Panel Continues Examination of Human Trafficking Issues

On June 22, the House Financial Services Subcommittee on Domestic and International Monetary Policy, Trade and Technology held the second in a series of hearings on the trafficking of women and girls. The first hearing took place on April 28 (see The Source, 4/29/05).

In a press release after the hearing, Chair Deborah Pryce (R-OH) said that “there is so much to learn about how effectively, or ineffectively, we are following the money and enforcing existing anti-money laundering laws to deprive criminals of the economic gains associated with the global sex trade,” adding, “Hearings like the one we held today are so vital. If we are going to stamp out trafficking, it is imperative that we examine all aspects of the problem and address their implications.”

Calling trafficking a “tragic human rights offense,” Ranking Member Carolyn Maloney (D-NY) stressed the importance of focusing on the demand side of the “trafficking equation.” She urged her colleagues to support the End Demand for Sex Trafficking Act (H.R. 2012), which she has cosponsored with Rep. Pryce. The bill would authorize $15 million through FY2007 for a grant program to encourage the development and implementation of demand-side strategies for the enforcement of anti-trafficking laws. Grants could be used for prosecution efforts against purchasers of unlawful commercial sex or traffickers, and could be made available for nongovernmental organizations that provide services for trafficking victims.

Testifying on behalf of the Coalition Against Trafficking in Women, Co-Executive Director Dorchen Leidholdt addressed the economics of the international sex trade, explaining that it begins with the “johns” or buyers of prostitution: “While discretionary income facilitates their purchase of the body of a woman or child, buyers often spend income their families desperately need for necessities. Instead of being used to feed, clothe, and educate their children, this money is spent in ways that place their families and communities in jeopardy – at the increased risk of HIV/AIDS and the criminal activity that is part of and parcel of the sex trade. The money is also spent in ways that reinforce the buyer’s perception of women as goods available for a price – a perception that is not confined to his activities with prostituted women and children but spills over into his interaction with other women – his wife, the women in his workplace, the women he encounters in the street.” Noting that women rarely see the profits of the sex trade, Ms. Leidholdt equated prostitution to a form of violence against women, stating, “Unlike other forms of gender-based violence, the violence carried out by the sex industry is immensely profitable;
these profits purchase complicity and silence. In addition, devastated and stigmatized by their exploitation and abuse, few sex industry victims are able to speak out and even fewer are heard.”

Expressing her opposition to legalized prostitution, Ms. Leidholdt offered Sweden as an example for other countries hoping to combat trafficking in their borders: “Since January 1, 1999, Sweden has developed and passed an array of groundbreaking laws that address prostitution and trafficking as practices of violence and discrimination against women and girls. These laws strengthen penalties against traffickers and other sex industry entrepreneurs; direct services to victims while eliminating penalties against them; and criminalize the purchase of sexual services, recognizing that it is the buyer not the bought who should be sanctioned and punished.” She added that “since the law went into force the incidence of street prostitution has decreased by at least 50 percent and the recruitment of new women for street prostitution has ground to a halt. The most important effect of the law, however, has been its impact on trafficking. While Sweden’s Nordic neighbors have seen a sharp escalation in sex trafficking since 1999, trafficking in Sweden has declined.”

Equality Now President Jessica Neuwirth discussed her organization’s difficulties in prosecuting Big Apple Oriental Tours in New York City, which was advertising tours for men to solicit prostitutes in Asian countries. Explaining that state and federal prosecutors only seemed interested if the case involved minors, she pointed to the Mann Act (P.L. 103-321), which she said mandates a 10-year sentence for an individual who “knowingly transports any individual in interstate or foreign commerce…with the intent that such individual engage in prostitution or in any sexual activity.” Ms. Neuwirth said that the Mann Act “could be effectively used against United States sex tour operators but the Department of Justice has so far failed to apply this statute against them” even though the law does not require the prostitute to be a minor. “In other words, transporting ‘johns’ in foreign commerce, which is exactly what sex tour companies do, falls within the scope of the Mann Act,” she stated. Ms. Neuwirth expressed her support for the End Demand for Sex Trafficking Act, saying that the bill “includes a needed clarification that the Mann Act does apply to sex tour operators who transport purchasers as well as sellers of commercial sexual acts…More generally, we welcome the focus in H.R. 2012 on the demand for prostitution, which is the engine driving the commercial sex industry. For too long, efforts to combat trafficking and the commercial sex industry have focused exclusively on the supply side of the industry, which cannot be effective in isolation.”

Michael O’Connor, South Asia director of operations for International Justice Mission (IJM), said that human trafficking “thrives only when and where the local enforcement authorities decide that they will not intervene to stop it,” adding, “They don’t stop it because they are overworked and understaffed, poorly trained or bribed. In at least one city where we work, approximately 39% of IJM-assisted police raids fail to free the targeted victims because the perpetrators are tipped-off.” Pointing to the low salaries offered to law enforcement personnel in many countries, he stated, “International cooperation is critical in piercing international organized crime networks, tracing money flow, and repatriating victims to their homes. However, local cops on the beat in the countries of origin, transit and destination will bear the greatest burden in the fight against trafficking. I humbly suggest that it would be illuminating if the United States Government were to conduct an analysis of the take-home wages of police officers in [Trafficking in Persons] TIP Report ‘tier two’ and ‘tier three’ countries, because
Congress has an interest in determining whether or not countries who are failing to meet Congressionally-delineated minimum standards are paying their law enforcement authorities a living wage.”

Mr. O’Connor praised passage of the Protect Act, which allows the United States to prosecute sex crimes committed by Americans abroad, but urged Congress to better publicize the law: “I suggest that Congress encourage the airline and travel agency industries to include links to Protect Act internet sites on their internet home pages. I also suggest that a brochure detailing the contours of the Protect Act be provided by the United States Government with each new and renewed U.S. passport in order to educate American travelers abroad, sending the clear message that the United States Government will have no tolerance for those who use a U.S. passport as a weapon against children and as a license to rape them. Furthermore, I suggest that United States citizens who are convicted of child sexual abuse crimes should, at the very least, have stamps placed in their passports alerting countries of their convictions.”