



# The Trafficking of Asian Women

## The Most Grievous of Human Rights Violations

Thonglim Khamphiranon, 41, and Somkhit Yindlphor, 57, two Thai women, were smuggled into the US and enslaved for five years by Supawan Verapol, a Thai national. She forced them to work at her home and her restaurant, the Gulf of Siam in Los Angeles. The women worked seven days a week, 12 hours a day, and sometimes up to 18 to 20 hours a day at the house and restaurant. They were forced to sleep on the floor outside the employer's door at night to be at her beck and call. They were denied medical and dental care. One of them was in such pain at one point that she resorted to pulling her own teeth with toenail clippers. They finally escaped in 1998 and found refuge at the Thai Community Development Center in Los Angeles.<sup>1</sup>

### Scope and Causes of Trafficking

In the trafficking of women, class, race, and gender oppression come together to create the worst exploitation.<sup>2</sup> All of the principles of the Universal Declaration of Human Rights are violated by the trade in women for sexual or severe labor exploitation. Each year, an estimated 700,000 to two million women and children are trafficked globally. Of that number, the Central Intelligence Agency (CIA) estimates that about 45,000 to 50,000 are brought to the US under false pretenses and held in servitude, forced into prostitution, bonded sweatshop labor, and/or domestic servitude. Approximately 30,000 come from Asia, 10,000 from Latin America, and 5,000 from other regions such as the former Soviet bloc countries

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<sup>1</sup> 2 reported in poverty after fleeing employer, Daily News, Kathryn McMahon, Trafficking of Women: A Report from Los Angeles, April 3, 1998.

<sup>2</sup> While men and boys are also trafficked into involuntary servitude, the vast majority of trafficking victims are women and girls. They suffer harms of a different nature and degree than male victims. Women and girls are primarily trafficked for sex, as well as labor deemed to be "women's work." Or they are forced into marriages and/or reproduction while men and boys are not. Girls are most often trafficked for their virginity into marriage and the sex industry while boys are most often trafficked into sweatshop or other similar labor.

and Africa. The primary Asian source countries to the US are Thailand, Vietnam, and China but women have also been trafficked to the US from every poor country of Asia. Trafficking of women has been reported in 20 states, with most cases occurring in New York, California, and Florida.

Trafficking in women flourishes in direct proportion to the growing economic inequity between the developing countries of the South and the industrialized countries of the North.<sup>3</sup> Traffickers recruit women in the most impoverished countries where unemployment is high, women have unequal access to employment opportunities, safety nets are nonexistent, and social networks are disintegrating. Denied access to the formal economy, poor women increasingly migrate alone across international borders to support families. Barred from legal immigration because of limited visas issued by receiving countries, women are easily recruited and deceived into traveling with organized crime members to factory jobs,<sup>4</sup> domestic work, and sex work.<sup>5</sup>

In addition, as informal and underground economy grows in the US so does trafficking and slavery. The exploitation of immigrants and women of color is widespread and very much a part of the fabric of the underground economy. Across sectors including the garment, domestic, agricultural, and restaurant industries, multiple violations of minimum wage and overtime, health and safety, workers compensation, and other labor laws occur. Underenforcement of laws by government allows employers to violate laws with impunity, paving the way for trafficking to spread.

### **Current US Law on Trafficking**

Asian women are trafficked into the US in different ways and for various purposes. Whether or not a person is considered to have been trafficked depends on the definition adopted by a country. Until recently, there has not been even a minimally agreed upon definition of trafficking. In October 2000, advocates in the US succeeded in obtaining from Congress, in the recently passed The Victims of Trafficking and Violence Protection Act of 2000 (HR 3244), a comprehensive trafficking law with a definition of trafficking, stiffer penalties for traffickers—from 10 to 20 years per count and life sentences if death, kidnapping, sexual abuse, or attempted murder are involved—and protections and services for victims. The definition is broad enough for prosecutors to establish the crime of trafficking where

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<sup>3</sup> The income gap between the richest and poorest countries has increased from 30 to 1 in 1960 to 74 to 1 in 1997. The worldwide flow of migrants looking for work increased from 85 million people per year in 1975 to 145 million in 2000.

<sup>4</sup> Trafficking for the sweatshop industries will be covered in Chapters Three and Four.

<sup>5</sup> While many victims of trafficking are forced to work in brothels hidden in Asian ethnic communities and serve only Asian clients, many women freed from the brothels have also stated that white men were among their customers. Thus, more data is needed before the source of the growing demand can be determined.

only psychological and no physical coercion is used. If recruitment involved the use of fraud, HR 3244 allows prosecutors to bring cases even where victims agreed to migrate voluntarily to work as a domestic worker or in the sex industry but find themselves in peonage, debt bondage, slavery, or involuntary servitude.

## The Broad Spectrum of Trafficking and Exploitation

### Trafficking by Organized Crime for the Sex Industry

In February 2001, after a two-year INS probe, 19 members of an Asian smuggling ring operating in the San Francisco Bay Area were indicted for trafficking women into the US from Korea, Malaysia, and other Southeast Asian countries and forcing them to work as prostitutes in brothels in California and other states. The women had to pay off debts of up to \$40,000 to the smugglers. The smuggling ring also trafficked immigrant women from other parts of the US, including Texas, Arizona, Minnesota, Louisiana, and New York. The brothels were operated out of as many as 25 single-family homes in suburban settings where they were less likely to arouse suspicion.<sup>6</sup>

#### ► 1. Scope and Magnitude

It is unclear how many of the estimated 30,000 Asian women trafficked into the US are destined for the sex trade as no centralized governmental agency is tracking this data. However, it is estimated that 10,000 Asian women are forced to work in Los Angeles' underground brothels. The Immigration and Naturalization Service (INS) has discovered over 250 brothels in 26 different cities where it is likely that trafficking victims are working. It is estimated that about 20 to 30 Thai women are smuggled into US and Canadian brothels each month. Advocates believe that hundreds, perhaps thousands, of brothels, operate as massage parlors, spas, tanning parlors, and beauty salons. Every major city is a receiving center for trafficked women, with the city of Los Angeles receiving the most.<sup>7</sup>

#### ► 2. The Traffickers

The CIA believes that traffickers of Asian women into the US are not part of the more established and highly organized crime syndicates.<sup>8</sup> Rather, they are primarily small or large criminal groups, working in loosely connected criminal net-

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<sup>6</sup> Bill Wallace, Smuggling, Prostitution Indictments, San Francisco Chronicle, February 13, 2001.

<sup>7</sup> Trafficking in women is much more extensive in the US than trafficking in girls, but it is a growing problem. For example, in 1999, 13 members of an Asian smuggling ring were indicted for trafficking up to 1,000 Asian women and girls, between the ages of 13 and 25, to Atlanta and other US cities for prostitution. The girls were held in bondage until their \$30,000 to \$40,000 contracts were paid off.

<sup>8</sup> Given the lack of data collection, US law enforcement officials admit they do not know what degree large international organized crime syndicates are engaged in this industry.

works. Though their connections are loose, the groups are effective in setting up businesses in the US, concealing the criminal nature of their activities, and deceiving women into accepting them as legitimate recruiters or potential employers. It is known that Chinese, Vietnamese, Korean, and other Southeast Asian criminal enterprises play an integral part in the smuggling of Asian women to the US, whether as recruiters, jockeys (bringing the women to the US), harborers (providing the safehouses during transit), brothel owners, extortionists, or protectors. A loose joint venture may cut across ethnic and organizational lines and may exist only temporarily for a given opportunity. They may subcontract out parts of their operations to groups such as street gangs in the Asian ethnic enclaves to act as prison guards or retrieve women who have escaped.

### ► 3. Enticement and Deception

Traffickers lure women from impoverished countries to the US by making false promises of jobs as waitresses, nannies, models, and factory workers with high wages and good working conditions. Recruiters front the money for travel documents, transportation, and charge the women from \$25,000 to \$30,000 for their services. Once recruited, the women's passports are confiscated, their movements are restricted, and many are forced to work as prostitutes until their debts are repaid. Women are prevented from leaving by violence, or threats of violence to themselves or their families. Trafficking victims may also suffer from extreme physical and mental abuse, including rape, imprisonment, and forced abortions. The women live and work in isolation and are denied outside medical attention. Fearing arrest and isolated by language, the women often do not attempt to leave.

### ► 4. Enormous Profits/Minimal Risks

The selling of naive and desperate young women into sexual bondage has become one of the fastest growing criminal enterprises in the global economy. Trafficking in women is now more lucrative than the international trade in drug and arms. Unlike cocaine, women and girls can be sold and resold. Criminal groups make big profits with little risk by dealing in humans; the punishment is minimal. Until HR 3244 created stiffer penalties in the US, the statutory maximum for sale into involuntary servitude was only 10 years per count. Sentences for traffickers of human beings ranged from seven months to nine years. By contrast, the punishment for distributing a kilo of heroin is a life sentence.

### **Trafficking for Domestic Servitude**

Shamela Begum, a Bangladeshi woman, was a live-in domestic in New York for an official at the Bahrain Mission to the UN. Upon her arrival in the US, her passport was taken away by her employer. Over the 10 months that she worked for him, she worked seven days a week, 12 to 15 hours a day, and was only paid \$100 a month, which was sent by her employer to Begum's husband in Bangladesh. When her employers left town, they left Begum no food or money to buy food. She was twice

assaulted by her employer's wife and confined to the house, leaving only twice, both times with the wife. The second time, Begum overheard a conversation in Bengali among some sidewalk vendors. When her employers left town later that day, she left the apartment alone for the first time. Not knowing how to use the elevator, she had to ask a boy to help her get downstairs. She retraced her steps to the vendor and told him her tale. The vendor contacted a Bengali language newspaper, which contacted Andolan, a South Asian workers' rights group. On August 30, 1999, Andolan brought the police to the apartment and Begum was freed. Because Begum's employers had diplomatic immunity, they were not arrested.<sup>9</sup>

Each year, the INS issues 4,000 two-year temporary work visas to diplomats and international bureaucrats based in the US to bring domestic workers to work as nannies, maids, cooks, and gardeners. These visas are issued to diplomats at foreign embassies and consular offices throughout the US and to high-ranking officials of the United Nations, Organization of American States, World Bank and IMF. The diplomat employers of domestic workers come from all over the world, but their domestic helpers are primarily from poorer countries. Of the 4,000 visas issued annually, 49% are issued to women from Asian countries, half of those to Filipinas, and the rest to women from Latin American and African countries. Most diplomatic domestic workers are employed in New York City, the site of UN headquarters, and in Washington DC, the site of most embassies and the main offices of the World Bank and IMF. As diplomats, employers may have full or limited diplomatic immunity from criminal and/or civil prosecution and as a result their domestic employees may not have legal recourse for the abuses and exploitation suffered.

Over a 20-year period, the Spanish Catholic Center in the Washington DC area has handled at least 50 cases a year, for a total of 1,000 cases, of women who faced severe exploitation or were held in slave-like conditions by diplomats and international bureaucrats. Advocates believe this is only the tip of the iceberg. These women are confined to homes, forced to work around the clock, seven days a week, with no time off. They are paid between \$100 to \$400 a month, some working for years without pay. In some cases they are passed on to a relative or mistress.

Thousands of other domestic workers are employed by wealthy private individuals and work under similar conditions of involuntary servitude.<sup>10</sup> Wealthy individuals who traffic women to the US are primarily émigrés from countries

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<sup>9</sup> Somini Sengupta, *An Immigrant's Legal Enterprise: In Suing Her Employer, Maid Fights Diplomatic Immunity*, *New York Times*, Jan, 12, 2000.

<sup>10</sup> Domestic workers enter the US legally on B-1 visas (temporary work visas). Because the INS does not keep a record of the number of domestic workers brought in under the B-1 visa category, it is difficult to estimate the number of women who may be in the situation of domestic servitude.

with great disparities in wealth such as Indonesia, Bangladesh, Thailand, the Philippines, and Nepal. They often bring their domestic help with them to the US, whom they view as servants and not as workers with rights. When a domestic worker moves with the family to the US, often salaries that are promised are not paid, there may be sexual abuse and withholding of health and dental care, and if she complains, death threats to the family back home. In one case, the employers had their domestic worker's home in Bangladesh burnt down to intimidate her into not testifying in a criminal prosecution against them.<sup>11</sup> Domestic workers may work as long as five years in a home before escaping.<sup>12</sup> These domestic workers continue working despite the abuses because of their need to support their families back home, threats to their families, and an inability to escape because of language and cultural barriers, isolation, or a watchful employer.

### **Servile Marriages**<sup>13</sup>

She met her husband over the Internet. She was well educated, a teacher in China, and entered the US legally. The man lied to her about his age, profession, and where they would live. Once she came to the US, she found herself living for several months in a remote and isolated area in the California desert. He kept her imprisoned in their house and sexually abused her. He had a scheme for her to make money for him and be his source of income in old age. For this scheme to work, she had to learn English. For a few weeks she attended ESL classes where she also learned about shelters for domestic violence victims. She called the police, escaped, and made her way to the Coalition to Abolish Slavery and Trafficking. She is now at a battered women's shelter.<sup>14</sup>

About 100,000 to 150,000 women from around the globe advertise their availability for marriage in mail-order catalogues, e-mail "pen-pal" clubs on the Internet, classified ads, and various types of dating services. The INS estimates that 4,000 to 6,000 women are brought by men to the US as brides through these types of arrangements. The majority of the brides are from countries of Southeast

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<sup>11</sup> Interview with Muneer Ahmad, attorney with the Asian Pacific American Legal Center, who represented Ms. Shaefeli Akhtar, a Bangladeshi woman who was trafficked into the US for domestic servitude by a Bangladeshi couple in 1995. She worked for five years for this couple, enduring beatings and death threats to herself and her family. She escaped in June 2000. She was a material witness for the federal criminal prosecution that resulted in the conviction of the couple.

<sup>12</sup> Women forced into prostitution are usually detected within a year or two because, unlike domestic work, prostitution is a crime for which law enforcement is actively seeking prosecution.

<sup>13</sup> A more commonly used term for these brides is "mail-order bride." However, this term is not used in this report because many Asian women consider it derogatory and because it places a stigma upon women who found husbands through these types of arrangements.

<sup>14</sup> Author's interview with Hae Jung Cho, Jan., 25, 2001.

Asia, primarily the Philippines, and also former Soviet bloc countries. There are over 200 mail-order catalogue agencies operating in the US. Bringing a woman to the US in this manner is not always considered to be trafficking. Some of the men treat their wives well and are looking for companionship, not just a housekeeper who also provides sex. However, where there is not full disclosure and informed consent as to the nature of the relationship, a woman may end up as a trafficking victim in a servile marriage and may be exploited as a domestic worker and sexual slave, confined to the house, denied the opportunity to learn English, drive or communicate with family back home, and kept isolated or even prostituted by her husband.

No national figures exist on the abuse of women trapped in servile marriages. Some figures are available and anecdotal evidence sheds light on the extent of the problem. While the INS estimates that the 4,000 to 6,000 brides who enter through mail-order or pen-pal arrangements are only three to four percent of all annual immigration involving female spouses, the Asian Women's Shelter in San Francisco estimates that about 17% of the population in its shelters are women trapped in servile marriages. The Asian Task Force Against Domestic Violence in Boston estimates that these women represent five percent of its shelter population. Given the great economic, age, and social disparity between the spouses and that many of the men who seek spouses in this manner are looking for subservient women they can control, abuse in these marriages is very common.<sup>15</sup> In the US, there have been high profile cases of Filipinas trapped in servile marriages who were killed by their husbands. In 1994, Jack Reeves of Texas, a serial bride buyer, killed his wife of seven years, Estelita Villar Reeves. Estelita was the third bride Reeves brought over to the US. The following year, Susana Blackwell, also 25 and Filipina, was killed by her estranged husband at a Seattle courthouse that was hearing her divorce petition.

While many mail-order companies may be legitimate businesses, they are completely unregulated. They are not required to and generally do not screen their male clients, some of whom have histories of domestic violence or criminal records. While the companies provide personal details about the women, they do not disclose much about the male customers. Lack of regulation means that the companies are able to advertise minors, many as young as 13 years old, to clients. When mail-order brokers in arranging a "match" fail to inform the woman that the man she will marry may have a criminal background or may be a batterer, a pimp, or a serial bride-buyer, the broker should be considered a trafficker.

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<sup>15</sup> A survey conducted in 1999 for the INS revealed that 94% of the men seeking brides through mail-order catalogues were white, 50% were college educated, 6% with M.D.'s or Ph.D.'s. They were politically and ideologically conservative and economically and professionally successful. Their median age was 47, whereas their brides are from 16 to 24 years old. Over 90% of the men surveyed were 20 to 50 years older than their brides and state that they want women they can mold and are not too educated. Most of the men surveyed talked about "traditional values."

## Advocacy Needed

### Advocacy for Victim Services

Very few services exist for trafficking victims in the US.<sup>16</sup> The most pressing need of those who escape is for shelter. HR 3244 prohibits the detention of victims in inappropriate facilities and requires that they receive medical care and protection from recapture or harm by the traffickers. However, shelters for trafficking victims do not exist. Homeless shelters are unsafe because many require the resident to leave during the day and return only at night. Some domestic violence shelters accept only victims of spousal abuse. In addition, both types of shelters are already overburdened and not trained to handle the extreme forms of exploitation suffered by trafficking victims. Advocates feel that it is better for trafficking victims, who often have bonded from their shared traumatic experiences, to be housed together rather than split among several shelters. There is a need for advocacy for emergency, transitional, and low-income housing for trafficking victims. Appropriate shelters need to be constructed and additional resources given to existing shelters to expand their capacity to accept trafficking victims and train staff to address the legal, case management, and safety needs of trafficking victims. There needs to be advocacy for more funding from government and private foundations and education to change domestic violence shelters' restrictions that preclude them from providing services to trafficking victims.

After shelters, the second most pressing need of freed trafficking victims is finding ways to support themselves while criminal prosecutions or their visa applications are pending, either of which may last over a year. HR 3244 created a new visa category, the T visa, which will allow up to 5,000 victims of trafficking to remain temporarily in the US while they are assisting in the investigation and prosecution of a trafficking case. T visa holders are authorized to work while they remain in the US.<sup>17</sup> HR 3244 also provides that those certified by the government as victims of severe forms of trafficking are eligible, to the same extent as refugees, for public benefits such as food stamps, TANF, Medicare, and job training programs. Federal, state, and county welfare agencies need to be educated about these regulations and trained to appropriately handle these cases.

The new law requires that victims have access to information about their rights and translation services. INS and US Attorneys have kept victims secluded

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<sup>16</sup> For the entire country, the DOJ has issued only one grant in the amount of \$75,000 per year for two years for victim services and that grant was to CAST. Funding from private foundations is available for international organizations working on trafficking, but not for domestic groups because many funders find it difficult to believe that slavery can exist in America. When CAST went to a major funder for support, the program officer asked that they not use their letterhead but to make the request under the name of its fiscal sponsor, Little Tokyo Service Center, because the term "Slavery" on the letterhead might prompt concerns that would delay the grant.

<sup>17</sup> If certain conditions are met, a T visa holder may petition the INS to become a permanent legal resident (green card holder) after three years.

and away from attorneys who can provide them with legal advice, such as possible political asylum claims and the right to bring civil suits to recover wages and damages. Victims also need legal representation to protect them from criminal prosecutors who sometimes threaten to prosecute the women as co-conspirators. Legal Services Corporation attorneys are authorized under HR 3244 to represent undocumented trafficking victims. Advocacy is needed to ensure that the women have access to LSC attorneys and that they and other attorneys receive training.

### **Training of Law Enforcement**

An African woman from the Ivory Coast worked for a family and was beaten by both the husband and wife. The police were called in, but the woman spoke only French. She tried to tell the police what happened to her by making the motions of being beaten. The employer said to the police, “She is crazy, see how she is beating herself,” whereupon the police took the worker to a mental hospital where she was strapped down, drugged, and released back to the abusive couple.<sup>18</sup>

When victims of trafficking escape and turn to law enforcement, they may be victimized a second time by being incarcerated, prosecuted, deported or returned to their abusers. For decades, law enforcement and the INS did not see these women as victims of human rights violations, but treated them like criminals, focusing on prosecuting them as prostitutes or deporting them. Victims may be held indefinitely in detention and mixed in with the general prison population while serving as a witness in criminal cases against traffickers. The INS has not developed any systems to detect, screen for, and process trafficking victims detained at a port of entry. Often INS agents assume the person is a migrant attempting to gain entry illegally and will deport the person who then is returned to the clutches of the traffickers. In some cases, traffickers may post bail to have the victim released and she continues on her journey into bondage. Thousands of children are in INS detention. They are being released to “uncles” who bail them out and then disappear into bondage and the underground economy.

HR 3244 requires specialized training for Department of Justice (DOJ) and Department of State (DOS) personnel in identifying and responding to trafficking victims. Other federal, state, and local law enforcement need training in identifying trafficking victims and referring them to appropriate shelters and the appropriate federal agency, not simply to INS.

### **Ensuring Implementation of HR 3244**

HR 3244 authorized \$26.5 million for its implementation in 2001, but Congress did not make an appropriation to release the funds. In addition, limited resources have hindered the US Attorneys’ ability to investigate and prosecute trafficking cases and HR 3244 did not include appropriations to the Department of Justice for

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<sup>18</sup> Author’s interview with Joy Zerembka, Jan. 21, 2001.

increased prosecutions.<sup>19</sup> Advocacy is needed for Congress to appropriate sufficient funds to implement HR 3244.

Advocacy is needed to ensure that the implementing regulations carry out the intent of HR 3244. Advocates have begun drafting proposed regulatory language to cover all forms of trafficking, whether by organized crime or wealthy individuals and diplomats (without absolute immunity) or by men who “purchase” a bride through a mail order company. Advocacy is also needed to ensure that the temporary T visas are available not just to victims designated as material witnesses but also to those who cooperate in giving information if the government decides not to prosecute. The bill is not clear as to who applies for the T visa, the victim herself or a federal official on her behalf, such as a US Attorney. Similarly, the bill is unclear if a woman can self-petition for certification as a victim of trafficking in order to be eligible for public benefits. Advocacy is needed to ensure that regulations provide for a self-petitioning process in both situations. Because many months will elapse before a T visa or certification application is approved, regulations are needed to provide victims with interim status so that shelter, public benefits, and other protections are available while the application is pending.

## The Organizations

There are few nonprofit organizations that advocate on behalf of trafficking victims in the US. Because of the dire needs of the victims, these few understaffed organizations are overwhelmed with direct services as well as advocacy work. In a sense, the anti-slavery and trafficking movement in the US is where the domestic violence movement was 20 years ago. It is inchoate, with organizations only two years old developing networks to provide direct services and do advocacy work and the needed education to bring this issue to the public’s attention. This is an important area for funders to make a long-term commitment.

The Los Angeles-based *Coalition to Abolish Slavery and Trafficking (CAST)* was formed in 1998 and until 2002, was housed at Little Tokyo Service Center (LTSC), which is its fiscal sponsor. Because the majority of trafficking victims are Southeast Asians, this project and its predecessor have always been affiliated with an Asian American organization and have had Asian women staff. CAST is the only one of its kind in the US. It provides direct services, technical assistance, and training and is part of the national network that brought about the HR 3244 victory.

CAST created the Community Care Network (CCN) of direct service providers who can accept trafficked persons as clients. Trafficked women are referred to CAST by the INS, FBI, US Attorney, or community agencies after the

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<sup>19</sup> While as many as 50,000 women and girls are trafficked into the US, during 1999 and 2000 the government prosecuted cases involving fewer than 300 victims. The DOJ has handled only 50 cases in the last five years.

woman has escaped on her own. CAST clients speak 13 languages. The majority of the clients are from Southeast Asia with Thai women being the largest group. Of the 25 cases that CAST has handled since 1998, the victims included domestic, home care, restaurant, and sex workers. CAST does case management, following a matrix of needs chart, working with the women from the crisis mode until she has returned to the home country or, if living in the US, she is both safe and thriving. In addition to an active caseload, CAST provides technical assistance and trainings to the INS, FBI, and other federal agencies throughout the country after brothel raids on how to work with the freed women and also for service providers who find a victim on their door steps. CAST has been inundated with calls for training by its staff.

CAST's regional advocacy work is conducted through the Task Force for Trafficking Victims Services, which it created in 2000 and brings together CCN organizations and federal agencies such as the INS, Department of Labor (DOL), FBI, and US Attorneys to coordinate work among them since most all of them are involved when a trafficked person has been freed. CAST worked with a national coalition in drafting, reviewing and lobbying for passage of HR 3244. This coalition is led by the Washington DC-based International Human Rights Law Group (IHRIG), which relies on grassroots groups like CAST for their expertise. In January 2001, this national coalition met in D.C. and formed the Freedom Network (USA) to Empower Trafficking and Enslaved Persons, a network of 15 organizations from 16 cities to work on implementation of HR 3244.

The *Campaign for Migrant Domestic Workers Rights* was started in 1997 and is a project of the Washington DC-based Institute for Policy Study. The Campaign is a coalition of social service, church-based, human rights and labor groups and private attorneys. It has one staff person and its focus is on domestic workers employed by diplomats and officials of the World Bank and IMF. The Campaign started out with a focus on advocacy, but expanded into direct services because there were so few organizations that do this work. In the past year, the Campaign has assisted 29 women and has a caseload that includes 10 Asian women: six Indonesians, two Filipinas, a Nepalese, and a Bangladeshi woman. Often the staff person operates in crisis mode when a federal agency or a Good Samaritan calls seeking shelter for a woman who has escaped, and has even taken part in helping women escape. For years, an informal network of churches and service agencies such as the Spanish Catholic Center, lawyers, safehouses, and Good Samaritans—sort of an “underground railroad”—assisted domestic workers in the D.C. area. These groups now work under the umbrella of the Campaign. However, finding language appropriate agencies for these women has been difficult, particularly Asian American organizations. There are no shelters for these women except homeless shelters, which are inappropriate. The Campaign wants to build a network of direct service providers much like CAST's but its one staff person is inundated with being a service provider, volunteer coordinator, and back up to the pro bono attorneys and has little time to build the network. Like CAST in Los Angeles, the Campaign fields calls from other parts of the country.

As part of its advocacy work, the Campaign engaged in a dialogue with the World Bank and IMF to press them to adopt codes of conduct for staff employing domestic workers. The World Bank agreed to adopt codes of conduct, including a complaints mechanism for workers, but refused to consider the idea of providing domestic workers with access to independent social workers. Workers who have filed complaints have endured months-long delays and hostility when they finally meet with World Bank officials. When negotiations with the World Bank and IMF reached an impasse, the Campaign turned to legislative reform. The Campaign wants legislation to protect diplomatic domestic workers similar to those that exist for the au pair program, a visa program sponsored by Congress. The au pair program brings to the US mostly white, middle-class, and young European women to work as nannies in private homes. Au pair agencies throughout the country administer this program. There are safeguards built into the au pair program such as screening of parents, a one-week orientation for au pairs before they begin work, an exchange of names and numbers of all other au pairs in the area, regular reporting by both the au pair and the employer to the agency; and the availability of the au pair agency to the nanny if she needs to turn to someone if problems arise. Congress created the au pair program with its safeguards to protect young European women coming to this country to work in thousands of homes. The Campaign wants Congress to provide young women from Asia, Latin America, and Africa who work for diplomats with no less protection than their white European counterparts.

With the passage of HR 3244, the Campaign will advocate to ensure that diplomatic domestic workers are protected under the new trafficking law and that T visas, work authorizations, and certification as trafficking victims are available for these workers also. The Campaign is also part of the Freedom Network (USA) to Empower Trafficking and Enslaved Persons.

As Asian American organizations have become aware of the enormity of human rights violations occurring against trafficking victims, a number have begun assisting them. The *Asian American Legal Defense and Education Fund* in New York represented Shamela Begum in a lawsuit against her Bahrain diplomat employer to recover damages sustained from, among other things, involuntary servitude and false imprisonment. The *Asian Pacific American Legal Center* in Los Angeles represented Shaefeli Aktar who was a witness in the criminal case against the Bangladeshi couple who imprisoned her. The *Asian Law Caucus* represented a number of the Asian women freed from brothels after the February 2001 INS raid, securing their release from INS custody and assisting them in obtaining T visas. Two grassroots South Asian women's organizations, *Andolan* and *Workers Awaaz* in New York, have assisted domestic workers held in involuntary servitude for a number of years. Neither organization has paid staff. Volunteers and the women workers themselves do the outreach work, find attorneys to represent women who have escaped or have helped women escape, and hold demonstrations against abusive employers to bring public attention to the women's plight.

## Recommendations for Action

- ▶ Train law enforcement to identify trafficking victims, provide them with appropriate services and shelter, medical care, access to translators, and protection from harm by their traffickers.
- ▶ Educate federal, state, and local government agencies and nonprofit service providers on the rights provided by HR 3244 to trafficking victims, including rights to public benefits such as TANF.
- ▶ Increase language appropriate services to victims, including building shelters for trafficking victims, legal representation, and assistance in moving from crisis mode to situations where they are safe and thriving, either in their home country or in the US.
- ▶ Ensure regulations are adopted that carry out the intent of HR 3244, specifically ensuring that regulatory definitions cover all forms of trafficking and trafficking victims.
- ▶ Conduct ethnic group specific research on the scope of trafficking of Asian women to the US.
- ▶ Bring the plight of trafficked Asian women to the public's attention through media work and high profile litigation to create pressure and demand for an end to this extreme form of exploitation of women.
- ▶ Educate the ethnic communities in which trafficked women are hidden on how to identify trafficking victims and where to refer them for help.

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► *Pickers at a 1982 demonstration of 20,000 New York Chinese garment workers demanding that contractors renew the union contract.*