking for sexual exploitation in Finland. I have focused my research on expert knowledge, researching how and what type of knowledge the experts use to tackle the victim-offender overlap in the context of female victims of trafficking in persons for sexual exploitation in Finland. I have approached expert knowledge as a quantity that can be divided into three distinct types: technical knowledge, process knowledge, and interpretative knowledge. By conducting interviews with different relevant actors who work in the field of anti-trafficking in Finland, I seek answers to the following research question:

- How and what kind of knowledge experts use to identify and aid female victims of sex trafficking who have resorted or forced to illegal behaviour in Finland?

In addition to the main research question, I utilize the following questions to draw some empirical conclusions on the contents of said expert knowledge:

- What knowledge do the experts have on the effectiveness of the non-punishment principle?
- What do the experts think of persons accused of trafficking has a victim background and how do they in these situations decide which is stronger, the victim status or the perpetrator status?
- Do the experts have experience of victimization being connected to later offending in trafficking for sexual exploitation in Finland?
- What resources and knowledge does the Finnish police and prison staff have in handling the identification and assistance of unidentified trafficking victims who are facing criminal charges?
- How prepared and able are experts to prevent revictimization of female victims and victim-perpetrators of sex trafficking and/or assist them in reintegrating into society?

## 6. Research Method

My research is directed towards examining the expert knowledge on the critical roles of identifying victim-perpetrators of sex trafficking. I conducted my research using expert interviews, which proved to be beneficial for this study because expert knowledge determines social practices and institutions to a certain extent (Bogner, Littig, & Menz, 2018, p. 655). As such, the research method justified itself in providing answers to the research puzzle of this study: What knowledge do Finnish experts have on female traffickers and victims of trafficking for the exploitation of criminality within the context of trafficking for sexual exploitation in Finland?

A further justification for choosing expert interviews as my data gathering method was that expert interviews are a useful way of gathering information on taboo subjects and in situations in which it would be difficult or impossible to gain access to actual subjects of the study (Bogner et al., 2018, p. 653). Access to interviewing any actual trafficking victims for this study was restricted due to the underlining practical issues such as difficult-to-find-interviewees as well as ethical considerations such as avoidance of further traumatization of the victims.

Before moving onto how the expert interviews for this study were conducted, let's shortly define what is an expert. Experts can be characterized as people who possess specific knowledge that relates to a circumscribed range of problems and plays an authoritative role in the decision-making of said field (Bogner et al., 2018, p. 655) Thus, expert knowledge is specific knowledge in a certain field of action (Döringer, 2020, p. 1). Expert interviews are considered a standard qualitative research method (Bogner et al., 2018, p. 653), often aimed at gaining information about a specific field of action (Döringer, 2020, p. 1).

### 6.1. Acquiring Expert Interviews

My data was collected through semi-structured thematic interviews aimed implicitly to investigate expert knowledge on the issue of identifying and abetting the victim-offenders

among female victims of sex trafficking in Finland. As different sectors have a very different perspective on the phenomenon of prosecuted victims of sex trafficking, I aimed at acquiring at least one expert from each of the three main perspectives: the police, the judicial system and the victim-centred perspective (preferably from a third sector).

Obtaining interviewees, especially from the third sector, proved a difficult task. I received no responses from NGOs working with the victims of trafficking. Some other officials who did reply, refused my inquiries on the basis that they were not themselves involved in front line work with the victims. Another reasoning was that there are so few cases relevant to my research topic that the specialists were afraid the victims would be identifiable from their interviews. From the Victim Support of Finland (*Rikosuhripäivystys*), I received an answer saying that sexual abuse is a form of human trafficking for only about 35 of their approximately 450 clients. Hence, they have very few clients who have been trafficked specifically for sexual exploitation and who would still have been accused of a crime in the same context. Furthermore, if officials have not “caught” victims of crime but the people I would interview would be aware of it, again, they could not tell about it even anonymously. Hence, it would have been very difficult or almost impossible for them to talk about the topic without risking that the victims could be identified.

After reaching out to multiple officials and organisations in late 2020, I finally found three persons that were suitable for my study. Three expert interviewees included in this study are:

1. Kenneth Eriksson – Detective Sergeant, Helsinki Police Department. Decades of experience investigating sex-related human trafficking and pimping crimes
2. Kaisa Tammi-Moilanen – Prison director, who has identified several sex trafficking victims among her female prisoners
3. Terhi Tafari – Senior adviser of The Assistance System for Victims of Human Trafficking (NAS) <sup>21</sup>

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<sup>21</sup> The assistance system is a part of the Finnish Immigration Service, and as such it does not exactly fit the category of the third sector that I previously mentioned. Nevertheless, as none of the non-governmental nonprofit organizations was agreeing to participate in this study, I trust that NAS is enough to offer a victim-centred perspective to this thesis. The assistance system gives victim-centred help, so the trafficking victim is always their priority. NAS has been helping trafficking victims in Finland since 2006.

The interviewees were informed about the goal of the study and that their answers would be included in my research. The option that their names and positions could be anonymized was offered, but all interviewees permitted to disclose their identities in the research. The interviews were conducted in January–February 2021 using the online conference platform Zoom. Distant interviewing was favoured by both the university and the interviewees due to the ongoing pandemic COVID-19. Throughout the data collection, ethical considerations have been based on the guidelines defined by the Finnish National Board on Research Integrity (TENK, 2019). Informed consent to participate in research was obtained verbally from all the interviewees as required (TENK, 2019, p. 9). The interviews of this thesis were conducted in Finnish and the direct quotations used in the analysis have been translated to English by me as the researcher. The interviews are transcribed and the text files, as well as the audio files of the interviews, are stored also by me.

I am aware that my research may have few limitations. The first is the relatively small sample size of interviewees. However, I wittingly opted for a small sample size of interviewees due to the limited number of high-level experts on the subject. The field is extremely small in Finland, and there are very few people who could be regarded as experts in the overlap of victim-perpetrators in trafficking for sexual exploitation. I wish to highlight that the experts I chose personify a complex interdependence of knowledge and power and are thus uniquely positioned to offer their viewpoints of the Finnish system. They can be characterized as having the knowledge and the position to structure a particular field of social action in a meaningful way as Bogner, Littig, & Menz (2018, p. 655) describe an expert ought to. The second limitation is that the interviews do not provide grounds for making generalisations for other authorities in Finland, and hence the data from expert interviews cannot be generalized to present any official standpoint. These limitations highlight the difficulty of collecting data on the victim-offender overlap in the context of female victims of trafficking in persons for sexual exploitation.

## 6.2. The Problem-Centred Expert Interview

As a means of qualitative research, I have used the theory-generating expert interview, defined by Bogner and Menz (2009) and added elements from one of its variations, the problem-centred expert interview, which was elaborated by Döringer (2020). In the theory-generating expert

interview, the interviewee serves as a means by which the researcher collects useful information and makes sense of the issue which they are researching (Bogner & Menz, 2009, p. 659). The goal of this interviewing method is to “communicatively open up and analytically reconstruct the subjective dimension of knowledge” (Bogner et al., 2018, p. 659). The theory-generating expert interview considers experts as persons with specific knowledge who hold a certain status and whose actions structure, or help to structure, the actions of other actors (Bogner et al., 2018, p. 659). Following this definition, expert knowledge – which I have examined – has a socially relevant dimension as it practically shapes and determines a field of action (Döringer, 2020, p. 3). As the theory-generating expert interview is not linked to any interviewing technique, it allows flexibility during the research process. Bogner and Menz (2009) only suggest using an interview guide that allows for open yet thematically structured interviewing.

To structurize my research better, I opted to use a modern variant of the theory-generating expert interview, called the problem-centred expert interview. This method was created by Döringer (2020) by combining selected elements of the theory-generating expert interview and the problem-centred interview (PCI). The method incorporates fragments of PCI by presupposing a specific research design and tools for conducting interviews (Döringer, 2020, p. 4). Whereas expert interviews are a very popular, yet general, research method, a problem-centred approach helps the researcher gain a more nuanced understanding of the implicit dimensions of expert knowledge. Since expert knowledge determines social practices and institutions to a certain extent (Bogner et al., 2018, p. 655), it is important to move beyond the experts’ role as representatives and to take into account their personal opinions and experiences, as Döringer (2020, p. 5) has demonstrated. In the data collection of my study, the personal opinions and experiences of the experts were sought to gain insight into how the experts actions may have altered the social practices of their fields.

In addition to the research design elements, the incorporated parts from PCI mean giving equal right to the previously accumulated theoretical and empirical knowledge and the individual knowledge and personal experiences of the interviewee (Döringer, 2020, p. 4). As my thesis leans heavily on the pre-existing literature, as well as on selected expert interviews, I found that this combination of the two seemingly contradictory sources of knowledge suits my research best. By stressing the interviewee’s perspectives, but also enabling the researcher to address

specific topics (Döringer, 2020, p. 4), the problem-centred expert interview provides an appropriate approach for reconstructing the implicit dimensions of the expert knowledge I have examined. However, I chose to maintain as much freedom and adaptability as possible in obtaining the information from the interviewees so I didn't follow the problem-centred expert interviewing method religiously. Rather, I used my variation of Döringer's procedure. According to Bogner, Littig and Menz (2018, p. 653) encouraging interviewees to engage in detailed and extensive narratives can help to gain insight into their worldviews and thought patterns. Nevertheless, I gathered information on the same general themes from each interviewee.

I divided the knowledge obtained from the interviews into three categories. I use the differentiation between three forms of knowledge that Bogner and Menz (2009) have distinguished. The first form of knowledge is technical knowledge, which consists of “facts and information about operations and events governed by rules, application routines specific to a field, bureaucratic competencies and so on” (Bogner et al., 2018, p. 657). This technical knowledge is most closely related to the understanding of expertise as a specific advantage (Bogner et al., 2018, p. 657). The second form of knowledge is process knowledge which refers to knowledge based on practical experience acquired through actions and routines (Bogner et al., 2018, p. 657). The third and last form of knowledge is interpretative knowledge, which is defined as subjective relevancies, viewpoints, or perspectives, that render “expert end elite knowledge a heterogeneous conglomeration” (Bogner et al., 2018, pp. 657– 658). I examine all three forms of knowledge to paint a cohesive picture of the subject of my study, but it should be pointed out that the theory-generating expert interview is primarily aimed at revealing interpretative knowledge (Döringer, 2020, p. 4). Even though this distinction between the different forms of knowledge may seem definite, Bogner et al. have themselves admitted that the differentiation is primarily a construction of the social scientist interpreting it and that it is almost impossible to tell whether a statement should be considered ‘technical knowledge’ or ‘interpretative knowledge’ (Bogner et al., 2018, p. 658). According to the authors, the separation between the three kinds of knowledge is not based on any characteristics of the knowledge itself but instead, it is an “analytic construction”, the result of abstraction and systematisation conducted by the researcher. I will contemplate the separations between the different forms of knowledge in more detail in the next chapter where I present the results that emerged from the analysis of the data.

## 7. Analysis Results

To provide answers to my research questions, I analyzed my data by identifying useful quotes and sentences by using colour coding and highlighting and then grouping the codes into broader themes of the aforementioned forms of knowledge: technical knowledge (facts), process knowledge (stories and experiences), and interpretative knowledge (opinions). The sections are structured around key topics that emerged from the interviews (the complexity of human trafficking etc.). I use direct quotations<sup>22</sup> to highlight individual responses that hold particular significance to my research.

### 7.1. Technical Knowledge

Technical knowledge is based on facts and thus is usually in no need of further interpretation (Bogner et al., 2018, p. 658). While acquiring this type of data in this research, it was presumed that the expert knew ‘better’ than the interviewer, although the interviews were still compared to the accessible objective data and information. This form of knowledge was gathered from the interviewees to compare the technical knowledge of experts in different sectors as well as to inquire from them, where they had acquired said knowledge.

#### *The complexity of human trafficking*

At the beginning of the interviews, all interviewees were asked to define some of the key terms for this research. From their definitions, it became clear that all the experts were fully aware of the legal criteria for victims of human trafficking. For example, Detective Sergeant Kenneth Eriksson from the Helsinki Police Department presented himself as relaxed and easy-going during the interview, yet recalled from memory the three-dimensional criteria of deception, sexual exploitation and control, and stated that if all three of them are not met, there will be no human trafficking conviction. Eriksson has decades of experience investigating sex-related human trafficking and pimping crimes in Finland and it became clear from the interview with

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<sup>22</sup> As mentioned in chapter 6, the interviews were conducted in Finnish, hence the quotations are translations, done by me as the researcher.

Eriksson that he was frustrated about the extremely low number of convictions for human trafficking in Finland. Since a trafficking charge is so hard to prove, the court will usually opt for bringing a pimping charge against the trafficker (Interview 25.1.2021).

*”After all, we investigate mainly under the title of human trafficking, but quite often the court convicts it as a pimping offence or as an aggravated pimping offence... I would say that there are only 15–16 convictions for human trafficking throughout Finnish history.”* – Detective Sergeant Kenneth Eriksson

The issue exists also outside of Finland and it has recently been proposed that changes in traffickers tactics from obvious to more subtle coercive tactics should be taken into account in the legal processes when assessing the employed means of the trafficker (UNODC, 2020, p. 111). On the other hand, interviewee NAS senior adviser Terhi Tafari, pointed out that in Finland, the definition of human trafficking is already broader than it is in almost any other country.

All the interviewees wanted to highlight that human trafficking may not always look like what people might think it to look like. By doing this, they distinguished themselves as experts in comparison to average persons. One of the interviewees, a prison director Kaisa Tammi-Moilanen, directed the conversation of key term definitions towards the problem that average persons tend to perceive human trafficking as slave trade (Interview 27.1.2021). It became clear from the interview with Tammi-Moilanen, that she also did not find the term ‘human trafficking’ satisfactory nor helpful in the task of identifying trafficking victims.

*“Human trafficking as a term is not very descriptive... Of course, I must admit that distinguishing human trafficking from different types of exploitation is not a simple matter. At least not for the cops, who should identify or investigate these cases.”* – Prison director Kaisa Tammi-Moilanen

From this statement, we can see that the slave image, which Tammi-Moilanen fears people connect to the term human trafficking, does not fit the reality of trafficking in persons in Finland and that it may be harmful to the identification of actual victims. Tammi-Moilanen is not alone in finding the imagery of slavery around the phenomenon of human trafficking problematic. The



fact that the term 'trafficking' indicates a situation of modern slavery, has been much criticized by academics due to its given impression of a much greater amount of coercion that is typically present. Andrijasevic (2010, p. 142) has concluded that the conception of sexual slavery hinders people's understanding of how the employment and immigration regulations benefit the traffickers but leave the migrant workers powerless, and vulnerable to abuse and labour exploitation. Andrijasevic has provided several reasons why terms such as sexual slavery ought not to be used since they do not grasp the "complexity and interdependence of various factors that constitute the conditions of confinement, as well as the degree of agency women, exercise despite the exploitative labour conditions and various forms of abuse" (Andrijasevic, 2010, p. 93).

### ***Bottom Girls and the victim-perpetrator overlap in sex trafficking***

As the interviews were directed more towards the issue of victim-perpetrator overlap, unexpectedly the phenomenon of Bottom Girls (see for example Levy, 2016, p. 131) became apparent in nearly all interviews. Although the term Bottom Girl was not included in the interview structure, subjects independently linked it to the victim as a defendant phenomenon. The term Bottom Girl itself was not always mentioned, but the overall description of the phenomenon resembled strongly the characterization of a Bottom Girl described by Levy (2016). Interviewees characterised Bottom Girls (sometimes also labelled as "ace", or a "ten") as women who have managed to rise higher than the other women in the trafficking hierarchy and are now profiting from them.

*"In sexual exploitation, especially in Roma culture, it is more often the case that one of the women becomes an ace. And being the ace means being the girlfriend of the pimp, basically. "*

– Detective Sergeant Kenneth Eriksson (Interview 25.1.2021)

I received conflicting information regarding what crimes women with a background in sex trafficking have been prosecuted and convicted of. Eriksson spoke about minor illegal tasks that trafficked sex workers may perform, such as publishing ads for others or taking in calls and organizing apartments of other girls. In some cases, Eriksson admitted, victims may be recruiting new women to join the group. However, when directly queried about cases where a victim status of a prosecuted sex worker would only have been identified during the

imprisonment period, Eriksson denied such incidents in Finland (Interview 25.1.2021). From the victims perspective, in contradiction, the overlap between victims and perpetrators was something that was known, but it seemed an uncomfortable issue to face (Interview 9.2.2021). Terhi Tafari from NAS was aware of the phenomenon even to the extent that she referred to research estimating that 95% of Nigerian women who have been trafficked for sexual exploitation in Europe are themselves guilty of coercing others into prostitution.

*“I don’t want to think that the percentage would be that high because we have a lot of Nigerians as customers. I don’t want to think 95 per cent of them would be madams.”* – NAS Senior adviser Terhi Tafari

Tafari stated that typically cases where a victim has been directed to the assistance system from prison, the type of trafficking have been forcing into criminal activity. Tafari continued that usually, the situation is so that a trafficking victim has taken the verdict for a crime they had not voluntarily committed. *“They are in prison because they have not been able to talk about coercion and it then turns up somehow in the prison,”* Tafari explained (Interview 9.2.2021). As reasoning why trafficking victims often refuse to admit they have been coerced, Tafari brought up issues regarding the criminal proceedings and the relatively short sentences these women typically have to sit through: *“The convictions the courts give are much smaller than the penalties that the criminal gang would give for having snitched.”* According to Tafari, the penalty for exposing the exploiter could result in *“a painful death of your own or your loved ones”*. Therefore, if a trafficking victim has been forced to commit illegal acts, they would usually rather take the sentence than reveal that they acted against their own free will. This form of trafficking is called coercion into criminal activity. Tafari had seen that in trafficking for sexual exploitation, this phenomenon has manifested itself in Finland also in a way that a person who had first been exploited sexually, had later risen in the hierarchy and became a sexual exploiter herself (Interview 9.2.2021).

Interviewee Tammi-Moilanen, who has herself identified several sex trafficking victims among her female prisoners, had a lot to offer to the theme of convicted victims who have a history of trafficking victims (Interview 27.1.2021). The most common case which they come across is women with African background who have been victimized outside of Finland. Tammi-Moilanen highlighted that the positions of these women in Finland are more difficult since the

victimization has happened elsewhere. Typically they have first been led to (coerced) sex work in Europe.

*“The reason why we meet them in Finland is that they are used as drug smugglers. They have been convicted of a felony drug offence. They always have a considerable amount of drugs when they come across the border. It's our classic case”* – Prison director Kaisa Tammi-Moilanen

The second type of female sex trafficking victims among prisoners, according to the experiences of Tammi-Moilanen, are foreigners who have been spending a bit more time in Finland. *“We have had quite a few of these”* Tammi-Moilanen mentioned as she explained that these women have experienced sexual exploitation usually by their compatriots (Interview 27.1.2021). Tammi-Moilanen mentioned cases of sexually exploited Thai massagers and Roma women who had been assistants for example in housing burglaries.

*“They have somehow ended up committing a crime when life has been difficult.”*  
– Prison director Kaisa Tammi-Moilanen

According to the prison director, in cases of convicted Roma women, it is typical, that the woman has a husband and that the prison staff is usually able to conclude that the husband is also the exploiter in one way or another. In some cases, exploitation has been sexual and may have fulfilled the criteria for human trafficking.

*“Roma women have been here for all sorts of crimes... It has become clear to us, sometimes, that a woman has also been a prostitute in Finland by Romanian criminal gangs.”* – Prison director Kaisa Tammi-Moilanen

A rare situation, but uncannily the first discovered case of trafficking victims identified in their prison, had been two sex workers convicted of violent territory quarrel.

*“These very first women, four years ago, were convicted of acts of violence in Finland. They had been prostitutes in Finland and had then been a territory quarrel, a violent quarrel for which they had then been convicted ... They were a little different because it's rare to have a situation like that.”*

– Prison director Kaisa Tammi-Moilanen

This last example connects to specialized social systems' particular importance on the evaluation of any victim's coping reaction (Strobl, 2010, p. 14). Reactions that violate formal norms appear not only inappropriate but also unlawful (2010, p. 14). An example of this would be a trafficked person using violence post-victimization. As examined by Baxter (2020, pp. 335–337), and proven by Tammi-Moilanen's experiences, trafficked women have a high risk of resorting to violent behaviour after being exposed to excessive violence. To overcome such unsatisfactory reactions to victimization, the system would need to react.

### *The issue of drug couriers*

Even though Tammi-Moilanen brought up drug smuggling offences as the number one reason for trafficked women winding up in the Finnish prison system, interviewee Kenneth Eriksson from the Helsinki police contradicted this view. According to Eriksson, it has not emerged that victims of trafficking in human beings would be used as drug couriers in Finland. *“There have been rumours”*, Eriksson admitted but emphasised that it would not be good business, since trafficking women is much more profitable than the drug trade (Interview 25.1.2021). Trafficked sex workers are kept hidden, and using them as drug couriers would not be in line with that.

*“You don't make nearly as much money with drugs as you do with women. It's quite riskfree and the penalties aren't bad.”*

– Detective Sergeant Kenneth Eriksson

Whether Eriksson referenced only domestic drug trade and did not take into account smuggling drugs from abroad, was left unclear. After all, the cases that Tammi-Moilanen spoke about (Interview 27.1.2021), were about women that had been trafficked in the past, had been working as prostitutes under coercion in Europe and after wishing to quit sex work, had been sent to other countries (for example Finland) to smuggle drugs.

*“They say they want out, that they don't want to continue doing sex work, they can't stand it anymore. For example, someone has attempted suicide, and the*

*abuser then says 'okay you don't seem to tolerate this'. Then way out is offered, and that way out is to become a drug smuggler. This is the most common story for us.*" – Prison director Kaisa Tammi-Moilanen

### ***Conclusions on technical knowledge***

Technical knowledge was gathered from the interviewees to compare the technical knowledge of experts in different sectors and to inquire from them, where and how the experts had acquired the technical knowledge. After all, technical knowledge is most closely related to the understanding of expertise as a specific advantage (Bogner et al., 2018, p. 657). This knowledge type consists of facts, routines of the specific field, bureaucratic competencies et cetera (Bogner et al., 2018, p. 657). Although the experts interviewed for this study did seem to consider themselves experts in their fields, the phenomenon of human trafficking for sexual exploitation was described as complex and a difficult theme to build expertise on. For example, prison director Kaisa Tammi-Moilanen mentioned that she recognizes that there is something in trafficking victims' stories that she may never hear nor understand. *"I don't assume I know everything that has happened to them"*, Tammi-Moilanen said (Interview 27.1.2021). Another interviewee, Kenneth Eriksson from the Helsinki police concluded that sex trafficking *"is not an easy crime to reveal, or to get a verdict on"* (Interview 25.1.2021). However, what arose from the interviews as especially interesting were routines around the topic of identifying victims of trafficking. Examining the routines of experts was fruitful as I seek to explore in this thesis whether the experts' knowledge of sex trafficking has determined the social practices and institution protocols of responding to cases of victim-perpetrators in Finland. The interviews would suggest that this has indeed been the case. However, given that my findings are based on a limited number of expert interviews, the results from such analyses have limits and cannot be generalized to cover all of the authorities working on trafficking-related issues.

### **7.2. Process Knowledge**

Process knowledge is based on practical experience acquired through one's actions and therefore it is strongly connected to the expert and not easily transferable (Bogner et al., 2018, p. 657). Since this type of knowledge is experience-based, it can be verbally expressed in an

interview situation (2018, p. 657). Since process knowledge is mostly practical experience, the main process knowledge findings of his study include the learned tactics of trafficking victims identification.

### ***Defining human trafficking***

At the beginning of the interviews, when the subjects were asked to define some key terms such as 'victim of human trafficking' and 'trafficking in persons for sexual exploitation', answers differed in length but were in line with the legislative definitions. When inquired where they had accumulated this knowledge and how did they know in practice how to identify victims of trafficking, all indicated that experience was the only way to learn. Perhaps the most straightforward answer among the interviewees came from Detective Sergeant Kenneth Eriksson (Interview 25.1.2021). In response to a question had he received training on the topic of human trafficking in his profession, or had he had to learn by himself, he answered:

*“Honestly, I'm the one who knows best in Finland. I've set up the whole system of human trafficking work in Finland and I've been pushing through the laws. I have learned this thing the hard way, I've been learning for twenty years.”*

– Detective Sergeant Kenneth Eriksson

Most respondents admitted that trafficking in human beings is a difficult term to define. When asked how does one distinguish sex trafficking from willing prostitution, one interviewee, Prison director Kaisa Tammi-Moilanen yielded that it is a continuum. She also mentioned that even though she would be able to recognize someone as a trafficking victim, the person in question may not always be aware of their victimhood (Interview 27.1.2021).

The third interviewee, senior adviser Terhi Tafari from NAS described that the boundaries of what can be labelled as human trafficking and what cannot are vivid and that they always depend on the individual case (Interview 9.2.2021). When inquired about her capabilities to identify victims and to interact with them, Tafari confided that she has experienced some level of abuse in a violent relationship herself, which has helped her to understand the position of many of the victims. As a limitation, the NAS senior adviser mentioned not having any training

as a therapist or as a social worker, which she suspected would have been helpful in her expert position. However, she did mention having received some training on how to face and hear very vulnerable persons. Identifying victims is at the very core of Tafari's responsibilities – other authorities refer to NAS potential victims of human trafficking and Tafari is one of those who interpret the law and decide whether the person in question is a viable candidate to receive an official victim status or not. However, Tafari gave the impression of being highly doubtful of being capable of identifying trafficking victims at 100 per cent accuracy. She seemed grateful that all she needs to do is decide whether to accept the person as a client to the assistance system or not:

*“Luckily, I’m neither a judge nor a prosecutor, so I don’t need to take a hard line on the matter. And I don’t need to gather evidence, all I need is the person’s own, credible story.”* – NAS Senior adviser Terhi Tafari

The NAS experts assess the possible victim's need for help and support and decide on support measures together with the victim. With statements such as this one, Tafari made it clear that NAS was the right choice to offer a victim-centred perspective for this thesis. As the assistance system gives victim-centred help, the (supposed) trafficking victim is always their priority. Unlike officials working for the police, for example, NAS experts are not required to take into consideration the point of view of the trafficker. Similarly, no physical evidence of the victimhood is needed for the assistance system to believe the victim. This is where NAS greatly differs from police and the criminal system: the human trafficking victim does not need to prove their victimhood.

### ***Identifying female trafficking victims in prison conditions***

When asked about the personal experiences of trafficking victims identification, interviewee Kaisa Tammi-Moilanen from Vanaja prison launched into an intricate recollection of the first time that inmates with a trafficking victim background were encountered in the women's ward. Tammi-Moilanen explained that the multidisciplinary group of staff had reported having heard something really strange in the welcoming interview of a couple of new prisoners (Interview 27.1.2021).

*“They didn't say directly that hello, I'm a victim of human trafficking. But their behaviour was so weird and there was something in their story that made me wonder... The fates of these women seemed strange”*

– Prison director Kaisa Tammi-Moilanen

From the interview with Tammi-Moilanen, it came clear that even suspecting these women of being trafficked had been by a chance and the story involved a lot of coincidences. Tammi-Moilanen drew attention to how relatively unknown the Assistance System for Victims of Human Trafficking is among authorities. If the assistance system is known, it is usually understood as a charity, and not an official actor. After the first discovered case, however, the prison staff took action, and the whole workplace community sought out education about human trafficking as a phenomenon. Tammi-Moilanen then relieved that education on the subject had led to several more identified trafficking victims (Interview 27.1.2021).

*“Since then, unfortunately, we have found about a dozen more cases that we have identified, or at least strongly suspected, of being trafficking victims. Quite many of the cases have also been reported to the assistance system.”*

– Prison director Kaisa Tammi-Moilanen

Such a high number of convicted women with an identified or a suspected trafficking background is alarming taking into consideration the rather small size of the prison in question. Tammi-Moilanen indicated that the reason why the prison staff has been able to recognize the victim status of so many women is that they have learned to be gender-sensitive, specifically understanding the traumatization of women who have experienced sexual violence. Tammi-Moilanen hypothesized that perhaps no one before the prison staff had spoken kindly to these women and that is why they were finally, at the end of the criminal system, able to open up about their life. In Tammi-Moilanen's experience, a kind and gentle way of working soften the path of talking to victim-perpetrators of sex trafficking (Interview 27.1.2021).

*“They have met many authorities in Finland, none of whom have paid attention to them. No one asks them... on the contrary, they are seen as criminals, problem people.”* – Prison director Kaisa Tammi-Moilanen

The observation that a person, regardless of her past victimization, is seen only through her recent illegal actions and thus labelled a criminal, is in line with previous research. Baxter, for



example, has concluded that typically the most recent victim is named a deserving victim and the victim-offender thus becomes an undeserved victim who is recognized as solely an offender (Baxter, 2020, p. 335).

Tammi-Moilanen additionally remarked that when women have been forced to commit a crime, they have been deprived in extremely shameful ways (Interview 27.1.2021). The experiences of victimization are difficult to discuss, especially with a person one has never met before. In contrast, a prison is a place that becomes a contemporary home to these female victim-perpetrators and thus may make it easier to confide in officials working there.

*“You can’t even talk about something like that to some new acquaintance, to some police officer. I think the advantage of our prison is that these women have been with us for a while.”* – Prison director Kaisa Tammi-Moilanen

In addition to gender sensitivity and the benefits of a longer acquaintance, Tammi-Moilanen spoke of the importance of untangling the travelling routes of possible victims of trafficking have taken in their migratory journeys. The prison director empathised that she always inquires about the travelling routes of the foreign inmates. In the interview, Tammi-Moilanen made it clear, that in her opinion, anyone in Finland who works among possible trafficking victims needs to understand that no one comes on a tourist trip through Libya to Italy or Spain (Interview 27.1.2021).

*“I ask where did you come from? From Nigeria? You're not from Benin City, are you? She says yeah. I ask did you come through Libya. And from there, Italy or Spain?”* – Prison director Kaisa Tammi-Moilanen

Furthermore, some Tammi-Moilanen spoke of some visible signifiers related to situational awareness. She had, for example, learned to notice changes on the inmates’ wardrobes, for she had observed that the dressing of former prostitutes tends to change radically from day-to-day. When noticing sudden changes in a female inmate’s wardrobe, Tammi-Moilanen would then typically take this woman to a private chat, often multiple times, and try to learn about their past. This technique, the prison director relieved, had proven successful in prison conditions. This was an unexpected find in my research since previous studies had not mentioned this type

of technique at least to my knowledge. Nevertheless, this could undoubtedly be used in other settings as well to better recognize women with a possible background in forced prostitution.

### ***Relationships with the traffickers***

Victimization that results from violence and coercion is embedded in the coercive structures and the relationships they foster (Jacoby, 2015, p. 515). As mentioned in the literature review earlier, one vulnerability that the victim-perpetrators of sex trafficking suffer from is that they have been in a close relationship with their pimps/traffickers. Convicted female traffickers are found to be frequently involved in intimate relationships with male traffickers and have often acted as co-offenders with them (Broad, 2015, p. 1061; UNODC, 2020, pp. 110–111). In the latest research, the relationship between victims and their traffickers has been identified as the most significant determinant in whether or not a victim will engage in trafficking herself and thus become a victim-perpetrator (UNODC, 2020, p. 31).

The links between intimate partner and domestic violence and human trafficking must be understood (UNODC, 2020, p. 32), and the overlapping of these phenomena arose also in the expert interviews conducted for this thesis as a complicating factor in victim identification, victim assistance and prevention of revictimization. NAS senior adviser Tafari pointed out that the power dynamics in situations where the perpetrator has been the partner of the trafficking victim are extremely demanding (Interview 9.2.2021). And as a clientele, such victims of human trafficking are very challenging, Tafari pointed out in her interview. NAS senior adviser spoke of a Finnish case where a man was already in court accused of human trafficking, for pimping his spouse. The spouse was present in court as a witness, and a visual barrier had been acquired between the two. The women had come over the visual barrier to declare her love to the perpetrator and plead him not to leave her (Interview 9.2.2021).

To separate themselves from the perpetrator, the victim may lose her entire family, as well as the family of her spouse. Tafari mentioned that especially in cases where the perpetrator and the victim have been married, the victim will completely lose all her prior concepts of security upon the separation (Interview 9.2.2021). This type of trafficking victims requires special care by social workers to build back their lives. If the couple has had children, Tafari continued, they

are typically used to lure the woman back into victimhood. *“It only requires a few threats to take the children and the person is back there with the perpetrator, living in a forced marriage”*, Tafari concluded (Interview 9.2.2021).

Interviewee Tammi-Moilanen from the Vanaja prison mentioned worriedly that they may not always be able to identify those victim-perpetrators who have been exploited by partners or other people close to them. According to Tammi-Moilanen, they have only had one or two cases in the women’s ward where it had been the case that the trafficker had been in a close relationship with the victim (Interview 27.1.2021). Boyfriends whom Tammi-Moilanen suspected of having played some role in the women’s victimization, however, were prominent figures in the stories of the female victim-perpetrators.

*“There is often a boyfriend who appears in the story as a good person. It has been one of the most difficult and perhaps the most shameful things with these women. Some of the women talk about these male friends all the time. I am afraid these have been exploitative relationships.”*

– Prison director Kaisa Tammi-Moilanen

Currently, there still exists only a few studies in which the dynamics of victim-defendants intimate or familial relationship with traffickers have been examined in depth. I agree with UNODC (2020, p. 110) on their suggestion that more research is desperately needed to assess the elements of violence or coercive control that flourish in these relationships.

### ***Challenges in investigation***

When asked what are the biggest challenges for the investigation of sex trafficking from a police perspective, interviewee Eriksson pointed out fear of the officials (Interview 25.1.2021). Victims are afraid to come forward for a fear of punishment by the pimps or the organized crime groups. Another major fear Eriksson mentioned was the fear of deportation.

*“Among the Roma, a woman often comes from the same village as the pimp and the pimp’s family. It can produce huge problems on the day you return to your homeland and the family knows (about the sex work).”*

-Detective Sergeant Kenneth Eriksson

In term of sentencing, Eriksson argued that finding proof that the victim truly has been under the pimp's / trafficker's control is a major obstacle as well (Interview 25.1.2021).

*“When the court makes a decision, they examine the police reports. If there is no mention of that level of control that would be required for the crime of human trafficking, then the sentence is given for pimping.”*

-Detective Sergeant Kenneth Eriksson

These challenges might be approached with recommendations from UNODC. They have suggested the usage of approaching interviews and the possibility of an early confession at the early stages of proceedings by specially trained law enforcement to cultivate judicial cooperation with female victim-defendants (UNODC, 2020, p. 110). This, UNODC argues, would also help in the protection of victim-defendants from being incriminated for their confessions as part of their collaboration with authorities. Another remarkable challenge mentioned by multiple interviewees was ensuring trust between victims and officials. As the trust statements were more of an opinionated kind, I examine them in the interpretative knowledge -section.

### ***The sentencing of victim-perpetrators***

The characteristics of the victim-perpetrator overlap in sex trafficking are not well understood, which is why one of the key themes that were touched upon in every interview for this thesis, was process knowledge on the sentencing of victim-perpetrators of trafficking for sexual exploitation in Finland. A recent UNODC study in which case laws regarding the sentencing of female victim-perpetrators of sex trafficking were analyzed, concluded that the sentencing of victim-defendants varies depending upon two factors: Firstly, whether the court recognizes the offender as a victim, and secondly, how that fact is taken into consideration (UNODC, 2020, p. 95). As mentioned in earlier chapters, there is little agreement in academic research on how the victim status of a female victim-defendant affects their sentencing. Some have argued that the victim status of a defendant is a mitigating factor and might lead to a reduced sentence

(Broad, 2015, p. 1066), whereas others have labelled it an aggravating factor, which would, in turn, increase the defendant's culpability (Baxter, 2020, p. 335).

When asked about trafficking victims as defendants, the respondents tended to believe that if a person has been a victim in the past in any way, then they are primarily a victim and not a suspect: (Interview 25.1.2021).

*“The background of the victim is always number one.”*

– Detective Sergeant Kenneth Eriksson

However, it appears that suspected or even identified victim status is not always enough to spare the suspect of prosecution. Kenneth Eriksson from the Helsinki police elucidated that if, during the preliminary investigation, it becomes apparent that the subject under investigation is both a victim and a suspect of a crime, then in principle it is considered which one of these is stronger (Interview 25.1.2021).

*“If a person is a victim of human trafficking and has been pressured, or deceived, or in some way dragged or cheated to do something for this other person, which is against the law, then, of course, the victim position is the strongest.”*

– Detective Sergeant Kenneth Eriksson

A shocking story that arose from the interview with NAS senior advisor Tafari (Interview 9.2.2021) gave a further insight into a problem Baxter (2020, p. 335) has outlined: the latest victim is labelled a deserving victim and the victim-offender is seen as an undeserving victim, being recognized solely as the offender. As the phenomena have mostly been examined from a juridical perspective, Tafari's insight helped to see the victim's side of this continuous circle of sex trafficking victims becoming exploiters themselves. In the case, Tafari reminisced, a victim of human trafficking and a former client of the assistance system, had come to faith. When the clienthood ended, the victim had contacted Tafari and asked for a reunion. When Tafari went to visit her, she had stated that she would like to tell her the truth about her past. She disclosed that even though she had indeed been a victim of human trafficking, she had also been a trafficker herself. To pay her debt to her traffickers faster, she has agreed to start recruiting girls

from Nigeria, bringing them to Italy and start pimping them. The victim had not wanted to disclose her actions as a trafficker to the NAS officials in fear of not being worthy of victim status or simply due to shame. Whatever the case, after becoming a religious person, she had, according to Tafari, wished to become clear of her past. Truthful, in fact, to the extent that she had told Tafari she planned to start making YouTube videos telling about her past as a trafficker and guiding the women of her homeland not to believe promises traffickers make to them to lure them to sex work. Tafari reminisced in the interview that she had encouraged the women in question to pursue this but to leave her real name and face concealed as human trafficking crimes won't expire until twenty years have passed (Interview 9.2.2021).

*“It was an exceptional experience to realize that I have told a trafficker not to tell the police. But I also knew that those girls whom she had trafficked were currently pimping new girls and thus were traffickers themselves.”*

– NAS Senior adviser Terhi Tafari

### ***Conclusions on process knowledge***

Experiences of the experts were sought to gain insight into process knowledge that they have acquired in the expert position. Since process knowledge is mostly practical experience, the main process knowledge findings of his study were the learned tactics of trafficking victim identification. In prior research, Baxter (2020, p. 335) has argued that judges' attitudes towards female victim-offenders of sex trafficking demonstrate astonishment and a lack of understanding. Similarities to this statement came across in the interviews. Admittedly, a shortcoming of this thesis is the lack of judges perspective. However, interviewee Eriksson (Interview 25.1.2021) pointed out that if a suspected trafficking victim's status is not mentioned in the preliminary investigation documents, it is unlikely that a judge would consider the victim status in terms of sentencing. Hence, I would argue that the perspective of police is more important for this research than judges would have been. Internationally, proving one's innocence is a big burden to victim-perpetrators. A humongous obstacle in gaining an official victim status is that a victim generally needs to prove that she is a 'genuine' victim. This usually requires cooperation with law enforcement to establish that they did not contribute to victimization by engaging in illegal or immoral ventures such as illegal migration and prostitution (Milivojevic & Copic, 2010, p. 294). As seen from the results of this study,

cooperating with law enforcement is challenging for victims of trafficking even in a country like Finland due to trust issues and prior trauma. Some juridical practices conclude women's innocence in terms of their contribution to victimization and some cases only the fact that women have previously engaged in sex work, even against their will, has been enough to disqualify them as victims (2010, p. 295). This is a harmful precondition since prior engagement in sex work does not mean that the person in question could not have been trafficked and taken advantage of further on.

Overcoming the moral issues around sentencing female victim-perpetrators are not easily tackled, and hence I was not expecting that the experts interviewed for this study would be able to provide all-mighty fixes for the matter. One part of a possible solution suggested by UNODC would be promoting the use and application of gender-responsive non-custodial measures would be an aid in responding to the needs of trafficked female victim-perpetrators (UNODC, 2020, p. 110). Furthermore, UNODC has proposed that these gender-responsive measures should include diversionary measures as well as pretrial and sentencing alternatives that are specifically tailored for the needs of trafficked victims as defendants. According to UNODC, juridical systems should be working towards addressing the reproductive rights violations that occur in the context of trafficking for sexual exploitation (2020, pp. 110–111).

### 7.3. Interpretative Knowledge

Interpretative knowledge is an expression of a subjective construction of meaning by the interviewee (Bogner et al., 2018, p. 658), which is why the theory-generating expert interview works best at revealing interpretative knowledge (Döringer, 2020, p. 4). To unravel this type of knowledge, interviewees were asked to engage in detailed and extensive narratives so insight could be gained into their worldviews and thought patterns.

#### *The non-punishment principle*

One of the key themes that emerged from my analysis of the data that I would categorize as interpretative knowledge, arose from questions concerning the non-punishment principle.

When the subjects were asked about the non-punishment principle, the majority commented that if a person is forced or pressured to commit a crime then they ought not to be punished. Interviewee Tammi-Moilanen from the Vanaja prison, however, took a strong stand and argued that the non-punishment principle is not currently working in Finland since unidentified victims of trafficking, who have been coerced to commit crimes, are given prison sentences. Having had first-hand experience working with imprisoned trafficking victims, Tammi-Moilanen stated that *“it is unforgivable since we are a society that can do much better in many ways”* (Interview 27.1.2021).

Thus far, no one has had the chance to test the effectiveness of the non-punishment principle in Finland according to interviewee Tafari from the assistance system (Interview 9.2.2021):

*“No one has wanted to be the first to be tested. As for victims of human trafficking, we do not have any landmark court decisions on that.”*

– NAS Senior adviser Terhi Tafari

However, Tafari was familiar with cases other than trafficking crimes, mostly revolving around drug offences, where the court had spared the defendant, or given only fines if the person had been coerced to commit the crime. *“So it is a functioning article of the Penal Code”*, Tafari remarked (Interview 9.2.2021).

Interviewee Eriksson from the Helsinki police took the matter of the effectivity of the non-punishment principle more calmly. He touched upon the issue that in crimes related to sex trafficking, the victim-defendants often perform small illegal actions without being aware that they are considered criminal acts in Finland. According to Eriksson, this type of crimes needs to be forgiven, since trafficking victims cannot be punished for acts they did not know were illegal (Interview 25.1.2021). This parallels Broad’s (2015) conclusions that there is an acceptable level of offending behaviour that can be perceived as a result of victimization (Broad, 2015, p. 1066).



Even though all the interviewees agreed that the non-punishment principle as a concept is just and good, they also agreed that not all crimes, even if they had been committed under extreme stress or coercion, are excusable crimes.

*“There is a limit. If we talk about aggravated assault or rape or homicide, then typically the non-punishment principle no longer offers protection.”*

– NAS Senior adviser Terhi Tafari (Interview 9.2.2021)

*“It has to be understood that killing people is not allowed. You will get a homicide sentence from that.”*

– Detective Sergeant Kenneth Eriksson (Interview 25.1.2021)

Tafari’s and Eriksson’s statements about graver crimes being non-excusable even if they are committed under coercion is in line with what Broad (2015) has suggested: There exists a line after which most criminal justice systems cannot justify a defendant's behaviour as simply a response to their prior victimization (Broad, 2015, p. 1066). Furthermore, it is not only murder that has surpassed Broad’s line in Finland. Eriksson spoke about a case where a woman with a trafficking victim background (a Bottom Girl -type) had been convicted of pimping offences for it was seen that the woman was aware she was committing a crime and profiting from it. *“The portion of victimhood was so low in relation to the crime”*, Eriksson assessed (Interview 25.1.2021). This sentencing of the once-a-victim-herself but now seen as only a perpetrator is in line with previous results reported in the literature. Baxter (2020, p. 335) has stated, based on her research in Australia, that a distinct deserving/undeserving victim label is applied to each defendant. As mentioned earlier, the recurrent trend is that the latest victim is labelled the deserving victim and the victim-offender becomes the undeserving victim, being recognized solely as the offender (Baxter, 2020, p. 335). Additionally, the non-punishment principle is not generally extended to cases where victims have become madams or partners-in-crime thus playing a larger, voluntary role in human trafficking (Schloenhardt & Markey-Towler, 2016, p. 15). The actions of these women are not seen to be directly related to their victimization and thus they are not perceived as deserving of non-criminalization (2016, p. 15).

UNODC has recommended that statutory exceptions to non-punishment provisions ought to be re-examined to ensure that crimes frequently committed by victims as a result of being trafficked are not excluded from the application of the principle (2020, p. 110). Additionally, UNODC has demonstrated that when the application of the non-punishment principle is being assessed, considerations should be made both on the means used in trafficking the victim-defendant in addition to the means used in instigating her engagement in criminal activity (2020, p. 110). The customs of the preliminary investigation of victim-defendants, which Eriksson described (examined here under the section “sentencing of victim-perpetrators”), exhibit potential for fulfilling UNODC’s recommendations. Eriksson stated in his interview that in the preliminary investigation it is estimated, which one is stronger, the status of a victim or a perpetrator. Whether these authorities have the needed expertise to make these estimations, is left unclear and requires further study. What should also be investigated is how these preliminary estimations influence the sentencing of the victim-defendants in further juridical states of prosecution.

### *Victim's trust towards the authorities*

One of the more future-orientated questions in the interviews was how could the victims’ trust towards the authorities be built high enough that the victims would dare to speak to them truthfully. Interviewees seemed to find this question among the most challenging themes of the questionnaire. Interviewee Tammi-Moilanen spoke about how extremely difficult sex trafficking victims are to help in prison (Interview 27.1.2021):

*“They are so traumatized, behaving so unpredictably and are prone to strange things in prison, like being exploited by other prisoners. And often they struggle with drug problems because they are so broken. There are no kittens to help. They don’t curl into the ball and start purring when I say I might be able to help.”*

*– Prison director Kaisa Tammi-Moilanen*

This statement made by the interviewee Tammi-Moilanen reflects the social expectations regarding the character and the behaviour of a victim. According to the International Handbook of Victimology, the ideal victim is completely innocent and cooperates perfectly with the police and the court (Strobl, 2010, p. 10). The ‘kitten’ Tammi-Moilanen mentions, seems a synonym

for this type of innocent and obedient victim. Victim-perpetrators of trafficking for sexual exploitation, on the other hand, constitute a stark comparison to the kitten metaphor. Tammi-Moilanen's depiction can be seen as a nod to the gendered rescue narrative. Boldly portraying the victim-perpetrators as broken, even violent drug addicts deconstructs the prominent rescue narrative by showing that not all trafficking victims are innocent, helpless, or naïve girls. The portrayal compliments a study examining the victim-offender overlap of sex trafficking in the US, which discovered that female victim-offenders have more often problems with substance abuse compared to those who were exclusively victims or exclusively offenders (Finn et al., 2015, p. 74). The characterization corresponds also with research on wrongful imprisonment, for it is demonstrated to be fairly common for victims of unjust imprisonment to adopt destructive routines such as drug abuse (Tan, 2011, p. 182). Although, whether the victims Tammi-Moilanen mentioned had formed these habits while in custody or already before prison, for example during the time under trafficker's coercion, cannot be assumed here.

The interviewees were asked to describe if they had experienced any trust issues themselves while working with trafficking victims. Interviewee Tafari from NAS told that some of the victims fear authorities to the extent that they do not even want to become a customer of the assistance system. Luckily most do confide in NAS officials, according to Tafari. She mentioned still being used to dealing with trust issues that trafficking victims struggle with (Interview 9.2.2021). Tafari told of some cases where female victims were in such a fear of the police that they refused to talk to any police officials. These women, Tafari explained, had previously been exploited by the police abroad. When asked if he had experienced any trust issues with trafficking victims, interviewee Eriksson from the Helsinki police diverted the question by stating that his advantage has been that he is so "*widely known, that a certain trust has been formed*" (Interview 25.1.2021). The trust issues may in part be the effect of a common tactic used by the traffickers. This common controlling mechanism involves traffickers telling their victims that the authorities will not assist them, and could even punish and/or deport the victims for crimes they may have committed under the coercion of the traffickers (Schloenhardt & Markey-Towler, 2016, p. 11).

Interviews conducted would suggest that in addition to traumatic individual encounters in the past, trafficking victim's distrust towards the police appears to be amplified by structural

hindrances happening in Finland. NAS senior adviser Tafari mentioned sometimes hearing the police had questioned victims in a way that has made them feel blamed (Interview 9.2.2021). Scholars studying victimhood have observed that victimization does not only have a physical and psychological impact but also a social impact, meaning that communication and interaction processes of everyday life are affected post-victimization (Strobl, 2010, p. 9). This type of harm has mostly been addressed as psychological, but from a constructivist viewpoint, the world of a severely victimized person has changed (2010, p. 9). Reflecting these notions to the additional structural hindrances of a legal system in Finland that is unfamiliar to most victims, it may be impossible for the victim to engage in the legal process needed for the recognition of her victim status and the possible conviction of the traffickers.

Tafari also brought up that the faith in the police diminishes gravely at the latest when an investigation has lasted close to three years and nothing – in the eyes of the victims– has happened. According to Tafari, trafficking victims are not always satisfied with what the investigation for trafficking-related crimes looks like in Finland (Interview 9.2.2021). Trafficking in human beings, especially those involved in forced labour, typically do not receive long sentences. Additionally, offences related to sexual exploitation are often investigated and sentenced as pimping rather than trafficking crimes, which also translates to diminutive repercussions. *“Some have been given conditional prison sentences and even fines for crimes that are human trafficking. Fines!”* Tafari bemoaned and covered her face with her hand during the interview (Interview 9.2.2021). Conditional or short-term sentences can increase the likelihood of revictimization as not much can be done to protect the victim after a sentence has already been given. Additionally, Tafari brought up a monetary problem regarding the judicial proceedings of trafficking crimes: *“If he (the trafficker) has large tax debts, then the taxer takes it from him first, and what is left can be distributed to the victims. Sometimes it leaves nothing”* (Interview 9.2.2021). Once the victims have first had trauma-inducing encounters with the police in their origin countries or countries of transit, all these structural issues add to the existing distrust that the victims harbour towards authorities. Extremely worrisome is also the lack of compensation, for it is found that many victims of wrongful imprisonment are unable to move on unless and until they gain repayment that satisfactorily reflects the magnitude of the devastations, losses and harms they have endured (Tan, 2011, p. 188). Of course, monetary compensation alone can never adequately account for the injustice and losses sustained by those victimized.

An overarching theme among the solutions on how to rebuild the lost trust was increasing awareness – of both officials and the victims. This was recognized only as a partial solution, but for the interviewees benefit it must be said that the experts did have quite concrete improvement ideas to offer. As for the importance of increasing awareness among the victims, it is essential since a victim of trafficking may not know about their right to protection and thus cannot ask for help. This forms a problem especially if no official is going to recognize the victims status and offer assistance for them. One straightforward but endearing advancement, conveyed by Tammi-Moilanen, but originally innovated by a trafficking victim, would be to attach posters about human trafficking to the Helsinki-Vantaa airport (Interview 27.1.2021). The posters ought to be on the side where one has not come across the border yet. This way, if a trafficking victim is coming to the country under coercion to bring in illegal substances, or to get married or to do sex work, they would immediately know how to get in touch with officials who can help them. Furthermore, senior adviser Tafari from NAS suggested that low threshold social services for people involved in sex work and for victims of human trafficking should be initiated on the police (Interview 9.2.2021). This could strengthen the trust of the potential victims in the police. Tafari described that the service could be provided by a social worker or an officer who would not record anything on the police record about the encounter. Instead, they would discuss with the potential victim how the criminal proceedings would go if they were to sue their exploiter. *“Like a drop-in, talk to the police”* -kind of service, Tafari envisioned (Interview 9.2.2021).

### ***Future of revealing work in the police***

It became clear from an interview with Eriksson that doing revealing work among sex trafficking crimes had been on the shoulders of only one police officer for decades, as reported by Gustafsson and Reinboth (2020). When asked about the newly formed human trafficking crime investigation team in the Helsinki police force, Eriksson gave the impression of being cautiously optimistic about the effectiveness of the team. Eriksson himself is to be retired soon, so his knowledge – collected over decades – is in the process of being transmitted to the new experts-in-training. Eriksson mentioned that since there have been only five to six officials previously working in his team, then in theory, the new team, consisting of twenty persons,

should reveal ten times more cases. Detective Sergeant reminded, however, that whether that will be the case, is hard to say (Interview 25.1.2021).

*“They need time to grow and learn because there are all beginners in that group. There is no professionalism. Few have ever even seen a sex worker. It takes time for that group to evolve. We must not expect results too quickly, but now we must wait for them to develop and learn things.”*

– Detective Sergeant Kenneth Eriksson

Eriksson’s worries concerning the new team came even more apparent when the interview was directed towards the difficulties of building the trust of trafficking victims towards the police. Eriksson said straightforwardly that a *“faceless police can't do it”*. Detective Sergeant continued that there should be police officers willing to make their faces known so that the sex workers would get to know them. Concerning the considerably bigger size of the new investigating team (twenty persons compared to the 5–6 Eriksson was previously working with), it came clear from the interview that although the investments in the sector were truly needed, Eriksson seemed worried that the wider scale of police officers working with sex trafficking-related crimes would make the investigation faceless (Interview 25.1.2021).

*“It would be good if this wasn't on the shoulders of just one person, that there would be a few cops they (sex workers) could trust”.*

– Detective Sergeant Kenneth Eriksson

When interviewee Tafari from the assistance system was inquired what would need to be done differently in the police to better recognize victim-perpetrators for example in the realm of sex trafficking, she proposed that officials ought to be more educated on the matter.

*“When the pre-trial investigation authority receives a case, they should take into account whether the defendant could have been coerced to commit the crime. It's really difficult because these people don't dare give information to the police, and so it can lead to such terrible things. That can even prevent crimes from being solved.”* – NAS Senior adviser Terhi Tafari

This brings me again to the issue of building trafficking victims trust towards the authorities. The fear of violence can go a long way when the penalties are small, so the victim rather takes the sentence of a year or two than leaves her family to be killed by the criminal gang. The difficult question of how the victim could ever be helped out of reach of the traffickers is examined in the following section.

### *Life after victimhood*

When inquired in what ways could the victim-perpetrators be helped after imprisonment and how their re-victimization after the prison sentence could be prevented, the interviews reached what could be characterized as a crises point. An agreement was that the official first step is to get them to the assistance system and identify them as victims. Tammi-Moilanen, for example, emphasized that an official victim status has also psychological significance in addition to the legal benefits (Interview 27.1.2021). The problems typically arising after this, however, proved to be humongous.

The Finnish system appears to have serious flaws when it comes to the continuous assistance of especially foreign trafficking victims. When NAS was created and the legislation formed concerning the victims of human trafficking, it was not considered that someone like that could end up in prison. The most unreasonable thing in interviewee Tammi-Moilanen's view was that Finland does not have a mechanism in the legal system to reopen criminal cases of victim-perpetrators (Interview 27.1.2021). If it happens, that a person drifts through the pipe of officials and their victim status is only discovered in prison, the sentence must be sat through even if it is revealed that the crimes were done under coercion.

*“The victim's position is unbearably bad. The non-punishment principle doesn't reach them.... They have experienced considerable injustice on the part of the social system when they have been convicted of an act that ultimately they should not even have been condemned if they were genuinely identified at the right time.”*

– Prison director Kaisa Tammi-Moilanen

My interviewee's worry is in line with existing policy recommendations made by the Inter-Agency Coordination Group against Trafficking in Persons. According to their recent issue

brief, states ought to “extend the non-punishment principle to enable criminal records to be vacated or expunged for individuals who were convicted of crimes committed as a direct result of trafficking” (ICAT, 2020, p. 5). The injustices mentioned by interviewee Tammi-Moilanen can be described as a ‘second victimization’. The term can be applied to unidentified victims that have to suffer more than those victims who were identified on time. The invisibility resulting from the lack of victim status is what constitutes the second victimization (Jacoby, 2015, p. 528).

When asked how convicted trafficking victims could be helped, interviewee Tammi-Moilanen argued legislation changes would be necessary (Interview 27.1.2021). The prison director found it shocking that, at the moment, trafficking victims are getting only a six-month reflection period from the assistance system during which their deportation is on hold. Revoking or abolishing deportation is practically impossible under current law. Tammi-Moilanen went as far as to propose that Finland is participating in the revictimization of the victim-perpetrators by deporting them back to their respective homelands.

*“They sit their sentences in a Finnish prison and get support here for a while, but they are in a position that they can't cling to anything... And then, they inevitably have to return to their country of origin. At that point, the risk of revictimization is enormous.”* – Prison director Kaisa Tammi-Moilanen

Interviewee Tafari from NAS outlined some of the small practical solutions the assistance system has tried to offer its clients. A few customers have been offered the opportunity to change their name, change their identity, change their place of residence and appearance. However, no one had agreed to any of these “quick fixes”.

*“At some point be the victim will think that ‘damn, I have been controlled enough already, I won't curtsy to anyone anymore’. And then they may be subjected to violence later. It is really difficult to help such a victim.”*

– NAS Senior adviser Terhi Tafari



The creator of the theory of victimhood, Tami Jacoby, has argued that victims contribute to their ongoing victimhood by refusing to accept viable solutions (2015, p. 527). Nuances of this statement can be recognized in the worry that Tafari articulated. However, refusing undesired assistance can also be seen as a sign of the victim reinstating her lost agency and taking a leading role in her path to recovery.

To end on a more positive note, Tafari also brought up solutions that had been popular among the clients of NAS and which thus had been found helpful in the rehabilitation process of the victims (Interview 9.2.2021). Especially in cases where a person had not chosen to engage in sex work but had been exploited in prostitution, education and work have been extremely important for the victims. This corresponds with research (Tan, 2011) done on the wrongfully imprisoned victim's potential transition from victimhood to survivorship. Regaining employment or engaging in education is proven to generate a positive sense of empowerment, which can facilitate the reparation process for the victims (2011, p. 188).

### ***Conclusions on interpretative knowledge***

Since expressions of interpretative knowledge are subjective constructions of meaning by the interviewee (Bogner et al., 2018, p. 658), this knowledge type consisted of personal opinions and views of the experts interviewed. It came alarmingly clear from the expert interviews that preventing re-victimization may be the biggest issue Finland has not yet tackled relating to victim-perpetrators of sex trafficking. This problem correlates to what Jacoby (2015, pp. 527–528) has argued in her theory of victimhood: According to Jacoby, the most dangerous fate for victims is to be caught in a terminal cycle of victimhood, having been recognized but lacking any viable possibility of redress (2015, p. 527). Jacoby (2015, pp. 527–528) has proposed that the political recognition of victimhood can follow one of two avenues in democracies. One way is that recognized victims can achieve their objectives and overcome their victimhood by integrating themselves into society and thus ceasing being victims and becoming survivors (2015, p. 528). The other way is that recognized victims may remain indefinitely confined in the final stage of victimhood unable to move beyond it (2015, p. 528). More research would be required to verify if Finland is to blame for participating in the revictimization of the victim-perpetrators of trafficking for sexual exploitation by deporting them. Improvements that might be taken based on this study could include re-examining the criminal processes and the

necessity of deportation and as well as focusing on the long-term rehabilitation of trafficking victims. Moreover, Hoyle et al. (2011, p. 327) have brought to light that ignoring the sometimes rational reasons that women initially agree to be trafficked can also increase the risk of re-trafficking. This is something Finnish authorities ought to take into consideration when assessing what type of actions would be most effective in preventing the revictimization of trafficking victims and victim-perpetrators. If the push and pull factors behind trafficking and the gendered contexts within which those decisions are made are ignored, all we are doing is likely sending trafficked women back to the conditions that exposed them to trafficking in the first place and may do so again in the future (Hoyle et al., 2011, p. 327).

## 8. Discussion of Findings and Conclusions

It cannot be overlooked that trafficking for sexual exploitation is closely connected to poverty, global inequality, conflicts, instability and economic deprivation. However, what I have wanted to bring forth in this thesis, is that a more nuanced understanding of trafficking victims' life paths, desires and ambitions should be taken into account. Although examining the agency of victims was not the original goal of my research, I feel I have no choice but to commence my conclusions with thoughts on agency, since it rose to an integral role in my thesis. Agency has followed me throughout this process and as a consequence, I am encouraging the abandonment of the image of a *completely* agency-deprived victim of sex trafficking and instead focusing on the inherent agency of trafficking victims and victim-perpetrators. I am not claiming that the agency of sex trafficking victims would not be restricted at all by coercive situations, as it is to some extent. A limitation of the rhetoric of human trafficking is that it excludes any agency victims themselves take by implying that the victims have faced a forced and unexpected departure (Andrijasevic, 2010, p. 29), while simultaneously amplifying the sensational narrative of sex trafficking victims as naïve women kidnapped by the traffickers. Data has shown that women's migratory processes are not nearly always forcefully orchestrated by third parties but are instead evolved out of complex socioeconomic contexts and invoked by the individual needs of the women in question. It should also be noted that anti-trafficking measures that have been put in place protect especially women and children from trafficking have led to restrictions on women's migration, increased surveillance of sex workers, and increased deportation of migrant sex workers (Doezema, 2002, pp. 24–25).

However, I also wish to highlight here how the limited agency of trafficking victims can play in their favour post-victimization, for example in cases of victim-perpetrators. According to the logic of the non-punishment principle, even if a victim of trafficking has deliberately committed an offence, they cannot be charged and prosecuted for it if they have lacked true agency at that time of the crime (Schloenhardt & Markey-Towler, 2016, p. 19). Here the deprived agency protects victims from being held criminally liable since the non-punishment principle is built on the presupposition that trafficking victims carry no criminal responsibility for conduct if they have had no opportunity to act differently (Schloenhardt & Markey-Towler, 2016, p. 19). Another reason why the lack of agency can benefit the victim is that such a victim matches

better the image of the ‘ideal victim’ and hence they might be in a better position to receive an official victim status and benefits that it brings with it.

My research aimed to investigate what kind of knowledge experts use to identify and aid female traffickers and victims of trafficking for the exploitation of criminality within the context of trafficking for sexual exploitation in Finland. Additionally, I have evaluated whether the experts I interviewed (and by an extension, the institutions they represent) have the expertise required for the complex task of identification of victim-perpetrators of sex trafficking and if so, whether the complex health-care needs of these extremely vulnerable persons are met in Finland. By conducting the expert interviews, I succeeded in obtaining satisfactory results on the types of knowledge the experts have on trafficking for the exploitation of criminality within the context of trafficking for sexual exploitation in Finland and the usage of the non-punishment principle. However, given that my findings are based on a limited number of expert interviews, the results of my analysis have limits and can only be generalized to an extent. By analyzing both the past literature and the three expert interviews conducted for this study, this thesis suggests that the technical, process and interpretative knowledge of the authorities seem to be both heavily concentrated and limited, showing the insubstantial preparedness of Finnish authorities to understand and handle the victim-perpetrator overlap in trafficking for sexual exploitation. Furthermore, this thesis has demonstrated how the few existing experts’ knowledge of sex trafficking has shaped and determined the social practices and institution protocols of responding to cases of victim-perpetrators in Finland.

The results suggest that even though the phenomenon of female victim-perpetrators of sex trafficking is not alarmingly common in Finland, it certainly does exist. Furthermore, all four types of offences (lacking identity documents, committing criminal offences, attempting to free herself from traffickers, becoming a trafficker) that Schloenhardt and Markey-Towler (2016, pp. 13–15) have listed as offences typically performed by female victim-perpetrators of sex trafficking, were evident among the research findings. In addition to the offences listed in previous literature, an additional type of offence occurred: violent physical behaviour between trafficked women who are under pressure to perform well in their job as a sex worker and get more clients than their peers. Additionally, the evidence from my study shows that the phenomenon of Bottom Girls (Levy, 2016, p. 131) exists in Finland. Although the term was not

included in the interview structure, the interviewees linked it to the phenomenon of victims as defendants. The mentions of Bottom Girls as trafficking victims provided further evidence that the victim-perpetrator overlap occurs in Finland.

My findings indicate that Finland is participating in the revictimization of the victim-perpetrators of trafficking for sexual exploitation by deporting them, which then makes it if not certain, highly probable that they will be revictimized. It was evaluated in this thesis how prepared different authorities of Finland are, based on the type of knowledge they have, to prevent the revictimization of female victims and victim-perpetrators of sex trafficking. My findings give preliminary indicators that the Finnish system may have serious flaws when it comes to the continuous assistance of trafficking victims. The problems seem to be especially pronounced in cases where the victims are non-EU citizens. The research results indicate that when trafficking-related laws were written and the national assistance system was formed, it was not considered that a trafficking victim could ever give a reason to be prosecuted, let alone sentenced.

The results demonstrate that even though the police would investigate a crime as trafficking, the charges are so hard to prove, that the court will usually opt for a pimping charge against a trafficker. The findings of this study contain conflicting information regarding the crimes women with a background in sex trafficking have been prosecuted and convicted of in Finland. Participants may have misunderstood the question and this may explain the differing results. It could also be reasonably assumed that the differences were due to differing levels of knowledge between the experts of different fields. When directly queried about cases of prosecuted sex workers being only identified as trafficking victims during the imprisonment period, the expert from the police denied such incidents in Finland (Interview 25.1.2021), whereas expert from the assistance system was familiar, yet uncomfortable with the phenomenon of the victim-perpetrator overlap between victims (Interview 9.2.2021). In contrast, the expert from the women's prison dived to an elaborate categorisation of all the different types of offences that sex trafficking victims had committed and been given a prison sentence for (Interview 27.1.2021).

My research leads me to conclude that Finnish police and prison staff have had alarmingly little – or worryingly concentrated – knowledge and expertise in handling the identification and assistance of unidentified trafficking victims who are facing criminal charges. The expert interviews suggest that prior and reoccurring negative encounters with police abroad and in Finland have diminished many victims trust towards the officials and hence complicated seeking redress from the authorities. Fear of the officials was revealed as the biggest challenge for the investigation of sex trafficking from a police perspective. In contrast, Tammi-Moilanens' depictions (Interview 27.1.2021) of Vanaja prison presented the faculty as a model example of authorities ability to self-educate themselves on the phenomenon of victim-perpetrator overlap. My research findings indicate that victim's ability to confide in officials was made easier by the longer acquaintance and the gender-sensitive approach of the staff.

Additionally, this thesis examined the interpretative knowledge of the experts about the effectiveness of the non-punishment principle to cases of female traffickers and victims of trafficking for the exploitation of criminality within the context of trafficking for sexual exploitation in Finland. The results indicate that thus far, the principle has not been tested in cases relating to trafficking and henceforth its possible effectiveness in Finland remains unknown. However, all the interviewees agreed that the non-punishment principle as a concept is just and good, although a consensus also was the principle cannot be used to justify very serious offences. This finding parallels Broad's (2015) conclusions that there is an acceptable level of offending behaviour that can be perceived as a result of victimization (2015, p. 1066) and thus be forgiven. When the experts were asked to share their thoughts about trafficking victims as defendants, the respondents tended to believe that if a person has been a victim in the past in any way, then they are primarily a victim and not a suspect. Nevertheless, the results of my study indicate that suspected or even identified victim status is not always enough to spare the suspect of prosecution if the offence they have committed is too severe.

I have approached the phenomenon of victim-perpetrator overlap in sex trafficking from the point of view of victim-based identity construction. The findings of this study indicate that many of the victims of trafficking for sexual exploitation were unaware of their victimhood especially in cases where the sexual abuse/trafficking had occurred within a close relationship. Victimization always begins with an act that has caused harm to a person (Jacoby, 2015, pp.

527–528). In my research, the preliminary harm has begun when the victims were subjected to trafficking for sexual exploitation, and secondary harm took place if and when the nature of the coercion transformed to trafficking for the exploitation of criminality. Additional harm can be seen to have taken place when the victims have slipped through the Finnish officials unidentified during the criminal proceedings. The results also indicate that according to the experts, many victim-perpetrators sentenced in Finland have been aware that they have experienced wrongdoing from their traffickers and should hence deserve retribution. However, the expert interviews would seem to suggest that many victim-perpetrators refuse to admit their victimhood in fear of the penalty their trafficker could cast on them or their loved ones. Thus, a relatively short prison sentence is perceived as a safe option by many female victim-defendants.

A surprising point that arose from this study was how the average person tends to perceive human trafficking as a form of the slave trade. My research provided further evidence why the modern slavery -rhetoric should not be used when addressing human trafficking for the experts I interviewed expressed that public knowledge of trafficking victims is misleading due to the prominent slave image and thus the victims might have a hard time proving their victimhood. The image of a victim completely stripped of agency excludes victims of trafficking for the exploitation of criminality within the context of trafficking for sexual exploitation. UNODC (2020, p. 110) has proposed that statutory definitions of coercion should be expanded to recognize the tactics of coercive control often used by traffickers. Having said that, we must note that there are no requirements in the Finnish law that human trafficking would have to include the use of any kind of tying, locking or physical restraints. Be that as it may, what is written in the legal framework and how the phenomenon is perceived, are two very different things. I argue that educating officials as well as regular people of this would be the first step of letting go of the harmful slavery image that trafficking victims of sexual exploitation suffer from. As senior adviser Tafari brought up in her interview, the means of control deployed by traffickers are usually more of a mental, psychological, even spiritual kind (Interview 9.2.2021). I propose that the misleading slavery image in the Finnish context ought to be deconstructed to ensure the recognition of the exploitation of criminality within the context of trafficking for sexual exploitation.

The future of how victims and victim-perpetrators of trafficking for sexual exploitation are identified and aided in Finland will likely be determined by the success or failure of two major developments currently underway. The first one is the new police trafficking investigation team that started its work at the beginning of 2021. Compared to the rest of Europe, a special group investigating human trafficking has been established in Finland relatively late (Yle, 2021). Until now, investigations in Finland have been long and unpredictable and the expectations for the new police investigation team are high (Yle, 2021). Even though a larger police force trained especially to investigate trafficking crimes has been much needed, my research indicates some weaknesses in the new investigation team that ought to be considered. Interviewee Eriksson expressed worry that the wider scale of police officers working with sex trafficking-related crimes would make the investigation faceless and further diminish victims trust towards the police (Interview 25.1.2021). Furthermore, the new team currently lacks the expertise required to effectively investigate sex trafficking-related crimes and building up the required knowledge will take time and dedication.

The second development is the new National Action Plan against Trafficking in Human Beings, by which the prevention of human trafficking in Finland will be steered. The action plan is being prepared by a cross-administrative working group set up by the Ministry of Justice (Oikeusministeriö, 2021). The action plan is one of the key actions of Prime Minister Sanna Marin's government to combat human trafficking and improve the situation of victims and it contributes to the international recommendations given to Finland to address human trafficking (Oikeusministeriö, 2021). At the time of writing this thesis, the action plan remains unfinished and hence its possible recommendations cannot be included in this research. However, what is known at this stage is that the action plan is aimed at fighting against trafficking in close cooperation with various branches of government and civil society (Oikeusministeriö, 2021). Additionally, the goal is to make the phenomenon of human trafficking better known among the authorities and for victims to receive the help and support they need. The aim is also to increase the efficiency of criminal liability and to evaluate the functioning of current legislation (Oikeusministeriö, 2021). It was brought up in my expert interviews that the victim's faith in the police diminishes gravely at the latest when an investigation too long of a time. In the light of my research, it would be greatly beneficial if the efficiency in investigating trafficking crimes would be enhanced with the action plan.



## 8.1. Recommendations

Based on this study, I suggest that in the case of female victims of trafficking for sexual exploitation, the position of passive victimhood is so predominant that a blind eye is turned to the active role that these women may have taken. Trafficker's coercion transcends into every area of a victim's life and being exposed to excessive violence, female victims of trafficking for sexual exploitation have a high risk of resorting to violent behaviour themselves. Hence, I propose that more attention should be focused on identifying female victims of trafficking for the exploitation of criminality within the context of trafficking for sexual exploitation in Finland. Being perpetrators themselves – whether because of coercion or not – does not diminish these women's needs to overcome the trauma they have faced as victims. I argue that because these women were themselves exploited as victims of trafficking for sexual exploitation, their offending behaviour ought to be understood first and foremost within the context of their victimization.

I would suggest that more efforts should be put in place to assist the victims and victim-perpetrators of sex trafficking to assist themselves as a way to regain lost agency and empowerment. Promising approaches for this would be to ensure the possibilities of education and employment to trafficking survivors. The final of the sequential trajectory for the construction of victim-based identity was that identified victims can acquire benefits, rights and compensations through the political process (Jacoby, 2015). My research suggests that in Finland, many identified trafficking victims are left compensation-less due to the tax debts of the traffickers. This finding accounts for worry also in the cases of victim-perpetrators since the literature on wrongful imprisonment has shown that the lack of compensation makes it difficult for victims to move on (Tan, 2011, p. 188). It has been hypothesized that legal standards ought to be expanded to better recognize trafficking for the exploitation of criminality within the context of trafficking for sexual exploitation (UNODC, 2020, p. 109–111). Additionally, it has been proposed that guidance for courts and prosecution services should be developed on the typical roles of victim-perpetrators in the context of sex trafficking (2020, p. 109–111). My research has shown that preventing re-victimization is one of the biggest issues Finland needs to tackle to truly help victim-perpetrators of sex trafficking. Since the most dangerous fate for

victims is to be caught in a terminal cycle of victimhood, I argue that post-release support for female victim-perpetrators should be strengthened to recognize the injustices they have suffered and are likely to suffer again. Additionally, specialized social services should be enhanced to support the inherent agency of these victimized women to positively rebuild their lives.

## 8.2. Suggestions for Further Research

I hope that my research will serve as a base for future studies on the victim-perpetrator overlap in trafficking for sexual exploitation in Finland. As this thesis was directed towards examining expert knowledge on the subject, future studies could take more of a hand-on-approach to the identification, persecution, sentencing and assisting of these extremely vulnerable persons. To better understand the implications of my results, data would be required on the expert procedures on determining, which one is stronger, the status of a victim or a perpetrator since this is a major consideration that authorities working with victim-perpetrators have to make at different stages of the criminal proceedings. My findings indicate that estimations done already during the preliminary investigation phase can influence the sentencing of the victim-defendants in further juridical states of prosecution, and hence more research would be needed on the estimation practices of different authorities.

Additionally, future studies could address the issue of trafficking victims belonging to sexual- and gender minorities in Finland, since it was a phenomenon that arose in some of the interviews conducted for this study. My data suggests that LGTBQ+ individuals may be subjected to exploitation in the field of trafficking for sexual exploitation in Finland and that they currently lack the recognition and special assistance they would require. The issue in its complexity was too large to be included in this thesis but this research, although limited, has raised questions in need of further investigation regarding the special needs of LGTBQ+ trafficking victims in the identification, assistance and revictimization prevention states in Finland.

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# APPENDICES

## APPENDIX 1

Interviews (dates and times)

Interview 1

Date and time: 25.1.2021 15.20–16.00

Place of the interview: Zoom

Interviewer: Anniina Korpela

Interviewee: Detective Sergeant Kenneth Eriksson

Audio length: 33 min.

Interview 2

Date and time: 27.1.2021 12.00–13.00

Place of the interview: Zoom

Interviewer: Anniina Korpela

Interviewee: Prison Director Kaisa Tammi-Moilanen

Audio length: 56 min.

Interview 3

Date and time: 9.2.2021 13.00–13.50

Place of the interview: Zoom

Interviewer: Anniina Korpela

Interviewee: Senior adviser of The Assistance System for Victims of Human Trafficking Terhi Tafari

Audio length: 50 min