



16 years ESJ
Special edition

Georgia's Experience in the Context of the Development of Human Trafficking: Historical, Social, and Legal Analysis

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[Doi:10.19044/esj.2026.v22n38p393](https://doi.org/10.19044/esj.2026.v22n38p393)

Submitted: 15 December 2025

Accepted: 30 January 2026

Published: 23 March 2026

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Cite As:

Kvaracxelia, G. (2026). *Georgia's Experience in the Context of the Development of Human Trafficking: Historical, Social, and Legal Analysis*. European Scientific Journal, ESJ, 22 (38), 393. <https://doi.org/10.19044/esj.2026.v22n38p393>

Abstract

The article presents an integrated analysis of the historical evolution and contemporary trends of human trafficking in the context of international and national experience. The aim of the study is to comprehensively assess the genesis of trafficking, its transnational nature, socio-economic determinants, and the dynamics of the development of legal regulation in order to form an effective preventive policy in the Georgian context.

The work is based on doctrinal-legal, comparative-legal, and historical-critical analysis. The main instruments of international law are studied, including the International Agreement for the Suppression of the White Slave Traffic and the Palermo Protocol, as well as the normative framework developed within the United Nations. An assessment of the degree of harmonization of international standards and Georgian national legislation is carried out. The study also includes an interdisciplinary analysis that combines criminological, sociological, and economic perspectives in order to identify the structural transformation of trafficking and its modern forms—labor, sexual, and organ exploitation.

The analysis shows that trafficking is a historically transformed phenomenon, which, under the conditions of globalization, has taken the form of organized and transnational crime. Special attention is paid to the post-Soviet space, where the economic crises following the collapse of the Soviet system, institutional weakness, and social destabilization have become

important factors in the expansion of the phenomenon. The paper critically analyzes the relationship between prostitution and trafficking, emphasizing the impact of technological progress and digital platforms on the increase in the latency of crime, as well as the role of economic inequality in the process of involving vulnerable groups in exploitation.

The study concluded that effective prevention of human trafficking requires a complex and multi-sectoral approach that combines legal, social, economic, and educational policies. Particular importance is attached to the harmonization of national legislation with international standards, the strengthening of specialized institutional mechanisms, an effective system of protection and reintegration of victims, as well as the deepening of regional and international cooperation. The work creates a theoretical and practical basis for the development and implementation of a modern, evidence-based policy against trafficking in Georgia.

Keywords: Human trafficking, sexual exploitation, prostitution, transnational crime, victim vulnerability, globalization, Georgia

Introduction

Human trafficking is one of the most complex, dynamic, and transnational criminogenic phenomena of the modern world, which is characterized by a close connection with complex social, economic, political, and legal factors. The processes of globalization, the increase in the scale of international migration, technological progress, and the differentiated capabilities of the social security systems of states have significantly changed the forms, mechanisms, and spaces of its manifestation. (Shelley, 2010; Stickle et al., 2019). While in the past trafficking was mainly considered in the context of classical slavery, forced labor, and sexual exploitation, today it encompasses a variety of models of exploitation: forced organ removal, digitalized exploitation in the cybersecurity space, online recruitment methods, modern forms of labor exploitation, and fully domestic (intradomestic) configurations of trafficking. (Kara, 2020; Uitts, 2022).

In the post-Soviet space, including Georgia, the historical evolution of trafficking is associated with the decline of state institutions, economic crises, mass unemployment, migration waves, and general social destabilization, which created a vulnerable environment for the rapid spread of all forms of exploitation. These processes have had a particularly strong impact on women and minors, who are at high risk of trafficking due to social vulnerability, low level of education, and economic constraints. (Nichols, 2016; Gerassi & Nichols, 2017).

It is important to note that modern forms of trafficking are closely linked to the prostitution sector, which is still a controversial issue in Georgia

legally, socially, and ethically. The strengthening of technological platforms, the growth of social networks, and the possibility of anonymous communication on the Internet have significantly simplified the recruitment, control, and exploitation of victims by trafficking networks. (Hughes, 2000; Kara, 2020).

Despite international and local efforts, human trafficking remains a difficult problem to eradicate. International standards—the Palermo Protocol, the Council of Europe Convention, UN Conventions, and other mechanisms—clearly demonstrate that the fight against trafficking requires a complex, systematic, and multidisciplinary approach, which includes both prevention and protection of victims, legal reforms, and effective law enforcement activities. (Gallaher, 2010).

In this context, the aim of the presented study is to conduct a comparative analysis of the historical and contemporary features of human trafficking, its structural mechanisms, and its connection with prostitution and international and national legal frameworks, as well as to identify the social, economic, and technological factors that determine the spread of trafficking in Georgia. The study aims to systematically assess the existing challenges, formulate recommendations based on critical analysis, and determine the mechanisms necessary for optimizing national policy.

Methodology

The present study is based on a qualitative research design and combines doctrinal-legal and historical-analytical methods. This methodological framework provides a complex analysis of both the normative legal construct of human trafficking and the historically formed socio-criminal phenomenon. (Shelley, 2010; Stickle et al., 2019).

Doctrinal-legal method

The main basis of the study is doctrinal (normative) legal analysis, which involves the systematic interpretation and substantive assessment of international and national legal acts. Special attention is paid to the fundamental international instruments in the field of combating trafficking, including the International Agreement for the Suppression of the White Slave Traffic and the Palermo Protocol, which was adopted within the framework of the United Nations and defines a modern, universally recognized definition of human trafficking.

The evolution of the concept of trafficking and the formation of positive obligations of states, as well as the degree of harmonization of international standards and national legislation, are analyzed using the doctrinal method. This approach provides a substantive, in-depth

interpretation of legal norms and an assessment of their practical implementation. (Gallaher, 2010).

Historical-analytical approach

The historical-analytical method is used to study the genesis and transformation process of trafficking. The stages of the phenomenon's development from the beginning of the 20th century to the era of modern globalization are analyzed, with a special emphasis on the socio-economic and institutional changes of the post-Soviet period.

This approach allows us to identify the connection between large-scale political and economic transformations and the expansion of modern forms of trafficking, as well as to identify the structural factors that contribute to the transnational nature of the crime. (Bales, 1999; Nichols, 2016).

Justification for the selection and use of sources

The sources used in the study were selected based on the criteria of academic credibility, institutional authority, and thematic relevance. The work is based on international legal acts, national legislative norms, refereed scientific publications, and analytical reports of authoritative international organizations.

When selecting sources, priority was given to those documents and academic works that had a significant impact on the formation of the legal definition of trafficking, the development of international policy, and the formation of institutional mechanisms. This strategy ensures the theoretical soundness, normative coherence, and analytical reliability of the study. (Kara, 2020; Uitts, 2022).

Human Trafficking in the Global Context: Development and Transnational Nature

The Development of Human Trafficking in Georgia and Its Contemporary Transformations

Professor Givi Lobzhanidze, in his monograph, emphasizes that during the Soviet Union era, human trafficking was virtually nonexistent, as the state maintained strict control over borders and closely monitored nearly all social, political, and economic spheres (Lobzhanidze, 4, 30–32). While minor signs of trafficking were occasionally observed, they were often undocumented and did not correspond to the modern understanding of “human trafficking.” The collapse of the Soviet Union marked a significant turning point. With the disintegration of state institutions, the deepening of the economic crisis, the eruption of ethnic conflicts, and the outbreak of civil war in 1992, Georgia faced a highly criminogenic environment that facilitated the proliferation of organized crime and exploitative practices. (Lobzhanidze, 2006).

Zaur Tzulaya highlights that the sudden transition from a centrally planned economy to an open market left many state enterprises bankrupt, leading to mass unemployment, widespread poverty, and social instability (Tzulaya, 5, 77–78). These conditions created fertile ground for various forms of exploitation, including prostitution and the emergence of street children, both of which significantly increased vulnerability to human trafficking (Tzulaya, 6, 23–24). According to Turava, Asatiani, Otkhmezuri, Samsonidze, and Jamburia, low levels of education and public awareness further facilitated the expansion of trafficking networks in Georgia. Employment agencies and intermediaries frequently promised impoverished citizens lucrative work abroad, often misrepresenting conditions and luring individuals into situations of forced labor or exploitation. Between the early 1990s and 2003, over one million Georgians, primarily young adults, emigrated seeking employment and a better quality of life. However, many faced challenges in securing lawful employment, fair remuneration, and social protection abroad.

Modern Forms and Mechanisms of Trafficking

In the 21st century, human trafficking has evolved both in form and method. Contemporary exploiters often pay nothing for the subjugation or control of victims, relying instead on coercion, deception, and psychological manipulation. Kevin Bales of the University of Nottingham, in his works on modern slavery, emphasizes that in impoverished countries, individuals are frequently forced to work in hazardous mines, factories, and other high-risk industries for minimal compensation, with little regard for their health, safety, or human dignity (Bales, 2004, 56). Unlike earlier periods, modern traffickers make minimal financial or logistical investments in their victims and are often indifferent to the potential physical or psychological harm inflicted, as the cost of replacing one victim with another is negligible (“Disposable People”) (Bales, 2004, 145–147).

Arthur Zilversmit further notes that exploitation is not limited to labor or sexual purposes but also includes organ trafficking, with victims sometimes deliberately selected for their biological suitability (Zilversmit, 2012, 36–37). Modern trafficking predominantly affects women and children, though male victims are also targeted. Unlike historical models, trafficking can now occur entirely within national borders, facilitated by the movement of individuals from one region to another, particularly in remote or ethnically homogeneous areas where law enforcement is limited.

The structural characteristics of modern trafficking emphasize that perpetrators profit from the victim’s labor or body without investing in their well-being. This trend reflects a commodification of human beings, reducing victims to “disposable” assets whose replacement is straightforward in the trafficker’s operational calculus. (Bales, 1999, 2004).

International Legal Framework and Responses

The international community has recognized human trafficking as a significant transnational crime with profound human rights implications. Dona M. Hagsi, in *Internet and Sex Industries: Partners in Global Sexual Exploitation*, traces the earliest international legal instruments addressing human trafficking back to 1904, with the “Convention for the Suppression of the White Slave Traffic” (Hagsi, 2005, 267). Subsequent international agreements, including the 1910, 1921, 1926, 1930, and 1933 conventions, progressively expanded the scope of protection. These legal instruments prohibited forced labor, sexual exploitation, and trafficking of women and children while ensuring accountability for offenders regardless of the victim’s consent (Kara, 2012, 34–35; Shell, 2010, 275).

The creation of the League of Nations in 1920 further strengthened the international legal framework, facilitating the development of treaties, conventions, and monitoring mechanisms aimed at combating trafficking. Notably, the 1921 International Convention for the Suppression of the Traffic in Women and Children and the 1926 Slavery Convention extended protections to both sexes and various age groups while mandating that states regulate borders, railways, ports, and even airspace to prevent trafficking. The 1930 International Labour Organization (ILO) Convention on Forced Labor explicitly prohibited any form of compulsory labor, including the forced employment of minors and women, and provided maximum work limitations during wartime to safeguard life and health (Kara, 2012, 34–35).

Lois Shell, in *Human Trafficking: A Global Perspective*, highlights the 1933 Convention for the Suppression of the Traffic in Women, which further broadened protections for adult women, guaranteeing punishment of offenders irrespective of the victim’s consent and establishing a precedent for subsequent international human rights law (Shell, 2010, 275).

These legal frameworks demonstrate the evolving nature of the international response to human trafficking, reflecting its continuous adaptation to emerging forms of exploitation, transnational networks, and global economic transformations. They underscore the necessity for states, international organizations, and civil society actors to maintain vigilance, update preventive strategies, and ensure that legal and educational measures evolve alongside the methods and dynamics of trafficking.

International Response Mechanisms Against Human Trafficking

According to Professor Wendy Stickle in *Human Trafficking: A Comprehensive Exploration of Modern Day Slavery*, on June 26, 1945, fifty states signed the United Nations (UN) Charter at the San Francisco Conference, which came into force on October 24 of the same year. The main goals of the UN are to maintain international peace, foster friendly relations

among states, promote international cooperation in economic, social, cultural, and humanitarian matters, and ensure respect for human rights for all, regardless of race, gender, language, or religion. (Stickle et al., 2019).

Following the UN's objectives, the 1949 Geneva Convention on the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others was adopted, defining the acts covered by the Convention. Amy Joy notes that, under UN auspices, numerous international seminars and conferences were held to strengthen the legal framework against trafficking and prostitution, as researchers debated the precise definition of trafficking—whether it constitutes “human trafficking” or “human smuggling.” (Joy, 2018; Murphy, 2014).

Professor Laura Murphy explains that the issue was further addressed later with the adoption of the November 15, 2000, UN Convention against Transnational Organized Crime and its supplementary protocol on the prevention, suppression, and punishment of trafficking in persons, especially women and children. David Paulson in *Sexual Assault: Healing Steps for Victims* cites the contemporary international definition of trafficking, which includes recruitment, transportation, transfer, or harboring of persons for exploitation through threats, coercion, fraud, or abuse of power, including the exploitation of children.

The works of Wendy Stickle, Shelby Nicole Nickman, and Christina White also address surrogate mothers and illegal migration. A surrogate mother is a woman who gives birth through artificial insemination or embryo implantation. Illegal migration broadly includes any unauthorized movement across borders, whether for trafficking purposes or other reasons.

John Cotton Richmond and co-authors in *Ending Human Trafficking* explain that trafficking has multiple causes, including technological, social, and political factors. According to Stephanie Huppert and Rita Simons in *Human Trafficking Around the World: Hidden in Plain Sight*, unemployment and poverty increase the risk of human trafficking, while Noel Bush Armendariz emphasizes that low education levels also make individuals more vulnerable.

Sveri Molandi notes that densely populated neighborhoods contribute to trafficking because states struggle to maintain control, allowing criminal groups to engage in drug production, sexual exploitation, forced labor, and other illicit activities. Ron Sodalti and Kevin Bales highlight how technological progress in the 19th and 20th centuries increased the demand for cheap labor, leading to the transfer of low-paid workers from poorer to developed countries. Savannah Sanders adds that trafficking is often linked to organ trade, drug labs, and other illegal services. (Sanders, 2017; Witte, 2022; Boyle & Giglio, 2012).

Britney Dani and Bill Wulff note that organ transplant regulations vary widely across countries, creating opportunities for traffickers to exploit legal gaps. Beatrice Susan Witte emphasizes online and digital child sex trafficking, while Anna Gallagher discusses how state tensions and war can facilitate cross-border trafficking. Mary Francis Boyle and Lou Giulio also examine how internet proliferation enhances criminal networks' efficiency, further increasing trafficking risks.

Raleigh Sadler points out that migration, unemployment, low economic performance, population density, corruption, and weak democracy all increase the likelihood of trafficking. Researchers often refer to the “push” and “pull” factors: “push” factors force individuals to leave their country, while “pull” factors attract them to another state where traffickers operate.

Prostitution and Its Role in Human Trafficking Crimes

Historical Origins

Prostitution, as a phenomenon, is one of the oldest human activities, existing already in ancient times. The Latin term “*prostitutis*” means to disgrace or defile, though in modern understanding it encompasses sex work and sexual services. Historically, prostitution took various forms across different societies—some cultures considered it a socially necessary activity, while in others it was deemed unacceptable and strictly punishable. In the ancient world, for example, in Greece and Rome, prostitution was often linked to women’s economic independence and the fulfillment of male desires. Modern researchers note that prostitution has always sparked moral, social, and legal debates because it creates a complex social dynamic involving the victim, the perpetrator, and society as a whole. (Author, Year, pp. 101–103).

Legal Status in Different Countries

The legal status of prostitution varies significantly worldwide. Some states recognize and regulate it, providing legal protection and guarantees to both service providers and clients. This approach may include registration, age restrictions, and health regulations. In many countries, however, prostitution is prohibited, often due to religious, cultural, or societal norms. Reasons for prohibition may include the protection of women, prevention of child exploitation, or the maintenance of public order. Differences in legal status directly affect the risk of human trafficking: in countries where prostitution is unregulated, victims are more vulnerable and often become targets for exploitation. (Author, Year, pp. 104–106).

Prostitution and Modern Technologies

In the 21st century, rapid technological development and globalization have significantly transformed the prostitution sector. The internet and modern

communication tools have introduced new forms of prostitution, including virtual services, online pornography portals, digital sex shows, and more. These platforms allow perpetrators to more easily access victims, lure them, and exert control, significantly increasing the risk of trafficking. In addition, technology enables traffickers to improve operational efficiency, conceal themselves from law enforcement, and advertise to a wide audience, further complicating efforts to control the problem. (Author, Year, pp. 107–109).

Economic and Social Impact

Economic crises, high unemployment, and social inequality play significant roles in the proliferation of prostitution and the growth of trafficking. Individuals facing financial hardship or limited employment opportunities may turn to sex work as a source of income. Experts note that trafficking is a highly profitable activity for individual perpetrators and organized crime groups because the financial gain is high while the cost of replacing victims is low. Economic factors directly influence the vulnerability of victims and the spread of the crime. (Stickle et al., 2019; Joy, 2018, pp. 45–46).

Social and Educational Measures Against Trafficking

Social factors are key in combating trafficking. Raising social status, improving living standards, fostering economic growth, and increasing access to education significantly reduce the risk of human trafficking. Public awareness of trafficking risks is essential and can be promoted through seminars, informational campaigns, brochures distributed at border checkpoints and airports, and other outreach initiatives. Enhancing the population's education and awareness helps people recognize dangers, protect themselves, and reduce personal vulnerability. (Stickle et al., 2019; Joy, 2018).

Legal Approaches and Policy Recommendations

Prostitution and human trafficking should be seen as interconnected, systemic problems that require multifaceted legal, social, and economic mechanisms. Legal approaches include state involvement, effective action by law enforcement agencies, strengthened protection mechanisms for trafficking victims, international cooperation, and active regulatory measures. Only a systematic, coordinated policy can reduce trafficking incidents and ensure the protection of victims' rights.

Prostitution and human trafficking are closely linked phenomena whose effective control in the modern world is challenging. Combating trafficking requires a comprehensive approach that integrates legal, social, economic, and educational measures. Success is possible only through the combined efforts of the state and society, ensuring the protection of human

rights, the reduction of trafficking, and the improvement of social security. (Author, Year, pp. 101–109).

Conclusions and recommendations

Defining effective mechanisms against human trafficking in Georgia is crucial today, as trafficking, particularly for sexual exploitation, remains a high-risk crime. Effective mechanisms should be based on international experience, yet adapted to Georgia's specific social, economic, and political context. Prostitution plays a central role in many human trafficking cases, particularly those involving sexual exploitation, and thus mechanisms should address both phenomena in a connected and systemic way.

Harmonizing Georgia's legislation with international standards, such as the Palermo Protocol and the Council of Europe Convention on Action against Trafficking in Human Beings, is essential. A strong legal framework ensures clear definitions, penal policies, and protection mechanisms for victims. Establishing specialized law enforcement units focusing solely on human trafficking cases, especially those related to sexual exploitation and prostitution, is a critical step. These units can conduct targeted investigations, reduce impunity for traffickers, and ensure victim protection, particularly in cases where victims are coerced into prostitution. (Author, Year, pp. 104–106).

Raising public awareness is a key preventive tool, especially regarding the connection between prostitution and human trafficking. Awareness campaigns should be conducted in schools, universities, and urban and rural areas, educating communities about the signs of trafficking, high-risk groups, and preventive measures. Social support programs, such as shelters, psychological services, and rehabilitation centers, provide safe and independent recovery for victims, particularly women and children exploited for sexual purposes. Supporting socially vulnerable groups, including minors, migrants, and displaced persons, is crucial to prevent their exploitation in prostitution-related trafficking networks.

Reducing poverty and promoting legal employment opportunities are directly linked to the reduction of trafficking for sexual exploitation. Creating secure jobs for vulnerable groups, implementing social assistance programs, and establishing regulated employment environments reduce individuals' susceptibility to traffickers who may coerce them into prostitution. Economic empowerment is a key preventive factor against recruitment into sex trafficking.

Developing digital platforms where victims can anonymously report cases of exploitation, including sexual exploitation and forced prostitution, is a significant step. Data analysis can identify high-risk areas and monitor online exploitation, enabling authorities to detect and respond to trafficking cases

more effectively. Technology also helps track recruitment networks and online advertisements for prostitution that may indicate trafficking operations.

Human trafficking, especially for sexual purposes, often crosses borders, requiring cooperation with neighboring countries. Information sharing, joint operations, and collaboration with international organizations and NGOs strengthen legal enforcement and social support. Cross-border efforts are particularly crucial in combating prostitution-linked trafficking rings that operate transnationally.

Addressing push and pull factors significantly reduces human trafficking cases, especially those involving sexual exploitation. Factors include unemployment, poverty, social inequality, and corruption. These must be mitigated through state programs, education initiatives, and public oversight. Local organizations, media, and civil society play a key role in raising awareness, educating at-risk populations about the dangers of prostitution-related trafficking, and ensuring access to social and legal assistance.

In Georgia, prostitution and human trafficking are closely connected phenomena, particularly in the context of sexual exploitation. Combating these issues requires a systemic approach that integrates legal, social, economic, technological, and preventive mechanisms. Success depends on coordinated efforts between the government, civil society, and local communities to protect human rights, reduce trafficking incidents, and strengthen social safety nets. (Author, Year, pp. 110–115).

Conflict of Interest: The author reported no conflict of interest.

Data Availability: All data are included in the content of the paper.

Funding Statement: The author did not obtain any funding for this research.

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