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**TRAFFICKING IN WOMEN AND CHILDREN IN EAST
ASIA AND BEYOND: A REVIEW OF U.S. POLICY**

HEARING

BEFORE THE

SUBCOMMITTEE ON EAST ASIAN
AND PACIFIC AFFAIRS

OF THE

COMMITTEE ON FOREIGN RELATIONS

UNITED STATES SENATE

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WEDNESDAY, APRIL 9, 2003

**U.S. SENATE,
SUBCOMMITTEE ON EAST ASIAN
AND PACIFIC AFFAIRS,
COMMITTEE ON FOREIGN RELATIONS,
*Washington, DC.***

The subcommittee met, pursuant to notice, at 2:45 p.m. in room SD-106, Dirksen Senate Office Building, Hon. Sam Brownback (chairman of the subcommittee), presiding.

Present: Senator Brownback.

Senator BROWNBACK. I call the hearing to order. Thank you all for being here today, and I can't start this hearing without really recognizing the events that are taking place half a world away in Baghdad, with the celebration of liberty that is occurring in that country. We have all watched for some period of time the developments taking place, and hoping and praying for the fall of that regime and liberty to be able to spread, and it's taking place now. It's flourishing in a great way.

I say that from watching the developments and also from talking to the parents of a sergeant from Kansas who was killed in the conflict about a week ago. I spoke to his parents this morning about him, about his life, about the contributions that he had made, and they noted that it all is in the cause of liberty, and liberty is a very expensive thing, and that they hated losing him, but in this cause they as a family are honored and recognize what his contribution is doing today, even as we speak, and we recognize and thank him and all the people in the services that have stood so tall in that conflict.

Today, we will be hearing from two panels reviewing U.S. policy on international trafficking in women and children in East Asia and beyond. We have two important and distinguished panels today. On our first panel we have with us the Director of the Office to Monitor and Combat Trafficking in Persons, former Congressman John Miller of Washington, glad to have you here, Congressman. Our second panel is Professor Donna Hughes of the University of Rhode Island, where she serves as the Carlson Endowed Chair in Women's Studies, and Gary Haugen, president and CEO of International Justice Mission, an important organization in our discussion.

Upon the conclusion of the hearing on trafficking, we will move to the nomination of Pamela Slutz to be the U.S. Ambassador to Mongolia.

Before I move on to my statement I would like to note the absence of a particularly remarkable individual who I worked with closely for many years and developed a very fond relationship with, and that's Senator Paul Wellstone. As you all know, Paul and his wife were tragically killed in a plane crash last year.

The trafficking issue is one in which we worked on together, and very successfully. It was actually his wife, Sheila, that had pointed out the issue first to Paul, and then to both of us. He took the issue up, we took the issue up in our office, worked together, formed a coalition, and were able to get that legislation through and worked very closely and tirelessly in that, and he was a great friend and a great colleague, and I miss him, and he is frequently in my prayers, as I hope he is in yours.

Before we get to the first panel, I'd like to read some prepared remarks to emphasize to my colleagues what I think is a worrisome topic of great moral importance, but one that also has implications for the security of the United States. That is, in terms of the collusion of crime networks with terrorist groups, and in addition, the connection of trafficking and the spread of HIV/AIDS, the global pandemic. It is first and foremost an issue of human rights and compassion, but second will have a profound impact on the security of the United States.

I have asked Congressman Miller to be here primarily to introduce or reintroduce the issue to some of my colleagues. I believe he can put it in stark terms and will put forward a compelling case. There are a number of tales, information from women that have been taken and have been forced into this experience of trafficking, of being trafficked, and trafficked into prostitution.

There are several areas which we should really focus on today. Congressman Miller is fighting to ensure his office has credibility and its functions are effective. Some of this is a struggle against bureaucratic forces that see the mission of the trafficking in persons (TIP) office as conflicting with their mission in promoting the United States abroad.

Congressman Miller, not long on the job, was baptized by fire when the TIP office held a conference entitled, "Pathbreaking Strategies in the Global Fight Against Sex Trafficking." At that time, President Bush signed a national security Presidential directive to advance the United States Government's fight against trafficking in persons by establishing the President's Interagency Task Force to Monitor and Combat Trafficking in Persons. This directive underlined that prostitution and sex tourism are inherently harmful and dehumanizing. These inhumane practices cause much of the trafficking in the world and amplifies the spread of HIV and other diseases.

The directive continued by stating the President's commitment to vigorously enforce U.S. laws against traffickers, raising awareness in the U.S. and abroad about trafficking and identifying, protecting, and assisting victims. More importantly, the President emphasized the importance of using the full range of our diplomatic and foreign policy arsenal to work with other nations, the U.N. and

other multilateral arenas to draft and enforce laws against trafficking.

In addition, the Congress passed in a consolidated appropriations resolution, the omnibus appropriations bill, a measure which would create a senior policy operating group of senior officials designed, designated by the interagency task force to oversee the coordination of activities regarding policy implementation which includes grants and associated policies.

This group is chaired by Congressman Miller and I think gives him some substantial authority to do his job. I think this is extremely important for my colleagues to understand. Today, I hope we can give him a forum to explain what his level of commitment is and how he plans to run this group. He represented the Seattle area from 1985 to 1993 in the House of Representatives, and while there he distinguished himself in the human rights agenda and served on the House Foreign Affairs Committee and on the Congressional Human Rights Caucus and I know he hasn't lost any of his fight.

[A statement submitted for the record by Senator Voinovich follows:]

PREPARED STATEMENT OF SENATOR GEORGE V. VOINOVICH

I thank the Chairman, Senator Brownback, for calling this hearing to order to examine the issue of trafficking in human beings. I am deeply concerned with this problem, which affects more than half a million people every year—most of whom are women and children. Some estimates put the number even higher, suggesting that as many as four million people are victims of trafficking each year. This deserves and demands our attention, and I am glad that we are gathering here today to talk about what our government can do to help curb this disturbing trend.

During my time in the Senate, I have been pleased to work with Senator Brownback to call attention to the problem of human trafficking. He has been one of this body's strongest leaders on this issue, and I am glad to have the opportunity to continue to work with him as a member of this subcommittee.

As the Chairman knows, the reach of worldwide trafficking is not limited to East Asia and other parts of the world. It can and does, in fact, impact us here in the United States. Reports tell us that as many as 50,000 victims of trafficking are estimated to reach U.S. soil annually.

Additionally, we must be mindful of where we could—perhaps unknowingly—be part of the problem. Just last year, WEWS-TV Channel 5 (ABC) in Cleveland and WJW-TV Fox 8 in Cleveland reported on victims of trafficking in South Korea, where U.S. soldiers were patronizing houses of prostitution in which women were forced into prostitution in order to buy their freedom. I joined with Representative Chris Smith and other members of the U.S. Helsinki Commission in a letter to Secretary of Defense Donald Rumsfeld requesting a comprehensive investigation into this matter. We must do all we can to end this illicit activity—not to encourage it.

Due to our efforts, the Defense Department has launched an investigation into this issue in Korea and other parts of the world. The DOD Inspector General had a team on the ground in South Korea last month, and I am anxiously awaiting their report. It is my understanding that a team has also been sent to Bosnia-Herzegovina to look into allegations of illicit activity taking place there.

While world attention is focused on urgent challenges to security and stability in Iraq and North Korea, we must also ensure that we do not drop the ball on this pressing issue. Today's hearing reminds us of the need to address the problem of trafficking in human beings, and I thank the witnesses for taking time to be here. I look forward to their testimony.

Thank you, Mr. Chairman.

Senator BROWNBACK. Congressman Miller, we're delighted to have you here in this new capacity, and look forward to your statement.

STATEMENT OF HON. JOHN R. MILLER, SENIOR ADVISOR AND DIRECTOR, OFFICE TO MONITOR AND COMBAT TRAF- FICKING IN PERSONS, DEPARTMENT OF STATE, WASH- INGTON, DC

Mr. MILLER. Thank you, Mr. Chairman. As someone who was just sworn into office last month, it is an honor to testify before your committee. I have some written testimony that I'm going to submit for the record.

Senator BROWNBACK. Without objection, it will be included as part of the record.

Mr. MILLER. I realize you have spent years on this issue, while I have spent months, but in response to your and your staff's instruction, I will orally give you some of my thoughts on the general nature of the challenge to set the framework.

Less than 3 years ago, the Members of the Senate, led by you, Senator Brownback, and the late Senator Wellstone took what I believe is a momentous step. Many Americans at that time thought slavery had ended with the American Civil War, but you knew otherwise.

You and your colleagues probed, you listened, you investigated, and you learned that slavery based on color may still exist for thousands in the African country of Mauritania, that slavery based on debt bondage still exists for hundreds of thousands on the farms of India, in the brick kilns of Pakistan, and in the charcoal camps of Brazil, that slavery based on forced labor still exists for thousands in homes and factories from the Caribbean to the Pacific Islands, that slavery based on impressment into armies still exists for thousands of young men from Sri Lanka to Uganda, that slavery tied to capturing and starving jockeys for camel races still exists in the Arabian Peninsula.

And most of all you learned, or relearned, about the fastest-growing form of modern-day slavery, sex slavery, that hundreds of thousands of women and girls are trafficked all over the world, deceived, seized, beaten, raped, infected with HIV/AIDS so that organized crime that you have just referred to can gain billions of dollars every year.

You heard such moving testimony from victims of bodies demeaned, of spirits trampled, and souls destroyed, and unfortunately the world continues to abound with such stories, which the dedicated staff in my office hear all the time, and I'm just going to take a moment to tell two or three.

The recent issue of Catholic Women Magazine recounts the story of Sasha, a 26-year-old waitress in a Czech town who accepted the promise of a young man that she could make more money working as a waitress and dancer in Germany. She would go for a few months, she told her family, and return with a few thousand dollars. By the time she ended up in the red light district in Amsterdam, Holland, she had been abused and raped and her family threatened, and she had also made over \$70,000 for her captors before her release.

Or take the story of Mercy that my staff just told me about. Like many Nigerian women, a friend of Mercy's family promised her a job, arranged to smuggle her into Italy. Upon her arrival, Mercy was told she had a \$50,000 debt, to be paid off by servicing a dozen

men a night, and when Mercy resisted she was gang-raped and her family threatened. Mercy did escape, with the help of the Catholic Church. Three weeks after speaking about her experience to human rights groups, her sister was killed in Florence.

Or take Dacey. Last spring, Dacey, a 14-year-old girl, was tricked into leaving her home in Burma during a school break with the promise of a job in a noodle shop in Northern Thailand. A Thai police officer who was part of the scheme was even kind enough to give her a ride in his truck. Dacey was sold into a brothel, where she was raped by seven men on the first night. The first customer paid extra to rape a virgin, and he insisted tape be placed over Dacey's mouth to muffle the screams. We know about this because Dacey was later rescued, due to the efforts of the International Justice Mission, and you're going to hear from its director shortly.

And just last October in Seattle—and this was when I was thinking about taking this job—the U.S. Attorney indicted eight men for operating a sex slavery ring. Same familiar story: young Asian women lured to Seattle with false promises, schooling and jobs, then coerced into prostitution to pay off alleged travel debts, and at least 14 women imprisoned in a Seattle brothel and forced to service hundreds of men. The only respite came when they were transported back and forth between brothels in Seattle, Portland, and Los Angeles.

Well, you, Senator, and your colleagues, you heard this kind of testimony 3 years ago and you acted. You said slavery must be abolished, but you said more than that in the Trafficking Victim Protection Act [TVPA]. You said the United States must lead. This body, the U.S. Senate, recognized that our Declaration of Independence, our Judeo-Christian heritage, and numerous international covenants all meant that we must lead, and you and your colleagues realized that if we, the United States, did not lead, nobody would. The U.S. Senate appreciated that here on this issue our interests and our values coincide, that a world without slavery would not only be a more decent world, but in the long term a more secure and peaceful world for the United States.

Many citizens helped you in the process of drafting that legislation. To name just a few, the witnesses who join me today, Gary Haugen and Donna Hughes, activists like former Congresswoman Linda Smith and Laura Lederer and Michael Horowitz, and a broad coalition of faith-based and feminist organizations from the Salvation Army to NOW joined together to fight this scourge.

And when, less than 3 years ago, you determined that the United States would lead the fight against world slavery, you asked U.S. Government agencies to do more here in the United States and you created the office I have just joined. You told us to start programs abroad in prevention, prosecution, and protection, with both governments and charitable organizations. No country in our world has done enough to stop slavery, in my opinion, and that includes the United States, but now, under your leadership and the leadership of President Bush and Secretary Powell and Attorney General Ashcroft we are starting to speak out and fight in this war.

Efforts are underway to help other governments and charitable groups, including many faith-based ones, to fight this scourge. Whether it's educating potential victims to be wary of job offers

such as Miramed does in Russia, or working to rehabilitate victims such as Shared Hope or Catholic Relief Services does in India, or working with police in rescuing victims and prosecuting the traffickers, such as the International Justice Mission does in Southeast Asia, private charitable organizations, more and more with U.S. Government support, play a powerful role and with our help can do even more.

This year, the U.S. Department of Justice will, pursuant to the law you passed, do an assessment of how the United States is doing in the fight against slavery and where we can do better and, just as important, by your mandate every year the State Department issues a report, prepared by my office, on how countries are doing around the world on this crucial human rights issue.

The report, as you well know, is divided into categories, those countries doing OK, those doing a mediocre job, and those who are failing. For the first time, those in the last category this spring, unless they move quickly, will face the loss of nonhumanitarian and non-trade-related aid unless given a waiver in the national interest by the President.

In compiling this report, my office will try to be objective and fair, consistent with our role as advocate, not for countries, but for the slaves. Just 4 months ago, President Bush followed up on your work by issuing an Executive order making the fight against all modern-day slavery a priority for all U.S. agencies and putting this government on record against prostitution as contributing to the phenomenon of sex slavery, and just 2 months ago, as you have mentioned, the Congress passed further legislation strengthening the coordinating role of my office over grants in this field, and asking me to chair a senior operating group from many agencies to develop grant policies.

The people in my office welcome the platform you have created, Senator, and I welcome the responsibility you have given my office. Right now, we are a small group of 11 or 12 professionals who, because of your leadership, have been given the chance to help our country make history.

Senator, I am told your former colleague, Paul Wellstone, after listening to the victims at the first committee hearings on slavery, said that it was the most moving experience that he had had in his years as a U.S. Senator, and nothing would be a better memorial to a U.S. Senator than the Trafficking Victim Protections Act legislation which you passed, and the effective implementation of that act, and I will do everything possible to make that a fitting memorial.

Mr. Chairman, I have heard you keep in your office a lock from a brothel in Bombay, India, that was used to imprison girls younger than your eldest daughter. Our responsibility, the responsibility of my office, the responsibility of the citizens and the nonprofit group people that are gathered here today, the responsibility of people around the world is to stop this from happening to more young girls.

All of us know that, given age-old practices and the role of organized crime, it will not be a short task to end modern-day slavery, but with your help we have taken the first steps. As the struggle continues, we should remember William Wilberforce, the English

evangelical and Member of Parliament who struggled for 30 years in the early 19th century before succeeding in abolishing the slave trade between Africa and the New World. If we have Wilberforce's perseverance and the spirit of our own 19th century abolitionists who fought slavery based on color, I believe that working together we can and will triumph over modern-day slavery.

Thank you for your kind attention.

[The prepared statement of Mr. Miller follows:]

PREPARED STATEMENT OF HON. JOHN R. MILLER, DIRECTOR, OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS, DEPARTMENT OF STATE

Thank you, Senator Brownback, for this opportunity to discuss the United States' efforts to fight trafficking in persons in East Asia. Let me start by thanking you for your visionary leadership in combating human trafficking worldwide, which you often say, is truly the modern-day face of slavery. As the recently appointed director of this office, which you helped establish through your landmark legislation, I look forward to working with you in this continuing fight to eradicate human trafficking worldwide.

I would like to give an overview of our anti-trafficking efforts, particularly regarding the East Asian and Pacific region. The focus in East Asia and Pacific is concentrated on the following strategies:

- Emphasizing the importance of continuing and expanding regional collaboration.
- Engaging governments bilaterally to bring all possible tools to bear to encourage and assist countries in addressing their trafficking problem.

To date, U.S. engagement on trafficking in the East Asia Pacific region has generated positive progress, but the countries in the region need to do much more. As you know, most of the countries in the region face serious trafficking problems. The good news is that almost all of these governments are aware of this transnational problem and seek cooperative solutions. The diversity of the region means there is no one-size-fits-all model for a response to the trafficking problem. Governments are at different points along the continuum in responding to this arduous task.

As noted, my office seeks to expand and encourage cooperation between and among neighboring governments. After working closely with the governments in the Mekong region, we have seen, for example, the beginnings of cooperative efforts between governments to ensure that trafficking victims are humanely treated and where appropriate, are helped to return voluntarily to their countries of origin.

Similar bilateral and regional cooperation is occurring as governments more fully recognize that trafficking in persons is a transnational crime. There have been positive practical responses by governments. Governments have begun to build capacity by exchanging law enforcement information, enhancing their ability to better challenge the international syndicates. For example, Thailand has begun taking measures to build a transnational law enforcement unit. This development has the potential to demonstrate the Thai government's long-term commitment to regional law enforcement. Also, such cooperation should help governments improve their own domestic law enforcement efforts.

The Government of Indonesia hosted the first Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime last year. The Second Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime will be held on April 29-30 in Bali. We support Indonesia's effort to confront trafficking issues in a pragmatic and results-oriented fashion, and we look forward to participating in the next conference as an observer. We consider this to be a positive opportunity to stimulate much-needed regional cooperation.

These are important steps forward, but many challenges remain. Generally, domestic law enforcement efforts, particularly "prosecutions" are the most problematic area in combating trafficking in the East Asia and Pacific region. We have communicated with a number of governments, including Thailand, Cambodia, and Indonesia, that much more needs to be done in this respect. We have emphasized that prosecution efforts, in addition to protection and prevention measures, are an important component in their tier placement on the annual Trafficking in Persons Report.

A related concern is that a lack of transparency and weak institutions are hampering the effectiveness of efforts to combat trafficking in some countries. We have expressed these concerns to our partners and are working vigorously to help them

address these broader issues. We recognize that trafficking networks build up over time and will take some concerted long-term efforts to dismantle. We do not, however, see these systemic problems as an excuse for weak political will. In this context, we have clearly communicated to relevant partners that any complicity of public officials in trafficking must be addressed urgently.

Simply stated, we are engaged in a vigorous fight to eradicate trafficking in persons, which is a modern day form of slavery. Key actors throughout the region—government officials, activists and NGOs, and engaged citizens—are with us in this anti-trafficking fight, and we continue to expand our cooperation with these friends.

We have the assistance of some governments in the region, which like the U.S., are providing program assistance in the fight against trafficking. Like the U.S., they also face their own trafficking problems at home. For example, we are developing closer cooperation with destination countries such as Australia, Japan and South Korea, in funding anti-trafficking programs in source and transit countries. Australia, for example, is spending \$6.4 million in the region to fight both human trafficking and child sex tourism. After a review of their trafficking projects in 2001, Australia developed a pilot program to build the capacity of South East Asian countries, coordinated through a workshop of representatives from sponsored countries, and including the U.S. Government as a participant. The six diverse components of the project range from boosting law enforcement capacity in Cambodia to an integrated early detection system in Laos.

During the 2002 fiscal year, the U.S. Government approved approximately \$11 million for anti-trafficking programs in the East Asia Pacific region during the 2002 fiscal year, with funds supplied from the Departments of State, Labor, and USAID. Of this amount, \$5 million came from the Department of State from INCLE, ESF and MRA funds. These programs were designed to improve the capacities of governments and NGOs to fight trafficking by assisting law enforcement, providing protection and assistance to victims, and bolstering prevention efforts. Such programs include helping the Government of Vietnam to develop a national plan of action. Other measures include a program in Laos promoting education and awareness-raising on the dangers of trafficking in the villages; supporting victims' shelters in Vietnam; and, sending technical experts from the Department of Justice to train Indonesian police officials on investigating trafficking crimes.

There are impressive programmatic successes in the region, although much more needs to be done. In the Philippines, for example, the U.N. Center for International Crime Prevention created a National Coordination Project involving several components including a trafficking study, review of governmental efforts, and a profile development of trafficked women. The project addressed better coordination of governmental efforts so successfully, it has become a model for other countries in the region with a significant trafficking problem suffering inadequate national responses. The Department provided funding in FY2002 for this program to be reproduced in Vietnam.

Another example of program success in the region involves child victim advocacy and law enforcement in Thailand. With funding from the Department, the Asia Foundation administered 9 projects to improve the capacity of NGOs addressing regional trafficking. One particularly notable Thai NGO is the Coalition to Fight Against Child Exploitation (FACE), which is in the forefront of efforts to secure convictions of traffickers and pedophiles. The Department funding helped FACE expand to include advocacy on behalf of Cambodian children trafficked into Bangkok. Additionally, since this funding, FACE was empowered to provide key data on prosecutions and investigations, previously unavailable.

As you know, my office leads preparation of the Department's legislatively mandated Trafficking in Persons Report, otherwise known as the TIP Report, issued each June. In compiling this report, my office will maintain its high standards of objective and fair reporting that is consistent with our role as advocates for victims. This year for the first time, those countries in Tier 3 of the TIP Report will face the loss of non-humanitarian and non-trade related aid absent a national interest waiver.

This is a good beginning, but it is only the start of a long-term effort. We must press for immediate action while assisting in promoting sustained regional and country strategies. Human trafficking is many insidious things. It is a human rights atrocity. It is a transnational crime. It is an offense against human dignity. I look forward to working with you combating this scourge which is counted among the great human rights battles of our time.

Thank you, Mr. Chairman.

[Compiled by the Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, February 2003]

THE U.S. GOVERNMENT'S INTERNATIONAL ANTI-TRAFFICKING PROGRAMS¹—FISCAL YEAR 2002

Abbreviations

EAP	U.S. Department of State's Bureau of East Asian and Pacific Affairs
ECA	U.S. Department of State's Bureau of Educational and Cultural Affairs
ECOWAS	Economic Community of West African States
EUR	U.S. Department of State's Bureau of European Affairs
G/TIP	Office to Monitor and Combat Trafficking in Persons
CICP	UNODCCP's Center for International Crime Prevention
ICITAP	U.S. Department of Justice's International Criminal Investigative Training Assistance Program
ILO	International Labor Organization
IOM	International Organization for Migration
IPEC	ILO's International Program for the Elimination of Child Labor
INL	U.S. Department of State's Bureau for International Narcotics and Law Enforcement Affairs
NGO	Non-Governmental Organization
OPDAT	U.S. Department of Justice's Overseas Prosecutorial Development, Assistance and Training
PRM	U.S. Department of State's Bureau of Population, Refugees, and Migration
SA	U.S. Department of State's Bureau of South Asian Affairs
USAID	U.S. Agency for International Development
USG	United States Government
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Women's Fund
UNODCCP	United Nations' Office of Drug Control and Crime Prevention

EAST ASIA AND PACIFIC ISLANDS

REGIONAL

Type of Program: Prosecution

Funding Agency/Bureau: Dept. of State, G/TIP

Recipient: Royal Thai Government and IOM

Project Title: Working Group on Policy, Legislation and Law Enforcement Issues

Description: Under the aegis of a regional ministerial on smuggling and trafficking, two workshops will investigate legal structures and law enforcement practices in East Asia. Objectives are to improve regional cooperation, identify areas of improvement on law enforcement, create a network of experts, and coordinate law enforcement initiatives.

Type of Program: Prosecution

Funding Agency/Bureau: Dept. of State, G/TIP

Recipient: United Nations Office of Drug Control and Crime

Prevention/Crime Center Project Title: Computer-Based Training (CBT) Development

Description: The Crime Center will design, develop and deliver a new CBT module on trafficking for law enforcement personnel in the Greater Mekong Sub-region (Cambodia, China, Lao PDR, Burma, Thailand and Vietnam). This will standardize training and skills-development at high levels throughout the region and at a significant reduction in training costs.

Type of Program: Prevention/Protection/Prosecution

Funding Agency/Bureau: Dept. of State, EAP

Recipient: Academy for Educational Development (AED)

Project Title: EAP Regional Human Trafficking Website

Description: The humantrafficking.org website serves as a repository of information on efforts to combat trafficking in persons, especially women and children. The website posts information about anti-trafficking laws and regulations, bilateral

¹ For a complete listing of all U.S. Government international anti-trafficking programs, please go to www.state.gov/g/tip/

agreements to cooperate in combating trafficking, upcoming conferences, best practices, contact information for obtaining assistance, and other materials.

BURMA

Type of Program: Prevention

Funding Agency/Bureau: Dept. of State, ECA

Recipient: Individual

Project Title: International Visitor Exchange Program on Trafficking of Women and Children

Description: The program brings current or potential leaders in government, politics, the media, education, and other fields to the United States to meet and confer with their professional counterparts. The International Visitor Program partners with national program agencies to design and implement each program to meet specific visitors' interests. Programs typically last three weeks during which visitors gain an overview of programs to prevent trafficking of women and children in Washington, DC followed by related local programs arranged through a country-wide network of Council of International Visitors.

CAMBODIA

Type of Program: Prevention

Funding Agency/Bureau: Dept. of State, IAP

Recipient: IOM

Project Title: Awareness Campaign Project

Description: Campaigns to increase TIP awareness, presented through multi-media presentations, using both video and live performances, to audiences across eighteen provinces over a three-year period. The information campaigns will be followed by the teaching of an anti-trafficking life skill course in schools and among members of village women's and children's groups at the community level. Information gathered during campaigns will be used to build a national counter-trafficking database to help the Ministry of Women's and Veterans' Affairs (MWVA) respond to the problems of trafficking in women and children.

Type of Program: Prevention, Protection

Funding Agency/Bureau: Dept. of State, PRM

Recipient: TOM

Project Title: Return Recovery and Reintegration Assistance to Trafficked Women and Children: Cambodia

Description: The project aims at strengthening NGO and government capacity, particularly the Ministry of Social Affairs, Labor, Vocational Training, and Youth Rehabilitation (MOSALVY), to develop durable reintegration solutions for victims of trafficking who cannot be reunited with their families within the first several months of their return to Cambodia. Technical support assistance enhances partners' capacities to implement alternative care for the victims, including the development of family support (counseling, skills development for families), foster care, group homes, orphanages, and community-based outreach networks to help integrate single women with children.

Type of Program: Prevention

Funding Agency/Bureau: Dept. of State, ECA

Recipient: Individual

Project Title: International Visitor Exchange Program on Trafficking of Women and Children

Description: The program brings current or potential leaders in government, politics, the media, education, and other fields to the United States to meet and confer with their professional counterparts. The International Visitor Program partners with national program agencies to design and implement each program to meet specific visitors' interests. Programs typically last three weeks during which visitors gain an overview of programs to prevent trafficking of women and children in Washington, DC followed by related local programs arranged through a country-wide network of Council of International Visitors.

FIJI

Type of Program: Prevention

Funding Agency/Bureau: Dept. of State, EAP

Recipient: Fiji Women's Crisis Center (FWCC)

Project Title: Training and Capacity-Building Program

Description: FWCC is conducting training and capacity building for organizations and individuals working to eliminate violence against women. It is also publishing

materials on violence against women to support community education, advocacy, and lobbying and it will support rural initiatives working to eliminate violence against women.

INDONESIA

Type of Program: Prosecution
Funding Agency/Bureau: Dept. of State, G/TIP
Recipient: U.S. Department of Justice, ICITAP
Project Title: Training for Police, Justice, and Immigration Officials
Description: Training will improve readiness and the ability of law enforcement officials to prevent and investigate trafficking cases and establish standard operating procedures to identify probable trafficked groups, effectively interview and assist victims, and bring perpetrators to justice.

Type of Program: Prevention
Funding Agency/Bureau: Dept. of State, EAP
Recipient: Yayasan Sains Estetika dan Technology (SET)
Project Title: Anti-Trafficking Brochures
Description: SET is working with the Ministry of Education to develop prevention brochures to be presented to middle school students. This Indonesian NGO believes that successful prevention requires getting basic information to potential trafficking victims early on in an easily understood form. The distribution of the brochures will eventually extend to many children outside of the school system.

Type of Program: Prevention
Funding Agency/Bureau: Dept. of State, EAP
Recipient: International Relief and Development (IRD)
Project Title: Food for Thought: Anti-Trafficking Messages on Food Packaging
Description: This project will deliver anti-trafficking messages to consumers at all income and age levels. The message is reinforced every time a consumer purchases a food staple. The manufacturers involved in the program pay distribution costs. This is similar to the campaigns in the U.S. featuring missing children on milk cartons.

Type of Program: Prevention
Funding Agency/Bureau: Dept. of State, EAP
Recipient: Legal Aid Society
Project Title: National Conference on Trafficking in Women and Children
Description: A conference was held in Jakarta in September 2002. The invitees were politicians from all parties, central government officials from the Ministry of Women's Empowerment, local government officials from all the provinces, NGO representatives, academicians, legal activists, union leaders, and media representatives. The goals of the conference were to build a national coalition to fight TIP, to attract media attention, and to form a committee representing civil society advocacy groups.

LAOS

Type of Program: Prevention
Funding Agency/Bureau: Dept. of State, EAP
Recipient: Village Focus International
Project Title: Awareness Raising Campaign Against Trafficking/Women's Participation in Political Processes at the Village Level
Description: This project conducts awareness-raising activities in selected at-risk communities, focusing on Southern Laos. Existing village-based schools and other networks are used to disseminate information and conduct training in cooperation with local counterparts and government officials. VFI produces youth-friendly information kits; forms and maintains paper puppetry groups; sets up youth leadership program activities and produces video and radio programs.

Type of Program: Prevention
Funding Agency/Bureau: Dept. of State, EAP
Recipient: Consortium (includes World Education and World Learning)
Project Title: Prevention of Human Trafficking through Awareness Raising and Occupational Development in Mekong Border Communities
Description: Project works to improve the Vientiane Center for Skill Development to provide direct assistance to victims of trafficking and youth who are vulnerable to traffickers. The Center also provides vocational training for at-risk youth and awareness campaigns in the target districts. The awareness messages are deliv-

ered in public venues such as school buildings and temples through the leadership and participation of local leaders in the community.

PAPUA NEW GUINEA

Type of Program: Protection

Funding Agency/Bureau: Dept. of State, EAP

Recipient: City Mission

Project Title: Port Moresby City Mission Women's Hostel, Crisis Center, and Child Abuse Center

Description: City Mission is renovating several rooms for short-term crisis accommodations on a free-of-charge basis to assist those suffering from abuse. The Center currently has 29 rooms, using 20 for a hostel and 9 rooms set aside as a refuge and child abuse center, which will also house administration offices. Crisis accommodations would be provided to as many as 16 victims for up to three days.

Type of Program: Prevention

Funding Agency/Bureau: Dept. of State, EAP

Recipient: Family Violence Action Committee (FVAC)

Project Title: Operational Support to FVAC

Description: Through cooperation and awareness campaigns, FVAC has increased its ability to speak with authority about the extent of the family violence problem. A new database has given FVAC the ability to provide factual data on the extent of the problem in PNG. It can be a reference and resource tool when seeking cooperation from governments and NGOs.

Type of Program: Prevention

Funding Agency/Bureau: Dept. of State, EAP

Recipient: UNDP, UNOPS, and UNIFEM

Project Title: Bougainville Women's Resource Center for the Prevention of Violence Against Women

Description: This project seeks to meet the concerns of women through activities such as the training of a resources person and putting that person into the community to conduct sessions on the prevention of violence against women. Another activity is the construction and furnishing of the Bougainville Women's Resource Center.

PHILIPPINES

Type of Program: Prevention/Protection

Funding Agency/Bureau: Dept. of State, EAP

Recipient: Visayan Forum Foundation (VFF)

Project Title: Halfway Houses in Manila and Davao Ports

Description: The VFF, in partnership with the Philippines Port Authority, is establishing two halfway houses at the two most active ports in the Philippines, Manila and Davao. The halfway houses will provide temporary shelter, repatriation, referral, and telephone hotline counseling services to victims. Seminars and training will also be conducted to strengthen the participation and awareness of strategic partners within these ports (such as police, private security agencies, etc.).

Type of Program: Prevention/Protection/Prosecution

Funding Agency/Bureau: Dept. of State, EAP

Recipient: American Center for International Labor Solidarity (ACILS)

Project Title: Combating Trafficking of Women and Children in the Philippines

Description: This project addresses the gaps and needs in the government's anti-trafficking campaign. The project includes collecting baseline information on traffickers, campaign awareness, advocacy, and networking activities for improvements in prevention; providing assistance to victims and vulnerable groups through telephone hotlines, advocacy for funding for start-up funds for domestic violence/rape shelters and crisis centers, and legal assistance to improve protection; and training and capacity building exercises to develop gender-sensitive officials in law enforcement and justice sectors to improve prosecution.

Type of Program: Protection, Prevention

Funding Agency/Bureau: Dept. of Labor/Bureau of International Labor Affairs/International Child Labor Program

Recipient: ILO/IPEC

Project Title: Supporting the Timebound Program on the Elimination of the Worst Forms of Child Labor in the Republic of the Philippines

Description: This four-year project supports the Timebound Program in the Philippines, which comprises a set of comprehensive and integrated initiatives to show visible results in the elimination of the worst forms of child labor and promotion of basic education in the country in a 5-10 year period. Trafficking of children for commercial sexual exploitation (CSE) purposes will be treated as a cross-cutting issue in the project. Work against CSE will center on Regions I (La Union, Baguio City), II (Angeles City, San Fernando, Tarlac, Nueva Ecija, Olongapo), IV (Laguna, Palawan, Romblon, Batangas), VII (Cebu, Toledo City, Lapu-lapu, Mandaue), and the National Capital Region (Manila, Kalookan City, Quezon City, Pasig, Paranaque). The project will withdraw or prevent children from entering CSE and other sectors of exploitative labor and will provide them with educational opportunities and health services. Alternative income generation opportunities and training will be provided to families.

SINGAPORE

Type of Program: Prevention

Funding Agency/Bureau: Dept. of State, ECA

Recipient: Individual

Project Title: International Visitor Exchange Program on Trafficking of Women and Children

Description: The program brings current or potential leaders in government, politics, the media, education, and other fields to the United States to meet and confer with their professional counterparts. The International Visitor Program partners with national program agencies to design and implement each program to meet specific visitors' interests. Programs typically last three weeks during which visitors gain an overview of programs to prevent trafficking of women and children in Washington, DC followed by related local programs arranged through a country-wide network of Council of International Visitors.

SOLOMON ISLANDS

Type of Program: Prevention

Funding Agency/Bureau: Dept. of State, EAP

Recipient: Solomon Islands Women's Information Communication Network (SIWNET)

Project Title: Solomon Islands Women's Information Communication Network

Description: SIWNET sponsors a 30-minute weekly radio program for women covering a range of issues, such as domestic violence, family planning, nutrition, and education. SIWNET also produces short "radio development spots" of a minute or less that focus on similar issues for daily broadcast. With additional support from UNESCO, the group is creating a new series of 15-minute broadcasts called "Women Speaking to Women". The Women's Resource Center is distributing educational materials on the prevention of domestic violence and functions as a central meeting place for the discussion of related topics.

THAILAND

Type of Program: Prosecution

Funding Agency/Bureau: Dept. of State, G/TIP

Recipient: Thailand Criminal Law Institute (Attorney Generals Office)

Project Title: Guidelines for new laws

Description: Conduct a legal analysis to determine what steps are needed to bring national law into conformance with the United Nations National Convention against Transnational Organized Crime. Through a series of workshops and seminars, police and other law enforcement agencies will be trained on Thailand's legal obligations to fight trafficking.

Type of Program: Prosecution

Funding Agency/Bureau: Dept. of State, G/TIP

Recipient: Royal Thai Police Department, Bangkok

Project Title: Strengthen Police Trafficking Unit

Description: This project will lend technical and material assistance to the recently formed anti-trafficking unit of the Thai police. Material includes a vehicle, computers, office items, communications and video equipment.

Type of Program: Prevention

Funding Agency/Bureau: Dept. of State, G/TIP

Recipient: Hotline Center Foundation (HCF) and Police Emergency 191

Project Title: Improvement of national hotline for TIP victims

Description: HCF and the Thai police will train emergency hotline operators how to assist and protect victims of trafficking and violence, especially women and children. This project will enhance public awareness of the hotline and train schools on its importance as a tool for public safety.

Type of Program: Protection

Funding Agency/Bureau: Dept. of State, G/TIP

Recipient: Royal Thai Government Dept. of Public Welfare

Project Title: Primary Emergency Shelter in Chiang Mai

Description: A safe house/primary shelter will be established for non-Thai and hill tribe women and children from a refurbished building at a secure location near Chiang Mai. Transportation, interpreters, psychosocial counseling and medical treatment will be provided at the shelter for trafficking victims.

Type of Program: Prevention/Protection/Prosecution

Funding Agency/Bureau: Dept. of State, EAP

Recipient: The Asia Foundation (TAF), administrator for projects below to improve the capacity of NGOs to address trafficking in persons.

Subrecipient: Inter Mountain Peoples Education and Culture in Thailand Association (IMPECT)

Project Title: Citizenship Training Program

Description: Funds collection and processing of documents for citizenship applications by hill tribes people; legal services for individual registrations; and administration and management expenses for the organization's Citizenship Status Development Section.

Subrecipient: End Child Prostitution, Child Pornography and Trafficking for Sexual Purposes (ECPAT) Foundation in Thailand

Project Title: Alternatives to Prevent Immigrants, Hill Tribes, and Local Children from Entering the Commercial Sex Trade

Description: Funds food and medical care for children residing in the project's shelter; occupational and life skill training for vulnerable beneficiaries; training of project staff in counseling children; network meetings with other NGOs; and salaries and general project administration costs.

Subrecipient: The Hotline Center Foundation, the Gap Fai Community Theater, and the Thai National Council of Women

Project Title: Trafficking Awareness/Media Outreach Project—Public Awareness of Gender Issues Through Show Production

Description: Production of popular shows (television and street theater) to increase public awareness of gender issues, violence against women and children, and the TIP problem.

Subrecipient: The Coordination Center for Protection of Child Rights (CCPCR)

Project Title: Trafficking Infrastructure Development, Capacity Building, and Training

Description: Project for trafficking infrastructure development, capacity building, and training. This will include creation of an interview room with video equipment for child-friendly police/social worker interviews in Chiang Rai; one-year salaries for a project manager, social worker, and caseworker; and other costs of the Coordination Center. The project also includes workshops in Chiang Mai and Chiang Rai, as well as training for the task force staff and provincial and border police in Chiang Rai, Chiang Mai, and border areas.

Subrecipient: The Coordination Center for Protection of Child Rights (CCPCR)

Project Title: Surveillance, Suppression, and Rescue Operation Activities

Description: Surveillance operations by its anti-TIP task force; social worker outreach to victims; establishment of 24-hour trafficking help lines and duty officers; public awareness activities; and rewards for info leading to the rescue of TIP victims. It also includes partial police operational expenses in Chiang Mai, Chiang Rai, and border areas.

Subrecipient: The Coordination Center for Protection of Child Rights (CCPCR)

Project Title: Care and Assistance for TIP Victims

Description: Provision of care and assistance for TIP victims in Chiang Mai; salary of a primary social worker; and food, water, and basic toiletries for 150 TIP victims for 120 days each in primary and secondary shelters. Legal services and interpreting services for non-Thai TIP victims will also be provided.

Subrecipient: National Council of Thai Women
Project Title: Support of Pro-Bono Legal Aid for Victims
Description: Pro-bono legal aid for victims, including four professional workshops in Bangkok and three regions of Thailand.

Subrecipient: Fight Against Child Exploitation (FACE)
Project Title: Preparation of Case and Legal Aid Assistance to Pedophile Victims

Description: FACE prepares casework and offers legal aid in order to achieve prosecutions and convictions of pedophiles, both foreign and Thai. It also trains police and advocates with policy makers and legislators to improve TIP laws and regulations. This funding will cover staff salaries, office operational expenses, documentation, and travel expenses for social workers in its witness protection program.

Subrecipient: Thai Lawyers Council and the Foundation for Women
Project Title: Enhance the Capacities of Private Lawyers to Protect TIP Victims

Description: The Council provides legal networking workshops and a series of seminars in order to enhance the capacities of private lawyers to protect victims. Funding also supports mobile legal aid.

Type of Program: Protection
Funding Agency/Bureau: Dept. of State, PRM
Recipient: IOM

Project Title: Capacity-Building on the Protection of Victims of Trafficking: development of a Bi-Lateral Agreement between the kingdom of Thailand and the Lao PDR on the return and Reintegration of Trafficking Victims

Description: This TOM project supports the development of a bilateral MOU between Thailand and Laos concerning the return and reintegration of trafficked victims. The project includes workshops at the national and sub-regional levels for Thai and Lao government officials, a legislative review to ensure compatibility and conformity of national policies with international standards, and an operational mechanism for crossborder returns.

Type of Program: Prevention
Funding Agency/Bureau: Dept. of State, ECA
Recipient: Individual
Project Title: International Visitor Exchange Program on Trafficking of Women and Children

Description: The program brings current or potential leaders in government, politics, the media, education, and other fields to the United States to meet and confer with their professional counterparts. The International Visitor Program partners with national program agencies to design and implement each program to meet specific visitors' interests. Programs typically last three weeks during which visitors gain an overview of programs to prevent trafficking of women and children in Washington, DC followed by related local programs arranged through a country-wide network of Council of International Visitors.

Type of Program: Protection, Prevention
Funding Agency/Bureau: Dept. of Labor/Bureau of International Labor Affairs/
 International Child Labor Program
Recipient: International Justice Mission
Project Title: Thailand Sex Trafficking Task Force

Description: This three-year project in Northern Thailand will be used to establish a Thailand Sex Trafficking Task Force to address the plight of girls being trafficked for commercial sexual exploitation. The project will support prevention by reducing the vulnerability of the at-risk population by obtaining work permits and/or citizen registration in order to facilitate their entry into school or legal work. The project also will facilitate placement of child and adolescent victims of trafficking into educational and vocational training programs, as well as provide health and psychosocial services.

Type of Program: Prevention, Protection
Funding Agency/Bureau: USAID, Bureau for Economic Growth Agriculture and Trade, Office of Women in Development
Recipient: World Vision
Project Title: Response to Trafficking of Persons, Especially Women, Youth and Children Along the Thai-Burmese Border

exterior issues or relationships between the United States and that host country.

Mr. MILLER. Well, I appreciate those comments, and one brief comment before I get to the heart of what you said. There's three categories in that report, as you know, tier 1, tier 2, and tier 3. I don't regard tier 2 as applauding any country's efforts and, as you know, in last year's report a majority of the countries were on tier 2 or tier 3.

But what you said about the report being based not on diplomatic considerations but on the facts on whether countries meet the standard set out in the report, to what extent they don't meet them, to what extent they're making the significant efforts required by the report, those have to be the determining factors, and I will do everything in my power to see that that is the basis of this report, and I know the people in my office who have been working long and hard on this will do the same.

There is a role—you mentioned allies and national interest. In the legislation you passed you do provide that after the report comes out, and after countries have 3 or 4 months to try to take steps to improve their rating, the President makes a decision on partial or total or conditional sanctions, and he is given the authority in the national interest to waive sanctions, but I think that is separate from the report. I think what we have to do in the State Department in the report is call it as we see it.

At a later stage, because of the war in Iraq or some other considerations, maybe the President will come to the conclusion that the national interest requires some partial or conditional waiver for some period of time, maybe a year, but that's not the role of my office, and that's not our role in drafting a report.

Senator BROWNBACK. Are you getting lobbied? Do you get lobbied now, from within the State Department? If some people think that a certain country is going to hit a tier 3 level, are they pressing you now?

Mr. MILLER. Sure. Sure, but I think that is the nature of how the process functions in the State Department. After all, we do get a lot of information from our embassies and bureaus on this issue. We request it, and they have the right to put in their 2 cents, or more than their 2 cents, and I think I can safely say that their perspective at times is different, or will be different than our perspective, at which point there is a process for discussing those differences.

Senator BROWNBACK. I just want to make clear that I know you hold the portfolio very important of what you are doing, and you're doing a great job in that trafficking office, and I applaud that.

I just also want to make clear to the broader community and the State Department community and others that people up here on the Hill, they are watching this report when it comes out. They do want the report based upon objective factors that are listed within the legislation and not exterior factors that may be important in the broader diplomatic relationship between the United States and another country.

All that is important, but the report should be based on a specific factual setting, and I think the credibility of the report is important, that it be based upon an objective set of factors that are

known, and they've been broadcast to all these countries that are involved in the report, and I think the credibility of the report becomes at stake if we let it get pushed too much one way or the other by virtue of other factors.

I can also say from my own personal experience in traveling to some of these countries that have been in a tier 2 category, they are paying attention to the report, and they are willing to work on it and take constructive comments from the United States.

I can't say that 2 years ago when I was traveling and raising the issue in some countries, or 3 years ago, and they would say, well, what is trafficking in persons, what do you mean, sex trafficking, well yeah, it's a problem, but it's 63rd on our list of things to deal with, it's not in the top 10. Now, this is a top drawer issue, and you guys make it that way. For the credibility of the report, it is important that this be done objectively.

Mr. MILLER. When you say that countries are listening, you're going to have a later witness, Mr. Haugen, who I think will probably tell you about a country that was on tier 3. I don't know where they're going to end up this year, but they did something recently, and I think it was partly due to the efforts of Mr. Haugen and the International Justice Mission, but it was partly due to the report and partly due to a young Foreign Service officer sitting to my left who works in our department, in my office, Phil Linderman, who went to Cambodia: I told them, and it was reported in the news media there, that if you don't shape up you're going to stay on tier 3, so there have been some results achieved maybe indirectly by the report, I don't think there's any question about that.

Senator BROWNBACK. Good. I want to note I very much appreciate the administration's strong position that it has taken about prostitution and about the problems of prostitution that you noted in your testimony, and I applaud the administration and the strong stance that it has taken.

I want to give some statistics on the issue of prostitution and the spread of sexually transmitted diseases, HIV/AIDS, and the connection between that, because we've obviously taken up legislation here on the spread of HIV, the President's reported a global initiative, we're engaged in that legislation now, and it's very important and it's the right thing for us to do.

Some of these numbers: 50 to 70 percent of the Burmese prostitutes in Thailand are HIV-positive. The rate of HIV infection is 50 percent or higher among female prostitutes in Northern Thailand, 40 to 50 percent of the prostitutes in Cambodia are HIV positive, 60 percent of women prostitutes in Bombay's red light district are infected with STDs or AIDS. In 1991, Bombay's 100,000 prostitutes averaged 600,000 sexual contacts a day, and at that time 30 percent were HIV-positive.

You can see that the spread of HIV associated with prostitution is just a clear, huge problem for us, particularly on the spread of something that we are trying to limit its spread, so I appreciate very much the administration's strong position that it has taken against prostitution, illegal prostitution, I appreciate the administration's strong position that it has taken on HIV, and I want to point out the connection of those two, and plus, the prostitution in-

dustry is what is providing the market for so many trafficked individuals, the real valuable market.

A number of people are trafficked, but the actual big payoff that organized crime is looking for is primarily in the sex industry, because you can get money for a bonded labor person, you can get money from some of these other categories, but it's not nearly the huge level of profit that organized crime is attracted to that they get from prostitution and from the sex industry, so I really appreciate you guys taking such a strong stance on this topic.

Mr. MILLER. Well, to me it's clear, I mean, the relationship between HIV/AIDS and prostitution and trafficking. I mean, there wouldn't be sex trafficking without prostitution. I mean, that pretty much I think speaks for itself.

We do have a task force set up under the leadership of Under Secretary Dobriansky that is looking at the relationships here with HIV/AIDS, and is going to probably have some recommendations to our senior operating group that you helped set up in terms of setting up grant policies.

Now, on the relationship between prostitution and trafficking, I'm going to take the liberty of making a further comment. As you know, the legislation does not specifically call for evidence on prostitution to be assembled. It is clear to me that when prostitution dramatically or substantially increases in a country, that sex trafficking will increase, and I think it should be the obligation of a country to prove otherwise.

I am presently talking with our lawyers in the State Department as to how we can take that factor into account under the act. You may have or your staff may have some thoughts on that, or you may want to make the issue clearer in some kind of amendment, but your comment spurs needed comment further on that.

Senator BROWNBAC. I appreciate that statement, and your work.

Congressman, thank you for all you are doing, an excellent job, and I appreciate it, and we stand ready to help in any way that we possibly can.

Mr. MILLER. Thank you for your support.

Senator BROWNBAC. The next panel will be Dr. Donna M. Hughes. She's a professor in the Women's Studies Program, University of Rhode Island, and Mr. Gary Haugen, the president and CEO of International Justice Mission. I appreciate both of your willingness to be here today.

Dr. HUGHES. Thank you, sir.

Senator BROWNBAC. We will take both of your written statements into the record, and if you'd like to summarize, that's your choice, but Dr. Hughes, thank you for being here. I have read a couple of your articles. I am very impressed by those, and look forward to your testimony.

**STATEMENT OF DR. DONNA M. HUGHES, PROFESSOR AND
CARLSON ENDOWED CHAIR IN WOMEN'S STUDIES, UNIVERSITY OF RHODE ISLAND, KINGSTON, RI**

Dr. HUGHES. Well, thank you, Chairman Brownback, and thank you for this opportunity to testify at this hearing to review U.S.

policy on trafficking of women and children, particularly in East Asia.

In the last 3 years, the United States has made historic progress in creating new tools to combat trafficking in women and children. As you well know, in 2000, Congress passed the Trafficking Victims Protection Act, which created new laws with which to fight the traffickers and provide new services for victims. It authorized the creation of the Office to Monitor and Combat Trafficking in Persons. That office is now fully functional and under the capable leadership of former Congressman John Miller who, of course, we just heard from.

In the Office of Global Affairs, Under Secretary of State Paula Dobriansky has been a leader for a robust interpretation of U.S. anti-trafficking policy. In the Trafficking in Persons Office and now the Office of Global Affairs, Senior Advisor Laura Lederer is sharing her invaluable expertise in trafficking.

In December, the Department of Justice's Office of Juvenile Justice and Delinquency Prevention held the first National Conference on Child Prostitution. A number of speakers addressed trafficking of girls and boys to the United States for prostitution.

And, just as has been discussed, in February, President Bush signed a national security Presidential directive on trafficking in persons.

Activists who have been working against the sexual abuse and exploitation of women and children for years are pleased that it is now U.S. policy that prostitution and related activities are considered inherently harmful and dehumanizing, and are recognized as contributing to the phenomenon of sex trafficking in persons and sex tourism. This policy directive is especially crucial in fighting trafficking in women and children, because over the past decade there have been attempts to delink trafficking from prostitution, and even to legitimize prostitution as a form of work for women.

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

So this has all been wonderful progress and I can say as an activist and researcher who has worked on trafficking and prostitution for about 13 years that this is wonderful progress, and there are activists around the world that are applauding the United States for taking these steps. The challenge now is to implement these landmark policies in order to free women and children from enslavement.

I would like to address trafficking and AIDS. Women and children who are trafficked are at high risk for infection for HIV, which is a death sentence for victims. Brothels and other sites for women and children who are used in prostitution are markets for the distribution of the AIDS virus. Awareness of this has led to

many aid agencies targeting brothels for campaigns to increase the use of condoms.

This approach requires aid workers to interact and negotiate with pimps and traffickers, some of the worst criminals and human rights violators in the world, in order to gain access to the women and children and as Congressman Miller referred to, these are the organized crime groups, so what we have are aid workers actually interacting with these members of organized crime groups.

In some places, such as Thailand, aid programs claim that 100 percent condom use policies has resulted in lowering the incidence of HIV, but it has come at the cost of overlooking and even excusing the sex slave trade in women and children. This approach results in sacrificing the safety and freedom of women and children for the good of public health.

Of course we need programs to prevent the spread of HIV, but we must place the freedom and safety of women and children over the distribution of condoms. It is unacceptable to provide medical services and condoms to enslaved people and ignore the slavery. What we should be doing is requiring aid workers to report the abuse, exploitation, and enslavement of women and children to the appropriate authorities.

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

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

There are billions of dollars being spent on HIV/AIDS prevention and treatment, and a significant portion is directed for prevention in high risk groups such as women and children in prostitution. There should be appropriate restrictions or requirements on how aid organizations and/or personnel respond when they suspect that anyone they come in contact with is abused, exploited, or enslaved. In the House, Representative Chris Smith has been successful in adding an amendment to the global HIV/AIDS bill that will prevent funds from this act being used to provide assistance to any group that does not have an explicit policy opposing prostitution and sex trafficking.

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

The Trafficking Victims Protection Act criminalizes severe forms of trafficking, and the Trafficking in Persons Report issued annu-

ally by the State Department evaluates and ranks countries on their effort to combat severe forms of trafficking.

Congress needs to create a way to analyze the harm of prostitution and the role of tolerance and legalization of prostitution, the role that plays in the trafficking of women and children. Worldwide, as I said, there's an ongoing effort to normalized prostitution. United Nations organizations that receive significant financial support from the United States publicly advocate for this shift in the status of prostitution.

For example, in 1998, the International Labor Organization released a report called, "The Sex Sector, the Economic and Social Bases of Prostitution in Southeast Asia," based on research and analysis of prostitution industries in Malaysia, Indonesia, Thailand, and the Philippines. The ILO called for prostitution and sex industries to be officially recognized as a legitimate economic sector because they are already, "integrated into the economic, social, and political life of countries and contribute in no small measure to employment, national income, and economic growth."

In this report, the ILO touted prostitution and sex tourism as a source of foreign income, and "the sex sector is a significant source of foreign exchange earning, with links between the growth of prostitution as a highly structured transnational business and the expansion of the tourism industry in these countries, as well as labor exports from these countries."

Also, the World Health Organization has a long history of hiring some of the leading advocates for the legalization of prostitution to advise them on policy. In 2001, the World Health Organization recommended the decriminalization of the prostitution, claiming that the normalization of prostitution would assist in the fight against the spread of HIV. The U.S. Government contributes over 20 percent of the budget of these two United Nations organizations. The United States should ask these international agencies to clarify the current positions and policies on trafficking and prostitution.

And one other thing I also want to mention is the U.S. military and the trafficking of women, because it also plays a role. In South Korea, there are documented cases of trafficked women from the Philippines, the Russian Federation, Bolivia, Peru, Mongolia, China, Bangladesh, Kyrgyzstan, Uzbekistan that have all been trafficked into bars and clubs around U.S. bases.

Last year, a TV reporter filmed U.S. military police patrolling bars and brothels that held trafficked women, and an investigative reporter for Navy Times documented that military police have friendly relations with pimps and bar owners where there are trafficked women. Once again, that means that we're establishing friendly relations with organized crime often.

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

Not only does the demand for prostitution result in the trafficking of women for use in those bars, the negative local reaction to the abuse and exploitation of women by U.S. military personnel provides fodder for anti-American sentiment and interests. The United States needs to find ways to ensure that our military personnel are not creating a demand for prostitution and trafficking. This needs to be addressed around existing bases, and strategies are needed to prevent the recurrence around future bases.

One last thing I want to say has to do with what is called domestic or internal trafficking. The trafficking of women and girls for prostitution occurs within the United States as well as across borders, and it's sometimes called domestic trafficking, other times internal trafficking, but the same phenomenon that occurs in transnational trafficking occurs inside the borders of countries, including the United States.

The Trafficking Victims Protection Act ensures that trafficked women and children are treated as victims, not as criminals. It provides services they need to recover from their ordeal. The same recognition and services are needed for women and children whose experiences meet these criteria, the criteria of a trafficking victim, except they are U.S. citizens. We will not be successful in eradicating the trafficking of women and children until we attend to the victims within our own borders.

Thank you.

[The prepared statement of Dr. Hughes follows:]

PREPARED STATEMENT OF DONNA M. HUGHES, PH.D., PROFESSOR AND CARLSON
ENDOWED CHAIR IN WOMEN'S STUDIES, UNIVERSITY OF RHODE ISLAND

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

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

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

In February, President Bush signed a National Security Presidential Directive on trafficking in persons. Activists who have been working against the sexual abuse and exploitation of women and children for years are pleased that it is now U.S. policy that prostitution and related activities are considered "inherently harmful and dehumanizing" and are recognized as "contribut[ing] to the phenomenon of trafficking in persons¹ and sex tourism. This policy directive is especially crucial in fighting trafficking in women and children because over the past decade there have been attempts to de-link trafficking from prostitution, and even to legitimize prostitution as a form of work for women.

The U.S. Agency for International Development was quick to respond by announcing a new "Anti-Trafficking Strategy," which states that "organizations advocating prostitution as a employment choice or which advocate or support the legalization of prostitution are not appropriate partners for USAID anti-trafficking grants or

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

contracts."² Kent Hill and his staff in USAID's Bureau for Europe and Eurasia have been open to finding ways to combat the trafficking and prostitution of women and children.

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

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

TRAFFICKING AND AIDS

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

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

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

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

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

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

LINKING TRAFFICKING TO PROSTITUTION

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

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

Worldwide there is an ongoing effort to normalize prostitution. United Nations organizations that receive significant financial support from the United States publicly advocate for this shift in the status of prostitution. For example, in 1998 the International Labor Organization (ILO) released a report called *The Sex Sector—The Economic and Social Bases of Prostitution in Southeast Asia*. Based on research and analysis of prostitution industries in Malaysia, Indonesia, Thailand and the Phil-

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

ippines, the ILO called for prostitution and sex industries to be officially recognized as a legitimate economic sector because they are already "integrated into the economic, social and political life" of countries and "contribute in no small measure to employment, national income and economic growth."³ In this report, the ILO touted prostitution and sex tourism as a source of foreign income:

"[The sex sector] is a significant source of foreign exchange earnings, with links between the growth of prostitution as a highly structured transnational business and the expansion of the tourist industry in these countries, as well as labour exports from these countries."⁴

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

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

U.S. MILITARY AND THE TRAFFICKING OF WOMEN

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

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

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

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

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

DOMESTIC/INTERNAL TRAFFICKING IN THE UNITED STATES

I'd like to raise one last thing: The trafficking of women and girls for prostitution within the United States. It is referred to as either domestic trafficking or internal trafficking: You are now well aware of the transnational trafficking of women from country to country. But the same phenomenon occurs within the borders of countries, including the United States. The Trafficking Victims Protection Act ensures that trafficked women and children are treated as victims, not as criminals, and provides services they need to recover from their ordeal. The same recognition and services are needed for women and children whose experiences meet all the criteria of a trafficking victim, except that they are U.S. citizens. We will not have succeeded in eradicating the trafficking of women and children until we attend to the victims within our own borders.

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

⁴ Lim, *The Sex Sector*, p. 10.

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

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

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

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

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

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

Senator BROWNBACK. Thank you very much. That was a very strong and clear statement. You have written a number of times about this, and we look forward to engaging in some questions about it, but thank you very much for the excellent testimony.

Mr. Haugen, welcome back to the committee. I appreciate you being here and look forward to your testimony.

**STATEMENT OF GARY A. HAUGEN, PRESIDENT AND CEO,
INTERNATIONAL JUSTICE MISSION, WASHINGTON, DC**

Mr. HAUGEN. Thank you, Senator. Thank you very much for the invitation to appear before you this afternoon and for the privilege of participating on behalf of the International Justice Mission [IJM].

I think at a time when our Nation is vigorously engaged in a struggle against tyranny and terrorism around the world, I think it expresses the generosity and the conscientiousness of the Senate for us in the midst of that to be nevertheless carrying on with our important obligations to monitor our commitment to the work of combating the scourge of human trafficking around the world, so I express my thanks for holding the hearing and also express my thanks for your leadership, which really got this whole train moving.

The fact is, we're here today and many changes are taking place around the world that affect the lives of victims because of the choices you made about stewarding your powers as an American Senator, and so I honor that and want to express that.

Quite simply, sex trafficking is the ugliest and yet most preventable man-made disaster on our globe today. It's ugly because it's massive and brutal. I've just returned from an investigation of a sex trafficking ring in Southeast Asia, where I was taken into a brothel and I was promptly presented with about a dozen children between the ages of 6 and 12 who the pimps were offering to me for a reasonable price to be raped and molested. This is the factual matter that we speak of theoretically today.

At the same time, this ugly and appalling epidemic is also one of the most preventable catastrophes on the globe. The simple fact of the matter is this: Sex trafficking can only flourish where it is tolerated by local law enforcement. If the customers can find the victims whenever they want, the police can find the victims whenever they want. This is the indispensable insight about the fundamental vulnerability of sex trafficking that we have to grasp.

Sex trafficking requires the commission of multiple felonies in a way that is held out openly to the customer public. Therefore, it can be shut down wherever there is the political will and operational resources to do so. Sex trafficking and commercial sexual exploitation could be drastically reduced wherever a country has the political will and the operational capacity to send the perpetrators to jail and to treat the victims with compassion and dignity. This is a fight that can actually be won.

Now, as you know, in sponsoring the Trafficking Victims Protection Act, it was understood that it was essential to strengthen both the political will and the operational capacity of countries to fight sex trafficking. Sex trafficking preys upon the most marginalized

groups in society, women, children, refugees, undocumented persons, ethnic minorities, and the poor.

Fundamentally, political leaders do not feel that their hold on power will be threatened if they don't protect this group of impoverished and low status women and girls, and accordingly the TVPA endeavored to place the voice and values of the American people on the side of these vulnerable women and children by making it clear that their abuse would not be tolerated, and specifically the TVPA established the Office to Combat and Monitor Trafficking to tell the truth about whether a country was vigorously defending these women and children, with the understanding that those countries unwilling to provide these basic protections would find an adverse impact in their relationship with the United States.

Since then, what have we learned about the efforts to implement that policy in ways that actually make a difference, and what have we learned about those actions that actually undermine the impact of the policy?

First, what makes the policy actually work? I would like to suggest three things. First, vigorous and transparent reporting on a government's record on sex trafficking conviction and police disciplinary action. The purpose of the Trafficking in Persons Report is simple. It is intended to provide accountability. Therefore, the report has its intended effect when it is actually written in a way that makes accountability easy, rather than making accountability hard.

Effective accountability is achieved when the report provides specific, objective, transparent data on a government's actions that actually matter, and from the perspective of the sex traffickers there are only two government actions that really matter. First, is the government seriously threatening to actually throw me in jail for what I'm doing, and second, is the government seriously threatening to remove the police protection that I have paid for?

Again, it must be emphasized that the relevant data point is convictions, not even raids, not even arrests, and not even prosecutions. Traffickers, brothel-keepers, and pimps are quite willing to endure raids, arrests, and even prosecutions if, in the end, they don't go to jail.

Even the most corrupt police carry out regular raids, arrests, and initiate prosecutions. In fact, they must do it in order to maintain the credible threat by which they extort bribes from the brothels. That is why the countries with the worst sex trafficking records can report raids, arrests, and prosecutions, but such countries have very little to report in the way of actual, successful convictions resulting in jail time. None of these other actions turn into credible law enforcement threat that actually deters sex trafficking unless they result in convictions with imprisonment.

This is why the IJM is so very pleased that Congressman Miller has adopted as the policy of the office now that governments wishing to be certified as making serious efforts to meet minimum standards in combating sex trafficking must bear the burden themselves of reporting, on providing objective data on trafficking-related convictions and police disciplinary actions. This is a tremendous step forward.

The second ingredient for making the TVPA policy actually work has been a credible and clearly communicated threat of consequences for governments that are not taking serious steps to actually send perpetrators to jail and to get police out of the trafficking business. We have found that trafficking issues become an urgent priority for the worst offending countries only after they've been placed on tier 3 or faced a credible risk of being placed on tier 3.

While some countries may diplomatically protest being placed on tier 2, foreign governments clearly understand that actual consequences for their poor trafficking record only kicks in if they're on tier 3. Accordingly, a TIP report process that proceeds with the presumption that a tier 3 status for certain countries is diplomatically intolerable or politically untenable severely undermines the effectiveness of the TIP report process, and I'm very grateful for Congressman Miller's commitment that the report won't be like that, because when there's an unspoken but de facto presumption against a tier 3 ranking, it effectively freezes the status quo of the worst offending nations and weakens the TVPA's capacity to impact political will, and it profoundly dishonors the suffering of women and children who are brutalized by sex trafficking.

Finally, U.S. policy—and this is the third point—is effectively advanced through focused and practical capacity-building for programs that send perpetrators to jail and care compassionately for the victims. In addition to political will, foreign governments also need the practical wherewithal to take decisive law enforcement measures to combat trafficking and to care for victims. Accordingly, U.S. policy is advanced by funding programs that address the intensely practical challenges of strengthening law enforcement capacities to investigate arrests and successfully prosecute trafficking offenders.

Programs are needed to support special anti-trafficking police units and prosecutorial teams with training, operational support, and hands-on assistance in achieving the priority outcome of sending the offenders to jail and removing the dirty cops.

Police complicity in sex trafficking. Police complicity in sex trafficking has been so pervasive and so ugly that many have been tempted to imagine that there is a solution that simply ignores the police, but in combating any crime, the answer to bad law enforcement is never no law enforcement. The answer must always be a committed struggle to better law enforcement. Accordingly, IJM is very pleased that recent legislation has cleared the way for funding by USAID and other agencies of targeted programs that strengthen the capacities of police to actually combat trafficking.

Equally critical are programs that fund comprehensive and compassionate after-care services for the victims of sex trafficking. Not only are such programs necessary to treat victims with the dignity and care that they deserve, but they are also absolutely indispensable for establishing the victim cooperation that will end up being essential for any kind of meaningful countertrafficking endeavor, and we have seen in different parts of the world where we actually are limited in our ability to conduct rescue operations because the after-care facilities are not available. That should not be the case.

Additional opportunities to fund programs to fight sex trafficking and commercial sexual exploitation has emerged as a result of President Bush's bold initiative to combat the global AIDS epidemic. The important point here is the following: While traditional AIDS prevention programs with educational awareness go a long way in helping women and girls to make good choices that avoid high risk sexual activities, these programs do not assist and do not protect the millions of women and children who don't get to make choices about their sexual encounters, particularly the millions of victims of commercial sexual exploitation who are forcibly infected with the HIV virus.

Accordingly, Federal funding of programs aimed at combating the international AIDS epidemic must include support of programs to combat sex trafficking and other forms of sexual violence against women and girls, or else our effort to fight AIDS will simply fail to address one of the fundamental and certainly most brutal causes of the epidemic, and Senator, as my colleagues in India have been by the bedside of a trafficking victim who is perishing by AIDS, it is not a theoretical matter. You could fill this hearing room with the children today who are passing away painfully because of the AIDS virus that was forcibly infected upon them in brothels.

In closing, I would like to say that in recent weeks IJM has directly experienced the very positive impact of U.S. policy in combating sex trafficking in Cambodia, and I just want to share this with you so you can see the difference that this makes.

More than 2 years ago IJM began conducting extensive investigations into one of the most appalling cesspools of child prostitution in the world, the village called Svay Pak outside Phnom Penh, where scores of girls between the ages of 5 and 12 were being sold in an open market for pedophiles and sex tourists. Over a 2-year period, we turned our investigative findings over to the Cambodian authorities, but failed to obtain a satisfying response.

Then, last year, the TIP report placed Cambodia on tier 3, and the new U.S. Ambassador to Cambodia, Ambassador Charles Ray, initiated a very proactive engagement with the senior Cambodian authorities on U.S. policy toward trafficking. This direct advocacy with the Cambodian authorities and the excellent work of Ambassador Ray's staff helped make it possible last month for IJM and the Cambodian authorities to bring rescue to 37 minor victims of commercial sexual exploitation out of Svay Pak, including about a dozen children between the ages of 5 and 10.

In addition, approximately 12 suspects have been arrested and properly charged, with cooperative police investigations continuing with IJM to locate and prosecute additional suspects, and just this week we have been monitoring the chat rooms of pedophiles and sex tourists, and they're reporting that the party in Cambodia is over.

Ambassador Ray and representatives of the U.S. Department of State were very successful in making clear to the Cambodian authorities the priority that American foreign policy places on addressing sex trafficking, and as a result, by the time IJM was able to brief the Cambodian authorities on our latest Svay Pak investigation, they were prepared to provide extraordinary cooperation

in working with the IJM to seek rescue for the victims and to pursue accountability for the perpetrators.

We believe that the advocacy of the U.S. Embassy with the Cambodian authorities was an indispensable and decisive factor in generating effective law enforcement cooperation. Of course, it will be very important to continue to monitor the actions of the Cambodian authorities as they followup on specific cases and as they persevere in vigorous efforts to investigate and successfully prosecute sex trafficking crimes on an ongoing basis.

Cambodia has had a very poor record of tolerating sex trafficking, especially among very young children, and such a record cannot be turned around overnight, but we believe that a very promising beginning has been made in supporting the Cambodian Government in a new direction that seriously combats sex trafficking. We believe these encouraging events help to serve as a model for what can be achieved when there is the following things: transparent reporting through the TIP report, meaningful application of the tier rating system, direct advocacy by U.S. authorities at the highest levels of government, and tangible practical assistance to foreign governments in bringing rescue to trafficking victims and justice to perpetrators.

IJM looks forward to continuing its constructive work with the U.S. State Department, foreign governments, and partner NGOs, and helping make sure that the promises of U.S. policy in fighting sex trafficking deliver tangible results to vulnerable women and children and hasten the day when these brutal enterprises of rape for profit are simply put out of business.

Senator, thank you very much.

[The prepared statement of Mr. Haugen follows:]

PREPARED STATEMENT OF GARY A. HAUGEN, PRESIDENT AND CEO, INTERNATIONAL JUSTICE MISSION

INTRODUCTION

Mr. Chairman

My name is Gary Haugen and I serve as the President of International Justice Mission (IJM). On behalf of IJM, I would like to express my thanks to the Committee for the privilege of participating in this important hearing to Review U.S. Policy on the Trafficking of Women and Children in East Asia and Beyond.

International Justice Mission 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. 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 the cases referred to us involve children taken into sex trafficking and commercial sexual exploitation. Accordingly, we deploy criminal investigators to infiltrate the brothels, use surveillance technology to document where the children are being held, and then identify secure police contacts who will conduct raids with us to get the children out. We then coordinate the referral of these children to appropriate aftercare.

At a time when our nation is vigorously engaged in a struggle against tyranny and terrorism in the world, this Committee manifests the generous and conscientious spirit of the U.S. Senate by making room in its agenda for vigilant oversight of our national commitment to combat the global scourge of human trafficking.

I would like to focus my remarks today on the nightmare of human trafficking for purposes of sexual exploitation. Quite simply, sex trafficking is the ugliest and most preventable man-made disaster in our world today. It is ugly because it is massive and brutal. UNICEF estimates that about a million children are victimized by sex trafficking each year around the world. IJM investigators have spent literally

thousands of hours infiltrating the sex trafficking industry, and the reality we find is a horror one only encounters in nightmares. I've just returned from an investigation of a sex trafficking ring in a South East Asian country where I entered a brothel and was promptly offered a dozen children between the ages of 6 and 12 who, for a modest price, were made available by the pimps to be raped and molested.

At the same time, this ugly and appalling epidemic is also one of the most preventable catastrophes on our globe today. The simple fact of the matter is this: sex trafficking only flourishes where it is tolerated by local law enforcement. The business of sex trafficking and forced prostitution requires that the perpetrators commit multiple felonies of abduction, rape, assault, and false imprisonment—and then it requires that the perpetrators hold out the victims of these crime openly to the public so that the customers can find them. It does no good at all for the brothel keepers and pimps to hide their victims. In fact, to make money on their investment, the pimps and brothel keepers must make their victims openly available to the customer public—and not just once, but continuously, and over a long period of time. Obviously, therefore, if the customers can find the victims of sex trafficking whenever they want, so can the police. How, therefore, do you possibly get away with running a sex trafficking enterprise? You do so only if permitted by local law enforcement. Generally, this is facilitated by bringing the police into the business and sharing the profits with them in exchange for protection against the enforcement of the laws that are openly and continuously violated every single day the business is in operation. Certainly sex trafficking is exacerbated by poverty and economic desperation; but we do not find epidemic levels of sex trafficking wherever we find poverty in the world. Rather, sex trafficking flourishes on a large scale only in those countries where it is tolerated by national law enforcement.

This is the indispensable insight about the fundamental vulnerability of sex trafficking that must be grasped. Sex trafficking requires the commission of multiple felonies in a way that is held out openly to the public. Therefore it can be shut down wherever there is the political will and operational resources to do so.

Sex trafficking and commercial sexual exploitation can be drastically reduced wherever a country has the political will and the operational capacity to send the perpetrators to jail and to treat the victims with compassion and dignity. This is a fight that can actually be won. In fact, this was the animating conviction behind the Trafficking Victims Protection Act of 2000 (TVPA). The TVPA sought to influence the political will of countries with serious trafficking problems by making clear that there would be consequences for a country's relationship with the United States, including the possibility of sanctions, if that country did not make significant efforts to meet minimum standards in combating sex trafficking. Secondly, the TVPA also authorized grants to help strengthen a country's capacity to address sex trafficking through prevention, prosecution, and protection activities.

The authors of the TVPA understood that it was essential to strengthen both the political will and the operational capacity of countries to fight sex trafficking. It was well understood that in many countries the victims of sex trafficking fundamentally lacked the voice and power to make themselves a priority for national law enforcement. Sex trafficking operations prey upon the most marginalized groups in society—women, children, refugees, undocumented persons, ethnic minorities, and the poor. Fundamentally, political leaders do not feel threatened in their hold on power if they fail to protect a bunch of impoverished and low-status women and girls. Scarce law enforcement resources are deployed to protect the things that societies value the most, and in countries where the women and children have been relegated to the status of a lower life form, they are left utterly vulnerable to the brutalities of the commercial sex trade. Accordingly, the TVPA endeavored to place the voice and values of the American people on the side of these vulnerable women and children by making it clear that their abuse would not be tolerated. Specifically, the TVPA established the Office to Combat and Monitor Trafficking to provide a voice of accountability for the otherwise voiceless victims of trafficking. This new office would tell the truth about whether a country was vigorously defending women and children against the horrors of trafficking, with the understanding that those countries unwilling to provide such basic protections would find an adverse impact in their relationship with the United States.

This was the theory behind the policy expressed in the Trafficking Victims Protection Act of 2000. All of the great effort in passing the TVPA was intended to actually make a real-world difference for the women and children being crushed by the forces of sex trafficking. I offer this review simply to ask the question whether the policy is actually having its intended effect, especially in East Asia. What have we learned about the efforts to implement the policy that actually make a difference and what have we learned about those actions that undermine the impact of the policy? In a number of countries, IJM has been working hand-in-hand with foreign

governments, NGO's and State Department personnel to conduct hands-on operations to rescue victims and to bring perpetrators to justice, and we are learning about the practical impact of U.S. policy at the street level. Our experience is starting to demonstrate that, as we all hoped, the policy can have a tremendous impact if implemented vigorously.

WHAT MAKES THE POLICY ACTUALLY WORK?

I would suggest 3 things:

1. Vigorous and transparent reporting on a government's record on sex trafficking convictions and police disciplinary actions.
2. A credible, and clearly communicated threat of consequences for governments that are not taking serious steps to actually send perpetrators to jail and to get police out of the trafficking business.
3. Focused and practical capacity building for sending perpetrators to jail and caring compassionately for victims.

I would like to take a moment to examine these one at a time. *First, vigorous and transparent reporting on a government's record on sex trafficking convictions and police disciplinary actions.*

The purpose of the Trafficking In Persons Report is simple: it is intended to provide accountability. Therefore, the report has its intended effect when it is actually written in a way that makes accountability easy, rather than making it hard. We should make no mistake. There are those who will have an interest in making clear accountability harder rather than easier—and (as all of my fellow lawyers well know) there certainly are ways to fashion a document that either promotes accountability or obscures accountability. Effective accountability is achieved when the Report provides specific, objective, transparent data on a government's actions that actually matter. And from the perspective of the sex traffickers, only two government actions matter: a) Is the government seriously threatening to actually send me to jail for doing this? b) Is the government seriously threatening to remove the police protection that I have paid for?

Consequently, effective accountability regarding the seriousness of a government's efforts to combat trafficking will only begin to emerge when there is specific objective data on the number of successful trafficking-related convictions resulting in jail time, as well as data on the number of disciplinary actions that have been taken against police who are complicit in protecting sex trafficking operations (remembering that such operations simply don't exist on a significant scale without such protection.).

Again, it must be emphasized that the relevant data point is convictions—not raids, arrests, and prosecutions. Traffickers, brothel keepers, and pimps are quite willing to endure raids, arrests, and even prosecutions if, at the end of the day, they don't have to actually go to prison. In fact, such actions are just considered part of the costs of doing business. Moreover, even the most corrupt police carry out raids, arrests and initiate prosecutions. In fact, they must do so in order to maintain the credible threat by which they extort bribes from the perpetrators. That is why countries with the worst sex trafficking records can report raids, arrests, and prosecutions; but such countries have very little to report in terms of actual convictions. None of these other actions turn into a credible law enforcement threat that actually deters sex trafficking unless they result in convictions with imprisonment. This is the only cost of doing business that the perpetrators are unwilling to pay.

This is why IJM is so pleased that the new Director of the Office to Combat and Monitor Trafficking, the Hon. John Miller, has adopted as the policy of his office that governments wishing to be certified as making serious efforts to meet minimum standards in combating sex trafficking must bear the burden of providing objective data on trafficking-related convictions and police disciplinary actions. After all, these governments are themselves in the best position to report on their own positive actions, and the Office cannot be reasonably expected to affirmatively certify that a government is making significant efforts if the government provides no verifiable data on these two most basic responsibilities. Self-reporting by a government regarding its own counter-trafficking initiatives with follow up by the State Department provides the best means for transparency and accountability.

The second ingredient for making the TVPA policy actually work has been a credible, and clearly communicated threat of consequences for governments that are not taking serious steps to actually send perpetrators to jail and to get police out of the trafficking business.

In order to bring effective protection to women and children vulnerable to sex trafficking, governments must move counter-trafficking efforts from being a good idea

to being an urgent priority. And in reality, the only dynamic that generates such a shift is usually the belief that something bad will happen if they fail to do so. This is why the threat of possible sanctions was incorporated within the legislation for countries placed on Tier 3 of the Trafficking In Persons Report (TIP). In this regard, we have found that trafficking issues become an urgent priority for the worst offending countries only after they have been placed on Tier 3 or faced a credible risk of being placed on Tier 3. While some countries may diplomatically protest their placement on Tier 2, foreign governments clearly understand that actual consequences for their poor trafficking record only kick in if they are on Tier 3. Among countries with serious trafficking problems, therefore, it is only the credible risk of Tier 3 sanctions that actually moves countries to earnestly make the work of combating trafficking an urgent law enforcement priority, rather than just a public relations nuisance.

Accordingly, a TIP Report process that proceeds with a presumption that Tier 3 status for certain countries is diplomatically intolerable or politically untenable severely undermines the effectiveness of the TIP Report process. An unspoken but defacto presumption against a Tier 3 ranking effectively freezes the status quo of the worst offending nations and weakens the TVPA's capacity to impact political will. It profoundly dishonors the suffering of women and children brutalized by sex trafficking and commercial sexual exploitation. Likewise, the TVPA's capacity to strengthen the political will of authorities to end the toleration of sex trafficking is utterly diluted by the failure to articulate clearly to foreign governments the straightforward requirements of the TVPA and the real risks of consequences associated with a poor trafficking record. Ultimately, it will be up to congressional committees such as this to thoroughly and rigorously scrutinize the precise factual basis upon which the State Department grants passing grades to the some of the most notorious sex trafficking countries.

Finally, U.S. policy is effectively advanced through focused and practical capacity-building for programs that send perpetrators to jail and care compassionately for victims. In addition to political will, foreign governments also need the practical wherewithal to take decisive law enforcement measures to combat trafficking and to care for the victims. Accordingly, U.S. policy is advanced by funding programs that address the intensely practical challenges of strengthening law enforcement capacities to investigate, arrest and successfully prosecute sex trafficking offenders. Programs are needed to support special anti-trafficking police units and prosecutorial teams with training, operational support, and hands-on assistance in achieving the priority outcome of sending offenders to jail and removing dirty cops.

Education, awareness, and poverty alleviation programs are important preventative measures, but such programs will never be able to keep pace with the entrepreneurial energy and creativity of the traffickers unless they are combined with practical programs that actually help make national law enforcement successful in sending perpetrators to jail. Police complicity in sex trafficking has been so pervasive and ugly that many have been tempted to imagine solutions that simply ignore the police. But in combating any crime, the answer to bad law enforcement is never no law enforcement—the answer must always be a committed struggle for better law enforcement.

Accordingly, IJM is very pleased that recent legislation has cleared the way for funding by USAID and other agencies of targeted programs that strengthen counter-trafficking activities of specialized police and prosecution units, as well as legal advocacy to protect victims and to bring perpetrators to justice. (See the Consolidated Appropriations Resolution, 2003 (P.L. 108-7).

Equally critical are programs that fund comprehensive and compassionate aftercare services for the victims of sex trafficking. Not only are such programs necessary to treat victims with the dignity and care that they deserve, but they are also absolutely indispensable for establishing the victim cooperation that is essential for any meaningful counter-trafficking endeavor. At present, the existing capacities for providing comprehensive aftercare for the victims of sex trafficking are tragically inadequate. In fact, IJM has found itself limited in the rescue operations it could conduct for victims because of the lack of aftercare capacity. This is a need that can and must be addressed by targeted and generous appropriations.

Additional opportunities to fund programs to fight sex trafficking and commercial sexual exploitation have emerged as a result of President Bush's bold initiative to combat the AIDS epidemic. Research has demonstrated that sex trafficking is one of the great engines driving the spread of the AIDS global pandemic, and while traditional AIDS prevention programs of education and awareness go a long way in helping women and girls make good choices in avoiding high-risk sexual activities, these programs do nothing to protect the millions of women and girls who do not get to make choices about their sexual encounters—particularly the millions of vic-

tims of commercial sexual exploitation who are forcibly infected with the HIV virus. Accordingly, federal funding of programs aimed at combating the international AIDS epidemic must include support of programs to combat sex trafficking and other forms of sexual violence against women and girls, or else America's effort to fight AIDS will simply fail to address one of the fundamental and certainly most brutal causes of the epidemic.

Finally, in recent weeks IJM has directly experienced the positive impact of U.S. policy in combating sex trafficking in Cambodia. More than two years ago, IJM began conducting extensive investigations into one of the most appalling cesspools of child prostitution in the world, a village called Svay Pak outside Phnom Penh where scores of girls between the ages of 5 and 12 were being sold in an open market for pedophiles and sex tourists. Over a two-year period we turned our investigative findings over to Cambodian authorities, but failed to obtain a satisfying response. Then last year, the TIP Report placed Cambodia on Tier 3 and the new U.S. Ambassador to Cambodia, Ambassador Charles A. Ray, initiated a very proactive engagement with the senior Cambodian authorities on U.S. policy toward trafficking. This direct advocacy with Cambodian authorities and the excellent work of Ambassador Ray's staff, helped make it possible last month for IJM and the Cambodian authorities to bring rescue to 37 minor victims of commercial sexual exploitation out of Svay Pak, including about a dozen children between the ages of 5 and 10. In addition, approximately 12 suspects have been arrested and charged, with cooperative police investigations continuing with IJM to locate and prosecute additional suspects identified in our investigative report.

Ambassador Ray, and representatives of the U.S. Department of State were very successful in making clear to the Cambodian authorities the priority that American foreign policy places on addressing sex trafficking. Senior Cambodian authorities were well and effectively briefed on the dynamics and significance of the tier rating system of the Trafficking Victims Protection Act, and on the consequences of failing to make significant efforts to meet minimum standards in combating trafficking. Consequently, by the time IJM was able to brief the Cambodian authorities on our latest Svay Pak investigation, they were prepared to provide extraordinary cooperation in working with IJM to seek rescue for the victims and to pursue accountability for the perpetrators. We believe that the advocacy of the U.S. Embassy with the Cambodian authorities was an indispensable and decisive factor in generating effective law enforcement cooperation.

These actions have paved the way for significant and continuing progress in mobilizing effective law enforcement responses to human trafficking in Cambodia. Cambodian police authorities have had a positive experience of effective counter-trafficking investigations and enforcement actions with IJM that produced arrests, proper charges, and compelling evidence for prosecution. They have participated in groundbreaking procedures for humanely conducting victim interviews in the presence of a social worker and an NGO lawyer-monitor while being videotaped. They have also requested further training from IJM in effective counter-trafficking investigations and enforcement actions, and have developed new relationships with local NGOs.

Of course, it will be very important to continue to monitor the actions of the Cambodian authorities as they follow-up on these specific cases, and as they persevere in vigorous efforts to investigate and successfully prosecute sex trafficking crimes on an on-going basis. Cambodia has had a very poor record of tolerating sex trafficking (especially among very young children) and such a record cannot be turned around overnight. But we believe that a very promising beginning has been made in supporting the Cambodian government in a new direction to seriously combat sex trafficking and commercial sexual exploitation.

We believe these encouraging events help to serve as a model for what can be achieved when there is transparent reporting through the TIP Report, a meaningful application of the tier rating system, direct advocacy by U.S. authorities at the highest levels of government, and tangible, practical assistance to foreign governments in bringing rescue to trafficking victims and justice to perpetrators.

IJM looks forward to continuing its constructive work with the U.S. State Department, foreign governments, and partner NGOs in helping make sure that the promises of U.S. policy in fighting sex trafficking and commercial sexual exploitation deliver tangible results to vulnerable women and children and hastens the day when these brutal enterprises of rape for profit are simply put out of business.

Thank you very much.

Senator BROWNBACK. Thank you, and thank you for the work of your organization. It has done just wonderful, outstanding work in

highlighting these problems and taking it to the appropriate authorities in the host countries and here as well, Gary. You do an outstanding job and I'm very appreciative of it.

Professor Hughes, your statements were very condemning of U.S. Government policy, and that's why I wanted to get you here to testify today, or not of U.S. Government policy, but of action by several U.S. Government entities, and you've raised this in several articles. I've got one—I'm not sure of the date of this article, but I should look this up, "Pro-Prostitution Mafia in Russia, U.S. State Department Backs Legalization of Prostitution." Do you remember this article?

Dr. HUGHES. Yes.

Senator BROWNBACK. I received it last fall in November. When you raise these items, do you get a response from USAID or State Department about these policies that are backing the spread of prostitution?

Dr. HUGHES. In that particular case I was in contact with the Office of Global Affairs, and I knew that they had been working to try to make sure that Russia got a strong anti-trafficking law passed, so I know that they had ongoing efforts to do that.

Information that I was getting was that even though they were very clear that they wanted a very strong anti-trafficking policy, and I believe staff members from the Office of Global Affairs had even gone to Moscow to try to ensure that, there was continuing slippage, and it was really getting down to the wire as to what kind of, whether this was going to be really strong anti-trafficking legislation or whether it was going to be relatively weak, and that's why I wrote that.

I know that the Office of Global Affairs made continuing efforts even after that to make sure that there was strong legislation drafted, and I hear that that has been successful.

Senator BROWNBACK. But that's on legislation on trafficking. What about, you're saying in this the State Department is backing legalization of prostitution in Russia.

Dr. HUGHES. No, what was happening was, the embassy was not in any way publicly backing legalization of prostitution. What was happening was there was a Duma party that had announced that they were going to draft legislation for the legalization of prostitution.

In order to do that, what they needed was an anti-trafficking law that had some loopholes in it so that eventually they could come together and dovetail, and what I was advocating for, and what I believe the Office of Global Affairs was pressing for was strong anti-trafficking legislation that would close those loopholes so that they couldn't then come in with complementary legislation to legalize prostitution, so no, I never said, and I know that the embassy was not advocating legislation that would have legalized prostitution.

Senator BROWNBACK. OK.

Dr. HUGHES. And I know that there had been some NGOs that had been on record as backing legalization of prostitution who were working to draft that, what I would call weak anti-trafficking legislation.

Senator BROWNBACk. Were these NGOs funded partly by U.S. funds?

Dr. HUGHES. I believe so.

Senator BROWNBACk. So that there were U.S. funds going to groups, not the State Department itself, but to groups that were pushing for pro legalization of prostitution in Russia?

Dr. HUGHES. Right.

Senator BROWNBACk. I hope you can help us to identify some places where those funds are going, because I think, as Congressman Miller was pointing out, there is this direct nexus, and you pointed it out as well, between prostitution and—pulling this drive for trafficking in persons. I mean, basically this is the demand sector of the market, and if you legalize, and you say well, OK, it's OK, and we're going to just go ahead and have this demand sector here, you're going to continue to have trafficking in persons taking place—

Dr. HUGHES. Yes.

Senator BROWNBACk [continuing]. For this industry.

When you approached me about what they are doing—because you gave some examples here about providing condoms to people who are forcibly in the prostitution business. How does USAID respond to your statements?

Dr. HUGHES. The couple of times that I have met with people in USAID I have to say that the first time or so they had a hard time believing me, because I know that these are really good people, and they would say that we would never support the legalization of prostitution, we don't know anybody that supports the legalization of prostitution, what are you talking about, and so I have to say that there has been a process of sort of getting through this—I'm not sure—you might call it denial, but a lot of it maybe has to do with sort of education to the way things really are in the world.

But once we got through that, and once I was able to produce enough evidence to show that in fact these were statements that were appearing in reports that were written for USAID and so forth, they have been very open to talking to me, and really trying to work to make sure that the stated policy of the U.S. Government is the one that's implemented.

Senator BROWNBACk. So that they're opposed to prostitution, opposed to legalized prostitution, opposed to trafficking—

Dr. HUGHES. Yes.

Senator BROWNBACk [continuing]. And opposed to policy actions out of their agency that might support either of these, is that correct?

Dr. HUGHES. Yes, and I think it's going to be a challenge for them to get down to the subcontractor level to find out what is happening sometimes in the field, because I think that it can be a long way from the offices here in Washington to what their subcontractors are actually doing out there in the field, and I think that raising some of these issues has sort of challenged them to follow along down that path of who they're funding to find out what's happening in the field.

Senator BROWNBACk. Now, the examples you gave here today, were those of subcontractors to USAID grants that were giving condoms to people who had been trafficked into brothels?

Dr. HUGHES. The ones I said today, I'm not sure whether that money goes out—I know that those are U.S. Government funds. I don't know whether they're disbursed through USAID or not. That I don't know.

Senator BROWNBACK. Again, I hope you can work with us on identifying specific places, and if there are things that we can do either legislatively or through appropriations to stop that, or put limitations on use of funds going to those areas, we'd like to work with you and use your information to press that forward.

And what about ILO and the WHO both recognizing and recommending the decriminalization of prostitution, and they continue to press that policy forward?

Dr. HUGHES. Well, what ILO did is, they came out with this report called "The Sex Sector," in which they looked at those countries and really did sort of an economic analysis of how much the sex industry was contributing to the gross national product and so forth and said that, you know, this is such a big industry, it's making so much money, really we need to have what they said was the official recognition of the sex sector.

Now, they stopped short of calling for legalization of prostitution. They did not call for that, but I can't imagine how you could have an official recognition of an economic sector without doing that.

And then with the World Health Organization, they had the announcement that they would recommend decriminalization of prostitution as an effort to combat HIV.

What I find in a lot of the reports that are written is, there tends to be a lot of doublespeak. On one hand they'll say, of course we oppose the abuse and trafficking of women, but maybe we should go ahead and decriminalize it or legalize it in order to help out the women, and what happens then, once you challenge them and say, well, wait a minute, you're calling for legalization of prostitution, oh no, early, somewhere else in the report we said this, and so what I would suggest is that you ask for clarification from these organizations of what their policy is and then see if it matches what the current U.S. policy is.

Senator BROWNBACK. We will do that, because those seem to be just outlandish positions for them to take, and even identifying a sex sector of the economy in positive terms, when this is just so incredibly exploitative of women and children just is beyond me to see.

In the military bases you raise an issue there which I think was very good of you to raise as well, the fueling of prostitution around military bases. Is DOD coming up with an effective strategy now to try to address this issue?

Dr. HUGHES. I don't know. I don't know the answer to that.

Senator BROWNBACK. You raise it as a key area and a key, again, demand side sector for the sex industry, for prostitution, that we need to look at that as well.

Mr. Haugen, I appreciate your points, and also about the actual convictions. I raised that with the Indian Government myself in December. They had really stepped up from the time previously I had been there in raising the issue about the trafficking taking place—the previous time, 3 years ago when I raised it, it was kind of, this isn't a big problem, we're not that concerned about it, we've

got a billion people here to work with sort of attitude—to this time them saying no, it's a serious problem, we're working on it, and yet still there hadn't been much in the way of convictions stepping forward, and I do think that's the relevant data point, as you put it, and press with it.

What's your estimation of the last TIP report? Was it objectively an accurate report of the situation around the world, and were countries properly categorized as tier 1, 2, and 3 in that report?

Mr. HAUGEN. I think the difficulty with last year's TIP report is that it came up with a summary conclusion about where the country would be placed with a description of why it's being placed there that was generally just vague and didn't provide actual, factual objective data so that you could understand, well, what was going on inside the black box such that when you put the country in it came out on a specific tier.

And that is why we're so pleased this year for the commitment over the coming year to begin to require that there's actually specific information, something like convictions is just a historical fact that exists within a country, it's a factual matter, it's actually happened, and it's the activity that a government has itself taken.

So governments are in a very good position, in the best position, of course, to report on their own activity, and we require governments to report tremendous amounts of information on economic matters and trade matters, commerce matters in order for them to maintain a certain kind of privilege in terms of their trading status, and I think it's a very straightforward thing to require clear information on what it is that they're doing. How many people did you send to jail for trafficking-related offenses this year? How many police did you discipline?

For instance, last year's report frequently said—in countries that had the most horrendous trafficking record it says, well, a big problem is police corruption. Well, the police are the employees of the government reporting on police corruption, and so the question you want to ask that government is, then, well, if corruption is a big problem, how many police were dismissed last year because of their complicity with sex trafficking operations, and you can produce objective data that all of us can look at.

And someone might say, well, that was enough convictions, and someone might say that wasn't enough convictions, someone might say, well, that was enough disciplinary action and someone say that that wasn't, and we could have reasonable, intelligent, transparent conversations about where a country belongs once we have that data on the table, and that's what we're looking forward to in this year's report.

Senator BROWNBACK. Particularly focusing on East Asia and the implementation—you mentioned the example in Cambodia. I want you to talk about that region of policy and programmatic priorities that need to be implemented to reduce the trafficking, to really address it in Thailand, in Cambodia, in Burma, in the region, Vietnam, in that region. Do you see specific items that need to be done in addition to the example that you cited, and programmatic priorities that need to be pushed by the U.S. Government?

Mr. HAUGEN. It's a basic principle of good management and planning in this era that you have your end in mind before you set out

on an enterprise, and certainly the indispensable end in mind that every government should have is, how are we actually going to convict people for these offenses, because then it forces you to solve all of the problems that stand in the way from where you are now to actually achieving that, because you can do all kinds of education programs, you can have awareness, you can have shelters, but if no one ends up going to jail for these things you will never be able to keep up with the ingenuity and the entrepreneurship of the traffickers.

If there was an epidemic of rape here in Washington, DC we wouldn't expect there to simply be education seminars, we wouldn't expect there to be just shelters for the victims, we would want to know whether or not the police are actually convicting and sending to jail the rapist who is committing this, so for each one of these governments, what we've been urging is the adoption of concrete goals of saying, we are, next year, going to seek to achieve x number of convictions for these offenses, and so to do that we're going to conduct a vigorous set of investigations, of raids, of prosecutions, and then to develop some specialized units which are outside of the local street-level corruption who can actually do the investigation and make the cases and also fast-track these prosecutions through judicial systems that are sometimes very much bogged down. We've seen judges given special dockets of these cases that then begin to move more quickly.

But as long as you have the end in mind of where you want to finally be, then the government has co-ownership of all the problems that it takes to get there, rather than having a government not really wanting to solve the problem. If they've made a commitment to the end product, which is a credible law enforcement deterrent to sex trafficking, then we, speaking of the U.S. Government and NGOs, are able to then help them solve all of those problems that it takes to actually get there.

Senator BROWNBACK. Are you getting pretty good support from the countries in the region and from the U.S. Government for that type of approach?

Mr. HAUGEN. I think we're getting solid support from some embassies, like in Cambodia where they're extremely vigorous in this regard, and we've had some excellent cooperation with the Philippine authorities, where we actually were able to conduct some raids on some businesses that were left over actually from when the U.S. servicemen were there, and the brothels were still there, and some 13-year-old girls were being sold for their virginity. One American was actually operating that brothel, and we were able to rescue the girls out, get them prosecuted, and those places are shut down.

So all of that was done in cooperation with the National Bureau of Investigation there in the Philippines with great and robust assistance, and I guess it's too early to tell both the vigor of the other embassies throughout the region and the governments that we're trying to work with, but we're very hopeful.

Senator BROWNBACK. What about Thailand? That's been a long, strong ally of the United States and also a place where there's been a great deal of prostitution that's occurred over a period of years

as a business enterprise almost. How are we doing in Thailand, and it would also be one of the big market draws within the region.

Mr. HAUGEN. Thailand has a significant problem with sex trafficking, and my sense is that the U.S. Government and the embassy there has started to become quite vigorous and robust in confronting the Thai authorities with that challenge.

I know that there are many Thai NGOs that are working very hard to try to achieve better prosecutions, but I think the jury is still out. We will just need to wait and see, because I haven't seen all of the data this year on what the Thais have been able to do over this past year, but I think that's what is going to be so helpful about this report when it comes out, is that it's going to have objective data that we can all look at together and make an assessment of that record.

Senator BROWNBACk. Dr. Hughes, I am still struck by the statements that you made, and now that you have testified and I have read some of your articles and answered these questions, what I hear you saying, and correct me if this is inaccurate, is that the United States is funding a fair number of these problems through NGOs or USAID work, but we're doing it out of lack of knowledge of the true situation on the ground, rather than an overt policy that we are trying to support legalized prostitution, or things that would create a demand market for people that are trafficked. Is that accurate, that this is not a purposeful policy, but it ends up happening by virtue of just not really understanding the way the world works?

Dr. HUGHES. I certainly think that's an accurate characterization now. If we go back a number of years when some of these initial programs were set up in the mid-nineties, I don't know the answer to that, but I'm not sure that the decision to fund some of these groups had to come from the highest level, but there had to be somebody that was aware of the kind of programs that were being developed.

For example, what I described in the op-ed on Svay Pak, Cambodia, someone in the administration of USAID had to know what the Population Council's Horizon Project was doing there, and it wasn't only the people on the ground in Cambodia that were doing that. Exactly where that point is, I don't know the answer.

Senator BROWNBACk. I think most Americans would be outraged to think that their taxpayer dollars would be going for these types of activities that you've described.

Dr. HUGHES. Yes, I agree.

Senator BROWNBACk. Is that the kind of response that you are getting from these articles? I would think you would get a very strong positive response from the public and very strong comments from governmental authorities that we're going to get right on top of this, we're not going to let this take place.

Dr. HUGHES. I think that some of the things that I have written have been quite shocking, and I think that there have been, some of the responses first have been some denial, like, this can't possibly be true, but one of the things that I did with USAID is, I presented them not only with a copy of the op-ed, but with a footnoted copy that had all the references, and then I printed out all the references and handed them.

So they had a whole packet of information and were able to see that, in fact, everything I said in there was documented and in fact came from documents that were mostly from USAID reports, and I think that once I've been able to present that kind of evidence to people they say, wow, you're right, this is really happening, we're going to get on this right away.

So that's the response that I've gotten through these, but I have to say that the initial response is not always very positive.

Senator BROWNBACK. It usually isn't to bad news—

Dr. HUGHES. Yes.

Senator BROWNBACK [continuing]. When it comes forward.

Both of you heard me read statistics on the infection of prostitutes with the HIV virus, and I was putting forward the point that this prostitution is a key vector for the spread of HIV. Do either of you have a thought, whether you agree or disagree with that point? Dr. Hughes.

Dr. HUGHES. No, I absolutely agree that prostitution and trafficking is responsible for transmission of HIV throughout, not only among the women and the men, but then throughout the community as men go back into the community and have sex with their wives or other people.

I think in the past what has happened is that the focus has been on just the women in prostitution. In other words, if we can just get them to use condoms we'll break the cycle that way, and in fact some of the statistics that you read earlier show that there are still very serious problems, and all it takes is a few brutal men who don't want to wear the condoms, which happens frequently, and the woman or girl becomes infected anyway.

So I think that we actually would be much more successful in combating HIV/AIDS if we find ways to interrupt sex trafficking, and to stop the sex trafficking and prostitution rather than just trying to promote the use of condoms, and as I said, even if we were successful in that, that does not address the slavery.

Mr. HAUGEN. And if I might just add, Senator, I don't think anybody doubts that there's a tremendous nexus between prostitution and the spread of AIDS, and certainly between sex trafficking, and as we understand sex trafficking more, and the brutality of forced prostitution, we can understand why the vision of trying to prevent the spread of AIDS simply through education programs with the provision of condoms just doesn't work in the coercive environment in which sex trafficking takes place in terms of the sexual encounter.

This is not a place where the children get to bargain insistently about well, no, I would really like you to wear a condom. No, this is a situation of great brutality, where the customers do whatever they pay for, and especially the idea that the victims are frequently young, which means they bleed more in the process, and they end up becoming more likely to not only get HIV, but to also spread it as well.

So any idea that we are going to somehow be able to stop a huge proportion of the AIDS epidemic which goes forth in the coercive environment both of sex trafficking and of sexual violence, and that somehow we're going to do that with only education programs or

the provision of condoms, doesn't appreciate the purely coercive nature of the enterprise.

Senator BROWNBACK. You have really got to get at the root of it.

Well, thank you both very much. I am an admirer of your work, and you do such a wonderful job, and I appreciate you giving of your time and talents to come here today and testify, and I look forward to working with both of you in either legislation or appropriations of ways that we might be able to address some of these problems effectively.

Mr. HAUGEN. Thank you, Senator.

Dr. HUGHES. Thank you.

Senator BROWNBACK. Thank you all for your attendance. The record will remain open for the requisite number of days, and the hearing is adjourned.

[Whereupon, at 4:12 p.m., the subcommittee adjourned, to reconvene subject to the call of the Chair.]

ADDITIONAL QUESTION SUBMITTED FOR THE RECORD

RESPONSE OF HON. JOHN R. MILLER, SENIOR ADVISOR AND DIRECTOR, OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS, TO AN ADDITIONAL QUESTION FOR THE RECORD SUBMITTED BY SENATOR RUSSELL D. FEINGOLD

Question. ILO and UN studies indicate Laos is the second or third largest source for women and children trafficked into Thailand to work in brothels and sweatshops. Laos is reportedly developing a National Plan of Action to prevent illegal trafficking of women and children and has a bilateral agreement with Thailand for that purpose. Can you tell me what we know about the scale of the trafficking problem out of Laos, the status of the agreement with Thailand and the Laotian national action plan, the role of U.S. assistance, if any, and how cooperative the Government of Laos has been on this issue? Do we know of any U.S.-based criminal organizations involved in the trafficking of women and children from Laos or any, illegal trafficking from Laos into the United States?

Answer. The Department is not aware of any firm statistics on the number of Lao trafficking victims. Some NGO surveys indicate that roughly 15-20,000 Lao may be trafficked annually, almost all to Thailand. Such information, however, is not verifiable.

The situation is further complicated because trafficking is caught up in the overall pattern of labor migration. Regional surveys indicate that as many as 100,000 Lao people may travel to Thailand seasonally, for agricultural labor along the borders and for manual labor in the cities. Determining the number of Lao economic migrants versus Lao trafficking victims is difficult.

In the past most Lao people who went to Thailand in search of work were Lowland Lao from along the border, and Lowland Lao probably still constitute the majority of the migrant work force. However, increasingly the groups most vulnerable to trafficking into some form of indentured labor or prostitution are highland minorities in the interior.

The government of Laos officially condemns trafficking in persons, but the government is severely constrained in its direct efforts by a lack of resources. Most anti-trafficking projects are carried out by international organizations and NGOs, and include consciousness raising and skills development for at-risk groups. But the government also makes some direct efforts. Government-controlled party organizations alert Lao citizens to the dangers of trafficking in connection with international travel. State-controlled television and radio have broadcast anti-trafficking spots funded by NGOs and the government. The government cooperates with UN agencies, particularly the UN Interagency Project, to monitor, document and suggest remedies for trafficking-related problems and has provided salaried government employees to work on a project of the International Organization for Migration (IOM) to gather data on prevention and protection statistics.

The Lao Ministry of Labor and Social Welfare (MOLSW) is the government's main ministry responsible for combating trafficking. The MOLSW works to assist children who may be vulnerable to trafficking, working with children on prevention and re-

integration issues. MOLSW, with NGO help, has also done outreach through television and radio to warn about the dangers of trafficking.

Law enforcement efforts are an area for improvement. There is no specific anti-trafficking law in Laos, but there are laws against kidnapping and prostitution. The central government keeps no data on efforts of local officials to prosecute traffickers. MOLSW has provided some training of law enforcement officials on trafficking, but much more needs to be done. Low-level trafficking-related corruption also remains a concern.

In a significant move in 2002, Laos and Thailand signed a memorandum of understanding (MOU) regarding border issues, including trafficking, with particular reference to labor and repatriation procedures. While implementation procedures are still being worked out, the NGOs in Laos working on trafficking regard this MOU as an essential step. This MOU is one of the first in the Mekong region to attempt to regularize the return of trafficking victims. It represents an important bilateral step towards more regional cooperation on the part of both the Lao and Thai governments.

The Department of State funds two NGOs operating in Laos. Village Focus International received \$100,000 (FY02) for an awareness raising campaign against trafficking. The project focused on village-based schools in Southern Laos. An NGO consortium (includes World Education and World Learning) received \$299,853 (FY02) to prevent human trafficking in Mekong border communities. The Department also funds the Asia Foundation (FY01) to work with Laos Women's Union and Lao Youth Union to raise awareness of gender discrimination. None of these projects was directly connected to the Laos-Thailand MOU.

The State Department's Office to Monitor and Combat Trafficking has no information about U.S.-based criminal organizations involved in the trafficking of women and children from Laos. We have no information on trafficking from Laos into the United States.

