

Gakuin University Outline

Kobe, Japan | July 10, 2009

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Gakuin University Remarks

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Thank you for this opportunity- as it was a very welcome chance for me to be able to speak with you all today. I want to extend my special thanks to Professor Joe Takeda and his department for organizing this event. My name is Mark Lagon. Until February I was the Ambassador-at-Large at the United States State Department directing the U.S. government's efforts against human trafficking. I had the opportunity to travel to twenty-eight countries, including here in Japan exactly two years ago, during my time as Ambassador while overseeing the production of the Annual Trafficking in Persons Report. Today, I have the great privilege to serve as the Executive Director of Polaris Project, a leading NGO that focuses on human trafficking in the United States. My experiences in this field have offered a broad perspective on the current state of human trafficking globally and to two places in the developed world where I see much work there is to be done still today- both in Japan and in the United States.

This deeply dehumanizing crime respects no borders and affects every nation. Men, women, and children are held in domestic servitude, exploited for commercial sex, or coerced to work against their will in factories and sweatshops. In some regions, children are forced to serve as soldiers in armed conflicts. These forms of human trafficking are, in fact, modern-day slavery.

Estimates of the number of victims vary widely. According to the U.S. intelligence community, approximately 800,000 people are trafficked across international borders each year. About 80% of these victims are female and up to half are children. Millions more are trafficked for purposes of labor and sexual exploitation within their own countries. Every one of these hundreds of thousands of trafficking victims are the slaves of today. Human trafficking is defined by the loss of control by the victim their exploiter. Forced to work for little or no pay, victims are stripped of their most basic freedoms while others profit off of their exploitation.

There are two types of trafficking. Trafficking for the purposes of sexual exploitation and forced labor trafficking. Those trafficked into the sex trade typically are prostituted or forced to participate in pornography. This affects a calamitous number of minors and migrants across the globe.

Forced labor can take on a number of forms. I have met families in South Asia held as slaves for generations in brick kilns and rice mills. In the Gulf States, South Asian and East Asian migrant women are trafficked into domestic servitude, and in the United States Latin migrant workers are held in conditions of slavery in the agriculture sector.

Almost without exception these victims are the subjects of physical or sexual abuse from their exploiters.

Many see women in the Thai sex trade or the overworked nanny and don't realize that they are literally the victims of modern-day slavery. Although chains may not be visible, victims are being held against their will under threats of violence, laboring without pay, denied the freedom to leave the situation, and subjected to gross sexual violence. There are minors, migrants, and Japanese citizens in this country today that are being treated as less than human and the least we all can offer is our efforts on their behalf.

There are several revealing trends I have observed over my years in this field. It is important to understand these developments today if any of us are to raise our voice, as we should, on behalf of the victims.

One trend particularly important to understand is the lack of punishment for labor trafficking crimes. Slow but sure, sex trafficking is starting to get punished worldwide, while trafficking for the purposes of forced labor go largely unpunished. Last year in South Asia, an eleven-nation region with the majority of the world's enslaved laborers, only 7 of the 342 trafficking convictions were for forced labor crimes. . The Brazilian government freed nearly 6000 from forced labor in the last year yet prosecuted no criminals for forced labor. Legal systems around the world need to adopt effective legislation and trained personnel to prosecute labor traffickers. While millions are held in labor slavery today, across the globe there was a mere 104 convictions last year. This represents a tragic lack of justice sought on behalf of victims of forced labor.

Despite being specifically outlawed in nations across the world, slavery flourishes, holding as many as 27 million in the clutches of force, coercion, fraud, and purposeful usurious debt. Applicable laws are simply not being enforced. With a lack of political will, it is unlikely this will change.

It is quite apparent that rule of law and a functioning justice system are crucial to stem human trafficking. In many countries corruption in the political or legal system seriously inhibit justice to be served. Corruption has transformed many governing institutions- those designed to protect us from crimes like trafficking- from institutions for the public good into systems for personal profit. The corruption of border guards, immigration officials, judges, and police has been well documented throughout this field.

The efforts of some of Polaris Project's colleges fighting child sex trafficking in Cambodia (several IJM operations) have been fundamentally undermined by corruption at the local police level. By the time units of armed police would arrive to raid a brothel selling young children for sex- every victim and every perpetrator had vacated the premises. Some of the very police conducting the raid were taking payments directly from traffickers to send out an alert of any police investigations or operations that would

affect the child sex industry in their city. The prosecution side of the fight against trafficking is not the only front by which we can protect potential victims.

In fact, the emphasis on prosecution and law enforcement has eclipsed efforts to providing protection to victims in many nations' fight against sex trafficking. More emphasis on awareness campaigns would be a very easy way to educate potential victims. Trafficking victims across the globe are often drawn into fraudulent job offers without the knowledge of their danger. Campaigns to raise awareness of the crime would increase the ability of the public to identify trafficking victims and protect vulnerable people – children, women, minorities, and migrants -- from entering into exploitative situations.

There needs to be an increased trust in NGOs to provide the services governments and businesses cannot. NGO social service providers have proven to be a lifeline for thousands of trafficking victims globally- meeting the very specific needs of a trafficking survivor – case management, therapy, housing, job training, and more. NGOs tend to be more flexible, much more accessible and trusted by victims of human trafficking, than government agencies. As the primary provider of services to trafficking survivors, it is necessary that governments increase the trust and support offered to these nongovernmental organizations. This would directly offer more adequate protection for victims. This greater trust in NGOs is a much-needed change not just in illiberal states like Russia and China, but also in democracies as well- in India, in Mexico, and specifically here in Japan. In Japan, the lack of funding and support for NGOs effectively cripples their capacity. The leading NGO dedicated completely to the anti-trafficking movement is ultimately an extension of a US non-profit, largely funded by American businesses.

There is also a disproportionately small emphasis on the demand for this criminal enterprise. It is largely ignored. Trafficking enterprises are sustained by those who pay for commercial sex with children, and by those who purchase fabric, cigarettes, or cocoa from producers that exploit slave labor. We see a “race to the bottom” for cheap labor to produce cheaper export goods. Without confronting this demand, we cannot end slavery.

In 2008 the Republic of Korea required nearly 18,000 convicted male buyers of commercial sex – “johns” as we call them in American -- to attend one-day seminars in lieu of punishment. These seminars, known as “John schools,” are designed specifically to reduce demand for commercial sex in Korea by educating these “Johns” on potential for sex trafficking in South Korea's sex industry.

In the area of labor trafficking, the government of Brazil also publishes a “dirty list” of companies in Brazil known to utilize slave labor. Those companies are denied public and private financing while they are on the list.

But more importantly, the list shows consumers who has been employing slave labor and empowers them to use their market power – their buying power – to stop buying from supply chained tainted by slavery. Brazilian consumers take this well publicized list very seriously and companies blacklisted experience a significant decrease in demand for their goods. It is not uncommon for companies blacklisted for their participation in slavery to file lawsuits against the Labor Ministry or undergo great changes in an effort to remove their names from the list.

In 2005, the United States government committed to attack demand for slave labor by publishing a list of its own. The U.S. Congress required the US Department of Labor 4 years ago to publish a list of nations and industries that exported goods to the United States known to be involved in slave labor. Four years later, the Department of Labor has failed to publish this list. Tools like these are vitally important to show the public, the consumers, how slave labor has woven its way into the formal economy. They have the potential to significantly decrease the demand for the products and the profits of traffickers engaged in forced labor.

Among the highest responsibilities any government has is protection for its citizens. Yet nations across the globe fall shamefully short of when it comes to protecting their own people from trafficking.

Labor-source governments should:

- 1) Prohibit and punish labor recruiters who participate in trafficking by securing workers through fraudulent offers or imposing fees meant to create situations of debt bondage;
- 2) Ensure that labor recruiters are properly vetted, licensed, and monitored; and
- 3) Increase efforts to raise awareness of the trafficking risk associated with labor recruitment and migration.

I say this not overlooking the responsibility of the country of destination

Labor-destination governments should consider steps to ensure that workers secured through third-party recruiters are not the victims of fraudulent work offers or conditions of debt bondage. The activities and practices of local labor brokers should be monitored, and such agencies, as well as employers, should be criminally accountable for acts of exploitation accomplished through force, fraud, or coercion against foreign workers.

We are beginning to see glimmers of recognition among governments that they do have a responsibility to protect their citizens working abroad. After years of reported physical and sexual violence, the Philippines recently decided to impose a ban on new maids going to one particular destination country. This Gulf nation simply did not take seriously their responsibility to protect the migrant working population from exploitation

so the Philippines decided to step in. The Philippines government also seeks to inform its migrant workers of their rights abroad while its diplomats vigorously defend the interest of their workers vulnerable to human trafficking.

Unlike the Philippines in this case, India has failed to protect its citizens traveling abroad for work. While the anti-trafficking Ambassador for the United States government, Indian officials ducked talking to me in country after country in the Middle East, when I sought to discuss them looking out for their migrant workers as human trafficking victims.

It is important that labor-destination governments encourage workers to report alleged cases of forced labor to law enforcement authorities and institute measures to ensure a worker can leave an abusive employer and seek legal redress without fear of automatic detention and deportation. Destination countries should take steps to make migrant workers aware of their rights. These efforts are invariably more effective where there are incentives for victims, such as provision of shelter, medical care, free legal aid with translation services, the ability to work while awaiting resolution of investigations, avenues for seeking restitution, and protection from possible retribution for having filed a complaint.

Finally, and perhaps most important, destination governments must ensure that exploitative employers and labor brokers are not allowed to abuse legal processes by having foreign workers who complain arrested, incarcerated, or deported. Workers who allege forced labor must have the opportunity to seek redress.

“Good” Destination Country:

- Bahrain- just revised their sponsorship laws

“Bad” Destination Country:

- Panama- dancer/artist visas
- Mexico- beginning to be recognized as a destination country, not just a transit for Central America.
 - Children through Africa, not to be explained away as their “culture”

The global economy is rife with products tainted by human trafficking. The seafood processing industry in Thailand provides millions of dollars of seafood to the United States each year yet is notorious for its exploitation of trafficked laborers. On a past trip to South East Asia I met a remarkable woman named Aye Aye Win, a young Burmese woman who dared to search for work beyond her own tortured country. A recruiter

painted a beautiful picture of work in a neighboring country. Aye Aye assumed substantial debt to cover up-front costs required by the recruiter.

Together with some 800 Burmese migrants, including many children, Aye Aye was “placed” in a shrimp farming and processing factory. But it wasn’t a job. It was a prison camp.

The isolated 10-acre factory was surrounded by steel walls, 15 feet tall with barbed wire fencing, located in the middle of a coconut plantation far from roads. Workers weren’t allowed to leave and were forbidden phone contact with any one outside.

Aye Aye is a brave, daring soul. She tried to escape with three other women. But factory guards caught them and dragged them back to the camp. They were punished as an example to others, tied to poles in the middle of the courtyard, and refused food or water. Aye Aye told me how her now beautiful head of hair was shaved off to humiliate her. And how she was beaten for trying to flee.

Beaten. Tortured. Starved. Humiliated. Is this not slavery? Yet processing centers like the one Ms. Win was tortured in continue to supply an increasing demand for seafood at the cheapest price. In shrimp processing alone there stands to be made \$13 Billion a year. Companies take advantage of the weak labor laws as they exploit migrants offered little protection from the law.

Similarly, North Korean citizens seeking refuge across the Chinese border are more often victimized than treated as the refugees they truly are by the Chinese government. With effectively no protection from Chinese law enforcement, thousands of North Korean have been bought and sold as “wives” of Chinese men. Held in Chinese homes, these women are routinely trapped in situations of forced labor and sexual abuse.

North Korean victims of human trafficking have the ultimate form of leverage held over their head by their exploiters - the threat of being turned in to Chinese police and immigration officials. These Chinese officials will, as a matter of policy, ship them back to North Korea, where they will face violent punishment in North Korean gulags as “political traitors.”

This is a story of people potentially thrice victimized: victimized by their own government forcing them to run from North Korea, victimized when exploited abroad, and victimized in political prisons if deported home to North Korea.

Protection of victims should be the core principle of any effective anti-trafficking strategy. Governments must protect victims of trafficking, including those who are undocumented workers, refugees, and migrant laborers. An important component of victim protection is

whether foreign victims of trafficking are provided with legal alternatives to deportation to countries where they face hardship or retribution. The United Nations Protocol on Trafficking in Persons also calls on state parties to consider offering victims of trafficking the ability to remain in their countries in appropriate cases. This remains to be a significant policy challenge for the United States, yet 1,318 foreign national victims of trafficking have been granted a t-visa in the United States. The T-Visa is a special visa for foreign trafficking survivors offering the opportunity to start a new life in the United States. The 2009 TIP Report acknowledges that although Japan has the capacity to offer long-term refuge, no foreign trafficking victim has been granted such a visa to date.

Among those most vulnerable to trafficking are the many stateless people groups. This includes the one million hill tribe people in Northern Thailand, most of whom lack recognition as citizens of Thailand from their government. Without this status to which they are legally entitled- they have effectively no protection of the law. They simply do not exist; there is no record of their individual lives or responsibility for such taken by the Thai government. Without this recognition from the Thai government, the hill tribe people are not allowed to travel outside of the province they live and their children are systematically denied access to the Thai education system. With a lack of education and access to the formal Thai economy, hill tribe people are trapped in cycles of poverty and remain especially vulnerable to trafficking. Many of the men, women, and children are duped by the lies of criminals promising jobs and a better life outside the undeveloped hills. Whether it is hill tribe children trafficked into the commercial sex trade or men forced to labor with no pay- the denial of basic rights as Thai citizens leaves the hill tribe people highly vulnerable to trafficking.

Those who work as domestic servants also remain among highly vulnerable to trafficking. In many Persian Gulf states, which rely heavily of foreign migrant labor, women employed as domestic servants fall victim to acute sexual and labor exploitation. They labor in low paying, poorly regulated sectors. In many such countries, to be a woman or to be a migrant often means less than equal treatment under the law and in practice. But to be a woman migrant leaves you in a particularly precarious position. So-called sponsorship laws – prevalent throughout the Gulf -have in practice been abused in too many cases by unscrupulous employers who require the migrant worker to do whatever they demand or else run the risk of deportation due to alleged break of contract.

Nowhere is this more evident than in Saudi Arabia, where every month, hundreds of female migrants, recruited as domestic workers, flee Saudi households in which they face severe abuse including rape, physical beatings, confinement, and denial of wages. The perpetrators of these trafficking crimes are Saudi husbands and wives who, as part of the Gulf's "maid culture," see foreign servants as less than human and acceptable for

exploitation. Unfortunately, Saudi Arabia's criminal justice system too often validates this culture of abuse by failing to hold traffickers accountable. Reflecting an abject lack of political will to address this crime, Saudi Arabia has been on the *TIP Report's* lowest ranking for four years in a row.

Take Nour Miyati, an Indonesian woman who sought a brighter future for her nine-year-old daughter. Nour worked as a domestic servant for four years in the Saudi Kingdom. She was treated fairly and was able to send money back home so that her daughter could stay in school. Then her fate took a turn under a new employer, who confined her to his house, denied her pay, and tortured her. Injuries she suffered to her hands and feet resulted in gangrene that required the amputation of her fingers and toes.

Tragically, Nour was twice victimized. Despite having escaped these horrific circumstances, she was arrested for "running away" under the country's sponsorship laws and was not accorded proper status as a victim of trafficking. Workers such as Nour may escape abuse in private homes or work sites only to be denied an exit permit to leave the country.

Irregular workers without proper documentation are also considerably more vulnerable to trafficking. Traffickers know undocumented workers fear being discovered and deported by law enforcement so they are fearful of the police. Without the protection of labor laws and lack of access to law enforcement, undocumented workers remain particularly vulnerable to become a victim of human trafficking.

Other Vulnerable Groups:

- Children throughout Africa

TIP in Japan:

This is a momentous week for the anti-trafficking movement here in Japan. The United Nations Special Rapporteur for Human Trafficking, Dr. Joy Ezeilo, of Nigeria, is visiting Tokyo this week and the recently released 2009 U.S. Trafficking in Persons Report has much to say about trafficking in Japan.

Japan was given a "Tier 2" ranking. While this is not the best ranking possible, Japan was noted for its significant efforts to eradicate trafficking. A perennial Tier-2 nation, Japan remains a clear exception to the norm as a highly developed nation below the "Tier 1" ranking. Thousands of women and girls are trafficked throughout the enormous Japanese sex trade and the government has begun to take serious efforts to respond. In 2005 the Japanese government passed its first comprehensive anti-trafficking law. While

this law is a tremendous step forward, the enforcement of this law remains an issue and human trafficking continues to be a serious problem in Japan.¹

Generally, *transnational* victims are trafficked from poorer countries across borders into richer destination countries. Japan is by far the richest country in Asia and has become a magnet for women and children trafficked into the sex trade from Indonesia, Thailand, Vietnam and further reaches including Russia and Latin America. Largely at the expense of Japanese citizen victims, Japanese response to sex trafficking has been focused heavily on foreign victims. An alarming trend in recent years is the increased number of Japanese women and girls reportedly trafficked into the sex trade. Exploitation rather than movement defines victims of human trafficking; we know millions are its victims among citizens of, for instance, the U.S., Brazil, India, and Japan, who never crossed a border. Japan exhibits a booming sex trade, one that can be very dangerous for women to enter into. Many victims of trafficking in Japan may have entered into the sex trade willfully and later find themselves in trafficking situations due to force, fraud, and coercion. Vulnerable Japanese women and girls are exploited both in the pornography industry and commercial sex. Their traffickers use threats, violence, and crippling debt bondage imposing utter control over their lives. Rescued Japanese women have reportedly been subjected to debts as high as \$50,000- virtually impossible to pay off². It is important to see these women as they truly are; victims to help reempower themselves.

³One young Japanese woman I know of was lured to a seemingly harmless hostess club by a charming male promising free entry. After much pleading by him she went to visit the club a few times, always treated well with free entry, food, and drinks. After several trips to the club a different man came to her asking for a few hundred thousand yen for the food and drinks she had been given. She received several threatening phone calls and was even ambushed at her home. The men kept pressuring the girl to pay the bill that she was not able to, coercing her to work in the sex industry. Thankfully she was able to get in contact with Polaris Project and secure her safety through the help of the police. The overwhelming majority of girls coerced into the sex trade do not find their way to freedom as she did. Many of the Indonesian or Japanese women you may have seen working in the sex trade are not there on their own free will. They are forced, held by threats and subjected to extreme sexual violence.

A broad lack of understanding has lead many to see the women as complicit in their own exploitation. It matters not if these women chose to enter into commercial sex at some point in their lives. They are beaten, raped, and held in the sex trade under the threat of

¹ Mark- none of this paragraph is from the TIP report. I wrote it, so don't worry about any citation or posting it.

² 2009 TIP Report

³ This is a case Shihoko published online- a client of Polaris Project Japan.

violence. Meaningful choice disappears if it ever existed. The public largely does not look at women in the sex trade as victims. (And please don't consider this an American's patronizing criticism of Japanese society, as it is every bit as much a problem in America.)

The legal framework needs to catch up in Japan as much as public understanding does. The primary law against prostitution outlaws only intervaginal sex, criminalizing the victim of trafficking for soliciting this sex act. This law makes it very difficult to punish the purchaser or the trafficker. This is a problem in the United States as well and I am happy to say a movement is gaining momentum to see these women as victims in the most real way.

Crime syndicates like the Yakuza have been involved in human trafficking increasingly in recent years. They take advantage of the low-risks involved in recruiting women and relatively high profit possible. This is not just a petty crime, not a trivial form of human rights abuse; this is a multi billion-dollar industry. In 2005 the International Labor Organization estimated human trafficking enterprises bring in \$32 billion a year- the second largest and fastest growing criminal industry in the world. This is far from a uniquely Japanese problem- human trafficking affects every country in the world, including my own.

The Yakuza frequently target foreign women working or seeking to work in the Japanese commercial sex trade. They do so by abusing the Japanese "entertainment visa" system.

The Japanese government has issued hundreds of thousands of entertainment visas over the last two decades giving migrants permission to work as so-called "entertainers" in Japan. This special visa is supposedly issued to singers and dancers to work in nightclubs and theaters. [Kevin Bales:] "If this were true, then Japan would have more professional entertainers than any country in the world."⁴ In reality, the increasing thousands of women issued entertainment visas are being brought to Japan to serve in its multi-billion dollar sex industry.

Because the visa process is so complex, thousands of foreign nationals rely on agents for assistance in the application process. This is a role is increasingly filled by Yakuza traffickers. With over 60,000 Filipina women in the Japanese sex industry and thousands more from Russia, China, and Korea, traffickers continue to exploit migrant workers through the legal entertainment visa system before their victims even settle in Japan.⁵ As a migrant community, these women are vulnerable to sex trafficking in a way Japanese citizens are not.

⁴"*Ending Slavery*", 2007. Kevin Bales, p. 109

⁵ "30,000 Japayuki face deportation," *Manila Standard*, December 23, 2004

In response to a shameful 2004 Tier-2 Watch-List ranking, nearly the worst possible, by the Trafficking in Persons Report, the Japanese government increased the difficulty for foreign nationals to qualify for an entertainment visa. Japanese officials aim to decrease the annual influx of Filipina entertainers from 60,000 to 8,000 in an effort to stem trafficking. Hundreds of thousands of migrants in Japan overstay their entertainment visas each year- many on account of being lured into trafficking situations.

Though it may appear these women are willfully, freely participating in the sex trade, the reality is much different. Thousands of the Filipina women you see in this industry do not have the freedom to leave as criminal enterprises exercise gross amounts of abuse and control over their lives. Held under fraudulent debt and open threats of violence, many of these women are forced to participate in commercial sex completely against their will. This is a human rights violation of the highest order and needs to be a serious priority of Japanese law enforcement.

Human traffickers operating in Japan not only exploit their victims in prostitution settings- they also known to be exploit women and girls in the pornography industry. In 1999, after INTERPOL estimated that 80 percent of websites with child pornography originated in Japan, the Japanese government made the *distribution* of child pornography illegal. The *production* of child pornography only became illegal in 2004.⁶ Remarkably, the *possession* of child pornography is still legal in Japan, making it only one of two countries (the other being Russia) in the G-8 not in compliance with international legal standards on this issue.⁷ Partly on account of the exploitation of Japanese children in pornography, the 2009 US Trafficking in Persons Report has noted an alarming increase in trafficking of Japanese citizens within Japan.

Junior Idols DVDs and photo books that depict scantily clad young girls in sexually provocative positions is part of the larger proliferation of this kind of imagery in Japan. I am very happy to say that Amazon Japan recently recognized the sexual exploitation of children happening in their own stores and agreed to pull 83 Junior Idols items from Amazon's shelves. While there is a clear difference, particularly in the victimization of real children, the popular animated productions depicting children in a sexual manner have helped create an environment where it is acceptable to see children as sex commodities. Child sex offenders here in Japan have been known to use cartoon-based pornography to normalize the sexual exploitation of Japanese children. Traffickers have also used their victims to create pornography of particularly violent nature, including an increase in disturbing "rape-porn".

⁶ From Kat Chon's July 7, 2009 blog "Amazon Japan stops selling child pornography"

⁷ US Department of State, Country Reports on Human Rights Practices 1999, 25 February 2000

Japanese men also are known to participate in child sex tourism in bordering less affluent nations. Although national law gives Japanese courts extra territorial jurisdiction, enabling Japanese courts to prosecute Japanese citizens for engaging in commercial sex with children abroad, *not one Japanese national has been prosecuted for child sex tourism since 2005.*

Other forms of Trafficking:

- Compensated dating

- Matchmaking sites

The sex trafficking world is very intentionally designed by the exploiters to present the victims they control, as willful, victimless workers. Know that the prostitution industry and the pornography industry in Japan, much like in other countries, are rife with trafficked women and girls. Seeing this reality helped me understand the level of victimization many of these women are subjected to. While the sex industry maybe much more apparent, trafficking for forced labor is also prevalent here in Japan.

Much like the scenario I just highlighted from the United States, Japan has a labor trafficking problem that deserves more focus than it has received in years past. The Japanese economy attracts migrants from surrounding countries looking for work and it is the responsibility of the Japanese government to protect these migrants from labor exploitation. While Japan must be commended for its significant progress in the fight against trafficking in the past four years, there is a great need for improvement in this specific area.

Media, NGOs, and labor unions continue to report instances of exploitation, including forced labor in Japan, notably in the “trainee” programs. I noted this vulnerability (and how the Republic of Korea had reformed similar programs) when interviewed on national television news two years ago as U.S. anti-trafficking ambassador. Migrant trainees in the first year of the trainee program are not protected under Japanese labor law thus remain highly vulnerable to abuse. Reportedly five percent, or around 3,400, of foreign workers recruited in 2008 are potential victims of trafficking. Reported abuses of trainees include restrictions on travel, withholding payment for work, the confiscation of the trainee’s legal documents, and debt bondage. While the Japanese government appropriately has been increasing its efforts to monitor and protect foreign trainees, no steps towards the prosecution or conviction of documented labor traffickers have taken place. The impunity under which these traffickers operate only allows the abuses to continue.

In all of 2006, 2007, and 2008 there were only three convictions against labor traffickers in Japan. This is a problem in many countries- labor trafficking is often seen simply as 'bad working conditions' rather than the gross human rights violation that it is. The number of prosecutions for labor trafficking is disproportionate to the problem Japan has with labor trafficking. This sends the wrong message to victims and the wrong message to perpetrators. Potential labor traffickers in Japan see the impunity associated with the crime, recognize the extremely low risk, and can operate with confidence that they will not be prosecuted for their crimes. Even more disconcerting, victims of forced labor see little hope in a legal framework that offers them insufficient protection.

We know that globally there are more victims of forced labor than sex trafficking, yet prosecutions against labor trafficking consists of less than 10% of trafficking cases brought to court. In 2008 there were 5,212 prosecutions for human trafficking globally and only 312 of those were related to labor trafficking. And of the 312 labor cases globally, only one-third went on to conviction. This is an area that all governments and NGOs fighting trafficking need to address, including the United States and Japan.

The scholars and NGOs concerned with human trafficking worldwide are mainly focused on developing countries. And that's understandable. But developed countries like Japan and United States have slavery too. Its victims are citizens of the country, guest workers, and irregular migrants. They are adults and minors. They are women and men. They are exploited for commercial sex and for labor. Their greedy exploiters seek to dehumanize them even though they are every bit as deserving of dignity as you and I. Japan and the United States should help developing countries fight human trafficking. But to do so, we must credibly attack the problem within our own borders. We can be better examples for the world. And we must.