

Trafficking of Women & Children:

**Challenges
and
Solutions
Conference**



University of Washington Women's Center

ABOUT THE WASHINGTON STATE COALITION AGAINST TRAFFICKING

The coalition consists of several groups organizing together because we believe that a coordinated plan is needed in Washington State to fight the trafficking industry. The coalition is aware of the pressing need to educate the public and produce plans of action that include state legislation. Members of the coalition include: Asian Pacific Islander Women and Family Safety Center (APIWFSC) • Center for Women Policy Studies, Washington, D.C. • City of Seattle, Women's Commission • National Asian Pacific American Women's Forum (NAPAWF), Seattle Chapter • Northwest Immigrant Rights Project • National Immigration Project, National Lawyer's Guild • University of Washington – Center for Women & Democracy • University of Washington Women's Center • Washington Alliance for Immigrant & Refugee Justice (WAIRJ) • Washington Council on International Trade • Washington State Labor Council, AFL-CIO • Washington State Office of Trade & Economic Development .

ABOUT THE UNIVERSITY OF WASHINGTON WOMEN'S CENTER

The University of Washington Women's Center promotes intellectual, creative, and ethical development through democratic, transformative, and community-based learning experiences. The Center is committed to serving the campus and community while promoting equity, dignity, and respect for people of all cultural backgrounds. The Center's goals and programs are designed to help people succeed in undergraduate and graduate programs of study by providing classes, workshops, and advising services. The Center runs a mentoring program for disadvantaged young people interested in science and technology careers, and a re-entry advising program for people returning to higher education later in life. Classes offered by the Women's Center provide opportunities for academic, creative, and fitness/wellness learning experiences, and workshops and lectures are designed to provide community forums, as well as increasing women's and men's involvement in cultural and global issues.

Women's Center
Cunningham Hall
Box 351380
University of Washington
Seattle, WA 98195-1380
(206) 685-1090
Fax (206) 685-4490
<http://depts.washington.edu/womenctr/>

This report was written by Elizabeth Angell with the assistance and notetaking of Sandra Fitzpatrick, Bernice Funk, Monica Ghosh, Celia Matson, Alene Moris, Dan Nguyen, Jennifer Schmitt, Anita Sinha, and Gabriela Villareal. It was edited by Elizabeth Angell and Gabriela Villareal.

Design and formatting by Monica Ghosh. Cover design by Anna Park.

Women's Center Executive Director: Sutapa Basu, Ph.D
Women's Center Special Projects Manager: Tamara James

THE WASHINGTON STATE COALITION AGAINST TRAFFICKING

***Trafficking of Women and Children:
Challenges and Solutions Conference***

Proceedings of a conference held Saturday, November 3, 2001,
University of Washington

Proceedings of the Conference on Trafficking of Women and Children: Preface

On 3 November 2001, a conference called Trafficking of Women and Children: Challenges and Solutions was held at the University of Washington in Seattle. The conference effort was spearheaded by Washington State Representative Velma Veloria, and organized with the assistance of Gabriela Villareal and the University of Washington Women's Center. The participants in the conference included lawmakers, academics, activists, lawyers, policymakers, social workers, public servants, students, representatives from the business community, and victims of trafficking and their families. The conference was the result of a growth of awareness of the problem of trafficking in Washington State and worldwide, and a desire to commit public and private resources to fighting this trade in human beings. The members of the coalition that sponsored the conference are the Washington Council on International Trade, the AFL-CIO, the University of Washington Women's Center, the Seattle Chapter of the National Asian Pacific American Women's Forum (NAPAWF), the Northwest Immigrant Rights Project, the National Immigration Project of the National Lawyer's Guild, the Center for Women Policy Studies in Washington, D.C., the Asian Pacific Islander Women and Family Safety Center (AIPWFSC), the University of Washington Center for Women and Democracy, and the Washington State Office of Trade and Economic Development. This coalition believes that a coordinated plan is needed to fight the trafficking industry, and that this plan must be inclusive, confronting the broadly distributed causes and consequences of trafficking. The coalition members are committed to educating the public on the issue of trafficking, and to producing a platform for action in the form of state legislation.

Representative Veloria opened the conference, and Dr. Richard McCormick, President of the University of Washington, welcomed the participants. Seattle City Councilmember Judy Nicastro read a City Council proclamation supporting the conference and its efforts to combat trafficking. Dr. Sutapa Basu

and Dr. Leslie Wolfe made the keynote speeches, and then participants and panel members engaged in a series of interactive workshops on various aspects of the trafficking issue, including health and human services, immigration law, child exploitation, and others. The conference participants viewed a message of support sent by U.S. Senator Patty Murray (D, WA). The recommendations of the workshop groups were discussed, amended, and approved by the conference participants, and agreed upon as a policy proposal for the state government and a message to the public.

This publication includes reprints of the keynote speeches given at the conference, descriptions of the workshops that took place, and a list of recommendations and conclusions from the workshop and conference discussions. The appendices include a copy of the conference resolutions, a city council proclamation, proposed legislation from the Washington State Legislature, articles from local and national press, and a list of the organizations and individuals involved in the coalition and conference effort.

Introduction to Trafficking in Washington State Representative Velma Veloria

Welcome to the first conference on the trafficking of women and children here in Washington. The term “trafficking” is defined by the federal government as the recruiting or abducting, facilitating, transferring, harboring or transporting a person, by the threat or use of force, coercion, fraud or deception or by the purchase, sale, trade transfer or receipt of a person, for the purpose of subjecting that person to involuntary servitude, peonage, slavery, slavery-like practices, or forced or bonded labor or services.

Does it happen here in Washington? Yes. How bad is the problem in our state? We’re not sure. The planning of this conference started only six weeks ago, but really, the idea began germinating in 1995, when Susana Blackwell, a Filipina mail-order bride, was murdered along with her friends Phoebe Dizon and Veronica Laureta and her unborn child outside a courtroom by her husband, Timothy Blackwell. Are mail order bride services a form of trafficking? Four years later, the case of Helen Clemente, another Filipina, made the newspapers. Helen was kept in indentured servitude from 1990 to February 1993 by Sally and Eldon Doty. Sally Doty testified that she and her husband Eldon lived as husband and wife during the time Helen Clemente was married “on paper” to Eldon Doty. Last year, the murder of Anastasia King, a 20 year old mail-order bride from Kyrgyzstan who lived in Senator Costa’s district, made headlines. Then this past session, the Northwest Immigrant Rights Project asked me if there were any legislation adopted by the state that would help victims of trafficking. They were in contact with women who had just escaped from a trafficker and needed help. Sadly, my answer was no.

To try to understand the problem, I, along with Sen. Costa, organized a forum in the Legislature about the trafficking of women. When the story was printed in the newspapers, I began to receive letters from women in prison who told me of their experiences. Even a legislative assistant spoke of an organization that has helped women like Rani Hong, who was sold to a trafficker at the age of 17. These stories convinced me that something needed to be done. The clincher came when I was assigned to mentor another dynamite Filipina American woman, a University of Washington student named Gabriela Villareal, who had written an excellent paper on the mail-order bride industry. Together, and with the assistance of many others here today, we have organized this conference to discuss the nature of the challenges and solutions for the problem of trafficking in our state.

Trafficking of women and children is an issue that has been ignored for far too long. Healthcare service providers are finding symptoms of the problem and want to share their concerns. Attorneys representing these victims want to help the public understand the complex immigrant and legal status of many of these women

and children. Because of the increasing globalization of our economies, women’s groups, organized labor, international trade association and human rights activists want to share some insights that will help prepare us for the future. So we are all here today to shed light on this problem and share information. We have developed the workshops to be held today based on what we thought are some of the pressing concerns of victims of trafficking, so we can reach out to those women and children who are victimized and to the public to say we want to understand more about the issue, and consider some concrete actions to help the victims and punish the perpetrators. At the end of the day, we will look at the legislation that we will pursue in Olympia, and discuss ways to create a comprehensive study of trafficking in Washington State.

Last but not least, I’d like to thank everyone who has made this conference possible: Dr. Richard McCormick-who continues to show his strong support for women and people of color by underwriting the use of this facility for this conference; Dr. Sutapa Basu, Director of the UW Women’s Center, Dr. Leslie Wolfe, President of the Center for Women Policy Studies in Washington, DC; my colleagues Rep. Jeannie Darneille, Rep. Phyllis Guterrez Kenney; Sen. Jeanne Kohl-Welles; facilitators and panelists; endorsing organizations; Vulcan for donating the money for the food; Gabriela, my intern and co-ordinator of this event, Tatsuo Nakata, my legislative assistant, Kenny Pittman, research analyst from the House of Representatives, and Neil Parekh, my public information officer; and I give special thanks to Ms. Rebecca Story of the INS and Joe Womack of the Office of Refugee Resettlement, who came all the way from Washington D.C. to share their expertise with us.



Background

What is Trafficking?

According to the U.S. State Department, trafficking is “all acts involved in the transport, harboring, or sale of persons within national or across international borders through coercion, force, kidnapping, deception, or fraud, for purposes of placing persons in situations of forced labor or services, such as forced prostitution, domestic servitude, debt-bondage, or other slavery-like conditions.”¹ Other groups have campaigned for wider concepts of what trafficking or trade in humans may be, but the State Department definition is representative of the slightly varying definitions used by the U.S. government, which guide its action on the subject. In the case of children, however, it is generally agreed that the term trafficking is applied even if the situation is not overtly coercive. In the 1994 update of its 1949 Convention on the Suppression of the Traffic in Persons and Exploitation of the Prostitutions of Others, the United Nations defines trafficking as “the illicit and clandestine movement of persons across national and international borders, largely from developing countries and some countries with economies in transition, with the end goal of forcing women and girl children into sexually or economically oppressive and exploitative situations for the profit of recruiters, traffickers, and crime syndicates, as well as other illegal activities related to trafficking, such as forced domestic labor, false marriages, clandestine employment, and false adoption.”² The Coalition to Abolish Slavery and Trafficking (CAST) uses a similar definition, but broadens it to include adult male victims of trafficking as well: “Trafficking is the recruitment and/or the transportation of persons by others using violence or the threat of violence, abuse of authority or dominant position, deception or other forms of coercion, for the purpose of exploiting them sexually or economically for the profit or advantage of others, such as recruiters, procurers, traffickers, intermediaries, brothel owners and other employers, customers, or crime syndicates. . . . The victims of trafficking are primarily women and girl children. Boy children and men can also be victims.”³

What is the Scope of the Problem?

In the late 1990s, the UN estimated that as many as four million people (including men, women, and children) were being trafficked each year.⁴ Other estimates range from 700,000 to two million, using different data, definitions, of varying strictness, and different categories (some estimates focus only on the trafficking of women and girls).⁵ The flourishing online mail-order bride business, often not included in estimates of the extent of the trafficking trade,

resulted in between 4,000 and 6,000 marriages of foreign women to U.S. citizens in 1998, and the numbers showed an increase over previous years.⁶ At least 50,000 women and children are trafficked into the United States each year.⁷

Major Migrant Trafficking Flows Around the World



Graphic from CAST. Available at <http://www.ljr.net/cast/fact.html>

¹ Francis T. Miko. “Trafficking in Women and Children: the U.S. and International Response.” Congressional Research Service Report 98-649 C. Available online at the State Department: [<http://usinfo.state.gov/topical/global/traffick/crs0510.htm>]

² USAID. “What is Trafficking?” Gender Matters Quarterly 2, February 1999, 2.

³ Coalition Against Slavery and Trafficking. “What is Trafficking?” [<http://www.ljr.net/cast/whatis.html>]

⁴ Jyothi Kanics. “Foreign Policy in Focus: Trafficking in Women.” *Foreign Policy in Focus*, October 1998, Volume 3, Number 30. Available at Columbia International Affairs Online database: [<http://www.ciaonet.org>]

⁵ Miko.

⁶ Robert Scholes. “The ‘Mail-Order Bride’ Industry and its Impact on U.S. Immigration.” Available online at the INS: [<http://www.ins.usdoj.gov/graphics/aboutins/repstudies/Mobappa.htm>]

⁷ Miko.

Keynote Speech: International Scope of the Trafficking Trade

Dr. Sutapa Basu, Director of the University of Washington Women's Center

Trafficking is the transport of human beings, especially across international borders, for the purpose of exploitation. This is not primarily a problem of voluntary illegal migration. Trafficked women and girls are physically exploited—often for domestic labor or sexual services—and their vulnerability as illegal residents is taken advantage of for the financial and personal gain of their traffickers. As globalization makes borders increasingly porous, the scale of the criminal trade in people has increased. And although trafficking is increasingly recognized as a human rights issue, other dimensions of this trade—such as public health, labor rights, immigration law, and criminal justice—are still not given sufficient attention.

Trafficking in human beings is now the third largest source of profit for organized crime, behind only drugs and guns.¹ At least one million people trafficked each year.² The overwhelming majority of them are women and children under the age of 25.³ The trafficking trade creates multiple human rights violations, which are made worse by the fact that many people are trafficked unwillingly or under false pretences. Some female victims of trafficking are forced into virtual slavery, made to work in sweatshops, in domestic service, or in the sex industry against their will in order to pay off exorbitant debts to their traffickers. Other types of trade in women, such as the flourishing online mail-order bride industry, are not considered by many governments to be trafficking, despite the fact that they treat women as commodities and are rife with the potential for abuse.

The geographic shift in the trafficking trade from poor and less developed regions to wealthier ones is evident. Although I will focus on Asia, trafficking is a significant problem in Africa, Eastern Europe and the former Soviet Union, and Latin America as well. At least 50,000 women a year are trafficked to the United States, many of them from South and Southeast Asia.⁴ Although there is a tendency to assume that trafficking to the developed world mostly involves young Asian women forced into the sex trade, this assumption is often incorrect—domestic servitude for private, wealthy individuals is the most common type of modern slavery. There have been similar cases of abuse of women given temporary visas to work as domestic servants for diplomats and international bureaucrats in New York and Washington, DC. One social services center in Washington sees over 50 cases a year of women facing severe exploitation or slavery-like conditions as servants for members of the diplomatic community.⁵

Victims of trafficking enter the trade in an attempt to escape poverty and strife in their homelands. Trafficked women often come from societies in which women face continuing subordination and are considered to be an economic



burden. The high demand for women and children, both as sex workers and as cheap labor, are signs that women continue to be devalued as human beings and commodified as objects. The recent economic difficulties and natural disasters in Asia have only made the problems worse.⁶ Women and girls become victims of trafficking in a number of ways. Some are “bonded,” sold into indentured servitude by parents or guardians for financial gain. Though some families may be unaware of the nature of the service, there is evidence that an increasing number of parents, especially in Southeast Asia, knowingly sell daughters into the trafficking trade.⁷ Some women enter the trade voluntarily, but they are often unaware of the nature of the work they will be performing or the conditions in which it will be performed. This lack of awareness exists both in domestic work and in the sex industry. In one study of child prostitutes in Thailand, several girls who said they knew they would be working as “prostitutes” thought that the term meant wearing Western clothes and working in a restaurant.⁸ Even women who make a free and conscious choice to work in the sex trade frequently find themselves subjected to conditions of debt bondage. Despite increasing attempts to police the trafficking trade, international authorities have been ineffective in dealing with the problem. According to Human Rights Watch, “although trafficking in women and girls has become a lucrative and expanding cross-border trade, it routinely escapes effective national and international sanctions.”⁹

Governments and international organizations are starting to acknowledge the human rights abuses caused by trafficking. However, other consequences of the problem—such as public health—are still not fully recognized. Why is it necessary to place greater emphasis on the public health dimension of trafficking? First, a public health focus helps make the costs of this profitable trade more visible. Also, there is a pressing need for more intervention and services to deal with the health problems of trafficked women and children. Finally, by viewing trafficking as a public health issue as well as a human rights tragedy, another platform for action against the trade is created.

In the campaign against violence against women worldwide, scholars and activists have increasingly pointed out the issue of public health. According to a World Bank report, “gender-based violence... is a profound health

problem across the globe...although gender violence is a significant cause of female morbidity and mortality, it is almost never seen as a public health issue.”¹⁰ The World Health Organization calls violence against women “a priority health issue” and points out that on a worldwide basis, violence against women “is as serious a cause of death and incapacity among women of reproductive age as cancer, and a greater cause of ill-health than traffic accidents and malaria combined.”¹¹ Yet relatively little attention has been paid to trafficking in this context. Although WHO lists trafficking in women and forced prostitution as the forms of gender-based violence, the focus of most of its work is on domestic violence, female genital mutilation, and rape. This approach to gender-based violence must also be applied to the specific health consequences that result from the abuse of women and children in trafficking.

Trafficked women and girls, particularly those who work in the sex trade, face damage to their physical and mental health. In addition, the sex trade is a growing vector for the transmission of HIV/AIDS, especially when sex workers have little or no autonomy over their bodies and their working conditions—as is the case with trafficking and debt bondage. Trafficked Nepali women make up about half of the 100,000 brothel workers in Bombay, India. Twenty percent of the brothel population is under the age of 18, and as much as half of them were HIV positive by the mid-1990s. Beatings, rape, and other forms of physical abuse are endemic in sex trafficking, both in Asia and elsewhere. According to Human Rights Watch, the physical abuses to which some trafficked women are subjected constitute “torture.”¹² The employers of women trafficked as domestic laborers also physically and sexually abuse these women, according to a study of Filipino women who worked in a variety of Middle Eastern, European, and African countries as maids.¹³ Working conditions for trafficked women are frequently abysmal, and excessive hours are often a problem. Access to medical care is usually strictly controlled by traffickers and employers, and is sometimes not available at all.

There is another kind of trade in women that is not always recognized as trafficking: the mail-order bride industry. Catalogues and websites list women and girls advertising for foreign husbands. They are sorted by national origin, and listed with names, photos, and measurements—so men can pick them out by the color and size they desire, as if they were choosing a shirt to buy. For a fee, men can obtain addresses and begin correspondence with the potential brides. Girls as young as 13 have been advertised in such catalogues, and a considerable proportion of them are aged 15 to 18.¹⁴ The majority of these women are from Southeast Asia, although an increasing number come from Eastern Europe and the former Soviet Union. Like other trafficked women and girls, they are motivated by the desire to escape bleak economic conditions, and they view marriage to a Western man as a ticket out of their situation.

These catalogues advertise mail order brides as mates who will be more traditional, feminine, and submissive than Western women. They are also promoted as willing to marry men who are much older than they are—the typical mail-order bride is 10-20 years younger than her Western husband.¹⁵ The men who use mail-order bride services are mostly white, financially successful, and politically and ideologically conservative.¹⁶ Gary Clark, the author of “Your Bride is In the Mail,” shows the motivations of these men when he writes, “what [we] want is a woman who will be a more traditional kind of wife...because of the confrontational chip-on-the-shoulder attitudes held by so many of today’s feminism-influenced American...women...the feminist movement is to blame...[it] has caused immense social damage throughout the Western world.”¹⁷

Why are mail-order brides at risk? Since many of them speak little English and lack a support system in their new country, they find themselves in a vulnerable position where the husband can freely abuse his power. Studies of the mail-order bride industry conclude that there is a disturbing potential for domestic abuse, including rape and battering. This threat is stronger if the bride does not live up to her husband’s expectations, if she refuses to perform sexual services he demands, or if she becomes more independent, no longer conforming to the role of submissive wife. Mail-order brides may also have limited access to health services due to language and cultural barriers. There have been several high-publicity cases of domestic violence and even murder in such marriages. Such a case recently came to light in Seattle. Anastasia King, a twenty-year-old woman from Kyrgyzstan, was a business student at the University of Washington who came to the U.S. as the second mail-order bride of a much older man. Her husband and a friend of his have been charged with her brutal murder, which occurred after she filed for divorce because of domestic abuse, and after her husband had started looking for a third mail-order bride. Stories like Anastasia’s remind us of the potential cost of the trade in women, whether it takes the form of illegal debt-bondage trafficking or legal mail-order bride services.

How can we work towards ending this form of violence against women and children? Trafficking is a global problem, and the measures necessary to combat it must be global as well. Although the extent and profitability of the trade make it challenging to fight, there are steps that can be taken on the local, national, and international levels to stem the trade in human beings. To this end, we must ensure that trafficked women are not treated as criminals or illegal immigrants, as has happened so often in the past. We have won some major victories in this area recently. In October 2000, former President Clinton signed the Victims of Trafficking and Violence Protection Act. This legislation implements a variety of anti-trafficking measures. It also introduces a new non-immigrant “T” visa that can be granted to trafficking victims, allowing them to receive

benefits comparable to those of refugees, to remain in the U.S. for three years, and to apply for lawful permanent resident status. This measure ensures that trafficked women are not treated as illegal immigrants or as criminals, and that they have a chance to remain legitimately in the US and recover from their ordeal. We must also ensure that women whose positions make them vulnerable to abuse—such as mail-order brides, or domestic workers in the diplomatic community—have ways to seek help. Foreign women who come to the U.S. to work as au pairs—most of whom are European, middle-class, and white—are protected by an array of oversight organizations. Yet women who come to work as domestic servants for members of the diplomatic community—most of whom are poor, nonwhite, and from Asia, Africa, and Latin America—receive no similar protection, and their employers are shielded by diplomatic immunity. This discrimination must end.

In addition to lobbying lawmakers to support new legislation, we can protest when governments turn a blind eye to the exploitation of women and children. Boycotting the travel agencies that promote sex tourism in Asia is another way to make an impact. It should be illegal for travel agencies to promote sex tours that involve the abuse of children. In recent years, Australia, Germany, the US, Norway, and Sweden have all created laws that make sexual offenses committed overseas—for example, the abuse of child prostitutes in a country with no enforced age of consent—punishable by law when the perpetrator returns home. Such laws are difficult to enforce, so we must ensure that law enforcement agencies carry out investigations and press charges.

It is essential to reduce the supply of women and children to traffickers. Programs that warn women and their families about the dangers of the trafficking trade may help in this respect. In a broader sense, though, we must also work to alleviate the desperate economic and social conditions that lead people to sell themselves and their children. Sane economic reforms and increased education for girls are two long-term ways to alter the conditions that fuel the trade in human beings. The debate over whether sex work is a valid career choice for women will continue, and in that debate we must not lose sight of the distinction between free choice, forced servitude, and the gray area in between where economic desperation and lack of marketable skills leave women with little or no option. As long as demand persists, the trade will continue. Raising awareness of the problem is one way to break through the walls of silence that surround the trade in human beings.

We must also work to support the millions of women and children victimized by the trafficking trade. Even when they are freed of their situation, many trafficked women and girls face deportation, criminal charges, extreme poverty, and severe health problems. Women who become ill are often left to fend for themselves. We must support the

creation and expansion of shelters, legal advice centers, educational facilities, health clinics, and other support services. It is especially important that birth control and effective reproductive health care be made available to women, including those working in the sex industry. At a local level, health care organizations should become more involved in dealing with the trafficking issue. Public health workers must be able to recognize the signs of trafficking and sexual exploitation, and network with NGO and legal organizations to rescue and aid victims of trafficking.

Finally, by adding consideration of the aspects such as public health, immigration, and labor, we can promote a more integrated view of the trafficking problem, helping us link it not only to human rights and social issues, but also to the AIDS epidemic, economic underdevelopment and other global issues to which trafficking is connected. We should never forget the human rights abuses caused by trafficking, or fail to emphasize the legal, moral, and developmental reasons for ending the trade. Confronting the multiple aspects of the problem, however, will help us deal with the aftermath of trafficking and develop new ways to stop the trade in human beings where it begins.

¹ Francis T. Miko. "Trafficking in Women and Children: the U.S. and International Response." Congressional Research Service Report 98-649 C. Available online at the State Department: [<http://usinfo.state.gov/topical/global/traffick/crs0510.htm>]

² Miko.

³ USAID. "What is Trafficking?" *Gender Matters Quarterly* 2, February 1999.

⁴ Miko.

⁵ Lora Foo. "The Trafficking of Asian Women." Unpublished report of the Ford Foundation.

⁶ Aurora Javate de Dios. "Trafficking in Women: New Trends, Approaches, and Action." *Quilt(Asian Women's Human Rights Council)* March 2000, 58-9.

⁷ David Hechler. "Child Sex Tourism." Available online at: [<http://members.aol.com/hechler/tourism.html>]

⁸ Unifem Bangkok. "Gender Issues Fact Sheet 2: Trafficking in Women and Children." Available online at Unifem: [<http://www.unifem-eseasia.org/Gendiss/Gendiss2.htm>]

⁹ Human Rights Watch Women's Rights Project. *The Human Rights Watch Global Report on Women's Human Rights*. Oxford: Oxford University Press, 1998: 198.

¹⁰ Lori Heise, Jacqueline Pitanguy, and Adrienne Germain. *Violence Against Women: The Hidden Health Burden*. (World Bank Discussion Paper 0259-210X). Washington, CD: World Bank 1994: ix.

¹¹ World Health Organization. *Violence Against Women: A Priority Health Issue*. Available online at WHO: [http://www.who.int/violence_injury_prevention/vaw/infopack.htm]

¹² Human Rights Watch, 202.

¹³ Ateneo de Manila University Research Team. *The Philippines-Belgium Pilot Project Against Trafficking in Women: Summary of Research Report*. Makati City: Ateneo de Manila University, 1999.

¹⁴ Donna Hughes. "The Internet and the Global Prostitution Industry." *Women in Action*, 1999, 72.

¹⁵ Robert Scholes. "The 'Mail-Order Bride' Industry and its Impact on U.S. Immigration." Available online at INS: [<http://www.ins.usdoj.gov/graphics/aboutins/repstudies/Mobappa.htm>]

¹⁶ Ibid.

¹⁷ Gary Clark. "The Reason So Many Men Seek 'Mail-Order Brides' is Dissatisfaction With the Local Women." Available online: [<http://www.planet-love.com/gclark/gclark02>]

Keynote Speech: Fighting the War on Sexual Trafficking of Women and Girls

Dr. Leslie Wolfe, President of the Center for Women Policy Studies

It is a great honor and delight to be here with you for this groundbreaking conference. I am especially honored to join my colleague, friend, and hero – Representative Velma Veloria – on this podium and to thank her for including me and the Center for Women Policy Studies in this incredible event – and for her new proposed legislation on trafficking. I also want to recognize the leadership of Senators Jeri Costa and Jeanne Kohl-Welles – who remain stalwarts in the struggle to bring these issues to public debate.

I come to you today from the other Washington – a city on high alert and fearful of what tomorrow will bring. I too am fearful – but my fear is for our movement for women’s human rights in the United States and around the world in the context of this new reality and the new war on terrorism that now is the central focus of United States policy, both foreign and domestic. But today, we are talking about a different war on terrorism – the one we have been fighting for many years against the oppression of women and girls as exemplified by the horrors of sexual trafficking. In this most appalling violation of their most basic human rights, thousands upon thousands of our young sisters live in unspeakable conditions of sexual slavery throughout the world – and in our country.

We, dear sisters and brothers, are the lucky ones. Because we have the luxury to be here today. Most of our sisters worldwide and in our own country do not. But we are here today because we work for them. And we know that women in this world are all in the same boat. Some of us – by virtue of our race, ethnicity, immigration status, class, sexual orientation, marital status, disability status – are in first class cabins, some of us are working in the kitchen, some of us are locked in the cargo hold, enslaved. Most of us have never had the chance to be the captain. But we will be.

This *is* our problem, in every part of our nation. Between 50,000 and 100,000 women – the data are far from accurate – are trafficked into the United States each year – primarily from impoverished communities in Asia and Eastern Europe – but also from Africa and Latin America. In 1998, more than 200 international mail order bride businesses operated in the United States, bringing up to 6,000 women each year into this country for marriage to American men — and many end up as battered, or murdered, wives. Sexual trafficking of women and girls across borders, within countries, across state lines, is a big

business that generates enormous profit for the traffickers. Sexual trafficking is a disease of our patriarchal society, the quintessential violation of women’s autonomy and human rights, and the ultimate reflection of our status as the property of men and as creatures who exist primarily to service men’s sexual desire.

There is no analogy that truly reflects the underlying truth of this trade – not the analogy to the trade in illegal commodities such as drugs and guns, not the analogy to illegal immigration for work and economic betterment which brought so many of our grandparents and parents to the United States to create a better life.

Trafficking in women often is fueled by the extreme poverty that many women and children face and is more common in countries and communities where women lack viable economic opportunities – in large part because of their traditionally lower status in law and custom. And it is a clear case of gendered racism. In fact, racist and sexist stereotypes drive international trafficking patterns across borders – because men, euphemistically called “the customers,” express preferences for women or girls they define as more appealing. In the United States, for example, this often translates into a preference for women from Asia and Eastern Europe – because men think they will be more passive and subservient than those dreadfully liberated American women. In fact, this racist and sexist stereotype is a key selling point in the USA for mail order brides.

A number of cases of trafficking and abuse have recently made newspaper headlines in this country. For example, after they were promised good paying restaurant jobs in the United States, a number of Thai women were forced into prostitution upon their arrival in New York. Traffickers told Mexican teenage women that they were going to jobs as waitresses, landscapers, child care and elder care workers – but they were held in sexual slavery upon their arrival in Florida and the Carolinas, and threatened with harm to themselves and their families if they resisted. A syndicate of smugglers and pimps brought hundreds of young Asian women – some as young as 13 — into the United States and forced them to work as prostitutes in brothels, where they lived in bondage until their so-called “contracts” were paid off. These young women, who also believed the traffickers’ false promises of economic opportunity, not only were trafficked into the United States. They also were trafficked across state lines within this country – sent to other brothels in at least twelve other states and the District of Columbia. Why? Because their so-called clients “got tired of the same women,” according to the assistant US attorney in charge of the case against the syndicate. This case is not unique — similar gangs



have been charged in New York, Los Angeles, and San Francisco and the victims have been women from both Asia and Latin America.

What has our federal government done so far? There is good news and, of course, bad news. First, some of the good news is reflected in the cases I have just mentioned, because the FBI and prosecutors at least are arresting and charging some traffickers. And last year, the Congress passed, and President Clinton signed, Public Law 106-386, the Victims of Trafficking and Violence Protection Act of 2000 – an omnibus bill that includes both the reauthorized Violence Against Women Act and the new “Trafficking Victims Protection Act.”

The new law requires our government to produce annual reports on trafficking by countries that receive foreign assistance from the United States, to create an interagency task force to monitor and combat trafficking, to protect and assist victims of trafficking, to establish minimum standards and provide assistance to other countries to meet these standards for elimination of trafficking, to take action against governments that fail to meet the standards and to strengthen prosecution of traffickers, for example. This is a key victory.

But I am reminded of what our sister, friend and hero Shirley Chisholm said when she was a Member of Congress – and one of our most outspoken women’s rights activists in the Congress: “The law cannot do the major part of the job of winning equality for women. Women must do it for themselves. They must become revolutionaries.” As with all anti-discrimination laws, we must use this imperfect statute as our great weapon for change. For example, Secretary of State Colin Powell expressed a powerful commitment to ending sexual trafficking when he announced the release of the State Department’s first report on trafficking in persons – which the new law required the Department to produce. While this does demonstrate the law’s importance as a weapon, we should note, as our sisters of Human Rights Watch pointed out, that the report was five weeks late, it glosses over the role of official complicity and corruption in the persistence of trafficking, it does not focus enough on forced labor trafficking, and it does not report sufficiently on how countries are protecting the women and children who have been trafficked. Funding is insufficient – only \$30 million was included in the House passed 2002 Foreign Operations appropriations bill, for example. So we must fight to ensure that our government commits sufficient funds to transforming rhetoric into action to end trafficking.

And we also must ask, how strong is the interagency task force? How is the State Department working with the Departments of Justice, Labor, and Health and Human Services on the mandated interagency task force to fight trafficking in the United States? Since the United States is

defined by the State Department as a “destination country,” how will the crossing of state lines within our country be addressed? Will the State Department and domestic departments make the war on trafficking a top priority in the current context of the war on terrorism?

I know you will agree that our focus as policy makers and advocates should be on protecting women who have been trafficked into the United States. We must not allow our laws to be used to punish these women as criminals, and we must prevent their deportation. We must ensure that women get the help they need to escape. Indeed, in the United States, despite federal and state opposition to sexual trafficking, we also prosecute women who are arrested for prostitution as felons – and often deport women who have been trafficked – without regard for the circumstances that led the women to this life. This creates a serious legal and policy conflict that must be resolved. I think we must recognize that existing laws in the United States – as in many other countries – are inadequate to punish traffickers and to protect and help the women and girls who are their prey. Then, we can move on to develop creative responses.

And we must continue our advocacy at the federal level. For example, we can put the pressure on our government to implement existing international agreements in our states and nation, particularly the 1949 Convention for the Suppression of the Traffic in Persons and the Exploitation of Others and the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children – which supplements the UN Convention Against Transnational Organized Crime adopted by the UN General Assembly in November 2000. While the United States (and 80 other countries) signed the Protocol last December, we now must ensure Senate ratification. And while we are at it – please keep urging the United States Senate to ratify the Convention on the Elimination of All Forms of Discrimination Against Women – CEDAW. At the state level, you can do what state legislator Alma Adams did in North Carolina – introduce a resolution endorsing CEDAW and urging the Senate to ratify it; Alma’s bill passed and is now state law.

We also can and must make our voices heard in Congress and the Administration – to insist that in this post-September 11th era we must maintain a high level of alert and attention to attacking the continuing and increasing sexual trafficking of women and girls. We must urge our federal government to focus on punishing traffickers and governments that support or allow them to flourish – even if those governments are our allies – while increasing our assistance to women and girls who are suffering these horrific abuses of their human rights. We must insist that the Bush Administration implement the Trafficking Victims Protection Act of 2000 with extreme vigor and funding and commitment within the United States as well as against

other nations. In addition, we must insist on increased funding under the “Violence Against Women Act of 2000” for programs that protect immigrant women and children trapped in exploitative, commercial and/or abusive marriages – including mail order brides. Indeed, the Violence Against Women Act of 1994, which the current law reauthorized and expanded, for the first time allowed battered immigrant women to apply for permanent resident status for themselves and their children without the cooperation or assistance of their husbands.

And we must continue to find creative ways to use other federal laws as well – including such ancient statutes as the 1948 Mann Act, which is now used as the basis for current federal prosecution of traffickers who transport women across state lines or US borders for illegal sex work. For example, in *US v. Winters*, the defendant beat and raped a woman he picked up hitchhiking and then forced her into prostitution at a migrant labor camp so that he could receive the profits; he did the same thing to a second woman. He was convicted under the Mann Act for transporting the women across state lines for interstate commerce to engage in prostitution, and the conviction was upheld by the Ninth Circuit Court of Appeals.

Finally, you can urge your state attorney general and prosecutors to use three types of state criminal statutes currently on the books to prosecute some traffickers right away. These are laws that criminalize involuntary servitude, promotion of prostitution, and forced or commercial marriages. Some states, for example, can use statutes prohibiting prostitution and the promotion of prostitution to prosecute traffickers instead of the women and girls they coerced into prostitution. In several states, it is a felony offense to use threat or force or intimidation to compel a person into prostitution and to profit from another’s prostitution. However, such laws do not cover all forms of trafficking and do not offer protections for trafficked women and girls – or provide the services they need so desperately. We at the Center for Women Policy Studies recommend that efforts to address sexual trafficking at the state level focus on criminalizing the activities of the traffickers with appropriately harsh punishments. Each state should prohibit all forms of trafficking and should prohibit traffickers’ assertion of the woman’s alleged consent to be trafficked to be used as a defense. We also propose that each state legislature mandate creation of a commission of experts – specifically include advocates for refugee and immigrant women and providers of domestic violence and sexual assault services. We propose that you pass legislation that implements and strengthens the new federal law at the state level – just as Washington led in the 1970s in passing a state educational equity law that implemented and strengthened the federal Title IX prohibition of sex discrimination in education.

And finally, we urge you to ensure protection from prosecution and deportation for any and all trafficked women and girls and to fight for funding for a range of services for women and girls who have been brought to our country under such horrific conditions. Let us welcome and support these sisters with protection and well-funded programs that will speed their recovery from the horrors inflicted upon them. These programs should include all forms of health care services, housing, education and training, and personal, emotional support from women’s groups in the community.

We share your commitment to finding ways to respond to the horrors that women and girls face in the United States and around the world. We have both a moral and a legal obligation to eliminate these crimes from our states and nation. I remind you in conclusion of Bella Abzug’s spirit and commitment as we go forth to act both locally and globally. She reminded us to “never underestimate the importance of what we are doing here. Never hesitate to tell the truth. And never, ever give in – or give up.”

Workshops

Child Exploitation

Sylvia U'ilani Matayoshi began the discussion with an overview of the problem. As a specialist who has advised the United Nations on the problem of violence against women, she outlined a number of issues touching on child exploitation in a global context. She proposed two concepts to guide the workshop discussion—first, the question of how activists and policymakers can shift the discussion of trafficking to include the accountability of American citizens, and second, an emphasis on the problem of trafficking in terms of perpetration, thereby shifting the burden of responsibility from trafficking survivors to the traffickers and abusers.

Rani Hong of Shared Hope International spoke about her own ordeal, discussing her experiences as a child trafficked in India. She detailed the complex process of tracing her roots, and spoke about her eventual reunification with her family. Her perspective sparked a discussion about the many challenges that trafficking victims face in attempting to reconstruct their lives and families.

Washington State Senator Jeanne Kohl-Welles discussed her recent visit to Japan, which, like the United States, is a major destination for trafficked women and children among the wealthy, industrial nations. Senator Kohl-Welles spoke about her surprise upon learning that activists in Japan viewed the United States as progressive on trafficking issues, given that the scope of problem is not fully recognized by many in the U.S. The workshop participants engaged in a brief discussion about their own accountability as citizens, once more emphasizing that “first world nations” are an important market for trafficking and child exploitation. They discussed ways to transform the U.S. into a model for other nations, by fully implementing a comprehensive anti-trafficking policy. Participants argued that trafficking should be approached as a global phenomenon with profound local implications, and discussed the proposed legislation in this light, concluding that it provides a useful precedent for anti-trafficking measures at the local level.

Midori Takagi, a Professor of History at Fairhaven College in Bellingham, spoke about important measures to combat trafficking and exploitation in source countries. Professor Takagi described the value of education for potential trafficking victims, referring to her travels and work in Asia, where she helps programs that offer intervention to at-risk women and girls in Thailand. Takagi emphasized that widespread public education is vital in the campaign to stop trafficking, as it may help give women the tools necessary to protect themselves and their communities.

The workshop concluded with a brief discussion of the proposed legislation and the panel members and participants agreed upon several thematic suggestions to make to the conference in the review session.

Criminal Justice and Victim's Rights

The panelists for the Criminal Justice and Victim's Rights workshop were Detective Mike Garske of the King County Sheriff's Office, Sandra Fitzpatrick, a Victim/Witness Advocate at the Snohomish County Prosecutor's Office, and Judith Torres Puzon, R.N. with Sea Mar Community Health Centers.

Det. Garske spoke about the trafficking of women into the U.S., discussing the different methods by which they are transported into the country. He talked about the criminal facilitators who profit from trafficking, and then spoke about what happens to the women who arrive in the country and obtain employment in the sex industry, some by choice, some by threat.

The audience had questions about law enforcement and the methods used to investigate these criminal organizations. Garske outlined the ways in which most law enforcement agencies have to establish a crime, prior to prosecuting those who profit from the crime. In such cases, vice units and law enforcement agencies target businesses such as “massage parlors” and arrest prostitutes in order to establish criminal activity. The prostitutes, he said, have always been deemed victims—but victims who commit crimes. Garske said that the King County Sheriff's Office has always tried to use the law as a deterrent rather than a source of punishment, in order to establish the presence of criminal activity. Women arrested for prostitution then enter the court system, while the Sheriff's Office attempts to tackle the profiteers and traffickers of the illegal sex industry.

The questions then dealt with the treatment of the prostitutes after they are arrested. Garske answered that it is the court, rather than the law enforcement agency, made decisions about treatment or education of those arrested for prostitution. The workshop then addressed the question of how to help trafficked women arrested for illegal sex work. Garske mentioned that the availability of such treatment depended on the choices of the women involved: treatment would have to be voluntary if no arrest is made, due to the fact that law enforcement can not force treatment upon anyone. However, the courts can require such treatment upon a criminal conviction.

Sandra Fitzpatrick then spoke about the ways in which the justice system tries to help trafficking victims. She talked

about ways to identify victim/ defendants and give them the necessary help, and spoke about the importance of outreach advocates in spreading awareness in the law enforcement community. Fitzpatrick and Judith Torres Puzon also spoke about mental health and treatment issues. They pointed out how important it was for trafficking victims to trust the counselors and social workers they encounter upon entering the law enforcement and justice system. Garske and others emphasized the problems that arise with respect to cooperation, especially since many trafficking victims and women arrested for sex work have little trust in the law enforcement establishment.

Health and Human Services

The Health and Human Services workshop was chaired by Norma Timbang, Executive Director of the Asian and Pacific Islander Women and Family Safety Center. The first member of the panel to speak was Jay Womack, a Trafficking Program Specialist with the U.S. Department of Health and Human Services' Office of Refugee Resettlement. Womack said that the government has the authority to provide the same degree of assistance to victims of "a severe form of trafficking" as to refugees. However, the assistance is not provided immediately or directly—Womack and the other person assigned to deal with the trafficking issue must network with other agencies, including the Department of Justice and the Immigration and Naturalization Service, in order to get certification for trafficking victims. With a letter of certification—provided in a two-tier system with slightly different requirements for children and adults—victims of trafficking may then apply for benefits from the relevant agencies. Womack pointed out that some states do not have any refugee services offices—for example, Alaska, where in a recent trafficking case the ORR worked with nongovernmental groups such as Catholic Social Services to provide benefits and assistance at the local level. Communication breakdown between the various agencies can be a problem, especially since the federal Trafficking Victims Protection Act (TVPA) 2000 covers a wide variety of crimes, not just sexual slavery, and some agencies and officials may be unaware of the details of the laws.

WA State Representative Jeannie Darneille, the Executive Director of the Pierce County AIDS Foundation, spoke to the difficulties trafficking victims may face in getting necessary medical care. Her colleagues in HIV/AIDS work, she said, are often unaware of the trafficking issue. Similarly, there has been a lack of attention to HIV/AIDS in the women's movement. These trends make awareness-raising particularly important, because the result of this lack of attention is a situation in which available resources to help trafficking victims are not taken advantage of. This is also true with respect to assistance for drug and alcohol abuse, an important issue because trafficking victims, who

lack power and information, are at risk for drug abuse as well as health problems like HIV/AIDS.

Kari Stephens, a graduate student in the UW Clinical Psychology Ph.D. program, spoke about a case in which a trafficked woman had been failed by the majority of the human services agencies that ought to have been able to help her. Law enforcement officers, Child Protection Services caseworkers, and immigration judges failed to recognize her situation and were not aware of her protections under the federal Violence Against Women Act (VAWA) or the TVPA. Stephens raised the issue of what becomes of the children of these relationships—in this case, a servile marriage in which the bride was "purchased" from her parents by a U.S. citizen. She also emphasized the importance of training law enforcement officers and social service workers about trafficking, in order to make sure the laws now in place are actually implemented in a way that will effectively benefit victims.

Other issues raised in the following discussion included the problem of "victim defendants" (women accused of domestic violence or other criminal behavior by their traffickers) and the question of how trafficking victims can be aided as they navigate the social services system in order to gain the benefits they are granted by law. In this respect, NGOs, local groups with translation skills and cultural sensitivity, and victim-witness coordination may be helpful. One participant argued that there needs to be more focus on the mental health problems faced by trafficking victims, and another pointed out the need for quantitative documentation of the problem in order to support attempts to affect policy development on this issue. Above all, participants agreed, sufficient funding for the TVPA and VAWA must be provided in order for services to be available to trafficking victims in a meaningful way.

Immigration

The Immigration Panel was chaired by Bernice Funk, an attorney with the National Immigration Project of the National Lawyers Guild. Throughout the discussion she displayed definitions from and information about The Trafficking Victims Protection Act (TVPA) passed in October 2000, which defines coercion, commercial sex acts, sex trafficking, debt bondage, involuntary servitude, severe forms of trafficking and victims of trafficking. Although the passage of the TVPA was important in shifting the law in victims' favor, very little is being done to implement its provisions.

The first person to speak was Anita Sinha, an attorney with the Northwest Immigrant Rights Project. She discussed the diversity of victims in the trafficking trade, including women trafficked for sexual slavery, men trafficked for forced labor, and children trafficked for adoption, and emphasized that it was vital to resist stereotypes of what

sort of victim is eligible for relief. If we truly want to extend humanitarian relief to trafficking victims, she maintained, we must not engage in the inhumane exercise of predetermining who is deserving of aid and who is unworthy. Sinha discussed the challenges of protecting trafficking victims under immigration law, especially in light of the new T and U visas created by the TVPA. The legislation has a dual purpose: human rights protection and law enforcement. The Act seeks to encourage victims to come forward and identify their traffickers, and in exchange offers them legal status, work authorization and services that are vital to help them protect themselves from further harm.

Trafficking victims may face various sorts of harmful consequences when returned to their home countries, including a lack of job options due to the stigma of being a trafficking victim; physical harm and social isolation resulting from the powerful social and criminal networks that traffickers in the home country may control; and lack of social, medical and psychological support services. Sinha also pointed out the dual purpose of the antitrafficking legislation passed last year: law enforcement and humanitarian relief. She stressed the importance of the latter, especially in the aftermath of the September 11th attacks. In order to effectively implement the T-visa protections created by the TVPA, INS officials need to identify trafficked persons as soon as possible so to minimize re-victimization. In a memorandum to the INS, the National Network on Behalf of Battered Immigrant Women and the Freedom Network to Empower Trafficked and Enslaved Persons provides sample questions that officials should use to identify potential T-visa applicants. These questions are modeled after those already used by the INS to identify potential asylum seekers, and should be asked at points of entry, in detention centers, and in different languages. Another very important humanitarian aspect of the T-visa remedy is the provision of comprehensive and immediate social and health services that, according to the law, should be funded and implemented by the federal government.

The next person to speak was Dorothy Stefan, INS District Counsel. She went over a case study regarding underage Russian dancers who thought they were coming to the US to do "cultural dancing," and ended up in a strip club in Anchorage. She felt that the INS was doing the best thing for the victims by providing them with legal representation.

Dr. Kim Barrett, senior lecturer at the University of Washington's Department of Psychology, discussed a case study of an East African woman that was purchased and forcibly married to an American man at the age of 14. The woman began to seek help from social service and law enforcement agencies and possessed documentation stating that she had been abused. However, she was perceived and treated by support agencies as a bad mother,

a homeless woman, an alcoholic, and a prostitute. The various law enforcement and social service agencies were unable to recognize her case as one of trafficking, and were therefore unable to provide her with the necessary help and treatment. Dr. Barrett made a number of suggestions intended to prevent similar missteps in the future. Among other things, she advised that the INS educate the public and government sectors as to the nature and patterns of trafficking; recognize the diversity of victims and traffickers; help to defend victims as they enter into the arenas of social and health care services, law enforcement agencies, and the immigration courts, as well as other court systems; and to help to identify and bring to justice, and prosecute those who also enter into the arenas of social services, law enforcement, and our various court systems as perpetrators of trafficking. She also pointed out the importance of preventative measures, such as screening potential victims and traffickers as they apply for visas and passports; developing red flags and checklists for immigration personnel to recognize trafficking; and informing immigrant and refugee women of their rights regarding residency and immigration status as they enter the country, both in a manner that they can understand, and then as a matter of the acculturation process. Dr. Barrett also stated that cooperation among the various agencies that are responsible for dealing with trafficking—such as state and federal governments, NGO's, law enforcement, child protective services, social and health services, and domestic violence services—is crucial.

Rebecca Story, INS Associate General Counsel, spoke next. She went into further detail on the nature of the "victim friendly" T and U visas and discussed the ways in which the new TVPA recognizes the vulnerability of trafficked persons. The INS is engaged in drafting the visa regulations with other government agencies, focusing on protection of the victims, prevention of the trafficking crimes, and prosecution of the perpetrators. The T-Visa regulations are being reviewed by the Department of Justice and should be published in late 2001, although the U-Visa (for victims of other forms of trafficking and abuse, and witnesses) regulations are not yet close to publication and/or implementation.

The workshop discussed other case studies, including that of a Filipina maid who was held in indentured servitude by retired police officer, and the cases of several mail-order brides. The discussion turned to problems of implementation, as Anita Sinha pointed out that although the Trafficking Victims Protection Act was passed on October 28 of last year, regulations guiding the implementation of the Act have yet to be issued. The delay has meant that filed T-visa applications have been put on hold. Work authorization has been granted to some victims, but denied to others. The implementation delay also has meant that trafficking victims who face deportation cannot use their eligibility for T-visa status to close proceedings against

them, because judges do not render such determinations unless there is immediate relief—and T-visas are not immediate until regulations are issued. Another pressing need for trafficking victims that remains mostly unavailable is access to federally funded social and health services. The organization Human Rights Watch has suggested one way to ensure that trafficking victims have access to timely medical and social services. The anti-trafficking law authorized the State Department to set up an “Office to Monitor and Combat Trafficking.” HRW has urged that this office be created so that it may coordinate these vital services. The session concluded with the agreement that the INS needs centralized processing of the T and U visas to improve favorable adjudication.

Mail-Order Brides

The Mail-Order Brides workshop was facilitated by Dan-Thanh Nguyen, a former National Governing Board Member of the National Asian Pacific American Women’s Forum. Nguyen is now associated with of New Beginnings for Battered Women and Their Children.

The first member of the panel to speak was Emma Catague, Senior Domestic Violence Community Organizer for the Asian and Pacific Islander Women and Family Safety Center. Catague talked about the definition of a mail order bride, which varies from country to country. She shared a personal story to highlight that some of the discrepancies resulting from the lack of a coherent definition. While foreign men who come to the Philippines to look for a bride are not commonly considered to be conducting mail order marriages, Catague said that she would consider her marriage, which took place in such a manner, as similar to a “mail-order” arrangement. Her experience was similar to those of other mail-order brides in terms of her immigration status in the United States, and her experience of the discrepancy between what her husband had promised her and the realities of the life she found waiting.

Christene Reyes, Coordinator of the Seattle Chapter of GABRIELA Network, spoke about the sex and match-making industries in the Philippines. Reyes gave an overview of the economic and political factors that encourage and support these industries. She specifically mentioned the presence of the military bases, the country’s foreign debts and economic hardship, and its reliance on the sex tourism industry. Currently, the United States is the top importer of mail order brides from the Philippines. The Immigration and Naturalization Services (INS) reports that in the United States, more than 200 international match-making organizations are in operation and the number is growing. An estimated 5,000 Filipino mail order brides enter the United States every year.

The third member of the panel was Karen Gilbert, a Seattle attorney specializing in immigration and naturalization law.

Gilbert argued that focusing too intensely on a specific definition of problematic “mail-order” marriages might act to obscure the reality of individual situations. In Gilbert’s work, she looks for clues that give her insight into the conditions of a particular marriage. According to Gilbert, common traits of mail-order bride marriages include disparity in power between the husband and woman; age discrepancy (the husband is typically many years older than the bride); and little or no understanding on the part of the bride of the immigration laws and process (including issues such as compliance, record keeping requirements, and protection). Mail-order brides often lack knowledge of their spouses’ previous marriages and potential criminal histories. In abusive mail-order marriages, husbands often make threats of deportation, and depend on isolation, helplessness, and lack of language skills to keep their victims in a subordinate situation.

The workshop discussion generated several ideas for the prevention of violence and abuse in mail-order marriages. Participants emphasized the importance of education, both in the United States and in source countries: education for all those involved in this industry, including potential brides and their family, policy makers, law enforcement and criminal justice officials, and general social services staff. Someone suggested requiring match-making agencies to add education links to their websites, informing interested parties about the relevant laws and potential consequences.

Other ideas for the protection for mail order brides include the following:

- Creating a legal requirement for the “customer” to undergo his criminal background check.
- Requiring match-making agencies to register with the INS, so that we can have an official count. However, this proposal runs the risk is of driving such agencies underground, making it even more difficult to locate and protect victims.
- Conducting a letter writing campaign to encourage businesses to not accept advertisements from match-making agencies.
- Changing immigration law, to create an immigration visa status allowing the fiancées to become acquainted before marrying.
- Creating appropriate penalties for match-making agencies that engage in illegal trafficking or otherwise promote the purchase or abuse of human beings.

Trade and Labor

The workshop on trade and labor issues was chaired by Bill Center, President of the Washington Council on International Trade. The other panel members were Washington State Representative Phyllis Gutierrez-Kenney, Phil Kaplan, the founder of the Office of Human Rights for the Catholic Church in the Commonwealth of the Northern Mariana Islands (Saipan) and Stacy Heath of AFL-CIO. The discussion was focused on the economic roots of the trafficking trade in human beings, and workshop participants proposed a number of remedies involving international trade policy and labor rights.

Center argued that an increase in trade between the United States and developing countries will help raise the standard of living in those countries, therefore decreasing the vulnerability of women and children to the traffickers. Economic desperation is an important factor that fuels the trafficking trade, by creating a supply of poverty-stricken people willing to take their chances with illegal migration, smugglers, or vague offers of work in other countries or regions. Many of the women victimized by trafficking enter the trade in the belief that they will be able to earn money for their families and themselves.

Kaplan told the story of two Filipino contract workers who were recruited to work as waitresses. Their employer, the owner of a nightclub, forced them into prostitution and split the proceeds with the overseas recruitment agency that had trafficked the women. Kaplan used this case example to illustrate the plight of the 7 million Filipino migrant workers who seek employment overseas. He asserted that migrant workers employed as housemaids are in the same predicament as those working in nightclubs or restaurants. Sexual slavery and rape by employers are all too common. Kaplan suggested that the Philippine government is complicit in this exploitation. The government neglects to protect workers by regulating this industry and allows recruitment agencies to advertise jobs in countries where migrant workers find themselves with little or no legal recourse against abusive employers, in part because these workers remit almost \$8 billion a year to the Philippines.

Other participants agreed that it was necessary to focus on poverty as a root cause of the trafficking problem, and argued that another important remedy was an increase in wages in developing countries. They pointed out that global industries often pay workers in developing countries very low wages, creating a situation in which families need every child to be working or producing revenue to make ends meet. In such situations, families often sell girl children into trafficking because they are so desperate for money. Labor rights, including minimum wages and the right to organize, may also play a role in reducing the economic stress that encourages trafficking.

The workshop participants agreed that a focus on poverty alleviation was a fundamental part of any potential solution to the trafficking problem, and that both an increase in international trade and a new emphasis on labor rights and conditions would be helpful in the long-term campaign to end the trade in human beings.

Conference Recommendations

PRIMARY PROPOSALS

- More research on the scope of the trafficking issue is needed.
 - Lack of data may indicate to opponents of proposed legislation that trafficking is not a serious problem in Washington.
 - Both quantitative and qualitative data are necessary.
- It is vitally important to educate and train law enforcement and public service officials (including but not limited to INS agents, local police officers, state prosecutors, victim advocates, social workers) in order that they be aware of the trafficking trade and able to recognize trafficking cases and handle them in an effective and considerate manner.
- This coalition must advocate for intergovernmental coordination in enforcing laws and education on trafficking.
- The proposed legislation does not speak to the prevention of trafficking, and the coalition must focus more attention to this issue.
 - Are Washington state's present trade, economic, and labor policies encouraging trafficking? What are we doing to reduce the demand for underground labor? How as a state can we alleviate the increasing levels of poverty in other nations?
- There must be an investigation of the reasons for, and consequences of, the limited availability and manner of implementation of the "T" and "U" visas.
 - Is there a problem not of *availability* but of *accessibility* ?
 - How is the implementation of the visas affecting their availability and the accessibility?
 - Should the INS be pressured to revise the implementation of the visas?

WORKSHOP RECOMMENDATIONS/COMMENTS

CHILD EXPLOITATION

- Penalties for the perpetrators need to be included in current proposal or a separate piece of legislation must be created to address accountability. Investigate the current sentences for trafficking perpetrators.
- Direct the responsible government agency to investigate unregistered "mail-order bride" businesses and begin regulating this particular industry. Regulation should include a

required background check on all customers.

- Share data about the scope of trafficking between states

CRIMINAL JUSTICE/VICTIM'S RIGHTS

- Establish roundtable of community-based organizations, advocacy groups, and law enforcement to prevent revictimization.

HEALTH AND HUMAN SERVICES

- Definition of "severe trafficking" requires clarification.
- Frame trafficking as a public health issue to raise awareness and broaden the scope of agencies and NGOs involved in the issue.
- Ensure law enforcement's sensitivity to cultural, gender, and sexual orientation dimensions.
- Approach existing community coalitions for political alliance and educational purposes, as well as for assistance to victims.
- Educate the Department of Defense—reduce demand for sex tourism among current and former members of the armed forces.
- Guarantee a source of income for the implementation of trafficking prevention or survivor service programs.

IMMIGRATION

- It is vital to avoid stereotyping victims eligible for the T-visa. The population is not homogenous.
- INS should centralize processing of the T and U visas to improve favorable adjudication.

MAIL-ORDER BRIDES

- Encourage internet search engine providers to add more links to anti-trafficking sites.
- Conduct research on implementing a background check procedure for potential "buyers."
- Persuade the State Department to provide more information on rights to women before or at the time of visa application.

LABOR AND TRADE

- Add survivors of trafficking to another proposed legislation which would make domestic violence survivors eligible for unemployment benefits.
- Highlight the necessity for federal immigration policy reformation.
- Champion the right for people to organize in other countries and in the U.S. Protect labor rights and promote trade that truly improves the economic situation of developing countries.

Appendix I: CONCURRENT RESOLUTION

WHEREAS, trafficking in persons is a fundamental and crucially important challenge in the areas of human rights and law enforcement; and

WHEREAS, at least 700,000 persons, especially women and children, are trafficked each year across international borders; and

WHEREAS, approximately 50,000 women are trafficked into the United States yearly; and

WHEREAS, it is estimated that the illegal trade of women and children is the third largest underground economy in the world, with only unlawful drugs and guns bringing in more money; and

WHEREAS, victims of trafficking need a variety of services that include health and human services, employment services, immigration services, and criminal justice services; and

WHEREAS, a coordinated plan is needed in Washington State to fight the trafficking of women and children; and

WHEREAS, there are several groups and organizations that are working to educate the public about the plight of victims of trafficking and to produce action plans in the form of state legislation;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state coalition against the trafficking of women and children be established to measure and evaluate the progress of the state of Washington in the areas of trafficking prevention, and to evaluate and make recommendations on state efforts to provide assistance to victims of trafficking; and

BE IT FURTHER RESOLVED, That the Washington coalition against the trafficking of women and children consist of at least nine members, selected by the organizing committee of this conference and

BE IT FURTHER RESOLVED, That the Washington coalition against the trafficking of women and children shall report its findings and recommendations, on an annual basis, to the legislature starting with the regular session held in 2003.

Appendix II: PROPOSED LEGISLATION

AN ACT Relating to trafficking of women and children; amending RCW 7.68.020 and 43.280.090; adding a new section to chapter 43.20A RCW; adding a new section to chapter 43.70 RCW; adding a new section to chapter 43.63A RCW; adding a new section to chapter 50.08 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Trafficking in persons is a modern form of slavery, and it is the largest manifestation of slavery today;

(b) At least seven hundred thousand persons annually, primarily women and children, are trafficked within or across international borders;

(c) Approximately fifty thousand women and children are trafficked into the United States each year;

(d) Trafficking in persons is not limited to the sex industry, and includes forced labor with significant violations of labor, public health, and human rights standards worldwide;

(e) Traffickers primarily target women and girls, who are disproportionately affected by poverty, the lack of access to education, chronic unemployment, discrimination, and the lack of economic opportunities in countries of origin; and

(f) There are not adequate services and facilities to meet the needs of trafficking victims regarding health care, housing, education, and legal assistance, which safely reintegrate trafficking victims into their home countries.

(2) The legislature declares that the purpose of this act is to:

(a) Provide a system of coordinated supportive services to victims of trafficking that include health and human services, job training, English as a second language classes, interpreting services, and victim's compensation;

(b) Create a permanent standing ad hoc committee on victims of trafficking within the office of crime victims advocacy; and

(c) Provide compensation and assistance to victims of trafficking.

Sec. 2. RCW 7.68.020 and 2001 c 136 s 1 are each amended to read as follows:

The following words and phrases as used in this chapter have the meanings set forth in this section unless the context otherwise requires.

(1) "Department" means the department of labor and industries.

(2) “Criminal act” means an act committed or attempted in this state which is punishable as a felony or gross misdemeanor under the laws of this state, or an act committed outside the state of Washington against a resident of the state of Washington which would be compensable had it occurred inside this state; and the crime occurred in a state which does not have a crime victims compensation program, for which the victim is eligible as set forth in the Washington compensation law, or an act of trafficking in persons as defined in the victims of trafficking and violence protection act of 2000 (114 Stat. 1470; 22 U.S.C. Sec. 7102), that is committed against a person that resides in the state of Washington, or an act of terrorism as defined in 18 U.S.C. Sec. 2331, as it exists on May 2, 1997, committed outside of the United States against a resident of the state of Washington, except as follows:

- (a) The operation of a motor vehicle, motorcycle, train, boat, or aircraft in violation of law does not constitute a “criminal act” unless:
 - (i) The injury or death was intentionally inflicted;
 - (ii) The operation thereof was part of the commission of another non-vehicular criminal act as defined in this section;
 - (iii) The death or injury was the result of the operation of a motor vehicle after July 24, 1983, and a preponderance of the evidence establishes that the death was the result of vehicular homicide under RCW 46.61.520, or a conviction of vehicular assault under RCW 46.61.522, has been obtained: PROVIDED, That in cases where a probable criminal defendant has died in perpetration of vehicular assault or, in cases where the perpetrator of the vehicular assault is unascertainable because he or she left the scene of the accident in violation of RCW 46.52.020 or, because of physical or mental infirmity or disability the perpetrator is incapable of standing trial for vehicular assault, the department may, by a preponderance of the evidence, establish that a vehicular assault had been committed and authorize benefits; or
 - (iv) The injury or death was caused by a driver in violation of RCW 46.61.502;
- (b) Neither an acquittal in a criminal prosecution nor the absence of any such prosecution is admissible in any claim or proceeding under this chapter as evidence of the noncriminal character of the acts giving rise to such claim or proceeding, except as provided for in subsection (2)(a)(iii) of this section;
- (c) Evidence of a criminal conviction arising from acts which are the basis for a claim or proceeding under this chapter is admissible in such claim or proceeding for the limited purpose of proving the criminal character of the acts; and
- (d) Acts which, but for the insanity or mental irresponsibility of the perpetrator, would constitute criminal conduct are deemed to be criminal conduct within the meaning of this chapter.

(3) “Victim” means a person who suffers bodily injury or death as a proximate result of a criminal act of another person, the victim’s own good faith and reasonable effort to prevent a criminal act, or his good faith effort to apprehend a person reasonably suspected of engaging in a criminal act. “Victim” also includes a person subject to an act or practice defined in the victims of trafficking and violence protection act of 2000 (114 Stat. 1470; 22 U.S.C. Sec. 7102 (8) and (9)). For the purposes of receiving benefits pursuant to this chapter, “victim” is interchangeable with “employee” or “workman” as defined in chapter 51.08 RCW as now or hereafter amended.

(4) “Child,” “accredited school,” “dependent,” “beneficiary,” “average monthly wage,” “director,” “injury,” “invalid,” “permanent partial disability,” and “permanent total disability” have the meanings assigned to them in chapter 51.08 RCW as now or hereafter amended.

(5) “Gainfully employed” means engaging on a regular and continuous basis in a lawful activity from which a person derives a livelihood.

(6) “Private insurance” means any source of recompense provided by contract available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

(7) “Public insurance” means any source of recompense provided by statute, state or federal, available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

NEW SECTION. Sec. 3. A new section is added to chapter 43.20A RCW to read as follows:

The department of social and health services, in consultation with the department of health, department of community, trade, and economic development, and employment security department, shall provide a system of coordinated support services and assistance to victims of trafficking. As used in this section, “victims of trafficking” has the same meaning as in the victims of trafficking and violence protection act of 2000 (114 Stat. 1470; 22 U.S.C. Sec. 7102).

NEW SECTION. Sec. 4. A new section is added to chapter 43.70 RCW to read as follows:

The department of health, in consultation with the department of social and health services, department of community, trade, and economic development, and employment security department, shall provide a system of coordinated support services and assistance to victims of trafficking. As used in this section, “victims of trafficking” has the same meaning as in the victims of trafficking and violence protection act of 2000 (114 Stat. 1470; 22 U.S.C. Sec. 7102).

Appendix III: SPONSOR, FACILITATOR, AND PANELIST DESCRIPTIONS

Sponsors and Organizers:

The **AFL-CIO**'s mission is to improve the lives of working families by enabling working people to have a voice on the job, in government, in a changing global economy and in their communities. To accomplish this mission, the AFL-CIO works to build and change the American labor movement. For more information, visit: <http://www.aflcio.org/home.htm>

Asian & Pacific Islander Women & Family Safety Center's (APIWFSC) mission is to prevent violence against women through community organizing and education; and provide safe, culturally relevant alternatives for women and their children who face domestic violence and sexual assault in Asian and Pacific Islander communities. APIWFSC provides resources and technical assistance for community organizing against violence and cultural competence skills building; peer advocacy/ education through multi-cultural/multi-lingual Natural Helper support; youth and young adult prevention programs and support groups; technical assistance for men organizing against violence in their communities; educational workshops on domestic violence and sexual assault; and information and referral services.

The **Center for Women Policy Studies**, since its founding in 1972 as the nation's first feminist policy research organization, has been on the front lines of efforts to promote justice and equality for women. The Center's multiethnic and multicultural feminist research, policy analysis and advocacy bring women's diverse voices to important debates on women and AIDS, violence against women and girls, welfare reform, access to health care, educational equity, work/family and workplace diversity policies, reproductive rights and health, and much more. For more information, visit: <http://www.centerwomenpolicy.org/>

The **Center for Women & Democracy** at the University of Washington works to support, stimulate and foster women's effective participation and leadership in local, national and global affairs. A non-partisan organization, the Center offers vital programming and resources that enable women to move their own public agendas. For more information, visit: <http://www.womenanddemocracy.org>

The **National Immigration Project** of the National Lawyers Guild is a network of lawyers and legal community workers engaged in the legal and political aspects of immigration

law and practice. Our primary concerns are to protect, defend, and extend the rights of documented and undocumented immigrants in the US.

For more information, visit: <http://www.nlg.org>

National Asian Pacific American Women's Forum (NAPAWF), founded in 1996, is dedicated to forging a grassroots progressive movement for social and economic justice and the political empowerment of Asian and Pacific American women and girls. NAPAWF unites these diverse communities through organizing, education, and advocacy; and works to connect state and local programs with a national vision of change. NAPAWF is working to articulate a progressive Asian and Pacific American feminist agenda by fighting in areas ranging from welfare reform and abortion rights to hate crimes and domestic violence. For more information, visit: <http://www.napawf.org/home.html>

The **Northwest Immigrant Rights Project (NWIRP)** is a non-profit organization serving low-income (falling below the federal poverty level) immigrants and refugees. NWIRP provides immigration-related legal representation to the immigrant communities of Central and Eastern Washington. It is staffed by attorneys and legal assistants with extensive experience in immigration law, in addition to 150 volunteer attorneys.

For more information, call: 206-587-4009

The **Seattle Women's Commission** is a 20-member volunteer advisory board created, by a City of Seattle Ordinance in 1971, to advise the Mayor, the Seattle City Council, and all City Departments on matters concerning women. The goals of the Seattle Women's Commission are 1) promote programs to ensure social, legal and economic equality for women, and 2) identify issues, develop strategies, provide education, and advocate for equal opportunity and equal participation for women. For more information, visit: <http://www.cityofseattle.net/civilrights/SWC/swc.htm>

Vulcan creates and advances a variety of world-class endeavors and high-impact initiatives that change and improve the way people live, learn, do business, and experience the world. Through diverse organizations within the Vulcan family of companies, it applies an enthusiastic, entrepreneurial sensibility to commercial and non-commercial ventures alike. Its vision is to engender lasting social, cultural and economic progress.

The **Washington Alliance for Immigrant and Refugee Justice (WAIRJ)** is an alliance of organizations and individuals working collaboratively to advance the civil and human rights of immigrants and refugees in WA State. WAIRJ pursues this mission by building power for

creating a lasting movement for immigrant and refugee justice. WAIRJ works in two major policy areas - immigration law enforcement and welfare - conducting policy analysis, documenting policy impacts, providing grassroots political education, and developing local campaigns for immigrant and refugee justice.

For more information, visit: <http://www.wairj.org/>

The **Washington Council on International Trade (WCIT)** has been advocating on the benefits of a flourishing trade base for almost three decades. The Council is a non-profit association of businesses, consular groups, academia, and private individuals. The WCIT information base includes topics of concern to the general public - poverty, corporate responsibility, and sustainability, globalization vs. localization, labor rights.

For more information, visit: <http://www.wcit.org/>

The **Washington State Office of Trade and Economic Development (OTED)** works to enhance and promote sustainable economic vitality throughout the state. The agency is comprised of four divisions: Economic Development, International Trade, Energy Policy, and WorkFirst. These divisions are responsible for the state's business development, rural economic development, tourism, trade policy, energy policy, and implementation of WorkFirst, the state's Welfare to Work program. OTED has a two-year \$71 million operating and capital budget.

For more information, visit: <http://www.oted.wa.gov/>

The **Women's Center** at the University of Washington promotes women's intellectual, creative and ethical development through democratic, transformative and community-based learning experiences. The Center is committed to promoting equity, dignity and respect for women of all cultural backgrounds. The Women's Center Re-entry Program offers free services to women who are considering returning to the University after a significant time away or who, for whatever the reason, feel they need additional support and advice in making the transition into his or her education. For more information visit <http://depts.washington.edu/womenctr>

WA State Representative Velma Veloria was elected in November 1992 to represent the 11th legislative district - which includes parts of south Seattle, West Seattle, Renton, Tukwila, and SeaTac. Issues that she has worked on in the past include: affordable housing, environmental justice, and low-interest loans to small businesses. She is currently the Co-chair of the House Trade & Economic Development Committee and also sits on the House Finance and Capital Budget Committees.

Gabriela Villareal is completing a BA in Women's Studies at the University of Washington. She volunteers as a felony victim advocate in the Domestic Violence Unit of the King County Prosecutor's Office. Her most recent experi-

ences include work as a retail manager and participation in the Asian Pacific Islander Community Leadership Program.

Speakers:

Dr. Sutapa Basu is the Executive Director of the University of Washington Women's Center and Assistant Professor in Women Studies. She has worked extensively with women's groups in India and in the U.S. She speaks internationally and nationally on women in development, microcredit, and violence against women. Her research and activism focuses on the global trafficking of women and children in the sex trade. She has completed a case study on trafficked women in the state of Kerala. Locally, she has worked closely with Washington State Representative, Velma Veloria, to pass legislation to protect trafficking survivors here in Washington state. Her work is grounded in her dedication to empower women to speak out, take leadership roles, demand better working conditions, combat domestic violence, and improve education and family health.

U.S. Senator Patty Murray – working mother, educator, local school board president and state legislator – was first elected in 1992 to represent the interests and values of the people of Washington state. She was reelected in 1998 by a wide margin. Senator Murray is recognized for her common-sense approach and her dedication to the concerns of working families.

Dr. Leslie Wolfe is the President of the Center for Women Policy Studies. Dr. Wolfe is well known globally for her leadership, expertise and advocacy in providing leadership to improve the lives of women and girls covering issues such as family planning, reproductive rights and health, HIV/AIDS prevention and enduring equal educational and employment rights and opportunities and expanding women's political participation and leadership. Through her work with the Center for Women Policy Studies, Dr. Wolfe has developed the first Foreign Policy Institute for State Legislators.

Workshop Facilitators and Panelists:

Child Exploitation

Facilitator: Jennifer Schmitt

Panelists: WA State Sen. Jeanne Kohl-Welles; Ui'lani Matayoshi; Rani Hong; Midori Takagi

Rani Hong is a volunteer spokesperson for Shared Hope International, a nonprofit organization based in Vancouver, WA, which partners with other charitable organizations to rescue women and children in crisis and provide them with a safe haven and educational opportunities. Ms. Hope was sold as a child in Southern India to a child trafficker. She was abused until she became physically and mentally ill. In 1979 she was sold into adoption in the USA.

Senator Jeanne Kohl-Welles has represented the 36th District in the Washington State Senate since 1994. She is chair of the Senate Higher Education Committee and a member the Senate Ways & Means, Education, and Human Services & Corrections Committees. Senator Kohl-Welles is also active on special committees and assignments that include the K-20 Network Board; Governor’s Fire Protection Task Force; Children’s Legislative Oversight Committee; and the Sentencing Guidelines Commission.

Sylvia Ui’lani Matayoshi is the Founder and Executive Director of W.E.A.V.E. (Women’s Empowerment & Advocacy (for) Violence’s End (for Native Women and their Children). She also serves as a consultant to the API Women and Family Safety Center. Currently, she is a Violence Against Women Specialist to the United Nations, (Global H.A.W.C.)

Jennifer Schmitt is completing a Women’s Studies degree at the University of Washington. Ms. Schmitt’s research interests include ethnicity, globalization and race-media issues. She is active in several Pacific Islander and Asian American organizations in the community. She is currently working on a documentary about indigenous, Pacific Islander student movements at the University of Washington.

Criminal Justice/Victim’s Rights

Facilitator: Sandra Fitzpatrick

Panelists: Mike Garske; Judith Puzon Torres

Mike Garske is a detective with the King County Sheriffs Office. Detective Garske has investigated prostitution-related crimes for approximately 10 years. During his tenure as a vice detective, he has investigated organized crime relating to the trafficking of women for the purposes of the sex trade businesses which includes massage parlors and escort services.

Sandra Fitzpatrick is a Victim/Witness Advocate with the Snohomish County Prosecutor’s Office.

Judith Puzon Torres is a registered nurse with the Sea Mar Community Health Clinics.

Health and Human Services

Facilitator: Norma Timbang

Panelists: WA State Rep. Jeannie Darneille; Jay Womack; Kari Stephens

Representative Jeannie Darneille was elected in 2000 to represent the 27th legislative district. She is also the Executive Director of the Pierce County AIDS Foundation. She serves on the Children and Family Services, Healthcare, and Juvenile Justice Committees.

Kari Stephens is a graduate student in the Clinical Psychology Ph.D program at the University of Washington. She has worked with Dr. Kim Barrett in a forensic psychology capacity on issues involving domestic violence and immigration.

Norma Timbang is one of the founding mothers and the current Executive Director of Asian & Pacific Islander Women & Family Safety Center (“Safety Center”). She attended the University of Washington’s Department of Sociology and Graduate School of Public Health and has 25 combined years of community organizing, activism, and work experience in: social change, health care, gay/lesbian/bisexual/transgender communities, HIV/AIDS, and prevention of violence against women and children.

Jay Womack is a Trafficking Program Specialist with the U.S. Department of Health and Human Services’ Office of Refugee Resettlement in Washington, D.C. He is responsible for coordinating with other federal agencies as well as state and local governments and non-governmental organizations throughout the United States to facilitate provision of federal refugee assistance to victims of severe forms of trafficking.

Immigration

Facilitator: Bernice Funk

Panelists: Dorothy Stefan; Rebecca Story; Dr. Kim Barrett; Anita Sinha

Dr. Kim Barrett is a Senior Lecturer in the Department of Psychology at UW. Dr. Barrett teaches courses on race relations and the development of cultural competence in mental health service provision, and directs the Psychology Department’s Cross Cultural Psychology Resource Program. Her clinical work focuses on the assessment and treatment of individuals and families of ethnic minority, immigrant, and refugee backgrounds; her current research addresses childhood experiences with racism.

Bernice Funk is an attorney practicing immigration law in Seattle. She received her law degree in 1983 from King Hall, University of CA at Davis, and is licensed in both California and Washington. She has practiced immigration law for 16 years, with a special interest in asylum and family advocacy.

Anita Sinha received her law degree from the New York University School of Law. She is a Skadden Fellow with the Domestic Violence Unit of the Northwest Immigrant Rights Project.

Dorothy Stefan began her career with the Immigration and Naturalization Service in 1988 after completing a judicial clerkship in South Carolina. In January of 1994, Ms. Stefan was promoted to the position of District Counsel in Anchorage, Alaska. In July of 2001, she was promoted to

the same position in the larger district of Seattle, Washington. She was recently named the 2001 INS District Counsel of the year.

Rebecca Story is Associate General Counsel with the INS Office of General Counsel, Refugee and Asylum Division, where she began in Nov. 2000. Previously, She taught on fellowship at Georgetown University. She has worked 10 years in refugee and asylum law.

Mail-Order Brides

Facilitator: Dan Nguyen

Panelists: Emma Catague; Christene Reyes; Karen Gilbert

Karen Gilbert is a Seattle lawyer specializing in the immigration and nationality laws. For many years She has served on the Board of Directors and Legal Committee of the Northwest Immigrant Rights Project. In her work, both privately and publicly, she advises and represents immigrants who find themselves ensnared in the web of immigration laws pertaining to marriage relationships, abuse, trafficking, self-petitions, and deportation/removal.

Dan Nguyen is committed to eliminating all forms of violence against women. Her efforts to raise community consciousness and action around domestic violence and sexual assault issues include her current work as Special Projects Manager with New Beginnings for Battered Women and Their Children in Seattle, and her previous work with New York Asian Women's Center, a shelter in NYC. She has extensive experience as a women's rights activist including serving as a governing board member of the National Asian Pacific American Women's Forum and on the Seattle Women's Commission.

Christene Reyes is the Coordinator of the Seattle Chapter of GABRIELA Network. She is currently finishing her Bachelor of Science degree in Nursing at the University of Washington. This summer, she helped to organize the North American Consultation for Women of Philippine Ancestry which featured prominent Filipina speakers such as Ninotchka Rosca and Philippine Congresswoman Liza Maza.

Trade and Labor

Facilitator: Bill Center

Panelists: Stacey Heath; Phil Kaplan; Rep. Phyllis Gutierrez-Kenney

Bill Center is President of the Washington Council on International Trade, a private, nonprofit, non-partisan association of trade interests in Washington State whose purpose is to inform, advocate and educate the public, elected leadership, educators and the media about the role and importance of trade. Bill retired from the U.S. Navy as Rear Admiral in 1999 after 35 years distinguished service.

He is a graduate of the U.S. Naval Academy and the UW Graduate School of Public Affairs.

Representative Phyllis Gutierrez-Kenney was elected to the Washington State Legislature in November of 1997. She represents the 46th District, which includes Northeast Seattle. Rep. Gutierrez-Kenney serves on the following committees in the State House of Representatives: Higher Education, Appropriations, Commerce & Labor and the Joint Legislative Committee on Economic Development.

Phil Kaplan founded and staffed the Office of Human Rights for the Catholic Church in the Commonwealth of the Northern Mariana Islands (Saipan). Mr. Kaplan addressed the advocacy needs of over 1200 international contract workers subject to human rights and labor abuse. He has worked extensively with women subject to or threatened with sexual abuse.

Stacey Heath is with the AFL-CIO and the King County Labor Council.

Appendix IV: CITY COUNCIL PROCLAMATION

WHEREAS, The City of Seattle is an international city, richly blessed with economic and cultural ties to many parts of the world, and seeks to strengthen and improve those relationships, and also seeks to share what is best in our state, our region, and our nation, including love of life, liberty and the pursuit of happiness; and

WHEREAS, There have been incidences of trafficking in women and children in our state, and whole businesses associated with this traffic still exist in the world - including mail order brides, sweatshops that are little better than prisons, and worse; and

WHEREAS, The City of Seattle encourages all efforts to eradicate human trafficking in Washington State and acknowledges and encourages the work of our national State Department to protect victims here and abroad, and to educate law enforcement officials and the public about human trafficking; and

WHEREAS, Many groups that work in this painful and difficult realm will present a conference in Seattle on November 3, 2001, "Trafficking of Women and Children: Challenges and Solutions," to raise public awareness about trafficking issues, and these groups include: The Asian and Pacific Islander Women and Family Safety Center; the Washington, D.C. Center for Women Policy Studies; the National Asian Pacific American Women's Forum; the National Immigration Project; the University of Washington Center for Women and Democracy; the University of Washington Women's Center; the Washington Alliance for Immigrants Rights and Justice; the Washington Council on International Trade; the Washington State Labor Council AFL-CIO; and the Washington State Office of Trade and Economic Development; and

WHEREAS, The City of Seattle would like to thank Washington State Representative Velma Veloria for her work organizing this conference, and also wishes to welcome the members of these groups who are visitors to our city and express support and appreciation for their work;

NOW, THEREFORE, be it proclaimed, by the Seattle City Council, the Mayor concurring, that the City of Seattle expresses deep gratitude to all those participating in "Trafficking of Women and Children: Challenges and Solutions," and applauds and encourages their efforts to raise public awareness about this ongoing human tragedy.

Appendix V: ARTICLES FROM LOCAL MEDIA

Spotlight on trafficking of women and children Seattle Times

**Janet I. Tu, Staff Reporter
November 04, 2001**

Anatolyi Soloviev and Alevtina Solovieva spoke of their naiveté in sending their daughter, Anastasia Solovieva King, to the United States as a mail-order bride. Last year, the 20-year-old woman from the former Soviet republic of Kyrgyzstan was found dead in a shallow grave; her husband was charged with first-degree murder. Helen Clemente, a Filipina brought illegally to the United States by a retired Seattle police officer to work as his servant, talked about her struggles against deportation. Their cases highlighted a growing worldwide problem: the trafficking of women and children — an issue that's had several high-profile examples in the Seattle area in the last few years.

Yesterday, at the state's first conference on the issue, held at the University of Washington, participants from many organizations talked about the scope of the problem, and ways to combat it.

"Trafficking of women and children is an issue that has been ignored for far too long," said state Rep. Velma Veloria, D-Seattle, a co-sponsor of the conference.

About 50,000 women are trafficked into the United States yearly, said Sutapa Basu, director of the UW Women's Center. The United Nations reported the illegal trade in women and children is approximately the third-largest underground economy in the world, generating profits of at least \$7 billion annually, Basu said. Only illegal drugs and guns bring in more.

Conference participants talked about tools in their fight, including the federal Trafficking Victims Protection Act, passed last year, that provides assistance to foreign victims of trafficking brought to the United States, and creates a new "forced labor" felony.

Veloria plans to sponsor legislation next session that would make trafficking of women and children a crime under the state's victims-compensation statute. That means victims of trafficking would be eligible to receive compensation; state agencies would be directed to provide a system of social services; and the Office of Victims Advocacy Program would create an advisory committee on trafficking. Clemente and King's cases, along with that of Susana Remerata Blackwell, highlight the need for such legislation, conference organizers said. Blackwell was a Filipina mail-order bride, shot to death in 1995 by her husband, Timothy Blackwell, who also killed two of her friends.

At the conference, Clemente talked about her current life: as wife to Pudieno Clemente, mother of two and a cashier at Safeway.

Eldon and Sally Doty had brought Clemente to the U.S. in 1990 by arranging a sham marriage between Clemente and Eldon Doty that enabled Clemente to immigrate here. The Dotys had divorced to allow Eldon to marry Clemente, but Eldon and Sally continued to live as man and wife. When Clemente ran away after nearly three years of servitude, the Dotys worked with the Immigration and Naturalization Service (INS) to deport her in exchange for de facto immunity.

The Dotys moved to Santa Rosa, Calif., in 1998, where, as of last year, Eldon Doty continued to work as a children's book illustrator. Neither the INS nor the U.S. Attorney's Office planned to prosecute the couple.

Clemente is still fighting deportation.

Then Anastasia King's mother spoke.

The mail-order bride industry is a huge problem — not just in one country, but a global one, Solovieva said through a translator. "If our family had known about this problem to this extent, we would never have agreed for our only daughter to come over here," she said.

Copyright © 2001 The Seattle Times Company

An eye on modern slavery

Jennifer Langston

The Herald of Everett

November 4, 2001

SEATTLE — Unlike many mail-order brides, Anastasia King had a broad support network — loving parents in Kyrgyzstan, a job at a restaurant and classmates at the University of Washington.

But even that didn't save the woman — who married a Mountlake Terrace man twice her age for the chance to come to this country — from being murdered.

Other women brought to America as wives, maids or indentured prostitutes don't even have those advantages, advocates say.

They may not know how to take a public bus, much less understand how to negotiate new immigration laws designed to protect them.

That's why state Rep. Velma Veloria, D-Seattle, plans to introduce legislation in Olympia in January creating a task force to study the extent of illegal trafficking in women and children in Washington state. The legislation would also direct social service agencies to provide victims of illegal trafficking or sexual coercion with job support, social services and compensation.

There are no reliable statistics on how many foreign women are sold into slavery, lured here with false promises of good jobs or afraid to leave an abusive marriage for fear of deportation, Veloria said.

But several high-profile cases in recent years suggest there are problems: two murdered mail-order brides in the Seattle area and a Filipino woman brought illegally to this country to be the servant of a retired police officer.

Anastasia King, a music student from the former Soviet republic who married after placing her photo with an international matchmaking service, was found dead last year in a shallow grave outside Marysville.

Her husband, Indle King Jr., is awaiting trial on murder charges, and claims he is innocent. A former housemate who said he strangled Anastasia King with a necktie while King pinned her down pleaded guilty last month to second-degree murder.

"There were patterns we were seeing," Veloria said Saturday at a conference at the UW on illegal trafficking of women and children. "Those were just the publicized ones."

Anne Hennessy, a women's counselor at the Snohomish County Jail, said she has seen at least four mail-order brides in the last year arrested on charges of domestic violence. Their husbands pressed charges against the women after the marriages soured, which puts them at risk for deportation, she said.

One woman said she was bought by her husband in her Kenyan village when she was in only 14 years old, Hennessy said Saturday.

"I was aghast that modern-day slavery of what she described was occurring," she said. "As a jail employee, it would be really good to have resources to refer these women to."

The number of businesses advertising foreign women as potential brides nearly doubled from 1994 to 1998, according to a study funded by the U.S. Immigration and Naturalization Service.

Whether new laws designed to protect victims of illegal trafficking would help foreign brides like Anastasia King who are trapped in unhappy or coercive marriages isn't clear.

"That is the debate — is the mail-order bride business prohibited trafficking? The answer is sometimes," said Bernice Funk, a lawyer representing the parents of Anastasia King, who are fighting to remain in this country to be near their daughter's grave.

Some marriages arranged through international matchmaking services turn out to be loving unions, critics acknowledge. But they argue the inherent imbalance of power makes the relationships ripe for abuse.

There's often a large age difference; the women may not speak English; and they're often completely ignorant of their rights under immigration laws, said Karen Gilbert, a Seattle lawyer who specializes in such cases.

Foreign women are rarely informed of a potential husband's past marriages, history of domestic violence or criminal record.

"If there were a screening of these kinds of problems before a young woman was a victim of a crime, that would be helpful," Funk said. "But that may be too much to ask from Immigration and Naturalization."

Others said there's a need to educate prospective mail-order brides in their native countries about the potential risks and their rights once they arrive in America.

Anastasia King's mother said if they'd understood the magnitude of the problem, they never would have let their only daughter marry a stranger from America. She and her husband, both music teachers in elementary schools, were just naive, she said. "What happened with our daughter — it's due to our childlike, faithful perception of the world," Alevtina Solovieva said through a translator Saturday. "We always believed in the best character of Anastasia's husband."

Copyright © 2001 The Daily Herald Co.

Conference focuses on human trafficking The Associated Press State & Local Wire November 3, 2001

The recent murder of a mail-order bride from the former Soviet Union is evidence of a serious problem of human trafficking that must be tackled at state, federal and international levels, participants in a conference at the University of Washington said Saturday. About 150 people attended the conference, which featured workshops on child exploitation, immigration, criminal justice and victims' rights. "We've had a lot of tragedies that have called attention to this problem," said state Rep. Velma Veloria, D-Seattle. "It's an issue that people in the United States need to pay attention to." Veloria said that in many cases, mail-order brides should be considered victims of trafficking because the conditions they find in the United States can amount to indentured servitude. She cited the murder of mail-order bride Anastasia King in September 2000, who was killed after reportedly trying to split with her husband, Indle King Jr. King has pleaded innocent in the killing; a boarder in their Mountlake Terrace home pleaded guilty. She also pointed to the case of Susana Remerata Blackwell, a 25-year-old mail-order bride shot to death at the King County Courthouse by her husband, whom she was divorcing. "If there are these women in high profile media cases, how many other women are out there who are not being heard?" Bernice Funk, a Seattle immigration lawyer, said Congress passed the Trafficking Victims Protection Act one year ago but that so far, the government has done little to implement it. A report released by the State Department in July estimated that 700,000 people are illicitly taken across borders to work annually. The report said America is a transit and destination point, with up to 50,000 people brought into the country each year. Following the report, Attorney General John Ashcroft ordered law officers to begin to do more to stop the practice. Veloria plans to introduce legislation in January to make victims of trafficking and their families eligible to receive compensation under state law.

Reprinted with permission of The Associated Press.

New law would help stop tragedy of people trafficking

Seattle Post-Intelligencer

Robert L. Jamieson Jr.

Thursday, November 8, 2001

Imagine you are a girl or woman in a foreign country. You leave your loved ones behind in a small village or faraway city to come to the United States.

For love. For a decent job. For a better life.

Or because your impoverished parents have sold you for cash.

You don't speak English. You don't know the American way. All you know is someone has either promised to marry you or give you a helping hand.

Soon after you arrive here you are beaten by that person — a man in most cases. Perhaps you are forced into sex work, or made to work in sweatshops for wages straight out of Dickens.

This is no fiction.

This is the hellish plight for many of the 50,000 or more women authorities say are trafficked into the United States each year — many of whom are faceless to us.

But these women do have names.

Like Anastasia King, the 20-year-old mail-order bride from Kyrgyzstan, whose Mountlake Terrace husband has been charged with her murder; or Helen Clemente, a Filipina who was brought to the United States illegally by a retired Seattle police officer who forced her work as his servant; or Rani Hong, an East Indian woman who was sold to a trafficker as a child before she was adopted by an American family.

Now, for the first time in Washington state, women ensnared in the web of modern slavery have gained a powerful voice in a key place — the Legislature.

That's a good thing.

When lawmakers meet in Olympia at the beginning of next year, Rep. Velma Veloria, a Seattle Democrat, will introduce legislation to make the trafficking of women and children a criminal act under the state's victims' compensation statute.

The proposed law also would make victims of trafficking eligible to receive compensation from the state, and would direct several state agencies — including the Department of Social and Health Services — to provide a safety net of job referrals and social services.

"Trafficking of women and children is an issue that has been ignored for far too long," said Veloria, who was moved by the 1995 murder of Susana Blackwell, a mail-order bride from the Philippines who was shot by her husband in the King County Courthouse. "Does it happen in Washington? You bet."

But figuring out how many women are victims is difficult. Trafficking typically generates headlines only after a child or woman dies, authorities raid a brothel or lawyers represent maids enslaved as domestic servants.

Veloria and others — including state Sens. Jeri Costa and Jeanne Kohl-Welles, along with state Reps. Jeannie Darneille and Phyllis Gutierrez Kenney — want more than protective laws.

They want to educate the public about a complex problem that touches immigration, labor and even public health issues — because women in sex work are exposed to HIV. That’s also why Veloria and others organized Washington’s first-ever conference on the topic of human trafficking last weekend at the University of Washington — to bring the message home.

On the federal level, President Clinton last year signed the Victims of Trafficking and Violence Protection Act. The act helps people who are trafficked by offering several tools, such as allowing them to stay in the United States for three years and apply for permanent residency.

Veloria’s proposal would give local muscle, in addition to creating a state advisory committee on trafficking.

One important voice on that committee will likely be Sutapa Basu, director of the Women’s Center at the UW.

Basu, an expert on trafficking, says the illegal trade in women and children forms the third-largest source of profit for organized crime — behind guns and drugs — generating up to \$7 billion a year worldwide.

The flourishing mail-order bride industry is not always recognized as trafficking, Basu says, even though mail-order brides are treated as commodities and enter into relationships rife with the potential for abuse.

One major problem with the mail-order bride industry, several conference goers said, is the lack of criminal background checks for men looking for wives from the former Soviet republics, Southeast Asia, and elsewhere. Those critics, of course, are right — as is Basu. She says laws to address trafficking “must ensure the women are not treated as criminals or illegal immigrants.”

Many of these women, she says, are leaving behind lives of heart-breaking poverty.

It is heartening that enlightened people in our state are moving to protect some of the most vulnerable among us. For some, sadly, those efforts come too late.

Copyright 2001, Seattle Post-Intelligencer. Reprinted with permission.

University of Washington Women's Center Announces:

**International Conference on Globalization,
Justice, and the Trafficking of Women and
Children**

October 25-26, 2002

University of Washington, Seattle, WA

Panels include:

Public Health & Human Services

Political Economy & Globalization

Immigration

International Human Rights

Labor Market and Working Conditions

Global Legal Systems/Criminality of Trafficking

Sponsored by the University of Washington

For further information, contact:

Women's Center, University of Washington

Cunningham Hall, Box 351380

Seattle, WA 98195-1380 USA

206-685-1090

womens@u.washington.edu

<http://depts.washington.edu/womenctr/>