Reviewer's report

Title: The Trafficking of Women and Girls in Taiwan: Characteristics of Victims, Perpetrators, and Forms of Exploitation

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Reviewer: Nicola Pocock

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The trafficking of women in Taiwan: Characteristics of victims, perpetrators, and forms of exploitation

Reviewer comments to author:

An interesting read providing a criminal justice perspective on trafficking of women in Taiwan for readers of BMC Women's Health. Working on health needs of male trafficked persons, I appreciate research beyond my field from criminal justice, political science, economics to provide a different perspective. This article offers a mainly descriptive account of prosecuted cases of female victims in Taiwan, for which there is no previous work according to the author. There are several issues that need addressing before the article should be published, primarily –

Major points

*Please take care to state clearly when you are reporting results/in abstract that data are based solely on prosecuted cases of female HT victims under the HTPA. There are several instances where findings are overstated, e.g. "No evidence shows that…" when you are referring to your study only. Perhaps state "My findings/these legal case data show that XXX".

*Fundamental problem with the data is that very few HT cases in most countries (unless Taiwan is different in this respect) will make it to court. Therefore the sample provides a limited view of (potential) trafficking cases in Taiwan. This limitation should be more forcefully stated in the Limitations section. It is good that the author does not infer overall trafficking prevalence from these legal data, but again (point 1) it should be very clear that the data refer to prosecuted cases of females only under a specific definition (HTPA cases).

*Citations are needed for statements suggesting inherent female vulnerability to trafficking. Or these statements should be omitted. Increasing evidence shows that many assumptions made about trafficking, e.g. that females are more vulnerable to trafficking than males, may not hold.
You might be able to say females are more vulnerable to sex trafficking specifically compared to males, but please back this up with references.

*Male victims should be excluded from the data/analysis, as female victims were the focus of your study. It is not clear why they remain in Table 1. Unless these male victims feature in same cases as female victims in some instances? Please clarify in methods/results.

Language/terms

*Terms. There is contentious debate in the trafficking field about use of the word "prostitution" compared to "sex work" which I will not go into here. Also problematic conflation of sex work with sex trafficking.

1. Suggest to use the more neutral term "sex work/sex worker" throughout rather than prostitution/prostitute.

2. Sexual exploitation/violence (not sex exploitation/violence), sex trafficking is fine.

*Language. Please do not use "It" at start of a sentence, unclear what you are referring to in several instances. Re-state the person/group (e.g. US Department of State called for…) Similarly, do not use "He/She" and re-state the name (e.g. p.6, line 49 Lu argues that..)

Abstract:

p.2, line 18 - rephrase "and categorise reported and prosecuted human trafficking cases involving female victims according to Taiwan's Human Trafficking Prevention Act."

p.2, line 30 - rephrase to "Results: This study of prosecuted cases among female trafficking victims identifies six….."

p.2, line 39 - rephrase to "labour exploitation seems to be an exclusive phenomenon among female migrant workers in our data."
Background:

p.3, line 7-10 - trafficking of women may not be more prevalent than among men, references are outdated. Especially as legal definitions in many countries are expanding beyond women/children to include men, e.g. Thailand 1997 trafficking law for women and children, revised to include men in 2008. Consequently, increasing numbers of men are being identified (although change has been slow), usually labour trafficked. Rephrase to something like - "While trafficking of women may have been considered as more prevalent than that of men in the past, evolving legal definitions (refs) including men means that more are being identified, primarily as labour trafficked persons (refs). Women are more vulnerable to sex trafficking (refs)." Main point is - sex trafficking was the "thing" during 1980's, since then there is increased awareness of labour trafficking, e.g. fishing trafficking is the latest problematic sector to be identified. But in future other sectors will be revealed as trafficking prone, and donor attention, research, legal cases etc. will be concentrated there. We can't make simple statements about which forms of trafficking in which sector are more prevalent because we don't actually know and this shifts over time.

References for male trafficking: Rebecca Surtees (Nexus Institute) - several articles, see "Trafficked Men as Unwilling Victims"

Sallie Yea - trafficked fishermen and construction workers in Singapore

Also - Made in Taiwan: Government Failure and Illegal, Abusive and Criminal Fisheries (Greenpeace report), trafficked fishermen in Taiwan

p.3, line 11 - are sexism and class prejudice features of Confucianism? Reference needed.

Are women more vulnerable to crimes (sexual)? Please give references.

p.3, line 22 - adopted daughters from where, domestic or international? 1 line of context will be helpful.

p.3, line 22 - prostitutes replace with sex worker, please see above

p.3, line 37 - "present day".
p.3, line 39 - did TIP report call for a HTPA to be passed in Taiwan, or did the TIP report prompt the Taiwanese government to pass the HTPA? Please clarify.

p.4, line 3 - rephrase "market for migrant workers" as "raised demand for migrant workers" or something similar (omit market)

p.4, line 5 - domestic work or service (not servitude)

p.4, line 8 - "total number of migrant workers had reached XXXX, including.." (when you use "increased to" need to specify comparison to the past)

p.4, line 17 - account of individual countries in this area is rare - by "account", are you referring to prevalence estimates by country? Or country specific reports on trafficking generally? Or legal accounts of trafficking by country? Prevalence estimates are very difficult/contentious although some attempts (e.g. GSI you cite) try to do this. Country specific reports are available usually on specific types of trafficking (e.g. Greenpeace report on fishing trafficking in Taiwan). I do not know about legal accounts. Please clarify what limited information you mean further on in next sentence - limited legal case information?

Line 27 - often provide mixed Taiwan cases - what do you mean?

p.6, line 34 - rephrase "which is considered differently from mail-order…" You then go on to contradict this sentence in the next sentence about Australia, where commercial marriages/mail-order brides are sometimes found as means to exploit or traffick women. Which is it?

p.6, line 49 - "active actors" - change to "act with agency and are not faceless commodities"

p.7, line 22 - change to "and thus their vulnerability to slavery"

p.7, line 34 - change to "turning into debt bondage"

p.8, line 15 - change to "registered to the Netherlands in 2004 were men" (get rid of bracket)

p.8, line 39 - change to "migrant workers are at risk of HT…”
p.8, line 44 - delete "the"

p.8, line 46 - "institutional victimization" - please clarify what you mean (1 sentence)

p.8, line 49 - change to "migrant workers who become HT victims"

p.8, line 59 - references needed at end of sentence "lack of job experience". In this section you cite a Netherlands example, but are there any studies from East/Southeast Asia you can cite?

p.9, line 32 - rephrase "voluntary victims" to "victims who initially consented to the work"

p.9, line 37 - replace "they" with "When these victims do report the crime…"

p.9, line 44 - questioning whether "vulnerable situation" is a means…

line 49 - only 1/5 women can be identified as HT victims - according to Hong Kong's legal definition, or another definition? Please clarify.

Line 56 - "treated as criminals by the criminal justice system" - in contexts where sex is illegal? Perhaps state this at end of sentence if this is what you mean.

-rephrase to avoid double negative to - "Victims often choose to remain in the country they've been trafficked to for sex work"

p.10, line 5 - "knowing that their choices are limited" needs reference(s)

Methods:

p.11, line 1 - comparative perspective to what? I think you mean comparative among different cases of female victims in Taiwan. Please clarify.
p.11, line 12-17 - these 2 conditions should be specified in the abstract for clarity, e.g. "Using court proceedings of prosecuted trafficking cases under Taiwan's HTPA of female victims from all 21 districts in Taiwan from 2009-2012…"

Data analysis section - please specify in 1st paragraph that you created a quantitative dataset (unclear currently).

Results:

p.12, line 59 - Male victims should be excluded from the data/analysis, as female victims were the focus of your study. It is confusing/not clear why they remain in Table 1.

p.13, line 12 - "Labour exploitation only happens to female immigrants" rephrase to something like "In these court cases labour exploitation only occurred among female immigrants.."

line 27 - change to "Perpetrators of sex trafficking among females in Taiwan comprised mainly domestic males…"

line 32 - only 35.6% of offenders were found guilty.

p.14, line 22 - "Case 5 shows an example of where employers (word missing?) female migrant workers"

Discussion:

p.17, line 56 - preface with "Prosecuted cases of HT among female victims under the HTPA in Taiwan are dominated by sexual exploitation, which aligns with previous literature" (please insert references).

p.18, line 1 - change to "among migrant workers in this study, sexual exploitation included both..."
line 27 - I think you mean to say "More sexual exploitation….. is reported to (who? Authorities? Please specify) in Taiwan, subsequently sex trafficking is more often prosecuted that labour trafficking. This is because…"

line 36 - do you mean "might put more effort into investigating potential cases of sex trafficking rather than labour trafficking since the chances…"?

line 39 - change to "in this study, sexual exploitation…" (Omit it found)

line 41 - "It might be a special form" - does "it" refer to sex trafficking? Please use the words/remove It.

p.19, line 37 - "Therefore there is no need to include multiple actors in the HT process" - you mean traffickers? Please state.

Line 59 - please specify "… cases show that cross-border trafficking of females in Taiwan…"

p.20, line 1 - change to "These legal case data shows that Taiwanese…"

line 12 - specify "among females" at end of sentence.

Line 12 - 17 - "Nevertheless, the court decisions indicate that foreign victims and minor victims are more likely to be viewed as "real" victims of HT (21)." You are referring to court decisions in your study, are these reference 21’s findings? If your study, you don't show the breakdown by type of victim (nationality, exploitation type) in Table 1, which may be useful if you're making this inference. Or if this is inferred in the case study text - "Nevertheless, as the legal case descriptions in this study show, the court decisions…"

Line 27 - change to "they are thus reluctant to disclose their experiences law enforcement. In other research, native adults were considered…. victimized, e.g. Cottingham et al describe "willing participants…."

p.21, line 7-8 - change to "My study is in line with the TIP 2016 report suggestion that foreign…"

line 32 - the potential for exploitation increases - please insert reference(s)
this section continues with some repetition of gender, women and girls as being more vulnerable to trafficking statements from the background. Please shorten or omit.

Line 54 - feminization of migration - please insert reference(s)

p.22, line 15 - Women are more likely to become victims of HT because of their disadvantages in the local employment market - Please be cautious making blanket statements like this. You need to explain what the disadvantages in the local employment market are, ideally with 1-2 references. As mentioned, there is emerging empirical work challenging these assumptions including gender vulnerability - please see:

"Gender, Masculinity, and Safety in the Changing Lao-Thai Migration Landscape" - 2014 article by Roy Huijsmans for an idea of why inherent female vulnerability assumption is problematic.

Limitations - please also specify that not all trafficking like cases may have been prosecuted under the HTPA (e.g. n=40 cases you excluded).

p.22, line 47 - This study (instead of "It")

line 55-59 - "It (replace with this study) shows that the risk of trafficking, particularly sex trafficking (? Not exploitation), is a constant threat to young females in Taiwan." - please omit this overstatement.

p.23, line 1 - "reported among migrant workers in this sample"

- "which indicates that their vulnerability might be a consequence of institutional exploitation, namely XXXX" - please clarify what you mean by institutional exploitation

line 5 - through a comparative lens - You did not conduct a gender analysis comparing male and female cases, therefore your study does not echo Ruchti's findings on gender inequality creating vulnerability. Please omit this sentence, or make reference to Ruchti only.

Line 34 - avoid victimization by the system - what system? Please specify.
"their victimization has more to do with the risks in routine activities" - what does this mean? Please clarify.

Line 42-46 - "The status of non-citizenship or being underage will keep them from serious systematic attention" - how? Because it is difficult to investigate migrant worker or underage cases? Please specify.

"causing the social evil to be hidden behind the scenes" - please rephrase, e.g. "causing trafficking to remain underground"

line 51-54 - please delete sentence "These social issues in Taiwan…” - gender inequality is mentioned throughout (repetition), and why raise labour allocation within the family in the conclusion? (this has not been mentioned before in the paper and seems out of place here).

Figure - helpful if you can put headings above each set of boxes, e.g. "Nationality" above foreign/native, "Initial documentation status" above legal/illegal immigrant, "Subsequent documentation status" above documented, undocumented…

*Comment on controls - it would have been interesting to see what cases were prosecuted as "human trafficking" but which did not use the HTPA (n=40 cases) which were excluded in the analysis. In what situations did prosecutors decide to use the HTPA? Do these cases differ fundamentally in their characteristics compared to HTPA cases? I don't think its necessary to include the controls in your analysis, this is just an observation.

Are the methods appropriate and well described? 
If not, please specify what is required in your comments to the authors.

Yes

Does the work include the necessary controls? 
If not, please specify which controls are required in your comments to the authors.

No

Are the conclusions drawn adequately supported by the data shown? 
If not, please explain in your comments to the authors.

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Are you able to assess any statistics in the manuscript or would you recommend an additional statistical review?
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