

Our case briefly mentions sexual assault and has non graphic descriptions of systems of sex trafficking

Our Sole Contention is Sex Trafficking

The US military breed sex trafficking. Chang 11 of Notre Dame writes that

Emily Chang, 2001, "Engagement Abroad: Enlisted Men, U.S. Military Policy and the Sex Industry," Notre Dame Law School,

<https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1323&context=ndjlepp>, 3-2-2020, DJK

This Note addresses the disconnect between United States law, public policy, and the military's encouragement of the prostitution of women for use by soldiers stationed abroad. Both domestic and international laws recognize prostitution as harmful and have enacted policies that attempt to eradicate, control, or limit it.¹ **The United States, however, consistently allows and encourages the development of an active sex industry for military Rest & Recreation (R&R)² and in areas surrounding U.S. military bases.**³ This behavior violates not only domestic and international law, but also fundamental notions of human dignity and infrastructures of family support.⁴ **While the relationship between the military and the sex industry is documented and apparent** in multiple States with a strong foreign military presence,⁵ I have chosen three Asian U.S. military Host States as the primary sites for evaluation. The Philippines, South Korea, and Thailand offer poignant examples of the behavior discussed due to the historically large U.S. military presence, the availability of documentation about the role of prostitution in militarized communities, and the overt nature of the sex industry.⁶ While these Nation States serve as the focus of this Note, where relevant, it will reference practices in other countries. This Note includes data reflecting U.S. military practice through the twentieth century in order to establish the consistency of our domestic policy and behavior when stationed abroad. **Each country has a different history with the United States, but the behavior patterns of our military remain relatively constant.**⁷

The media covers other regions, but we cannot ignore the Gulf region when talking about trafficking and must shift focus. McNutt 07 of Common Dreams writes that

McNutt 07 [Debra (Journalist researching military sexual exploitation, organized against exploitation of Filipinas near military bases, worked within the US military on issues of harassment and assault), "Is the Iraq Occupation Enabling Prostitution?," Common Dreams, 7-11-07,] DJK

Military prostitution has long been seen around U.S. bases in the Philippines, South Korea, Thailand, and other countries. But since the U.S. has begun to deploy forces to many Muslim countries, it cannot be as open about enabling prostitution for its personnel. U.S. military deployments in the Gulf War, the Afghan War, and the Iraq War have reinvigorated prostitution and the trafficking of women in the Middle East. Another major change has been the reliance of the U.S. military on private contractors, who have now surpassed the number of soldiers in Iraq. Public attention has begun to focus on the role of these contractors in U.S. war zones. Less attention has been paid to how private contractors are changing the nature of military prostitution. In the best known example, DynCorp employees were caught trafficking women in Bosnia, and some indications suggest that similar acts may be taking place in Iraq. I am researching whether civilian contractors are enabling military sexual exploitation in Iraq, Afghanistan, the United Arab Emirates (UAE) and other Muslim countries. My research is investigating new patterns of sexual exploitation of women by the U.S. for military purposes, and how institutionalized prostitution has changed as U.S. forces have been stationed in Muslim countries. I am especially interested in the possible role of civilian contractors in promoting prostitution of local women, or in importing foreign women into U.S. war zones under the guise of employment as cooks, maids or office workers.

The US fosters sex trafficking in 2 ways

First is through TCNs, or Third Country Nationals

Third country Nationals are hired by the US to perform clerical tasks at bases.

The ACLU writes in 2012 that

[American Civil Liberties Union, “Victims of Complacency: The Ongoing Trafficking and Abuse of Third Country Nationals by U.S. Government Contractors,” ACLU, June 2012, <https://www.aclu.org/report/victims-complacency-ongoing-trafficking-and-abuse-third-country-nationals-us-government>] DUK

U.S. Government contractors rely upon some 70,000 TCNs to support U.S. operations in Iraq and Afghanistan. To recruit TCNs, contractors use local recruiting agents, who target vulnerable workers—many of whom earn less than \$1 per day—in countries like Nepal, India, the Philippines, and Uganda. Many of these agents charge prospective TCNs recruiting fees of between \$2,000-5,000, and deceive TCNs about the location or conditions of the work they will perform as well as the wages and benefits they will receive. Agents may promise salaries of \$1,000 or more per month, and even recruit workers under the false pretense of job openings at luxury hotels in Dubai or Amman. The exorbitant fees they charge require many TCNs to borrow funds from loan sharks, who often resort to violence and intimidation to recover their investments from TCNs or their families.

These power structures force TCNs to turn to the sex trafficking industry out of fear or for money. The ACLU continues that

ACLU 12 (American Civil Liberties Union, Jun 2012, “The Ongoing Trafficking and Abuse of Third Country Nationals by U.S. Government Contractors”, https://www.aclu.org/sites/default/files/field_document/hrp_traffickingreport_web_0.pdf, DOA 4/12/20) EQ

Although this report focuses on labor trafficking and related abuses, female TCNs are at risk of other forms of abuse by U.S. Government contractors in Iraq and Afghanistan: sex trafficking and gender-based violence. In some instances, contractors have employed means similar to those detailed above: they hire recruiters who promise women jobs as domestic workers and charge them high recruitment fees, with the intent of selling them to sex traffickers.¹⁶⁷ Armed conflicts render these women especially vulnerable to such abuse: studies by numerous anti-trafficking organizations show that “the continued presence of military and paramilitary forces in volatile areas increases the demand for sex workers in those areas.”¹⁶⁸ The presence of military contractors further increases women’s vulnerability to such sexual exploitation, as there is “no adequate governmental or military process in place for the criminal prosecution of [private contractor] employees engaged in sex trafficking activities.”¹⁶⁹ The scandal in Bosnia from the late 1990s, in which employees of DynCorp International Inc., a Virginia-based contractor, purchased girls as young as twelve for use as sex slaves, aptly illustrates this.¹⁷⁰ Although Bosnian authorities and the U.S. military eventually discovered and put an end to the sex ring, the contractors involved escaped prosecution (see Section 3: U.S. Government Responses to Contractor Abuses in Iraq and Afghanistan).¹⁷¹

The second way is by creating demand

Military member's desire to "relax" overseas fuels the trafficking industry.

Chang continues,

Chang 01 [Emily Chang, 2001, "Engagement Abroad: Enlisted Men, U.S. Military Policy and the Sex Industry," Notre Dame Law School,

<https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1323&context=ndjlepp>, 3-2-2020] // CZ

This industrialization, however, was subject to a bust or boom cycle. When the military was present, the economy was stimulated. When they were not, absent a sufficient local or sex tourism business to sustain the thousands of prostituted women and their corresponding establishments (bars, hotels, etc.), the economy entered a depression. 4'

As an example, Pattaya, Thailand had been transformed from a quiet fishing village into a favored destination of soldiers during the Vietnam War, but fear of AIDS and the Gulf War had significantly reduced Pattaya's tourism business. Coming to the rescue, the aircraft carrier U.S.S. Midway and its battle group were sending their crews ashore on their way home from a successful operation in the Gulf War. Anticipating their arrival, "one bar owner said he hoped to make up for the previous three months in the following four days. That gain would largely come from the prostituting of Thai women and girls." 4 " Upon arrival, local business proprietors enthusiastically greeted the seven thousand recently arrived U.S. sailors. Bars and clubs bore colorful banners: "Welcome U.S. Navy to the Red Parrot Sexy Live Show" read one banner, a second advertised "Sandwiches Massage," and a third expressed sincere gratitude: "Thank you, Mr. Bush." 44 The men for whom this market has developed are typically

members of the Rapid Deployment Forces-infantrymen, airborne, or sailors. 45 They are described as young (primarily between the ages of seventeen to twenty-five), single (in practice if not in fact), 46 and worked extremely hard. [W] hat do we do in the field? We go up and down more mountains than the Korean Army does. We bust our balls. That's why when we come back we gotta relax somehow. So we go down the range and get drunk. We come down here to release pressure ... just go to a bar and have a good time and everything... you know, we've been in the goddamn field for two and a half to three weeks ... all we've been around is slutie clothes, smelling like crap [H]aven't had a shower... eating MREs, like eatin' crap, ain't even had a decent meal. So you come down here, drink your OBS, start feelin' good and about like say [sic]: Hey, I can go another... how many months I got here?... When we get back from the field we're a bunch of drunken sons-a-bitches ... face it. 4 7 Described this way, alcohol and prostitutes resemble pressure

valves. allowing enlisted men to continue pursuing their military purpose in spite of hating it. When describing the enlisted man's experience, Rita Brock and Susan Thistlethwaite identify life overseas as often lonely, depressing, or stressful, noting that many enlisted men are away from their families for the first time. 48 They speculate that this destabilization creates a vulnerability that can increase personal needs for nurturing physical contact, while also increasing susceptibility to the peer pressure to prove "strength and dominance through sexual... conquest. 49 The inexperience and youth of these men increases the likelihood that they will believe the sexist imagery and language that inundates military life. Beginning in boot camp, enlisted men are bombarded with polarized gender characterizations. They chant cadence counts that reduce their roles to fighting and sex: "This is my rifle... this is my gun... this is for fighting... this is for fun." 50 During basic training, men are humiliated and taunted, called "ladies," "girls," and "women" until they properly conform to masculinized military norms. 51 Military policies regarding homosexuality reinforce the need for a hyper-masculine identity. 2 The current Don't Ask, Don't Tell policy 53 and past treatment of homosexuality as a punishable offense encourage enlisted men to exhibit hyper-

masculine behavior in order to affirm the presumption that they are heterosexual. These experiences, when combined with the military practice of allowing enlisted men to purchase sex, encourage the viewing of women as props. This assists in the process of dehumanizing prostituted women. Describing what it felt like to be nineteen in 1970 on a U.S. fighter base in northern Thailand, Gregory DeLaurier recalled "a young male soldier's mental map of femininities": 5 4 "There were two kinds of women in our world in Thailand: those who did our laundry,

and prostitutes, and the latter far outnumbered the former [A] 11 I knew then was that for a few dollars, a radio, a couple of cases of food taken from the base, I could buy a woman." 55 An equally poignant statement was offered by a young American soldier assessing his favorable impressions of serving in South Korea in the recent past: "There's beer and girls and food and clubs-everything a teenager could ask for." 56 The attitudes and communication of military personnel in social situations during downtime displays this objectification. "[T]he guys are talking to one

another, relating to one another's " while surrounded by prostituted women, who are waiting to supply the flesh for sexual transactions. The American Soldier commonly refers to Filipina women as "Little Brown Fucking Machines Fueled by Rice," 5 s

"succinctly racializing and colonializing ('little brown,' 'powered with rice'), sexualizing ('fucking') and de-humanizing ('machines') Asian Pacific women, in just seven words." 59 The woman-objectifying environment, need for a pressure valve, and desire of the military to pacify its troops synergetically encourage the consumption of prostitution. Through both action and inaction, the military continues to provide this necessary luxury item.

Hoots 19 of Fordham corroborates:

[Anna Belle Hoots (Law Clerk at Spencer Walsh Law, PLLC, and student at Fordham University School of Law), "Severing the Connection Between Sex Trafficking and U.S. Military Bases Overseas," Fordham Law Review, 2019, <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=5636&context=flr>] DUK

The link between sex trafficking and U.S. military bases overseas is not a new phenomenon.⁴⁶ To this day, **U.S. military personnel frequent bars off base and out of uniform where women and girls are trafficked into forced prostitution.**⁴⁷ These individuals have fallen victim to sex trafficking through a variety of means, from being manipulated by a loved one to being baited with false pretenses such as a job.⁴⁸ **Victims are most frequently found in fake massage businesses, residential brothels, bars, and strip clubs.**⁴⁹ **Despite both this reality and the high number of estimated victims and cases worldwide, prosecution rates in sex trafficking cases remain low.**⁵⁰ **This shocking disparity may stem partly from the victims' shame and fear of coming forward or, more generally, from a lack of good enforcement mechanisms.** Efforts to crack down on human trafficking began when President Bill Clinton signed the Trafficking Victims Protection Act of 2000⁵¹ (TVPA), "the first comprehensive federal law" designed to address trafficking in persons.⁵² **While additional strategies and legislation designed to correct this problem have since been formed and passed,**⁵³ **there is a gap between these policies as written and as practiced.** Considering not only the continued prevalence of U.S. military bases worldwide but also their entrenchment in society,⁵⁴ **the deplorable connection between U.S. military bases overseas and sex trafficking has faced considerably less scrutiny than it deserves.**

II. LAW AND (DIS)ORDER The U.S. government has attempted to curb sex trafficking around U.S. military bases abroad through policies and legislation aimed at both the general population at large and military personnel specifically. Part II.A analyzes the strengths and weaknesses of these laws and explains why—despite improvement—they fall short of adequately addressing the sex trafficking crisis around U.S. military bases. Part II.B then presents a case study of the sex trafficking of women and girls around U.S. military bases in South Korea. By visiting bars and clubs where women and girls are trafficked into forced prostitution, U.S. personnel stationed in South Korea knowingly perpetuate the vicious sex trade cycle. In recent years, both the U.S. and South Korean governments have attempted to remedy the issue to no avail. U.S. military personnel in South Korea will continue to participate in the sex trade until a viable resolution is created and enforced.

With the above 2 reasons in mind, Allred 05 of the European Center for Security Studies writes

[Keith (Executive Director of the National Institute for Civil Discourse), "Human Trafficking: Breaking the Military Link," Connections, Winter 2005, https://www.jstor.org/stable/26323197?seq=3#metadata_info_tab_contents] DUK

Military personnel deployed away from their homes have been a long-standing source of demand for sexual services from local populations. During the Vietnam years, United States military personnel inspected and certified local prostitutes for service in Thailand, Vietnam, and the Philippines, and organized "Rest and Recreation" facilities for U.S. troops that included easy access to prostitutes. In some cases, an overly close proximity between U.S. troops and brothels has exposed the Army to allegations that it was essentially operating its own military houses of prostitution.¹⁰ **Today, the United States has nearly 250,000 members of its military forces deployed in combat and peacekeeping operations around the world.**¹¹ If the number of troops normally resident abroad is added to this total, there are nearly 350,000 Americans stationed in nearly 130 countries around the world.¹² **These sheer numbers may tend to make deployed U.S. military personnel one of the largest sources of demand for sexual services around the world, some of which**

would likely be provided by trafficked women. And yet the United States Army has begun to take steps to ensure that its troops do not contribute to this demand.

The US presence has linked local towns to the global prostitution market.

Jeffreys 09 of the University of Melbourne writes that

Shelia Jeffreys, 2009, "The Industrial Vagina," University of Melbourne, feministes-radicales.org/wp-content/uploads/2010/11/Sheila-Jeffreys-Industrial-Vagina.pdf, 3-3-2020, DJK

After military prostitution caused the industrialization of prostitution in a country, local women and girls became the raw materials of the global sex industry, not only prostituted within local and sex tourism industries at home but trafficked into prostitution worldwide. Thus in the 1980s and 1990s Thai women came to represent prostitution both to the sex tourists from rich nations who flocked into Thailand to use them sexually and in sex industries in Germany, Australia and Japan into which they were trafficked. Today Vietnamese women are trafficked into prostitution 120 Military prostitution in Cambodia and Australia and many other countries. Korean women are increasingly trafficked to Australia (Fergus, 2005).

Prostitution rings are next to impossible to bust—vote affirmative to end our role in sex trafficking. McNutt 07 writes that

McNutt 07 [Debra (Journalist researching military sexual exploitation, organized against exploitation of Filipinas near military bases, worked within the US military on issues of harassment and assault), "Is the Iraq Occupation Enabling Prostitution?," Common Dreams, 7-11-07,] DJK

It has been difficult for me (and other researchers and journalists) to get to the bottom of this crisis. In his book Imperial Life in the Emerald City, Rajiv Chandrasekaran observed, "There were prostitutes in Baghdad, but you couldn't drive into a town to get laid like in Saigon." The question of who is behind the trafficking of people is as hard to crack as the trafficking of drugs (if not more so). **It is difficult enough to track the widespread illegal trafficking of workers to Iraq. But the trafficking of Iraqi or foreign women for prostitution is even better concealed. The prostitution rings keep their tracks well hidden, and it is not in the interest of the military or its private contractors to reveal any information that may damage the war effort. The fact that information is difficult to find, however, is a reason to intensify the search, and to make military prostitution a major issues of the women's and antiwar movements.** It is our tax dollars that fuel the war in Iraq, and if any women are exploited as a result of the occupation, we owe it to them to take responsibility for these crimes. I am currently writing a larger report on my findings, and am seeking any input from researchers and journalists, military veterans, private contract employees, exiles and refugees, or former prostituted women who may shed light on military prostitution in the Middle East, and the role of the military and its private contractors. My ultimate purpose is doing this research is not only to help expose these crimes against women, but to help build a movement to stop them. **Missing from the discussions about Iraqi women's rights is how the U.S. occupation is creating new oppressions that destroy women's self-worth. It is our responsibility as Americans to stop our military's abuses of women, by ending the occupation.**

This is the only way to solve. Chang 01 of Notre Dame writes that

Emily Chang, 2001, "Engagement Abroad: Enlisted Men, U.S. Military Policy and the Sex Industry," Notre Dame Law School, <https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1323&context=ndjlepp>, 3-2-2020, DJK

Wherever the U.S. military is, so too is a thriving sex industry. Obviously, it is the U.S. Military's policy to have it this way.⁶ **There is little to no documentation of shutdowns of brothels near**

military installations abroad for reasons other than military withdrawal or excessive "VD citations."

In the photographs contained in Let the Good Times Roll: Prostitution and the U.S. Military in Asia, the enlisted men are not shy about being photographed at "play."⁶² One sailor recalled the spring of 1991, just before docking in the Philippines or Korea. Prior to landing, soldiers received briefings about health precautions at which they were thrown "condoms as if they were Hallmark cards."⁶² Some officers went as far as to tell the enlisted men that prostitution is a way of life for Asians and that Asians liked it.⁶ A similar recollection was shared by former Philippines-based servicemen on ABC's Prime Time. They asserted that military officers had "enthusiastically promoted" prostitution in the Philippines, some owning clubs and women themselves.⁶⁴ Instead of being viewed as a culturally distinct, beautiful country, the Philippines are reduced to "Uncle Sam's main squeeze in this part of the world."⁶