

Understanding Political Will for Anti-Trafficking Efforts

Political will is habitually cited as a necessity for policy change and improvement. It is branded as an essential component, whilst the lack of political will is retrospectively blamed for policy failures and deficiencies. Yet, as a concept, it remains elusive and abstract. Political will and its constitutive elements, are rarely defined.

Political will is undoubtedly essential for securing policy change and improvement. However, without a robust definition and interrogation of its constitutive elements, mere statements of its necessity lack substance and meaning and are therefore likely to be of limited impact.

This tendency of blaming a lack of political will for policy failures is reflected in media and political discourses. As Post *et al.* argue, labelling a lack of political will as the culprit for policy failures is part of '[p]olitical survival' as it 'places blame on a vague and distant "other"'.¹ Moreover, there has been a dearth of attention in the academic literature, both in theorising the term in its own right and analysing how it applies in particular contexts.

In the context of anti-trafficking, existing literature both explicitly mentions and alludes to the concept of political will. Where explicitly mentioned, there is a tendency to assume an understanding without providing a specific definition. This is particularly apparent where the lack of political will is identified as an obstacle to improving anti-trafficking policies. The concept therefore remains abstract in this context. The use of the concept void of any definition not only prevents a thorough understanding of the concept, it reduces political will to a rhetorical flourish and prevents improved mobilisation of political will for sustained policy change.

This paper interrogates the conceptualisation of political will in the anti-trafficking context. It will firstly explore how political will is **defined**. This section will address the theoretical conceptualisations of political will, including the debates on its definition and its constitutive elements. It will then suggest a working definition of political will. Next, this paper will explore how political will is **measured**, including the different indicators that have been theorised. Finally, it will come to the question of how political will is **mobilised** in the context of national anti-trafficking efforts.

Defining Political Will

Described by Linn Hammergren as 'the *sine qua non* of policy success which is never defined except by its absence', political will has been revealed as 'the slipperiest concept in the policy lexicon'.² The

¹ Lori Ann Post, Amber NW Raile and Eric D Raile, 'Defining Political Will' (2010) 38 Politics & Policy 653, 670.

² Linn Hammergren, 'Political Will, Constituency Building and Public Support in Rule of Law Programs' (Center for Democracy and Governance, Bureau for Global Programs, Field Support, and Research, US Agency for International Development 1998) PN-ACD-023 18.

concept has since 'enjoyed a surge in popularity, with the ambiguity of "political will" making it ideal for achieving political aims and for labelling political failures when the diagnosis is unclear'.³

Political will has been explored theoretically across different disciplines⁴ and has been interrogated within particular contexts, including (but not limited to) corruption⁵, transitional justice⁶ and refugee protection⁷. Political will, and its constitutive elements, have been conceptualised by, amongst others Brinkerhoff⁸, Post, Raile and Raile (hereinafter Post *et al.*)⁹, and Pham, Gibbons and Vinck (hereinafter Pham *et al.*)¹⁰.

Brinkerhoff and Post *et al.* have an outcome-focused approach to defining political will. Focusing on anti-corruption, Brinkerhoff conceptualises political will as the 'commitment of actors to undertake actions to achieve a set of objectives...and to sustain the costs of those actions over time'.¹¹ He outlines a set of characteristics which indicate the existence of political will and suggests that 'expression and intensity' of such characteristics are influenced by external factors which can have a direct and indirect influence on political will.¹² Based on the outcomes of political will for anti-corruption activities, Brinkerhoff identifies five necessary characteristics: (1) whether the impetus anti-corruption efforts comes from within the reformer or is imposed; (2) degree of analytical rigor applied to understanding the context and causes of corruption; (3) mobilization of constituencies of stakeholders in support of anti-corruption reforms; (4) application of credible sanctions in support of anti-corruption reform objectives; and (5) continuity of effort in pursuing reform efforts.

Post *et al.*'s conceptualisation also has an outcome-based focus; but rather than identifying characteristics within a particular context, they take a broad definition as their starting point, before deconstructing the constitutive elements of political will. They theorise political will as 'the extent of committed support among key decision makers for a particular policy solution to a particular problem'.¹³ Significantly, this definition allows for varying degrees of commitment to be captured. They identify four component areas, and how each should be both operationalised and assessed. The four definitional components are (1) a sufficient set of decision makers; (2) with a common understanding of a particular problem on the formal agenda; (3) who are committed to supporting; (4) a commonly perceived, potentially effective policy solution.¹⁴ This definition is not focused on any specific area, but rather provides a broader conceptualisation. The influence of environmental influences are also noted, highlighting that political will varies according to socio-political contexts.¹⁵

Focusing on political will for ending impunity for human rights abuses, Pham *et al.* build on existing definitions, including those developed by Brinkerhoff and Post *et al.* to conceptualise the 'causal pathways of policy adoption and implementation'.¹⁶ Pham *et al.* add qualifiers to the notion of commitment, to examine the 'type and level of actions that demonstrate continual commitment'.¹⁷ In

³ Post, Raile and Raile (n 1) 654.

⁴ Post, Raile and Raile (n 1).

⁵ Derick Brinkerhoff, 'Assessing Political Will for Anti-Corruption Efforts: An Analytic Framework' (2000) 20 *Public Administration and Development* 239; Derick W Brinkerhoff, 'Unpacking the Concept of Political Will to Confront Corruption' (Chr Michelsen Institute 2010) 1; Sahr J Kpundeh, 'Political Will in Fighting Corruption' (United Nations Development Programme 1998).

⁶ Phuong N Pham, Niamh Gibbons and Patrick Vinck, 'A Framework for Assessing Political Will in Transitional Justice Contexts' (2019) 23 *The International Journal of Human Rights* 993.

⁷ Jeff Crisp, 'Mobilizing Political Will for Refugee Protection and Solutions A Framework for Analysis and Action' 24.

⁸ Brinkerhoff, 'Assessing Political Will for Anti-Corruption Efforts: An Analytic Framework' (n 5); Brinkerhoff, 'Unpacking the Concept of Political Will to Confront Corruption' (n 5).

⁹ Post, Raile and Raile (n 1).

¹⁰ Pham, Gibbons and Vinck (n 6).

¹¹ Brinkerhoff (n 5) 242.

¹² Brinkerhoff (n 5) 240.

¹³ Post, Raile and Raile (n 1) 659.

¹⁴ Post, Raile and Raile (n 1) 660.

¹⁵ Post, Raile and Raile (n 1) 656-657.

¹⁶ Pham, Gibbons and Vinck (n 6) 1005.

¹⁷ Pham, Gibbons and Vinck (n 6) 999.

doing so, they define political will ‘as the type and level of actions that demonstrate continual commitment by an actor/actors for a set of accountability objectives that aim to end impunity for human rights abuses’.¹⁸

Common to these definitions discussed is the understanding of political will as a *commitment* which is *sustained* over time to *achieve* a particular objective or policy solution. However, there are nuanced differences in how these definitions conceptualise political will. The definitions vary in the extent to which they emphasise achieving particular outcomes, and whether their definitions capture different degrees of commitment. Across the different conceptualisations some contentions arise, including but not limited to:

1. whether political will is **binary or continuous**;
2. whether political will is **individual or collective**;
3. how political will relates to **resource allocation, capacity and action**.
4. whether the definition of political will should include the **effectiveness** of the potential policy response.

Each debate will also touch on how the definitional contentions apply in the context of political will for anti-trafficking efforts.

(1) Binary or Continuous

A first definitional contention within the literature concerns whether political will is a binary or continuous notion. As a binary notion, political will would be found to either exist or not. It may be determined to exist (or not) on the basis of a single threshold, namely a particular moment, such as passing legislation. Theorising it as a binary concept helps elucidate why a lack of political will is often blamed for policy failures. Namely, when political will is deemed to be absent.

However, conceptualising political will solely as a binary concept is reductive. The question of whether political will is present or not, can and should be measured beyond a specific threshold, recognising the continuity of the concept. Political will is not always sufficient to ‘achieve a particular binary outcome, such as passage and implementation of a specific public policy’.¹⁹ Rather, there are underlying conditions which can be measured on a continuous basis and may mobilise political will and determine such outcome.²⁰ These continuous underlying metrics are further explored in the *Measuring Political Will* section below, but include elements such as: a sufficient number of decision makers, a common understanding of the policy problem and potential policy solution, as well as a commitment to supporting the solution. Moreover, the binary outcome itself (for example of passing a specific policy) has continuous variables such as the length of time it took to pass the legislation, or whether the legislation was passed by a narrow or significant majority.²¹

Further to the continuous variables underlying a seemingly binary threshold, the continuity of the concept is derived from the need to sustain political will over a longer-term period. This is particularly important ‘to ensure the successful implementation of accountability processes over potentially many years’.²²

Intersecting the theorisation of binary and continuous properties are conceptualisations of political will according to the extent of its presence, and whether it manifests in a positive or negative manner.

¹⁸ Pham, Gibbons and Vinck (n 6) 993.

¹⁹ Post, Raile and Raile (n 1) 655–656.

²⁰ Post, Raile and Raile (n 1) 656.

²¹ Pham, Gibbons and Vinck (n 6) 1008.

²² Pham, Gibbons and Vinck (n 6) 1002.

Brinkerhoff argues that political will should not be conceived of as either a binary or continuous concept, but rather assessed in terms of its 'relative degree of presence/absence'.²³ As above, his series of characteristics allow for the extent to which political will is present to be observed. He argues that understanding the degree of presence vs absence is necessary to understand the strength of political will before designing and implementing particular anti-corruption reforms.²⁴ In contrast, Post *et al.* and Pham *et al.* both suggest that political will is a binary concept with continuous properties.²⁵ These diverging approaches demonstrate the nuance and complexities of the concept.

Whether political will is positive or negative concerns the motivation of specific actors for acting and mobilising political will; namely to further or disrupt improvement, and indeed how such improvement is understood. This is particularly elaborated upon by Brinkerhoff in the context of corruption, where he suggests that 'certain actors may be motivated to hinder or actively undermine anti-corruption reforms'.²⁶

In the anti-trafficking context, understanding the continuous nature of political will allows for the understanding to include the sustained will and its implementation. Short-term fixes are futile in combatting human trafficking. Not only is it not as simple as either existing or not, it also must be implemented and sustained in the long-term. This is further complicated by the actors involved, as explored in the following section.

(2) Individual or Collective

The theoretical literature points to the question of whether political will is manifested on an individual or collective level. In this paper, we focus on individuals as individual State policymaker (in the legislature or executive, including legislators and heads of states), and collectives such as parliaments etc. The range of actors can be extended, but is beyond the discussion of this paper.²⁷

Political will is found to exist on the individual and collective level; however, it cannot be reduced to solely one or the other. Some argue that the concept is about individual levels of commitment and action, and that any collective conceptualisation detracts from the individual characteristics.²⁸ Brinkerhoff, in the context of anti-corruption, suggests that political will is held by individuals who act within the incentives and constraints of their organisations, their socioeconomic and governance systems, and the policies, programmes, and activities that they are involved in.²⁹ Supporters of this viewpoint frame political will as something of an individual preference and individual willpower.³⁰ Through the individual conceptualisation, there is a suggestion that individual political actors mobilise others to allow their own political will to prevail; therefore any collective support stems from and revolves around an individual.³¹

However, equating political will solely with an individual's decision risks overlooking the collective dimension.³² Of course a government's collective will shouldn't be treated as a monolith. But some collective agreement is necessary for the problem at hand and the proposed solution to be commonly

²³ Brinkerhoff, 'Unpacking the Concept of Political Will to Confront Corruption' (n 5) 3.

²⁴ Brinkerhoff (n 5) 248.

²⁵ Post, Raile and Raile (n 1) 659; Pham, Gibbons and Vinck (n 6) 1002.

²⁶ Brinkerhoff, 'Unpacking the Concept of Political Will to Confront Corruption' (n 5) 3.

²⁷ Pham, Gibbons and Vinck (n 6) 996-7.

²⁸ James Manor, 'Appendix 3. Analysing "Political Will"' (The United Kingdom Department for International Development 2004) 1; 3 <<https://assets.publishing.service.gov.uk/media/57a08cbfed915d622c001551/R8236Appendix3.pdf>> accessed 4 December 2019.

²⁹ Brinkerhoff (n 5) 241.

³⁰ Post, Raile and Raile (n 1) 656.

³¹ Manor (n 27) 5.

³² Post, Raile and Raile (n 1) 656; see also Pham, Gibbons and Vinck (n 6).

understood and agreed upon, and for the efforts to be implemented and sustained (as explored below). Post *et al.* elucidate this collective aspect through their deconstruction of the purpose of analysing political will:

‘The primary reason for caring about political will is that we are concerned about political and policy outcomes. The “polis” (the ancient Greek city-state foundation of the word “political”) is a social collective, and “political” will involves aggregating preferences in such a way that is meaningful for outcomes in political processes’.³³

Therefore, individual acts may contribute towards and mobilise political will, but the ‘political’ dimension of political will must consider the collective dimension.³⁴

There are arguments which necessitate an individual rather than collective conceptualisation. In the context of accountability for human rights abuses, Pham *et al.* suggest that ‘political will is most effectively accomplished on an individual basis’ because political will for accountability can still exist without dominating official State policy.³⁵ They simultaneously recognise that institutions can exercise political will, transcending the individual’s will.

In the context of anti-trafficking efforts, we find it useful to define political will as being able to exist both on the individual and collective level. However, to satisfy the binary outcome explored above and the individual commitment to *political* will, any individual will must have the potential to mobilise others, thus having considerable impact on the collective will and effort. This is particularly important for sustaining and implementing the will, as explored below.

(3) Resourcing, capacity and action

A third contention in defining political will concerns how it relates to resourcing, capacity and action. This section will firstly address resourcing and capacity, before moving onto action.

Although political will is a distinct concept to resourcing and capacity, there are inextricable links across these fields. In the anti-trafficking context, as across all areas of policy development, the implementation of political will can be hindered by a lack of commensurate capacity, whilst an absence of capacity can also disguise a lack of willingness.³⁶ Indeed, governments’ funding, resource and capacity allocation are all political decisions themselves; a government’s political agenda and policy prioritisation will determine how much budget is allocated. Therefore, such allocation is a manifestation of political will. However, particularly for countries of a lower economic standing, political will cannot always overcome a lack of capacity and resourcing.³⁷ Commensurate resourcing and capacity are integral for the execution of political will and implementation of a particular policy or effort, whilst the lack thereof is often an impediment.

The relation between political will and action is fundamental to the implementation of any commitment. Whilst intent and commitment may be expressed rhetorically, it is action that materialises such intent.³⁸ Rhetorical expressions, ranging from public statements to the adoption of national legislation and the development of international instruments and frameworks, show intent. Yet, they are insufficient without sustained action to implement, enforce and monitor.

³³ Post, Raile and Raile (n 1) 656.

³⁴ Post, Raile and Raile (n 1) 656.

³⁵ Pham, Gibbons and Vinck (n 6) 997.

³⁶ Pham, Gibbons and Vinck (n 6) 997.

³⁷ Interview with Expert Interviews (2021 2020).

³⁸ Brinkerhoff 2010 p1

Therefore, political will is inextricably interlinked with the concepts of resourcing, capacity and action. Despite their distinct definitions, these concepts are integral components of political will; they are necessary for such intent to be implemented and sustained.

(4) Effectiveness of Policy Response

There is a nuanced diversion in the definitions as to whether it should reference the effectiveness of the policy adopted. Post *et al.*'s fourth definitional component builds on the necessity of having a united understanding of the issue and policy solution. Rather than evaluating the merits of a particular policy, they suggest that for a response to be potentially effective, there must be no behaviour that undermines the overall political will. The emphasis is on genuine political will for sustained change, rather than coerced commitment, which only results in short-term policy solutions.

In contrast, Pham *et al.* highlight the difficulties in assessing effectiveness, and opt to exclude such reference from their definition. Rather, they suggest that such assessment comes from a measurement framework, to 'assess the degree to which decision makers take steps to comprehensively understand the problem and implement the solution'.³⁹ This facilitates an assessment of the gradations of intent and whether there is a shared policy objective.

In the context of anti-trafficking, the inclusion of the potential efficacy of the policy solution invites unwarranted subjectivity, as further explored below.

Working Definition

Building on these debates concerning the definition of political will, we have developed a working definition of political will, specifically for the context of anti-trafficking efforts:

Political will is the **sustained commitment** of key state decision-maker(s) to combat human trafficking and to **materially improve** their anti-trafficking measures in particular through the **development, implementation, resourcing, enforcement, and monitoring** of legislative, policy and practical processes.

Underlying political will for anti-trafficking efforts, is a commitment to combatting human trafficking (broadly prosecution, protection and prevention), reflecting the definitions discussed above. However, a commitment which may be expressed in a manifesto or public statement, for example, is insufficient to amounting to political will. Such a commitment must be sustained; one-off actions or proposals would not equate to political will. Rather, it must be traceable over time. Moreover, the indicators explored below allow for different levels of commitment to be captured.

This commitment must be mutually understood and supported by the key state decision-maker(s). This refers to those who are within the governance structure and have responsibilities for formulating and enforcing agreed policies (however the specifics of the individual's will vary according to context). Crucially, this recognises the individual and collective nature of political will and suggests that the wider the support-base, the stronger and more influential the political will is as there will be less obstacles or individuals opposing and vetoing proposed policy changes.

³⁹ Pham, Gibbons and Vinck (n 6) 1000.

This definition does not include a component of the policy solution being ‘potentially effective’.⁴⁰ In the context of anti-trafficking, this invites unwarranted subjectivity. Rather, we propose that the commitment must have a material element; it cannot be mere rhetoric. The materiality must be to improve, rather than disrupt, anti-trafficking efforts.

Our working definition has included the procedural steps of development, implementation, resourcing, enforcement, and monitoring. These are necessary outcomes for political will to be realised and enacted. Rather than produce a universal prototype, these steps are deemed broad enough to be applicable to varying contexts. Indicators of these stages are further expanded upon in the following section.

Measuring Political Will: Indicators beyond Rhetoric

The measurement framework is dependent on the definition and varies accordingly; as an elusive concept, measurement of political will risks being an abstract and intangible venture. Measuring political will involves having a range of indicators that are widely applicable, but no strictly prescriptive. It must allow for the degrees of commitment and varying extents of political will to be captured.

The indicators explored below to measure political will allow for the analysis to move beyond a binary one of causation, namely that of political will being integral, or the lack thereof being a detriment, to policy-making processes.⁴¹ The indicators allow for each aspect of the definition to be identified and the extent thereof to be measured. Moreover, as a whole, the indicators provide a cumulative approach, to assess the extent to which political will exists on the whole. Therefore, using indicators in parallel with the definition provides a tool to make systematic assessments of how political will is manifested and operationalised.⁴²

The theoretical literature presents different measurement frameworks which can be useful for ascertaining the extent to which political will exists. Whilst it’s beyond the scope of this paper to go through these different frameworks⁴³, our measurement indicators for the anti-trafficking context, draw on these frameworks that emerge from the different theories. Each of these would be assessed in terms of the extent to which they are present (continuous), rather than either existing or not (binary).

Ten indicators are identified here, to measure political will (as per our working definition) for anti-trafficking efforts. They can be categorised into four broad areas of the policy- and law-making process: (I) Agenda-setting; (II) Development; (III) Implementation and Enforcement; (IV) Monitoring.

⁴⁰ Post, Raile and Raile (n 1).

⁴¹ Post, Raile and Raile (n 1).

⁴² Post, Raile and Raile (n 1).

⁴³ Post, Raile and Raile (n 1); Pham, Gibbons and Vinck (n 6); Brinkerhoff, ‘Assessing Political Will for Anti-Corruption Efforts: An Analytic Framework’ (n 5); Brinkerhoff, ‘Unpacking the Concept of Political Will to Confront Corruption’ (n 5); Manor (n 28).

Agenda-setting

1. Formal acknowledgement by the government that there is an issue (either the existence of human trafficking as a whole, or a specific aspect of trafficking) that requires a (policy or legislative) response.
2. State initiative and political prioritisation of anti-trafficking.
3. A shared understanding amongst decision-makers of the particular issue. This may involve mobilisation of and meaningful consultation with other decision-makers and/or stakeholders.

The *agenda-setting* indicators are foundational to political will. They are the first steps towards putting anti-trafficking on the agenda and increase awareness of the issue. These indicators are indicative of the commitment of key state decision-maker(s) to combat human trafficking. The political will is stronger when such impetus comes from within the decision-making body, rather than being imposed.⁴⁴ Crucially, these indicators require more than just a rhetorical commitment; combatting human trafficking is not an aim that any government would explicitly oppose. It is often rhetorically portrayed as a moral issue, and its bipartisan nature facilitates governments to express horror and rhetorically commit to working towards its eradication. Although they are difficult to pinpoint, these indicators are a foundational first step.

Development

4. Commitment to a legislative, policy, or practical response. This commitment should involve a common understanding of the direction that this should take.
5. A sufficient number of decision makers to support a policy change (and a limited number of those blocking/vetoing). The degree may vary according to whether it was a marginal or significant majority.
6. Commitment and support to the proposed response from the public and non-state actors. This should include adequate engagement of non-state actors (including, but not limited to NGOs) in the formulation and implementation of policies.

The *development* indicators build on the agenda-setting indicators. Indicators three and four are interlinked; an agreed policy solution is dependent on their being an acknowledgement of the issue and a unified understanding.⁴⁵ The collective support within parliament, amongst non-state stakeholders and with the public, point to the importance of the collective dimension to political will. Moreover, this broader support facilitates the government to be held to account according to the agreed legislative, policy and practical response.

Implementation and Enforcement

7. Allocation of resources and capacity. This allocation should be robust and commensurate to the task at hand and can be assessed against investment on other policy fields.
8. Implementation and enforcement of the agreed policy- or legislative- response.
9. Efforts must be sustained over time and include continued implementation beyond the adoption of a particular instrument (e.g. a legislative provision).

⁴⁴ Brinkerhoff, 'Assessing Political Will for Anti-Corruption Efforts: An Analytic Framework' (n 5).

⁴⁵ Post, Raile and Raile (n 1) 662.

For the initial agenda-setting and development indicators to develop into a sustained commitment to materially improve anti-trafficking efforts, as per our working definition, the responses must be *implemented* and *monitored*. These indicators measure the extent to which the political will is sustained, through long-term implementation and commensurate resource-allocation. Governance processes must be established to ensure the robustness of implementation and resource allocation.

The *implementation and enforcement* indicators must also be transparent (for example budget allocation) to ensure that there is continued political and public support. This further allows accountability including by having civil society engaged in monitoring these efforts. These indicators further speak to the ‘sustained’ aspect of the definition.

Monitoring

10. Monitoring and evaluation including evidence of a willingness to learn and adapt, with the public publication of monitoring results. This will ensure that the efforts (and their implementors) can be held to account.

The on-going *monitoring*, which crucially must be publicly available, further allows for governments’ initial commitments to be held to account. Given the oft-found rhetorical commitment to anti-trafficking work, the action- and outcome-orientated indicators (allocation of resources, implementation, continued and sustained efforts and monitoring) are important to monitor and measure.

These ten indicators reflect the manifestation of political will. Each of the four categories build on the former, demonstrating the layered and dynamic nature of political will. There are a number of caveats worth exploring. Political will may exist for a particular anti-trafficking response (such as criminalisation and prosecutions), for policies on the basis of the type of trafficking they are addressing (for example trafficking for sexual exploitation), or for responses to particular victim profiles (including particular gender, nationality or age identities). Whilst this may fulfil the definition and respective indicators, this reflects a limited focus within the political will to address human trafficking. This can further be seen by the adversity to addressing the root causes of human trafficking by engendering structural change. Although the definition requires ‘sustained commitment’ and ‘material improvement’, this may not be interpreted to require structural change.

More broadly, the framing of human trafficking in public, media and political discourse may also influence the agreed understanding of human trafficking and which policy solution is deemed suitable. This is particularly pertinent in the anti-trafficking context, considering that tensions exist between the intersecting frames of trafficking, including migration, forced labour, gender, and crime. Whilst framing is of course influenced by public opinion and the media, governments also frame trafficking in a conscious effort to legitimise their measures; different frames are mobilised according to, and as a justification for, government priorities. For example, framing trafficking as an issue intertwined with migration allows anti-trafficking efforts to be subsumed within migration priorities.⁴⁶ Whilst there is a link between the two phenomena, how you address this link is a political choice and may be used to advance political agendas with migration and border control.⁴⁷

⁴⁶ Interview with Expert Interviews (n 36).

⁴⁷ Interview with Expert Interviews (n 36).

Conclusion: Mobilising Political Will

Political will is integral to efforts to combat human trafficking. It is necessary at each stage of the policy-making processes, from acknowledging the issue of trafficking, to implementing and monitoring the responses. It is an elusive concept, yet to be defined within the anti-trafficking context. Having outlined the theoretical literature that defines political will and its constitutive elements, this paper is an attempt to start the dialogue around how to define and measure political will in the context of anti-trafficking in particular.

Defining political will in the context of anti-trafficking is imperative. Given the difficulties in capturing accurate data on trafficking, the dearth of monitoring and evaluation, as well as limited accountability measures for national anti-trafficking measures, political will emerges as an easy scapegoat for limitations and failures in anti-trafficking efforts. No government wants to seem complicit in trafficking; there is repeated rhetorical commitment to work on combatting it. Such rhetorical commitment is hollow without the accompanying components of political will, as set out in this paper. Moreover, obfuscating failures by retrospectively blaming a lack of political will may further feed into this surface-level rhetoric devoid of effective commitment to material change.

Political will does not emerge or exist in a vacuum. Political will is integral for change to happen and to be sustained. Given the complexity of human trafficking, in the way that it intersects labour, migration, human rights and criminal law (amongst others), anti-trafficking efforts require coordinated and holistic approaches. Yet, there is a concern around how anti-trafficking efforts are structured, particularly which aspects are acknowledged and prioritised. This concerns cases where there is political will for certain actions and not for a holistic approach. The complexity of trafficking makes any policy solution less straightforward, including the different types of exploitation, the varying vulnerabilities, and the necessity of prevention, prosecution and protection. Moreover, competing political agendas influence how anti-trafficking policies are pursued.

With how interconnected these interventions are, governments may find that whilst they have the will to broadly combat trafficking, they do not have the will to provide assistance to every potential victim due to the resources it will consume. Or they do not have the will to pursue the high-level traffickers, and rather focus on prosecuting the so-called 'low hanging fruit', to avoid the cost and time that large trafficking cases involve.

The working definition and measurement indicators proposed are not conclusive on the matter. The complexity of both trafficking and of government processes prevent any blueprint of political will from being produced. Rather, this paper seeks to provide a tool to evaluate and disaggregate the different aspects of political will. As a tool, this can be used by researchers, practitioners, civil society groups and other actors to understand components of political will, but also to advocate improvement of particular areas of political will which are found to be lacking. This provides a starting point for observations to be conducted and for future iterations to build upon. The definition and indicators do not shy away from the complexities that exist; 'political will assessment examines the complex causal chains – sequences of events, relationships among actors, and institutional dynamics – that shape these policy-making processes'.⁴⁸

Given the competing agendas within anti-trafficking, as well as between anti-trafficking and other political priorities, the question remains of what *mobilises* political will. It cannot be divorced from the wider factors which influence anti-trafficking efforts. It both influences and is influenced by these other determinants. It is within this context that our research, looking at the determinants of anti-

⁴⁸ Pham, Gibbons and Vinck (n 6) 1006.

trafficking measures, attempts to explore this question. It interrogates the role of political will in influencing anti-trafficking law and policy; specifically through examining how political will is both shaped by and how it mobilises other determinants. These determinants include, but are not limited to: international standards and obligations (such as international and regional legal frameworks, and regional case law); external monitoring processes (including international monitoring mechanisms and the United States' State Department Trafficking in Persons Report); international reputation; structural conditions (such as a country's economic and political situation, and the levels of (perceived) corruption); civil society advocacy; the availability and allocation of funding and resources; a government's understanding and framing of trafficking itself; the availability of data and statistics; and lastly, the impact of specific events and crises. Political will is a sum outcome of different iterations and combinations of these determinants. It is also, itself, a determinant.