

Testimony

“Trafficking of Women and Children in East Asia and Beyond: A Review of U.S. Policy”

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Thank you for this opportunity to testify at this hearing to review U.S. policy on trafficking of women and children, particularly in East Asia.

In the last three years, the U.S. has made historic progress in creating new tools to combat trafficking in women and children. In 2000, Congress passed the Trafficking Victims Protection Act, which created new laws with which to fight the traffickers and provided new services for victims. It authorized the creation of The Office to Monitor and Combat Trafficking in Persons. That office is now fully functional and under the capable leadership of former Congressman John Miller. In the Office of Global Affairs, Undersecretary of State Paula Dobriansky has been a leader for a robust implementation of U.S. anti-trafficking policy. In the Trafficking in Persons Office and now the Office of Global Affairs, Senior Adviser Laura Lederer is sharing her invaluable expertise on trafficking.

In December, the Department of Justice’s Office of Juvenile Justice and Delinquency Prevention held the first national conference on child prostitution. A number of speakers addressed trafficking of girls and boys to the U.S. for prostitution.

In February, President Bush signed a National Security Presidential Directive on trafficking in persons. Activists who have been working against the sexual abuse and

exploitation of women and children for years are pleased that it is now U.S. policy that prostitution and related activities are considered “inherently harmful and dehumanizing” and are recognized as “contribut[ing] to the phenomenon of trafficking in persons” and sex tourism.¹ This policy directive is especially crucial in fighting trafficking in women and children because over the past decade there have been attempts to de-link trafficking from prostitution, and even to legitimize prostitution as a form of work for women.

The U.S. Agency for International Development was quick to respond by announcing a new “Anti-Trafficking Strategy,” which states that “organizations advocating prostitution as a employment choice or which advocate or support the legalization of prostitution are not appropriate partners for USAID anti-trafficking grants or contracts.”² Kent Hill and his staff in USAID’s Bureau for Europe and Eurasia have been open to finding ways to combat the trafficking and prostitution of women and children.

Also, Deputy Secretary of Health and Human Services Claude Allen and his staff have shown leadership in promoting the new policy on trafficking and prostitution.

The challenge now is to implement these landmark policies in order to free women and children from enslavement.

Trafficking and AIDS

Women and children who are trafficked are at high risk for infection with HIV, which is a death sentence for the victims. Brothels and other sites where women and children are used in prostitution are markets for the distribution of the AIDS virus. Awareness of this has led many aid agencies to target brothels for campaigns to increase the use of condoms. This approach requires aid workers to interact and negotiate with pimps and traffickers - some of the worst criminals and human rights violators in the world - in order to gain access to the women and children.

In some places, such as Thailand, aid programs claim that a 100 percent condom use policy has resulted in lowering the incidence of AIDS, but it has come at a cost of overlooking and even excusing the sex slave trade in women and children. This approach results in sacrificing the safety and freedom of women and children for the good of public health. Of course, we need programs to prevent the spread of HIV, but we must place the freedom and safety of women and children over the distribution of condoms. It is unacceptable to provide medical services and condoms to enslaved people and ignore the slavery.

We should be requiring aid workers to report the abuse, exploitation, and enslavement of women and children to the appropriate authorities. Admittedly, police and officials are sometimes complicit in trafficking and even profit from sexual slavery. Nonetheless, aid workers should be obligated to report, not ignore slavery. They should also be obligated to catalyze a rescue either through notification of the appropriate authorities or a nongovernmental organization or faith based group that specializes in rescuing women and children enslaved in prostitution.

¹ “Trafficking in Persons National Security Presidential Directive,” February 2003, <http://www.whitehouse.gov/news/releases/2003/02/20030225.html>

² U.S. Agency for International Development’s Response: Trafficking in Persons, February 2003, <http://www.usaid.gov/about/trafficking/anti-trafficking.pdf>

We can better reduce the spread of HIV by rescuing trafficking victims and ending the sexual slave trade that creates a demand for more victims. In every case, U.S. policies should encourage the arrest and prosecution of traffickers and pimps and the permanent closure of the brothels.

There are billions of dollars being spent on HIV/AIDS prevention and treatment, and a significant portion of it is directed for prevention in “high risk” groups, such as women and children in prostitution. There should be appropriate restrictions or requirements for how aid organizations and their personnel respond when they suspect that anyone they come in contact with is abused, exploited, or enslaved.

In the House, Representative Chris Smith has been successful in adding an amendment to the Global HIV/AIDS bill (H.S. 1298) that will prevent funds from this Act being used to provide assistance to any group that does not have a policy explicitly opposing prostitution and sex trafficking.

Linking Trafficking to Prostitution

We need to relink trafficking to prostitution. For decades, international bodies and instruments recognized the connection between prostitution and trafficking to meet the demand for women and children created by prostitution. Over the past decade, those who want to normalize and legalize prostitution have acted to delink prostitution and trafficking, as if one did not depend on the other. The Presidential Directive on Trafficking provides the political will to relink them.

The Trafficking Victims Protection Act criminalizes severe forms of trafficking, and the Trafficking in Persons Report issued annually by the State Department evaluates and ranks countries on their efforts to combat severe forms of trafficking. Congress needs to create a way to analyze the harm of prostitution and the role tolerance and legalization of prostitution plays in the trafficking of women and children.

Worldwide there is an ongoing effort to normalize prostitution. United Nations organizations that receive significant financial support from the United States publicly advocate for this shift in the status of prostitution. For example, in 1998 the International Labor Organization (ILO) released a report called *The Sex Sector-The Economic and Social Bases of Prostitution in Southeast Asia*. Based on research and analysis of prostitution industries in Malaysia, Indonesia, Thailand and the Philippines, the ILO called for prostitution and sex industries to be officially recognized as a legitimate economic sector because they are already “integrated into the economic, social and political life” of countries and “contribute in no small measure to employment, national income and economic growth.”³ In this report, the ILO touted prostitution and sex tourism as a source of foreign income:

“[The sex sector] is a significant source of foreign exchange earnings, with links between the growth of prostitution as a highly structured transnational business

³ Lin Lean Lim, *The Sex Sector-The Economic and Social Bases of Prostitution in Southeast Asia*, International Labor Organization, 1998, p. 1.

and the expansion of the tourist industry in these countries, as well as labour exports from these countries.’⁴

Also, the World Health Organization has a long history of hiring some of the leading advocates for the legalization of prostitution to advise them on policy. In 2001, the World Health Organization recommended the decriminalization of prostitution, claiming that the normalization of prostitution would assist in the fight against the spread of HIV.⁵

The U.S. government contributes over 20 percent of budget of these two United Nations organizations.⁶ The U.S. should ask these international agencies to clarify their current positions and policies on trafficking and prostitution.

U.S. Military and the Trafficking of Women

The U.S. military also plays a role in the trafficking of women.

In South Korea, there are documented cases of women from the Philippines, the Russian Federation, Bolivia, Peru, Mongolia, China, Bangladesh, Kyrgyzstan, and Uzbekistan being trafficked into bars and clubs around the U.S. bases.^{7 8} Last year, a TV reporter filmed U.S. military police patrolling bars and brothels that held trafficked women.⁹ And an investigative reporter for *Navy Times* documented that military police have friendly relations with pimps and bar owners where there are trafficked women.¹⁰

Although engaging in prostitution is a violation of the U.S. Military Code of Conduct, it is common knowledge that many men ignore that rule. The U.S. military has a shameful history in Southeast Asia of fueling the growth of sex industries around military bases or at sites of R&R (rest and relaxation). When the U.S. leaves the area, such as the Philippines, the pimps and traffickers do not shut down their criminal activity, but turn to sex tourism for their revenue.

Not only does the demand for prostitution result in the trafficking of women for use in these bars and clubs, the negative local reaction to the abuse and exploitation of women by U.S. military personnel provides fodder for anti-American sentiment and interests.

The U.S. needs to find ways to ensure that our military personnel are not creating a demand for prostitution and trafficking. This needs to be addressed around existing bases and strategies are needed to prevent the reoccurrence around future bases.

Domestic/Internal Trafficking in the United States

I'd like to raise one last thing: The trafficking of women and girls for prostitution within the United States. It is referred to as either domestic trafficking or internal trafficking. You are now well aware of the transnational trafficking of women from country to

⁴ Lim, *The Sex Sector*, p. 10.

⁵ "WHO urges decriminalization of prostitution," *Deutsche Presse-Agentur*, August 13, 2001.

⁶ Congressional Research Service, "U.S. Contribution to U.N. System Organizations as a Percentage of Total Contributions," March 24, 2003.

⁷ B. Jhoty, "Trapped in modern slavery: Sex trafficking turns Russian women into Korean pawns," *The Korea Herald*, November 2, 2001.

⁸ N. Lhagvasuren, "Waking up to a new reality," *Transitions Online*, August 21, 2001.

⁹ Tom Merriman, *Fox On The Record*, June 11, 2002.

¹⁰ W. H. McMichael, "Sex slaves," *Navy Times*, August 12, 2002.

country. But the same phenomenon occurs within the borders of countries, including the United States. The Trafficking Victims Protection Act ensures that trafficked women and children are treated as victims, not as criminals, and provides services they need to recover from their ordeal. The same recognition and services are needed for women and children whose experiences meet all the criteria of a trafficking victim, except that they are U.S. citizens. We will not have succeeded in eradicating the trafficking of women and children until we attend to the victims within our own borders.