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Introduction

In Japan, we have been exposed, even through the mainstream media, to the (still) contentious issue of the Japanese military recruitment and use of tens of thousands of sex slaves (euphemistically referred to as “comfort women”) during World War Two. However, sex slavery in present day Japan, although widely acknowledged in the human rights community as an irrefutable fact, gains very little media attention and is therefore out of the realm of public consciousness. In this paper, I will focus on sex trafficking (also referred to as trafficking of women and children for “forced prostitution”) since this category accounts for 75% to 80% of cross-border human trafficking worldwide and is the most extreme form of trafficking in persons.

Although the first part of this paper relies primarily on secondary research in order to provide working definitions of terms as well as background information on the issue of human trafficking, the latter part is based on primary research I undertook during a three week fieldwork research trip I took to Thailand in August 2012.

Human Trafficking in Japan

In a survey taken in Japan in May 2012 by the anti-human trafficking NGO Polaris Project Japan (<http://www.polarisproject.jp/>), it was found that only 4.8% of respondents were aware that foreign women and children are being trafficked into Japan and only 2.1% were aware that Japanese women and children are being trafficked domestically within Japan. Judging from its survey results, Polaris Project Japan concluded that human trafficking is widely seen (if seen at all) by Japanese as a problem occurring in foreign countries to foreign citizens with little or no relation to Japan.

Human trafficking is referred to as “modern day slavery” and criminal trafficking networks worldwide take advantage of their victims by means of deception, coercion, or force, and transport them to another location to work under highly exploitative conditions as “forced prostitutes” or manual laborers in debt bondage. Polaris Project Japan in its report outlines the brutal manner in which many trafficked women and children who are forced to work as prostitutes are treated upon their arrival in Japan: “*Once the women and children are brought into Japan, a process of ‘seasoning’ or breaking them down occurs, usually consisting of gang rapes, beatings, forced drug administration, and informing the victims of debts they now owe the traffickers and how they must pay them.*”

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Traffickers use debt bondage to harshly exploit women in Japan's large sex trade, imposing debts of up to \$50,000. The "debt bondage" method of control over trafficked humans is commonly utilized by sex slave traders worldwide. The so-called "debt" is incurred by the trafficked person due to the costs associated with recruitment, procurement of travel documents, travel expenses, food, accommodation, and maintenance expenses, bribery charges paid to government and law enforcement officials, and purchase price paid by buyers. The costs are often inflated and exorbitant rates of interest may be added — everyone involved in this business, from the local recruiter to the broker, the transporter, the distributor, and the ultimate buyer as well as those working with or for them makes money in their role in this very profitable business of buying and selling women and children. It is only the sex slaves themselves who are not paid and can never hope to pay back the "debt" no matter how hard they work. Thus, they are in bondage to the debt with no way to get out of it.

Since it is difficult to accurately ascertain the numbers of women and children (foreign and domestic) that are actually working under conditions of debt bondage, and since the definition of "human trafficking" is vague enough to manipulate the numbers in various ways, there is great discrepancy between the numbers given by scholars and various NGOs dealing with the issue and government agencies such as the Japanese National Police Agency. Meryll Dean of Oxford Brookes University in the UK in her study of human trafficking in Japan found sources that "indicate that the number of victims runs into hundreds of thousands" (Meryll Dean, "Sold in Japan: Human Trafficking for Sexual Exploitation." *Japanese Studies*, Vol. 28, No. 2, September 2008).

In my opinion, we should not dwell on the numbers but recognize and act on the problem of sexual slavery itself, one of the most extreme forms of human trafficking, and address the urgent need to eliminate it. I am not by any means a moral crusader railing against the existence of prostitution, but am speaking out as a humanist with an ethical obligation to do what I can to bring an end to the existence in our very midst of sexual slavery.

The Polaris Project Japan estimates the number of trafficking victims from abroad in Japan in May 2012 to be over 54,000 people and it identifies three major categories of trafficking into Japan:

Sex Trafficking: There are a significant number of women [and children] brought into Japan from foreign countries and forced into prostitution without pay. Three women trafficking victims cited in the Polaris Project Japan report stated: "*They told me I would be working as a waitress, but when I entered Japan, my passport was taken and I was forced to work at a sex club.*" "*I was moved around from place to place so much I didn't even know where I was living.*" "*I was under 24-hour surveillance and couldn't reach out for help.*" The report notes that women like these are forced to live and work in isolated, harsh, and degrading environments without freedom or the opportunity to escape.

Child Pornography: There is an exceptionally large and growing market for child pornography in Japan. According to the National Police Agency, there were approximately 2,300 violations of the Anti-Child Prostitution and Child Pornography Law in 2010 — the worst year on record. Japan and Russia are the only G8 member nations in which possession of child pornography is not a criminal offense.

Labor Trafficking: Victims from China, Vietnam, and other countries enter Japan ostensibly as "interns" but often have their passports seized and their freedom of

movement restricted. They are forced into labor in the agricultural or manufacturing sectors at exploitative wages (200-300 yen/hour) from which they must pay back the debt incurred from being trafficked to Japan. There are many cases of death by exhaustion — about thirty people died this way in 2008 alone.

In 2005 Irene Khan, then the Secretary General of Amnesty International, stated that Japan was the biggest receiving country for human trafficking and there were huge numbers of people being trafficked from Southeast Asia, Eastern Europe, and South America to Japan. A very conservative estimate by the US State Department puts the number of trafficked persons annually around 800,000 worldwide. However, this number only reflects those who are trafficked over international borders and does not include those who are trafficked internally, within the borders of their own countries. According to ILO estimates, profits from all trafficked persons amount to US\$31.6 billion per year, out of which profits made from trafficking women and children into forced commercial sexual exploitation is estimated to total US\$27.8 billion, while the amount of profits from trafficked victims in economic exploitation is US\$3.8 billion annually.

The most recent International Labour Organization Report released in June 2012 estimates that over 21 million people are now victims of forced labor across the world, trapped in jobs which they were coerced or deceived into and which they cannot leave. Note that the term “forced labor” is similar to but differentiated from “human trafficking” as explained in the 2012 ILO Report:

“Forced labour is the term used by the international community to denote situations in which the persons involved — women and men, girls and boys — are made to work against their free will, coerced by their recruiter or employer, for example through violence or threats of violence, or by more subtle means such as accumulated debt, retention of identity papers, or threats of denunciation to immigration authorities. Such situations can also amount to human trafficking or slavery-like practices, which are similar though not identical terms in a legal sense. International law stipulates that exacting forced labour is a crime, and should be punishable through penalties which reflect the gravity of the offence.”

Thus, the report points out that in the category of forced labor, 22% are victims of forced sexual exploitation and 68% are victims of forced labor exploitation in economic activities such as agriculture, construction, domestic work, or manufacturing while 10% are in state-imposed forms of forced labor in prisons or in work imposed by the state military or rebel armed forces. In the category of forced labor, 26% are below 18 years of age. In the category of human trafficking, 75%-80% are victims of forced sexual exploitation and 20%-25% are victims of forced manual labor. In the category of forced labor, 26% are below the age of 18 years, but in the category of human trafficking, this percentage drops to an estimated 15%.

US State Department Annual Trafficking in Persons Report

Since what I refer to as the “postwar US-led imperial alliance system” (integrated militarily by the North Atlantic Treaty Organization in the western hemisphere and by the US-

Japan Mutual Security Act in the eastern hemisphere, economically by the World Bank, IMF, and WTO, and politically by the G1 + 6 + 1 and the Trilateral Commission) has been instrumental in the creation of the increased misery and poverty throughout the world which in turn has led to the motivation of desperate people attempting to escape from extreme poverty to migrate to urban centers or other countries to find a better life for themselves and their families, it may appear to many to be hypocritical for the United States to assume the role of a defender of victims of human trafficking by issuing an annual country specific report on the state of trafficking in persons.

Although the United States government may indeed have a hidden political agenda in producing the annual Trafficking in Persons (TIP) Report and is certainly known to be adept in its use of rhetorical flourish (what it says on the one hand and what it does on the other often being completely different), it cannot be denied that the publication of the TIP Report has helped to raise public consciousness to a degree regarding the issue of human trafficking and, more importantly, forced some governments (including the US government) to enact policies to address this issue. Therefore, a closer look at the TIP Report and, more specifically, a brief examination of the most recent TIP Report pertaining to Japan is warranted to gain an understanding of the state of human trafficking in Japan.

The US Department of State, due to pressure exerted by human rights organizations and religious bodies, produces its annual report evaluating the efforts of governments concerning trafficking in persons. The legal basis for the annual Trafficking in Persons (TIP) Report is the Victims of Trafficking and Violence Protection Act (Public Law 106-386-28: October 2000), which defines "severe forms of trafficking" as follows:

(a) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or (b) The recruitment, harboring, transportation, provision, or obtaining of a person for labor services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

The annual Trafficking in Persons Report introduces policy approaches to combating trafficking, describes the situation in the given country with respect to trafficking in persons and the anti-trafficking measures taken by the respective governments, and provides an evaluation of the countries' efforts based on a 3 level tier-placement system, with a special 'Tier 2 Watch List' for those countries that are at risk of being demoted to Tier 3. The tier placements are established according to the following conditions:

Tier 1: Countries whose governments fully comply with the Act's minimum standards.

Tier 2: Countries whose governments do not fully comply with the Act's minimum standards, but are making significant efforts to bring themselves into compliance with those standards.

Tier 2 Watch List: Countries whose governments do not fully comply with the Act's minimum standards but are making significant efforts to bring themselves into compliance with those standards, and: a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or c) The determination that a country is making significant efforts to bring

themselves into compliance with minimum standards was based on commitments by the country to take additional future steps over the following year.

Tier 3: Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so. A country that is classified as Tier 3 may face sanctions such as the withholding of non-humanitarian, non-trade-related foreign assistance by the United States. Critics have pointed out, however, that the threat of the imposition of sanctions may be politically motivated and not directly related to an honest assessment of the extent of human trafficking.

As I indicated above, although the TIP report is often criticized by NGOs and scholars as highly politicized, lacking in empirical evidence, and subjected to economic interests, it is still considered by many to be one of the most comprehensive reports of its kind and it does have a beneficial effect through providing an extensive description of countries' anti-trafficking efforts and offering the motivation for countries to take at least the first necessary steps needed to address the issue and work to eliminate the most severe forms of trafficking in persons.

TIP Reports on Japan

When Japan was placed on the Tier 2 Watch List in 2004, within months, the Japanese government introduced a National Action Plan to Combat Trafficking and subsequently amended the Penal Code to 'criminalize the conduct of buying and selling of persons, and the conduct of transporting, transferring and harboring of victims of kidnapping, abduction, or buying or selling'. After thus demonstrating that it was moving in a forward direction, Japan was taken off the Watch List the following year.

The US State Department released their most recent annual Trafficking in Persons (TIP) report on June 19, 2012, and once again Japan was ranked as a 2nd tier nation (for the 12th consecutive year). It barely escaped being placed on the Watch List for a 2nd time, according to some sources. Although I do not deal with manual laborers in a state of debt bondage trafficked to Japan in this paper, it is important to keep in mind that human trafficking in Japan not only includes sexual slavery but also a government sponsored "intern" system for foreign workers which has also received heavy criticism from concerned NGOs and scholars as virtual slavery, unchecked and seemingly condoned by the Japanese government.

Human trafficking for sexual exploitation provides a significant source of revenue for organized crime syndicates worldwide, and the Japanese yakuza involvement in the business remains strong. Ironically, as it becomes more difficult to bring in foreign laborers for the sex industry, young Japanese women and girls are increasingly being targeted and exploited by the traffickers, some as young as 13 years of age according to a study released by the Japan Subculture Research Center (<http://www.japansubculture.com/about/>).

The trafficking industry in Japan affects tens of thousands of Japanese citizens and foreigners alike, the vast majority of whom are women and children. Many are forced into the illegal prostitution industry by means of deceit, intimidation, or violence. The Japanese government has long been accused of turning a blind eye to this issue, and they have yet to take the necessary steps to combat, let alone eliminate, trafficking for the purposes of forced labor, forced prostitution, and child pornography in Japan although it is taking hesitant steps in

the right direction.

The 2012 TIP report in regard to Japan again points out that Japan is a destination, source, and transit country for men, women, and children subjected to forced labor and sex trafficking, and that Japanese organized crime syndicates (yakuza) are believed to play a significant role in trafficking in Japan, both directly and indirectly. As a transit country, the report notes that Japan plays a significant role in the trafficking of persons from East and Southeast Asia to North America. It further states that during 2010, there was a substantial growth in the trafficking of Japanese nationals, including foreign-born children of Japanese citizens who acquired nationality.

The report goes on to assert that Japan is recognized as having one of the most severe human trafficking problems among the major industrialized democracies. Japan is a destination country for women and children from East Asia, Southeast Asia, and to a lesser extent, Eastern Europe, Russia, and Latin America who are subjected to sexual and labor exploitation. Recruitment techniques are often based on false promises of employment as waitresses, hotel staff, entertainers, or models. Traffickers also use fraudulent marriages between foreign women and Japanese men to facilitate entry of victims into Japan for forced prostitution.

Further, the report concludes that Japan continues to be an international hub for the production and trafficking of child pornography and that Japan is home to an immense sex industry that includes a wide variety of commercial sex operation models, including themed-brothels, hostess clubs, escort agencies, 'snack' clubs, strip theaters, and street prostitution. According to the report, many are owned, controlled, or 'taxed' by the Japanese organized crime network (yakuza) or, increasingly, by foreign-based groups such as Korean or Colombian crime networks. The involvement of the Russian or the Italian Mafia, the Chinese Triads or the Japanese Yakuza, as well as other organized groups such as Ukrainian and Albanian organized crime networks is a well-known fact. Therefore, many trafficking victims, both foreign and Japanese, are reluctant to seek help from authorities for fear of reprisals by their traffickers, who are often members or associates of Japanese or foreign organized crime syndicates. Many trafficking victims forced into prostitution in various countries have stated that they were warned repeatedly by their captors that if they tried to escape or go to the authorities for assistance their families back home would be the targets of retaliation.

In regard to the increase in internal trafficking, the report finds that Japan has a significant amount of internal trafficking of women and girls who are trafficked for sexual exploitation. Recruiters actively recruit in subways and train stations, popular hangout spots for youth, at schools, and other venues, making promises of economic success to young women and children if they model or work at certain clubs or for various service agencies.

However, I would contend that many of the young women who are recruited into the sex industry in Japan are not "trafficked" as such but enter the industry willingly and are paid relatively well as "sex workers". We must be careful to not categorize all "sex workers" or women working in various capacities in the sex industry as "trafficking victims". Rhacel Parreñas offers a similar caution in her recent book dealing with women from the Philippines working in hostess clubs in Japan as "entertainers" (*Illicit Flirtations: Labor, Migration, and Sex Trafficking in Tokyo*: Stanford University Press 2011). The US State Department in its TIP Report on Japan appears to imply that women working in the sex entertainment industry (*mizu shobai*) in Japan, from hostess bars, snack bars, hostess clubs, and strip clubs to massage parlors and dating services are all prostitutes, and this is certainly not the case. And even if

some of the women do engage in sex for pay, it is important to differentiate between women who choose to do so from those who are forced to do so (without being paid).

Japan does not have a comprehensive anti-trafficking law, but Japan's 2005 amendment to its criminal code, which prohibits the buying and selling of persons, and a variety of other criminal code articles and laws, could also (in theory) be used to prosecute trafficking offenses. These laws prescribe punishments ranging from one to 10 years' imprisonment. That said, Japan is still not a party to the Trafficking Protocol (UN TIP Protocol) adopted by the United Nations in 2000. It is the only G-8 country not to be so (152 have become parties, including China in 2010). This protocol defines human trafficking and the measures that need to be taken against it and states that "*The consent of a victim of trafficking...shall be irrelevant... people who are recruited, though not forced, and later exploited and abused are included as trafficking victims.*" The 2012 TIP points out that Japan still will not agree that this kind of abuse should be illegal. Instead Japan narrowly defines trafficking as the buying and selling of persons, and it hasn't become a party to the Protocol.

The 2012 TIP report states that the Japanese government has taken modest, but overall inadequate, steps towards enforcing laws against trafficking. According to the report, the government reported 19 investigations for offenses reported to be related to trafficking, resulting in the arrest of 24 individuals in 2010. The government convicted 14 of these individuals for various trafficking-related offenses, with penalties ranging from only a fine to jail sentences of one to 4.5 years. These numbers, when taking into consideration the numbers of estimated trafficking victims in Japan, are shamefully miniscule and show that only the tip of the proverbial iceberg is being exposed and dealt with by government authorities.

Additionally, the government fails to address government complicity in trafficking offenses. Although corruption remains a serious concern in the large and socially accepted adult entertainment industry in Japan, which includes the prostitution industry, the government did not report investigations, arrests, prosecutions, convictions, or jail sentences against any official for trafficking-related complicity during 2010 (U.S. State Department 2012 TIP Report).

In a Human Rights Watch Report published in September 2000 (*Owed Justice: Thai Women Trafficked into Debt Bondage in Japan*), the issue of Japanese government complicity in trafficking offenses is underlined by citing the case (highly publicized at the time) of the death of a women trafficked to Japan for "entertainment" purposes. Maricris Sioson, a 22-year-old Filipina who entered Japan with a valid entertainer visa, died in Japan on September 14, 1991. Her death certificate indicated that she died of hepatitis, but when an autopsy was performed in the Philippines, at her family's request, Dr. Arizala of the Philippine National Bureau of Investigation found that she had suffered severe blows to the head and two stab wounds, one in the thigh and one in the genital area. Dr. Arizala determined that though she was suffering from the early stages of hepatitis, her death was due to traumatic head injuries. Appeals were made to the Japanese government to investigate her death, but the Japanese police continued to insist that she died of natural causes. According to an article published in the *New York Times*, in Tokyo police have sold trafficked women who have escaped back to those who enslaved them (Michael Specter, "Traffickers' New Cargo: Naive Slavic Women," *New York Times*, January 11, 1998).

Fieldwork Research Findings: The Thailand-Japan Connection

According to the International Labour Organization Report on Human Trafficking for Sexual Exploitation in Japan (ILO Report: 2005), most Thai trafficking victims come to Japan knowing what kind of work they will be engaged in, i.e. in the commercial sex industry. However, they are not aware of the harsh and dehumanizing conditions of work, for example, having to service a minimum of ten customers a night in order to be able to supposedly pay back their debt — a debt that will never go away.

The report states that most trafficking victims who managed to escape complain of labor-related violations, which include complaints of the work being completely different from that in their contract, low wages or non-payment of wages, excessively long working hours, mandatory night work, unsafe or hazardous work environment, and poor accommodation provided by establishments. Victims are faced with a large debt of between 2-5 million yen after arrival, meaning that the women have no earnings in the first year or more. The situation is exacerbated if the victim is resold and the debt starts all over again.

The July 1999 bulletin of the International Organization for Migration (IOM) reported that “Japan has the largest sex market for Asian women, with over 150,000 non-Japanese women involved, mainly from Thailand and the Philippines” (IOM: *Trafficking in Migrants Quarterly Bulletin*, No.19 July1999). In the most recent bulletin posted on the IOM website (<http://www.iom.int/jahia/Jahia/activities/asia-and-oceania/east-and-south-east-asia/japan>) in March 2012, the IOM acknowledges that Japan is implementing measures to overcome its unfavorable image of turning a blind eye to the issue of human trafficking:

“The Government of Japan is increasingly concerned about trafficking in persons. In support of the Government’s “Action Plan of Measures to Combat Trafficking in Persons” adopted in 2004 and revised in 2009, IOM is commissioned to provide return and reintegration assistance to victims of trafficking. Assistance activities include interviewing victims to confirm their eligibility for voluntary return assistance, evaluating their informed willingness to return home, conducting pre-return security assessments, making the necessary travel arrangements and ensuring that reception and reintegration assistance is provided once they arrive home. In addition, IOM also provides advice and training for the improvement of Japan’s counter-trafficking measures based on lessons learned from the project implementation. The project [Return and Reintegration Assistance to Trafficking Victims in Japan] started in 2005, is continuing to date, and is funded annually [by the Japanese Ministry of Foreign Affairs].”

The IOM Japan Report offers a favorable appraisal of Japanese government efforts to combat trafficking in persons, but I think it would be fair to say that its office in Tokyo is politically motivated to portray the Japanese government as a responsible partner in order to have the government enact policies that will benefit victims of trafficking. Leaving aside the question as to whether this is just a “whitewashing” of government image, the IOM is in a position to exert pressure on the government to take the first hesitant steps in the right direction.

Asia Regional Trafficking in Persons Project (ARTIP)

In the past, Thai trafficking victims travelled directly to Japan, but current arrangements have become more intricate. Some arrive in Japan supposedly using Japan as a transit point, but disembark upon arrival. Some come by sea through South Korea as there is no visa requirement for Thai nationals travelling into Korea, and from there it is considered easier to get into Japan. Some fly via Hong Kong, while others travel through Scandinavian countries or through Eastern Europe, taking one to two weeks to reach Japan.

On August 8, 2012, when I talked with the Director and Transition Manager of the Asia Regional Trafficking in Persons Project (www.artipproject.org), Willem Pretorius, in Bangkok, he informed me that in recent years many trafficking victims from Thailand to Japan have had to take ever more circuitous routes to avoid detection before entering Japan. He gave an example in which they fly from Thailand to Malaysia, board another flight to Japan in order to transfer to a flight to Germany where they might stay for a week to one month on tourist visas (often having to work there as unpaid prostitutes during their stay) before taking a flight back to Japan on their way back (ostensibly) to Bangkok. While waiting to transfer to their flight back to Thailand, they supposedly unavoidably miss their connecting flight and are forced to stay overnight to take the next available flight out the following day. They then are escorted by traffickers to one of the many destinations for trafficking victims in Japan. The added costs of ensuring their “safe” arrival in Japan by use of such a circuitous route of course increases the amount of debt the victims have to pay off before they are released from captivity — and this day may never come for many of the victims.

I asked Mr. Pretorius if he could pass on any further information in regard to the example he gave me, and he told me that he had information on one case which received widespread media attention in Thailand in 2005 and that he would send a summary of that case to me via e-mail. He kindly followed up with that offer and the following is his summary account of that case (e-mail communication: Aug. 20, 2012):

The incident took place between 1999 and 2006. Suspects 1-4 were involved in a tourism company as a shell business and recruited and transported in excess of 60 Thai women for prostitution in Germany and Japan. Those women travelled on tourist visas and many of them travelled via Malaysia and Singapore before travelling to Germany or Switzerland. They were then transported to Japan to work as prostitutes in karaoke bars and often had to repay a debt of about 1.75 million Baht (4.4 million yen) for the transportation and placement services.

Suspect 1 would contact his associates in different provinces to recruit Thai women to work in karaoke bars in Japan stating that they will get a very good income but would have to repay expenses after their arrival in Japan. Suspect 1 would advise the prospective worker that the job involves being a drinking partner in a karaoke bar and she can expect an income of about 30,000-40,000 Baht per month (75,000 yen/month). She could also work as a prostitute to earn more money. Suspect 1 and his associates would then accompany the “target” to apply for her passport (suspect 4 accompanied the women to the City Group and Tour Company who would then submit relevant documents to the German Embassy for entry visas) before placing them in a safe house where they would be

trained to interact with airport staff and how to speak basic English by suspect 2. Suspects 1 and 2 also accompanied many of the women to Malaysia, Vietnam and Singapore before departing for Germany via Japan. While in Germany the women would work as prostitutes for one month until their visa expired. On their return they would fly to Japan and pretend to have missed the return flight to Thailand and apply for a shore-pass. During such process the women would be sent to work in different karaoke bars throughout Japan and often forced to work as prostitutes.

Although it is highly unlikely that the Japanese yakuza organized crime syndicate was not involved in this case of trafficking from Thailand to Japan, which was highly publicized in both Germany and in Thailand but not in Japan, a more recent case which is currently under investigation points to both direct and indirect yakuza involvement. Before moving on to that case, however, it is important to note that in the case summarized by Mr. Pretorius above, the accused recruiters and brokers in Thailand (two Thai males, two Thai females, one Filipina female, and one Taiwanese female) had no verifiable direct connection to the Japanese yakuza and that the case was brought to the attention of Thai authorities by an investigation report submitted to the Thai government by the German Embassy in Thailand which stated that the German police had conducted numerous raids of brothels throughout Germany and had established that many women were being transported from Thailand to Germany using the services of a travel agency based in Bangkok. It should further be noted that the German investigation took more than five years (1999-2005), the case was finally opened in Thai court in November 2005, and the judgment was not passed in the Thai courts until April 29, 2009. Two of the six accused traffickers were never apprehended and remain at large. Unfortunately, I was unable to obtain information as to the punishments imposed on the four accused or even if they were found guilty of the charge of trafficking in persons. I was also unable to obtain information regarding the victims other than that 12 of the victims after their return to their home provinces in Thailand had agreed to provide statements after being assured that their anonymity would be guaranteed.

Anti-Human Trafficking Division (AHTD)

The ongoing case of trafficking of women from Thailand to Japan came to my attention when I visited the Anti-Human Trafficking Division, Central Investigation Bureau in Bangkok on Aug. 16, 2012 (www.ahtd.go.th). I was greeted by the Deputy Commander of the Anti-Human Trafficking Division, Police Colonel Prasert Pattanaee, who then escorted me to a conference room where Police Lt. Colonel Choosak Apaipakdi, who had just returned from Tokyo where he met with Japanese police counterparts involved in the investigation, gave a PowerPoint presentation outlining the ongoing investigation. Ms. Apriadee Thianthong, Country Project Coordinator at Asia Regional Trafficking in Persons Project (ARTIP), interpreted the presentation for my benefit as well as that of Mr. Pretorius who explained to me that this meeting provided him the opportunity to prepare a report on the case to submit to the Australian government since it provides the funding for ARTIP (Aus\$21 million 2006-2012; Aus\$50 million 2013-2018).

The day before I was scheduled to meet with AHTD staff, I did a Google search on the

Internet and found the following article that gave an account of the case which prepared me somewhat to ask pertinent questions during the meeting. Tellingly, the search did not yield any results of reportage of the case in the Japanese national dailies:

“Forced Prostitution of Thai Women: Police break up Yakuza sex racket — Mob linked to traffickers forcing Thai women into prostitution in Japan” (*Bangkok Post* July 16, 2012)

Police have smashed a local flesh trade racket supplying Thai women to Yakuza gangsters for forced prostitution in Japan, acting with the help of Japanese police.

The May 10 arrest of Jakraphan Watcharapin on charges of luring several women into prostitution came slightly less than a year after Japanese police raided a karaoke bar in a city in Nagano prefecture, rescuing three Thai women.

The Anti-Human Trafficking Division (AHTD) said the July 8 raid last year on the bar in Matsumoto resulted in the arrest of several suspects.

Those arrested include Yakuza gang members, as well as a Thai woman who allegedly ran the bar as a front for a brothel. The woman, Orachorn Hayashi, was charged with forcing three Thai women, aged between 31 and 32, to provide sex services to her clients.

The women who were rescued from the bar were later sent home to Thailand. They then helped provide the AHTD with information about how the gang in Japan was linked with another gang operating in Thailand.

AHTD chief Chawalit Sawaengphuech said Mr. Jakraphan and four other suspects had organized a trip for Thai women to go to Japan, where Ms. Orachorn picked them up at the airport and took them to her bar.

The AHTD also found out later that Ms. Orachorn was actually Mr. Jakraphan's wife, but that her husband had arranged for her to register a marriage with Yoshio Hatashi, a Yakuza gang member, so she could establish the karaoke bar in Japan.

“I wanted the investigation into this case to be a perfect example of cracking down on human trafficking gangs,” Police Lt. General Chawalit said. “Some of our investigators travelled to Japan to set up a joint effort with the Japanese police.” Police Lt. General Chawalit was one of the AHTD investigators who travelled to Japan for the case.

The AHTD investigators brought home a wealth of evidence which helped the secondary probe into the human trafficking gang in Thailand, he said. Japanese police were initially not convinced Mr. Hatashi was involved in this human trafficking case. However, AHTD police had sufficient evidence to seek the arrest of the Japanese man in connection with the gang, Police Lt. General Chawalit said.

Police said Mr. Jakraphan tricked women into believing he would secure them jobs waiting on tables at a restaurant in Japan, promising them a salary of about 30,000 baht a month for the job. But before they could go to Japan to pursue their employment there, those women were made to pay between 700,000 to 2.5 million baht, which Mr. Jakraphan said was the cost of the trip and the restaurant job placement service, according to police.

“The suspect [Mr. Jakraphan] would tell his potential victims that they could repay their debts later when working in Japan,” Police Lt. General Chawalit said. “Yet in

reality, their passports were taken away and they were forced to sleep with customers immediately after landing in Japan.”

The victims were told the lives of their families in Thailand would be in grave danger if they tried to run away. The three women were forced to sell sex in Japan for more than three months before they were rescued from the karaoke shop. Without the Japanese police raid, the women could have been taken on a flesh trade tour to other cities of Japan, which was how the Yakuza gang usually operated, Police Lt. General Chawalit said.

The AHTD is now considering seeking arrest warrants against three more Thai suspects as well as two other suspects who are in Japan. One Japanese suspect is Mr. Hatashi and the other suspect is a Japanese woman who is also a Yakuza gang member, Police Lt. General Chawalit said.

Although Thailand and Japan do not have a formal treaty on deporting criminal suspects to and from the two countries, they do have good informal cooperation in this regard, he said. “As the investigation into this case is intended to be a case study, we are aiming to uproot the entire human trafficking racket with the help of Japan,” he said. The suspects will face money laundering charges in addition to the human trafficking charges, he said.

In response to my questions following his PowerPoint presentation, Lt. Colonel Choosak Apaipakdi stated that it is in part due to information sharing between Japanese and Thai law enforcement officials which led to the arrests in this case and that more arrests are anticipated. He explained that with the assistance of the Office of the Attorney General in Thailand, members of the AHTD were enabled to meet with the Commissioner General in Japan as well as with officers of a Specialist Police Unit dealing with human trafficking in Japan to coordinate the raid that resulted in the arrests and the rescue of the three Thai women as well as three Filipina women who were being used and abused as sex slaves at the karaoke bar. He added upon further questioning that the women, when not working, were kept in confinement in a soundproof room in the back of a nearby convenience store.

In regard to information sharing, Police Colonel Prasert Pattandee stated that a Japan-Thailand Joint Task Force on Countering Trafficking in Persons (JT-CTP) has been formed and that they would have their fourth meeting this year. He explained that each meeting lasts for four days and that eight task force members from each side attend, including staff from AHTD, Ministry of Social Development and Human Trafficking Department, Social Welfare Department, and other pertinent government agencies. He added that an official representing the Japanese Ministry of Foreign Affairs had recently paid a visit to the AHTD office to offer an invitation for AHTD staff to go to Japan to work with local police officials to further the investigation on the ongoing case.

Lt. Colonel Apaipakdi stated that the Thai women who were rescued in the raid were kept by their owners by means of debt bondage and that each woman was told that she would have to work off her debt of 1.8 million baht (4.5 million yen) before being released from the debt. He added that whether the women would actually have been freed or not is questionable. In regard to the Japanese yakuza member, Yoshio Hatashi, the Thai government wants an arrest warrant issued to him for abetting (which is a prosecutable crime in Thailand) but that so far the Japanese authorities have not issued a warrant for his arrest because abetting is not a

punishable crime in Japan. However, so far in this case, three Japanese men living in Japan and two Japanese men living in Thailand have been arrested. When I asked for elaboration, I was told that the case is ongoing so they could not go into details.

Sex Tourism Districts in Bangkok and Chiang Mai

I visited one of the most well know sex tourism districts in Bangkok, a place called Soi Cowboy on Sukumvit Road, and talked with (in informal, open-ended interviews) two Thai women engaged in sex work there. I also had the opportunity to talk with a sex tourist in Chiang Mai when three of the women in the Global Exchange delegation along with one of the men in our tour group expressed an interest in going to a bar that caters to homosexual sex tourists. What precipitated this desire on our part to visit what is referred to in Thailand as "boy bars" was the fact that we had just had a dinner meeting with the founder of the Chaing Mai-based NGO Urban Light who talked about the numbers of sex tourists who engage in sex with underage boys and the ways in which Urban Light is providing assistance to boys and young men sex workers in the area.

While my Global Exchange companions were at the bar having a drink together, I decided to attempt to initiate a conversation with the only other customer at the bar who happened to be sitting in a booth by himself. He told me that he was a retired crewmember of an Australian cruise ship and that he had been coming to Thailand for his vacations every year for more than 15 years. He pointed out his "boyfriend" to me, a 21-year-old Thai man, who was engaged in conversation at another table with several of his co-workers at the bar. I asked the Australian man if there were other bars in the area with younger males available and he gave the name of two bars nearby which have boys available who are still in their teens. He added that although he preferred teenaged boys himself in the past, now that he is in his late 60s he prefers the company of young men in their early 20s. He went on to tell me that he sometimes stays in Bangkok or Phuket, but that on this vacation he decided to visit his "boyfriend" in Chiang Mai first because "he's honest and a real charmer."

I was surprised by his candor when he explained to me without my asking how he stays in e-mail contact with his "boys" in Thailand and is then able to buy "presents" for them that they request he bring with him on his next visit. He told me that the cost of the presents he buys for them in Australia (usually whiskey and cologne) is much less than what it would cost him to pay for their companionship for a whole week. He said that his week with his "boyfriend" in Chiang Mai was nearing its end and that he would be flying to Phuket to spend a week with another young man to, as he put it, "have some fun in the sun."

Since my research focus was on the trafficking of women and children from Thailand to Japan, I left my Global Exchange companions at the "boys bar" and entered a nearby "go go bar" on my own. Upon entering the bar, I was surprised to see a boisterous group of four middle-aged Japanese men sitting at a table. There were about 25-30 Caucasian men sitting at tables or on stools directly below the dance stage. I was shown to a table facing the elevated platform where five or six young women wearing bikinis were dancing. I ordered a drink and asked to speak to the owner or manager. The manager came to my table and I told her that I was from Japan and would be interested to meet someone who had been to Japan and who could speak either Japanese or English. She informed me that I was in luck because one of the

“girls” working that night could speak both English and Japanese.

It turned out that the woman who was brought to my table spoke English quite well (her Japanese was limited to a few commonly used phrases) and, after agreeing to buy her a “lady drink” so she could stay at my table to talk with me, she told me that she had worked in Japan for one year. I told her that I was a professor of cultural anthropology in Japan and that I was in Thailand to learn about women being trafficked to Japan to work in the sex industry. I asked her if she would be willing to talk to me about her experience in Japan and she told me that I would have to pay the “mama-san” (the bar manager) a “bar fine” of 600 baht (about US\$20) to allow her to leave the premises and that I would have to pay her 2,000 baht (US\$70) for two hours of her time. She said that we would have to take a taxi to a coffee shop far from the bar so we could talk without being spotted by anyone who might know her. I readily agreed and paid the “bar fine” to the bar manager so we could leave the bar.

Once we got outside, she insisted that we walk from the bar to a busy street in order to hail a taxi because she did not want the taxi driver to know which bar she works at and she warned me that if I went back to the bar later with her that I was to say I had a good-time with her at a hotel. I told her that our tour group was leaving early the next morning to fly to Bangkok so she would not have to worry about my returning to the bar. She chose to take us to a coffee shop at a five star hotel because, she explained, it is too expensive for any of her friends or any of the regular customers at her bar to go to and it has a nice atmosphere where we can talk quietly without being disturbed.

After our waiter brought us our order of coffee and cakes, she proceeded to relate to me her experience working in the sex industry in Japan. I’ve condensed the notes that I took while listening to her story to the short narrative below, attempting to keep it in her own words:

I now twenty-two year old. I go Japan five year ago. My agent tell me I make good money in Japan so I go because my family very poor and need money to live. I get Tokyo airport and Japanese man meet me at airport. He take my passport and I get in car and we drive four, maybe five hour. Where I am, where I go, I do not know. We get to some city late night and he take me inside club from back door. I meet older woman inside, she tell me she “mama-san” and I have to work to pay back her 3,000,000 yen. I say no, that mistake. But she say, no mistake.

I cry and cry but no good. I want to go back to Thailand but no can do until I pay back 3,000,000 yen. I work there every day very hard. I give sex to 10 or 12 men every night. Some men mean and they hit me. Some men drunk and they yell me. Some men no use condom. Some men do terrible things to me I no can tell you. But I know I must to go back home so I do what they want me to do. I no choose. I work there for one year and mama-san say now I get paid for work because 3,000,000 yen paid back. I only work one month more to make money for fly to Bangkok. I no like Japan. I no like Japanese men, very mean. I no human being in Japan. I no see Japan outside of club because they keep me inside all time.

This young woman told me that her experience in Japan taught her not to trust anyone. She said that after returning to Thailand, she went back to her village but she felt that she was not welcome there because many people believed that she made lots of money while she was in Japan but failed to send money back home to help her family. Although her mother and younger sisters were kind to her, she said her father and older brother refused to even look at

her let alone talk with her. She said that she felt so depressed that she sometimes thought of committing suicide. However, as the oldest sister she felt responsible for her younger sisters and wanted to help them continue to go to school without having to go to work in the fields or in the brothels. She then decided to move to Chiang Mai to work in one of the many "go go bars". She said that at least now she is independent, does not owe anyone any money, is free to choose the customers she will have sex with and turn down those she dislikes for some reason, and is able to send some money home to her family almost every month.

During our conversation, she told me how lucky she felt to have escaped from her state of captivity in Japan. However, she also told me that she still has nightmares about some of the brutality she experienced at the hands of Japanese men. Her traumatic experience in Japan will most likely stay with her for the rest of her life. She went so far as to exclaim that being a paid sex worker in Thailand is like being in heaven compared to being a sex slave in the hell that she lived in for over a year in Japan.

After my venture into "participant observation" research at the "go go bar" in Chiang Mai and the information I obtained from the contact I was able to make there with the woman who had been in "debt bondage" in Japan, I decided to visit the most well know sex tourist hangout in Bangkok — Soi Cowboy.

Soi Cowboy is a one block long street lined with "go go bars" brightly lit outside with neon signs and scantily dressed young women standing outside the entrances attempting to entice customers inside. The first "go go bar" I entered was jammed packed with 70-80 men on the first floor and another 50 or so men on the second floor ogling the 20 or so young women dancing provocatively on the elevated dance platforms. All the women had numbered pins attached to their bikini bottoms so any man interested in buying them a drink and/or taking them to a hotel could just tell one of the waitresses the number of the woman he was interested in. The other "go go bar" I went to the next night was very similar to the first, but what caught me completely by surprise when I entered the second "go go bar" was the large number of Japanese men who were there.

The two men who were sitting on bar stools next to me in the second place I went to were Japanese men in their 30s. They were speaking in Japanese and it was relatively easy for me to listen in on their conversation because they had to speak in loud voices due to the music. One man asked his friend if he had decided which woman he would take back to the hotel with him because he had already made his choice and was about to negotiate terms with the "mama-san". His friend replied by saying, "I'll take number 57 if she wears a school uniform. I'll bet she'll look like a real cute junior high school student in the right uniform." At that, the first man called over the "mama-san" and asked her in English if school uniforms were available for the "girls" to wear. The "mama-san" said that that would cost an extra 100 baht (250 yen) per "girl" and the man laughed and said no problem. They then negotiated the bar fine and the cost of taking the women to their hotel room for two hours (with uniforms). They said that they wanted to take turns with the two women and the "mama-san" told them that the total cost would be 8,000 baht (about 20,000 yen) to do as they please with the two women for two hours. Both men laughed in glee and handed over the cash without any hesitation. After about 15 minutes, the two women (both looked to be teenagers to me) came up to the bar and joined the men, both women wearing their street clothes (jeans and tee shirts) and carrying what must have been their school uniforms in a garment bag. The two "couples" then walked out hand in hand.

I was taken aback by the whole encounter I had just witnessed and it was hard for me to believe that these men could be so nonchalant in their attitude and brazenly walk out with these two young women in tow. I was so disgusted by their fantasy of having sex with junior high school girls that I left the bar immediately after them and headed back to my hotel to write up my field notes while they remained fresh in my memory.

It was at the first "go go bar" that I went to the night before that I had the opportunity to talk with two "bar girls" who had something to tell me about being trafficked into debt bondage in Japan. I used the same line that worked for me in Chiang Mai, telling the "mama-san" that I was from Japan and would be interested in meeting anyone who had been to Japan. She told me that two of her "girls" had been to Japan and she sent one of the waitresses to bring one of them to my table. She explained that the other woman was out at the moment but would probably be back in a half hour or so if I decided I was not interested in spending more time with the first woman.

The first woman came to my table and after introducing ourselves to each other I asked her if I could buy her a "lady drink" and just talk with her for a while. She accepted my offer and I asked her if it was true that she had been to Japan. She told me that the "mama-san" always made the same mistake in thinking it was her that had gone to Japan when in fact it was her best friend who had gone there. She went on to tell me that she and her best friend had made arrangements to go to Japan, but that she herself was unable to go because she had broken her leg in a motorcycle accident just as the travel arrangements were being finalized. She said that she and her best friend had been sixteen years old at the time (about four years ago) and had been told that with their cute looks they would be able to get very well paid modeling jobs in Japan. She told me that in retrospect it was very fortunate for her that she broke her leg. I asked her what she meant by that and she responded by saying, "I'm still alive thanks to a broken leg, but I don't know if my friend is still alive."

I then asked her if she kept in touch with her friend after she had gone to Japan and she told me that her friend had telephoned her once to tell her that she was being forced to work as a prostitute without pay and that she was making the call from a customer's cell phone. She said that her friend told her that she was going to try to escape to the Thai Embassy in Tokyo and asked her to telephone her parents to let them know that she feared for her life. She said that that was the one and only time she heard from her friend and that her parents never heard from her again. Her parents had contacted the Thai Embassy in Tokyo but they had no information on her whereabouts.

After this woman left to sit with another man who had expressed an interest in her, the "mama-san" came back to my table to inform me that the other woman had just returned if I was still interested in meeting her. After buying her the obligatory "lady drink" and chatting with her for a while, I asked her if she could tell me about her experience in Japan. When I mentioned Japan, a look of distaste came over her face and she exclaimed, "I don't want to think about Japan. If I think about Japan, I hurt here (pointing to her heart)." I apologized for being the cause of bringing back bad memories, and she left the table in tears. This reaction came as a total surprise to me because she had been smiling and joking around with me, asking me if I was going to take her with me to my hotel just minutes before.

In Conclusion

During my three week fieldwork research trip to Thailand, when I was with the Global Exchange Reality Tour delegation looking into the issue of human trafficking, we met with Ms. Kru Nam, Regional Director of Not for Sale (<http://www.notforsalecampaign.org/global-initiatives/thailand/>), along with her staff and volunteers to learn about the different projects and programs in place to help and support children vulnerable to trafficking. We also met with the director and staff of the Mirror Foundation (<http://themirrorfoundation.org/cms/>), a NGO working to assist vulnerable ethnic villagers and local community inhabitants to improve their livelihoods and help to protect them from the lures and enticements offered by traffickers. Both of these NGOs operate in and around the northern city of Chiang Rai which is located near the Thai-Burma border.

After the Reality Tour ended, I met with one of the founding directors of a Thai NGO (Foundation for Women) based in Bangkok, Ms. Usa Ledsrisuntad, and she told me about the various programs that the Foundation for Women (<http://www.womenthai.org/eng/index.htm>) have in place which provide social and legal assistance to Thai and foreign women and children victims of trafficking. She told me that the FFW established a shelter for women and children from Burma in the Maesot area in northwest Thailand who have managed to escape from traffickers. She also informed me that a number of women who were trafficked to Japan as sex slaves have joined another program established by FFW called "Live our Lives Group."

She told me that one of the women participants in the Live Our Lives Group had been forced to work as a sex slave near Tokyo for over a year before she managed to escape with the help of a Thai man who was working in a nearby factory whom she initially met as a customer at the brothel she was working at. She related to me another case that occurred more than ten years ago of a male Thai factory worker in Japan who attempted to assist a Thai woman being kept as a sex slave to escape, but when the Japanese "mama-san" at the brothel intervened in the escape attempt, the "mama-san" was killed in the struggle and both the Thai man and the Thai woman were convicted of manslaughter and imprisoned in Japan. The Thai woman, after eight years in the Japanese prison, developed terminal cancer and was released to die in Thailand. The Thai man was recently released after completing his prison sentence and returned to Thailand.

There are many NGOs and grassroots-based organizations in Thailand as well as in Japan that are dealing in various ways on various aspects of the human trafficking issue. Due to space constraints, I cannot go into further detail regarding the activities that the NGOs I visited in Thailand are engaged in so I encourage you to visit their websites for further information. I also encourage you to visit the websites of Japanese NGOs and grassroots-based organizations involved in working to address the issues pertaining to human trafficking.

The focus of this paper has been the existence of sexual slavery in Japan. I first became aware of this issue when I purchased the documentary film "*Bought and Sold*" (Global Survival Network: 1997), the findings of which were based on a two-year undercover investigation, to show in my classes and was shocked by the assertion in the study guide that accompanied the film that an estimated 5,000 Russian women were trafficked into Japan to work as "forced prostitutes" in 1997 and that an estimated 10% of that number were children under 16 years of age. In another documentary film I use in my classes, "*Trafficking*" (National Police Agency

Japan: 2003), the case of two 14-year-old Thai girls who were trafficked to Japan to work as “forced prostitutes” after being promised jobs working in a candy factory is cited. Unfortunately, to the best of my knowledge, documentaries such as these that touch on the issue of the existence of sexual slavery in Japan today have not been aired by any of the mainstream broadcast media in Japan.

It is an undeniable fact that in both the sending and the receiving countries there is still a lot of work to be done to raise public awareness regarding the issue of human trafficking and that this work cannot be done by NGOs alone but that governments must also play a responsible role. In the film “*Bought and Sold*” the producers suggest that the following actions must be taken:

1. Trafficking and forced labor must be recognized as violations of human rights.
2. Governments, community groups, and media should promote awareness of the problems of trafficking and forced labor.
3. Governments should train law enforcement, immigration, and embassy officials about the problems of trafficking and forced labor so that they can handle cases appropriately when they arise.
4. Governments must stop treating trafficked women as illegal immigrants. Stricter immigration regulations can increase a migrant woman’s reliance on apparently legitimate organizations that offer to handle her visa and passport. Governments should provide stays of deportation to witnesses and increase penalties for convicted traffickers. Confiscated funds should be used to provide counseling, health care, housing, legal advice, and compensation for trafficking victims.
5. Witnesses are endangered if they testify against trafficking networks. Governments should provide witness protection and relocation programs.

As the slogan of the women’s rights movement in the 1970s so aptly stated: “We’ve come a long way, but we’ve got a long way to go”, those of us who have become aware of this horrendous issue of modern day slavery must do everything we can to work with others to come to grips with the complexities of this issue and pressure our governments to move beyond the timid first steps taken so far and the rhetoric of politicians to eliminate all forms of slavery once and for all. I will end this paper with a quote from one of the masters of rhetorical flourish, the current president of the United States, in the hope that with increased public awareness and the concomitant public pressure brought to bear on governments, rhetoric will turn into reality:

“The victims of modern slavery have many faces. They are men and women, adults and children. Yet, all are denied basic human dignity and freedom. Victims can be abused in their own countries, or find themselves far from home and vulnerable. Whether they are trapped in forced sexual or labor exploitation, human trafficking victims cannot walk away, but are held in service through force, threats, and fear. All too often suffering from horrible physical and sexual abuse, it is hard for them to imagine that there might be a place of refuge. We must join together as a Nation and global community to provide that safe haven by protecting victims and prosecuting traffickers. With improved victim identification, medical and social services, training for first responders, and increased public awareness, the men, women, and children who have suffered this scourge can

overcome the bonds of modern slavery, receive protection and justice, and successfully reclaim their rightful independence.”

- President Barack Obama