

Macro Analysis of Trafficked Korean Women and Anti-Trafficking Efforts in Japan

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The following document provides a macro-level analysis of various components and elements of the counter-trafficking response in Japan to date. Specific types of trafficking and trafficking trends are discussed, as well as systemic, institutional, and resource-based barriers and challenges that currently exist.

1) Commercial Sex Industry of Staggering Proportions and Sophistication

Japan is recognized as having one of the most severe human trafficking problems of all the major industrialized democracies. The scope and prevalence of the human trafficking issue is largely correlated with the absolute magnitude and high degree of sophistication of Japan's massive commercial sex industry, within which sex trafficking occurs. Research reports estimate that Japan's sex industry totals one to three percent of its GDP, which averages to about \$83 billion a year (Hughes, 2005, *The Demand for Victims of Sex Trafficking*). This lucrative industry is a conglomeration that includes almost any type of commercial sex venue imaginable including theme-based brothels, costume-based brothels, clubs to enact sexual fantasies through role play, numerous types of massage parlors, numerous types of escort services, numerous types of hostess clubs, ethnic-specific clubs, strip clubs, street prostitution, window-shop prostitution, and clubs specifically for certain commercial sex acts such as oral sex. The extent to which the sex industry is largely unchecked correlates with a difficulty of combating human trafficking that occurs within the industry.

2) Problematic Legal Definition of "Prostitution" and "Sexual Services"

The legal definition of prostitution in Japan warrants increased international attention because it limits the definition of a commercial sex act to only include vaginal penetration and intercourse. In this sense, we can surmise that prostitution and commercial sex are only illegal in Japan to the extent that vaginal intercourse or what is defined as "sex" is involved (Article 2 – Japan's Anti-Prostitution Law). Based on this strict definition, all other sex acts are permissible and regarded as "sexual services" in Japan, which are thinly regulated and not considered illegal. These acts may include manual stimulation of the genitalia, nudity, oral sex from woman to man and man to woman, use of sexual objects, and anal intercourse. The broad-based definition of "sexual services" and lack of legal restriction in this area allows for a sprawling and loosely-regulated commercial sex industry that provides a fertile soil for human trafficking to occur.

3) Involvement of Organized Crime Networks in Japan's Sex Industry

It is widely-known that various cartels of organized crime have business interests aligned with the proliferation of Japan's sex industry. These cartels include the

Japanese “Yakuza” as well as Korean and Columbian organized crime rings. Organized crime entities are known to own, control, or “tax” commercial sex venues as various means of involvement. As a result, law enforcement and non-governmental efforts to fight the issue of human trafficking, especially sex trafficking, in Japan are hampered by the elevated risk levels of engaging organized crime. Lenders and “loansharks” also play a role in the equation, often assisting with the recruitment and debt bondage of potential victims through large up-front loans. These loansharks also are alleged to have ties with organized crime. Debts from large up-front loans are often later used as mechanisms of control and elements of human trafficking over victims.

4) Recent Spike in Trafficking of Koreans into Japan

In recent years, Japan has experienced a flood of newly-arriving Korean-speaking women entering the commercial sex trade in Japan. Many of these women are actually victims of trafficking from Korea and Yanbian area, the northern china where many north Korean-Chinese lives. It is alleged that Korean organized crime operates heavily in Japan, and that recruiters and brokers are active in Korea, trolling Web sites, internet blogs, and other chat rooms. The recent signing of the “visa waiver” program between Korean and Japan may warrant attention as a potential facilitating factor for this recent trend.

From our work with women who calls our hotline, we see the women are working in various types of sex industry in Japan.

- ① Escort service: This is very popular type of business. In Japanese, we call “Delivery Health.” Women go to the customers’ house or hotel. (show advertisement for customers and women)
- ② Clubs/Snacks: These type of Korean hostess clubs are everywhere in Japan. The customers can take the girls outside of the club. Prostitution is often part of service at these clubs and women are required to go out. Customers pay certain amount of money to take the women to the hotel and it is called Dohan.
- ③ Sauna and Korean massage salons: these places also provide sex by Korean women or Chinese Korean women.

5) How Korean women are recruited

The women are employed in Korea as well as in Japan. Some women already arranged with brokers to come to Japan. They may have been working in sex industry, or they are being told that they will be working at a restaurant, or some bars to serve drink to the customers. Some are hired in Japan. These women may come to Japan with student visa, or as a tourist which does not require visa. Some are formally working as a hostesses or other sex business. Many women call us on the debt they owed or threat to pay money for fine. Debt and fine systems are the common way to trap the women. Women can start with no debt, but the longer they stay more chance to be indebted by their owners, co-workers, and their “boyfriends” who acts as pimps.

There are many sketchy advertisements on internet that promote easy and high paid work in Japan. At Korea's famous portal sites like Navar.com and Daum.com, you can find many advertisement on work in Japan's adult entertainment. Now these sites strictly censor such postings and close the sites by the brokers to promote prostitution job: many still advertise by falsely claiming the work at bars and restaurants. In Japan, as well as websites but the free papers in Korean acts as the way to recruit women in Japan. the example of advertisements shows often the false information on the work itself and work condition. Some are more upfront about its work by saying "safe work environment: all our customers use condom." These advertisements clearly tell they sell prostitution, and somehow unchecked by Japanese police.

Also there is a big support structure that benefit from trafficking Korean women. Restaurants, hair salons, clothing stores, print store, taxi, and the apartment owners are only a few types of businesses with strong ties with sex trade and traffickers.

6) **How the women are trafficked**

Many women start the job with debt or they are indebted right after they start the job by receiving a few thousand dollars from the owners as "Bansu" or advance payment. To come to Japan brokers charge airfare, broker fee, and others costs like apartments where they stay. Plus once they start working the women are often asked to buy clothes and cosmetics for their work. These costs are much higher than the normal price. Unable to recognize the cost standard, women often have thousands dollars debt from all these fees from the beginning. Plus the strict rules force women to sleep with certain number of customers a week, or have certain amount of money they have to make by drinking and prostitution. On occasion like Christmas and new years days, women are asked to sell "party tickets" to the customers. These tickets cost often over 100 USD and failed to do so will bring another fine to the women.

At Polaris we hear harsh stories of women being indebted for unfair reasons and forced to prostitute. One bizarre rule one client told us is that at her bar, women have to go out with the same customer twice a month. That means she has to solicit customers for prostitution until the same customer buys her twice in a month. Taking women out of club for sex is expensive and not many customers come back to the bar to pay that much. She had to have sex with many men until one of them come back to the bar to buy her at certain period.

Another common way to force women to work in the sex industry is forcing women to sell party tickets for occasions like Christmas and new years days.

7) **What if she is rescued from the situation?**

Unless the victims wish to go home country there is no special service available for victims of trafficking in Japan. Unless she has legal status to be in Japan, after a few weeks and months of collaborating with investigation, many women will have to go back home. Some women are already falsely indebted in Korea and trafficked to Japan, and are afraid to go back. However since Japan does not give special permission for trafficked victims to stay in Japan for medical treatment or civil cases, many will go back to their home country with or without their will.

8) **Lack of Law Enforcement and Non-Governmental Organization (NGO) Partnerships and Opportunities for Collaboration**

Currently, in Japan, there are very few opportunities and mechanisms for formal collaboration and partnership between law enforcement and NGOs. In other countries like Korea, these innovative partnerships have proven to be a win-win situation for multiple areas of a trafficking case, including increased victim identification, more sensitive victim interviewing and assessment, stronger case management and victim services, and stronger investigations and prosecutions. In these partnerships, NGOs often can gain the trust of victims because of the very fact that NGOs are not law enforcement. This separation from law enforcement reinforces that NGOs are “on the victim’s side” in the eyes of victims, and enables strong victim interviewing and long-term case management. Law enforcement, conversely, has the investigative power of the law and can deal with traffickers in a way that NGOs cannot. When NGOs gain the trust of a victim and solid law enforcement/NGO partnerships are in place, the NGO can also help facilitate the victim’s voluntary participation in the criminal justice process, and ultimately, help lead to a stronger law enforcement case. However, Japan’s counter-trafficking response has not yet benefited from these innovative partnerships. In our understanding, there are almost no instances of law enforcement calling in an NGO to help with victim interviewing. The Japanese government has moved towards building a victim service infrastructure that does not include NGOs in the equation. In this system, victim identification occurs only through Japanese law enforcement, victims services occur only through publicly-funded Women’s Consulting Centers, and victim repatriation occurs through governmental and quasi-governmental bodies. All of these vehicles are either directly or heavily associated with the government of Japan, and may not be ideal for victim identification for victims who do not trust government sources or will not feel comfortable telling the truth of their situation to government bodies. Due to the lack of city-specific, prefecture-specific, or country-wide task forces or collaborative bodies that involve law enforcement and NGOs, there is little regular and formal opportunity for information-sharing, cross-training, trust-building, and general collaboration. In our opinion, an effective counter-trafficking response in Japan will ultimately depend on a new era of bridging these traditional walls and more formally combining the efforts of NGOs, law enforcement, and public government victim service entities.

9) **Subtler Forms of Control and Coercion**

Some traffickers in Japan continue to use the most brute forms of control over their victims, such as beatings, direct threats, sexual assault, gang rape, and physical confinement. However, recent observed trends in traffickers’ behavior demonstrate that traffickers in Japan may be transitioning to use more subtle forms of coercion and control that are harder to detect by law enforcement and NGOs. For example, traffickers may try to fool police into believing that they are running a legitimate business by allowing victims to be paid considerable amounts of money. Payment is then heavily manipulated and largely re-collected by pricing structures, elaborate systems of loans and fees charged to the women, and other costs that female victims must incur, yet it serves the purpose of producing the appearance that

victims are willing employees of a legitimate business who are paid well. As traffickers increasingly use more subtle and sophisticated methods of control and steer away from the more obvious brute forms of control, unless the public, law enforcement, and service providers attain a commensurate understanding of these methods of control, traffickers will have effectively produced a situation where they can control and exploit women for vast financial gain without generating public outrage and while evading any crackdown from law enforcement.

In 2006, our agency notified Japan’s National Policy Agency (NPA) about a potential human trafficking case in Saitama prefecture. This case identified a nightclub that operated as a front for a commercial brothel where Columbian women were forced to have sex with male customers every 10 to 15 minutes and were paid USD\$850 for 10 straight days of non-stop commercial sex. The case involved victims of severe forms of human trafficking, yet the majority of the victims lived with their traffickers who acted as their live-in partner. The case mirrored a typical pimp or “padre” relationship that is prevalent in domestic sex trafficking and Latino sex trafficking networks in the U.S. However, after two months of investigation, the National Police Agency (NPA) officers concluded the case was not human trafficking on the basis that the women were paid and had a private life with a boyfriend or husband. This case underscores the need for increased law enforcement training, and also highlights the fact that traffickers often play off traditionally-held values and stereotypes to mask subtle elements of control. Through increased law enforcement training, it should be made clear that initial consent and payment do not over-ride elements of force, fraud, and coercion in a human trafficking situation. Additional, constant re-training is needed to remind all field practitioners that transportation is not required in a human trafficking situation, and victims include foreign nationals and domestic citizens/residents.

10) Given the Prevalence of Trafficking – Extremely Low Victim Identification Rates, Low Arrests, and Few Victims Served

The below chart indicates case totals, arrest totals, and victims served in Japan between 2001 and 2006. The numbers are mainly taken from Japan’s National Police Agency (NPA) report on trafficking released in 2006, found at: <http://www.npa.go.jp/safetylife/seikan34/20070216.pdf>

	2001	2002	2003	2004	2005	2006	Total
Number of cases	64	44	51	79	81	72	391
Number of arrests	40	28	41	58	83	78	328
Number of victims	65	55	83	77	117	58	455
Korean victims	-	-	-	-	3	1	1

For a country with a trafficking problem as large as Japan, these numbers are strikingly low. Further, they do not seem to be significantly changing from year to

year. The numbers also demonstrate that although law enforcement has generated isolated cases in a number of prefectures, there seems to be a failure to crack down on the trafficking networks in a consistent and widespread manner. Clearly, the overall rate of enforcement is quite low overall. This lack of a systematic response is further compounded by a long-standing lack of understanding of the exploitative reality of the commercial sex industry in Japan, with its links to organized crime, and legalization of the demand-side that drives the market. As stated above, the lack of law enforcement/NGO partnerships may be one reason why these numbers are not higher. In future years of the anti-trafficking movement in Japan, it is hoped that many factors will come together to increase all of these measures of performance. Stronger government commitment is required to expand protection for all victims of trafficking in Japan and increase prosecution of their traffickers.

11) **What we can do to protect and prevent trafficking Korean women in Japan**

As one of few NGOs working on trafficking in Japan, we have started outreaching potential victims populations as well as the communities where they live by doing direct handing of our hotline services and posting flyers and placing goods with our information on street, at restaurants, hair salons and women's bathrooms. We are constantly receiving calls but feel need to do more direct outreach with support of volunteers and polices.

Every time we hear stories of our clients we are surprised to hear how much they are deceived to come to Japan. False information is everywhere on the internet and Japanese and Korean anti-trafficking agencies need to stop the ways for traffickers to recruit women via internet, and other media like magazines and papers. A lot of women previously working in Korean sex industry is also deceived about the job in Japan.

Direct outreach to women in Korea should be done with support of Korean government, police and NGOs. Women are flying to Japan. Direct outreach at airports by handing information on trafficking and support agencies in Japan would be a great way to prevent future abuse.

Korean Embassy in Japan has been official stating there is no trafficking victims from Korea in Japan. we feel need for Korean government themselves the contradictory in their policy where in Korea they ban sex trade, but accept Koreans to abuse women in Japan.

At last we want to let women abused in Japan know about how Korea society see the problem of prostitution and how agencies in Korea are giving many alternative opportunities to live without selling sex or paying falsely made debt.

12) **Skeletal Social Service Sector Serving Victims of Human Trafficking**

Despite being a wealthy nation, Japan remains an inhospitable environment for non-governmental organizations (NGOs) due to lack of both public and private domestic funding sources, particularly for human rights and gender issues. As a result, the service sector for trafficked persons in Japan is severely underdeveloped, with almost no full-time staff nationwide, little victim outreach capacity, and less than 25 beds available nationwide in private NGO-run trafficking shelters. The vast majority of foreign-born and domestic victims in Japan are currently unidentified and without services or support. Further, there is a lack of specialized anti-trafficking

NGOs in Japan. Because of the paltry funding for the civil sector, many NGOs working are required to become generalists about a spectrum of women's issues, such as domestic violence, sexual assault, divorce, stalking, homelessness, and rape. These NGOs are often the ones that have weaved human trafficking into their over-taxed programming due to the natural fit with other women's issues.

13) Numerous Selected Case Examples

- In August 2006, four girls between the ages of 16 to 19 were rescued from the apartment of 19 year old man. According to the police report, the girls were repeatedly physically abused, and one girl was forced into prostitution. The man solicited prostitution with customers through dating and match-making websites, and when the girl refused, he threatened to shame her by revealing that she had been in prostitution. [Yomiuri Shimbun]
- Kanagawa Police arrested four men for forcing teenagers into prostitution. They recruited teenage girls through websites that advertise "finance loan available for underage girls." The girls who could not pay the high-rate interest debt from the loan were forced to provide commercial sex at the escort service agency that one of the men owned. The men later told the police they contracted more than 100 girls through such a loan, and that the girls were forced to be photographed naked in order to receive loans. The photos are then used to threaten the girls with the risk of shame to ensure that they keep working at the escort service. [2006/9/15 Nikkan Sports Newspaper]
- In 2004, a 17 year old girl was found dead in the forest of Aichi prefecture. A 27 year old former civil offer was arrested in conjunction with the death. Later details revealed that the man met the woman through dating website and asked her to engage in sex for several hundred thousand yen. The man said he started arguing with her about the payment, and killed her after she threatened to tell his family about buying sex. Later in 2005, the police investigation found out there was a man who was trafficking the girl who the girl contacted about how much money she made from the arrested john. The trafficker was recruiting customers through the dating websites for prostituting the teenage girl, and she was pressured to give the half of the profit to him.
- One recent case of domestic trafficking occurred when two men from Kanagawa prefecture were arrested for running a brothel using "deaikai" (internet matchmaking sites) and for forcing 33 teenage girls into prostitution. The girls were made to sign contracts and had money taken away from them under the pretext of rent for short-stay apartments and fines. The men threatened the girls with threats such as "If you quit, we'll sell your organs."

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- In December 2004, a hotel manager, a brothel manager and three Yakuza members were arrested for trafficking two Japanese women into prostitution. The men were suspected of having brought the two women (19 and 20 years old at the time) from Sapporo City to the hotel in Osaka and forcing them into the commercial sex industry from the end of August to the middle of September 2002. The hotel manager, who knew the women previously, told them that “because you didn’t agree to getting involved with the Yakuza, I was given a 4,000,000 yen debt. Pay me back by selling your body!” In this way, he forced them to perform commercial sex acts in his hotel, and was handing the earnings to Yakuza members. Victims were forced to take 30 to 40 customers per day. [2004/12/9 Asahi Shimbun]
- Two men (28 and 39) suspected of trafficking two girls (15 and 16) for several million yen were arrested by Hyogo Prefecture Police under the Child Prostitution and Pornography Law. The girls were kept in captivity and forced into prostitution. The police suspect that the two men were colluding with Yakuza members and trafficking other girls. This is the first case in which the anti-trafficking rules of the Child Prostitution and Pornography law were applied in Japan. [2004/05/26 Asahi Shimbun]