

**HEARINGS BEFORE THE SUBCOMMITTEE ON HUMAN RIGHTS
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**OCTOBER 29, 2003 – THE ONGOING TRAGEDY OF INTERNATIONAL
SLAVERY AND HUMAN TRAFFICKING: AN OVERVIEW**

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Mr. Chairman and members of the subcommittee, thank you for the opportunity of presenting testimony before this committee. Today, I will focus my remarks on sex trafficking. To put my remarks in context, I should tell you that my organization, the Coalition Against Trafficking in Women (CATW), has been working for fifteen years to promote women's right to be free of sexual exploitation. We have organizations in most of the major world regions of Africa, Asia, Europe, Latin America and North America. And we conducted the first U.S.- based study, funded by the National Institute of Justice (NIJ), that interviewed numbers of victims of sex trafficking. Our organization, in various parts of the world, has also interviewed 146 victims of trafficking in 4 other countries; funded and initiated trafficking prevention programs in Venezuela, the Philippines, Mexico and the Republic of Georgia; helped set up shelters for Nigerian and Albanian victims of trafficking in Italy; provided legal assistance to victims of trafficking in the United States, the Philippines, Bangladesh and the Republic of Georgia; and helped draft the *new UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*.

OVERVIEW

Trafficking in human beings – mostly women and children – has become a global business that affects almost all countries and reaps enormous profits for traffickers and their intermediaries. Human trafficking is not new. What is new is the global sophistication, complexity and control of how women and children are trafficked from/to/in all parts of the globe.

Researchers differ on the numbers of women trafficked. United Nations (UN) reports estimate that 4 million women have been trafficked from one country to another and within countries. U.S. reports cite 700,000 to two million women and children internationally trafficked each year into the sex industry and for labor, with 50,000 into the United States. All estimates, however, are preliminary.

Numbers are always difficult to obtain, but the revenue collected from the trafficking in women and children often reveals what the demography of trafficking cannot tell us with precision – that trafficking in women and children is a big business. The United Nations estimates that trafficking is a 5-7 billion U.S. dollar operation annually. In contrast to penalties for drug and arms trafficking, the penalties for human trafficking are lower in many countries.

WHY THE EMPHASIS ON SEX TRAFFICKING?

The most prevalent forms of sex trafficking are for prostitution, sex tourism, and mail-order bride industries. Unfortunately, you would never know from many anti-trafficking organizations that it is mostly women who are trafficked for exploitation in prostitution. In fact, many anti-trafficking advocates seem to want to make all references to sex trafficking disappear, talking only about trafficking for bonded labor. A number of

NGOs are now insisting that labor trafficking is the real problem and that sex trafficking is comparatively minor, most of it being rather “harmless prostitution.”

Clearly, being trafficked into exploitative farm or factory work is incompatible with fundamental human rights and is harmful to those who subjected to this form of trafficking. But as Dorchen Leidholdt, Co-Director of CATW has asked, is that harm really as severe as the harm to women and girls trafficked into prostitution in brothels and repeatedly subjected to intimate violation—to rape? Also ignored is the fact that the trafficking of many women for bonded labor and domestic work concludes with them being sexually exploited by unscrupulous employers and others.

It is a travesty that at a time when governments and international agencies are hiring gender consultants to conduct gender analyses and combat violence against women that these same governments and agencies are deliberately promoting a disconnect between trafficking and prostitution. They advocate the recognition of what they call “voluntary” prostitution as legitimate work, and even the recognition of trafficking as “migration for sex work.”

FACTORS PROMOTING SEX TRAFFICKING

What are the factors promoting sex trafficking in different parts of the globe.

- Men’s demand for the sex of prostitution;
- Women’s increasing poverty driving women and children into situations of sexual exploitation;
- Economic policies of international lending organizations that mandate structural adjustments in developing regions of the world forcing countries to cut back on social services and employment, thus driving more and more women to seek income abroad;
- Predatory recruiters who take advantage of this poverty to recruit women into the sex industry;
- Repressive immigration policies that cast traffickers in the role of major international players who facilitate global migration;
- Military presence which generates sex industries in many parts of the world that are tolerated by governments, including our own, as rest and recreation venues for the troops;
- Racial myths and stereotypes that promote sexual exploitation, for example, in tourism brochures and on the Internet, advertising “exotic women for sexual pleasures” abroad.
- Globalization of the economy which means globalization of the sex industry, as it becomes an industry without borders. Large and small scale trafficking networks operate across borders, actively recruiting girls and women, especially from villages, city streets, and transportation centers. Hotels, airlines, and charter companies, often with direct and indirect government collusion and corruption, are involved in the trafficking of women for, for example, sex tourism.

SEX TRAFFICKING IS PROSTITUTION

Trafficking depends upon *globalization of the sex industry*. Globalization of the sex industry means that countries are under an illusion if they think they can address trafficking without addressing prostitution. Yet, in many forums, we hear governments repeating the message that we must not talk about prostitution -- only trafficking.

All of these structural factors that I have cited above are responsible for the increase in sex trafficking worldwide. *But* what many anti-trafficking advocates don't want to address is the role of *State-sponsored prostitution* and its role in promoting sex trafficking worldwide.

We believe that State-sponsored prostitution is a root cause of sex trafficking. We call legalized or regulated prostitution *State-sponsored prostitution* because although systems vary, the common element is that the system of prostitution itself becomes sanctioned by the State. The term *State-sponsored prostitution* signals that in any of these systems that recognize the sex industry as a legitimate enterprise, the State effectively becomes another pimp, living off the earnings of women in prostitution. *State-sponsored prostitution* is a provocative term, especially in these days when the term is used in the context of state-sponsored terrorism. And it is meant to be provocative. State-sponsored prostitution is a form of state-sponsored *sexual* terrorism posing as sexual and economic freedom for women.

There is a fundamental connection between legal recognition of prostitution industries and the increase in victims of sex trafficking. Nowhere do we see this relationship more clearly than in countries advocating prostitution as an employment choice, or who foster the legalization of prostitution, or who support the decriminalization of the sex industry. Such countries promote sex trafficking by institutionalizing prostitution as lawful work, and by legally transforming pimps and traffickers into sex industry entrepreneurs, brothels into acceptable businesses and entertainment centers, and prostitution customers into legitimate sexual consumers.

One argument for legalizing prostitution in the Netherlands was that legalization would help end the use of desperate immigrant women trafficked for prostitution. A report done for the governmental Budapest Group stated that 80% of the women in the brothels in the Netherlands are trafficked from other countries. As early as 1994, the International Organization of Migration (IOM) stated that in the Netherlands alone, "nearly 70 per cent of trafficked women were from CEEC [Central and Eastern European Countries]".

Another argument for legalizing prostitution in the Netherlands was that it would help end child prostitution. In reality, however, child prostitution in the Netherlands has increased dramatically during the 1990s. The Amsterdam-based ChildRight organization estimates that the number has gone from 4,000 children in 1996 to 15,000 in 2001. The group estimates that at least 5,000 of the children in prostitution are from other countries, with a large segment being Nigerian girls.

CONSEQUENCES FOR THE UNITED STATES

In the United States, we do not have legalized prostitution, except in several counties in Nevada. But in many states, prostitution is tolerated as if in fact it were legal. To be more specific, it is the sex industry that is tolerated under the headings of sex tourism agencies, massage parlors, sex clubs, escort agencies and lap dancing venues, all which are effectively locations for prostitution activities. The sex industry has become adept at calling prostitution and brothels anything else than what they are -- centers of sexual exploitation. And it is, of course, in these venues where one finds the highest numbers of women who have been trafficked from abroad.

For example, in our report on sex trafficking in the United States, we found that sex clubs and massage parlors around some military bases in the United States are populated with inordinate numbers of Asian women especially. Although these venues are officially off limits to servicemen, the regulation is not enforced and the prostitution establishments are filled with military men that replicate the sexual R&R areas that proliferate near U.S. military bases, for example, in Korea and Okinawa.

There has been little effort to arrest, charge and prosecute traffickers, pimps and other procurers of women in these venues. And there has been even less effort to arrest, charge and prosecute those men who create the demand that fosters all forms of sexual exploitation that lead to trafficking. Unfortunately, it is the victims who are most often arrested, charged and sometimes prosecuted as if they are the exploiters and the criminals. We must address the demand.

The Coalition Against Trafficking in Women commends the efforts of Director John Miller of the Trafficking in Persons Office at the State Department. He has provided much-needed leadership in this position. But both he and we know that much more needs to be done.

Each year, the United States is mandated under the Trafficking Victims Protection Act to provide a report on countries' efforts to combat trafficking in persons. Unfortunately, there are countries such as the Netherlands and Germany, who are ranked in Tier 1, the topmost category. These two countries have legalized or decriminalized prostitution industries. NGOs have asked that these countries should not be ranked in Tier 1 because their policies on prostitution encourage sex trafficking.

The Coalition Against Trafficking in Women recommends that no country legalizing prostitution should be in Tier 1. Rather, it should be noted that these countries have legalized brothels and pimping that contribute to "significant numbers" of women being trafficked into these countries for sexual exploitation.

At the very least, the TIP report should note that countries that have established legal regimes in which prostitution is allowed to flourish have exorbitantly high numbers of women who have been trafficked. In the language of the Trafficking in Persons Protection Act (TVPA), governments cannot "prohibit trafficking and punish acts of

trafficking,” as well as make “serious and sustained efforts to eliminate trafficking,” as the TVPA Act requires, by legalizing prostitution.

The National Security Presidential Directive (NSPD) on Combating Trafficking in Persons, signed in December, 2002, states that “prostitution and related activities are inherently harmful and dehumanizing, identifying these activities as contributing to the phenomenon of trafficking, and opposing the regulation of prostitution as a legitimate form of work for any human being.” The policy directs all agencies to review matters including training, personnel and grantmaking to accommodate the provisions of this Directive.

We applaud this policy but caution that any policy is only as good as its implementation. One problem is that U.S. NGOs supporting prostitution as work, and decriminalization of the sex industry, are still being funded. For example, the Freedom Network, organized by the International Human Rights Law Group and CAST, has received a DOJ grant which began in April, 2003, to conduct nationwide trainings and mentoring activities over a 3-year period for law enforcement, government agencies and NGOs. There are, of course, some NGOs in this network who do not support prostitution as an employment choice but this is not the issue. The central problem is that this anti-trafficking network is organized and led by well-known, pro-“sex work” advocates. CAST, through the Little Tokyo Service Center, has received almost \$2 million in grants from the Office of Victims of Crime and the Office of Refugee Resettlement.

Meanwhile, NGOs that we work with have submitted grant proposals for prevention of trafficking and assistance to trafficking victims, most of which have not yet been funded.

Today, I could have spent my time giving you more of a general overview of the problem of sex trafficking. We have reached a point, in anti-trafficking work where we are facing a public policy crisis over the legalization of prostitution worldwide. If the United States is to realize its goals of combating trafficking, we must do more than rhetorically address prostitution and its relationship to trafficking. And government must be willing to put its money where its mouth is.