

**INTERNATIONAL TRAFFICKING
IN WOMEN AND CHILDREN**

HEARINGS

BEFORE THE

SUBCOMMITTEE ON NEAR EASTERN AND
SOUTH ASIAN AFFAIRS

OF THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

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INTERNATIONAL TRAFFICKING IN WOMEN AND CHILDREN

TUESDAY, FEBRUARY 22, 2000

U.S. SENATE,
SUBCOMMITTEE ON NEAR EASTERN
AND SOUTH ASIAN AFFAIRS,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:00 a.m. in room SD-419, Dirksen Senate Office Building, Hon. Sam Brownback (chairman of the subcommittee) presiding.

Present: Senators Brownback and Wellstone.

Senator BROWNBAC. I will call the hearing to order. We have got a full set of witnesses to testify today on a very important topic, so we will try to get through this. I would appreciate it if the witnesses, as you do testify, if we could be pretty pointed and succinct so that we can have as much time for questions as possible. It is an extremely important topic. I believe it is an issue of first impression for a hearing in the Senate, so we have got a lot of ground to cover on this first hearing.

As we begin the 21st century, the degrading institution of slavery continues throughout the world. I was introduced to this problem by the human rights advocacy work that we picked up and we started dealing with the Sudan. Among other extraordinary human rights abuses, thousands of Sudanese women and children have been abducted into slavery as a form of payment or "booty" to marauders of civilian villages in the longest-running civil war in Africa that continues even today.

I have seen the pictures of the brands on their cheeks and arms which attest to ownership by a master. I have heard the personal testimonies of their nightmare existence. So I joined with many others in a campaign of awareness to end the continuing practice of slavery in the Sudan. This advocacy prompted me to examine other forms of modern day slavery which still exist. I am very pleased to chair this hearing on the international trafficking of women and children. This includes both trafficking for purposes of forced prostitution as well as forced labor involving slavery-like conditions. This practice which we will examine this morning may be the largest manifestation of slavery in the world today. It is my understanding this is the first time this issue has been presented at a hearing in the U.S. Senate.

Every year, approximately 1 million women and children are forced into the sex trade against their will, internationally. They are usually transported across international borders so as to

“shake” local authorities, leaving the victims defenseless in a foreign country, virtually held hostage in a strange land. It is estimated that at least 50,000 women and children are brought into the United States annually for this purpose. The numbers are staggering and growing. Some report that over 30 million women and children have been enslaved in this manner since the 1970’s. I believe this is one of the most shocking and rampant human rights abuses worldwide.

One of two methods, fraud or force, is used to obtain victims. The most common method, fraud, is used with villagers in underdeveloped areas. Typically, the buyer promises the parents that he is taking their young daughter to the city to become a nanny or domestic servant, giving the parents a few hundred dollars as a down payment for the future money she will earn for the family.

Then the girl is transported across international borders, and deposited in a brothel, and forced into the trade until she is no longer useful, getting sick with things like AIDS or other illnesses as well. She is held against her will under the rationale that she must work off her debt which was paid to the parents, which typically takes several years.

The second method used for obtaining victims is force, which is used in the cities more often, where a girl is physically abducted, beaten, and held against her will, sometimes in chains.

There is one other very compelling motivation for me to convene this hearing, and that is that it happens in the United States as well, impacting even citizens in my own State of Kansas. Some marketers of children in this country keep them locked up for days and weeks at a time, police report, and they state—the police report quotes, “To keep the youths under control and stay one step ahead of the law, pimps often move from city to city.” This way, the children form no trusting relationships, and are kept penniless, unable to escape.

I recently met with homeless advocates and youth workers from my home State of Kansas, even, who described the methods of procurement. They promise girls, and also boys, a job doing grass-roots advocacy for some type of political reform at a specified eastern college. The children are then taken to an entirely different town, and forced into prostitution. As the Senator from Kansas, I have a personal interest to stop this practice in my State, across the country, as well as to alert children everywhere that it occurs.

We are only just beginning to learn and to understand the methods of this industry. The routes are now being mapped out by Dr. Laura Lederer, who will be testifying here today. She is at the Harvard project. The routes are specific, and definable. They include Burma to Thailand, Eastern Europe to the Middle East, and Nepal to India, among many routes that we will learn about.

Legislation is presently being considered in the House on this issue, which has been introduced by Congressman Chris Smith and Congressman Sam Gejdenson, known as the Trafficking Victims Protection Act of 1999, H.R. 3244. Senator Wellstone has also introduced legislation. There is presently no comprehensive scheme to penalize the full range of offenses involved in elaborate trafficking networks. Solutions are in order, and I hope this hearing will be a first step toward those solutions.

As with any important issue, there are always controversies concerning the means to address the problem, but let me encourage you today to make a record today, those of you testifying, regarding the terrible suffering of those forced into this practice. One further note. I have a short 2 hours, and several witnesses, so we may have to limit some of the time spent with individual witnesses. Let me further say, I am looking forward to the testimony here.

About a month and a half ago I traveled to India, Pakistan, and Nepal, and in both India and Nepal met with NGO's and non-governmental organizations in India fighting this terrible blight, and in Nepal I met with a number of girls who had been tricked, taken against their will into the sex trafficking, into India, and then were returning to Nepal to a safe house there, two-thirds of them coming back with AIDS and/or tuberculosis, many of them tricked into the trade at ages 11, 12 years of age, coming back at the ages of 16, 17 years of age, basically coming back to die a horrible death, being tricked and taken at their youth for what, and into what, and into a horrible existence.

This may be one of the most horrible things I have seen anywhere in the world that I travel, and I think it is time that we shine a light on what is taking place, and that we start to remediate what has been occurring.

With that, I want to turn the floor over to Senator Wellstone, who has been a leader in this effort, and who is a long-time advocate of it, and quite knowledgeable.

Senator Wellstone.

Senator WELLSTONE. Thank you, Mr. Chairman. Let me also thank all of the witnesses today. I agree with the chairman, we are going to have some powerful testimony, and having just listened to you, Senator Brownback, I think this is something that the two of us can work together on, and I believe we can make a difference, and I think other colleagues will join us.

This is an important hearing, as it seeks to investigate I think one of today's most serious and pressing violations of human rights, and I put it in a human rights context, the trafficking of persons, particularly women and children, for purposes of sexual exploitation and forced labor.

Despite increasing U.S. Government and international interest, trafficking in women and children has grown over the past decade, becoming more insidious and more widespread. I believe, Mr. Chairman, that it is one of the darkest aspects of globalization of the world economy. Every year, the trafficking of human beings affects millions of women and children throughout the world, women and children whose lives have been disrupted by economic collapse, civil wars, or fundamental changes in political geography such as the war in Kosovo and the disintegration of the Soviet Union. They have fallen prey to traffickers.

According to the State Department, between 50,000 women, or somewhere around 50,000 women are trafficked each year into the United States alone, 50,000 into our country. They come from the Philippines, Thailand, Russia, the Ukraine, and other countries in Asia and the former Soviet Union.

Since I began, Mr. Chairman, working on this issue several years ago, I have met, along with my wife Sheila, trafficking victims and

advocates from around the world. They have told me again and again that trafficking is induced by poverty, lack of economic opportunities for women, the horrible low status of women in many cultures, and the rapid growth, I am sorry to say, of sophisticated and ruthless international crime operations.

Upon arrival in countries far from their homes, victims are often stripped of their passports, held against their will in slave-like conditions, and sexually abused. Rape, intimidation, and violence are commonly employed by traffickers to control their victims and to prevent them from seeking help. That is the common practice. Through physical isolation and psychological trauma, traffickers and brothel owners imprison women in a world of economic and sexual exploitation that imposes constant fear of arrest and deportation as well as violent reprisals by the traffickers themselves, to whom the women must pay off ever-growing debts.

As many of you know, these vents are occurring not just in far-off lands, but here at home in the United States as well. Last year, in the Kudhina case, six men admitted in a Florida court to forcing 17 women and girls, some of them as young as age 14, into a prostitution slavery ring. The victims were smuggled into the United States from Mexico with the promise of steady work but instead were forced into prostitution. The ring was discovered when two 15-year-old girls escaped and went to the Mexican Consulate in Miami.

Even closer to home, a forced prostitution ring was busted a couple of years ago which imprisoned Russian women in a massage parlor in Bethesda, Maryland.

Trafficking in persons is a human rights problem that requires a human rights response, and yet more often than not our Government and other governments have hounded the victims and let the traffickers go free. The women are treated as criminals and not as the victims of gross human rights abuses, and that is exactly what has happened to them.

In order to reverse this ineffective and often cruel approach toward trafficking victims and go after the root causes of trafficking, like economic distress and the low status of women, I introduced the first bill in the Congress to comprehensively address the problem and was joined, and we will be joined by other Senators, notably Senators Boxer, Feinstein, Snowe, and others.

Moreover, the committee is going to be taking up S. 1842, the Comprehensive Antitrafficking in Persons Act at our next committee business session. I think there is some work we could do together on this before committee. I would very much like to do this in a bipartisan way with you, Mr. Chairman.

The legislation focuses on prevention of abuse, protection and assistance for victims, and the prosecution of traffickers. I think those are the three key ingredients. The bill should ensure the State Department and our law enforcement agencies will be fully engaged on the issue, and I know Secretary Koh has made his absolute commitment that our immigration laws do not encourage rapid deportation of victims—that is one of the things that people have to worry about—and that the traffickers are severely punished, and that trafficking victims receive the needed services and the safe shelter. Further, this legislation provides, and we have to

do this, the needed resources to programs which will assist the victims both here in our country and abroad.

In conclusion, or in closing, I want to thank all the advocates who are here today who have worked so hard on this issue, and I urge the administration to support legislative efforts in the Senate so that we can move quickly to end this brutal practice once and for all.

I just want to say to you, Mr. Chairman, that I agree with you about the importance of this hearing, and I think that both of us can make a commitment to everybody here that this is not symbolic. It is not a hearing and goodbye, you put it away. We are committed to trying to do something about this, and I think we will.

Thank you.

Senator BROWNBACK. Thank you, Senator Wellstone. That is a powerful statement. It is excellent work you have done for a long period of time, and yes, this is not going away. I look forward to working on legislation this year, to getting it through the Senate, through the House, and to the President. This is a problem that has gone on long enough, and I am hopeful that there is a strong enough coalition of people that we are going to be able to move this legislation on forward.

Today, we are about making a record of what has occurred. We have an excellent set of witnesses. The administration will be testifying first. Under Secretary of State for Global Affairs Frank Loy will be the first witness, and I understand we'll have Teresa Loar and Harold Koh answering questions, is that correct, but not testifying? Is that correct?

Mr. LOY. Yes, but also Deputy Assistant Secretary Wendy Chamberlin, on my far left, from the Bureau of International Narcotics and Law Enforcement.

Senator BROWNBACK. We look forward to your testimony, and for the questions. I think there is a number of questions both of us have that we would like to have answers.

We will have two other panels. Before we go with our first panel I would like to start with a short video clip that has been put forward by the Global Fund for Women that I think highlights and puts the overall issue in context, and so if we could start with that video. Shawn, if you want to turn that on, I would appreciate that.

[A video was shown.]

Senator BROWNBACK. There is more to the tape. I just want to give a flavor. That was put forward by the International Fund for Women.

Mr. Loy, we are distressed by this and by what has taken place, and we would like to know what the administration's plans and targets are to deal with this, and hopefully working with us as we develop comprehensive legislation to deal with the problem. Mr. Loy, the floor is yours.

STATEMENT OF HON. FRANK E. LOY, UNDER SECRETARY OF STATE FOR GLOBAL AFFAIRS; ACCOMPANIED BY: TERESA LOAR, DIRECTOR, THE PRESIDENT'S INTERAGENCY COUNCIL ON WOMEN; HON. HAROLD KOH, ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR; AND WENDY CHAMBERLIN, PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC

Mr. LOY. Thank you, Mr. Chairman. Thank you, Senator Wellstone, for giving me this opportunity, and good morning.

I am very pleased to be able to talk about this really deeply disturbing subject, and particularly in the context of the kind of cooperative spirit that you have already indicated. We are all interested in not having a symbolic hearing or a symbolic process, but actually getting results.

I know, Mr. Chairman, that this issue is fresh in your mind because you have had what I understand to be a very productive trip to South Asia, where you were actually able to witness both the cruelty of the practice we have just seen on the video and that you have alluded to, and some of the efforts we are taking to combat it.

I am joined this morning by Ms. Teresa Loar, the Director of the President's Interagency Council on Women, by Assistant Secretary Harold Koh, Assistant Secretary for Democracy, Human Rights, and Labor, and by Ms. Wendy Chamberlin, Deputy Assistant Secretary for International Narcotics and Law Enforcement.

I have prepared a rather full statement for today's hearing which chronicles the history of our efforts to deal with this and also describes the problem in some detail, and with your permission I will submit that for inclusion in the record.

Senator BROWNBACK. It will be put in the record.

Mr. LOY. This morning I will be very brief in defining the problem and describing what our strategy is in combating it. First, though, let me commend both you and Senator Wellstone for your commitment to address this horrific problem. Your work, Mr. Chairman, with your new role in the OSCE, is most welcome, and Senator Wellstone's efforts on this issue are well-known and have been extremely helpful.

I also want to say how pleased we were that you were able, Mr. Chairman, to travel to South Asia to meet with the NGO communities and the activists and police officials there, and to get a firsthand view as to how the scourge of trafficking is ruining lives. Your statement was very eloquent in describing that situation, and it is clear that that trip provided some important insights into how the problem develops.

Mr. Chairman, it is a very sad fact that in this moment of history people still inflict upon one another unspeakable, almost unimaginable horrors. For as long as that is so, we, as civilized people, have a responsibility to speak out against them and to cast a light upon those acts and to do everything within our power to eradicate them from our world.

It seems almost incomprehensible that at the dawn of the 21st century the primitive and barbaric practice of buying and selling

human beings occurs at all, yet it is a very common and unfortunately growing reality. Because it is clear that both you and Senator Wellstone understand the basic problem, and because we have seen the video, I will not delve into the gruesome details as to how traffickers ply their nefarious trade, or upon the cruel misfortunes that befall their victims. I commend my written testimony to you and to other members of the committee who are interested in a more detailed discussion of this issue.

I do want to talk first of all about what is trafficking. It is, among other things, the recruitment, the transportation, the transfer, the harboring or receipt of persons by threat or by use of abduction or force, fraud, deception, or coercion for the purposes of forced labor, domestic servitude, debt bondage, and compelled participation in prostitution and pornography.

You have raised the question how widespread this practice is, and because it is an underground activity, reliable numbers are obviously difficult to achieve. We estimate conservatively the number of people trafficked across borders every year is in the range of 700,000. From that, one can reasonably extrapolate that all trafficking, be it across borders or within countries, claims between 1 and 2 million victims per year. These are staggering numbers.

As this hearing will illuminate, trafficking is a complex problem. Although it is sometimes characterized as a women's issue, its impact involves children and men as well. The origins are economic, the poverty of victims and the greed of the traffickers. Its consequences include the horrendous human rights abuses that Senator Wellstone referred to.

It also includes a growth of both transnational organized crime and local crime, and one of the consequences is increased public health problems and the corruption of public officials. The link between trafficking and these issues underscores its significance as an important foreign and domestic policy concern.

Another fixture that adds to the trafficking growth is the low social status of women in many countries. Children, girls in particular, are pulled out of school early, enhancing the likelihood that they will end up in the clutches of traffickers. In some places girls are considered to have less value than a household appliance. I gather that during your recent trip, Mr. Chairman, you learned that some parents were not above selling their daughters, sometimes for as little as U.S.\$50.

What is the United States strategy for combating trafficking? Generally, the President, the First Lady, the Secretary of State, and the Attorney General all have shown tremendous commitment to this issue. The basic strategy was set forth by the President in a directive of March 11, 1998, and the Department of State, the Department of Justice, and other relevant agencies have made significant progress since then in advancing the antitrafficking strategy set out in that directive.

Our strategy consists of what we call the three P's, prevention of trafficking, protection of and assistance to its victims, and prosecution and enforcement against the traffickers. I will mention here just a few examples of the bilateral and the multilateral projects we have undertaken in furtherance of this strategy of the three P's. A fuller description is in my written testimony.

During her meetings with foreign leaders, and particularly recently leaders of Italy, Finland, Ukraine, Israel, and the Philippines, Secretary Albright has made it a priority to raise trafficking at the highest levels. One result of her discussions have been five concrete bilateral working relationships with these countries focusing on prevention, protection, and prosecution.

Furthermore, as you know, the administration has been working with about 100 other countries to fashion an international protocol on trafficking in persons. Once this enters into force the protocol will arm countries with quite powerful weapons for tracking down and punishing traffickers, and for helping their victims.

Furthermore, we fund public awareness campaigns throughout source countries, particularly of the former Soviet Union and Eastern Europe, and these warn potential victims of the methods that traffickers use and, we hope, educate them to be cautious.

Next month, the United States and the Philippines will co-host the Asian regional initiative to combat the trafficking of women and children. The 23 Asian and Pacific Nations will develop a regional strategy to prevent trafficking, to protect victims, and to prosecute traffickers. In the South Asia region the U.S. mission in Nepal has been carrying out an antitrafficking program since 19989. U.S. Government agencies cooperate with the Nepalese Government on a range of prevention and victim protection and prosecution initiatives, and to encourage regional cooperation in one major area the State Department is developing a specific South Asia antitrafficking strategy that will include regional and country-specific programs

These are but a few of our international antitrafficking programs designed to carry out the three-P strategy, and more are described in my written testimony.

Mr. Chairman, the question arises, what can Congress do to address the trafficking problem? This administration is deeply appreciative of your interest, both of your interests and the interest of others on both sides of the aisle who have sponsored legislation on trafficking. Such legislation is urgently needed, and the administration has worked diligently on a bipartisan basis to help craft a bill that squares with our policies.

We need a bill that gives us the tools to promote effectively this three-P strategy of prevention, of protection, and prosecution. Senate 1842 goes the furthest in providing such tools. Some believe we should add a fourth pillar to the three-P framework, the imposition of economic sanctions on countries that are not doing enough to address trafficking. Because that is an important issue let me spend a moment or two talking about it.

We understand the motivation behind this proposal, but we believe sanctions would be a mistake. In our view, sanctions do not help with effective protection or prosecution. More specifically, we have four problems with the idea of sanctions. First, trafficking is essentially a private criminal activity. Even though we know that trafficking is at times abetted by corrupt officials, sanctions would not in most cases hurt the criminals.

Second, most countries are in the early stages of responding to this problem, whose magnitude has exploded only recently. Governments have been willing to acknowledge the seriousness of the

problem and to work with us to combat it. If a sanctions regime were created, Governments might try to downplay the seriousness of the problem in order to avoid the economic or political impact of sanctions. Thus, sanctions could actually jeopardize the emerging fragile governmental efforts to work together to fight trafficking through law enforcement, through collaboration and training, through public awareness campaigns and victim assistance campaigns, and reintegration programs for victims.

Third, I believe sanctions would, in fact, hurt the victims of trafficking by diminishing the economic opportunities available to them, and thereby increasing the likelihood that they will be preyed upon.

And fourth, sanctions would likely deflect the country's attention from the problem and instead cause them to attack those who raise the profile of the problem, who raise the profile of trafficking, and they would tend to describe them as enemies of the common good.

Specifically, the imposition of sanctions, or even the threat of them, would hamper the work of the NGO's who are absolutely key actors in the fight against trafficking and aid to its victims. Those NGO's would be perceived by their own governments as adversaries rather than as allies in the fight against this scourge.

Mr. Chairman, this is not just speculation. Just last week I met with women NGO representatives from Russia and Ukraine, two major trafficking countries. They told me in no uncertain terms that economic sanctions against their government would cripple the NGO community's effort to respond to trafficking through education of women and girls through aid to victims, through provision of information, of law enforcement and other services. One of those, the representative of one of those NGO's is in the room, and you will have an opportunity to hear from her later on.

Mr. Chairman, in conclusion, the Clinton administration I believe has moved aggressively and with great conviction to prevent trafficking, to protect its victims, and to prosecute traffickers. We want to do more, and we want to do it with you. Trafficking, as has been said by both you and Senator Wellstone, is one of the most egregious human rights abuses of our time. It is slavery, pure and simple. It is slavery in the 21st century. Its existence is intolerable, and it is repugnant to the United States Government and to civilized people everywhere. We look forward to working with you to try to eradicate it.

Thank you very much for giving me the opportunity to testify. I would be happy to answer any questions.

[The prepared statement of Mr. Loy follows:]

PREPARED STATEMENT OF HON. FRANK E. LOY

Mr. Chairman and members of the subcommittee, good morning. I am grateful for the opportunity to testify today on the growing global problem of trafficking in persons, especially women and children.

And I know that this is fresh in your mind after, what I understand, was a productive trip to South Asia during which you were able to witness some of the efforts that we are supporting to combat trafficking. In addition, Mr. Chairman, your efforts to address this important issue in the context of your new role with the OSCE is most welcome. Your advocacy and attention to the needs of victims will continue to be crucial to accomplishing our shared goals.

I am joined here today by Theresa Loar, Director of the President's Interagency Council on Women, Harold Koh, Assistant Secretary of State for Democracy, Human

Rights and Labor and Wendy Chamberlin, Deputy Assistant Secretary for International Narcotics and Law Enforcement.

Sometimes humans inflict upon each other unspeakable, nearly unimaginable, horrors. Yet it is important—indeed we have a responsibility—to speak about such disturbing circumstances—to cast light upon reprehensible acts—to better understand how to eradicate their insidious presence from this world.

Trafficking in persons is one such chilling reality. How does one make sense in this modern day and age of the persistent and growing practice of trafficking? It seems impossible that there is an enormous trade in the buying and selling of human beings. And yet it is all too true. The stories of trafficking victims are filled with suffering, misery, violence and death. It is one of the most egregious human rights abuses of our time and its existence is intolerable and repugnant to the United States Government. We are here today to talk about it in hopes of working with you to continue progress toward its eradication.

As this hearing will illuminate trafficking is a very complex problem. Although it is sometimes characterized as a “women’s issue” it in fact involves not only women, but also children and men. Its origins are economic and social. Its consequences include human rights abuses, increased public health problems, the growth of both transnational and local organized crime and corruption of officials. The link between trafficking and these consequences underscores its significance as an important foreign and domestic policy concern.

It is impossible to overstate the horror of trafficking. It is reported that in some villages in parts of Southeast Asia there are few young women and girls left. Where have they gone? The answer is that agents for traffickers descend upon villages and harvest these children like a profitable crop to take to market—sometimes abducting them, and often luring and enticing them with tragically false promises, sometimes simply buying them from desperate parents—to sell into brothels or to force them to perform a wide range of labor and forms of servitude.

The frightening ease of purchasing a child is documented in the film “Selling of Innocents” by Ruchira Gupta, who I understand will testify later in this hearing.

In another common trafficking scenario, in Cambodia and Viet Nam for example, men and women are trafficked for begging schemes. Mothers with infants are particularly targeted by the traffickers. Old women also are abducted and forced to beg. Sometimes traffickers will maim the elderly they traffic to increase sympathy and make them more effective beggars. You are familiar with the trafficking case where hearing impaired Mexicans—men and women—were trafficked to New York, held in slave-like conditions, and forced to beg by “selling” trinkets in subways and on the streets.

In Eastern Europe and the former Soviet Union, thousands of young women, yearning for economic independence within economies that offer few jobs, decide to leave their homes for promised jobs in other countries. Traffickers may operate through nominally reputable employment, travel or entertainment companies, or marriage agencies. Victims are lured with false advertisements and promises of jobs as models, dancers, waitresses, and maids. Traffickers offer prospects for travel and exciting cultural experiences. Corruption among government officials often facilitates the success of these trafficking schemes.

Once the women arrive at their destination, their passports are confiscated by the traffickers and the victims are subjected to extreme physical and mental abuse, including rape, torture, starvation, imprisonment, death threats and physical brutality to ensure that they comply with the demands of the traffickers.

Even with escape, there is rarely healing or recovery. Individuals trafficked into the sex industry are coerced by their criminal captors to engage in activities that will expose them to deadly diseases, including HIV and AIDs. We understand that of the thousands of women and girls trafficked from Nepal annually—many of whom are in their early teens and younger—of the few hundred who may escape—more than 65 percent are HIV positive.

This is only a small sampling of the types of trafficking cases that are reported. The criminals are sophisticated and trafficking variations seem endless.

Last March, the Secretary of State met with trafficking victims in northern Thailand. She saw firsthand the heart-breaking devastation suffered by these young women—indeed mostly girls—who had their childhood robbed from them when traffickers had sold them into prostitution. The stories of the horror these girls faced reinforced the Secretary’s strong resolve to build consensus around the world to make sure that laws are strengthened so that there will be no safe havens for traffickers and so that trafficking victims can get the protection and assistance they need.

Similar haunting stories have been echoed by other victims to United States officials in countries such as Italy, the Philippines, the Ukraine, Albania, Nigeria, Thai-

land, and Mexico. Girls told of being forced into domestic servitude where they were beaten and raped. The suffering of boys was evident from their mangled bodies, their growth stunted, spines bent almost in half from the oppressive weights they were forced to carry in the construction industry until they were rescued.

One does not come away from hearing of these experiences unchanged. These encounters have deepened United States commitment to marshal the full breadth of government resources available to confront and stop trafficking. The Secretary of State has made her views crystal clear: “[The] women who have been victimized deserve to have their voices heard. And if we apply a standard of zero tolerance to those who sell illegal drugs, we should be at least as tough in opposing those who buy and sell human beings.”

WHAT IS THE NATURE AND MAGNITUDE OF TRAFFICKING?

At its core, the international trade in persons is about abduction, coercion, deception, violence and exploitation.

A trafficking scheme involves a continuum of recruitment, abduction, transport, harboring, transfer, sale or receipt of persons through various types of coercion, force, fraud or deception for the purpose of placing persons in situations of slavery or slavery-like conditions, servitude, forced labor or services. Examples include, but are not limited to, sexual servitude, domestic servitude, bonded sweatshop labor or other debt bondage.

Trafficking affects men, women and children. Men and boys are often trafficked into forced labor, and begging schemes. Women and girls are the primary targets of trafficking, sometimes for forced labor and domestic servitude and often for sexual activities. It is important to note that while trafficking is generally considered to involve force, coercion or deception, there is a solid international consensus that any scenario in which a minor is entangled in sexual activity—prostitution or participation in pornography—is trafficking. Thus, the elements of force, coercion or deception are irrelevant in such settings.

The underground nature of trafficking makes it virtually invisible and obtaining reliable estimates of the magnitude of trafficking has been difficult. However, it appears that 1–2 million persons are trafficked annually.

Because of the absence of any U.S. Government figures on trafficking, the Clinton Administration became the first to attempt to quantify trafficking in women and children. Created to work under the auspices of the National Security Council and as part of the President’s International Crime Control Strategy Initiative, an inter-agency working group was tasked with focusing attention on transnational crime implications of trafficking.

This process has produced the first preliminary U.S. Government estimates of trafficking to the United States. We now believe 45,000–50,000 women and children are trafficked annually into the United States, primarily from Latin America, Russia, the Newly Independent States and Southeast Asia.

Sex trafficking is only one form of the problem. Approximately half of the 50,000 trafficked to the United States each year are for bonded sweatshop labor and domestic servitude. Trafficking into the commercial sex industry, then, is merely one form of a broader range of trafficking exploited by organized criminal enterprises.

Indeed, traffickers are often engaged in more than one kind of trafficking because they follow the profits. For example, we see cases where girls are lured from a village where some are forced to work in domestic servitude or carpet weaving, while others are culled out and sold to brothels. Thus, if we are to be effective in our fight against trafficking, we cannot limit our efforts to one form of trafficking over another form.

Alarmingly, the trafficking industry is one of the fastest growing and most lucrative criminal enterprises in the world. Profits from the industry are enormous, generating billions of dollars annually to organized criminal groups. Trafficking in women and children is now considered the third largest source of profits for organized crime, behind only drugs and guns. Traffickers know that throughout the world they can reap large profits while facing a relatively low risk of prosecution. Moreover, it has been observed that, unlike drugs or firearms, trafficking “in women and children doesn’t require capital to start. There are indications that these growing profits are feeding into criminal syndicates” involvement in other illicit and violent activities.

WHAT ARE THE ROOT CAUSES OF TRAFFICKING?

While there are numerous contributing factors, economic desperation of victims and potential victims is at the core of trafficking. The trafficking industry is driven by poverty and economic desperation, most particularly among women and girls who

have little or no access to economic opportunities, support services, or resources, including credit, land ownership and inheritance.

The low social status of women in many countries contributes as well. Children, and girls in particular, are pulled out of school early, enhancing the likelihood that they will end up in the hands of traffickers. In some places, girls are considered to have less value than a household appliance. The First Lady, who cares deeply about this issue, observed one chilling manifestation of trafficking:

There are girls that I've met in Northern Thailand, when I visited their village I could tell by looking at their parents' homes which ones had sold their daughters into prostitution. The homes were bigger, nicer, they sometimes even had an antenna or satellite on top.

WHAT IS THE UNITED STATES STRATEGY FOR COMBATING TRAFFICKING?

The President, the Secretary of State, and the Attorney General have all shown tremendous commitment to this serious human rights issue. The Departments of State and Justice, and other relevant agencies, have made significant progress over the past two years to advance the United States anti-trafficking strategy set forth in a Presidential directive of March 11, 1998 on *Steps to Combat Violence Against Women and Trafficking in Women and Girls*.

Policy Framework

Pursuant to that Directive, the Clinton Administration adopted a comprehensive and integrated policy framework that guides the development of our policies both domestically and internationally. It consists of the "three P's" of:

- (1) Prevention,
- (2) Protection and assistance for victims, and
- (3) Prosecution of and enforcement against traffickers.

The Presidential memorandum directed the President's Interagency Council on Women, chaired by the Secretary of State, to lead the development and coordination of the USG's domestic and international policy on this issue. The Council coordinates the efforts of the Departments of State, Justice, Labor, and Health and Human Services, USAID and the former U.S. Information Agency.

As a result of the leadership of the Secretary and the work of the Council, the full machinery of the Department of State is seized of the importance of this issue, including the relevant regional bureaus, and functional offices and bureaus such as the Office of the Senior Coordinator for International Women's Issues and the Bureaus of Democracy, Human Rights and Labor, International Narcotics and Law Enforcement, Consular Affairs, Diplomatic Security and Population, Refugees and Migration.

The Department of Justice deserves much credit for its important efforts in this area as well. We are pleased to be able to work closely with that Department through the Council on a range of projects to advance these policies.

The following is a non-comprehensive summary of some of the Department of State's activities in this area.

Bilateral Initiatives

We have seen how powerful it is to have the American Secretary of State raise this issue with heads of government and her fellow foreign ministers. During her meetings with leaders of Italy, Finland, Ukraine and Israel, the Secretary has made it a priority to raise trafficking at the highest levels. As a result of her discussions, the United States has initiated four concrete bilateral working relationships with these countries focusing on prevention, protection and prosecution.

- In Ukraine, we have supported prevention, protection and enforcement initiatives by sponsoring information campaigns, economic alternative programs for victims and training for law enforcement officers there.
- In July 1999, we completed the second meeting of the U.S.-Italy Working Group on Trafficking in Women and Children. This initiative focuses on protection of victims, cooperation with NGO's, training for law enforcement and strengthening cooperation between U.S. and Italian criminal justice systems. U.S. and Italian embassies in Lagos are working with the Nigerian government to develop a public awareness campaign to prevent trafficking in Nigeria. Plans are also underway for American NGO's to travel to Italy soon to learn more about the victims protection services available there. In conjunction with the U.S.-Italian initiative, members of the Council interagency team have consulted with officials from The Holy See on protection programs sponsored by the Vatican.

- With Finland, we are collaborating on the prevention of trafficking and violence against women in the Baltic countries of Lithuania, Latvia and Estonia.
- The United States and Israel are exploring ways to work together to reduce trafficking to Israel. The Department has shared information on trafficking legislation and Israel is beginning the development of public awareness programs.

In South Asia, Mr. Chairman, as you have seen first hand, trafficking is robbing the lives of young women and even girls. Thousands of women and children are trafficked annually from Nepal and Bangladesh to the brothels in India and Pakistan. Many are now HIV positive. The problem is deeply rooted in the poverty, illiteracy, and low status of women and girls, coupled with a growing international organized criminal element in South Asia.

I understand you visited Maiti Nepal, a shelter for rescued girls in Katmandu, where many of the young girls are HIV positive yet are striving to create a life for themselves. Supporting shelters like these represents one of the very real ways that we can address this problem.

Indeed, Mr. Chairman, in South Asia, as you have seen, we are supporting various initiatives to address trafficking. In fact, we have issued a comprehensive South Asia Regional Strategy to Combat Trafficking of Women and Children which is currently being implemented throughout the region. The strategy incorporates our Embassies' evaluations and action proposals related to the three pronged approach of prevention, protection, and prosecution. The FY 2000-01 budget for South Asia includes over \$2 million in State and USAID funds for these efforts. Given your interest in South Asia, we would be happy to discuss our strategy and programs with you in more detail.

Again, this only highlights some of the United States efforts underway internationally. Other initiatives include efforts in Russia and the NIS, the Czech Republic, Bosnia and Herzegovina, Albania, Poland, Bulgaria, Hungary, Thailand and the Philippines.

Multilateral Initiatives

Several important multilateral initiatives are also underway. These include partnerships with the United Nations, European Union, ASEAN and the OSCE. The United States played a lead role in negotiating the International Labor Organization's adoption, of Convention No. 182 on the worst forms of Child Labor and reaffirmed its commitment to this effort by becoming one of the first countries to ratify the Convention.

- At the April 1998 session of the United Nations Commission for Crime Prevention and Criminal Justice (Crime Commission), the U.S. introduced a resolution on trafficking in women and children. The resolution proposed that a protocol on trafficking in women and children be developed in conjunction with the proposed UN Convention on Transnational Organized Crime. This resolution was subsequently adopted and the U.S. and Argentina introduced a draft protocol at the first negotiating session in January 1999. Negotiations on the protocol have been underway since that time and the member states of the United Nations will resume negotiations again in June.
- The United States and the European Union co-sponsored public awareness campaigns to warn young women in Eastern Europe about the dangers posed by traffickers. The Department's Bureau of International Narcotics and Law Enforcement developed a brochure entitled "Be Smart, Be Safe" that is targeted to potential victims. It describes the tactics that criminals use to traffic women, the risks of trafficking, and what women can do to protect themselves.
- The OSCE membership includes origin, transit and destination countries. The OSCE thus is proving to be an excellent forum in which to address trafficking. At the November 1999 OSCE summit, the United States underscored the threat of trafficking in the OSCE region and joined other summit participants in calling for the implementation of the Action Plan to Combat Trafficking by all OSCE member states.
- In July 1998, the Secretary of State raised the issue of trafficking at the ASEAN conference and invited countries in the region to work with the United States to reduce trafficking. The United States and the Philippines will co-host a regional East Asian meeting in Manila in the Spring of 2000 called the Asian Regional Initiative to Combat the Trafficking of Women and Children (ARIAT). Over twenty Asia and Pacific nations have been invited to discuss national action plans to combat the trafficking of women and children and to develop a regional strategy to prevent trafficking, protect the victims of trafficking, re-integrate trafficking victims into society, and prosecute the traffickers.

Expanded Human Rights Reporting on Trafficking

The Department recognized the importance of matching the growth of trafficking around the world with more extensive reporting. Consequently, the Department, through the Bureau of Democracy, Human Rights and Labor, has expanded its reporting of trafficking of persons, especially women and children, in the annual *Country Reports of Human Rights Practices*. The more detailed picture of trafficking that will emerge will help policymakers understand the phenomena and craft sound policies in response.

International Training and Research

I would also like to take this opportunity to underscore the important work of the Department of State's Bureaus of International Narcotics and Law Enforcement and Consular Affairs in improving training for law enforcement on trafficking. Trafficking-specific training is being provided for foreign law enforcement—including border enforcement, consular anti-fraud and visa officials—to recognize trafficking cases and to respond appropriately to help protect victims.

The involvement of law enforcement in developing and promoting protection of the victims of trafficking, even when the victims have crossed international borders and are in undocumented status, is ground breaking and will be crucial to success in this area.

The Administration has funded several research projects to increase our understanding of trafficking. Later in this hearing, you will receive testimony from Laura Lederer, affiliated with the Women and Public Policy program at Harvard's Kennedy School of Government, whose research is funded by the State Department's Bureau of International Narcotics and Law Enforcement Affairs. We contracted this work to survey current laws around the world on trafficking and sexual exploitation.

WHAT CAN CONGRESS DO TO ADDRESS THE TRAFFICKING PROBLEM?

While important progress on this issue has been made, much work remains to be done. Congress is essential to the success of these efforts.

Internationally, we need to achieve consensus on the U.N. trafficking protocol being negotiated. The United States will seek agreement later this year on this historic international instrument of cooperation to aid the fight against trafficking. The protocol will build on our policy framework of prevention, protection and prosecution. It will require countries to make trafficking a crime and will set new standards for countries of origin, transit and destination to prevent trafficking, punish traffickers and protect victims. It will also call for extensive law enforcement collaboration to attack the traffickers. Because trafficking is a global problem, the nations of the world are linked as countries of origin, transit, and destination and inevitably will succeed or fail in combating it together.

Domestically, legislation is urgently needed. Such legislation could and should build on the prevention, protection and prosecution framework and expand and strengthen the tools available to advance the United States agenda on trafficking in other countries. Thus, any legislation should enhance our global efforts pursued through the protocol and the other bilateral, multilateral and regional initiatives described above. U.S. legislation should be carefully crafted to encourage and support strong action by foreign governments and to promote and facilitate the excellent work being done in this area by nongovernmental organizations around the world.

Specifically, the Administration believes that the following elements would be most helpful in domestic legislation:

Prevention.—Prevention measures should include initiatives to provide economic opportunities and increase awareness among potential trafficking victims. Expansion of trafficking information and research collected domestically and in cooperation with our international partners is also needed.

Protection and Assistance.—Protection and assistance for victims is critical. Currently there is no effective structural framework for protection and assistance in the United States for trafficked victims. There are very few shelters or other support services designed to meet the particular needs of trafficked women. Moreover, victims are generally ineligible for assistance because most are in the United States unlawfully. In the past, the standard response was immediate deportation.

Legislation is necessary to remedy this. One of the most important measures would be eligibility for temporary residency (through creation of a humanitarian, non-immigrant visa classification) for trafficking victims identified in the United States to allow them to obtain assistance and to aid in the prosecution of traffickers. Current statutory barriers for trafficking victims should be eliminated to permit eligibility for existing programs.

Similarly, our domestic legislation should provide for support for developing countries to undertake or expand initiatives to protect and reintegrate trafficking victims.

Prosecution and Enforcement.—Strengthened enforcement and prosecution against traffickers is crucial because trafficking is growing, in part, because it remains a high profit, relatively low-risk criminal enterprise. There exists little deterrence to counter the greed of the traffickers. Imposing tougher penalties—up to life imprisonment—for traffickers and amending the law so that traffickers will not escape prosecution and conviction, are among the objectives sought by the Administration through legislation. Also, restitution should be made available statutorily to trafficked victims. To expand the possibility of redress, trafficked victims should be able to bring private civil lawsuits against traffickers.

Supporting Stronger Action by Other Countries.—A key element of any legislative approach taken by the U.S. Government is that it should foster and encourage efforts by other countries to combat this transnational problem through the framework of prevention, protection and prosecution. This can be done through authorizing programs to enhance public awareness of the dangers of trafficking, through law enforcement training and collaboration and support for victim protection and reintegration. Another way in which this can be accomplished is by supporting and reinforcing our efforts through the protocol to persuade all the countries of the world to adopt the prevention, protection and prosecution framework. Any domestic legislation should avoid any provisions, however well-intentioned, that could have the effect of discouraging international collaboration and resolve to acknowledge and combat trafficking.

WHY MANDATORY SANCTIONS WOULD BE COUNTERPRODUCTIVE?

Given the fact that in order to tackle the problem of trafficking we need the cooperation and support of all countries, some say we should inflict economic sanctions on countries that are perceived not to be doing enough to address the problem. We strongly disagree for four reasons:

- Economic sanctions would exacerbate the root causes of trafficking by making the targeted countries poorer and leaving the victims even more vulnerable to traffickers;
- Sanctions imposed on countries would not punish the principal perpetrators—organized crime syndicates—but governments and people;
- In the face of a sanctions regime governments may seek to downplay the seriousness of the problem of trafficking to avoid either the direct or political consequences of sanctions, thus chilling the growing phenomenon of international collaboration; and
- If a sanctions regime is developed, governments and local populations could come to view the important work of local activists and NGO's to raise the profile of the problem of trafficking as a threat and cease collaboration with these important grassroots efforts.

In short, we believe creating a sanctions regime for this problem would be profoundly counterproductive. Sanctions simply would not contribute to prevention, protection or prosecution. And, most importantly, sanctions would not help in the process of building an international effort to combat the transnational problem of trafficking.

As we have raised this issue around the world, we have found that we are joined by NGO's in every country that are pushing their governments to combat trafficking. We have also found that government leaders, as they learn about the issue, want to do something about it. Like the United States, these countries are in the early stages of trying to address trafficking. Because these emerging efforts are fragile, our goal should be to facilitate and encourage them by helping expand such programs as public awareness and education, law enforcement training, and helping governmental and non-governmental institutions be more efficient and forceful agents of reform. Creating a sanctions regime could these fragile collaborative efforts.

Mr. Chairman, it is also essential to bear in mind the critical role played by NGO's in the efforts against trafficking. NGO's have courageously convened forums, produced moving documentaries and accurately reported the horrors faced by trafficking victims. At the Vital Voices Women in Democracy Conference in Vienna in July 1997, members of the President's Council met networks of NGO's working here

in the United States and in the former Soviet Union. We heard from Ukrainian grandmothers who told us in tears of their anguish when young women from their villages were tricked into trafficking schemes. The NGO communities we have worked with include human rights groups, women's groups, service providers and faith groups. We have engaged with these communities in meetings across the United States and overseas and have benefited from this partnership. If we are to defeat the traffickers and provide protection to the victims, one thing is clear—we will need to build on and support the efforts of the grassroots NGO's committed to address this terrible scourge.

Just last week, I met with women's NGO representatives from Russia and the Ukraine, two major trafficking source countries. They told me in no uncertain terms that economic sanctions against their governments would cripple the NGO communities' efforts to deal with trafficking—efforts that include educating women and girls, aiding victims and providing information to law enforcement. These NGO's fear that in calling public attention to the problem they would be accused of causing the imposition of economic sanctions or political isolation. They are justifiably concerned that that would undercut their ongoing cooperative work with governments. We have heard this same message of concern about sanctions from many NGO's who work in the field and are active in victims assistance from around the world, including those in South Asia.

The Russian and Ukrainian NGO representatives were equally, if not more, wary of “targeted” sanctions that would, for example, cut off support for law enforcement training programs. In short, their reaction to such an approach was that the traffickers would applaud the implementation of such sanctions, since the very people who might challenge them would be hamstrung. While they have no illusions about the danger of official corruption, it was obvious to them that working cooperatively with foreign law enforcement and providing training to their law enforcement officials to prosecute traffickers effectively is far more likely to reduce trafficking in their countries than cutting off those training funds.

Sanctions simply are not the answer to the problem of trafficking and the imposition of a sanctions regime could compromise the important work currently underway, to combat trafficking.

NEXT STEPS ON LEGISLATION

The Administration has worked and hopes to continue to work diligently on a bipartisan basis to assist Congress to craft effective legislation. We believe that the current version of S. 1842, goes the furthest in providing needed tools to address trafficking.

While we have deep concerns about certain provisions of the current House bill, sponsored by Congressman Smith of New Jersey and Congressman Gejdenson of Connecticut, other portions of that bill mirror Administration proposals. We hope that disagreement over its proposals for economic sanctions, new unfunded reporting requirements that duplicate existing obligations and current reporting, and creation of a new trafficking office without appropriating funds for that purpose, will not impede our shared objective of enacting effective trafficking legislation this year.

CONCLUSION

The Administration has moved aggressively to combat trafficking and protect its victims. Mr. Chairman, we want to work with you to do more. We must get the world's attention to achieve a global consensus as we head into the 21st century that trafficking, a form of modern day slavery, is unacceptable. As Secretary of State Albright has said, “Our goal, ultimately, is to mobilize people everywhere so that trafficking in human beings is met by a stop sign visible around the equator and from pole to pole.”

Thank you, Mr. Chairman.

Senator BROWNBACK. Thank you very much, Mr. Loy, for testifying and for presenting a very clear statement, too, of the extent of the problem and the nature of it.

Let's run the clock back and forth at 7 minutes here. I do want to make sure—we have got two other panels—we get plenty of time for the other panelists to testify as well.

Mr. Loy, is the problem continuing to grow? I would like to get from you or from your staff people, when did this thing start to ex-

plode, and are we capped out, or is this just continuing to grow at the present time?

Mr. LOY. Mr. Chairman, the numbers started to grow in the nineties, early in the nineties. We have taken some care to get the best snapshot of numbers that we have. It is a little hard for me to predict whether it will grow or not, but certainly the trend line has been up. I am hoping that as the world catches up with the phenomenon in terms of education and in terms of prosecution, that we will cap it, but I do not think I would want to predict which way the numbers will go.

Senator BROWNBAC. Ms. Loar, do you have a comment or thought on this?

Ms. LOAR. Well, of course I agree with my boss, but let me just add to that that we think some of the reasons why this human rights violation has increased so dramatically in the last few years has been sort of the breakdown of borders, the increase of cross-border trade, and the fact that it is so economically lucrative, and the fact that many women and girls in the world find themselves in a very desperate economic situation does point to increases in this human rights violation, in this crime.

The fact that victims' groups, those who are supporting victims, including some of the people you are hearing from today, have their hotline, the calls on their hotline go up on a regular basis, the fact that victims' groups come forward to the U.S. Government and to others who are looking for help I think is an indication that it is becoming more visible. Yes, you have said your work here and the work of others to shine a light on it is helping it come out of the shadows. It is hard to tell if that is increasing, or if it is just becoming more visible.

Senator BROWNBAC. What is the extent of this as a money-making source for organized crime? What is the extent of that involvement, and where is it on their scale of money-making sources?

Mr. LOY. I do not have very good numbers. I am going to ask Ms. Chamberlin to speak to this, but one interesting aspect of your question is that organized crime tends to go where the money is, and we have had a number of examples where there has been a shift from drugs to trafficking in persons, sometimes from guns to trafficking in persons, because it was felt that that was safer. There was less likelihood of prosecution. So it is somewhat interchangeable.

Wendy, do we have numbers?

Ms. CHAMBERLIN. I am sorry, we do not have numbers.

Senator BROWNBAC. Would you identify yourself?

Ms. CHAMBERLIN. I am the Principal Deputy Assistant Secretary in the International Counternarcotics and Law Programs Bureau, commonly known as Drugs and Thugs.

The bureau started out—

Senator BROWNBAC. Drugs and Thugs. That is something to tell your mom.

Ms. CHAMBERLIN. The evolution of our bureau's interest actually speaks to this problem. We had started out primarily as a bureau interested in counternarcotics abroad. We have found over time that if you are interested in counternarcotics and stopping at that,

it leads naturally into organized crime issues, and larger crime issues, as has organized crime in this issue.

I am echoing a point that Under Secretary Loy just made, but we have found that many of the drug-trafficking groups are shifting away from trafficking narcotics to trafficking people, women and children, for the reasons that are Under Secretary Loy just mentioned. It is a reusable commodity. You can sell it more than once. The penalties are low in many countries around the world, and governments and law enforcement agencies particularly are not quite as sensitized to the danger and the horrific nature of the problem.

This has led us to focus more on this problem internationally, and has led naturally to our interests in promoting the U.N. Transborder Organized Crime Convention that is being negotiated in Vienna now, because that focus is on organized crime and their involvement in this issue.

Senator BROWNBAC. So if I could, are they focusing, refocusing their asset base, then, to—you are saying away from drugs and into the international trafficking on an increasing basis?

Ms. CHAMBERLIN. Yes, sir, very much so.

Senator BROWNBAC. May I ask you, just as an economic matter from them, are they sourcing people and then selling them, or are they sourcing them and then putting them in their own brothels in places around the world? Just how are they actually doing this transaction?

Ms. CHAMBERLIN. There are a lot of questions we simply do not know that we need to know, and we are beginning to work in a more focused way with law enforcement agencies in other countries so we can answer just those questions, but what we are seeing is organized crime groups, Asian, for example, coming out of China, the Snakeheads, that are very much trafficking not just labor but women and children and men into their own distribution systems within the United States and other countries abroad, the U.K., Italy, others, where it quickly becomes coercion, coercion for labor, coercion also for sexual purposes, so the answer to that is yes, it is a network.

Mr. LOY. There is a particular example that maybe Ms. Loar might refer to.

Ms. LOAR. Senator Brownback, one of the things we have found in the cooperative arrangements we have with particular countries, coming out of Secretary Albright's bilateral discussions on this with foreign ministers, is the willingness and the interest of the anti-organized crime efforts within countries to work with the U.S. Government on this.

A particular case is in the case of the Government of Italy, where the Anti-Mafia Commission has been very actively engaged in sharing information with us, and us with them, about activities relating to organized crime elements. We hope to learn a lot more about that. We know that the Government of Italy looks at the trafficking in women and children as seriously as they do any of the other organized crime activities they have focused on.

Senator BROWNBAC. Paul, we will bounce back and forth. I would like to go another round after this.

Senator WELLSTONE. That is fine. As I am listening to the discussion I am thinking to myself that it is interesting, we are—I mean, I certainly know that our Government in an important way is trying to make a difference, but I also think it is clear that right now I think we just have a further hemorrhaging that is going on, and so what is the role of organized crime in relation to trafficking, and in relation to the global markets?

I gather we are just starting to get a handle on this, and frankly I think it is important that we recognize, and I have a couple of questions I want to put to you, Mr. Koh, that we can talk about trafficking for the purposes of sexual exploitation, prostitution, but also for slavery. I mean, it is the same issue when women are brought here or some other country and beaten up and threatened and forced into labor, and the other thing I will just mention, because I do not want to take up a lot of time, but I think it is also in these estimates, just taking the United States, 50,000 women and children, I think it would be larger if we included men.

I mean, we also—the case of deaf Mexican men that were brought over here and exploited, and I am not sure whether we have got those statistics or not, or collecting that data. Maybe I will get back to that question.

But given all this, let me just raise a couple of questions. First of all, Secretary Koh, what do you think would be the key components of U.S. legislation that could really make a difference in terms of the P's, the preventing, the prosecuting, and the protecting of human rights, and trafficking persons?

What do you see as being the key components of a piece of legislation that could make a difference, and I appreciate Secretary Loy's mentioning S. 1842, and I am willing to improve upon it and work with my colleague here, but could you kind of outline for us what you consider to be the key components?

Mr. KOH. Yes. Let me go back first of all, Senator, to Senator Brownback's question. I think part of the phenomenon is the transnational nature of the phenomenon suggests that both the supply is increasing in the source countries, partly spurred by the collapse of the Eastern bloc, the transit countries have weaker restraints because of more sophistication on the part of smugglers and transnational networks, and then the growing demand in the recipient countries, thus leading to a growing market for this activity, thus making it more economic to shift activity of existing criminal syndicates away from guns and drugs toward trafficking of women and children as a more profitable enterprise.

I think the critical point, then, is because what we have is a vicious cycle, how do we break the vicious cycle, and that is where we think that the most forward-looking piece of legislation going to this issue is S. 1842, because I think that what is necessary is to attack all the different pieces of the problem.

The first and most important, obviously, is providing protection to those individuals who are caught up in the trafficking game, and that is where the visa provisions, the humanitarian visa, the witness provisions make it clear that they are not the problem and, indeed, they can be a source of information, and bringing evidence to bear.

You mentioned the deaf Mexican workers. Before I came to this job I was one of the counsel to the deaf Mexican laborers who were in New York. Many of them were under severe coercion, and it was the fact that there was a possibility of visa relief which made it possible for them to come forward to testify against those who had subjected them to this kind of atrocity.

I think on the prosecution side the most critical element is cooperation in a transnational protocol and extradition and prosecution arrangement that can get countries working together from all three, source, recipient, and transit countries, and that is where the protocol negotiations in Vienna are so important.

I think the important thing, Senator, is that what we are building here is a regime. This is a critically important moment for regime-building which requires both a multilateral framework, the prosecutorial framework with legislation on top, that supplements that regime rather than disrupting it.

And then finally, I think on the prevention side steps at public education, awareness, development of economic alternatives. When I traveled with Secretary Albright last March to Thailand we saw the Hill Tribes Institute. I am sure you have seen this yourself, Senator Brownback, in your travels, efforts to steer individuals who might be enticed into this, or deceived into this kind of activity, into different lines of work so that they never become part of the supply in the first place.

I think this is the key part, is protecting the victims, giving them economic alternatives, and going hard after the traffickers. That is where—some of the alternative techniques that are being proposed, reporting mechanisms, we believe that there is in fact a lot of information out there. The question is how to get that information into the right hands.

The mandatory sanctions mechanism, as my boss, Under Secretary Loy, pointed out, could end up disrupting the cooperative arrangements that we need to bring about a prosecutorial regime.

So the question is, how do you get the legislation and the multilateral arrangements working together.

Senator WELLSTONE. Let me, since you raise that question about the need to sort of build this relationship with kind of a multi-nation response, can I just ask you to speak to what is certainly a thorny question for me, and that has to do with whether or not we are talking about voluntary prostitution versus forced prostitution, this whole key question. I would like for you to, if you do not mind, work through this for us.

I mean, can you sort of spell out for the two of us what you see as being the critical kind of key question here, either one of you? You know what I'm talking about. I can sort of put the question a different way, but I would like for you to speak to this, because I hear from more people that are working on this—I see more division around this question than any other, and I would like to get your testimony on this.

Mr. LOY. Let me start off on this, and then I might ask Secretary Koh to follow up. The United States has perhaps the strongest anti-prostitution laws of any industrialized country. Certainly they are very strong, and our position is very clear that prostitution is

a practice we would like to eliminate. We abhor it, and we certainly do not want in any way to endorse it, or to help it.

The issue arises in important part in the protocol that is being negotiated that Ms. Chamberlin referred to. That protocol deals with trafficking, and trafficking is described therein as basically trafficking across borders by reason of force or deception or coercion, and does not include voluntary acts.

We want to focus on trafficking because it is every bit as bad as we have all heard and said today, and we recognize that if we seek to enlarge the concept and deal not only with trafficking as thus described but also with prostitution generally, that we will lose a number of key participants in the international effort to write this protocol.

Just as Harold as said, this system will only work if countries on the source end, on the transit end, on the recipient end get together and deal with this together, so we want a protocol that is as wide as possible in its adherence, and we do not want to lose any countries that would not sign the protocol because their laws, for example, do not criminalize.

Senator WELLSTONE. Mr. Chairman, I actually will not take my additional 7 minutes, but let me, if I could just follow up, because I find this to be—this has to be put in some kind of—I appreciate what you say, but I still need for you all to speak to the obvious concern that this becomes a big loophole. Somebody signs a consent form before they come—there seems to be all sorts of loopholes for the basic human rights violations that we are trying to prevent, and I want you to speak to how we make sure that indeed we are dealing with the blatant violation of human rights of women if we have language that talks only about forced prostitution as opposed to voluntary prostitution.

Mr. LOY. Let me just add one more thing before I turn it over to my colleagues. Both the proposed law and the proposed protocol would not in any way—would not in any way undo or modify or change any present legislation, or any present international agreement that deals with prostitution, so we would not undo anything.

We would add a whole layer of prosecution, and if you talk to the prosecutors you will find that under the proposed protocol and the law the prosecutions would be simpler, not more complicated, and so it does not seem to me that anybody who is at present in any kind of a risk of being prosecuted would be let off by reason of what we propose.

Senator WELLSTONE. What I am worried about here is—and I want you to work through this for me, because if you have language that focuses on just forced prostitution the question becomes, what if a woman knows, in fact, before she comes to another country she is going to be a prostitute, but then her human rights are violated, is it a human rights violation or not? What if somebody signs a consent?

I just would like for you to try to speak to this in as specific a way as you can. Secretary Koh, do you want to add to this?

Mr. KOH. Senator, our core principles are pretty clear, first that as Secretary Loy said, we ourselves have the strongest domestic regime against prostitution that you could imagine, secondly that we are seeking a comparable regime on trafficking which is overlap-

ping but not identical to prostitution, and third, that we are trying to get the strongest international criminal regime against sexual exploitation that the diplomatic traffic will bear.

Now, the key in trafficking is not the act itself of sexual exploitation. It is the act of the use of force, or fraud, and artifice, to get people across borders, and the question is, how do you develop an effective regime that reaches that when it is done for all kinds of different purposes, and the goal is to try to cast the net as broadly as possible, and to criminalize as many different kinds of acts which are the end goal for that kind of activity.

Now, with that, we have to look at what other nations are willing to subscribe to. I think we would all agree that if we could get a drug trafficking regime that reached 18 out of 20 drugs, we would try to get that if we could, and we would try to push it and use it as the regime to build up to all 20, and I think that is essentially what we are attempting here.

I think we do not agree that their use of the term forced or not is itself going to be a major loophole. There are many ways, and my colleague, Deputy Assistant Secretary Chamberlin, can reach that, whereby the act of proving trafficking can be done without getting into the issue of whether the prostitution which is at the end state is itself forced or voluntary, or, quote, voluntary.

I think the key is whether the trafficker themselves are engaged in an act of transporting someone across international borders by illegal techniques for illegal profit, and then whether the act for which they are doing so fall within what we would hope would be a very broad definition of sexual exploitation.

Senator BROWNBACK. That is a key point, because virtually everything I have read on this, and the girls that I have talked to that have returned from this, many thought what they were going into in the first place was fine. They were voluntary with it. They were going to get a domestic job somewhere, going to a carpet factory. Even the trafficking in this country, it starts out, I agree with this, but then it ends up at the other end in the most horrible forced slavery situation, and so we really have to get at, I think, the end issue here, and not at whether it is voluntary or not in the beginning of it.

I wanted to ask a couple of questions, and then we will go on to the next panel. I hope we do not lose sight, in our discussions here on legislative points and whether this is the way to go or that one is, of that 13-year-old girl that is locked in a brothel in Bombay and beaten regularly, submitting to this trade and returning to Nepal with tuberculosis and AIDS. I hope we keep focused on that is what this is about.

To me, this is an important piece of legislation that should and can move this year and get to the President's desk, or we can fight about it a lot, and I can spend quite a bit of time blaming you guys for it, which I think there is plenty of blame to go around of why this thing is growing the way it is, or we can blame Congress for why haven't we acted sooner on an exploding problem.

But I would hope what we would do is, we would work together on a piece of legislation, move it, move it aggressively, move it rapidly, that we would not have a lot of stumbling blocks put in place by different people, or who is going to get credit for dealing with

this or that, but that we would get it done, because otherwise this thing is going to just continue to explode.

It looks to me like it is a very profitable area. It is an area that the rings can move people into and not be subject to criminal prosecution in sometimes the host country, because prostitution is not illegal, and so that you have found a good profit center, and that is a horrible thing that is taking place. If they are shifting those resources we should be very aggressive on this front end of dealing with it, and so I hope you will work with us very carefully and closely.

And I do not think we are going to get a bill through that you may agree with everything on. I would doubt it. I would hope we could work with you early on, and I know Senator Wellstone is anxious to get something on through, that you would work with us on getting something that can make it on through the legislative process and we can get it to the President that does address the issue.

And Mr. Loy, we have met previously, and I hope you will work with us on that so we can move this early, and the administration can put its weight behind moving this type of legislation.

Mr. LOY. Mr. Chairman, I am absolutely committed, and we are all committed to moving an effective piece of legislation through the Congress, and we know that we will have a cooperative spirit on the part of the Senate.

I do want to commend you for focusing on that 13-year-old girl that you were referring to earlier, and I think we have to remember what this is all about, and the victims we are trying to help, and that is why I think it is particularly important what Assistant Secretary Koh said earlier, that we have a historic moment to build a regime.

It is kind of an academic term in some ways, but it is exactly right here, a domestic and international regime in which we can fight this effectively, and we have to make sure those two pieces work together, because that way we will be able to prosecute the traffickers, and we will have a system whereby the victims will be helped, and we are absolutely committed to making that work.

Mr. KOH. And Senator, if I could just add, I think the key to the approach that we are supporting is that the victims and survivors be the target of the protection and prevention efforts, but it is the traffickers who are the target of the prosecutorial efforts. In other words, in the prosecutorial extraditions phase of this operation, we are not looking at the state of mind of the victim, because as you said, the state of mind of the victim may be clouded, misled, change over time.

Senator BROWNBACK. She may be an 11-year-old girl. She probably is, which I have a 13-year-old daughter, and she can move—her mind can frequently be clouded.

Mr. KOH. Well, I have a 13-year-old daughter as well, and she actually has a quite unclouded mind, but nevertheless, the main point I think is in the prosecutorial side of this, targeting the traffickers. The name of the game is two things, first, cooperation, multilateral cooperation, and secondly focusing on the state of mind and overt acts of the traffickers, because their use of force or fraud or artifice of transporting people across borders, that is what estab-

lishes the criminality of what they do, not some assessment of the state of mind of the victim.

Senator BROWNBACk. The number Paul and I both use is 50,000 trafficked into the United States annually. Does the administration have a number, a good educated guess of the number trafficked into the United States annually?

Ms. LOAR. That 50,000 is the administration's educated guess on that, and that is something that is being tracked and looked at, but that 50,000 number is the current snapshot we were able to take.

Senator BROWNBACk. And where is the primary source that these poor individuals are coming from?

Ms. LOAR. From the former Soviet Union, from Southeast Asia, from South Asia, from Africa. There has been a great increase. Well, it is hard to measure, since these are numbers that are being looked at very carefully now, but a lot of the numbers are coming from the former Soviet Union.

Senator BROWNBACk. And that is—you listed several places. Did you list those in orders of number?

Ms. LOAR. Not necessarily.

Senator BROWNBACk. But the former Soviet Union is the largest in the administration's estimate?

Ms. LOAR. I am not sure we could quantify that. We would have to look at that.

Senator BROWNBACk. Are most of these coming into the United States through organized crime apparatuses as well?

Ms. LOAR. I am going to turn to Ambassador Chamberlin on that one.

Senator WELLSTONE. Keep in mind when you answer that that I am also interested in whether we are including men, or whether we are even collecting any data. We are talking about forced labor conditions as well. I am interested in whether the statistics include men or not.

Ms. CHAMBERLIN. My understanding is the statistics do not include men, that the statistic would be even larger were we to include men, and we ought to. My understanding also is that—it is once again developing—is that the primary source of trafficked people into the United States is still Southeast Asia, with Southwest Asia and the former Soviet Union States a close second, but with the Nigerian organized crime groups becoming more active, as well as—you know, it is where we find poor people.

Senator BROWNBACk. How are they getting here? How are they bringing them into the United States, the crime syndicates?

Ms. CHAMBERLIN. In the case of Asia, there are quite active Chinese groups involved in smuggling. They smuggle in men, but they smuggle in women and children as well, in containers—you have been reading some of the articles lately—through working with other corrupt officials in the Caribbean and Latin America, with phony visas and phony passports, through a variety of methods, in onesies and twosies, pretending to be spouses with phony documentations, coming in from Southeast Asia. That is a favorite way. In a variety of different ways, sir.

Ms. LOAR. May I just add to that that some of the people, the victims who are trafficked do come in on visitors' visas, and our embassies around the world are very much alerted to this, and

there are fraud alerts, and there are discussion points where our consular officers issuing visas around the world have a focus on this and are looking for patterns, and they share information with each other, and so that part of it, the prevention part, right at the very root, as to whether or not someone gets a U.S. visa, our embassies are very actively engaged in.

Senator BROWNBAC. Do you have names of any of the syndicates that are moving people illegally into the United States that are particular targets of the administration?

Ms. CHAMBERLIN. The Russian syndicates, yes, sir, are moving in very aggressively, particularly.

Senator BROWNBAC. Can you give me names? Have you named some of the syndicates? Can you identify those here?

Ms. CHAMBERLIN. We will provide you a report, sir. I will work with my colleagues at the FBI who I know are currently investigating this right now, and we can get you better data.

Senator BROWNBAC. All right. Well, this has been a very illuminating panel, and I appreciate greatly—I feel like we just scratched the surface of a terrible blight, and it is kind of a big sore that you open up, and you see all of the poor people's faces that have been victimized by this, and misused, and abused, and thrown away.

Thank you very much. We look forward to working with you further on this topic.

Mr. LOY. Thank you, Mr. Chairman, and Senator Wellstone.

Senator BROWNBAC. The second panel is Dr. Laura Lederer, Director of the Protection Project, Kennedy School of Government at Harvard University, Gary Haugen with the International Justice Mission, and Regan Ralph of Human Rights Watch, and I would note for the press that we will be having a victim testify at this panel. She is in disguise, does not want to be identified by name or visually, and she will be leaving immediately afterwards, after her testimony, and we wanted to try to protect her identity as much as possible.

Because of the size of the panel, and we do have a victim here to testify, who I believe will need a translator to testify, I think we will go forward with the victim to actually testify, and there will not be questions of the victim, and she will be allowed to leave immediately afterwards. If that is OK with you, Paul, we will proceed that way, then we will go to the rest of the panelists, and we appreciate very much your cooperation as well. Please—and would you like to introduce—

Dr. LEDRERE. Mr. Chairman, yes, and Senator Wellstone, I would like to introduce Virginia Coto of the Florida Advocacy Immigrant Center, and Inez, who is going to tell you her story, and Virginia is going to act as her translator.

Senator BROWNBAC. Please proceed. We will have her written statement for the record, too. Thank you.

Senator BROWNBAC. If I could insert myself, if you have a written statement, if you can simultaneously just go through that and present that for her, and you read it into the mike so that—and I do not know if our transcriber can handle this. We will see how good his Spanish and English is simultaneously, but that might help things. She does not need to speak into the mike for it.

STATEMENT OF INEZ, A TRAFFICKING SURVIVOR

INEZ. Good morning. I would like to thank the Foreign Relations Committee for the opportunity to speak to you on behalf of trafficking survivors. My name is Inez. I am in disguise today because I am in fear that my captors would recognize me and thus place my life and that of my family in danger.

My story begins in the fall of 1997, in Veracruz, Mexico. A friend and neighbor approached me and told me about the opportunities for work in the United States. She told me she worked in the United States at a restaurant and had made good money. At the time, I was working with my family harvesting lemons. I was eager to assist my family financially, so I decided to learn more about this job opportunity.

My friend set up a meeting with two men who confirmed the job openings for women like myself at American restaurants. They told me they would take care of my immigration papers, and that I would be free to change jobs if I did not like working at the restaurant.

I decided to accept the offer. I was 18 on September of 1997, when I was brought into the United States through Brownsville, Texas. My friend who told me about the job traveled with me. We were transported to Houston, Texas, where a man named Rogerio Cadena picked us up and transported us to a trailer in Avon Park, Florida. This is when I was told my fate. I would not be working in a restaurant. Instead, I was told I owed a smuggling fee of \$2,500, and had to pay it off selling my body to men.

I was horrified. I asked my friend what this was all about. She said she had already worked in the brothels and it did me no good to complain. I was told that if I did not pay, the bosses would go after my family in Mexico, since they knew where they lived. I was also told that it did me no good to try to escape, because I would be found and beaten.

Next, I was given tight clothes to wear and was told what I must do. There would be an armed man selling tickets to customers in the trailer. Tickets were condoms. Each ticket would be sold for \$22 to \$25 each. The client would then point at the girl he wanted, and the girl would take him to one of the bedrooms. At the end of the night I was to turn in the condom wrappers. Each wrapper represented a deduction to my smuggling fee. After 15 days, I would be transported to another trailer in a nearby city. This was to give the customers a variety of girls, and so we never knew where we were in case we tried to escape.

I could not believe this was happening to me, but even worse was that some of the girls were as young as 14 years old. There were up to four girls in each trailer at one time. We were constantly guarded and abused. If any one of us refused to be with a customer, we were beaten. Most of the customers were drunk or high. This was very frightening to us, because they often would beat us as well. Sometimes we would tell them about our situation and plead with them to help us escape. The men would agree to help us, but we had to perform certain sex acts which were not part of the regular fee. They did not care about us. They wanted their money's worth.

On other occasions, if we declined a customer ourselves, the bosses would beat us severely or show us a lesson by raping us. One of the girls was even locked in a closet for 15 days. We worked 6 days a week and 12-hour days. We mostly had to serve 32 to 35 clients a day. Weekends were even worse. Our bodies were utterly sore and swollen. The bosses did not care. Often, when our work night was over, it was the bosses turn with us. If anyone got pregnant, we were forced to have abortions. The cost of the abortion was then added to our smuggling debt.

The brothels would always be in very isolated areas. We were transported every 2 weeks to different brothels in order to give the clients a variety. We never really knew where we were. We were not allowed to go outside of the trailer. We were only allowed to use the telephone once a week to call our families in Mexico. However, the bosses stood next to us to ensure that we never revealed the truth about our situation.

On other occasions we were taken to bars for the purpose of recruiting customers. At the bars, the bosses forced us to perform sex acts with customers in their cars.

I was enslaved for several months. Other women were enslaved for up to a year. The INS, FBI, and local law enforcement raided the brothels and rescued us from the horrible ordeal. We were not sure what was happening on the day of the raids. Our captors had told us over and over never to tell the police of our conditions. They told us that if we told we would find ourselves in prison for the rest of our lives. They told us that the INS would rape us and kill us, but we learned to trust the INS and FBI and assisted them in the prosecution of our enslavers.

Unfortunately, this was difficult. After the INS and FBI freed us from the brothels, we were put in a detention center for many months. Our captors were correct. We thought we would be in prison for the rest of our lives. Later, our attorneys were able to get us released to a women's domestic violence center where we received comprehensive medical attention, including gynecological exams and mental health counseling.

Thanks to the United States Government, some of our captors were brought to justice and were sent to prison, unfortunately not all. Some of them are living in Mexico in our home town of Veracruz. They have threatened some of our families. They have even threatened to bring our younger sisters to the United States for them to work in brothels as well.

I would have never, ever have done this work. No one I know would have done this work. I am speaking out today because I never want this to happen to anyone else. However, in order to accomplish this goal women like me need your help. We need the law to protect us from this horror. We need the immigration law to provide victims of this horror with permanent legal residence.

We came to the United States to find a better future, not to be prostitutes. If anyone thinks that providing protection to trafficking survivors by affording them permanent residency status is a magnet for other immigrants like myself, they are wrong. No woman or child would want to be a sex slave and endure the evil that I have gone through. I am in fear of my life more than ever. I helped

to put these evil men in jail. Please help me. Please help us. Please do not let this happen to anyone else.

Thank you.

Senator BROWNBACk. Thank you for coming forward and being willing to have your testimony stated so that we can hear and we can shine that light on what takes place in so many horrifying situations.

Is she willing to answer any questions?

INEZ. Sure.

Senator BROWNBACk. First, we are deeply grateful to you for being willing to subject yourself to this and the fear that goes with what you have been through, and God bless you for doing that, because you are speaking out for millions of women around the world that this has happened to them as well.

How did they sneak you across the border? How did that occur?

INEZ. In a van they brought me to the border. I was brought across the border and then transported in another van to Houston, and then Florida.

Senator BROWNBACk. Was it an organized operation, an organized group?

INEZ. Yes.

Senator BROWNBACk. And the name of that group has been brought forward and prosecuted already. Can you say the name of the group that did the organization in bringing you across the border?

INEZ. It is the family, the Cadena family, of which Rogerio Cadena has been prosecuted in the United States and is in prison. Ivet Cadena is in Veracruz, Mexico, as are other family members and other ring members.

Senator BROWNBACk. Do you know other women, do you know personally other women who have been tricked into the sex traffic in the United States as well?

INEZ. Yes.

Senator BROWNBACk. Many?

INEZ. Yes.

Ms. COTO. If I may, I represent 14 of the women. In the Cadena family that were prosecuted in Florida, after the 16 indicted, 7 were prosecuted and imprisoned, and the rest are still at large, living in her same home town, in Veracruz. Ivet I believe was finally detained in Mexico. I am not sure of the status at this point.

But there is actually 17 in this case. They know of at least 25 women, some are in Mexico, and I represent 14, but there are some still in the United States as well.

Senator BROWNBACk. Is this a growing activity from Mexico into the United States from the organized rings of bringing people in and then tricking them into the sex trade? Does she know, or do you?

Ms. COTO. I do not know. I think Dr. Lederer might respond to that.

Senator BROWNBACk. I have asked more questions than I should have. Paul.

Senator WELLSTONE. I think, Senator Brownback, there are a couple of things, that this is less a question of—I think, Ms. Inez, you have given us some very important direction. There are several

things you have said that are very important to take note of. One is that when women are put in this situation, as happened to you, they are not going to be able to step forward if what they have to worry about is either being deported or put in detention camp, and that is one thing we have to make sure that does not happen.

Instead, what we should be getting to women is the medical services and counseling and help. The second thing, and I think in the bill that I have this is perhaps a weakness we need to look at, which is, we talk about these protections for women, and also women being able to stay in our country, but that is if they cooperate with the prosecution, but some women may not be able to do that because literally their loved ones could be murdered back in the countries they come from, and so I think we have to sort of come up with another standard to provide protection, if that makes sense to those of you who are in this room.

And then finally, I just would like to thank you again, because I think quite often we think this all happens in other countries and not here in the United States, but it does happen here. Thank you again for your courage.

Senator BROWNBACK. Dr. Lederer, and I apologize to the rest of the witnesses for the break we had, but I thought it was important that we have Inez here to testify. I really appreciate her testimony.

Dr. Lederer, please proceed with your testimony. We are going to run the clock, so you will have a 7-minute time frame, so you will know, not that that is iron-clad, but it will give you a little bit of an idea. Thank you for being here.

STATEMENT OF DR. LAURA J. LEDERER, DIRECTOR, THE PROTECTION PROJECT, THE KENNEDY SCHOOL OF GOVERNMENT AT HARVARD UNIVERSITY, WASHINGTON, DC

Dr. LEDRERE. Thank you, Mr. Chairman, and subcommittee members. It is a pleasure to be here. I am Laura Lederer, Director of the Protection Project of the Kennedy School of Government, Harvard University, and I am happy to be here to share some of the preliminary findings from our project.

For the last 4 years I have been documenting the laws on trafficking, slave trading, kidnapping, rape, as well as prostitution and surrounding activities, including pimping, pandering, procuring, soliciting, brothel and body health laws and other statutes.

In addition, I have been tracking the ways that countries address child prostitution, child pornography, corruption of a minor, child access to pornography, and I have collected statutes on all of these issues from over 230 countries and territories around the world.

I have also been examining the range of penalties, defenses to the charges, sentencing patterns, extra territoriality and extradition treaties, law enforcement capability, victim assistance programs, and other related matters.

And finally, we have been documenting the age of majority, the legal age for marriage, the legal age for consent to sexual relations, and other ages that are relevant to commercial sexual exploitation of women and children.

The collection of the data has been taking place through a series of questionnaires and the preliminary work of the project is complete. We hope to have the entire first phase of documentation fin-

ished by the end of this year, and my testimony today is based on the information we have gathered over the past several years and addresses the scope of the problem of trafficking worldwide.

Let me begin by adding to what has already been said about the definition. I will not repeat Mr. Loy's legal definition, but rather say that trafficking is a global human rights problem of which the majority of victims are women and children, and let me illustrate what trafficking is by telling you Lydia's story, which is an amalgamation of several true stories of women and children who have been trafficked in Eastern Europe in recent years.

Lydia was 16 and hanging around with friends on the streets, and here you can fill in the name of any of the sender countries in Eastern Europe, the Ukraine, Russia, Romania, Lithuania, the Czech Republic, Latvia, when they were approached by an older, beautifully dressed woman who befriended them and told them they were so nice-looking she could get them part-time jobs in modeling.

She offered to take them to dinner, bought them some small gifts, and when dinner was over she invited them home for a drink. Taking that drink is the last thing that Lydia remembers. The woman drugged her, handed her and her friends over to another agent who drove them, unconscious, across the border and into—and here you can fill in any of the other countries that are receiver countries, Germany, the Netherlands, Italy, any of the Middle Eastern countries, as far as Japan, Canada, and the United States.

When Lydia woke, she was alone. She was in a strange room in a foreign country. Her friends were gone. A man came into the room and told her she belonged to him. I own you, he said. You are my property, and you will work for me until I say to stop. Don't try to leave. You have no papers. You have no passport. You don't speak the language.

He told her if she tried to escape his men would come after her and beat her. He told her her family back home would be in danger. He said she owed his agency \$35,000, which she would work off in a brothel by sexually servicing 10 to 20 men a day.

Stunned and angry and rebellious, Lydia refused, and this is not an uncommon story. The man hit her, beat her, raped her. He sent friends in to gang-rape her. She was left in a room alone, without food and water, for 3 days. Frightened and broken, she succumbed.

For the next 6 months she was held in virtual confinement. She was guarded 24 hours a day, even when she went to the bathroom. She was forced to prostitute herself. She received no money. She had no hope of escape. She was rescued when the brothel was raided by police. They arrested her and charged her with working without a visa. They arrested the brothel manager and charged him with procuration, but he was later released. They did not attempt to arrest the brothel owner or to identify the traffickers.

The young women were interviewed, and those who were not citizens of the country were charged as illegal aliens, transferred to a women's prison, where they awaited deportation.

A medical examiner there found that Lydia had several sexually transmitted diseases. She had scar tissue from three forced abortions. In addition, she was addicted to drugs, she was physically

weak, she was spiritually broken. There was no one to speak for her.

She feared her future because she knew her keepers. They had the networks, the power, and the resources to track her down, to rekidnap her, to bring her back again. They could hurt her family, and had an interest in doing so because, unlike drugs, where the product can be sold only once, when you commodify a human being, that person can be sold over and over and over again. The risk is low, the potential profits are high, and girls like Lydia are a real target.

There was no one who seemed to care about Lydia's life. The authorities do not have the resources or the interest in tracking down the organizations of individuals in the trafficking chain, from the woman who drugged her to the agent who brought her across the border, to the agent who broke her will, to the brothel managers, brothel owners, and then those on top who are creaming profits from this operation.

In addition, there are corrupt law enforcement officials involved, because the process of getting Lydia and the other thousands of women who are being moved across borders, and keeping the brothels running, involves pay-offs to local border patrols in both countries, as well as to visa officials and police in the country of origin and in the destination country.

In short, Lydia is without protection, and the traffickers have bought theirs.

Now multiple Lydia's story by hundreds of thousands, and a picture of the scope of the problem emerges. UNICEF is estimating 1 million children forced into prostitution in Southeast Asia alone, and another million worldwide.

An estimated 250,000 women and children from Russia and the Newly Independent States of Eastern Europe are trafficked into Western Europe, the Middle East, Japan, Canada, and the United States each year. An estimated 500,000 children per year from Brazil are trafficked into prostitution, making Brazil the Thailand of South America. In addition, thousands of women and children from Central American countries like Guatemala and El Salvador are being trafficked for purposes of commercial sexual exploitation.

We heard from the Department of State that over 50,000 women and children are trafficked into the U.S. per year, and there are countless thousands of others in Africa, where we know the problem is great but we have very little statistical information to guide us.

Where are these women and children trafficked? I have produced some maps.

Senator BROWNBACK. We have some easels over there, if that can help you, or if you just want to hold them up we can do that as well.

Dr. LEDRERE. I actually had a packet for the Senators so they could follow.

Senator BROWNBACK. I have that packet. I think that is in our notebooks.

Dr. LEDRERE. These maps show the trafficking is not just a problem in the few regions we have heard of, such as Eastern Europe and Southeast Asia, but in fact when you take into account the

sender, receiver, and transit countries, almost every country in the world has a trafficking problem right now.

For example, trafficked women and children from Russia, Eastern Europe, and the Newly Independent States have been found in over 40 countries worldwide. Women and children from Southeast Asia are trafficked as far as Canada, the United States, Japan, and the Middle Eastern countries, as well as to neighboring nations in Southeast Asia. Central American women and children have been discovered in Mexico, the United States, and Canada, but in addition they are also trafficked across the Atlantic Ocean to Spain, Portugal, Belgium, the Netherlands, and other Western European countries.

Senator BROWNBACK. Hold on just a second here. Can we get these charts up? You have done a lot of work on pulling those together. Just tell us where you are in your booklet that you have got here. I am on tab 5.

Dr. LEDRERE. Tab 4 is the trafficking from Russia and the Newly Independent States. Every line you are seeing on this map, or these maps, represents a police arrest in the country of a trafficking network involving traffickers from several countries, and moving large numbers of women and children, so these are the trafficking routes from Russia and the Newly Independent States that you are looking at.

The next tab is trafficking from Asia and Southeast Asia to various Western European, U.S., and Middle Eastern countries, and I should say that these routes are by no means comprehensive. What we are doing is tracking the police arrest records when they have a press release, footnoting them and putting them on, so there may be many, many other places that these women and children are being trafficked to.

The next is the trafficking routes to the middle East come from the Eastern European countries, Southeast Asia, and Africa, into mostly the Gulf States in the Middle Eastern countries, and finally the trafficking routes in Africa, and here we have done a lot of work over the past couple of months to document trafficking within Africa to various African States that are then transit States to Western Europe, a lot of trafficking to Western Europe, a lot of trafficking from Africa to the Middle Eastern countries and to the U.S. and Canada.

And finally, with the help of the Intelligence Division at the State Department we did create—the last tab is the trafficking routes into the United States. We have not completed where they are coming from, but these are the 20 largest cities that we know are destination points in the United States for women and children who are being trafficked, and there is one more map, the last tab, Mr. Chairman, which is the male tourist routes to sex destinations.

From almost every conceivable first world or developed country men are traveling to the Caribbean, to Africa, to Asia, and Southeast Asia for if not professionally organized sex tours, then just on their own, to use and abuse women and children in brothels in these areas, so the women and children are trafficked sometimes within borders to brothels, and then the men are traveling, are doing the traveling themselves to the women and children.

[The prepared statement of Dr. Lederer follows:]

PREPARED STATEMENT OF DR. LAURA J. LEDERER

INTRODUCTION

Mr. Chairman and subcommittee members, it's a pleasure to be here. I am Laura Lederer, Director of the Protection Project at the Kennedy School of Government, Harvard University. I am happy to be able to share some of the preliminary findings of the Protection Project.

The purpose of the Protection Project is to build a comprehensive database of laws and related materials on the commercial sexual exploitation of women and children. For the last four years I have been documenting the laws on trafficking, slave trading, kidnapping, and rape, as well as prostitution and surrounding activities, including pimping, pandering, procuring, soliciting, brothel and bawdy house laws, and other related statutes. In addition, I have been tracking the ways countries address child prostitution, child pornography, corruption of a minor, and child access to pornography. I have collected statutes on these issues from over 230 countries and territories around the world.

In addition, I have been examining the range of penalties, defenses to the charges, sentencing patterns, extra territoriality and extradition treaties, law enforcement capability, victim assistance programs, and other related matters. Collection of data has been taking place through series of questionnaires. The preliminary database is complete; we are hoping to finish the entire first phase of documentation by the end of this year. My testimony is based on the information we have gathered over the past several years and addresses the scope of the problem worldwide.

WHAT IS TRAFFICKING?

Before I begin, let me add to what has already been said about the definition of trafficking. Trafficking is a global human rights problem, of which the majority of victims are women and children. Let me illustrate what trafficking is by telling you Lydia's story—an amalgamation of several true stories of women and girls who have been trafficked in the Eastern European area in recent years.

Lydia was 16 and hanging around with friends on the streets in [and here you can fill in the name of any of the sender countries—the Ukraine, Russia, Romania, Lithuania, the Czech Republic] when they were approached by an older beautifully dressed woman who befriended them and told them that they were so nice looking, she could get them part time jobs in modeling.

She took them to dinner, bought them some small gifts, and when dinner was over, invited them to her home for a drink. Taking that drink is the last thing Lydia remembers. The woman drugged her, and handed her and her friends over to another agent, who drove them, unconscious, across the border into [and here fill in any one of the receiver countries—Germany, the Netherlands, Italy, the Middle East—even as far as Japan, Canada, or the United States].

When Lydia awoke, she was alone, in a strange room, in a foreign country. Her friends were gone. A while later a man came into the room and told her that she now belonged to him. "I own you," he said. "You are my property and you will work for me until I say stop. Don't try to leave. You have no papers, no passport, and you don't speak the language." He told her if she tried to escape, his men would come after her and beat her and bring her back. He told her that her family back home would be in danger. He told her that she owed his agency \$35,000 which she would work off in a brothel by sexually servicing 10–20 men a day.

Stunned, angry, and rebellious, Lydia refused. The man then hit her, beat her, and raped her. He sent friends in to gang rape her. She was left in a room alone, without food and water, for three days. Frightened and broken, she succumbed. For the next six months, she was held in virtual confinement and forced to prostitute herself. She received no money. She had no hope of escape. She was "rescued" when the brothel was raided by the police. They arrested the young women and charged them with working without a visa. They arrested the brothel manager and charged him with procurement, but he was later released.

They did not attempt to arrest the brothel owners or to identify the traffickers. The girls were interviewed, and those who were not citizens of the country were charged as illegal aliens and transferred to a woman's prison, where they awaited deportation. A medical examiner found that Lydia had several sexually transmitted diseases. She had scar tissue from three forced abortions. In addition, she was addicted to drugs, was physically weak, and spiritually broken. There was no one to speak for her. She feared the future because she knew her keepers. They had the networks, the power, and the resources to track her down, kidnap her, and bring her back again. They could hurt her family and had an interest in doing so, because unlike drugs, where the product can be sold only once, when you commodify a

human being, she can be sold over and over again. The risk is low and the potential profits are high, so girls like Lydia are a real target.

There is no one who seems to care about Lydia's life. The authorities don't have the resources or the interest in tracking down the organizations of individuals in the trafficking chain—from the woman who drugged Lydia, to the agent who brought her across the border, to the agent who broke her will, to the brothel managers and brothel owners. In addition, some corrupt law enforcement officials must be involved because the process of getting Lydia (and the other thousands of women and children being moved) across the border, and keeping the brothels running involves payoffs to local border patrols for both countries, as well as to visa officials and police in the country of origin, and local police in the destination country. Lydia is without protection; the traffickers have bought theirs.

SCOPE OF THE PROBLEM

Now multiply Lydia's story by hundreds of thousands and a picture of the scope of the problem emerges.

- UNICEF estimates that 1 million children are forced into prostitution in Southeast Asia alone, and another 1 million worldwide.
- An estimated 250,000 women and children from Russia, the Newly Independent States, and Eastern Europe are trafficked into Western Europe, the Middle East, Japan, Canada, and the United States each year.
- An estimated 500,000 children per year from Brazil are trafficked into prostitution, making Brazil, according to experts, the "Thailand" of South America.
- In addition, thousands of women and children from Central American countries such as Guatemala and El Salvador are being trafficked for purposes of commercial sexual exploitation.
- According to the Department of State, over 50,000 women are trafficked into the United States per year.
- And then there are the countless thousands of women and children in Africa, where we know the problem is great, but have little accurate statistical information to guide us.

Where are these women and children trafficked? The Protection Project has created a set of trafficking maps to begin to delineate the trafficking routes and patterns. The maps show that trafficking is not just a problem in a few regions, such as Eastern Europe or Southeast Asia. In fact, when you take into account the sender, transit, and receiver countries, almost every country in the world has a trafficking problem of one sort or another. For example, trafficked women and children from Russia, Eastern European countries and the Newly Independent States have been found in over forty countries worldwide. Women and children from Southeast Asia are trafficked as far as Canada, the United States, Japan, and the Gulf States of the Middle East, as well as to neighboring nations. African women and children are trafficked to wealthy Middle Eastern countries, Western European countries, as well as North America. Central and South American women and children have been discovered in Mexico, the United States, and Canada, but in addition, they are also trafficked across the Atlantic Ocean to Spain, Portugal, Belgium, the Netherlands, and other Western European countries. Every line you see on these maps represents a police arrest of a trafficking network involving traffickers from several countries and moving large numbers of women and children.

Accounts of the arrests police have made show that women are being sold for as much as \$16,000 each to brothel owners. When rescued, women tell stories of debt bondage and sexual slavery in which they were forced to work off a \$20,000; \$30,000; or \$40,000 "debt" to traffickers by servicing dozens of men a day. These numbers and the accompanying accounts illustrate that trafficking of women and children for purposes of prostitution has become a contemporary form of slavery. The numbers may soon be on par with the African slave trade of the 1700s.

WHY DOCUMENT THE LAWS?

We must document the laws of individual countries because the trafficking is international but all the laws addressing the problem are national. There are virtually no international laws with enforcement capability. While the United Nations conventions such as the *Convention on the Rights of the Child* and the *Convention on the Elimination of All Forms of Discrimination against Women* play an important role in setting international norms, they have no enforcement capability by themselves. Countries must draft and pass penal code statutes that specifically ad-

dress each of these commercial sexual exploitation issues if they wish law enforcement officers to have the tools to arrest, charge, and prosecute traffickers.

Once we have documented all the laws, we can examine them for their strengths and weaknesses. For example, we have found that the penalties for procurement with movement, an older type of trafficking law, are most often 1 to 3 years. This is a very light sentence for this type of crime. On the other hand, we have also documented draconian sentences (such as beheadings) for maintaining a brothel. A comparative analysis of the present laws can help us draft a set of model statutes for consideration by countries which wish to strengthen their existing laws, or draft new laws to address new forms of trafficking.

THE THREE P'S: PREVENTION, PROSECUTION, AND PROTECTION

The best legislation would cover what we call "The Three P's"—prevention of trafficking, prosecution of traffickers, and protection (social services and other programs) for trafficking victims.

We have found that more than 154 countries currently have legislation that at least minimally targets the prosecution of traffickers by prohibiting the procurement of women and children for the purposes of prostitution or forced labor. Most of these laws were drafted between 1912 and 1960 to address early waves of trafficking. They are mainly laws prohibiting procurement, procurement with coercion, and/or procurement within and across borders. However, these laws are often poorly, if ever, enforced.

In fact, we find that the prostitution laws, which are aimed at women and children, are enforced, while the procurement laws, aimed at the traffickers, are almost never invoked. The third party in the trafficking triangle, the customer, is virtually ignored in the laws of most countries. This is another area where creative legislation could help to produce demand reduction in the long term.

To date, few countries have developed programs to prevent trafficking by educating women and children about how to avoid being trafficked, educating men and boys not to sexually exploit women and children, educating government officials about how to prevent trafficking, or providing economic opportunities that will make women and children less vulnerable to the lies and promises of traffickers.

In addition, few countries have the kinds of laws that protect victims of trafficking, or services that will help them recover and get on with their lives. As a result, women who have been forced into prostitution often end up in jail awaiting deportation, and go back to their homeland sick, drug-addicted, unemployed and unemployable, and filled with shame and fear. Some have suggested that we make use of women's shelters for domestic and other forms of violence, but our preliminary research shows that trafficking for purposes of prostitution is a particular kind of crime that produce a particular kind of victim, one who needs comprehensive services, in many services that we do not currently have available in the forms required.

Finally, countries wishing to eliminate trafficking must work on all three "P's." For example, prevention programs without protection (social services) for those already trafficked would not solve the problem. And even the best protection programs such as those being developed in certain Western European countries are little more than immense mop-up jobs at the back end without vigorous efforts to prosecute traffickers and stop the trafficking.

CONCLUSION

As a number of witnesses have pointed out, trafficking often originates in countries with poverty and few opportunities for women. But regardless of the root causes, it is important for countries to draft, pass, and enforce strict laws prohibiting trafficking and its surrounding activities. A country's laws and law enforcement efforts make a statement about its priorities. Based on our preliminary findings, we expect that trafficking will continue to increase in the absence of specific, strict, enforceable laws aimed at prevention, prosecution, and protection.

Mr. Chairman, as someone who has worked in this field for 20 years, it is exciting to see the subcommittee's leadership on this important issue. I am happy to see it recognized as a major human rights priority. It is time to move beyond conferences, travel tours, and expressions of shock to a coordinated effort to criminalize the conduct of these interlocking rings of businessmen, modem Mafia, and corrupt government officials. The United States is perhaps the only country right now that can play a leadership role in encouraging countries to address the problem of trafficking. U.S. leadership is important not only because of our interest in promoting basic human rights, but also because it serves the American national interest. One of the hallmarks of the 21st century will be the emancipation of women worldwide. The issue of commercial sexual exploitation of women and children is one that is perhaps

last, but definitely not the least, to be examined and addressed by our society. Your effort, Mr. Chairman and subcommittee members will put America on the right side of history as women gain equality and dignity. We are the people who can help young women and girls like Lydia—by drawing attention to their plight, helping nations strengthen their laws to catch and prosecute traffickers, and finding the ways to prevent and protect young women and children from commercial sexual exploitation.

Senator BROWNBAC. Is this an active tourist industry that is advertised, that is well-known, the male tourist routes to sex destinations?

Dr. LEDRERE. Well, I am not an expert on the sex tourism industry. I know that there has been quite a bit of work done on the industry in Japan, but there has been some government attention to that recently, and I know that in our own country the Justice Department is focusing some investigation on a few of the industries that are out. Most of them are fairly well-hidden and just known underground by those who know what they want to do.

Senator BROWNBAC. Well, thank you very much, Dr. Lederer, and we will have questions for you. That is excellent testimony. We want to follow up with that.

Mr. Haugen, you have worked a lot in this area as well. We look forward to your testimony.

**STATEMENT OF GARY A. HAUGEN, DIRECTOR,
INTERNATIONAL JUSTICE MISSION, WASHINGTON, DC**

Mr. HAUGEN. Thank you very much, Mr. Chairman, and Senator Wellstone as well. I appreciate your leadership on this issue. Just to explain a little bit about who I am, Gary Haugen is my name. I am the Director of the International Justice Mission, and the reason we have come to know something about this issue is that we receive referrals of human rights abuses from faith-based workers who are sent overseas as missionaries, relief and development workers, or doctors, and they see human rights abuses in the communities where they are working but do not know what to do with them, so we give them a place to send those concerns, and we deploy investigators to try to bring relief.

Of course, it turns out, in the world we live in, as you know, much of what would come our way is forced prostitution, international trafficking for sexual purposes. So, what I have to offer today is perhaps some insights into how this actually works in the streets where the massive numbers occur.

That is to say, as Dr. Lederer pointed out, there are a million children this year who will be forced into prostitution, and they will come largely from South Asia and Southeast Asia. These are the places where our investigators, who are law enforcement professionals, generally have been infiltrating the brothels, identifying specific children and women who are being held, using surveillance equipment to document that, and then working with secure police authorities to get them taken out.

So I would like to just add some comments about how this actually works in the streets so that from that we can understand how we might effectively obstruct it, and I think the most powerful way is to try to give three very brief vignettes.

The first one is a girl named Jayanthi, and that is her face, and I think she should be present here with us, a 14-year-old girl living

in a poor village north of Bombay. She gets on a train to go back to her village, because she has made some money doing some domestic service. Four women give her some tea that has been drugged. She falls asleep. She is transported to Bombay. She is sold into a brothel for a few hundred dollars, locked away in a third floor windowless room, and beaten for 3 days until she relents. She is beaten with plastic pipes and electrical cord, burned with cigarettes. She is actually bitten, whatever it takes to make her succumb to the rape of the customers. From that point on, from the point when she was 14 years old to the age of 17, she must service about 20 customers a day.

The other is a girl named Sumita, 12 years old, also living in a poor village outside Bombay. Her mother dies. Her father wants to marry her off to an older man in the village. She does not want that. She gets on a train, goes to Bombay, she is alone and penniless in Bombay. A man notices her at the train station, says hey, there is a job in a restaurant, come with me. He takes her over to a place where he sells her into a brothel. She again is just beaten until she submits, and must service many, many customers a day.

Then the next example is a woman who has actually testified before the U.S. Congress, and her name is Anita. She also was just on a bus in Nepal, taking her vegetables to market. She was drugged, transported to Bombay, sold into the brothel, and beaten again until she relents.

All of them eventually get out, partly through the work of the International Justice Mission to get them out, and through them we learn something of how this operates, and this is the fundamental point that I want to make, is that the driving force behind international sexual trafficking is the toleration of forced prostitution on a massive scale in these large cities.

You think about it. Why does the international trafficker go to all the trouble of transporting a woman or a child to a location in order to sell her? Why does he try to make money that way? It is because he has the complete confidence that there will be a buyer for his merchandise, someone who is not at all concerned, oh dear, you've brought me a woman who is forcibly trafficked into prostitution, I don't know what to do with her.

No. It is a very frequent trade. The way this operates is that if you run a brothel, you are just trying to meet the demand of men wanting to buy sex. Now, there are two ways you can meet that demand. You can offer them relatively voluntary commercial sex workers, or you can meet the demand through someone who has been trafficked in by force.

It costs less to offer up a slave for that. Of course, the risk is that you might get caught, but if there is no risk of being caught, then you are always generally going to choose, to the extent you can, the merchandise of the trafficker. As this operates, therefore, if there is a free and flourishing trade in forced prostitution, it will attract people to traffic women and children from across the borders by force.

Imagine this. If the brothel, however, is completely afraid of local law enforcement shutting them down and getting in trouble, they will say, take that child or woman away from here. I cannot buy

that. Then the trafficker has no place to take the child, and they do not get into the business.

Which leads me to my central point that I would like to make. It is that forced prostitution, and therefore international sexual trafficking, comes down to whether or not local law enforcement tolerates forced prostitution. You can imagine how completely impervious a brothel-keeper is today to international treaties, international covenants, congressional legislation, if he is not going to get into trouble today from somebody.

So the question is, how do you actually move law enforcement from friend of forced prostitution to foe of forced prostitution. Because in the cities where we operate you see the police, and you watch them, they collect their bribes. You can set your watch by their arrival. You can see them in the brothels collecting their bribes in kind. You can see them delivering food. You know that certain police actually bribe their way within the police jurisdiction so they can be assigned to the red light district, because that is where they can make the most money.

And so how do you switch law enforcement from being the necessary partner of forced prostitution to being the foe of it, and there is a number of things in our written testimony addressing this, but there are two key factors from what we can learn from our own experience.

The first is that police respond to whatever the priorities are of the senior political authorities. That is to say, the police are part of a command structure. You need to do what the authorities above you set forth as a priority. So how do you shift priorities? It is our strong feeling that there is definitely a consensus among senior political leaders in these countries that this is a good idea, to fight forced prostitution, but the number of good ideas on their plate is large.

The question is, how do you move it from being just a good idea to an urgent priority? We feel from our experience with these authorities that they will only move this to a matter of urgency if they feel something bad will happen if they do not. Because the victims themselves exercise no political influence of any substance or tremendous power. So, they need to feel that there is something that will happen negative to them that matters to them if they do not take this seriously.

But even if it becomes a priority, the second issue is that you have to give law enforcement tools to fight. You have to give them training and resources, and here I think there are at least two very positive areas where U.S. policy can make a difference.

I believe it is necessary to actually have some reduction in the positive nature of the relationship with the United States. If by some clear and minimal benchmark those authorities are not willing to do some very minimal things, which at least at bottom ought to be getting their law enforcement out of the business. This is not hard to document. We could go to any of these jurisdictions, and it would be very easy to see the law enforcement involvement.

But the second is, you cannot be just a foe. You cannot be just a negative with them. That will not be well-received. There are also ways for us to relate positively to law enforcement. All of the work that we do on extraction actions to get these children out is done

in cooperation with good people within local law enforcement in these jurisdictions in Asia and South Asia. So, it is important to strengthen them, give them opportunities to form special units to actually be able to take these children out. For example, law enforcement overseas generally never conducts undercover operations, very simple things that could be improved upon.

So our emphasis here is, I think, to try to offer the insight, and the way to shut down international trafficking is to shut down the center, the magnet that provides the incentive for international traffickers, and the way to do that is impossible without impacting the local law enforcement in the streets.

[The prepared statement of Mr. Haugen follows:]

PREPARED STATEMENT OF GARY A. HAUGEN

INTERNATIONAL SEXUAL TRAFFICKING OF WOMEN AND CHILDREN

My name is Gary Haugen and I serve as the President of the International Justice Mission. I would like to extend my sincere thanks to Chairman Brownback for convening this hearing and for inviting me to participate.

It takes a great deal of courage to initiate public discussion of sexual trafficking. We are quite naturally repulsed by the revolting nature of the evil, and overwhelmed by the magnitude of the problem. Instinctively, no one wants to look upon the rapes, beatings, and psychological horror of sexual trafficking, and no one wants to confront the numbing statistics about the hundreds of thousands of women and children who are subjected to these abuses each year around the globe. Moreover, these abuses are never likely to personally threaten us, our loved ones, our neighbors, or anyone who might vote for us. Consequently, it's hard not to turn away from a problem so ugly, so big, so remote.

In my opinion, it takes extraordinary leadership to look this evil squarely in the face, and to find beyond its ugliness the beauty and worth of these women and girls who are more like us and our own than we dare to imagine, who suffer these abuses one at a time, and who suffer largely because good people do nothing.

Accordingly, I am grateful to Senator Brownback and this Committee for the courage manifest in convening this hearing, for listening to the stories of these women and children, and for changing everything by agreeing that we will no longer do nothing.

By way of background, the International Justice Mission (IJM) is an international human rights agency that provides a hands-on, operational field response to cases of human rights abuse referred to us from faith-based ministries serving around the world. Churches in America send out tens of thousands of doctors, teachers, missionaries and humanitarian aid workers around the world. Frequently these workers observe severe human rights abuses in the communities where they serve. These workers refer these cases to us, and then we conduct a professional investigation to document the abuses and mobilize intervention on behalf of the victims.

Many of these cases referred to us involve women and children being held in forced prostitution. Accordingly we deploy criminal investigators to infiltrate the brothels, use surveillance technology to document where the women and children are being held, and then identify secure police contacts who will conduct extraction actions with us to get the children out. We then coordinate referral of these children for appropriate after care. We find that a significant percentage of these women and children have been trafficked across international borders.

So, I offer these remarks today not as a public policy expert but as the director of an agency with hands-on experience in the underworld of sexual trafficking especially in South Asia and Southeast Asia. Our mission is simple: we find where the women and children are being held in forced prostitution, we remove them, and we secure them in places of compassionate after care.

Accordingly, I hope to offer some insights from our experience in the field about the dynamics of international sexual trafficking. Perhaps the best way to do so is by introducing you to three women from South Asia—"Jayanthi," "Sumita," and "Anita".

"Jayanthi" grew up in a poor rural area in India north of Bombay. When she was 14 years old and riding a train back to her home village, four women tricked her into drinking some drugged tea and transported her unconscious to Bombay. The women knew that they would find a ready buyer for their merchandise within the

brothels of Bombay's red-light district. Indeed, like thousands of other women and girls each year, "Jayanthi" was sold into a Bombay brothel for a few hundred dollars where she was locked away in a windowless room and beaten until she agreed to provide sex to the customers. Through beatings with plastic pipe, metal rods, and electrical wires, Jayanthi was forced to provide sex to about 20 customers a day for the next three years.

"Sumita" was 12 years old when she arrived as a penniless runaway at Victoria station in Bombay. Her mother had just died, and when Sumita learned that her father was trying to marry her off to an older man in the village, she jumped on a train for Bombay. Arriving alone and destitute in the city, "Sumita" was spotted by a man at the train station who offered to get her a job at a restaurant. She eagerly followed him across town and soon found herself not in a restaurant, but in a brothel where she was effortlessly sold into prostitution for less than \$200. After days of beatings "Sumita" said she felt like "a bird with broken wings" and submitted to the customers.

"Anita" was a twenty-six year old mother of two in Nepal when she was abducted off a bus while on her way to the vegetable market. The traffickers drugged her and loaded her onto a train bound for India where they knew they could readily sell her into a brothel in Bombay. When "Anita" regained consciousness across the border, she could feel small plastic bags bound to her waist beneath her garments. Her kidnapper told her that bags of Hashish had been strapped to her body and warned that if she sought help from the police, they would throw her into jail for smuggling drugs across an international border. Accordingly, "Anita" silently and fearfully endured a five-day train ride to Bombay, where she was indeed sold into a brothel. Amidst crying and howling, "Anita" was locked away in a windowless second-story room for four days and beaten with metal rods until she submitted to the rape by her first customer. From then on, she was forced to service about four customers per day.

Eventually, the International Justice Mission was able to facilitate the release of these young women from these brothels, and the interrelationship of their stories help us understand the dynamics of international sexual trafficking.

Obviously, if we want to help the victims of international sexual trafficking and shut down the business, we need to understand how it works. Accordingly, our experiences in the field teaches us four principles:

1. International sexual trafficking is driven by what is tolerated in the country of final sale—the country where the customer actually purchases sex for money. In other words, it is the country that effectively tolerates forced prostitution at the point of final sale that drives the market demand for international sexual trafficking.
2. Whether forced prostitution is effectively tolerated is driven by the quality and vigor of local, street level, law enforcement.
3. The quality and vigor of local law enforcement's response to forced prostitution is driven by (1) the priorities of senior level political authorities, (2) the clarity and comprehensiveness of the criminal law and (3) the quality of resources and training provided to local law enforcement.
4. All efforts to combat international trafficking are impacted by the victim's eagerness to seek help and to cooperate in prosecution, and the greatest obstacles to such cooperation are the immigration laws and authorities that treat the victims as criminals.

I would like to elaborate on each of these points:

1. *International sexual trafficking is driven by what is tolerated in the country of final sale—the country where the customer actually purchases sex for money.*

Traffickers abduct and fraudulently transport women and children across national borders because they are confident there is a willing buyer to pay them for their effort. They know there is a brothel owner who will eagerly receive their human contraband and pay handsomely for it. Of course, the brothel keeper eagerly receives the women and children who have been trafficked by force, fraud or coercion because the brothel owner knows that forced prostitution is effectively tolerated. There is a willing buyer for these women and children because the brothel keepers feel perfectly comfortable trading in the sale of human beings. They operate without fear of effective criminal sanction.

It is the sheer ease with which forced prostitution operates in certain countries that creates the financial incentive for international traffickers. This is why the stories of "Jayanthi" and "Sumita"—the two victims of domestic sexual trafficking—are so important to "Anita's" story of international sexual trafficking. The ease and de-

pendability with which “Jayanthi” and “Sumita” and thousands like them are sold into forced prostitution provides the international sexual trafficker with the necessary confidence that there will be a thriving market for his merchandise.

In the red-light districts that the IJM infiltrates in South Asia and Southeast Asia, tens of thousands of women and children are bought and sold with the same ease with which you and I might haggle over a used car.

Of course, the coercive nature of the sex trade is powerfully masked behind dark, padlocked doors and hidden corridors. The deprivations of food, the beatings with electrical wires, metal rods, and leather straps, the cigarette burns, and the brutal rapes are conducted in the hidden rooms and upper floors where, if you can get to them, you can find women and children locked in literal cages. This we have seen with our own eyes. Down below and up front, at the more public street level in the red-light district, the girls who have been beaten into resignation mingle with women who have chosen to be prostitutes and together they present a seemingly harmless and willing face for the commercial sex trade. You would utterly miss the point if you began to ask them whether they were working as prostitutes voluntarily, for most would shrug their shoulders and say “Yes.” But ask them to tell you about their first customer, and there always is a first customer, and you are likely to get a very different story. A story of abduction and kidnapping. Or a story of fraudulent marriage in which they were taken from their family and simply sold into a brothel. A story of being lured into town with promises of work in a restaurant or hair salon only to be sold into a brothel, beaten into submission, subjected to a nightmare beyond imagining, and in time resigned to their despoiled life.

Obviously, such a vast and brutal industry is able to operate only because it is tolerated by the civil authorities of the country. At the International Justice Mission, we work in jurisdictions in Asia where the police bribe their way within the police department in order to get assigned to the red-light district because that’s where they can make the most money protecting the brothels. We sit and watch the police arrive on schedule to pick up their weekly bribes, or find them, without much embarrassment, receiving their payment in-kind. We see police delivering food to the brothels so the keepers don’t have to let the girls out for meals. We know there are doctors that oversee the use of drugs to stupefy trafficking victims, and almost anyone from the highest concierge to the lowest cab driver is eager to help you find “little girls.”

This is the environment that provides the dependable market for international sexual trafficking. Ratchet up the cost of doing business in forced prostitution, and you dry up the demand for women and girls who have been coercively or fraudulently trafficked. The brothels won’t want them because they will be too much trouble; but, at the moment, they’re no trouble at all.

2. *Whether forced prostitution is effectively tolerated is driven by the quality and vigor of local, street level, law enforcement.*

Brothel keepers are impervious to the power of the international community’s resolutions, treaties, covenants and protocols unless they impact the conduct of the police officers or constables in their streets. Unless the brothel keeper actually gets in serious trouble with the civil authorities, he’s going to keep doing what he’s doing. There is just too much money to be made. In most countries, the problem is not so much with the criminal laws addressing forced prostitution (although important improvements need to be made here as well) the problem is with the enforcement of the law. Ask the victims of sexual trafficking here about the meaning of their country’s laws against forced prostitution or international laws against sexual trafficking. They will tell you that the only law they know is the man who walks their streets with a stick and a gun.

International sexual trafficking depends upon a flourishing local trade in forced prostitution, and you cannot combat forced prostitution at a distance. Public policy must reach the dirty streets, or it won’t reach the victims of sexual trafficking.

How then do we invigorate local law enforcement against forced prostitution? This question leads to our third point.

3. *The quality and vigor of local law enforcement’s response to forced prostitution is driven by: (1) the priorities of senior level political authorities, (2) the clarity and comprehensiveness of the criminal law and (3) the quality of resources and training provided to local law enforcement.*

It is possible for U.S. Government policy to affect local law enforcement. Every local law enforcement jurisdiction around the world makes a choice between being the friend of forced prostitution or the enemy of forced prostitution. Of course, choosing to do nothing is choosing to be its friend. Therefore, there must be forces at work to move local law enforcement to change sides, to become the enemy of

forced prostitution. In this process, the influence of U.S. policy is limited, but it can be part of a combination of forces that eventually tip the local scales of decision-making toward a decision to fight. As mentioned, however, there are three primary forces working on local law enforcement: (1) political priorities of authorities at the top of the chain of command, (2) clarity and comprehensiveness of the law, and (3) local law enforcement resources and training. This is where an appropriate combination of carrots and sticks in U.S. policy can make a difference. First, every law enforcement officer is part of a chain of command. Eventually, the enforcement officer in the street manifests the priorities of those at the top of the chain of command. If forced prostitution is not an absolutely urgent priority of the most senior political and public authorities in the country, then the powerful market forces at work on the street will always make local law enforcement the active or passive friend of forced prostitution.

And, as it turns out, U.S. policy toward a country can have a very powerful effect upon the priorities of a nation's most senior authorities who sit on top of local law enforcement's chain of command. And here it must be observed that these public officials will move an issue from the "good idea" column and into the "urgent priority" column only when they think something bad will happen if they don't. This is why senior government authorities may be pushed to the point of making forced prostitution an "urgent priority" through a sense that something bad is going to happen in their relationship with the U.S. Government if they don't.

Let's face it. The victims of forced prostitution generally come from the most powerless and vulnerable sectors of the society. This is especially the case, in developing countries. The victims are first and foremost, the poor, the children, and the women. They simply do not constitute a powerful or even significant political constituency. And yet, if the goodies that flow from a country's relationship with the world's only remaining superpower and the world's largest economy are jeopardized by a failure to respond to an issue, then that issue can take on an utterly fresh sense of urgency. This is where the stick of negative consequences in U.S. policy can have a powerful and occasionally decisive impact. It can reorganize the priorities of senior officials. And they in turn will reorganize the priorities of those who report to them.

The first and most basic reorganization of priorities should be as follows: the U.S. Government should insist that local law enforcement get out of the business of forced prostitution. Everywhere that the IJM confronts forced prostitution in the world we find police taking protection bribes from the brothels, assisting in the harboring of victims, tipping off brothels about police raids, and even occasionally operating the brothels themselves. Active police complicity is not hard to find, it's hard not to find. In countries where there is rampant forced prostitution, credible evidence of police collusion would not be difficult for any U.S. Embassy to document. And on the basis of such a finding, it seems a rather modest requirement to insist that countries that seek aid and good relations with the United States not be active collaborators in the business of rape for profit.

Finally, even urgent law enforcement priorities cannot be vigorously and effectively pursued without clear and comprehensive criminal laws or without resources and training that equips street level law enforcement to be effective. This is the carrot of U.S. policy. We can assist in the development of clear and comprehensive statutory definitions of the crimes of forced prostitution and sexual trafficking. The U.S. Government can provide targeted assistance to foreign governments for resourcing and training special units to fight forced prostitution and international sexual trafficking. All of the work that the IJM has done in physically rescuing women and girls from forced prostitution we have done with the assistance of select trusted contacts within local law enforcement overseas. Local law enforcement can be equipped to respond effectively—and there certainly is no hope of actually addressing the problem if they are not properly equipped and trained to do so.

This calibrated combination of U.S. policy initiatives can make a real difference in the quality and vigor of the response by local law enforcement to forced prostitution.

4. All efforts to combat forced prostitution are impacted by the victims' eagerness to seek help and to cooperate in prosecution.

All law enforcement depends upon the support of the community and the cooperation of victims. But there is no way to reasonably expect victims to cooperate with law enforcement unless two conditions are met: (1) local law enforcement must get out of the business of protecting and profiting from forced prostitution, and (2) victims must be provided with a safe environment in which they can feel freely empowered to participate of their own volition in the justice system.

First, local law enforcement must get out of the business of protecting and profiting from forced prostitution. One must understand that the law enforcement per-

sonnel that most victims of sexual trafficking are familiar with are the ones they see turning a blind eye, taking a bribe, or catching and returning the runaway to the brothel. Unless U.S. policy places strong pressure on foreign governments to prosecute vigorously and severely those police who participate in and profit from the sex trade, then one cannot reasonably expect much cooperation from the victims of that environment who are trafficked to our own shores.

Secondly, victims must be provided a safe environment in which they can feel freely empowered to participate of their own volition in the justice system. It is well-known that the greatest ally of international sexual trafficking has been the way government authorities have treated the victims of sexual trafficking as criminals rather than as the vulnerable rape victims that they are. This allows the trafficker to easily coerce his victims with horror stories of what will happen to them if they try to escape or go to the authorities. Here the United States has an opportunity to set a standard of compassion and generosity for the world by the way we treat women and girls who are trafficked into our own country from foreign lands. We can adjust our immigration laws in a way that creates a safe, non-coercive environment for the victims, an environment that vastly enhances the chances of their cooperating in the prosecution of the bad guys. In addition, we can support those vital after care facilities that give these devastated women and children a concrete vision of a life worth living.

Mr. Chairman, you and your colleagues in the United States Senate are taking important, historic first steps to address a desperate problem that has devastated the lives of countless women and children. Women and children with real faces, real lives. Women and children like "Anita," "Jayanthi," and "Sumita."

Mr. Chairman, members of this Subcommittee: hear their stories. And use the power, wealth and influence entrusted to the United States of America to change the dynamics of abuse, to turn the tide of power to the side of these who need our compassion and protection and against those who prey most brutally upon the vulnerable.

Thank you very much.

Senator BROWNBACK. You have to get it to where the problem hits, or we have got to do that.

Ms. Regan Ralph with Human Rights Watch I believe is here to testify as well, and a good Kansan, Paul, I might mention, as well, from Leawood, Kansas.

**STATEMENT OF MS. REGAN RALPH, HUMAN RIGHTS WATCH,
WASHINGTON, DC**

Ms. RALPH. Thank you. I have prepared a longer written testimony. I will do my best to keep my oral remarks to 7 minutes or less, with my eye on the lights.

What I would like to do first is introduce myself. My name is Regan Ralph, and I am the executive director of the Women's Rights Division of the Human Rights Watch. It is a pleasure to be here today, and I appreciate the attention Senators Brownback and Wellstone are paying to this growing human rights problem of trafficking in persons.

What I would like to do today is quickly highlight what we have seen in many years of monitoring and researching the global trafficking of primarily women and talk about the consistencies that we see in that documentation, and I will echo some of the things that have already been discussed.

I then would like to speak briefly about a particular case, based on recent research Human Rights Watch has conducted on the trafficking of Thai women primarily into the sex industry in Japan, and then, time allowing, I will talk about some key things we think need to happen both domestically and internationally to improve our opportunities to prevent this abuse from happening in the first place and protect the rights of victims once it does.

Human Rights Watch has been involved in documenting and monitoring serious human rights violations for many years. We have reported on the traffic of women and girls from Bangladesh to Pakistan, from Burma to Thailand, and from Nepal to India. We have also conducted extensive research regarding other incidences of trafficking, including trafficking of women from Thailand to Japan and from Eastern Europe and the former Soviet Union to Bosnia.

In our documentation we have found that while the problem varies according to the context, certain patterns definitely emerge. While our research has focused on the trafficking of women and children into the sex industry, it is worth noting that there are numerous credible sources that are increasingly reporting that similar patterns to those I will discuss in the trafficking of men, women, and children into forced marriage, bonded sweat shop labor, and other kinds of work.

In all cases—and here I want to underscore what Mr. Haugen said—the coercive tactics of traffickers, including deception, fraud, intimidation, isolation, threat, and the use of physical force and/or debt bondage are at the core of the problem, and must be at the center of any effort to address it.

In a typical case, a woman is recruited with promises of a good job in another country or another area of her country and, lacking any better options at home, she agrees to migrate. We have also documented cases in which women are lured with false marriage offers, or even vacation invitations, or in which children are bartered by their parents for a cash advance and/or promises of future earnings, or in which victims are abducted outright.

Next, an agent makes arrangements for the women's travel and job placement, obtaining the necessary travel documentation, contacting employers or job brokers, and hiring an escort to accompany the woman on her trip. Once these arrangements have been made, the woman is escorted to her destination and delivered to an employer, or to another intermediary who then brokers her employment. The woman has no control over the nature or the place of her work, no control over the terms or conditions of her employment.

Many women learn they have been deceived about the nature of their work, the work that they will do. Almost all have been lied to about the financial conditions of their employment, and every single woman that we've interviewed has found herself in a coercive and abusive situation from which they see escape as being both difficult and dangerous.

The most common form of coercion that Human Rights Watch has documented is debt bondage. Women are told that they must work without wages until they have repaid the purchase price advanced by their employers, an amount far exceeding the cost of their travel expenses. This amount is routinely augmented through arbitrary fines and dishonest account-keeping.

Employers also maintain their power to resell women into renewed levels of debt. In some cases, women find that their debts only increase and can never be fully repaid. In other cases, women are eventually released from that debt, but only after months or even years of coercive and abusive labor. To prevent escape, em-

employers take full advantage of the women's vulnerable position as migrants. They do not speak the local language, are unfamiliar with their surroundings, and fear arrest and mistreatment by local law enforcement authorities.

These factors are compounded by a range of coercive tactics used by traffickers, including constant surveillance, isolation, threats of retaliation against the woman and her family members at home, and the confiscation of passports and other documentation.

I am sorry to have to say that government efforts to combat traffic in persons have been by and large entirely inadequate. In many cases, corrupt officials in countries of origin and destination actively facilitate trafficking abuses by providing false documents to trafficking agents, turning a blind eye to immigration violations, and accepting bribes from trafficked women's employers to ignore abuses.

We have even documented numerous cases in which police patronize brothels where trafficked women worked, despite their awareness of the coercive conditions of employment, and in every case we have documented, officials' indifference to the human rights violations involved in trafficking have allowed this practice to persist with impunity.

Trafficked women may be freed from their employers in police raids, but they are given, very seldom, access to any services or redress, and instead often have faced further mistreatment at the hands of authorities. Even when confronted with clear evidence of trafficking in forced labor, officials focus on the violations of their immigration regulations and on anti-prostitution laws rather than on violations of the trafficking victim's human rights. Thus, the women are targeted as undocumented migrants and/or prostitutes. The traffickers either escape entirely, or face minor penalties for their involvement in illegal migration for the business of prostitution.

These policies and practices are not only inappropriate, they are ineffective. By making the victims of trafficking the target of law enforcement efforts, governments only exacerbate victims' vulnerability to abuse and deter them from turning to law enforcement officials for assistance. By allowing traffickers to engage in slavery-like practices without penalty, governments allow the abuses to continue with impunity.

Today I would like to talk about a specific example based on recent research, and that is trafficking of Thai women into the sex industry in Japan. The testimony I am submitting for the record has information about other particular cases, including the trafficking of women from Eastern Europe and the former Soviet Union into Bosnia, the trafficking of Burmese women into Thailand, and the trafficking of Nepalese women into India.

We have carried out over the past 5 years an extensive investigation into the trafficking of women from Thailand into Japan. We interviewed numerous trafficking victims directly and received information regarding many more cases from local advocates. Our findings indicate that thousands of Thai women are trafficked into forced labor each year, their rights violated with impunity, as the Japanese and Thai Governments fail to respond adequately to the problem.

I have information from some of those cases, but I think what I will focus on is the response of the Thai and Japanese Governments to this problem. These government officials are clearly aware of these abuses. They have not, however, translated such awareness into effective measures to provide women with the means to protect themselves from abuse or to seek redress for violations. When Japanese authorities raid establishments that employ trafficked women, the women are arrested, detained in immigration facilities, and summarily deported with a 5-year ban on re-entering the country.

This punitive treatment is applied regardless of the conditions under which the women migrated and worked in Japan, and even where there is clear evidence of trafficking and/or forced labor. Trafficking victims have no opportunity to seek compensation or redress, and no resources are provided to ensure their access to medical care or other critical services. Moreover, their traffickers and employers have little fear of punishment. If arrested at all, they are charged only with minor offenses, for violations of immigration, prostitution, or entertainment business regulations.

The Thai Government has also taken note of this problem and responded with some laws and policies, but because they have failed to address the fundamental issue of women's status at home—should I just stop, or keep going?

Senator BROWNBACK. No, go ahead. finish your statement.

Ms. RALPH. Because they have failed to address the fundamental problem of women's inequality at home and to provide information about women's rights if they work overseas, women continue to be willing take the risk.

In addition, the government has adopted overly broad policies aimed to prevent potential trafficking victims from traveling abroad. For example, the passport applications of women and girls aged 14 to 36 are subjected to special scrutiny, and if investigators suspect that a woman may be going abroad for commercial sexual purposes, her application is rejected. This policy, however well-intended, trades one human rights problem for another by discriminating against women seeking to travel and limiting their freedom of movement.

It also makes women who want to migrate even more dependent on the services of trafficking agents, because it is difficult for them to obtain travel documents by themselves.

Like I said, I think I will skip over the direct testimonies of people that we spoke to and I will just put them in my written testimony. Needless to say, they underscore all of the problems that I have outlined in a general way.

I would like to, if I might, speak briefly to the question of what do we do about this problem. Human Rights Watch commends the U.S. Government for prioritizing trafficking in persons as the domestic and foreign policy concern. We particularly recognize the efforts of Senator Wellstone, who has played a key role in mobilizing government efforts to combat trafficking in persons in a way that promotes and protects the rights of women and particularly trafficking victims.

As it works to design and implement multilateral approaches to combating trafficking in persons, Human Rights Watch urges the

U.S. Government to promote human rights, and especially women's human rights, as the cornerstone of such efforts. This is of crucial importance in the negotiations for a protocol against trafficking in persons supplementing the U.N. Convention on Transnational Organized Crime. The final shape of this protocol will have significant implications for the effectiveness of multinational efforts to prevent and prosecute trafficking abuses, as well as for the protection and redress available to victims.

The United States is also involved in a number of other important discussions that will strongly influence the ways in which governments respond to trafficking. In March of this year, the United States is cohosting the Asian regional initiative against trafficking women and children in Manila, where Asian and Pacific nations will discuss national action plans and develop a regional strategy.

At the G-8 summit in Okinawa in July the Group of Eight will have the opportunity to continue their discussions about their joint efforts to combat trafficking in persons.

Last month, Human Rights Watch sent an observer to a symposium on trafficking in persons in Tokyo that the Japanese Ministry of Foreign Affairs organized. This effort is definitely moving forward.

We hope that President Clinton, in his public and private remarks at the Okinawa summit, will stigmatize governments that are complicit in trafficking or that tolerate trafficking. He should also use this opportunity to revisit the plans that the G-8 has already made to encourage governments to enact domestic legislation necessary to prosecute traffickers and protect their victims.

We have a number of recommendations that we think should apply in any international fora where standards are made to improve the protection of human rights trafficking victims. The first is one that I have heard here this morning, which is to be sure that we define trafficking to encompass all forms of forced labor and servitude in any occupation or labor sector, including trafficking into forced marriage.

We also strongly recommend that efforts be made to actively investigate, prosecute, and punish those involved in the trafficking of persons in countries of origin and destination, and impose appropriate penalties. It is very important that trafficking victims themselves not be subjected to prosecution for anything that happens as a consequence of having been trafficked, either for having broken local laws, be it immigration or prostitution laws. It is also important to ensure, and I think this is something that Senator Wellstone has noted in his legislation, that victims have the opportunity to seek remedies and redress for the human rights violations that they have suffered. That would include making sure they have an opportunity to seek compensation for damages, unpaid wages, and restitution. This is important, because if trafficking victims are deported, wherever they sit they cannot participate in efforts to hold their traffickers to account, and they can never get the redress and restitution that they deserve.

It is also imperative that we take strong protections to ensure the physical safety of trafficked persons. That fact was underscored by the testimony of Inez here this morning. These people are at

risk, sometimes in the country of destination and often in the country of origin.

Finally, I think it is important for international efforts to address trafficking to protect women's rights and to address the inequalities of women's status and opportunity that makes them vulnerable to trafficking in the first place. There are, we know, increasing incidences of trafficking being reported in this country as well. We think it is important that the U.S. Congress enact legislation both to incorporate the standards I have outlined and to address a number of the key limitations that exist in our enforcement regime here in the United States.

The first is, we need to ban all forms of involuntary servitude and debt bondage as forced labor in this country. Right now, the laws are interpreted as applying to debt bondage only when it is enforced through law or physical force. As we have demonstrated this morning, there are many different tactics that traffickers use to make sure that women will not escape their slavery-like conditions. They should be able to seek redress for those violations under U.S. law.

It is critically important that victims of trafficking get access to legal assistance, translation services, shelter and health services, and finally, it is important, again, to make sure that those victims are not victimized again by being detained inappropriately or being prosecuted for their purported crimes.

Trafficking in persons is a profound human rights abuse. It is time for governments to act seriously against this problem. This is also, I think, a crucial moment in the fight against trafficking, with efforts underway in domestic regional and international fora to define what the appropriate action is in response to it. We commend you for your leadership on this issue, and echo what others have said. It is imperative for us to be a leader on this issue right now.

Thank you very much.

[The prepared statement of Ms. Ralph follows:]

PREPARED STATEMENT OF REGAN E. RALPH

My name is Regan Ralph, and I am the Executive Director of the Women's Rights Division of Human Rights Watch. It is a pleasure to be here today, and I appreciate the attention this committee is devoting to the growing human rights problem of trafficking in persons.

Trafficking in persons—the illegal and highly profitable transport and sale of human beings for the purpose of exploiting their labor—is a slavery-like practice that must be eliminated. Human Rights Watch has been involved in documenting and monitoring this serious human rights violation for many years. We have reported on the trafficking of women and girls from Bangladesh to Pakistan (*Double Jeopardy*), from Burma to Thailand (*Modern Form of Slavery*), and from Nepal to India (*Rape for Profit*). We have also conducted extensive research regarding other incidences of trafficking, including the trafficking of women from Thailand to Japan and from Eastern Europe and the former Soviet Union to Bosnia. Reports resulting from these investigations are forthcoming.

The number of persons trafficked each year is impossible to determine, but it is clearly a large-scale problem, with estimates ranging from hundreds of thousands to millions of victims worldwide. The State Department estimates that each year, 50,000–100,000 women and children are trafficked into the United States alone, approximately half of whom are trafficked into bonded sweatshop labor or domestic servitude. Trafficking is also a truly global phenomenon. The International Organization for Migration has reported on cases of trafficking in Southeast Asia, East Asia, South Asia, the Middle East, Western Europe, Eastern Europe, South America, Central America, and North America. And press reports in the past year have included accounts of persons trafficked into the United States from a wide variety

of countries. In August 1999, a trafficking ring was broken up in Atlanta, Georgia that authorities believe was responsible for transporting up to 1000 women from several Asian countries into the United States and forcing them to work in brothels across the country. Four months later, a man pleaded guilty to keeping five Latvian women in involuntary servitude in Chicago. He had recruited the women from Latvia with promises of \$60,000-a-year wages. But when they arrived, he pocketed most of their earnings and forced them to work by confiscating their passports, keeping them under constant surveillance, and threatening to kill them and have their families murdered if they disobeyed him.

TRAFFICKING PATTERNS

In Human Rights Watch's documentation of trafficking in women, we have found that while the problem varies according to the context, certain consistent patterns emerge. Furthermore, while our research has focused on the trafficking of women and children into the sex industry, reporting from numerous credible sources shows similar patterns in the trafficking of women, men, and children into forced marriage, bonded sweatshop labor, and other kinds of work. In all cases, the coercive tactics of traffickers, including deception, fraud, intimidation, isolation, threat and use of physical force, and/or debt bondage, are at the core of the problem and must be at the center of any effort to address it.

In a typical case, a woman is recruited with promises of a good job in another country or province, and lacking better options at home, she agrees to migrate. There are also cases in which women are lured with false marriage offers or vacation invitations, in which children are bartered by their parents for a cash advance and/or promises of future earnings, or in which victims are abducted outright. Next an agent makes arrangements for the woman's travel and job placement, obtaining the necessary travel documentation, contacting employers or job brokers, and hiring an escort to accompany the woman on her trip. Once the arrangements have been made, the woman is escorted to her destination and delivered to an employer or to another intermediary who brokers her employment. The woman has no control over the nature or place of work, or the terms or conditions of her employment. Many women learn they have been deceived about the nature of the work they will do, most have been lied to about the financial arrangements and conditions of their employment, and all find themselves in coercive and abusive situations from which escape is both difficult and dangerous.

The most common form of coercion Human Rights Watch has documented is debt bondage. Women are told that they must work without wages until they have repaid the purchase price advanced by their employers, an amount far exceeding the cost of their travel expenses. Even for those women who knew they would be in debt, this amount is invariably higher than they expected and is routinely augmented with arbitrary fines and dishonest account keeping. Employers also maintain their power to "resell" indebted women into renewed levels of debt. In some cases, women find that their debts only increase and can never be fully repaid. Other women are eventually released from debt, but only after months or years of coercive and abusive labor. To prevent escape, employers take full advantage of the women's vulnerable position as migrants: they do not speak the local language, are unfamiliar with their surroundings, and fear of arrest and mistreatment by local law enforcement authorities. These factors are compounded by a range of coercive tactics, including constant surveillance, isolation, threats of retaliation against the woman and/or her family members at home, and confiscation of passports and other documentation.

Government efforts to combat trafficking in persons have been entirely inadequate. In many cases, corrupt officials in countries of origin and destination actively facilitate trafficking abuses by providing false documents to trafficking agents, turning a blind eye to immigration violations, and accepting bribes from trafficked women's employers to ignore abuses. We have even documented numerous cases in which police patronized brothels where trafficked women worked, despite their awareness of the coercive conditions of employment. And in every case we have documented, officials' indifference to the human rights violations involved in trafficking has allowed this practice to persist with impunity. Trafficked women may be freed from their employers in police raids, but they are given no access to services or redress and instead face further mistreatment at the hands of authorities. Even when confronted with clear evidence of trafficking and forced labor, officials focus on violations of their immigration regulations and anti-prostitution laws, rather than on violations of the trafficking victims' human rights. Thus the women are targeted as undocumented migrants and/or prostitutes, and the traffickers either escape entirely, or else face minor penalties for their involvement in illegal migration or businesses of prostitution.

These policies and practices are not only inappropriate, they are ineffective. By making the victims of trafficking the target of law enforcement efforts, governments only exacerbate victims' vulnerability to abuse and deter them from turning to law enforcement officials for assistance. By allowing traffickers to engage in slavery-like practices without penalty, governments allow the abuses to continue with impunity.

TRAFFICKING IN WOMEN: CASE STUDIES

Drawing on Human Rights Watch research, I will provide a few specific examples that illustrate the pattern outlined above. I will then offer recommendations for measures the U.S. Government can take to combat this modern form of slavery and provide redress for its victims.

Thailand to Japan

From 1994 to 1999, Human Rights Watch carried out an extensive investigation of the trafficking of women from Thailand into Japan's sex industry. We will be publishing a report on trafficking into Japan later this year. We interviewed numerous trafficking victims directly, and received information regarding many more cases from local advocates and shelter staff in Japan and Thai and. Our findings indicate that thousands of Thai women are trafficked into forced labor in Japan each year, their rights violated with impunity as the Japanese and Thai governments fail to respond adequately to the problem.

Statements by the Thai and Japanese governments have made clear that they are well aware of these abuses. However, this has not been translated into effective measures to provide women with the means to protect themselves from abuse or to seek redress for violations. When Japanese authorities raid establishments that employ trafficked women, the women are arrested, detained in immigration facilities, and summarily deported with a five-year ban on reentering the country. This punitive treatment is applied regardless of the conditions under which the women migrated and worked in Japan, and even when there is clear evidence of trafficking and/or forced labor. Trafficking victims have no opportunity to seek compensation or redress, and no resources are provided to ensure their access to medical care and other critical services. Moreover, their traffickers and employers face little fear of punishment. If arrested at all, they are charged only with minor offenses for violations of immigration, prostitution, or entertainment business regulations.

The Thai government has adopted laws and policies aimed to combat trafficking in Thai women and assist victims in returning home. However, law enforcement efforts have so far proved ineffective, and women's vulnerability to trafficking persists. Many women continue to lack viable employment opportunities at home, and, at the same time, have no information about how to protect their rights overseas. In addition, the government has adopted overly broad policies aimed to prevent "potential" trafficking victims from traveling abroad. For example, the passport applications of women and girls ages fourteen to thirty-six are subjected to special scrutiny, and if investigators suspect that a woman may be going abroad for commercial sexual purposes, her application is rejected. This policy, however well-intended, trades one human rights problem for another by discriminating against women seeking to travel and limiting their freedom of movement. It also makes women who want to migrate even more dependent on the services of trafficking agents, because it is difficult for women to obtain travel documents by themselves. Finally, the Thai government makes no effort to assist trafficked women in seeking redress.

The women we interviewed described the shock, horror and, often, powerlessness they felt when they discovered that contrary to their promises of lucrative jobs, they were saddled with enormous "debts" and would not receive any wages until these amounts were repaid. This would require months—or even years—of unpaid work under highly coercive and abusive conditions. Those who had been promised jobs in factories or restaurants faced an additional blow when they learned from their employers or coworkers that their debt had to be repaid through sex work.

The women had been recruited for work in Japan by friends, relatives, or other acquaintances, who told them about high-paying overseas employment opportunities. The recruiters introduced them to agents who handled their travel arrangements and hired escorts to accompany the women to Japan. In some cases, the women became suspicious about their job offers during—or even before—their travel overseas, but once their agent had initiated the arrangements, they were closely supervised and felt they could not safely change their minds. Upon their arrival in Japan, the women were delivered to brokers who sold them into debt bondage in the sex industry. Most worked as bar "hostesses," entertaining customers at the bar and accompanying customers to nearby hotels to provide sexual services. While in debt, they could not refuse any customers or customers' requests without their employers' permission, and they often endured violence and other abusive treatment

at the hands of both customers and employers. The women were also subjected to excessive work hours and dangerous health risks—including the risk of contracting HIV and other sexually transmitted diseases.

Excerpts from a few of their stories provide an idea of the slavery-like conditions they endured. In Thailand, Lee¹ had an alcoholic and abusive husband and three young children she was struggling to feed. When a recruiter offered to find her a job as a sex worker in Japan, she agreed. She told us, “I knew there would be some debt for the airplane ticket and all, but I was never told how much.” She found out after she arrived in Japan and was taken to a room by a broker to be sold. In her words, “There were lots of women and people came to choose women and buy them. I was bought on the third day, and told that my price”—and therefore her debt—“was 380 bai [approximately US\$30,000]. After three or four days of working at the bar, I realized how much 380 bai was. The other girls said to me, ‘That’s a lot of debt and you’re old. You’ll never pay it off.’ Then I prayed that it would only take six or seven months to pay it off, and I went with all of the clients I could.”

Human Rights Watch also interviewed a woman who was promised a job in a Thai restaurant in Japan, but instead was taken to a bar where the other Thai “hostesses” told her she would have to work as a prostitute. She recalled, “They told me there was no way out and I would just have to accept my fate. I knew then what had happened to me. That first night I had to take several men, and after that I had to have at least one client every night.”

Another woman we interviewed was released from debt after eight months of grueling, unpaid labor. According to Khai, “I had calculated that I must have paid it back long ago, but the [bar manager] kept lying to me and said she didn’t have the same records as I did. During these eight months, I had to take every client that wanted me and had to work everyday, even during my menstruation.” Despite the terrible and coercive conditions, including physically abusive clients, Khai did not try to escape. Her manager had threatened to resell her and double her debt if she “made any trouble,” and forbade her from going outside without supervision. The manager had also confiscated her passport, and, Khai explained, “Without my documents I was sure I would be arrested and jailed by the police.”

Eastern Europe and the former Soviet Union to Bosnia

In March 1999, Human Rights Watch traveled to Bosnia to document the incidence of trafficking in women from Eastern Europe and the former Soviet Union. We interviewed trafficking victims, local and international officials, and local advocates. We also looked through police and court records and went to Ukraine to interview staff from La Strada, an NGO which has assisted many women returning from Bosnia. Our research indicated that since the end of the war in Bosnia and Herzegovina, thousands of women had been trafficked into Bosnia for forced prostitution.

At the time of our investigation, Bosnia was under the authority of a combination of local and international agencies. Our conversations with local police, representatives from the Joint Commission Observers, and members of the International Police Task Force indicated that all of these officials were well aware of the trafficking problem. They knew that foreign women were working in slave-like conditions across Bosnia, unable to leave the brothels. Nonetheless, little was done to prevent the trafficking of women into forced prostitution, or to provide redress or protection for victims. We even found evidence that some officials were actively complicit in these abuses, participating in the trafficking and forced employment of the women and/or patronizing the brothels.

The women had traveled from Belarus, Moldova, Ukraine, Romania, and Hungary, lured by promises of legal work and safe passage. When the women arrived in Bosnia, brothel owners seized their passports and subjected them to slavery-like practices. They were treated like chattel, often resold from brothel owner to brothel owner, and the promises of good incomes turned out to be lies: instead of being able to remit money home to their families and children, the women found themselves forced to work without wages. As Vika told Human Rights Watch, “They tricked me. Everything was fine at first. But when we wanted to leave, the owner sold us for 1500 DM [approximately US\$900]. The new owner told us that we had to work off three more months. He said he would sell us to another man.” Most of the women had agreed to jobs in the sex industry, but when brothel owners refused to pay them, some women refused to work, incurring violent punishment. According to one woman interviewed by Human Rights Watch, “Every time I refused to work, they beat me.”

¹All names of trafficking victims have been changed to protect the identities of the women.

When authorities encountered trafficked women during brothel raids, they treated them like criminals, compounding the human rights abuses they had endured at the hands of their traffickers. The women were arrested, fined for their illegal immigration status and their illegal work as prostitutes, and then deported. And in early 1999, “deportation” in the Bosnian context—a country without an immigration law—translated into being dumped across a border. From the Federation, women found themselves dumped in Republika Srpska. And vice versa. This pseudo-deportation scheme only facilitated the trafficking cycle. Women dumped across the internal borders could be quickly picked up and re-sold.

Burma to Thailand

Trafficking in persons is not a new phenomenon, and research conducted by Human Rights Watch in the early 1990s revealed similar patterns of human rights abuses, as well as similar levels of indifference—and even outright complicity—on the part of law enforcement officials.

More than six years ago, Human Rights Watch reported on the trafficking in Burmese women and girls into brothels in Thailand. We interviewed thirty trafficking victims in Thailand, and obtained many additional interview transcripts from a local NGO. Nyi Nyi’s case was typical: She was recruited from Burma at age seventeen by a friend who had worked in Thailand. She had no idea what type of work she would do, but she agreed to go. When she met the agent, he gave her 15,000 baht (approximately US\$600), which she gave to her sister. Then the agent sent Nyi Nyi to a brothel in northern Thailand, in a truck driven by a police officer. When Nyi Nyi arrived, she learned that the 15,000 baht from the agent was a “debt,” which she would have to repay through prostitution. Nyi Nyi could not speak Thai, did not know where she was in Bangkok, and was always afraid of being arrested by the police. She never dared to talk to anyone, and she was relieved that the police who came to the brothel as customers never chose her. After about a year of working almost every day, she was told that she had repaid her debt, but did not have enough money to pay for a return trip to Burma. So she continued to work, and a short time later she was arrested during a brothel raid. The police initially promised that she would be taken back to Burma in a few days, but instead Nyi Nyi was sent to a reformatory for prostitutes, where she was confined for the next six months.

Nepal to India

In 1995, Human Rights Watch released another report on trafficking in persons, this one based on interviews with women and girls who had been trafficked from Nepal to India. Some were tricked by fraudulent marriage offers, others were sold by relatives, and a few were abducted. All ended up in the hands of trafficking agents who brought them to brothels and sold them into debt bondage. One of the women we interviewed explained that her husband had left her, and when a neighbor told her about an Indian man who wanted to marry her, she agreed. A meeting was arranged, but instead of eloping, her “fiance” drugged her and took her to a brothel in India. At the brothel, she was told that she had to work to pay off her purchase price of Rs.20,000 (approximately US\$666). Each day she was forced to sit in a room in the brothel with the other women, and when a customer chose her, she could not refuse; those who tried were beaten and verbally abused. After working for ten years, serving nine or ten customers a day, she was still in “debt.” She told us, “Nobody was allowed to leave after four years like people say they are.” Finally she met a Nepali man at the brothel, and with his help, she managed to escape.

U.S. POLICY—RECOMMENDATIONS

Human Rights Watch commends the U.S. Government for prioritizing trafficking in persons as a domestic and foreign policy concern. Senator Paul Wellstone has played a key role in mobilizing government efforts to combat trafficking in persons in a way that promotes and protects the rights of women and particularly trafficking victims. His leadership led to new legislation requiring the Department of State to increase and improve its reporting on trafficking in its annual *Country Reports on Human Rights Practices*. We hope that additional attention to this issue will help to close the gaps in the U.S. State Department’s reporting on this subject. The report on Japan released last year, for example, alluded to the mistreatment of illegal workers, but trafficking and debt bondage were not mentioned, and the report asserted that “there are presently no known cases of forced or bonded labor” in Japan.

In 1998, President Clinton identified trafficking in women and girls as a “fundamental human rights violation,” and tasked the President’s Interagency Council on

Women with the challenging task of developing and coordinating government policy on this issue. Currently, the U.S. Government is involved in several important initiatives. These include participation in the negotiation of a protocol on trafficking supplementing the Convention against Transnational Organized Crime; implementation of foreign aid programs designed to prevent trafficking, assist victims, and prosecute traffickers; and consideration of legislation in the U.S. Congress against trafficking in persons.

As it participates in efforts to design and implement multilateral approaches to combating trafficking in persons, Human Rights Watch urges the U.S. Government to promote human rights, and especially women's human rights, as the cornerstone of such efforts. This is of crucial importance in the negotiations for a protocol against trafficking in persons supplementing the United Nations Convention against Transnational Organized Crime. The final shape of this protocol will have significant implications for the effectiveness of multinational efforts to prevent and prosecute trafficking abuses, as well as for the protection and redress available to trafficking victims.

The United States is also involved in a number of other important discussions that will strongly influence the ways in which governments respond to trafficking in persons. In March of this year, the United States is co-hosting the Asian Regional Initiative Against Trafficking in Women and Children (ARIAT) in Manila, where Asian and Pacific nations will discuss national action plans and develop a regional strategy. At the G8 summit in Okinawa in July, the Group of Eight will have the opportunity to continue their discussions about joint efforts to combat trafficking in persons. Last month, Human Rights Watch sent an observer to a symposium on trafficking in persons in Tokyo that the Japanese Ministry of Foreign Affairs sponsored in preparation for the G8 discussions. We hope that President Clinton, in his public and private remarks at the Okinawa summit, will stigmatize governments that are complicit in trafficking or tolerate trafficking. He should also use this opportunity to revisit the plan of action to combat trafficking in persons adopted by the G8 Ministerial Meeting in Moscow last October, encouraging governments to enact domestic legislation necessary for the effective investigation and prosecution of those involved in trafficking and pressing for the inclusion of concrete measures to protect the rights of all trafficking victims.

The United States should take advantage of all channels and opportunities to promote a human rights approach to trafficking based on the following recommendations:

- Defining "trafficking" to encompass trafficking into, all forms of forced labor and servitude—in any occupation or labor sector—including: trafficking into forced marriage. The definition should also be limited to situations involving coercion, in recognition of men and women's ability to make voluntary decisions about their migration and employment, with coercion understood to include a full range of abusive tactics used to extract work or service.
- Actively investigating, prosecuting, and punishing those involved in the trafficking of persons in countries of origin and destination, and imposing penalties appropriate for the grave nature of the abuses they have committed. Particular attention should be paid to evidence of collaboration by government officials in the facilitation of trafficking abuses.
- Exempting trafficking victims from prosecution for any immigration violations or other offenses that have occurred as a result of their being trafficked.
- Ensuring that trafficking victims have the opportunity to seek remedies and redress for the human rights violations they have suffered, including compensation for damages, unpaid wages, and restitution. This requires guaranteeing victims' access to legal assistance, interpretation services, and information regarding their rights, and allowing all trafficked persons to remain in the country during the duration of any proceedings related to legal claims they have filed.
- Taking strong precautions to ensure the physical safety of trafficked persons. This includes witness protection measures for those who cooperate with law enforcement efforts and asylum opportunities for those who fear retaliation in their countries of origin. Countries of origin, transit, and destination must also cooperate to ensure the safe repatriation of trafficked persons, working together with non-governmental organizations to facilitate their return home.

- Protecting women's rights and addressing the inequality in status and opportunity that makes women vulnerable to trafficking and other abuses. States should support policies and programs that promote equal access to education and employment for women and girls. They should also provide women with information about their rights as workers and how to protect these rights overseas. Programs should be designed and implemented with the cooperation of local non-governmental organizations.

There is increasing evidence that trafficking is on the rise in the United States as well. To effectively respond to the trafficking of persons into this country, we urge the U.S. Government to enact domestic legislation that incorporates the standards outlined above. We welcome recent indications that law enforcement officials are increasingly charging traffickers with offenses appropriate to the serious nature of their crimes, but much remains to be done to improve the protections and services available to trafficked persons. Such measures are crucial for upholding the rights of victims and for encouraging them to cooperate in the investigation and prosecution of traffickers. In particular, we hope that such legislation will address this issue by:

- Banning all forms of involuntary servitude and debt bondage as forced labor. U.S. statutory proscriptions on peonage and involuntary servitude have been narrowly interpreted to include only those situations in which victims are made to work through force of law or actual or threatened physical force. This excludes many of the slavery-like practices that Human Rights Watch has found common in cases of trafficking, in which labor is extracted through non-physical means such as debt bondage, blackmail, fraud, deceit, isolation, and/or psychological pressure.
- Providing victims of trafficking with access to legal assistance, translation services, shelter, and health services, and ensuring that all trafficked persons are allowed to remain in the United States throughout the duration of any civil or criminal proceedings against their abusers.
- Preventing the further victimization of trafficked persons by guaranteeing their immunity from prosecution for immigration violations or other crimes related to their having been trafficked, and taking adequate measures to ensure the protection of their physical safety. Such measures should include opportunities for all trafficking victims who fear retaliation upon return to their home country to apply for permanent settlement on that basis.

Trafficking in persons is a profound human rights abuse, and women are particularly vulnerable to this practice due to the persistent inequalities they face in status and opportunity. It is time for governments to take this problem seriously. Concrete steps are needed to prevent trafficking, punish traffickers and the corrupt officials who facilitate their crimes, and provide protection and redress for victims. This is a crucial moment in the fight against trafficking, with efforts underway in domestic, regional, and international fora to define appropriate state actions. It is imperative that the United States take advantage of this moment to demonstrate its leadership on this critical human rights issue.

Senator BROWNBACK. Thank you very much. I have a few questions if I can. Dr. Lederer, as you have looked at the criminal cases around the world that you have tracked, take me through how the economic transaction—and this is an awful thing that occurs, but obviously there is a lot of money involved in it somewhere. What is the economic nature of it? How much is typically paid for the person that is trafficked? What are they? What is the taker, or the brothel-owner, what do they take out of this? How does the economic transaction occur, so we can get some idea of the magnitude of the dollars involved.

Dr. LEDRERE. I wish I could be specific, but I cannot. I think we are really on the front end of that kind of research right now. We have anecdotal information from the women and children who have been trafficked about what they were told they would owe in terms of debt bondage. We have anecdotal information from brothel-owners who were arrested about how much they paid for a woman.

Senator BROWNBACK. Can you give us some of those anecdotes?

Dr. LEDRERE. Well, the range is anywhere from, as Inez said, \$2,500 to \$40,000 in debt bondage.

Senator BROWNBAC. That they are paid?

Dr. LEDRERE. That they owe. That they are told that they owe.

Senator BROWNBAC. As a result of their transporting?

Dr. LEDRERE. That is right, that they are told they must work off. There is money being made also—sometimes the traffickers are collecting from the people that they're trafficking and then collecting from the brothel-owners, or those who they are dropping off, to collecting from agents and so on, so that I cannot put an exact number on it. I think the range is really great.

Senator BROWNBAC. Regan, or Gary, do either of you have anecdotal information about, here is how this transaction progressed?

Ms. RALPH. Just to give you an example of the Thai women working in Japan, we have documented, I would say short of a hundred but upwards of 60 to 80 cases of women who had been trafficked, and every single one of those cases the women were transported probably at an expense at the maximum of a couple of thousand dollars, and they immediately incurred a \$35,000 debt upon beginning their employment.

Senator BROWNBAC. That is what they were told?

Ms. RALPH. That is what they were told. Obviously, there is a figure in there. That is the figure that the person running the brothel paid to the person who escorted them.

Senator BROWNBAC. How much is that figure?

Ms. RALPH. The women are not in a position to know that. What they know is the basic bottom-line expenses they incurred, and a number of the women tried to keep track of their expenses to offer evidence to the contrary with what the brothel-owner was maintaining, but they have no way of knowing exactly what the brothel operator's economic arrangements are.

Senator BROWNBAC. What is the brothel operator taking in per day from these Thai women?

Ms. RALPH. It varies enormously. I can't, off the top of my head, even recall whether there was a mean in terms of what the income is, but these women work 7 days a week, and many of them are required to take birth control pills so that they will be able to work every single day of the month, so the intake is very high.

Mr. HAUGEN. I think it is very important to distinguish this trafficking from where it occurs in developing countries, and in more industrialized, prosperous countries, because the massive numbers are in the developing countries, that is, poorer countries, and in those massive numbers it is actually quite small in terms of the monetary benefit, but the numbers, the volume of victims is huge. All three of the women that we described were trafficked—that is, the trafficker only got a few hundred dollars for them, so all of his expenses, all of his profit came in a few hundred dollars for him, the trafficker.

Now, the brothel-keeper is going to get a continuing cash flow, but these people are offered—the victims are offered for sex at just perhaps a few dollars per occasion, so in developing countries, where the numbers are most massive, it is such an easy tolerated trade in forced prostitution that it does not cost very much to transport these victims, and it is just the sheer volume of the num-

bers that allows it to flourish under a tolerated circumstance within the urban center.

Senator BROWNBAC. I do not want to emphasize this into a dollar and cents or a money issue, because it is not at all, but what I am sensing, and what I have seen on the ground in India and Nepal is that there is a lot of money at stake, and there is a lot of money that is flowing associated with this even in a developing country. The standards of living and the income levels are lower, but the amount is still very, very significant.

Mr. HAUGEN. My only point, Senator, if I might, is that the numbers are very significant in terms of dollar value because of the volume. But that it is not as difficult a thing to shut down as you might think, as one might think, if you simply ratchet up the cost of the people in the urban center who are operating it. And the way to ratchet up that cost is to get them in trouble for doing it, but right now there is no risk of that.

Senator BROWNBAC. Dr. Lederer, let me ask you, how would you characterize the process so far in getting countries to notice this problem and take effective measures against it?

Dr. LEDRERE. I do agree with Ms. Loar and Mr. Loy that countries are expressing a real interest in stopping trafficking in their women and children. We have collected the laws that countries have right now at present, so that we can get a lay of the land, if you will, and almost every country has some kind of law in place right now that they could use to arrest, charge and prosecute a trafficker, and so I believe it is a matter of figuring out how to bring the political will to bear, if you will, on those countries and I agree with Mr. Haugen that that has to come from the top down, that if the people who are in charge in these countries say we are going to take these laws and enforce them, we are going to strengthen the laws we already have, we are going to begin to see some progress.

Senator BROWNBAC. My limited experience with other governments on this is primarily South Asia, and while I found a knowledge base that it was going on, I didn't find much of an interest or commitment level. It is kind of like, well, look, I have got 50 things to deal with here, and this is in the mid-thirties of my area of interest. If you are going to ask me to rank—and nobody did, and I did not ask them to rank it, but it was not on their agenda issue basis.

Now, one thing I think we can work with them closely on is trying to create a better overall economic climate in some of these developing countries to create opportunities and lessen the grinding poverty that is a feeding ground for this as well, and as well we clearly need to work and encourage and have better recognition of the status of women in many countries, that just—we need to continually push. The United States is the human rights leader. We are the ones, we have to stand up and make these things an issue, because finding other places just do not make them that much of an issue.

Senator Wellstone.

Senator WELLSTONE. Thank you, Mr. Chairman. First of all I want to thank all of you for your testimony. I think this has been

one of the really best hearings I have ever been at in the Senate, and Regan, I appreciate your comments. Thank you very much.

One of the things—and I want to do this in reverse. I want to sort of just ask one question to you all, but listening to you and trying to sort out some of the differences from the first panel, I think the key is, with 1842 I do not consider this a one-person thing, and I am committed to working with Senator Brownback, and I think there is a worthy effort going on in the House, and if we can get this in pretty much identical form we are going to pass this, and I think that is going to be our responsibility to do that as legislators, and I think we can.

Therefore, I want to now go to one of the thorny questions, or at least a question that I think we have got to try to confront and come to terms with, and it has to do with the whole issue of sanctions, because, Gary, I was listening to you, and I guess my question for you, and it might be a question for Regan as well, and it might be a question for Laura, is, what specific kind of sanctions should we be thinking about that you think would be most effective in actually deterring the traffic?

In other words—because I think that is what you are talking about, and this is, I think, an honest—I mean, I think there are some good people with good faith who do not agree on this question, and I am sort of interested in maybe your being able to lay out some of the specific sanctions that you and Regan, and maybe Laura, think would really work.

Mr. HAUGEN. If the only topic is what will work, then the question is, what do the authorities overseas care about the most, and you effect those sanctions on the basis of some minimal benchmarks. The minimal benchmark from my perspective is, is there credible evidence of local law enforcement involvement in forced prostitution. That, from my perspective and experience, is not hard to find.

So if you identified what they care about the most, and you say, our relationship is going to be somewhat dependent on whether or not there is obvious evidence to us that your local law enforcement is engaged, then that will work the most.

Now, whether that works with other people's other priorities is another question. I was listening carefully to Secretary Loy's four objections. The first was that these are essentially private actors, and that sanctions will not affect them. Well, you know that would not work in drugs. If the police are turning their backs on it or they are participating in it, to say that that is primarily a private actor problem is not true.

He says the countries are in the early stages of addressing it, and they might play it down if we try to bring them to task for it. That is to say that we could not succeed in the battle for truth about what was happening. Also, he says that sanctions hurt the victims by diminishing their economic opportunities, making them more vulnerable.

You see, there is a confusion about poverty. Poverty did not send these three women that we described into forced prostitution. Coercion did. Poverty is a factor only because law enforcement does not go to where the poor are. In other words, there is plenty of law enforcement in a jurisdiction, but they are not going to bother to res-

cue these girls. It is a matter of changing the priority of law enforcement.

The third was that it deflects attention from the NGO's who are trying to raise the profile on this, and makes us enemies. As one NGO, I am willing to sort of—from our perspective, the reason we are raising the profile is so that there is action that makes a difference to help these girls and women get out. If it means that our action actually our advocacy turns the local authorities into changing their priority and actually affecting law enforcement in the streets, that is why we are here.

Senator WELLSTONE. Well, you literally do that. You are on the ground. You literally go into these places and get women out. That is what you do now.

Mr. HAUGEN. I would more commend our investigative folks in the field.

Senator WELLSTONE. That is incredible, what you do.

Regan.

Ms. RALPH. Just a couple of comments. I think it is important, as Gary and Senator Brownback said, to get governments to pay attention to this. This is a serious human rights problem. After today, I do not think there is any dispute about that.

Another thing I want to underscore, based on our research, is that there is often government complicity and involvement in trafficking. It may be isolated, but as long as it is there it needs to be dealt with effectively, and that requires a regime that from the top down looks for this abuse and rubs it out where it finds it.

I want to say two things, though, about sanctions generally. I think it is worth looking at, at least the possibility of targeted sanctions to be as effective as possible, and I say that for two reasons.

One is that we have seen evidence where in our initial work back in the early 1990's and looking at the trafficking of Burmese girls and women into Thailand the U.S. Government brought this up very sharply with Thai officials and their response was to crack down on trafficking. The result of that crackdown was that hundreds of women were rounded up in brothels and deported, period. There was very little response to the human rights abuses the women had suffered, and almost no dent made in the problem.

Another concern—and I understand Gary's point, but I think it is worth saying that there are women who are making choices to migrate. They may not be making choices to migrate into sex work, but in some cases they may be, and in all of those cases they are leaving their families and their communities behind because they think they are going to find economic conditions better, labor conditions better in some other place, and that is about getting out. What are the options available to women on the ground in the situation they are in?

So to the extent local groups are saying wait a minute, we do not want sweeping economic bad news coming down on the tops of our citizens, that is something worth listening to, I think.

Senator WELLSTONE. I appreciate that.

Mr. HAUGEN. If I could just add to that, it is true economic vulnerabilities create vulnerability to force prostitution, but even when there is fraud and so forth there is the coercive moment.

There is the moment when they find out what the truth is, and then they either comply or they get smacked, and that is the hidden truth in every case.

Senator WELLSTONE. Well, I think—and Laura, did you have a quick response?

Dr. LEDRERE. I just think there has to be some kind of strong enforcement mechanism. Part of the problem with the U.N. conventions is that while they set an international norm there is no enforcement capability. There is no teeth to these. Each country has to have a law that they enforce, and one thing that the United States can do with some form of penalties, if you do not want to call it sanctions, is to provide that enforcement mechanism, or that reason why they should do something.

Senator WELLSTONE. I think that what we are going to have to do, and I think this is just a part of our negotiation to get this right, is, it is sort of what kind of sanctions. We just have to get it right in terms of what we are talking about, and it is just going to have to be, I think, a compromise, but I think this has just been superb testimony, and almost more important than your testimony is who each of you are and what you actually do, and so I just would like to thank you, and I said to Sam earlier, I think we are committed to making this happen.

Senator BROWNBACK. That is right. We will get it moving, and I want to add my thanks to each of you for who you are and what you do. God bless you.

And Gary, you have been in my office giving me a look off of a brothel door that bound behind it a 14-year-old girl, and that sort of work that you are doing on the ground for people is just really appreciated, each of you what you are doing, and I look forward to the day where this problem is far diminished from where it is today, and instead of it explosively going up, we are going explosively down and shutting this trafficking down, and each of you will be heroes when that day comes. Thanks for being here and for excellent testimony.

We have a final panelist that will be testifying. It is a journalist that I met while I was in India, and she has done a documentary film on the international sex trafficking that has occurred in India, and I found her very knowledgeable on this topic, Ruchira Gupta. She is here in the United States, I believe, presenting the work that you have been doing, and I think will have part of the clips here, and we look forward to your comments and testimony as well.

Senator WELLSTONE. Mr. Chairman, will there be a chance for me to view this? I actually have a younger grandson visiting, and I promised I would have lunch with, so will there be a possibility?

Senator BROWNBACK. Well, will he be able to have a copy of this video, or is this the only copy you have?

Ms. GUPTA. Sharon has the copy. She can lend it to you.

Senator BROWNBACK. We will make that available to you.

Please have a seat. We are delighted you are able to join us. The last time we met was in Delhi, so it is good to be able to see you here in Washington. Thanks for your work, and Paul, thanks for being here and your work on this, and I look forward to us getting this resolved and moving the legislation forward.

**STATEMENT OF RUCHIRA GUPTA, JOURNALIST AND
DOCUMENTARY FILM MAKER**

Ms. GUPTA. Thank you, Mr. Chairman, and thank the committee for giving me this opportunity to talk about trafficking, which has been an issue which has obsessed me for the last 7 years as a journalist, as an activist, and right now I am working with UNICEF as a consultant to write the media policy on violence against women, and so in many different incarnations, many different caps.

I have a written testimony which I am also going to submit along with what I speak here.

Senator BROWNBACK. That will be included in the record.

Ms. GUPTA. 7 years ago I began researching the issue of prostitution while I was in Nepal. I was actually working on a different story. I was looking at how villages manage their natural resources in Nepal when I stumbled on rows and rows of villages which did not have any girls from age 15 to 45, and when I asked where these girls were I was told they were in Bombay, and why? Why so many girls in Bombay?

I began to inquire further, and I was told that there was the local procurer, there was the local agent, there was a middle man who would take them across the border, and the whole trafficking chain was in existence and institutionalized. I was horrified by the scale and the gravity of the situation.

I then went down to Bombay to look at the situation more, and I found that there was a huge red light area, perhaps the biggest in Asia right now, which was a criss-cross of 12 lanes between two central stations, right in the heart of Bombay, and one of my clips right in the beginning from the documentary that I produced later called *The Selling of Innocents*, I would show you a street in Bombay in this red light area with girls standing and begging for clients under duress, and many of them were under age. You will see how there is a police station nearby where policemen ignore what is happening to these girls.

Senator BROWNBACK. Let's go to the video.

[A videotape was shown.]

Senator BROWNBACK. How much is that in U.S. dollars, 3,000 rupees?

Ms. GUPTA. Less than \$100. About \$85. As you can see, most of the girls here are under age, and in the course of my investigation I found all over India and in some brothels in Thailand as well that the girls were first brought in when they were between 7 and 15, and they might have grown older in the profession but they did not last beyond the age of 35.

Many of them were forced to stay inside locked rooms for 5 years, kept in debt bondage, not given any outings, no access to health care, with small windows. They were subjected to repeated rapes. They had to service 15 to 20 clients a day. They had to have children, forced children sometimes, because that way the brothel owners would feel they could keep them in captivity longer, and they were subjected to tuberculosis, HIV, they were in complete bondage.

Many of them had been inside a small room for so long in a place like Bombay, which is right next to the sea, and not seeing the sea for 3 years. Some of them spoke about stories of how they tried to

escape, and they were beaten, bruised, locked up and brought back again. They were forced also to be subjected to drugs and alcohol so that they became dependent on these, and they were literally used like sex slaves.

There was violence done to their bodies. There were cigarette bumps stamped on them, and bottles shoved up their vaginas, people wrote names on their skin, and they had no recourse to any legal or social counseling, health care, nothing.

At the end of their lives inside the brothel they were literally thrown out with no savings, sometimes life-threatening diseases, with children, and they had to find a way back home. When I went back to Nepal I found that the way back home was also not that easy. There was stigma. They were revictimized when they tried to go back to their villages. There was no way that they could go back into their communities again.

When they tried to stay in shelters, some shelters tried to keep them for some time, but again the shelters were overstretched and did not have enough finances, and the government would not pay enough attention or was not serious enough about looking after the girls who came back.

There is this case in 1997 where 126 Nepali girls were rescued from a brothel in Bombay and they were all underage. They were tested for HIV without their knowledge after their rescue operation. They were locked up inside an institution which was supposed to be a juvenile health care center in Bombay, and both the governments, the Indian Government and the Nepalese Government wrangled over their status. The Nepali Government did not want them back because they said, why should we get back these HIV-ridden girls, and the Indian Government said, they are not our citizens so we have to send them back to Nepal.

So far no law has been defined about what happens to these girls. It was through the cooperation of some NGO's at the ground level that these girls were sent back. Estimates are—by NGO's again, not by governments—that 5,000 to 7,000 Nepali girls are trafficked across to India every year, and there is almost 200,000 Nepali girls in India right now engaged in prostitution.

Also, other estimates by Child Prostitution in Asian Tourism, which is an international NGO, says that 1 million children are trafficked into prostitution every year in Asia alone, and they also estimate that about 30 million children are engaged right now in prostitution all over Asia.

What is also happening is that girls and children are not differentiated. Governments are applying the same law in India and Nepal, Bangladesh, and Thailand, to both girls and children, and they say that if women are choosing prostitution as a survival strategy, that even girls who are 14 or 15 could choose to do so and they sometimes turn a blind eye when they find a girl who is 15 or 16.

There are some movements which are very, very positive in this case, which I found also by doing this, and I should mention that. In Nepal, in Bangladesh, Pakistan, Thailand, Cambodia, there are laws which governments have created to protect child rights. There is a movement to define the juvenile justice systems by the police in South Asia.

There is a signed convention which has come up, and the convention is how governments are going to work together to traffic children, and also children who want to go back home, but these movements need to be supported with larger budget allocations with special emphasis on prevention and protection programs, advocacy. Advocacy and awareness programs and peer education has been very successful in Nepal and Thailand. Protection of the survivors of trafficking and supporting them and their families in the process of law enforcement has been very, very useful in nailing criminals.

The accountability of spending on these issues will take the budget much further, and this is where—I heard you talking to different NGO's based in the U.S.A. about what kind of measures would work to make governments take this problem more seriously, and I think one of these is emphasis on how do they spend their money? Where is the money going to? Can it be spent on women's programs? Can awareness programs be created so that the status of the girl child is raised in Asia.

Right now, one of the big reasons besides poverty for the trafficking of girls is that the status of the girl child is low. She becomes the first resource of poverty, and parents are willing to part with her and send her off to far countries or brothels because they feel if they send one daughter off they could support four more, and this has to be addressed, how to change the way parents and communities and society looks at girl children.

The rest of my testimony is here. I have given statistics, and I have given reasons why children are being trafficked besides sexual exploitation, adoption, child labor, marriage, begging, and now even organ trade. I found this girl in Katmandu. She was 14 years old. She had just come back from a brothel in Bombay. Her stomach was sticking out, and she kept saying it was hurting, and we sent her off to a doctor and he found one of her kidneys was missing.

So there is a whole range of issues why trafficking is happening. The victims of trafficking are often trying to escape from poverty. The children most likely to be trafficked are girls. They are also sometimes from tribal groups or from minorities, and this also is an issue which needs to be looked at, is how are governments looking at their minorities? Are they pushing them into these situations?

Some children, even their parents are sometimes lured by promises of education, a new skill or a good job. Other children are kidnapped outright. Sometimes parents actually negotiate with the trafficker and take less than \$80, as I mentioned earlier, so that they can survive for another year, because they live in villages where there are no irrigation schemes, where there is no income from anything. They have to walk 2 or 3 hours to fetch even a pot of water, and they have no access to health care. Meals which would go for one meal in a developed, industrialized country, they stretch it over 3 days between five people.

So there are all of these reasons why trafficking happens, but law enforcement is also not taken seriously in the context of poverty, and governments tend to think that if a father or a mother is selling off her daughter or sister or whatever, and she is reaching Bombay and she can get two square meals a day, then why try to implement a law, and I think this is a fallacy because the girls

end up in debt bondage, they are exploited, there is violence, and finally they are dead at the age of 35.

There is high mortality among women in prostitution. Children lose contact with their families. They are taken into an entirely new situation. Sometimes they do not even know the language of the place they are in. They are vulnerable to many kinds of abuse, besides sexual abuse, which they have to go through every day all the time.

They have no documents. I found Bangladeshi girls in Bombay who had to change their names to Hindu names so that people would not know they had come from Bangladesh, and they would not be sent back as illegal immigrants or be locked up inside juvenile homes.

Different cultural situations also produce different types of exploitation. In India there is a system called the Davdu system, where girls have to serve as temple prostitutes. They are submitted to temple priests, and the priests then send them on to brothels in Bombay, so these are things which the government has to look at more seriously. The Davdu system has been banned by law in India, but it still continues because the law is turning a blind eye. They do not want to take on something that is culturally sanctioned.

There are organized criminal networks, and there is a nexus between the police, politicians, and mafia in India through which the trafficking chain operates. There are very senior politicians who have given protection to traffickers just because they are strong for them during the elections, or they are election agents, people who are distributing campaign tickets or whatever for them, and so sometimes they make a phone call to the local police station and ask for the trafficker who is finally being let out.

Of course, the whole convention of the rights of the child needs to be emphasized to every government in Asia. They have not taken it seriously. Many of them, all Asian governments have ratified it, but they have not taken this seriously because they feel that this is in a vacuum. There is no teeth to it.

Of course, there are sanctions necessary in some contexts. In other contexts sanctions are not necessary. When I think about Nepal, or when I think about India, I don't think sanctions would be the best recourse for systems of trafficking. I can put the face of the 14-year-old girl right in front of me and see how would sanctions help her.

The destitute poverty in Nepal would increase. Parents would not even know why the poverty had increased. They would still be looking for a way to feed their families. They would still have the same attitude to girl children, and they would make the girl go to Bombay and sell her for even less money.

When you think about a military dictatorship like Burma, where girls have been trafficked across to Thailand, and in Thailand girls have been rescued from brothels by the government in police raids, rescued in quotes, and sent back to Burma, they have been locked up in rooms and they have been treated to extreme human rights abuses.

You have to think about this country by country and look at this issue very carefully, but there are certain measures which have

worked, and those measures could be looked at, like peer education, changing attitudes toward girls, strengthening law enforcement.

That would be just some of my testimony today.
[The prepared statement of Ms. Gupta follows:]

PREPARED STATEMENT OF RUCHIRA GUPTA

Seven years ago, I was researching a story on how villagers manage their natural resources in Nepal when I came across rows of villages which did not have any girls or women from age 15 to 45. Every time I asked about the whereabouts of these girls, I was told they were in Mumbai. When I inquired further I was told about the local procurer, the middleman, the agent who took them across the border, the border policemen who took payoffs and the trafficker who sold them to brothel keepers in Mumbai. The whole trafficking chain was completely institutionalized. It was protected by some members of the police, politicians and the Mafia. And the victims of this flesh trade were girls as young as seven.

I began to research this story further and followed the trail to the brothels of Mumbai. I found the largest red-light area in Asia called Kamatipura—a criss cross of 12 lanes between two railway stations. Women and girls are kept locked in small four by four foot rooms, with no windows and made to service 15 to twenty men a day for less than one US Dollar. They are subjected to rape, physical abuse, torture, violence, repeated abortions and life-threatening diseases like HIV, TB and Hepatitis. They were sold, seduced, tricked, duped, coerced or forced into this life of sexual slavery. The trafficker paid less than a hundred US Dollars for them.

NGOs estimate that between five to seven thousand Nepali girls are trafficked every year to India. NGOs in Bangkok say at least 10,000 girls and women entering Thailand from poorer neighboring countries and ending up in commercial sex work. Now girls are trafficked for cheap labor, begging chains and the organ trade as well. In Asia alone about a million women and children are trafficked every year. In the former Soviet states and Eastern European countries there are job placement agencies or marriage bureaus which serve as fronts for prostitution rings.

Trafficking—especially for commercial sexual exploitation—has become a worldwide, multi-billion-dollar industry. Boys and girls are favored targets for sexual exploitation and groups with low social standing are often the most vulnerable, such as minorities and refugees. Illicit traffic is expanding through the use of child pornography on the Internet, and low cost Internet advertising of the commercial sex trade, attracting sex tourists and pedophiles.

UNICEF's Carol Bellamy has called on governments to enforce both their national laws and to accept their obligations under the Convention on the Rights of the Child. Every government in the Asia-Pacific region has ratified the Convention on the Rights of the Child, legally binding them to protect their children from all forms of economic and sexual exploitation.

Societies must recognize that the root causes of trafficking often lie in unequal treatment of women and girl-children, discrimination against minorities, and economic policies which fail to ensure universal access to education and legal protection.

There are however, positive movements against child trafficking in India, Nepal, Bangladesh, Pakistan, Thailand, Cambodia, Vietnam, Ukraine, Russia and Sri Lanka. These include creating special bodies to protect child rights, the reform of juvenile justice systems, the training of police and judicial authorities and crack downs on those who sexually exploit children.

These movements need to be supported with larger budget allocations with special emphasis on prevention and protection programs. Advocacy and awareness programs and peer-education have been very successful in Nepal and Thailand. Protection of the survivors of trafficking and supporting them and their families in the process of law enforcement has been very useful in nailing criminals. A demand for transparency and accountability of spending on these issues would take the budget further.

NATURE OF THE ISSUE

- Trafficking is a term used to describe the illegal trade across borders of goods—especially contraband, such as drugs—for profit. Over the last decade, the concept has been expanded to cover the illegal transport of human beings, in particular women and children for the purpose of selling them or exploiting their labor.

- In 1994, the United Nations General Assembly defined trafficking as the “illicit and clandestine movement of persons across national and international borders, largely from developing countries and some countries with economies in transition with the end goal of forcing women and girl children into sexually or economically oppressive and exploitative situations for the profit of recruiters, traffickers, crime syndicates, as well as other illegal activities related to trafficking, such as forced domestic labor, false marriages, clandestine employment and false adoption.”
- There are no accurate statistics of how many people are involved, but it is estimated that in the last 30 years, trafficking in women and children in Asia for sexual exploitation alone has victimized over 30 million people. In comparison, 12 million Africans were sold as slaves to the New World between the sixteenth and nineteenth centuries. (Center for International Crime Prevention).
- National and international legal structures are inadequate to deal with the trafficking in human beings.
- While there are different patterns of exploitation in different parts of the world, children are trafficked for a number of purposes, including:
 - sexual exploitation;
 - adoption;
 - child labor (e.g., domestic work, begging, criminal work like selling drugs);
 - participation in armed conflicts;
 - marriage;
 - camel racing
 - organ trade
- The victims of trafficking or their care givers are often seeking escape from poverty. The children most likely to be trafficked are girls, those from tribal groups and ethnic minorities, stateless people and refugees. (According to the UN special rapporteur)
- Some children (or their parents) are lured by promises of education, a new skill or a “good job” other children are kidnapped outright, taken from their home villages or towns and then bought and sold like commodities. Often they are crammed into boats or trucks without enough air, water or food. When their smugglers are threatened by discovery, the children may be abandoned or even killed. If they reach their destination, they end up in situations of forced labor, forced prostitution, domestic service or involuntary marriage. They are virtual slaves, who have been stripped of their human rights.
- Children who are trafficked lose contact with their families. They are taken into an entirely new situation, often to another country, to a place where they don’t know anyone and don’t speak the language. They are vulnerable to many kinds of abuse, including sexual abuse. It is difficult for them to seek help not just because they are children but because they are often illegal immigrants and have false documents or no documents.
- Boys who are trafficked in armed conflicts are usually used as soldiers, while girls are usually forced to be servants who are often used sexually by the soldiers as well.
- Different cultural situations produce different types of exploitation. In India, for example, the caste system and a history of bonded labor mean that tribal and low-caste children are more likely to be trafficked than others. In West Africa, a long tradition of sending one’s children to work in the home of a better-off relative or friend has facilitated the trafficking of ever-increasing numbers of children, especially for domestic work
- Child trafficking works through personal and familial networks as well as through highly organized international criminal networks. Recruiters are often local people. Trafficking routes change rapidly to adjust to changing economic or political circumstances or the opening of new markets. However, the main trafficking routes are from south to north and from east to west:
 - from Latin America to North America, Europe and the Middle East;
 - from countries of the former Soviet bloc to the Baltic States and Western Europe;
 - from Romania to Italy, and through Turkey and Cyprus to Israel and the Middle East;

- from West Africa to the Middle East: from Thailand and the Philippines to Australia, New Zealand and Taiwan;
- from Cambodia, Myanmar, and Viet Nam to Thailand;
- from Nepal and Bangladesh to India; and from India and Pakistan to the Middle East.
- Poor economic conditions, poverty, unemployment, an upsurge in international organized crime, the low status of girls, lack of education, inadequate or non-existent legislation and/or poor law enforcement—all contribute to the increase in child trafficking. Trafficking becomes intensified in situations of war, natural disaster and lax regard of human rights.

Statistics

- Between 5,000 and 7,000 Nepali girls are trafficked every year across the border to India.
- Most of them end up as sex workers in brothels in Bombay and New Delhi. An estimated 200,000 Nepali women, most of them girls under 18, work in Indian cities. (Estimates by Maiti Nepal, Child Workers in Nepal and National Commission for Women in India)
- An estimated 10,000 women and girls from neighboring countries have been lured into commercial sex establishments in Thailand. Recent Thai Government policy to eradicate child prostitution means that fewer girls are being trafficked from northern Thailand and more girls and women are being brought from Myanmar, southern China, Laos and Cambodia. (Estimates by ECPAT (End Child Prostitution in Asian Tourism))
- China's Public Security Bureau reported 6,000 cases of trafficking of children in 1997, with a steady increase in girls aged 14 and 15. (Oxfam)
- UNICEF estimates that 1,000 to 1,500 Guatemalan babies and children a year are trafficked for adoption by foreign couples in North America and Europe.
- Girls as young as 13 (mainly from Asia and Eastern Europe) are trafficked as "mail-order brides". In most cases these girls and women are powerless and isolated and at great risk of violence. (Quoted by La Strada, Ukraine and Sanlaap, India)
- Large numbers of children are being trafficked in West and Central Africa, mainly for domestic work but also for sexual exploitation, to work in shops or on farms, to be scavengers or Street hawkers. Nearly 90 per cent of these trafficked domestic workers are girls.
- Children from Togo, Mali, Burkina Faso and Ghana are trafficked to Nigeria, Ivory Coast, Cameroon and Gabon. Children are trafficked both in and out of Benin and Nigeria. Some children are sent as far away as the Middle East and Europe.

UNICEF POLICY

- UNICEF is guided by the Convention on the Rights of the Child (CRC), which has been ratified by all countries except US and Somalia. Articles 9 and 10 of the CRC state that a child must not be separated from his or her parents against their will, except where it is in the best interests of the child. Article 11 commits States to combat the illicit transfer of children abroad. Article 35 asks States to adopt appropriate national, bilateral and multilateral measures to prevent the abduction, sale or trafficking of children for any purpose or in any form. For children who do not live with their parents, Articles 20 and 21 declare the best interests of the child to be paramount, and note the desirability of continuing the child's ethnic, religious, cultural and linguistic background. Article 21 provides that international adoption must not involve "improper financial gain".
- Articles 32, 34, 36 and 39 which provide for protection against economic, sexual and all other forms of exploitation, and the child's right to physical and psychological recovery and social reintegration are also relevant to the protection of child victims of trafficking.
- The UNICEF strategy for addressing child trafficking focuses on four main areas:
 - raising awareness about the problem;
 - providing economic support to families;
 - improving access to and quality of education; and

—advocating for the rights of the child.

- Measures aimed at preventing the trafficking of children include increased educational opportunities for disadvantaged children, particularly girls; support to families at risk, appropriate social welfare, training of law enforcement officials and judicial authorities. It is also essential to raise awareness of the media, communities and families on the rights of child victims of any form of trafficking.
- A proposed Optional Protocol to the CRC would reinforce the protection offered to children who are at risk of or exposed to sexual abuse, exploitation and trafficking.
- UNICEF holds that any new policy on trafficking must build on standards already adopted by the international community, including the CRC.
- UNICEF provides input to the Office of the High Commission on Human Rights (OHCHR) “Project Against Trafficking in Persons”.
- A proposed UN Convention on Transnational Organised Crime is now being drafted with a special protocol on trafficking, UNICEF has emphasized the importance of not criminalizing the victims of trafficking. Children, who are the victims, must be protected. Similarly, where children are trafficked, particularly when they find themselves in an unfamiliar country, the first priority must be to treat them in an environment which fosters the health, self respect and dignity of the child (as outlined in the CRC).
- Child victims of any form of trafficking require special protection and need to be treated with respect and in a manner consistent with their age and special needs. They are entitled to legal protection and to help integrating back into their communities.
- If children are used as witnesses, officials should secure their testimony in a manner which does not cause them to be re-traumatized and ensure their protection throughout the criminal proceedings and ensure their protection throughout the criminal proceedings and beyond as necessary.
- States should ensure that parents are provided with the necessary legal aid and financial assistance for a child’s participation in legal proceedings.
- States should ensure that child victims have access to assistance that meets their needs, such as legal aid, protection, secure housing, economic assistance, counseling, health and social services, physical and psychological recovery services and that they are not discriminated against. Special assistance should be given to those who are suffering from HIV/AIDS. Emphasis should be placed upon family and community-based rehabilitation or placement in foster families rather than institutionalization.
- Children should be given an opportunity to express their views, particularly within the framework of any administrative or judicial proceeding affecting them; and no child should be discriminated against, including on the basis of gender, national or social origin. This is consistent with article 2 and 13 in CRC.
- Efforts against trafficking should be aimed particularly at preventing vulnerable groups of children from becoming victim. While it is true that boys are increasingly involved in child prostitution and child pornography, girls comprise the majority of victims. Gender discrimination can place girls at greater risk of sexual exploitation, and also creates specific needs for their rehabilitation.

MEASURES ADOPTED

- UNICEF supports major studies of trafficking that are taking place around the world, including a study of trafficking in the NAFTA region underway at the University of Pittsburgh.
- UNICEF provides input to “The Global Program Against Trafficking in Human Beings”, a three-year study undertaken by the United Nations Office for Drug Control and Crime Prevention. It focuses on the role played by organized crime, trafficking patterns, the nature of the criminal syndicates involved, the role of corruption, the impact of clandestine migrant communities, the trafficking of women and children for purposes of forced/exploitative labor, commercial sexual exploitation and unlawful adoption. UNICEF is concerned to ensure that the human rights aspects of the issue are not overwhelmed by the study’s focus on the criminal aspects.
- In the Asia and Pacific Region, UNICEF is a partner in a number of projects that specifically address the trafficking of women and children. They include:

—the Mekong Regional Law Center project, “Illegal Migration: The Case in Trafficking of Women and Children” (Cambodia, China, Laos, Myanmar, Thailand, Viet Nam), which aims to develop a practical program to improve legislation and law enforcement in the area of trafficking;

—the ESCAP (Economic and Social Commission for Asia and the Pacific), Human Resources Development Section of the Social Development Division, “Project for the Elimination of Sexual Abuse and Sexual Exploitation of Children and Youth in Asia and the Pacific” (Cambodia, China, Laos, Myanmar, the Philippines, Thailand, Viet Nam, Bangladesh, India, Nepal, Pakistan, Sri Lanka), which will build capacity of local government and NGO personnel through research and networking, raising awareness of policy-makers, development of curriculum and training materials and sub-regional training;

—the ILO-International Program for the Elimination of Child Labor (IPEC) project, “Combat Trafficking in Children and Women for Labor Exploitation in the Mekong Sub-region and South Asia”, which aims to develop best practice guidelines based on the evaluation of pilot activities and train trainers as well as to offer direct socioeconomic alternatives to child and women victims of trafficking and to those at risk;

—the UNDP project, “Trafficking in Women and Children in the Mekong Sub-region”, which will do an inventory of UN agency, government, NGO and CBO activities addressing trafficking; assess gaps in these activities; establish mechanisms to improve communication and coordination; identify research needs and begin research;

—the International Organization for Migration (IOM) project, “Return and Reintegration of Trafficked Women from China to Vietnam, Thailand to Cambodia and Cambodia to Vietnam”, which will build research capacity, train border police and provide psycho-social recovery assistance to trafficking victims.

- UNICEF participates in the Regional Working Group on Child Labor (involving ILO/IPEC, Save the Children Alliance, and Child Workers in Asia).
- UNICEF supports the International Network for Girls (INFO). Organized by the NGO Working Group on Girls, the network comprises 400 NGOs in 86 countries who work with and for girls. Sexual exploitation and trafficking are two of its highest priorities.
- In Benin, UNICEF supports the Project on Children in Need of Special Protection. The project raises awareness about child trafficking and exploitation and the hazards trafficked children face. The project also advocates for children's rights in the CRC; has set up eight educational facilities for girl domestic workers; provided community support, giving women access to loans to finance income-generating activities; and promoted girls' education.
- In Cambodia in July 1999 the Cambodian National Council for Children has launched a National 5-year plan against child sexual exploitation and trafficking.

Senator BROWNBACK. Thank you very much, and I am glad you have that obsession within you, the calling to expose this, because it is an extraordinary issue.

As I stated at the outset of this hearing, I do not know if I have seen a worse situation, a worse thing anywhere in the world than what is taking place now.

This hearing has been an excellent one, I think, of exposing and just trying to bring some light to the subject. I have been sitting here listening to your testimony and others, thinking about what the Pope wrote to the U.S. Congress at the national prayer breakfast. In his letter he said, one of our great dedications should be to make the world better for the human species, and I look at this and I think, my goodness, there is probably not a worse thing in the world for the human species than what is taking place here. There are so many young girls, so many children just around the world, and if we are to ever try to make the world better for the

human species, here is a clear area for us to start, and to start addressing.

It has been an excellent hearing. We will hold the record open for the requisite number of days for additional testimony and for people who desire to submit for the record.

We will be working on legislation that, as I have stated several times, and Paul has as well, that we hope to be able to move through the Senate, and I would hope any groups either watching this or in the audience that are willing to work in pushing this legislation forward will be helpful in doing this this year, that this not be a project over a period of several years, that it be a this-year project, that we get it done, passed, and signed into law so that we can add emphasis on this horrible blight that is taking place on humankind.

Thank you all for your attendance. We are adjourned.

[Whereupon, at 12:45 p.m., the subcommittee adjourned.]

INTERNATIONAL TRAFFICKING IN WOMEN AND CHILDREN: PROSECUTION, TESTI- MONIES, AND PREVENTION

TUESDAY, APRIL 4, 2000

U.S. SENATE,
SUBCOMMITTEE ON NEAR EASTERN
AND SOUTH ASIAN AFFAIRS,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:15 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Sam Brownback (chairman of the subcommittee) presiding.

Present: Senators Brownback and Wellstone.

Senator BROWNBACk. I call the hearing to order.

I am very pleased to be holding these hearings today, with Senator Wellstone, entitled "Trafficking of Women and Children: Prosecution, Testimonies, and Prevention." This is the second hearing we have held on this subject, and today we will hear testimony on the details of prosecuting traffickers, personal stories from victim survivors, several of which Paul and I have just recently met with here in the anteroom, and restoration of survivors through aftercare and civil suits to obtain financial restitution. I hope these proceedings will help pry open a door of freedom just a little further for those who are presently trapped and in despair.

We must continue to speak out about this insidious practice called trafficking. Every time we expose its tactics, through hearings, conferences and other gatherings, another ray of light invades the darkness. I want to encourage many of you sitting in this audience today to not give up your selfless advocacy that you have done for so many years.

I want to particularly add a note to Senator Wellstone's wife, who has done much in that effort in that regard, as well. Thank you for your tireless advocacy. You are challenging the shame and the ignorance which still pervades this subject. It is a long road ahead, but a worthy road, which leads to freedom and to dignity.

Many remain who are lost. We think there are millions worldwide who are suffering in the trafficking networks, enslaved, held against their will, including children. Conservatively, at least 700,000 women and children are forced into trafficking each year, which is an overwhelming number, but it is possible to take one person at a time, just like we are doing today, and to hear their story and the rays of life that they bring forward to tell about this terrible thing that is happening across the world.

Dr. Laura Lederer has expended tremendous efforts to bring the survivor witnesses to this hearing today. We will hear testimony from three survivors, all of them women, who were trafficked against their will. Dr. Lederer, thank you for your generosity of heart and determination of spirit. These witnesses would not be here today but for you. Dr. Lederer is in the back visiting with her witnesses.

International sex trafficking is the new slavery. It includes all the elements associated with slavery, including being abducted from your family and home, taken to a strange country where you do not speak the language, losing your identity and freedom, being forced to work against your will with no pay, being beaten and raped, having no defense against the one who rules you, and eventually dying early because of this criminal misuse.

Now, imagine this happening at a very young age and having your entire life stolen from you in this brutal way. I have visited with young girls and women before that this has happened to, and we will hear from several today. This is one of the cruelest human rights abuses existing. Moreover, it is growing now, which has increased dramatically this growth in this area over the last 10 years. It is a new phenomena and does not really look like anything we have seen before.

That is why we have invited our first panel, Bill Yeomans, the Chief of Staff of the Civil Rights Division of the Department of Justice, who will discuss the parameters of prosecution and additional legal tools needed to stem the trafficking trade.

Our second panel is comprised of three witness survivors, one from Mexico and two from Russia, who will share their stories of entrapment and escape. The third panel will include two aftercare providers who help victims restore their lives once they leave trafficking in Russia and Thailand, and one civil attorney who represented the Mexican women who were abducted in Florida, escaped, sued, and finally received a civil judgment against their captors.

I would like to make a very important request, if I could, of those in the crowd and those filming this. Please do not take any photos of the women on the second panel who are survivors of trafficking. They have come here at great personal risk to themselves, and photos could be used to bring to them and their families great harm. So I would ask you please not to photograph them.

I want to thank you all for your attendance here today, and I look forward to the testimony and some questioning. First, I want to turn it over for an opening statement to Senator Wellstone, who has worked on this issue for several years tirelessly, and we have been working together on this issue, and I am delighted to be able to join him in his leadership on this very important subject.

Senator Wellstone.

Senator WELLSTONE. Thank you, Senator Brownback.

And, Mr. Yeomans, thank you for being here, and to all.

Let me just ask unanimous consent that my full statement be included in the record so that I can be briefer and we can go forward with the excellent testimony.

Senator BROWNBACK. Without objection.

Senator WELLSTONE. I do want to thank the chairman, Senator Brownback, for his commitment, not only to hearings but to passing legislation that is going to make a difference. We are working together, and I think we will have a very good piece of legislation. We are going to work very hard together to make that happen. And it is a good coalition. Senator Brownback and I do not agree on all issues—that may be the understatement of the year—but we do agree on this.

Senator BROWNBACK. We agree on this one.

Senator WELLSTONE. And after having worked on this for several years, Senator Feinstein and Senator Boxer and Senator Snowe have been there, but I do not think I have ever found anybody that has been more committed to this issue and working harder than Senator Brownback.

I think, Mr. Chairman, that we are seeing more and more of a focus on the trafficking of women and children for purposes of prostitution, sexual exploitation, forced labor, but it continues to be, in spite of the focus, I think we also have to admit to a reality which today I think is one of the darkest aspects of the globalization of the world economy. It is becoming more insidious and it is becoming more widespread in this last decade. I think that is what we have seen.

Now, Mr. Chairman, there was just this past weekend in the New York Times a very important piece dealing with a CIA report or analysis of the international trafficking of women in the United States, which was called a, quote, contemporary manifestation of slavery. And they were talking about 50,000 women and children each year brought to the United States of America—that is our country—and maybe as many as 2 million women that are trafficked throughout the world economy. And we intend to do something about it.

We are not having these hearings and asking today women to come at real peril to themselves and to make this kind of sacrifice for symbolic political reasons. We are doing it because we intend to pass some legislation that can make a positive difference.

I want to just conclude by saying that I cannot emphasize enough that this trafficking is a human rights problem and it requires a human rights solution. And all too often what happens is that our government and other governments today, with the status quo, end up either deliberately or, more often, just because of the way the laws are right now, what happens is that the victims are the ones that are hounded and the traffickers go free. We have to change that. We have to change that.

The women are treated as criminals and not as victims of gross human rights abuses. And that is the way they should be treated, as the victims of these abuses. And we intend to change that.

Now, this has been an ineffective and cruel approach toward trafficking victims, and we are trying to change this for the better. I first introduced the bill in Congress a while ago—I think it was the first bill—to try to get at this. And, as I say, Senators Boxer, Snowe, Feinstein, and others were very helpful. Then the House of Representatives has taken up their own measure, the Trafficking Victims Protection Act. And now I think, perhaps most important of all from the point of view of actually passing legislation, I feel

very fortunate in being able to work with the chairman and Senator Brownback.

I want to thank everyone here today, especially the victims, for their courage in coming forward to testify, and the advocates. The advocates who will never become millionaires, but who just do not stop really speaking out and advocating for people. I want to thank you. I thank the administration for moving forward. And I do believe that we will be able, Senator Brownback, we will introduce legislation and I think we will have a good bipartisan bill, and I believe we will be able to pass it.

Thank you.

[The prepared statement of Senator Wellstone follows:]

PREPARED STATEMENT OF SENATOR PAUL WELLSTONE

I would like to thank the Chairman for his work on one of today's most serious and pressing violations of human rights: the trafficking of persons, particularly women and children, for purposes of sexual exploitation and forced labor. This is the second in a series of hearings on this subject and I would like to commend Senator Brownback for focusing this subcommittee on trafficking, and keeping this very important domestic and foreign policy issue in the public eye.

Just before our last hearing on trafficking, Parade magazine's February 20th cover story was "A Call to Fight Forced Labor." Increasing numbers of organizations are heeding that call, as is the U.S. Government, which has been involved in negotiations abroad to strengthen international efforts to combat trafficking, and which has been involved at home in more vigorous efforts to combat and prosecute traffickers.

But despite increasing governmental and international interest, trafficking in women and children continues to be one of the darkest aspects of the globalization of the world economy, becoming more insidious and more widespread over the past decade. Just this past weekend the New York Times reported on a recent CIA analysis of the "International Trafficking in Women to the United States," which was called "A Contemporary Manifestation of Slavery." and said as many as 50,000 women and children each year are brought to the United States.

Trafficking is an issue that affects not hundreds, but up to two million persons throughout the world. There are estimates that as many as 50,000 women and children each year are brought into just the United States alone and forced to work as prostitutes, forced laborers or servants. The victims come from Mexico, the Philippines, Thailand, Russia, the Ukraine and other countries in Asia, Latin America, Eastern Europe and the former Soviet Union. We have some of these victims here with us today, who have courageously come forward to share their stories.

Since my wife and I began working on this issue several years ago, I have met with trafficking victims, care providers and advocates from around the world. They have told me again and again that trafficking is induced by basic factors such as poverty, lack of economic opportunities for women, and the horrible low status of women in many cultures. These factors are then compounded by sophisticated and ruthless international crime operations, whose trafficking rings exploit and abuse poor, vulnerable women in economically devastated communities where women are unable to find jobs to sustain themselves and their families.

In the last hearing we held on trafficking, on February 22, we heard from the State Department about U.S. efforts to combat trafficking internationally, and we heard from advocacy groups about what more is needed to fight this problem, both overseas and at home. For trafficking involves both supply and demand, and one of the subjects I would like to hear addressed today by our first witness is the extent of the problem in the United States and what efforts the Department of Justice is making to go after and prosecute those responsible for trafficking into this country.

I cannot emphasize enough: trafficking in persons is a human rights problem that requires a human rights response. And yet, more often than not, our government and other governments have hounded the victims, and let the traffickers go free. The women are treated as criminals and not as the victims of gross human rights abuses that they are.

In order to reverse this ineffective and often cruel approach toward trafficking victims, and to go after the root causes of trafficking—like economic distress and the low status of women—I introduced the first bill in Congress to comprehensively ad-

dress the problem, and was joined in my effort by Senators Boxer, Feinstein, Snowe and others. Since then the House of Representatives has taken up their own measure, the Trafficking Victims Protection Act (H.R. 3244), which is making its way through the legislative process. I have been working with Senator Brownback in an effort to craft a similar bill in the Senate, which we hope to introduce soon, focusing on the prevention of abuse, protection and assistance for victims, and prosecution of traffickers. (The bill ensures that the State Department and our law enforcement agencies will be fully engaged in the issue, that our immigration laws do not encourage rapid deportation of victims, that traffickers are severely punished, and that trafficking victims receive needed services and safe shelter. Further, the bill provides much needed resources to programs assisting victims here at home and abroad.)

In closing, I want to thank everyone here today—especially the victims for their courage in coming forward to testify, and the advocates who have worked so hard on this issue—and I urge the Administration to support legislative efforts in the Senate so that we can move quickly to end this brutal practice once and for all.

[The following statement of Senator Ashcroft was submitted for the record:]

PREPARED STATEMENT OF SENATOR JOHN ASHCROFT

Mr. Chairman, thank you for holding this hearing. I appreciate the opportunity to comment this afternoon on such an important issue that affects so many of our world's most helpless citizens. I applaud these witnesses for having the fortitude to come forward and share their stories and concerns.

International human trafficking, along with the often subsequent forced prostitution of women and children, is one of the most despicable acts mankind has created. Millions of human beings are trafficked each year, with approximately 50,000 of those trafficked into the United States alone. Trafficking generates approximately \$7 billion annually, and perhaps as many as 30 million women and children have fallen victim to traffickers since the early 1970s. The Coalition Against Trafficking in Women has attempted to document this heinous trade, focusing on the hardest hit countries of South Asia. According to the Coalition, 200,000 Bangladeshi women have been sent to Pakistan by traffickers in the last 10 years. In Thailand, as many as 30,000 Burmese women are engaged in prostitution, with 50–70 percent of them being HIV positive. Children are often the target of international traffickers. Of the 2.3 million women engaged in prostitution in India, 25 percent are minors. Local laws against forced servitude and prostitution often are not enforced, leaving victims little recourse against their captors.

These figures are but a glimpse into the real-life stories of human beings around the world forced into slavery and prostitution. These women and children lose everything in the process—their family, their dignity, and their hope. While I do not wish to expound beyond these capable witnesses into the actual details of the atrocities, I am sure we will all be moved by their troubling tales.

The fact that this type of activity is found in the United States is especially appalling. As the leading industrialized nation, founded on principles of freedom and justice, it is almost unbelievable that trafficking occurs here—however, it does. The United States must take the lead and work to eradicate this terrible scourge.

When Thomas Jefferson wrote those enduring words, that “all . . . are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness,” he spoke, not just of Americans, or the wealthy, or the prominent, but of every person on this earth, regardless of sex, race, religion, or location. Here in the United States we have made tremendous strides toward equality and respect for all people. However, our success does not condone our complacency. We must remain diligent in our quest for international acceptance of our founding principles.

We must strive to see that every man, woman, and child be afforded the opportunity to live in a world of freedom. President Ronald Reagan, and other cold war warriors, fought diligently to see peace, democracy, and freedom throughout the world. We have achieved a small part of their vision, and the protection of women and children throughout the world who are tortured and de-humanized through international human trafficking is another step closer to that vision.

Thank you again for your testimony and I look forward to passage of legislation to effectively confront this problem.

Senator BROWNBACK. Thank you, Senator Wellstone. And I, too, believe that we will be able to pass this bipartisan legislation. And yes, they may not be millionaires here, those advocates, but they will have riches other places.

Mr. Yeomans, thank you very much for joining. He is Chief of Staff for the Civil Rights Division of the Department of Justice. We appreciate you coming in front of us today. The floor is yours.

STATEMENT OF WILLIAM R. YEOMANS, CHIEF OF STAFF, CIVIL RIGHTS DIVISION, DEPARTMENT OF JUSTICE, WASHINGTON, DC

Mr. YEOMANS. Thank you, Mr. Chairman.

Mr. Chairman and Senator Wellstone, I thank you for the opportunity to appear today to present testimony on the subject of trafficking in human beings. It is profoundly troubling that it is necessary to have this hearing as we move into the new millennium, but it is necessary. While we discuss this problem using such terms as "trafficking" and "forced labor," we should make no mistake about it: we are talking about slavery, slavery in its modern manifestations.

While some of the schemes and practices employed reflect the sophistication of the modern world, others are as basic and barbaric as the trade that brought African-Americans to this continent. Regardless of how sophisticated or simple trafficking enterprises may be, at bottom, they all deny the essential humanity of the victims and turn them into objects for profit.

It is extremely difficult to produce reliable estimates on the number of victims subjected to trafficking each year. Recent estimates have ranged from 50,000 to 100,000 people brought in each year to this country in some condition of exploitation. And it appears that the number is growing. The explanation lies in several factors, I think.

First, economic dislocation, particularly the lack of economic opportunity for women in so many societies, the increased porousness of borders, the ease of transportation and of international communication, and the fact that, until now, trafficking has been a fairly high-profit and low-risk enterprise.

The Justice Department is working to combat this problem. In 1995, we discovered that more than 70 Thai women and men had been smuggled into the United States and held captive in El Monte, California, for up to 7 years. The workers were held in a guarded compound and forced to work in a sweatshop environment. The operation was one of the most egregious cases of worker exploitation in the history of this country. The U.S. Attorney's Office in Los Angeles and the Civil Rights Division successfully prosecuted the sweatshop owners for violations of involuntary servitude, conspiracy and immigration laws.

In 1997, we learned that dozens of hearing-impaired Mexican nationals were enslaved and forced to peddle trinkets on the streets of New York, Los Angeles and Chicago. Their captors held them through beatings, physical restraint and torture. This case shocked the conscience of the Nation because the victims were exploited not only because of their poverty and their immigration status, but also because of their disability. Eighteen defendants eventually pled

guilty to slavery conspiracy charges, as well as immigration, money laundering and obstruction of justice offenses.

In 1998, concerned that these cases suggested a bigger problem, the Department of Justice took the lead in forming the Worker Exploitation Task Force. This task force is co-chaired by the Acting Assistant Attorney General for Civil Rights, Bill Lann Lee, and the Solicitor of Labor, Henry Solano.

This effort has brought a range of investigative and prosecutorial agencies to the table. Justice Department components include the Civil Rights Division, the Criminal Division, the FBI, INS, the U.S. Attorneys, the Office for Victims of Crime, and the Violence Against Women Office. Our outside partners include the Departments of Labor, State and Agriculture, and the Equal Employment Opportunity Commission. We are convinced that by pooling information, expertise and resources, and using all of the legal authority available to these agencies, we can make a difference.

What has the task force accomplished?

First, we brought additional prosecutions. Last year, we obtained seven guilty pleas in a case in which Mexican girls and women, some as young as 14, were lured into the United States by the promise of legitimate jobs, and forced to work as prostitutes and sex slaves in brothels frequented by migrant laborers in Florida and the Carolinas. The victims were forced to engage in sexual acts with as many as 130 men a week. They were beaten and assaulted, and some were forced to have abortions when they became pregnant.

We also secured guilty pleas last year from three defendants in the Commonwealth of the Northern Mariana Islands, who were indicted for luring unsuspecting women from China to the CNMI, with false promises of good jobs, only to enslave them in a karaoke bar brothel, and force them to submit to prostitution.

In addition, to prosecute these and other cases, the Worker Exploitation Task Force has set up 15 regional task forces. Each one has points of contact from local U.S. Attorneys Offices, the INS, the FBI, and the Department of Labor, and we are reaching out to State and local law enforcement agencies. The regional task force approach has allowed investigators and prosecutors to share information and coordinate their efforts.

We have also tried to increase public awareness of worker exploitation. We have set up a worker exploitation complaint line. And since the complaint line phone number was publicized in Parade Magazine just 6 weeks ago, we have received over 250 calls. And based on those calls, we have opened another 20 investigations. And we have also referred a number of complaints to other agencies for processing.

Despite these services, the task force has also highlighted the shortcomings in our ability to combat trafficking and worker exploitation. We need legislation that will strengthen the prosecutorial tools available to law enforcement.

First, current law permits prosecution of traffickers only in limited situations, such as when the victim is being trafficked for the purpose of the sex trade. We must criminalize a broader range of trafficking. We must reach individuals trafficked into domestic servitude, migrant labor or sweatshop labor, as well as prostitution.

Second, we must create the tools to prosecute those who knowingly profit from the forced labor of persons held in unlawfully exploited labor conditions. Present criminal law does not reach, for example, farm labor contractors and other types of employment relationships that provide a liability shield between the direct oppressor and the economic beneficiary of the slave labor.

Third, we need to expand the types of coercion that can be used to demonstrate involuntary servitude under Federal law. One of the biggest enforcement hurdles that we face is the requirement of Federal law that we show that the defendant used actual force, threat of force or illegal coercion to enslave the victim. As a result, Federal law enforcement cannot reach those who use more subtle, but no less heinous, forms of coercion that wrongfully hold victims in bondage.

A prime example of this is the situation in *U.S. against Kozminski*, the case in which the Supreme Court announced this narrow interpretation of Federal law. In that case, a couple in Michigan had picked up two retarded men along the road and taken them back to their farm, where they were held and made to work for years. They were kept in a barn. They were fed rancid food. And they were convinced, through psychological coercion, that they had no alternative but to stay at that farm and work. Yet the Supreme Court held that, absent the use of physical force or illegal coercion, Federal law did not reach this situation.

In order to prosecute cases like this, we have to expand the definition of "coercion" to cover situations that fall short of force or threat of force, but in which the victim has no valid alternative but to submit to a condition of servitude. In particular, the law has to acknowledge that some immigrants and foreign nationals upon whom traffickers prey are particularly susceptible to coercion because of their unfamiliarity with our language, laws and customs.

Fourth, we must increase the statutory penalties for violations of involuntary servitude, peonage and related laws, from the current 10 years, to 20 years. These penalties have to be made commensurate with the severity of these crimes.

And finally, we need to support the creation of a new, non-immigrant classification, a T visa, that would be available to victims of trafficking. Too often, law enforcement authorities are hampered in their ability to combat trafficking by the reluctance of victims to come forward for fear of deportation or other adverse immigration consequences. This new category would strengthen the ability of law enforcement to detect, investigate and prosecute trafficking offenses while simultaneously offering a temporary safe haven to victims.

In conclusion, the Department of Justice has recognized the need to devote more effort and resources to combatting trafficking. The efforts of the Worker Exploitation Task Force, however, have demonstrated that we need stronger laws to prosecute traffickers. Gaps in Federal law make it impossible to prosecute some truly reprehensible forms of abuse. Those gaps should be filled.

I would be pleased to answer any questions.

[The prepared statement of Mr. Yeomans follows:]

PREPARED STATEMENT OF WILLIAM R. YEOMANS

I. INTRODUCTION

Mr. Chairman and members of the subcommittee, thank you for the opportunity to testify today on the problem of trafficking in human beings. This is a growing problem in the United States and around the world, and there is a great need for legislation to provide additional measures with which to prosecute traffickers and provide assistance to victims. Strengthened enforcement and prosecution against traffickers is crucial as trafficking is growing, in part, because it remains a high-profit, relatively low-risk criminal enterprise. I commend you and the subcommittee for conducting hearings on this important issue.

Several weeks ago you heard from State Department officials about the extent of the trafficking problem in this country and abroad. Today I would like to discuss why the Department of Justice feels so strongly about the need for additional tools to prosecute traffickers.

II. CURRENT PROSECUTION EFFORTS

Exploitation takes many forms. Typical fact patterns include women who are kidnaped into prostitution, are forced into prostitution to repay a smuggling fee, or are otherwise transported for purposes of prostitution; migrant agricultural workers who are smuggled into the United States for a fee and then forced to work until they have repaid their crew leaders; and domestic servants who are not allowed to leave their employers' home or service. Let me give you specific examples.

In 1995, state, local and Federal authorities discovered that more than 70 Thai women and men had been smuggled into the U.S. and enslaved in El Monte, California for up to 7 years. The workers were held in a guarded compound and forced to work in a sweatshop environment. At the time, the operation was one of the most egregious cases of worker exploitation identified in modern U.S. history. The U.S. Attorney's Office in Los Angeles and the Civil Rights Division successfully prosecuted the sweatshop owners for violations of involuntary servitude, conspiracy, and immigration laws.

In 1997, we learned that dozens of hearing-impaired Mexican Nationals were enslaved and forced to peddle trinkets on the streets of New York, Los Angeles, and Chicago. They were kept under their captors' control through beatings, physical restraint, and torture. This case shocked the conscience of the Nation because the victims were exploited not simply because of their poverty and immigration status, but also because of their disability. Eighteen defendants eventually pled guilty to slavery conspiracy charges, as well as immigration, money laundering, and obstruction of justice offenses.

Sadly, just as the so-called "Deaf Mexican" case was being resolved in 1998, we learned about another tragic situation. Mexican girls and women, some as young as 14 years old, were being lured into the United States and forced to work as prostitutes and sexual slaves in brothels in Florida and the Carolinas. The women and girls were forced to engage in sexual acts with as many as 130 men a week. They were beaten and assaulted, and some were forced to have abortions when they became pregnant. We prosecuted the case and obtained seven guilty pleas.

We also secured guilty pleas last year from three defendants in the Commonwealth of the Northern Mariana Islands who were indicted for luring unsuspecting women from China to the CNMI with false promises of good jobs, only to enslave them in a karaoke bar brothel and force them to submit to prostitution.

Because of the prevalence of such trafficking and worker exploitation, in April 1998, Attorney General Reno created an interagency task force to ensure that the Federal Government's efforts to combat and deter such heinous acts are better coordinated. The Worker Exploitation Task Force is co-chaired by the Acting Assistant Attorney General for Civil Rights, Bill Lann Lee, and the Solicitor of Labor, Henry Solano. This effort has brought many different investigative and prosecutorial agencies to the table. Justice Department components include the Civil Rights and Criminal Divisions, the FBI, the INS, United States Attorneys, the Office for Victims of Crime, and the Violence Against Women Office. Other partners include the Departments of Labor, State, and Agriculture, and the Equal Employment Opportunity Commission.

But there is not only a need for better coordination, there is a need for more effective tools for law enforcement as well.

III. STRENGTHENING JUSTICE DEPARTMENT ENFORCEMENT EFFORTS

We need legislation, such as S. 1842, introduced by Senator Wellstone, that builds upon the existing legal framework to further strengthen the prosecutorial tools

available to law enforcement. There are several crucial statutory revisions in the area of trafficking, involuntary servitude, and criminal exploitation of workers that must be addressed.

First, current law permits prosecutions only in limited situations. We must change our laws to criminalize a much broader range of circumstances in which victims are subjected to involuntary servitude, peonage, and unlawfully exploitative labor conditions that the United States and the international community confront. In the United States, many of these cases will involve women trafficked into prostitution, but other cases may include coerced domestic servitude, migrant labor, or sweatshop labor. Penalties for violation should be commensurate with the severity of the crime: fines and/or imprisonment of up to 20 years, and life imprisonment if death results or if the violation includes kidnaping, an attempt to kidnap, aggravated sexual abuse, the attempt to commit aggravated sexual abuse, or an attempt to kill.

Second, we must create the ability to prosecute those who knowingly profit from forced labor of those persons held in involuntary servitude, peonage, or unlawfully exploitative labor conditions. Present criminal law does not cover the use of farm labor contractors and other types of employment relationships which provide a liability shield between the direct oppressor and the economic beneficiary of the slave labor. In order to combat criminal worker exploitation, it is necessary to punish those who knowingly benefit or profit from slavery or use contractors, intermediaries, and others to do their bidding. Without such a statutory tool, these knowing beneficiaries will simply continue the cycle of criminality by hiring replacements for those who are apprehended and prosecuted. Moreover, through this legislation, law enforcement can prosecute those who transport others using fraud, deceit, and misrepresentation, providing the victim with no viable alternative but to perform the labor or services.

Third, we must expand the types of coercion that can be used to demonstrate involuntary servitude and peonage under Federal law. One of the biggest enforcement hurdles we face is that the U.S. Supreme Court requires a showing that the defendant used actual force, threat of force, or threat of legal coercion to enslave the victim. As a result, Federal law suffers from gaps in coverage. Law enforcement cannot reach and prosecute those who intentionally use more subtle, but no less heinous, forms of coercion that wrongfully keep the victim from leaving his or her labor or service.

For example, the Justice Department investigated a case in the Midwest where a woman was hired as a domestic helper. Upon her arrival, her passport was taken. She was forced to work 16 hours a day, 7 days a week, and she was given only small rations of food. When she complained, her employer threatened to have her deported. They told her that if she ever left the house unescorted, they would call the police and have her put in jail. But despite this exploitation and cruel treatment, it is unlikely that we can prosecute this case because psychological and economic coercion was the method used to keep the victim trapped in a condition of involuntary servitude.

To prosecute cases like this, we must statutorily expand the U.S. Supreme Court's definition of coercion by creating two additional methods of proof to use in those situations which fall short of force or threat of force but which are nonetheless deliberately coercive: (1) where representations are made to any person that physical harm may occur to that person, or to another, in an effort to wrongfully obtain or maintain the labor or services of that person; and (2) where the use of fraud, deceit, or misrepresentation toward any person exists in an effort to wrongfully obtain or maintain the labor or services of that person, where the person is a minor, mentally disabled, or otherwise susceptible to coercion. Some immigrants and foreign nationals whom traffickers deliberately select and prey upon are particularly susceptible to coercion because of their unfamiliarity with our language, laws, and customs.

Fourth, we must amend Title 18 to increase the statutory penalties for violations of involuntary servitude, peonage, and related laws from 10 years imprisonment to 20 years. In addition, Congress should provide for a maximum sentence of up to life imprisonment if such acts include kidnaping, an attempt to kidnap, aggravated sexual abuse, an attempt to commit aggravated sexual abuse, or an attempt to kill, thereby bringing the potential penalties for these crimes in line with those applicable to related criminal offenses. In addition, attempts to violate criminal worker exploitation laws must be punishable in the same manner as a completed violation of those sections. These more stringent penalties better reflect the severity of the crimes, bring the maximum penalties in line with current law, and increase the potential deterrent effect to traffickers.

Fifth, we must amend Title 18 to address the sadly common scenario where traffickers strip a trafficking victim of his/her identification documents, passport, and

immigration papers as a means of control and coercion. In addition, we believe fines and/or imprisonment of up to 5 years for persons who contribute to the trafficking scheme by confiscating any type of identification documentation must be imposed.

Sixth, we support the creation of a new nonimmigrant classification—a “T visa”—that would be available to victims of trafficking. Too often, law enforcement authorities are hampered in their ability to combat trafficking by the reluctance of victims to come forward for fear of deportation or other adverse immigration consequences. This new category would serve the twofold purpose of strengthening the ability of law enforcement to detect, investigate, and prosecute trafficking offenses while simultaneously offering a temporary safe haven to victims, in keeping with the humanitarian interests of the United States. Current law is insufficient to deal with trafficking cases because it fails to address situations involving multiple victims and egregious civil offenses, such as many labor law violations. Up to 1,000 visas would be available each year, renewable for up to 3 years, with the possibility for adjustment to permanent legal status where justified on humanitarian grounds or is otherwise in the national interest.

In addition, the Justice Department strongly supports provisions creating a grant program specifically targeted to the provision of services for victims of trafficking.

IV. CONCLUSION

In conclusion, there are several statutory provisions that are needed to strengthen the ability of law enforcement to prosecute traffickers. We must enhance consistency in the criminal code by bringing punishments in this area in line with those provided by other Federal statutes. While a trafficker may violate U.S. law in some instances through the commission of illicit activities, gaps in coverage currently exist which make it impossible to prosecute certain reprehensible forms of abuse. Those gaps must be filled so that law enforcement can most effectively attack traffickers through coordinated investigation and prosecution that invoke the full force of these laws. Thank you for the opportunity to testify today and I would be pleased to answer any questions.

Senator BROWBACK. Thank you very much, Mr. Yeomans, for your testimony and for your work within the administration on this.

I have some questions. I want to run the clock at 10 minutes, and maybe that would remind Paul and I, back and forth, that we have two other panels here to go to, as well.

Mr. Yeomans, I appreciated all the comments you made on what you were seeking on additional legislative authority. I want to go right at a particular issue, though, that you raised within this. You talked about needing authority to broaden what coercion is and to broaden that definition. You gave one example of the coercion that you are talking about. Are there other examples of what you are talking about? We want to build a legislative record about what we mean about coercion. What else would you identify as coercion that you would be talking about here?

Mr. YEOMANS. Well, I think, from looking at our cases, we can pick out a number of kinds of coercion. Unfortunately, a typical situation is that women are brought into this country with false documents, or smuggled in. If they have documentation when they arrive, it is taken away from them. So they are left adrift in society.

Frequently they are charged the cost of their transportation for being brought into the country, and they are told that they have to work in prostitution or in some other form of labor to pay off their debt. And they are given no choices. Frequently they are told that if they do not, they will suffer consequences, whether legal or otherwise. Frequently the people who are brought into this country have very little knowledge of our society and of our customs, and they are told that, for instance, if they go outside the house, they will be set upon by horrible people.

So these are the kinds of deception that really give the victim no sense of an alternative to staying put and doing the work that they are being told to do. We have also had situations where the use of physical force is really unnecessary. For instance, when people are brought in from societies with a caste system, and when lower-class people are used to accepting orders and they will accept those orders, under conditions that simply would not be tolerated in this country. So there are a number of ways that coercion can be brought to bear short of an actual direct threat of force.

Senator BROWNBACK. I would invite you, for our record, after this hearing is over, to submit to us a number of different examples of the coercion. Because I want to build into that record, here are all the types of coercion, or some of the types—this would not be an exclusive list, but of a coercion that we are talking about.

Because what my experience has been in talking with women that have been forced into these circumstances is that much of it is trickery. And then, once tricked across the border, you are captured. Because you have papers, and then those papers are taken from you. So you went by trick, and then you are captured because of documentation loss or feeling of a lack of any sort of power or ability. That all is a form of coercion. And I would hope that we could get that down with some clarity.

I presume the administration has been able to infiltrate some of the rings that are operating now in this sex trafficking or in labor trafficking. How are you finding that they operate, particularly in bringing people into this country? Are there certain areas that they are bringing people from, certain countries, into the United States? And how do these rings operate?

Senator WELLSTONE. Excuse me. Can you add to that, when you are answering it, sort of which countries you might view as the worst offender countries? Maybe we could get some sense of that.

Mr. YEOMANS. I think I can answer that with a couple of recent examples from our prosecutions. Just this past year we prosecuted a case in Florida that I mentioned in my testimony, where women were brought in from Mexico.

Senator BROWNBACK. Was this done by a ring, an organized ring?

Mr. YEOMANS. We ended up prosecuting 16 defendants, who constituted a ring. They brought women across the border, frequently using coyotes to smuggle them across the border. And they were lured with promises of legitimate jobs. They were told that when they reached the United States they would have restaurant jobs or agricultural jobs or work as domestic servants.

When they arrived in the country they were basically imprisoned and forced to work as prostitutes. And they were held in brothels that served migrant laborers. And they were moved, along with migrant laborers to different migrant labor camps, to give the migrant laborers variety. So that is one example of the way people come in. And certainly Mexico is one of the principal source countries for this kind of activity.

In another recent case, another one I mentioned in the CNMI, women were brought in from China. And we have seen a number of people brought in from China. Again, they were brought with the promise of legitimate jobs, this time working in a restaurant. And when they arrived, again, they were forced into prostitution. Their

documentation was taken away. They were of course afraid to come to the authorities because they were there unlawfully. And they were forced to serve as prostitutes.

Another example is the El Monte case, from 1995, that I mentioned, where scores of workers were brought in from Thailand to work in sweatshops in California. So I think that, generalizing from our prosecutions, we have seen Mexico and Latin America, China and Southeast Asia as very significant areas.

Senator BROWNBACk. Mr. Yeomans, I presume the administration will be strongly supportive of legislation moving through the Congress to put forward the sort of legislative vehicles and prosecution tools that are needed for us to use. I would note that the administration is adverse to naming countries which flagrantly accommodate trafficking.

Now, I would be curious as to your rationale on this. Because from what we have heard of previous testimony, when I visited with some people, there are certain countries that seem to have more trafficking flowing from than other countries, some who seem to be more interested in this topic than other countries. Why do you choose not to name countries or propose any sort of tools to use from the United States as a country against a country where the trafficking might occur from?

Mr. YEOMANS. Well, the administration, of course, has opposed sanctions. The rationale is that, at least from the perspective of the Department of Justice, is that if we are to root out this problem, one of the most effective things for us to do is to form close working relationships with law enforcement agencies in the countries from which people come, from which the trafficked human beings come.

And as soon as we impose sanctions or as soon as we try to make an international pariah out of one of these countries, that kind of cooperation tends to shut down. And it is a difficult balance. But it is our calculation that we will make more progress by working closely with law enforcement in those countries than we will by imposing sanctions and shutting down that cooperation.

Senator BROWNBACk. Mr. Yeomans, thank you for being here today. And let me just say as I conclude, I hope the administration will make this one of their top foreign policy priorities, if not one of their top total legislative priorities during this Congress. There is companion-type legislation—I know people disagree on the elements within it—that is moving forward in the House. We hope to put that forward here. And we would hope the administration would lean in aggressively to help us pass this legislation this year.

Mr. YEOMANS. Thank you, Mr. Chairman.

Senator BROWNBACk. Senator Wellstone.

Senator WELLSTONE. Thank you, Mr. Chairman. I will try to be relatively brief, because I know we have other panels and we want to hear from everyone.

Mr. Yeomans, actually, as I was listening to Senator Brownback, one of the things that we have been focusing on in negotiation with the administration—and I certainly know there is strong support, Secretary Harold Koh has just been very focused on this and I think he has given both of us very good advice, and others as well, but let me ask you this: On the naming of countries, it would seem to me that what we could do is—the administration is right that

in some cases it is not the governments of a country that are really responsible—but what I think, since it is going to be key that those governments cooperate, you just set up a threshold, and say, look, this is the test that needs to be set to show, Sam, that these governments are in fact working with us.

If they do not meet the threshold, then they are named. If they meet the threshold, then it is different. But I think we do need to have some way of really providing, if you will, the incentive for these governments to cooperate.

Senator BROWBACK. Would you respond to that very point on naming—not about sanctioning, but about naming—the countries?

Do you mind if I jump in on that?

Senator WELLSTONE. Not at all. We are working together, are we not? You can jump in.

Mr. YEOMANS. I think my reasoning on that is the same as it would be on sanctions. While obviously we want to identify where the problems are, our approach is to try to solve those problems and to try to get at those problems through law enforcement and through working with the people who are in those countries, and we hope the governments of those countries, to try to do something about the problem.

And it is very difficult for us simply to catch it on this end. We need to be able to reach back to those countries. We have a number of instances where we have prosecuted people who have fled and gone back to these countries. And we need their cooperation very much. So I think that we are very reluctant to name countries or work to impose sanctions.

Senator WELLSTONE. Well, I do not want to argue with you today. I appreciate your being here. But I think Senator Brownback and I may be fairly firm on this, and I think there comes a point, there is a standard of reasonableness where you do ask those governments to meet a threshold test to whether they are cooperating or not. And it seems to me that it is appropriate to name those countries that are unwilling to do so. There may be no need to if those governments are cooperating.

I think in the legislation that we are considering working on, there are sort of the three “P’s.” And you have talked about two of them and I want to ask you about one. One is preventing trafficking. One is prosecuting traffickers, and you talked about that. And one is protecting the human rights of trafficked persons. And I agree with you about that, as well. But the irony right now is people are worried about being deported. They are scared to death, people cannot defend themselves, and we have got to change that.

On the goal of preventing trafficking, what do you recommend there? What do we need to be looking at?

Mr. YEOMANS. Of course, I confess that I approach this from the perspective of a Department of Justice prosecutor.

Senator WELLSTONE. I understand.

Mr. YEOMANS. And I believe strongly that prosecution contributes greatly to prevention. And as I said in my opening statement, for a long time now, trafficking in human beings has been a fairly low-risk, high-profit activity. And we need to change that. We need to make people who are engaging in trafficking pay. And we need

to make them think that they are likely to get caught. So that is something that we can do on this end.

Obviously the ultimate solution to all of this is providing economic opportunities. Because people who have economic activities are going to be less susceptible to the kinds of deceit, the kinds of fraud that get them into these situations. So I think those are my two answers.

Senator WELLSTONE. I appreciate that. I, too, have met with the women who have gone through this living hell. And no matter what the country is, I think it is the same story. Which is people come here from countries that are devastated by war or economic chaos and people come here for opportunities. And I think you are right.

Maybe this is putting you on the spot, I do not know, but I want to come back to the whole issue of the worst-case trafficking offenders. Is this maybe what you do not want to name? Maybe this is the question that we were disagreeing on. Is that the problem? I would be interested in some of the countries that you view as the worst-case offenders.

Mr. YEOMANS. And I think my answer really took me to the extent of my knowledge.

Senator WELLSTONE. You gave some examples, OK.

Mr. YEOMANS. Which is that, based on our prosecutions, those are the countries that we have found to be contributing.

Senator WELLSTONE. Let me ask you then something different. On the 50,000, or thereabouts, women and children, that does not include men; is that correct?

Mr. YEOMANS. As I said, the estimates are soft, but one estimate certainly is that it is 50,000 women and children, not including men.

Senator WELLSTONE. So if we were to include men, like the ones that were trafficked to the Northern Mariana Islands or the deaf Mexican case, which goes into agriculture or whatever it is, has anyone collected the data to determine the numbers of men who are trafficked to the United States?

Mr. YEOMANS. I have not seen a separate number for men. The difficulty in collecting these data is obvious, because the victims simply are invisible for the most part and are forced to remain that way.

Senator WELLSTONE. One quick recommendation I would just mention is it would seem to me that this interagency subcommittee—FBI, CIA and others—that is one of the things they could do, in addition to collecting the data on women and children, the men that are in these situations. I just would point that out.

I think your testimony was very helpful. I thank you for being here. I appreciate the work that you do, as well.

Mr. YEOMANS. Thank you very much, Senator.

Senator BROWNBACK. Thank you, Mr. Yeomans. And we look forward to working with the administration to pass this legislation this year. We will solicit your input and your cooperation in working with us, as well, because we will need every bit of it to get it on through.

Mr. YEOMANS. Thank you, Mr. Chairman. I hope we can get it done.

Senator BROWNBACK. Thank you.

The next panel we will call forward will be introduced by Dr. Laura Lederer. Dr. Lederer, who I mentioned in my opening statement, is the director of the Protection Project at Harvard University. She has worked extensively and tirelessly on determining and mapping the paths that traffickers are taking in moving primarily women and children internationally. She will be actually introducing the panel.

I would reiterate yet again to anybody with a camera in the audience, if you would not photograph the women that will be testifying. And the television cameras we have asked previously to shoot below their faces so that the women would not be endangered back home. They have come here at great personal risk themselves. I appreciate their bravery and their courage in coming here.

Dr. Lederer, again, Senator Wellstone and I and millions of people around the world are grateful to you and your work and the other organizations that have done so much to bring this issue out into the open and hopefully shine some light that we can start to solving this issue that has been in front of us now that has either been ignored or not really particularly paid much attention to at all.

Thank you for the work here that you have done and thank you for bringing this panel together so that we could hear directly from people that are involved in it.

Dr. Lederer.

STATEMENT OF LAURA J. LEDERER, PH.D., DIRECTOR, THE PROTECTION PROJECT, THE KENNEDY SCHOOL OF GOVERNMENT AT HARVARD UNIVERSITY; ACCOMPANIED BY: SURVIVOR, MARSHA, RUSSIA; SURVIVOR OLGA, UKRAINE; AND SURVIVOR MARIA, MEXICO

Dr. LEDERER. Mr. Chairman, members of the committee, thank you so much for the opportunity to bring trafficking survivors to this hearing. I am Laura Lederer, director of the Protection Project of the Women and Public Policy Program at Harvard University.

For the last 4 years, we have been gathering the laws addressing commercial sexual exploitation of women and children from 220 countries and territories around the world. The purpose of the project is to create a data base that will house the laws, statistics on the scope of the problem, trafficking routes, legal cases and survivors' stories. The preliminary data base will be complete in a couple of months and will be available to policymakers, human rights advocates, legal scholars, students, and others working to stop trafficking.

I am very pleased to be here today to introduce to you three young women who have come a long way to tell their stories. They come here in the hope that, in speaking, they can prevent what happened to them from happening to other young women and girls, for their stories, sadly, are being repeated by the hundreds of thousands in countries around the world.

In fact, we found at the Protection Project that almost every country in the world has a trafficking problem of one sort or another. The United States, a receiver country, has as much a problem as Russia, a sender country. Recognition of this problem is now largely due to an extraordinary coalition of faith-based, women's

and children's groups. For those of us who have been working in this field for over 20 years, it is really thrilling to see the progress that is being made in this matter to bring it to national attention since the powerful commitment of church groups, such as the Southern Baptist Conference, the National Association of Evangelicals, Prison Fellowship, and others.

As John Busby, National Commander of the Salvation Army, reminds us, they are simply keeping faith with their own religious traditions when, centuries ago, they worked to stop another kind of slavery.

I also want to recognize Rabbi David Saperstein, of the Religious Action Council for Reform Judaism, and Jay Lintner, of the National Council of Churches, who have joined together with Jessica Neuwirth and Gloria Steinem, of Equality NOW; Gloria Feldt, of Planned Parenthood; Ellie Smeal, of Feminist Majority, and a number of other women's organizations who have been working tirelessly to stop trafficking of women and children.

And, finally, we have a wonderful partnership with the U.S. Fund for UNICEF, ECPAC and several other children's groups. This extraordinary coalition is determined that America will play the same role in stopping this new form of slavery as Britain did years ago, stopping African slavery.

There have also been a number of individuals and organizations who helped me bring the survivors, and I need to recognize them now. In the United States, Equality NOW made the first contacts abroad. And, through them, we located Olga and Marsha. In Russia, the American Bar Association, Central and Eastern European Law Initiative, served as the central clearinghouse for weeks as we brought the young women from various corners of the country.

I want to also thank Mariam Bell, Lisa Thompson, J. Robert Flores and Michael Horowitz, who have played a tremendous role behind the scenes. Thanks also to my staff and students, Ciara Wade and to Sharon Payt of Senator Brownback's office, for all your very hard work. All of these people worked to make it possible for you now to hear the firsthand stories of these trafficking survivors.

So we have here today with us Marsha, Olga and Maria, who are going to share their stories. And in addition, we are going to read into the record for the first time the story of Rosa, who was the child who was trafficked as part of the Cadena ring. Together, these stories provide a powerful impetus for us here in the United States to act.

We are the ones who can help young women and children who have been trafficked. We can draw attention to their plight. We can create the prevention programs and the aftercare facilities. And we can help to arrest and prosecute those responsible. Together, we can stop the traffickers for good.

[The prepared statement of Dr. Lederer follows:]

PREPARED STATEMENT OF DR. LAURA J. LEDERER

Each year by force and fraud as many as a million women and children are trafficked into sexual slavery in countries around the world. Sex trafficking is the movement of women and children, for purposes of prostitution or some other form of sexual servitude or sex slavery. It includes the recruitment, transportation, harboring, transfer, or sale of human beings. Most sex trafficking includes some form of coer-

cion—such as kidnapping, threats, intimidation, assault, rape, drugging, or other form of violence.

It is difficult to estimate the total numbers of women and children worldwide because it is a criminal activity and usually takes place underground. However, UNICEF has estimated that 1 million children are trafficked into prostitution per year in southeast.

While media attention has focused on a few countries in Eastern Europe and in Southeast Asia, we believe that almost every country has a problem with sexual trafficking. Some countries, mainly the poorer and developing countries are “sender” countries—women and children are being trafficked across their borders to other countries. Some countries, mainly the wealthier, more developed countries, are “receiver” countries. Some countries are “transit” countries—they have ports, or pass-throughs, along the trafficking routes moving human beings from one place to another.

Most women and children are tricked, deceived, and lured into being trafficked. Some are actually forced—through threats, kidnapping or violence. Each story is different, depending on the circumstances.

The best solutions will address what we call the “three Ps”—prevention, prosecution, and protection. On the front end, educational outreach to women and children, to men who care and to countries themselves, needs to be undertaken. This outreach would teach young women what to watch for, and how not to be taken in by a trafficker or agent. It would also teach men and boys not to frequent brothels or solicit sex for money in their own countries or abroad, for as long as men do this there will be a demand for young women and traffickers will move in to supply that demand. Finally, it would educate countries as to how to draft, pass and enforce strict laws prohibiting trafficking of women and children for purposes of prostitution.

Dr. LEDERER. I would like to start with Marsha’s story.

Senator Brownback, what they are going to do is read their first paragraph in Russian, and then the rest will be in English.

Senator BROWNBACK. Wonderful.

MARSHA [through interpreter]. Mr. Chairman, my name is Marsha, and I am from southern Russia.

In 1996, when I was 24, I visited St. Petersburg. I was preparing to return home to my village and waiting at the train station when a woman approached me. She started talking to me about life’s problems, encouraging me to share mine with her. We had a nice talk, and the woman suggested that she could help me get work somewhere abroad. She told me that she had an acquaintance in Germany, a woman, who could contact me with a family for whom I could work as a housemaid.

I was issued a tourist visa to Spain, and left on a bus tour of Europe in February 1997. I was supposed to get off the bus in Germany. There I was met by a woman named Jana, who had a flat in Hamburg. She took me to an apartment there, where I met about 20 other girls who had come from Russia and Poland. Most of them were younger than I.

After a few days, Jana told me she could not find a family who would hire me as a housemaid. She said I owed her 2,000 German marks, which is approximately 1,000 U.S. dollars, and said that I could earn that money by providing sexual services to men. I was shocked. I was afraid to say no, because she had my passport, and I did not know any German. She and her husband, who was a drug dealer, threatened to beat me if I tried to leave, and said that if I went to the police, I would be deported. They said no one would care what happened to me and that no one would help.

Girls who would not cooperate were taken down to the basement of the bar, where they were beaten across their backs, where it would not show but it would still be painful and possibly would

cause kidney damage. I was afraid they would use drugs and alcohol to force me to prostitute myself. I had seen other girls given cocaine and beaten into submission. Jana tried to tell me that it did not happen, but her husband threatened that I would suffer this fate if I did not go along with them.

Downstairs from our apartment there was a bar where we were told to find clients for sex. I tried not to attract attention by dressing modestly and sitting by myself. The girls who had come to Germany knowing they would be prostitutes were regularly beaten. Our passports were kept behind the bar, but we were afraid to take them because big, burly guards watched us all the time. The bar had surveillance cameras covering the bar and the road so that they could see clients or police coming.

I was kept there for 2 months and never made much money. I only had a tourist visa, good for 1 month. But Jana told me she could prepare documents that would say I was married to a German man. She would do this if I would stay longer and work for her. I refused, and so she sold me to a Greek pimp who was operating in Germany.

Shortly after that, the police raided the bar and I was taken, along with the other girls, to the station. I was not given a chance to explain what had happened to me, that I never wanted to be there, that I had been tricked, threatened and intimidated into staying. Instead, I was charged with prostitution and held in a jail cell. I was issued an order to leave Germany or face deportation.

The Greek pimp gave me money for a ticket back to Russia. Some would say that he took pity on me. But, in reality, this helped him avoid being arrested and charged with pimping. He was never charged, and the German police never attempted to do anything about the network of people who had trafficked me, from the women who recruited me to the agent who got me the visa to the Russian woman pimp and her husband.

OLGA [through interpreter]. Mr. Chairman, my name is Olga. I am from Siberia, in Russia.

In December 1998, a female acquaintance of mine returned from a trip to Israel with a lot of money. She told me that she had worked as a housemaid, she had worked in shops and in bars, and that I could also get a job. I asked her how she found work without knowing the language. She told me that there were many Russian immigrants in Israel who wanted to hire Russian women so that their children would not forget their heritage and their native tongue.

I had no money for a ticket to Israel, but the woman told me not to worry, I will buy your ticket, you will make so much money that you will be able to pay me back in no time. I decided to go, and got a travel visa. She went on ahead of me to Israel, telling me that she would meet me at the airport.

When I arrived, she was waiting with two big, bulky Israeli men. We went to a small city in Israel, where they showed me around, introduced me to many people, and they spoke in Hebrew so that I could not understand. They told me they were people who might hire me. For a few days, it was as if I was a tourist just visiting the country. Then the men came back and told me that they had

a job for me, but because I did not have a visa to work in Israel I would have to give them my passport.

A couple of days later, they returned a passport to me, a false passport, with my picture but with the name of an Israeli woman. Then another Israeli man came and my friend told me to put my things in his car, that he would take care of everything. He took me to Tel Aviv. He told me then that I had been sold to him for \$10,000 and that I would have to pay him back. He told me I would have to prostitute myself.

I was angry and infuriated. I screamed and fought every time he tried to take me from the apartment where I was staying. Because of this, he separated me from the other Russian women he owned. Every day I was taken to the brothel where all the other women were Israeli. I was still resisting, so I was not making much money for my captor.

He then told me that I had earned only \$8,000 of my debt and that he would find me another job to make the rest of the money. He promised I would not have to be a prostitute anymore. He took me to a hotel and told me to wait for my new employer. Two men came to meet me there. They gave me something to drink which turned out to be drugged. I lost consciousness.

When I woke up, I was locked in a dark room with no furniture. I could hear people speaking Arabic, but I could not understand what they were saying. I tried to escape but the men caught me quickly and again gave me some drug to take, to calm me down. They told me to just sit down and that if I behaved well, everything would be OK.

A Russian-speaking Arab told that I had been kidnapped and was in Palestine. I began to be very afraid that they would sell me to a harem in Iraq or someplace worse. The men there did not tell me what I was to do. I told them that I was Muslim, hoping that that would provide me with some protection. Several days later they sold me back to another brothel in Israel.

I told the brothel owners there that I would never work for them, so they locked me in an apartment and sent clients into the apartment anyway. If I refused to work, they would not feed me. They beat me, but only across the back, near my kidneys, so it would not hurt my appearance. It was very painful.

I saw only clients who spoke no Russian, so I could not tell them my story. I was forced to see between 15 to 20 customers a day, and the brothel owners gave me drugs so that I would continue working.

I began to feel that I was losing my mind, and they gave me some pills, supposedly to cure my headaches. I found out later that it was a drug called ecstasy, a drug that makes you relax and more willing to be intimate. After 3 weeks, I became dependent, addicted to the pills, and began to ask for them every day.

I began also to learn some Hebrew from my clients so that I could explain to them what had happened to me. Unfortunately, these customers never came back. But, finally, I told a Polish Jew of my plight and he contacted the police. The brothel was raided in May 1999, and I was deported back to Russia.

MARIA [through interpreter]. Good afternoon. I would like to thank the Foreign Relations Committee for the opportunity to

speak to you on behalf of trafficking survivors. My name is Maria. I am in disguise today because I am in fear that my captors would recognize me and thus place my life and that of my family in danger.

My story begins in May 1997, in Veracruz, Mexico. I was approached in Mexico by an acquaintance about some jobs in the United States. She told me that there were jobs available in restaurants or bars. I was working as a domestic helper in Mexico and had a job at a general retail store. This seemed like a great opportunity for me to earn more money for my daughter and family. I accepted the job and soon was brought by a coyote to Texas.

Once over the border, I was kept at a safe house. Then I was transported to Florida. Once in Florida, one of the ringleaders told me I would be working in a brothel as a prostitute. I told him he was mistaken and that I was going to be working in a restaurant, not a brothel. He then ordered me to work in a brothel. He said I owed him a smuggling debt of approximately \$2,200, and the sooner I paid it off the sooner I could leave.

I was 18 years old and had never been far from home and had no money or way to get home. Next I was given tight clothes to wear and was told what I must do. There would be armed men selling tickets to customers in the trailers. Tickets were condoms. Each ticket would be sold for \$22 to \$25 each. The client would then point at the girl he wanted and the girl would take him to one of the bedrooms. At the end of the night I turned in the condom wrappers. Each wrapper represented a supposed deduction to my smuggling fee.

We tried to keep our own records, but the bosses would destroy them. We were never sure what we owed. There were up to four girls kept at each brothel. We were constantly guarded and abused. If anyone refused to be with a customer, we were beaten. If we adamantly refused, the bosses would show us a lesson by raping us brutally. They told us if we refused again it would even be worse the next time.

We were transported every 15 days to another trailer in a nearby city. This was to give the customers a variety of the girls and also so we would never know where we were in case we tried to escape. I could not believe this was happening to me.

We worked 6 days a week and 12-hour days. We mostly had to serve 32 to 35 clients a day. Weekends were worse. Our bodies were utterly sore and swollen. The bosses did not care. We worked no matter what. This included during menstruation.

Clients would become enraged if they found out. The bosses instructed us to place a piece of clothing over the lamps to darken the room. This, however, did not protect us from the clients' beatings. Also, at the end of the night, our work did not end. It was now the bosses' turn with us. If anyone became pregnant, we were forced to have abortions. The cost of the abortion would then be added to our smuggling debt.

The bosses carried weapons. They scared me. The brothels were often in isolated areas. I never knew where I was. It was all so strange to me. We were not allowed to go outside the brothels. I knew if I tried to escape I would not get far, because everything was so unfamiliar. The bosses told me that if I escaped, INS would

catch me, beat me, and tie me up. This frightened me. I did know of one girl who escaped. The bosses searched for her and they said they were going to get their money that she owed from her family. They said they would get their money one way or another.

I know of another girl that escaped and was hunted down. The bosses found her and beat her severely. The bosses showed her a lesson by beating and raping her brutally. All I could do was stand there and watch. I was too afraid to try to escape. I also did not want my family put in danger.

I was enslaved for several months. Other women were enslaved for up to a year. Our enslavement finally ended when the INS, FBI and local law enforcement raided the brothels and rescued us. We were not sure what was happening on the day of the raids. Our captors had told us over and over never to tell the police of our conditions. They told us that if we told, we would find ourselves in prison for the rest of our lives. They told us that the INS would rape us and kill us. But we learned to trust the INS and FBI, and assisted them in the prosecution of our enslavers.

Unfortunately, this was difficult. After the INS and FBI freed us from the brothels, we were put in detention centers for many months. Our captors were correct. We thought we would be imprisoned for the rest of our lives. Later, our attorneys were able to get us released to a women's domestic violence center, where we received comprehensive medical attention, including gynecological exams for the first time, and mental health counseling.

Thanks to the U.S. Government, some of our captors were brought to justice and were sent to prison. Unfortunately, not all. Some of them are living in Mexico in our hometown of Veracruz. They have threatened some of our families. They have even threatened to bring our younger sisters to the United States and force them to work in brothels, as well.

I would never have done this work. No one I know would have done this work. I am speaking out today because I never want this to happen to anyone else. However, in order to accomplish this goal, women like me need your help. We need the laws to protect us from this horror. We need the immigration law to provide victims of this horror with permanent legal residence. We came to the United States to find a better future, not to be prostitutes.

If anyone thinks that providing protection to trafficking survivors by affording them permanent residence is a magnet for other immigrants like myself, they are wrong. No woman or child would want to be a sex slave and endure the evil that I have gone through. I am in fear for my life more than ever. I helped put these evil men in jail. Please help me. Please help us. Please do not let this happen to anyone else.

Thank you.

Ms. COTO. I am going to read a statement from a minor survivor, who was 14 at the time that she was brought over into the United States and trafficked.

Senator BROWNBACK. Without objection, it will be entered into the record.

Ms. COTO. This is the story of Rosa:

When I was 14, a man came to my parent's house in Veracruz, Mexico, and asked me if I was interested in making money in the

United States. He said I could make many times as much money doing the same things that I was doing in Mexico. At the time, I was working in a hotel, cleaning rooms, and I also helped around my house by watching my brothers and sisters. He said I would be in good hands and would meet many other Mexican girls who had taken advantage of this great opportunity. My parents did not want me to go, but I persuaded them.

A week later, I was smuggled into the United States, through Mexico, to Orlando, Florida. It was then when the man told me my employment would consist of having sex with men for money. I had never had sex before, and I had never imagined selling my body. And so my nightmare began.

Because I was a virgin, the men decided to initiate me by raping me again and again, to teach me how to have sex. Over the next 3 months, I was taken to a different trailer every 15 days. Every night I had to sleep in the same bed in which I had been forced to service customers all day. I could not do anything to stop it. I was not allowed to go outside without a guard. Many of the bosses had guns. I was constantly afraid. One of the bosses carried me off to a hotel one night, where he raped me. I could do nothing to stop it.

Because I was so young, I was always in demand with the customers. It was awful. Although the men were supposed to wear condoms, sometimes they did not. So eventually I became pregnant and was forced to have an abortion. They sent me back to the brothel almost immediately. I cannot forget what has happened. I cannot put it behind me. I find it nearly impossible to trust people. I still feel shame.

I was a decent girl in Mexico. I used to go to church with my family. I only wish none of this had ever happened. Thank you.

Senator BROWNBACK. I thank all of you for your testimony and your bravery in coming here today, because you do that in sacrifice to yourselves in reliving a story of hell that each of you have experienced. And we hope that it will be something that will try to prevent this from happening to others and stop this ever-growing tide that is growing. As I sit here, when you read the story of a 14-year-old girl—and my oldest turns 14 this year—it is real easy to visualize.

I have also myself met with young girls from Nepal that were trafficked to India, most of them 11, 12, 13 years old when they were tricked out of their Nepalese villages and moved into Bombay, into the brothel district. When I met with them, they were returning to Nepal, and they were in Kathmandu at an aftercare facility, of which we will hear about later.

But I was so struck by the lady, who was a great, great lady of kindness, who ran the place who herself was ill. But she pointed out the number of girls there, and just saying, she is dying, she is dying, she is dying. And their numbers were two-thirds were coming back with AIDS and/or tuberculosis at 17–18 years of age, coming home to die.

It was just one of the most awful things I had seen anywhere in the world, people who had gone through forced abortions, and it was just a disgusting situation. I do not know if I have seen anything any worse anywhere than really just how these girls were

taken from their childhood and tricked into just a hell most could not even imagine. So I am glad finally people are stepping up and looking at this some.

If I could, to any of the ladies, although I think maybe Olga might be best to answer this. In talking with any of the other women who had been tricked into this, did you find their stories were different from yours, of what their experiences were that took them to the same place that you were?

OLGA. For the most part, there were many women who had been tricked just like I had been. But there were also women who had gone voluntarily.

Senator BROWNBACK. When she says tricked as she was, is that much in the same way, offered a ticket to do domestic work?

OLGA. There is a whole marketing scheme developed. Girls that return from these type of jobs, it is in their interest to try to trick as many girls as they can to go abroad to work in prostitution. So that is what they do.

Senator BROWNBACK. When she says there is a whole marketing scheme, are these girls that return part of the overall network and they get paid to trick others?

OLGA. Yes, it is a network. Girls are encouraged to go back, and they are given money. They are told that if they will bring other girls, they will get money for each girl that they manage to trick. And it is a very organized network.

Senator BROWNBACK. Is this part of some of the Russian organized crime? Is it within Israel organized crime that your experience was associated?

OLGA. Doubtless, yes. Most definitely. It is part of the organized crime networks.

Senator BROWNBACK. Can you name any of the families that are in it through what you experienced? And do not answer with any names if you think that is of any problem.

OLGA. I am afraid to give names, because these criminals that are part of this network are located in my native town. And I could not give you names.

Senator BROWNBACK. I certainly respect that.

Do any of the others know of other ways that different women were tricked or coerced into international sex trafficking?

OLGA. The agencies or the organizations that are involved in this type of trickery are now currently tourist groups that arrange for tours for dance groups or marriage organizations that are arranging marriages. They get people to come abroad in search of husband or to go with a dance troupe to dance, and this is how they get people in their clutches.

Senator BROWNBACK. Does anybody else care to respond to that, of other methods?

[No response.]

Senator BROWNBACK. What would each of you like to see the United States do?

MARIA. To help and protect young women like ourselves and to stop trafficking. And so they will not suffer as we did in bringing us to the United States, where we were tricked into coming here. We want men to stop trafficking women, young women like ourselves, and to educate the public, and especially to let mothers

know that they must be aware of this and protect their young children.

MARSHA. The Russian Federation does not have any laws against trafficking. And of course that is a Russian problem, but perhaps there is some way that the U.S. could influence the adoption of laws. The other thing that the U.S. could do is perhaps offer assistance to humanitarian organizations, to human rights organizations, so that they can educate the public so that they can publicize the plight and the situation, and also offer assistance to victims and survivors.

Senator BROWNBACK. Thank you all.

Senator Wellstone.

Senator WELLSTONE. Thank you, Mr. Chairman.

I will speak slowly so the translation can be done. I also want to thank you again for testifying before this committee. And I want you to know that we are both committed to passing legislation that will help, if not a stop, dramatically reduce this.

If I maybe could get your reaction to two provisions in our legislation and see if you think it would be helpful. One would be, beyond what the USAID office does already, to provide much more information in your countries, brochures, written information, that people would have so that women could, if approached the way you were, would have a better idea of what was happening to them, that they would have a better understanding of this trafficking operation so that they would not be so exploited.

And the second provision I want to mention and then just get your reaction to would be to make sure that, for women who have been through this like you have, that there is some assistance to help people regain their health so that they can go back to their community or live good lives. In other words, so much of this is essentially the equivalent of torture, to make sure there is some treatment for women who have gone through this.

I see that Laura is nodding her head. Would these provisions be helpful?

MARSHA. Yes, we think that would certainly be very helpful. Education, educating the public is probably the most important aspect and really central to solving these problems, because there is just not enough information as to what kind of dangers they face and what the situation is.

Senator BROWNBACK. Dr. Lederer, if you want to respond, please feel free to as well.

OLGA. There is also an enormous need to finance and support crisis centers, to create new ones, because there is just no place where you can turn.

Senator WELLSTONE. After you have been through this.

OLGA. Yes.

Dr. LEDERER. I think you have hit it on the head. It is a form of torture, and there is a post-traumatic stress syndrome that we see. And it lasts a long time. It is not something that is very easily recovered from. And it is a particular syndrome. It cannot be fit into the domestic violence syndrome. It is going to need its own types of crisis rehabilitation and so on.

Virginia, you might want to speak to that a little bit, too.

Senator BROWNBACK. Please identify yourself for the record.

Ms. COTO. I am Virginia Coto. I am a supervising attorney at the Florida Immigrant Advocacy Center. I represent Maria and 13 other girls in the Cadena case. I have been involved in the case as of February 1998, and we will talk a little bit about that in the next panel.

One of the things I agree with Dr. Lederer is I think the services are very unique. I work specifically with domestic violence victims. I have a project that directly assists battered immigrant women. Additionally, I also work with forced labor and sexual trafficking clients.

But I think that the issues are very different. It is very difficult for the battered women's center to be able to really give the kind of support or psychological assessments or even find these kinds of services for them because there just were not any. This was something that we certainly had not heard of until the Cadena case. And it was very difficult to treat, but I think we definitely need crisis centers and I think also funding for services specifically targeting trafficking victims or survivors.

Senator WELLSTONE. Just to finish. In our legislation we do provide resources for that. And we do put a very strong emphasis on the prosecution. We heard about that earlier. And we do put a very strong emphasis of the rights of women, so that they are not automatically deported back to their countries. All of which we have heard from everyone.

Thank you very much for being here. Thank you for your testimony.

Senator BROWNBACK. Dr. Lederer, if I could, you have had more of a chance to visit with these witnesses. Are there things that they have told you that we should hear here in the committee or that you think would add illumination to this?

Dr. LEDERER. Well, I can say that we spent 4 hours yesterday hearing their stories and getting from them the detail that I think we need to know if we are going to address this in its entirety. Oftentimes these young women, when they come in, will say it was just horrible, it was terrible. And we have to find out exactly how was it horrible, how was it terrible. We have to find out exactly what are their mechanisms for recruitment and what are the trafficking routes, who is cooperating and how does it work. And all of that takes a great deal of time and questioning and so on. And I think we are at the very beginning of that.

In terms of the three young women here, we have a more detailed record of our conversations with them which we can share with you later.

Senator BROWNBACK. Good. If you could, I think that would be good. And also even the nature of the aftercare, of what is needed. Did they describe to them—or I do not know if any of them would be willing to describe what they go through after this has happened to them. I do not know if any would feel willing to state that, what they are going through themselves now.

And if it is too personal, I sure understand. I do think if it is something they can share, it is something that will illuminate just how difficult and hard and harsh this is.

OLGA. Yes, I had a very difficult time. Because after I came out of this, I had to, among other things, fight off the narcotics addic-

tion that was forced on me. So I needed a lot of psychological assistance and help. And I am still constantly bothered by flashbacks and the horror of what I had to go through.

Ms. COTO. Maria's case was very similar, other than the drug addiction, but Maria as well as the other Cadena survivors were numb. They were afraid to speak to people, trust people. They did not go outside. They were afraid to go outside. They were so used to being imprisoned that they could not go outside. And it was a long process for them to be able to do that.

Flashbacks. One of the things that some of the survivors had to go through was they were taken to bars. And at the bars they recruited new clients and also were forced to have sex in cars, in the bosses' vans. And so every time they would see, say, a yellow-colored van passing by they would have horrible flashbacks. Walking down the street was extremely difficult to do because they did not know how to do that in the United States.

They were afraid that cars would come on them or they would be kidnapped. So it is a series of psychological effects and traumas that they have had to try to overcome.

MARSHA. Well, what I would like to say is that what I went through absolutely morally destroyed me. I felt like my sense of self was completely taken away, that I had no control over my life, that I was nothing, that I was really—they totally destroyed me as a human being. It has been 3 years, and I still feel traumatized. The St. Petersburg crisis center has helped me a great deal, but I still have a lot of psychological assistance that I know I will need in the future ahead.

And what really pains me is to know that the people who were responsible for everything that I had to bear have remained completely unpunished.

Dr. LEDERER. Can I just say in closing that I think the psychological, physical, emotional, mental, and spiritual degradation in this kind of a crime is complete and that the rehabilitation process has to be comprehensive in order to deal with all of that.

Senator WELLSTONE. Can I just say thank you to you all.

Senator BROWNBACK. Thank you all very much. This has been quite illuminating. Thank you all for being willing to step forward in a really difficult situation and illuminate this. And we hope we are able to respond in kind at a high level of commitment that we will do something as a country to stop this horrible thing from continuing at the level that it is. Thank you all very much.

Our next panel will be Dr. Lauran Bethell, director of the New Life Center, from Thailand. That is an aftercare center in Thailand associated with the American Baptist Church.

Next will be Virginia Coto, director of the Florida Immigration Advocacy Center, an attorney who represented Mexican survivors of trafficking in Florida, who we have had as a translator as well in this prior panel.

And Natalia Khodyreva, president of the Angel Coalition.

Thank you all very much.

Dr. Bethell, thank you very much for joining us here today. We look forward to your testimony.

STATEMENT OF LAURAN D. BETHELL, PH.D., DIRECTOR, NEW LIFE CENTER, CHIANG MAI, THAILAND

Dr. BETHELL. I must say that the previous testimony elicited a great deal of emotion in me. The testimony is very similar to the many, many, many stories I have heard in Asia, as well.

I am honored to be invited to speak before the subcommittee and sincerely thank Mr. Chairman and subcommittee members for their time and effort in addressing these issues involved in the international trafficking of women and children.

My name is Lauran Bethell, and I am a missionary with the American Baptist Churches in the USA and have been the director of the New Life Center in Chiang Mai, Thailand, for the past 13 years. Our center works with women and girls from the ethnic hill tribe minority groups of northern Thailand, both in prevention and from their exploitation and also we work in the aftercare for young women who have been exploited in the sex and labor industry. Many young women who have been trafficked over the border from Burma into Thailand have come through our doors. And in most cases, we have ultimately been able to help them back to their home country, allowing for some aftercare time.

Eleven-year-old MiiDa was one of our residents who was sold by her opium-addicted father to a prostitute buyer who sold her again to a brothel near Bangkok. For 4 months, this young Akha hill tribe woman had to sexually service men until finally she was rescued in a police raid and eventually brought to the New Life Center. Here, the Akha staff members of the center were able to hear her story in her own language, assist her to receive medical care, register her in the Thai Government's adult education program, and help her to receive vocational training. She was also able to produce handicrafts and make an income for herself while living at the center.

Her natural leadership abilities were recognized and eventually she was hired to work part-time at the New Life Center while she completed her high school diploma in adult school. Last year she was married and now works alongside her husband in drug rehabilitation.

MiiDa's story illustrates the most significant aspects that any aftercare program should include:

No. 1, staff members who are caring and committed to their work and who can relate culturally and linguistically to the clients are key to the success of any program. At the New Life Center, two-thirds of the staff came from our clients, and therefore feel a very strong commitment to their mission. All of the staff, with the exception of me, are tribal women who speak the languages of the residents.

No. 2, immediate attention to medical needs, including HIV pre- and post-test counseling, needs to be provided. And provisions need to be made for those who are symptomatic HIV, especially if they cannot be cared for by their families at home.

No. 3, opportunity for education toward literacy in the major language of the home country needs to be a priority. Participation in school programs leading toward a diploma should be pursued whenever possible. Literacy is essential for having choices in one's life.

No. 4, vocational skill education enabling the residents to have vocational choices after leaving the program should be offered. Attendance at government vocational school which leads toward a diploma should be pursued.

No. 5, opportunities to make an income for themselves while they are receiving an education needs to be a key component of the program. If the residents are still in contact with their families, it is likely that they will receive a great deal of pressure from the family to provide finances, particularly in our cultural communities in Asia. If they cannot make money, then they will most likely abandon their education and their hopes for increasing choices for their lives.

No. 6, psychotherapeutic intervention can be a very helpful tool, essential in the healing process, especially if it is a part of the local cultural practice, but should not be considered essential if it is not. And in many cases, trained counselors who speak the languages of the clients, especially in our situation, are simply not available. We in the West should not automatically assume that psychotherapy has to be a part of any aftercare program. In many cultures where community is core, inclusion into a caring supportive group with programs that offer hope for the future seem to be as effective as Western models toward healing the wounds of exploitation.

No. 7, aftercare projects generally work best when they start small, both in numbers and focus of the program. They can grow naturally as staff become available from the client base and the need to widen the focus becomes evident.

No. 8, aftercare and prevention programs can be integrated, depending on local cultural issues and attitudes. As mentioned above, inclusion into a caring community can be a valuable therapy on its own, and sometimes girls who have been exploited are happy that they are being treated, quote, unquote, normal rather than being stigmatized and put in a special place.

No. 9, aftercare programs work best when government and non-government organizations cooperate. Government-sponsored organizations often appear to punish its victims, though sometimes unintentionally, and can behave like cold bureaucracies. Nongovernment organizations often have visionary leadership and well-intentioned staff, but lack accountability on some issues.

GO and NGO partnerships can be the most effective way to address the issues, with the GO wielding its power in creatively enabling the NGO to do its most effective, caring work at the grass-roots level. And small government grants to NGO's could have a more potent and long-lasting effect on the lives of women and children than large government-to-government grants.

Girls and young women who were tricked or sold or betrayed or who have little or no control over their lives in the brothels and have been kept as slaves, seeing little or no money, are the ones most likely to remain in aftercare programs and pursue alternatives for their lives. For those who were able to make money, who had control over their situations, the rates of recidivism are very high. Those working in aftercare situations should realize that runaways, though very heartbreaking, are common and should not become discouraged because of them.

Aftercare should not be hurried. There is no quick fix. The residents of the New Life Center take 3 to 5 years to complete the program. True life change and healing takes time.

Again, Mr. Chairman, I thank you for the opportunity to meet with you and the subcommittee, and will certainly be praying for the success of this process.

Senator BROWNBACK. Thank you, Dr. Bethell. And thank you for your work that you do and the best to you as it continues.

Dr. BETHELL. Thank you.

Senator BROWNBACK. Ms. Coto, thank you very much for being here today. And let me say as well on another note that I appreciate very much your working on this so diligently as an attorney and in the various capacities. You have really brought a fine focus and a great understanding to the issue. And on behalf of the committee, I deeply appreciate your expertise being lent to us. Thanks.

STATEMENT OF VIRGINIA P. COTO, ESQ., DIRECTOR, FLORIDA IMMIGRANT ADVOCACY CENTER, MIAMI, FL

Ms. COTO. Thank you very much, Mr. Chairman. It is a great honor to be here and to speak on behalf of trafficking survivor advocates.

As I said earlier, my name is Virginia Coto, and I am supervising attorney at the Florida Immigrant Advocacy Center, and the director of LUCHA, a Women's Legal Project, which focuses on assisting battered immigrant women in immigration matters.

Florida Immigrant Advocacy Center is a private nonprofit organization dedicated to promoting and protecting the rights of immigrants of all nationalities. As I said earlier, I am currently representing 14 survivors of the Cadenas' case of women who were sexually trafficked from Mexico into Florida. I first became involved in the case when I read an article in the Miami Herald, describing the arrest of some of the Cadena ring traffickers. The article also described these 14 girls and women being detained as material witnesses.

We began to make telephone calls and eventually spoke to the Department of Justice, INS and FBI, who almost immediately put us in contact with these victims at the criminal detention center. We were able to negotiate their release to a battered women's shelter, under very stringent restrictions, as material witnesses. But, nevertheless, they were at the time placed in what I feel now was a very appropriate shelter, or the most adequate that we could find.

I do want to say that SafeSpace, which is the battered women's shelter in Miami, Florida, really stepped up to the challenge, as did many other members in the community.

Since my involvement in the case in February 1998, I have learned a lot about trafficking of women and children, and I have learned that it is not unique. However, the survivors' needs are unique, and they need to be treated as such.

The survivors in the Cadena case faced criminal and immigration detention for up to 5 months. They did not receive medical or psychological treatment. They did not have adequate legal assistance. They did not have adequate information about their rights or translation services. They did not understand what was happening

to them or what was going to happen to them. What they did know is that they were terrified and needed help.

The survivors in this instance were not eligible for any public benefits due to their immigration status. So, as I said, we asked the community for help. They stepped up to the challenge. They provided housing, food, clothing, medical, and psychological treatment, employment services and training, and other social services.

As we discussed today, trafficked persons are an extremely vulnerable group. The horrors which you have heard today must be addressed by this Congress. Trafficking survivors have special needs that cannot be addressed without legislation. We are very fortunate that the community in Miami helped to address some of the survivors' needs. But this is not the case throughout the United States.

Survivors need protection from their captors. Survivors need to be released from detention as soon as possible and be housed in appropriate shelters. Survivors need food and clothing. Survivors need medical and psychological treatment. Survivors need legal assistance. Legal Services Corporation need to expand their services to include trafficked persons without regard to their immigration status. Survivors need to obtain lawful permanent residency and need employment authorization in the interim.

Moreover, if I can address this issue of lawful permanent residency more specifically, the survivors in the Cadena ring have fully participated in the prosecution of their captors. They, as well as their families, have been targets of threats. The government successfully prosecuted 7 of the 16 indicted. Eight defendants are still at large and are presently living in the survivors' hometowns. They know their families. They know where they live. They recruited them and convinced and persuaded their parents to let them come to the United States.

Instead of meeting their promises of legitimate jobs, the survivors were raped, tortured and enslaved. These are survivors who are in fear for their lives and that of their families. They cannot return to their same neighborhoods where their captors live and surely will retaliate against them. The only way in which these survivors can be protected is by granting them permanent residency.

The choice to survive cannot be one of re-victimization by their enslavers. Freedom is the only choice we must afford them. Furthermore, survivors want justice. Since the guidelines do not reflect the rape, torture or heinous crime survivors have endured, restitution in civil action must be granted as well. We have seen the number of sex trafficking increasing annually in the United States and internationally. This is a grave violation of human rights.

In order to deter international trafficking and to bring its perpetrators to justice, the United States must act now. Survivors need protection, not punishment. Thank you.

Senator BROWNBACK. Thank you, Ms. Coto.

Finally, we have Natalia Khodyreva, president of Angel Coalition, from Russia, who has an aftercare program in Russia. Welcome.

**STATEMENT OF NATALIA KHODYREVA, PRESIDENT, ANGEL
COALITION, ST. PETERSBURG, RUSSIA**

Ms. KHODYREVA. Thank you, Mr. Chairman and members of the committee. My name is Natalia Khodyreva. I am director of the Crisis Center for women in St. Petersburg, and president of International Anti-Traffic Coalition, Angel.

The crisis center runs Prevention of Trafficking in Russian Women projects, conducts research, and provides support for trafficking survivors. We work with the mass media concerning our work, and many women call us on our hot line. We heard about the first trafficking case 6 years ago, but still there is not a government-supported program against trafficking in women. We tried to work with and inform our state structures concerning this issue.

Trafficking in women is a consequence of a socioeconomic situation in Russia and job discrimination against women. So many educated women cannot find the appropriate job that will provide a good living condition, they have no choice but to take a job with low qualification abroad. But most of them find themselves in forced prostitution or slavery like conditions.

Our research shows that, together with the high level of enthusiasm to work abroad, these women do not have information about possibilities for a legal job abroad, of what is an appropriate visa for working abroad. One-third of the women we have researched are going to work abroad in their professions. The rest are in the various social service jobs. No one dreams of working as a prostitute.

Now, 1 percent of the representative group of young women from 6 million people in the St. Petersburg region are the victims of trafficking, but only three women have appealed to the law enforcement structures. But even these few cases were closed because there are no special articles in the Russian Federation crime laws concerning laws against trafficking.

Our hotline statistics show one out of five women, or her relatives, call to ask how to return home. These women face serious difficulties in returning to their homes after being trafficked. Some of them run away from brothels and need money for return tickets. Some try to return with children from foreign husbands. But almost all of them need psychological, medical and legal support after trafficking incidents.

The other four out of five women need valid information on obtaining a valid work visa, immigration rules, addresses of women's organizations and embassies abroad. The Angel Coalition consists of 20 Russian nongovernmental organizations and an American charitable institute, Miramed. The Angel Coalition is incorporated to run a public campaign and disseminate prevention information over Russia. We will also try to lobby for laws against trafficking in the State Duma. But the plan of the Coalition cannot become reality without funding.

Russian women urgently need valid information. We have already lost many years, and many women continue to suffer from the effect of being trafficked. We should not repeat our previous mistakes. Members of the Angel Coalition work all over Russia, in Siberia, Ural, southern Russia, in the Far East, and in Europe. The traffickers are very adaptable in their methods of recruitment.

They recruit women under the false pretenses of studying languages, professional training in tourist service, using "au pair" visa on cultural exchange.

We need negotiation between governments on legal job agreements and immigration rules. With stricter immigration laws, more women are vulnerable to trafficking.

I would like to thank the U.S. Senate for the opportunity to represent the Russian women's voices here and for extremely urgent organization of this visit. Thank you for your attention.

Senator BROWNBACk. Thank you very much. And thank you for coming here to share with us your aftercare programs.

Dr. Bethell, let me start with you if I could. What is the size of the problem you are dealing with? You deal with some in aftercare. Do you have any notion of the size within the populations you are dealing?

Dr. BETHELL. I really have no idea. The numbers are just so fluid. The statistics are all over the place as far as what kind of numbers we are dealing with in Thailand. Of course, the issues in Thailand are you have got the girls coming over the Burma border into Thailand being trafficked. You have got within Thailand people being trafficked from the hill areas down to the cities. And then of course the vast number of women being trafficked out of Thailand to other places in the world, particularly Japan and other countries and the United States.

Senator BROWNBACk. So no feel at all from any official or unofficial numbers?

Dr. BETHELL. Well, I really could not give any statistics.

Senator BROWNBACk. That is fine. But that, in and of itself, is troubling, if you have got that size and nature of a problem and you have no notion of what the size and scale of this is.

Dr. BETHELL. I am sure that some agencies have numbers, but that is not my field of expertise.

Senator BROWNBACk. I understand. And I am not saying that it should be yours. You have a different one.

At what age are these girls frequently trafficked in Thailand? At what age are they taken?

Dr. BETHELL. Probably the youngest girls are about 11 or 12 years old that we have worked with that have been trafficked or have gone into prostitution.

Senator BROWNBACk. What is the average age? Is there an average?

Dr. BETHELL. Probably 14, 15, 16, 17.

Senator BROWNBACk. Is the average age?

Dr. BETHELL. That would be the average age.

Senator BROWNBACk. I appreciate your suggestions on the aftercare and the breadth of approach that needs to be taken and the listing of those items.

Ms. Coto, you heard the legislative recommendations from the administration witness that was here. Do you have any thoughts or comments on that list of legislative items that were put forward by the administration?

Ms. COTO. Somewhat. I do agree that we need to expand the definition of what coercion is in order to be able to successfully prosecute some of these cases. I represent some of the forced labor

cases, where we have domestic workers who were held in involuntary servitude. And it has been very difficult to prove involuntary servitude because of the elements that are necessary to prove that. And so I think we need to expand that.

Senator BROWNBACK. If I could invite you, I think it would be, after this hearing, if you could resubmit to us maybe a statement of what you think the coercion should include. You have worked on some of these cases directly and you know, in prosecuting a case, you have got to hit the definition on the head in bringing a successful prosecution to court. I would hope you would submit to us your thoughts on how to define coercion.

Ms. COTO. Certainly.

One of the things that I would like to point out is, working on both types of these cases, I really feel that we need legislation on both ends. However, I think that sexual trafficking, by its nature of where victims are sexually exploited versus exploited labor or a worker, I think we need to have some real division or separate portion that really addresses the needs of sexually trafficked persons, because I think it is really unique.

Although you have some of the same elements with forced labor, I think the sexual nature of the trafficking is so specific and so heinous and also needs different types of aftercare programs that forced labor maybe necessarily does not, that I would like to see that addressed in the legislation. Because I do think that it needs to be separated or distinguished.

Senator BROWNBACK. That would seem correct to me, as well. These are different types of crimes and they are going to need to be defined differently.

Ms. COTO. Some of the other things the Department of Justice had put forward which I am in agreement with is immigration status. I think there has to be lawful permanent residency and also a way for victims to obtain employment authorization in the interim. I think it needs to be on a timely basis. I do not think there needs to be a 3-year wait. I think it needs to be more of a timely basis.

For example, the girls that I represent, it has been almost 3 years and they have no legal status or any permanent status. They are still working their way through a temporary status, and it has been very difficult for them to move on with their lives, not knowing whether the Department of Justice, in their discretion, is going to grant them lawful permanent residency. So they do not know if they get to stay or they get to go and whether they get to live or not.

The other thing which I mentioned is I think the sentencing guidelines are not stiff enough. In the Cadena case, we are talking two defendants got 2 years for enslaving these girls. That was, to me, disgusting. I think that sentencing guidelines really need to be strengthened and much stricter if we are going to have any kind of enforcement or deterrence.

And the other issue which I did not agree with the Department of Justice is I think there should be sanctions on other governments who are not agreeing to human rights standards. And I think that we need to have some kind of accountability in those countries where, again, there could be more of a mechanism to hold

them accountable and actually engage them in stopping or reducing, as Senator Wellstone said, trafficking.

Senator BROWNBAC. Those are very thoughtful, and I would appreciate any others that you might submit later on.

Natalia, any idea of the size of the problem of trafficking in Russia or even in the area that you serve that you could give us some ideas here?

Ms. KHODYREVA. I just want to reiterate what I already said in my presentation, that among the young women that we studied, there were 4,000 to 5,000 who were victims of trafficking. These are just young women from the St. Petersburg area. And there are many big cities in Russia.

Senator BROWNBAC. Did she find an organized crime ring nature to those that she studied in trafficking? Was it part of an organized crime effort?

Ms. KHODYREVA. I think that in Russia this is all very well-organized, beginning with small agencies in the cities that recruit the women and have their branches in other countries. It is an international organization that is very, very well-organized.

Senator BROWNBAC. And I hope all of you will share with us ideas, if you have further ones, on aftercare that would be the best things that we could support. Dr. Bethell, you mentioned specific items in your testimony. The rest of you, we have your testimony, but anything else you would like to tell us about what should be included in aftercare, we would like to have that, as well.

Dr. BETHELL. I would just like to stress the need to make sure that aftercare is culturally sensitive and that the determination for a receipt of funding, if funding for aftercare is going to be provided in the legislation, that it not necessarily be dictated by people who are not taking into account the different kinds of cultural needs in the specific settings in which we are working.

Senator BROWNBAC. I think that is a good and valid point.

Senator Wellstone.

Senator WELLSTONE. Thank you, Mr. Chairman. We have been at the hearing for a while and you have asked some of the questions I wanted to ask.

I think that what Dr. Bethell mentioned about culturally sensitive is important. It does seem to me that regardless of culture or country, there are some things that are pretty clear from what we have heard today. And one of them is above and beyond the obvious of just being physically and sexually abused. There is just the whole question of post-traumatic stress syndrome and the need for mental health services. We have, in Minnesota, very special places called the Torture Treatment Center. And in some ways, I think that indeed what people have gone through here is torture.

I wanted to ask Natalia or Lauran, do you see any similarities as to who the women and children are or who the victims are? Is it that they are low-income, poor, unemployed, without work? Who do they tend to be, in Thailand or in Russia?

Dr. BETHELL. The socioeconomics, right. Uneducated. Education is absolutely key. These young women mostly are not literate or have a very, very low level of education, from very poor communities and communities where they are socialized and raised to believe that they are economically responsible for their families. And

they will in fact sacrifice themselves and work as prostitutes if that is what they feel that they can do to support their families.

In our situations and many other situations in Asia, that is absolutely core. And so what you have to do in terms of aftercare, you have to make sure that you are providing them with alternatives to make sure that they are able to support their families. And that is key in the healing process as well, providing that kind of hope for the future for their families.

Ms. KHODYREVA. The Russian case is unique, because, for the most part, the Russian women who are trafficked tend to be well-educated and they tend to be older than the women who become victims in the Far East. And the reason for this is that they cannot find proper employment. And there is another unique aspect for the Russian case. And that is there is, for all practical purposes, no protection from the law enforcement authorities.

Senator WELLSTONE. So I understand what you have said, the bitter irony in some of the countries like Russia and some of the other countries that used to be in the former Soviet Union, the bitter irony is that the economic disintegration means that these women have not always been poor or many of them were actually highly educated, who at one time may have been gainfully employed and now they have no employment. So they are looking for a way to go to another country to find a job, but not of course being forced into prostitution.

Ms. KHODYREVA. You are absolutely correct.

Senator WELLSTONE. My father grew up in Russia and fled the country. So some of what you say is very personal to me.

Can I ask you just one question, Virginia?

Ms. COTO. Sure.

Senator WELLSTONE. You have been at this a long time. The Immigration and Naturalization Act, does that help you or hurt you, the law?

Ms. COTO. Currently?

Senator WELLSTONE. Yes. Do people feel like they can bring charges against the traffickers? Do they know their rights? Are they afraid to speak out?

Ms. COTO. In trafficking cases or generally?

Senator WELLSTONE. You can do both. I will bet you want to.

Ms. COTO. Generally, the immigration reform in 1996 was extremely harsh. Immigrants are finding themselves in situations where they are being more and more exploited because of the harshness in the immigration reform law in 1996.

As to trafficking, there are no protections. There are simply no protections to assist immigrants who are being exploited, sexually or otherwise. And because of this and many of the other things that we talked about today, they are finding themselves in situations where they do not come forward. They just will not come forward.

Senator WELLSTONE. I do not even know why I asked you the question, because I already knew the answer. I was just thinking to myself, why did I ask that question? We already know that, Sam. And we know that for sure. That is what we have been focusing on and we know it has to be changed.

I would like to just thank all of you for being here. I thank you for your work. I very much admire what you do.

Senator BROWNBACK. Thank you all very much. And God bless you, too, for helping out all those young women that are in different places around the world. And you provide a ray of hope to them. Keep that hope alive. We really appreciate it.

Thank you all for attending the hearing. I think it has been very illuminating. The hearing is adjourned.

[Whereupon, at 4:20 p.m., the hearing was adjourned.]

