

Sex Trafficking and Safe Harbors

LEGAL DEFINITIONS OF SEX TRAFFICKING



INTERNATIONAL LAW

PALERMO PROTOCOL

Article 3 (a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability 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;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;

d) "Child" shall mean any person under eighteen years of age.

ACTION

Recruited, transported, transferred, harbored, or received

MEANS

Over 18: Threat or use of force, coercion, abduction, fraud, deception, abuse of power, or giving or receiving of payments or benefits.

Under 18: (just that it happened = by any means)

PURPOSE

Exploitation of the prostitution of others or other forms of sexual exploitation



FEDERAL LAW

FEDERAL TRAFFICKING VICTIMS PROTECTION ACT

"The recruitment, harboring, transportation, provision, or obtaining of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age." - 22 USC § 7102(10); 8 CFR § 214.11(a)

ACTION

Recruited, harbored, transported, provided, or obtained

MEANS

Over 18: Force, Fraud, or Coercion

Under 18: (just that it happened = by any means)

PURPOSE

Commercial sex act



MINNESOTA LAW

MINNESOTA SEX TRAFFICKING LAW

Receiving, recruiting, enticing, harboring, providing, or obtaining by any means an individual to aid in the prostitution of the individual or receiving profit or anything of value, knowing or having reason to know it is derived from sex trafficking. - Minn.Stat. § 609.321, subd. 7a

ACTION

Received, recruited, enticed, harbored, provided, or obtained

MEANS

BY ANY MEANS (Regardless of victim's age)

PURPOSE

To aid in the prostitution of the individual