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MASTER OF MILITARY STUDIES

TITLE:

Human Trafficking: The United States Military's Hollow Policies

SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
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Executive Summary

Title: Human Trafficking: The United States Military's Hollow Policies

Author: Major Catherine Grush, Nevada Air National Guard

Thesis: Congress has mandated the US Military through certain laws and policies to provide equal protection under the law for all people, to prevent trafficking for the purposes of forced labor and prostitution, both within the continental US and in forward deployed areas in foreign countries; a task that the military has clearly failed to meet through hollow policy and rhetoric in conjunction with selective enforcement of the law.

Discussion: The US military has struggled to combat human trafficking in and around its Asian bases. The US military's relationship to sexual exploitation and forced labor continues to be studied and analyzed by academics and journalists even as the US government enacts laws, regulation and policy to prevent human trafficking. Service members' involvement with prostitution since the Korean War has historically enabled the exploitation of women by the governments where American bases are located. However as these governments abide by UN mandates and International law, criminal organizations have started trafficking women across borders to meet the demand of American service members. During the Iraq war, the US government and military could not determine the amount of contractors in country and oversee the multitude of contracts allowed for the potential exploitation of laborers. Human trafficking affects our national interests around the world, as US allies in Europe combat the trafficking of migrants from Middle East conflicts and enemies use the fear of exploitation to unsettle regions, increasing the complexity of conflicts. While treaties and conventions from the international community continue to highlight the plight of human trafficking, the US military struggles to enact new policy and law set down by the government.

Conclusion: The US military has been complacent and ineffective at combatting human trafficking in and around its bases in Asia. Interagency support from the Department of Homeland Security and outside committees of military and civilian professionals are needed to combat this global scourge.

DISCLAIMER

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Introduction

The International Labor Organization estimates that over 20 million people are victims of human trafficking worldwide, forced into jobs from which they cannot escape. These victims are used until they are no longer of service or can make a profit.¹ While the nature of such illegitimate and illegal activity is hard to estimate, within the last 20 years various countries, the United Nations, and non-governmental organizations (NGOs) have developed a vast amount of resources and methods to combat human trafficking. Legislation, policy, and social activism have brought trafficking into the public eye both within the United States and internationally. Congress has mandated the US Military through certain laws and policies to provide equal protection to prevent trafficking for the abhorrent purposes of forced labor and prostitution, both within the continental US and in forward deployed areas in foreign countries; a task that the military has clearly failed to meet through hollow policy and rhetoric in conjunction with selective enforcement of the law

The United States, a dominant military presence worldwide, has over 220,000 personnel deployed overseas in more than 130 countries. However, the proliferation of US military bases around the world has created opportunities for human trafficking due to the necessity of contractual labor and the demand for prostitution. While the US military has training policies in place and US law to support ending human trafficking, the preventative measures taken by the US military do not seem to have had an effect on either raising awareness or combatting human trafficking. Historically there are multiple United Nations treaties, US government policies, and regulations from within the Department of Defense (DoD) to take measures to suppress trafficking and the exploitation of women for prostitution. The United States is a signatory to the United Nations Convention on the Elimination of All Forms of Discrimination against Women.

This treaty requires nations to "take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women."² While a signatory, the United States has never ratified this treaty, Japan, Thailand, and the Philippines have all signed and ratified the treaty in their countries. International attention to the abhorrent treatment of women has been longstanding. A post WWII treaty that addressed prostitution was the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others adopted 1949.³ Ratified by both the Philippines and Japan it deems prostitution as "incompatible with the dignity and worth of the human person and endangers the welfare of the individual, the family, and the community."⁴ Human trafficking is not new to the US or the countries in which American bases are located.

With all of this concentrated effort, why has the United States military been so unsuccessful in combatting human trafficking? Laws have been passed, policies put in place to deter trafficking, changes made to the Uniformed Code of Military Justice (UCMJ) to punish the purchase of sex, training programs designed for all service members serving in domestic and overseas positions; yet none of these programs has decreased the United States military's involvement in human trafficking. With the high reliance on labor contracts facilitated in the Iraq and Afghanistan war zones, the military has been unable to eradicate the presence of forced labor and trafficking. Likewise, with the prostitution and human trafficking so prevalent in the proximity of US military bases in Asia, should a different approach be taken to curtail this tacitly illegal and criminal behavior? There are two methods that could be instituted; an oversight committee composed of civilians and military personnel, similar to what many Congress is pursuing on sexual abuse, and partnering with the Department of Homeland Defense on their Blue Campaign that focuses on human trafficking globally.

The practice of adopting the traditions and cultures of the foreign countries where US troops are stationed could explain why prostitution, debt bondage, and forced labor are so readily available and proliferating within and around foreign U.S. bases. The premise that “boys will be boys” and prostitution is being perceived as a centuries old profession acts as a deterrent to enacting any real social change within the military. There are two main counter arguments to this thesis; one, traditions of prostitution and slavery are accepted practices in Asia; and two, voluntarily entering into prostitution and debt bondage are not considered human trafficking. Scholars also discuss the counter arguments of boys will be boys, rites of passage to manhood, and the desire to protect local women from negative attention by service members.⁵ While many scholars debate the legitimacy of these counter arguments, many of these arguments have widespread acceptance by the public.

In *Disposable People* Kevin Bales writes about the challenges of ending human trafficking and the apathy towards or arguments against ending this lucrative practice. Factors of poverty, globalization, and traditions to continue human trafficking are discussed throughout the book. For instance, Bales references how in Thailand, many people for hundreds of years “have been forced to view their own children as commodities” because of the lack of arable land in the mountainous north.⁶ Selling their daughters (a son is never sold) as a slave or servant fed a flow of laborers and prostitutes into other areas within Thailand. Religion has played a role in justifying the slavery and trafficking of women and girls. “Within the type of Buddhism followed in Thailand, women are regarded as distinctly inferior to men.”⁷ Not only are women inferior within Buddhist writings but prostitution and slavery are accepted, wives are “those bought for money, those living together voluntarily, those to be enjoyed or used occasionally”.⁸ Buddhism’s message is of accepting and surrendering to the fate of pain and suffering in one’s

life, even if it is a life of prostitution. There is a Thai cultural belief that children, notably girls, have to pay their parents a life debt; of being born, fed, and raised. This idea of a debt by children to their parents is still held in modern times and in areas of extreme poverty, where children, especially girls, are expected to provide part of the family income.

The governments of Japan and Korea unquestionably helped set up brothels for American uniformed service members within their countries. The camptowns of Korea, the brothels in Tokyo, and the Yaejima Approved Prostitution Zone in Okinawa were constructs based off the camptowns of the Japanese Imperial Army. The governments of the occupied countries and the leadership of the US military across Asia were both concerned with the interaction of a service member with the female populations of their respective countries. Their response to this concern was to construct brothels or areas that would provide sexual services from women who were supposedly familiar with this type of work.⁹ Due to an extensive history of these camptowns scholars disagree on whether there is a culture of Asian prostitution that is inherently ingrained within Asian societies or a culture that has been established by an occupying force.¹⁰

Debt bondage or debt labor has cultural and historical roots dating back to feudal times in the Asia. Taking loans for basic subsistence, medicine, repairs, or for seasonal business's some people enter in and out of bondage as they work or pay off loans from landowners. People who do not have access to other means of credit find themselves and their families locked into years or generations of debt bondage trying to repay exploitive loans. Siddharth Kara of CNN's Freedom Project estimates that over 18 million people in the world are enslaved in debt bondage, with up to 90% of debt bondage occurring in South Asia.¹¹ Not only are people exploited for labor but extremists groups are recruiting from current and former bonded labor promising stability, a way out of financial debt, and a means to fight against ineffective government that

allows the exploitation to continue.¹² Debt bondage is inherent in forced labor and sexual exploitation, a debt that needs to be repaid by any means leaves women and men with little or no choice.

While the counter arguments suggest that prostitution and debt bondage are traditions within the Asian communities and enable human trafficking, the law, policy, and guidance of the US military overrule tradition and expressly prohibit the support of human trafficking. However while the system is in place to combat human trafficking, there seems to be a lack of support in ensuring adherence to guidance. Additionally the changing definitions by the academic community of what constitutes human trafficking compounds the problem of how prostitution and forced labor are viewed as human trafficking. Human trafficking is a complex, broad, and widely defined subject. Many analysts and academics prior to 2000 agree that there is no consensual definition in the trafficking of human beings.¹³ Salt and Hogarth have identified over 20 definitions of human trafficking and have attached them to their study.¹⁴

Authors and journalists use a variety of terms such as alien smuggling, illegal immigrant smuggling, trade of human beings, slavery, trafficking of aliens, commodification of human beings, forced labor, exploitation (labor and sex), and human trafficking to further confuse the subject. However, Salt and Hogarth show that governments have made a distinction between trafficking and smuggling, citing the distinction made by the United Nations Convention against Transnational Organized Crime.¹⁵ While definitions were widely debated during the early development of human trafficking literature, most contemporary scholars and authors have come to a consensus on a single definition.

The United Nations Convention against Transnational Organized Crime in 2000

developed what is now the reigning definition of human trafficking. In Article 3 of the Protocol to Prevent, Suppress, and Punish Trafficking of Persons, Especially Women and Children, the following definition was adopted:

- (a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) (The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used).¹⁶

This essay will encompass a historical review of the US military’s association with prostitution and human trafficking. There are six sections to this paper. The first section, a literature review, will examine the factors of human trafficking. The second section will explore the history of prostitution associated with U.S. foreign military bases. The third and fourth sections will illustrate the sexual exploitation and forced labor within the U.S. military’s oversight. The fifth section covers the implications human trafficking has on US national interests worldwide. The final section will focus on the policy of the US Government and military to combat and prevent human trafficking.

Literature Review

The development of global economies and the demand for cheap labor has led to an increase in human trafficking.¹⁷ Asia has an unprecedented history in the exploitation of labor through slavery, indentured servitude, debt bondage, and the caste system.¹⁸ The slave trade

observed in Africa, North America, and Europe in the 18th and 19th centuries was founded upon the forced migration of slaves to meet the labor needs of the colonies. In Asia, the preponderance of the slave trade was solely for the exploitation of human beings to provide physical labor at minimal or no compensation. Slaves were obtained by those from lower social status, castes, or abducted from regions where tribal warfare provided these unfortunate beings to the slave traders. The construct of human trafficking has persisted into contemporary Asia as first world countries compete for cheaper goods.¹⁹ Forced labor and sexual exploitation are in high demand as economies grow and wages increase.

While human beings often migrate in response to an increased demand for labor, the consequences of war and terrorism also greatly increase opportunities for human trafficking as people move away from conflict and as a demand for cheap labor increases in war zones to support American bases.²⁰ The socio economic policies and traditions of third world countries such as Thailand and the Philippines demonstrate the influence of emigration on sex workers and forced labor to meet the incentives of wealthier countries.²¹ In the Philippines and Thailand overseas employment built social status and improved financial standings; however this increased the vulnerabilities of people being trafficked.²² Both countries have the highest amount of trafficked sex workers to neighboring Asian countries in the world, most of the women are promised domestic positions.²³ The emigration of sex workers from Thailand and the Philippines to Japan and Korea is a result of steady or increased demand for sexual services created by a decline in the number of Japanese and Korean women entering or forced into the sex trade, thereby increasing the likelihood of human trafficking.²⁴

The demand for prostitution has increased the chances of human trafficking as brothels in Korea, Japan, Philippines, and Thailand sprung up to meet the needs of US service members.²⁵

The sex trade is not the only form of human trafficking around military bases. The proliferation of bases in Iraq and Afghanistan has created the demand for cheap labor to meet the needs of a downsized military serving in two war zones. From Congressional reviews, journalists' accounts, and government oversight committees, the literature reveals that forced labor on military bases is a new aspect of human trafficking that has not yet been thoroughly researched. This paper will examine the current available research to analyze the impacts American military policy has had on human trafficking in and around American bases in Asia.

Prostitution

Annually over 200,000 service members are deployed overseas yearly, with most of them being young, male, and single. The resultant demand for sex has led to elaborate brothels and entertainment establishments. After World War II and continuing through the Vietnam War, prostitution and brothels were often set up with US military knowledge and sometimes in concert with the occupied country's government. Even though at the end of a conflict, prostitution was usually declared illegal in most countries as countries' economies improve. With the establishment of US military bases in foreign countries, the potential for trafficking and exploitation of women around these US military bases has increased. Japan, South Korea, Thailand, and the Philippines have all experienced a robust prostitution trade around US military bases.²⁶ Unfortunately, the lasting legacy of this exploitation has been poorly researched, and little has been documented on the societal and personal impacts.

Rest and recreation (R&R) centers were developed during World War II and continue to be developed for subsequent wars and conflicts up through the modern day. These civilian areas, located near American bases, were established to be safe locations where uniformed service members could take short durations of leave to recuperate from the stress and physically

demanding nature of combat or security patrols. In actuality they became havens for prostitution, drinking and illicit drug use. Initially started in Japan after allied forces occupied the country, brothels were quickly set up to service thousands of occupying forces, principally US service members. The construct would develop and form into what is currently a lucrative and enduring form of business, even when prohibited by the host country and the UCMJ.

During the Korean War, and ensuing occupation of South Korea, both the United States military and South Korean government set up permanent R&R centers known as *kijichon*, or more commonly known in English, as military camptowns. These camptowns would last for over 60 years, growing or shrinking based upon the level of US troops stationed in South Korea. At the height of the United States military presence there were around 350,000 prostitutes working in camptowns, but over a million women would serve as “sex providers for US forces”.²⁷ While South Korea would establish the concept of camptowns based off the idea of R&R centers, the Vietnam War would bring this “rest and relaxation” (R&R) construct to other Asian countries.

The Vietnam War brought a new dynamic to R&R centers, as these centers were not located near or directly attached to US military bases. Bangkok and other sites in Thailand became known for their red light districts and the very young girls that filled the brothels. Soldiers gave another name to the R&R centers: “they called them I&I’s- Intercourse and Intoxication Centers”.²⁸ During the war, the US military built seven air bases within Thailand. While brothels sprung up around them, Bangkok and Pattaya would become the most well-known R&R centers in Thailand. Though American soldiers departed in 1970, the sex tourism industry took hold, luring tourists, and becoming an established part of the Thai economy.

Similarly to Thailand, the Philippines would play an essential part in the establishment of sex tourism, resulting in many Filipino women being introduced into the sex industries around Asia.

The Philippines in the 1980s became host to some of the largest R&R centers established globally: Angeles City, adjacent to Clark AFB and Olongapo City, outside of Subic Bay Naval Base. Both averaging over twenty thousand sex workers.²⁹ R&R centers (mainly brothels and bars) in the Philippines were set up similar to those in South Korea. The construct for getting around illegal prostitution, as developed in Olongapo, was eventually exported to the South Korean camptowns. The potential for human trafficking grew exponentially as prostitution became illegal in most Asian countries, driven by the demand for sexual services provided to American military personnel.

Sexual Exploitation

“Juicy bars” is the unofficial vernacular of brothels or establishments that can arrange for more than just drinks and time for soldiers to speak with young women. The way they work is a client will buy overpriced drinks, usually around \$20 to \$40 each; each drink being worth about 20 minutes of a girl’s time. If a man buys enough, he can pay a “bar fine to let the woman miss the next day of work; offsetting what she would make selling juice.”³⁰ Alternately the man can just pay the bar fine immediately and negotiate a price for sex. While this process might look like a basis for simple prostitution, in reality the woman has little or no choice to not engage in prostitution. If a woman does not sell enough drinks she is charged a “bar fine” and is required to have sex with a man to pay off the debt.³¹

Female prostitutes in Asia are charged for room, board, abortions, and medical requirements for sexually transmitted disease testing and treatment. If transported from another

country, either through legal or illegal means, the prostitute usually has to pay a promoter a share of her earnings for travel expenses. Not having the money to initially cover these expenses, the woman will enter into debt bondage with prostitution being her most likely method to pay off increasing debts. While prostitution eventually became illegal in most of these countries, rampant corruption in governments, a high demand for sex from uniformed service members, and the lucrative business of selling sex has allowed prostitution to flourish.³²

Compounding the problem of sexual exploitation and human trafficking were the disrupted economies and financial instability after World War II for many countries in Asia. Women and orphans were vulnerable and easy prey for governments and brothel owners when prostitution became their only practical means to survive. As economies improved, and job opportunities increased after World War II and the Korean War, South Korean and Japanese women were able to avoid prostitution. South Korea currently has the thirteenth highest gross domestic product in the world and Japan is ranked third, improving the plight of women in both countries. However, interest in sex by American uniformed service members has not diminished the demand and juicy bars now import women from foreign countries.³³

The most common form of human trafficking in East Asia occurs with entertainment visas.³⁴ In both South Korea and Japan, corruption allows promoters to legally import women; mainly Filipino and Thai, into the country where club and bar owners will then confiscate passports and identification papers until travel debts are paid off, another tactic leaving women vulnerable to exploitation. If migrants overstay their entertainment visas, leave the established campdown, or are caught doing anything illegal (such as prostitution) they are immediately deported, even if they had been coerced or trafficked specifically for the purpose of prostitution.³⁵

While the United States military did not set up all R&R centers with the intent of prostitution, the venereal disease (VD) clinics set up in these countries demonstrates that the military certainly was aware that prostitution was flourishing, if not outright accepted and encouraged. These clinics were a direct result of troop readiness requirements, but not for the well being of the women in the profession. “In 1971, for the first time in history, the United States Forces Korea succeeded in pressuring the Korean government to regulate systematically and strictly the bodies/health of camptown prostitutes through regular and effective VD examinations and treatment.”³⁶ Confronted with sharp increases of VD in American service personnel from 1970 through 1972, the American military leadership came under pressure to clean up VD in service members. Staffing clinics with both U.S. military medical staff and South Korean government medical personnel substantially reduced the overall percentages of service members with VD.³⁷

However, this came at a high economic cost to the prostitutes of the camptowns.

The most burdensome aspect of stricter VD control was financial. They were obliged to pay for the VD exams and any medical treatment out of their own pockets. Given that they were forced to handover to the club owner about 80% of the money they earned from selling drinks and sex to the GI's, they often lacked enough money to pay for VD checks and adequate treatment.³⁸

If the prostitutes tested positive, they were separated and held in detentions centers until clear of disease. They were not allowed to work, required to pay for their medical care and their room at the detention center; putting them further behind in the debt cycle. While VD examinations were mandatory for prostitutes (South Korea, Japan, Philippines, and Thailand all had VD clinics manned by American military medical personnel), uniformed service members were given a VD briefing upon arriving in country. Condoms were routinely handed out at the on base clinic and even at the gates of the military base. Mandatory testing was not, and still to this day, is not

required of service members. The one exception is testing for HIV before and after deployment, originally a disqualifying item for service members.³⁹ HIV positive service members can now serve in the military if diagnosed after entry, though there are limitations to being stationed in certain areas of the world based on required health care capabilities.

Concurrent with VD clinics, mandated patrols by military police repudiated the military's argument that they were unaware of prostitution surrounding military bases. Military patrols were commonplace in the 1960s through 1970s to check prostitutes' health examination cards and file complaints with bar owners if prostitutes were not carrying them. "These actions protected establishments and GIs but not the women who continually felt harassed and marginalized."⁴⁰ Into the 1980's and 1990's, as women's rights group and the plight of women trafficked for the sex trade became themes for feminists and human rights groups, the American military changed the public message about military patrols as means to protect soldiers by breaking up fights and ensuring compliance with curfews.⁴¹

In May of 2002 Fox News aired a story implying that the US Army patrolling the red light districts in Korea were also protecting establishments that facilitated the trafficking of women as sex slaves.⁴² Thirteen US Congressmen requested the Inspector General of the Department of Defense to open an investigation on the relationship of human trafficking and US military personnel. Two reports, focused on Korea and the Balkans, released in 2003 did not find that US troops were complicit in trafficking or protecting brothels.⁴³ However, the report on Korea had concerns that the US Army's relationship with those establishments was "overly familiar" and that the Army knew the women were trafficked, had identifications papers taken away, and suffered physical violence.⁴⁴ This prompted a zero-tolerance policy for both U.S.

armed forces and contractors from being “complicit in any way in the trafficking of persons”: which was defined as involuntary servitude, debt bondage, and sexual slavery.⁴⁵

The close ties of prostitution and the sexual exploitation within the practice human trafficking make it difficult to recognize and inhibit. Service members that frequent the bars and clubs with trafficked persons are often unaware of the relationship with their handlers. Human trafficking will continue to be an industry that will thrive on exploiting women for profit; yet, this does not exonerate the military of culpability in the continued exploitation of women. The slogan “incompatible with military values” seems an empty promise when analyzing the history of prostitution and the current system of juicy bars around American bases in Asia. The historical policies of supporting and promoting prostitution through military patrols and VD clinics under the guise of protecting the troops now looks like protection of a practice that is potentially detrimental to the national security of our bases.

Forced Labor

On September 25, 2012, the President of the United States issued an executive order titled “Strengthening Protections Against Trafficking Persons in Federal Contracts”.⁴⁶ This order was aimed at strengthening the US governments zero tolerance policy on trafficking of persons.

Section 2: Anti-Trafficking Provisions, clearly delineates that “Federal contractors and sub-contractors in solicitations, contract, and sub-contracts for supplies or services” will be held responsible if engaging in activities outlined in this section.⁴⁷ Following the Cold War the

United States reduced its military spending; cut forces, closed bases, and reduced its overall defense spending. Wars and conflicts generally see a rise and fall of troop levels requiring the US military to rely upon foreign contract labor to meet the needs of the armed forces.

Contracted forces are required to keep US bases maintained and running, allowing service

members to focus on combat missions. Salons, laundry facilities, construction, maintenance, warehousing, and food services are typical tasks “contracted out “to keep bases running.

Reporters, academics, and government officials have struggled to find an accurate accounting of contract laborers of American and third country national contractors in Iraq. In 2011, the Government Accountability Office (GAO) started publishing a series of reports on the Contractor Personnel System. The major grievances revealed in the reports were that the system needed modernization and compliance accountability due to failed inspections and irregularities in reports.⁴⁸ With the US government’s inability to comprehensively track contracted personnel, the exploitation of workers will remain a nearly impossible situation to control.

While the US government struggled with prosecuting the war, reconstruction of Iraq, and billion dollar contracts, men and women from all over the third world were signing contracts expecting decent work and wages in Middle Eastern countries. Sarah Stillman of *The New Yorker* was an embedded journalist, and one of the first reporters openly writing about the potential trafficking of third country nationals into Iraq. Interviewing hundreds of workers, she was able to piece together stories of workers “robbed of wages, injured without compensation, subjected to sexual assault, and held in conditions resembling indentured servitude by their subcontractor bosses.”⁴⁹ As reports from inspections by the DoD and GAO were published, it was clear “sub-contractors working illegally with labor brokers brought in thousands of low wage workers who were given substandard living and working conditions, many of whom were subjected to debt bondage”.⁵⁰ The DoD started taking steps to ensure all contractors and subcontractors would comply with anti-trafficking policies. A memorandum by the Joint Contracting Command issued in April of 2006 ordered all contractors and sub-contractors to stop the practice of withholding passports and set conditions for further contracts. The Command

defined the terms of employment, prohibited the use of unlicensed recruiting firms, firms that charged illegal recruit fees, and set minimum living space requirements.⁵¹ Even though the DoD took strides to combat human trafficking, false employee contracts, misleading recruiting firms, and lower wages were still the pattern across Iraq. Striving for a zero tolerance policy led to little or no repercussions for violators. Known abusers like Najlaa International, a catering subcontractor of Kellogg Brown and Root, continued to receive multimillion dollar contracts, even after U.S. forces found an off base warehouse “filled with more than a thousand workers who appeared to be human trafficking victims”.⁵²

Multinational corporations (MNCs), like Najlaa International, will continue to play a major role in overseas bases, especially during times of conflict and war. The vagueness and lack of transparency in corporate contract language, along with the narrow scope of US laws, diminishes a victim’s chance of seeking justice. MNCs entice workers with promises of wages higher than they are currently making, while each MNCs anticipates that forced or coerced labor will result in lower costs enabling a corporation to achieve higher profits through exploitation. With the myriad of contracts at the height of the wars in Iraq and Afghanistan the GAO found “it difficult to navigate the layers of contracts for purposes of accountability, and determining costs and cost effectiveness”.⁵³ Multiple subcontractors with little or no oversight of contracts and established practices of human trafficking with recruiting regions will continue to plague the United States military. Demand for large amounts of non-military personnel, and a corporations desire to make large profits, encourages cheap labor with a higher probability of people being trafficked.

The U.S military’s inability to combat trafficking on its own bases should be of concern to the government, public, and especially the military, and in particular, the troops that live and

work next to these people. Beside the fact that human trafficking is against our policies, regulations, and laws, it funds organizations against which the US military fights. The inability to manage personnel that work, live, and mingle with military troops, especially in combat zones, leaves our troops vulnerable and compromises our national security.

National Threats

In 2014, the ILO estimated that human trafficking “generates annual profits of US \$150 billion”.⁵⁴ With such a large potential for revenue, it should come as no surprise that terrorists and transnational criminals have deeply entrenched themselves in human trafficking networks. “The United Nations Office of Drugs and Crime places human trafficking as the second most profitable form of transnational crime after the sale of drugs and ranks it more profitable than the sale of arms.”⁵⁵ This has caused regional gangs and organized criminal groups to expand in size, scope, and redefine their identities on the global scale.

The lucrateness of human trafficking comes from the ability to sell a commodity multiple times. Terrorist organizations like ISIS and Boko Haram have either threatened to traffic women and girls or are currently doing so, described by Louise Shelley as potentially a new way of “demoralizing the conquered “and similar to enslaving conquered people.”⁵⁶ This concept would explain ISIS kidnapping of Azidi women and girls then selling them for such low prices. This creates instability both within a region and more distantly, as the local populace migrates away from such hostilities.

Wars and conflict areas produce instability and can cause high levels emigration, creating opportunities to draw refugees into sexual servitude and smuggling operations. This is of interest to the United States because it affects both our national security and stability of partner

and allied countries around the world. “Those who smuggle humans illegally have access to sophisticated, forged travel papers, and the ability to constantly change their smuggling routes—routes that may span multiple continents before reaching their destinations.”⁵⁷ As the European migration crisis continues forged papers, human smuggling and exploitation fuels criminal organizations. “New research by the EU’s law enforcement body based on debriefings with 1,500 asylum-seekers, refugees, and economic migrants showed that 90 percent had paid a criminal gang to reach Europe.”⁵⁸ With an estimated three to six billion US dollars received in revenue by criminal gangs, an amount close to exceeding that of drug trade profits in Europe, “governments must up their game or risk further growth of this ruthless industry according to the head of Europol”.⁵⁹

While smuggling rings of the past would potentially have controlled both the payment and the route, in the European crisis multiple criminal organizations are profiting from those carrying out the forgery to the different smugglings rings along the route, increasing profit for multiple parties. With European countries shutting borders, emigrants have to travel farther or pay more money for riskier transit that can lead to abandonment or death. In August 2015, the bodies of seventy-one migrants were found in an abandoned refrigeration truck in Austria. The potential ability to smuggle terrorists into the United States or allied countries is even more of a concern. In November 2015 in France, suicide bombers detonated explosives killing over 100 people, and subsequent investigations found some of the bombers had been smuggled into France using the same routes as those who smuggle migrants.⁶⁰

Criminal gangs in Asia have tight control on prostitution and smuggling routes. “In Okinawa, the *yakuza* (the Japanese Mafia) own and regulate the prostitution industry. The *yakuza* maintain a separate bar-area outside each military base, separate from the bars supplied

for Japanese and Okinawan men.”⁶¹ Close ties between criminal gangs and service members should be of concern to the US military; yet, very little is done to ensure that there is no contact between these groups. The policy of combatting human trafficking is relatively new to the DOD yet they have taken viable steps to encourage ending these atrocities.

Policy

If there are training, regulations, and policies in place to prevent service members from participating in prostitution that enable human trafficking, why has so little been accomplished in reducing the practice? Perhaps, because many facets of human trafficking are very complex and not solved with simple solutions human trafficking continues to flourish. The different means of trafficking, the bureaucracy of both the US military and government, and the ability to detect trafficking make for unique and complex challenges in addressing human trafficking across the US military.

Endeavors by the international community to combat human trafficking were realized by the United Nations Convention in 2000 that finalized an international treaty on Transnational Organized Crime to prevent the trafficking of human beings, in particular women and children. This was followed by President Bush’s signing into law the Trafficking Victims Protection Reauthorization Act of 2005, and President Obama’s executive order Strengthening Protections against Trafficking Persons in Federal Contracts to increase punishments for government officials that participated in human trafficking.⁶² In 2006 to emphasize support for treaties, laws and policy, and “since many people don’t fully comprehend the magnitude of the human trafficking industry, the DoD has established a new training program clarifying what human trafficking is and what the implications are of becoming involved”, said Robert Wisher, DoD’s

director of advanced distributive learning.⁶³ In 2014, after this training program had been in place for several years “surveys indicated a jump in DoD workforce awareness of slavery and human trafficking issues, from 72 percent in 2008 to nearly 90 percent today”.⁶⁴ So in retrospect, have these programs had an impact within the Department of Defense on curtailing or stopping human trafficking?

The primary underlying factor for sexual exploitation is demand; if demand goes down for prostitutes outside of military bases the resulting expectation would be less of a need to traffic women to these areas. However, even with policies in place this does not seem to deter service members from using prostitutes. US military members and other government officials are highlighted in negative news reports regarding the use of prostitution and the potential result of human trafficking. According to one account “the involvement of U.S. military personnel and Secret Service agents in a raucous April [2012] outing with prostitutes in Cartagena, Colombia, has underscored the gaps between the written policies and real-life experiences at military assignments around the world.”⁶⁵ The House Armed Services Committee viewed the resulting reports from both the Secret Service and DOD’s involvement, and “Senator Lindsey Graham, a Republican on the armed services committee, said he doubts that the military is enforcing its strict prostitution rules”.⁶⁶

In a 2013 article, Lieutenant Colonel Terry Moore, USAF (Ret) writes firsthand observations of the military’s involvement with prostitution: “I was in Korea for a one-year remote tour of duty and observed first-hand the around-the-clock horrific, surreal behavior (sex, drugs and alcohol) in what is notoriously called juicy bars. On my first trip off base, I thought I had entered a time warp, only to find out it’s always been that way and apparently, it is still that way.”⁶⁷ In October of 2014, General Curtiss Scaparrotti commander of US Forces Korea sent a

command policy memo to all troops reminding them of the potential charges for prostitution and the linkage to human trafficking.⁶⁸ David Vine reviewed the effects of the memo in a 2015 article, stating:

The military began more strictly monitoring bars and clubs in the camptowns and placing those believed to be involved in trafficking on “off-limits” lists for military personnel. At least one vet told me, though, that lists like these give troops at bases ideas about where to go rather than where not to go. And instead of shutting down prostitution, bars and clubs have simply responded with new tactics to vaguely disguise the nature of their business.⁶⁹

If service personnel will not take policy and regulations seriously, how can the military combat human trafficking?

Conclusion

Hollow policy and refusal to follow regulations comes from the top. Rep. Christopher Smith, R-N.J., author of the original legislation targeting human trafficking said, “there seems to be an institutional lethargy on the issue at the Pentagon below the most senior levels.”⁷⁰ This lethargy continues down into the ranks of commanders and non-commissioned officers. Following the media reports of the secret service in Columbia, Congress questioned the DOD on the participation of the military members which revealed that “unlike the Secret Service agents, who were ordered to return home and were swiftly disciplined, the military personnel were initially confined to quarters in Colombia for what the Pentagon called 'curfew violations' and an investigation followed.”⁷¹ Lawrence Korb, now a senior fellow at the Center for American Progress said, "it is unclear how often the military services impose the harsh written policies for personnel using prostitutes. I've never seen anybody go to jail".⁷² If the military cannot or will not police itself and follow its own policies should there be a body that does it for them?

“Ultimately, what we really hope to see is resources and leadership on this issue from the Pentagon,” said Sarah Mendelson, a senior fellow at the Center for Strategic and International Studies, a national security think tank in Washington.⁷³ Dr. Mendelson also called for the creation of an internal Pentagon watchdog committee after investigating the military's links to sex trafficking in the Balkans. A similar concept was devised by Representative Jackie Speier (D-Ca) and Senator Kirsten Gillibrand (D-NY), who sponsored bills through the House and Senate respectively, advocating a third party oversight board made up of military personnel and civilians. Designed as an alternative means to investigate and prosecute sexual abuse cases, this concept should be widened to include other related activities such as prostitution and human trafficking. The US military's, selective enforcement of policy and regulations threaten our national security. Senator Graham views the US military as trying to “adapt to local customs and morals. If there was an effort to visit prostitutes in Afghanistan, we would come down hard. Simply because it's a cultural no-no in Afghanistan, it would bring wrath upon us, he said.”⁷⁴ Yet, history bears witness to the persistent and prevalent attitude in the US military of only following the rules when it suits those in charge.

There is no question that human trafficking is detrimental to our national security and is incompatible with our military values through policy and regulations. Is there a better way through interagency support to combat trafficking? The Department of Homeland Security (DHS) has taken a proactive step in combatting human trafficking in their Blue Campaign program. “Working in collaboration with law enforcement, government, non-governmental and private organizations, the Blue Campaign strives to protect the basic right of freedom and to bring those who exploit human lives to justice.”⁷⁵ An interagency proactively working with other countries through immigration and law enforcement activities partnering with the DOD would

turn policy into action. The DHS is leading the federal government in combatting human trafficking; yet, former Secretary of Homeland Security Janet Napolitano noted the challenges her department faced in dealing with foreign nationals and governments that owned land in the US but were suspected of human trafficking and the difficulties in operating multinational as late as June 2013.⁷⁶ The US military should capitalize on DHS's strengths combatting human trafficking and familiarity with international law, collaborating with DHS would be a step in the right direction for the US military.

With US military approval, women and men will continue to be enslaved, abused, trafficked and treated inhumanly for sexual pleasure and financial gain. That we are complicit and complacent to these concepts abhorrent to our US Constitution, US military policy, the American way of life, and violate basic standards of human decency, is shameful. Clearly, through political and military leadership we are compelled to live up to the ideals upon which this nation is founded. If our Democracy is to be a “Beacon of Light” for the rest of the world to follow, we need to get past the empty rhetoric and hollow promises currently purported as leadership within the US Military.

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