



Trafficking in Persons Protocols: What effect do they have on HIV prevention in the Pacific?

Heather Worth

Never Stand Still

Faculty of Medicine

Sex Work in the Pacific

- Diverse forms across the Pacific
- Typically occurs around ports, transit hubs, development enclaves, military installations
- Most sex workers operate independently, although in Guam and Palau managed by entertainment establishments
- HIV prevalence in the Pacific amongst sex workers is low
- The exception is PNG where, in our study in Port Moresby (*Askim na Save*) we found prevalence of 19%19%



Trafficking in Persons Protocols

2 major protocols

1. UN (Palermo) protocol:

- “recruitment, transportation, harbouring or receipt of persons by means or the threat of force...Exploitation shall include, at a minimum, the exploitation of the prostitution of others...

2. US TVPA

- All commercial sex undertaken by migrant women defined as forced sex and all migrant women involved in sex work are considered trafficked women



The War of Trafficking

- Main focus has been on prostitution
- Conflation of informal or illegal migration with trafficking
- Conflation of sex work with forced sex and sexual slavery
- Moral dimensions - promoted as an exceptional evil that stands apart from everyday issues such as migrant labour rights
- Policing of borders



TIPS Reports

US TVPA outlines minimum standards for the elimination of trafficking

US State Department reports each year on every country- ranked by TVPA standards and indices

- Tier 1 countries ranked fully compliant
- Tier 3 countries ranked non-compliant
- Assignment to Tier 3 has economic consequences- non-receipt of aid and other support from the US, and from major international organisations such as the IMF and the World bank



Kiribati (Tier 2)

Small island state

Unemployment for school leavers around 85%

Male-dominated society - violence against women extreme

Sex work form- local young women (*ainen matawa*) provide sexual services for foreign seamen on fishing vessels

Our research shows that economic independence was the main driver of sex work

TIPs Report (2015):

*Kiribati is a source country for girls subjected to sex trafficking within the country. Visiting ship crew members, mainly Asian men, exploit children and some women in prostitution...the government continued to be negligent, failing to employ procedures to proactively identify victims among girls in prostitution *



Marshall Islands (Tier 3)

Sex work mostly foreign women (China and Philippines). Organised in bars - come in on entertainment visas

Service foreign fishing vessels

TIPS report (2015):

- "RMI is a source and destination country for RMI women and girls and women from East Asia subjected to sex trafficking. RMI girls are recruited by foreign business owners to engage in prostitution with crew members of foreign fishing and transshipping vessels that dock in Majuro. Foreign women, most of whom are long-term residents, are subjected to forced prostitution in establishments frequented by crew members of Chinese and other foreign fishing vessels; some Chinese women are recruited with promises of legitimate work and, after paying large recruitment fees, are forced into prostitution.



Palau (Tier 2)

Our most recent report (Risky Business Palau:) indicated:

- The majority of hostess come from China or the Philippines, and the workplaces typically differ by the country of origin of the workers..
- Hostesses in KTV bars are required to wear revealing clothing and present themselves in a sexualised way. Private rooms afford in-house venues where sex can take place.
- Interviewees say that it is the worker's decision whether or not to provide sexual services.
- Some hostesses had been misled about the job that they were contracting to do; all the hostess workers had freely chosen to come to Palau, had entered the country legally, and had been granted valid work visas before entry.
- Some hostesses were unhappy in their employment, financial considerations and visa conditions constituted a strong deterrent to terminating contracts. No hostesses were held against their will or prevented, by employers, from returning home.

TIPS Report (2015)

Palau is a destination country for women subjected to sex trafficking...Women from China and the Philippines are recruited to work in Palau as waitresses or clerks, but some are subsequently forced into prostitution in karaoke bars or massage parlors—many operated by Taiwanese, Filipino, or Palauan nationals.



Consequences of such differing accounts?

- TIPS reports are a microcosm for myriad problems with the anti-trafficking agenda
- US exertion of foreign policy goals in the Pacific - fragile economies dependent on aid and loans
- Trafficking is seen as a security problem - of policing of borders and law and order
- Hurt sex workers
- Marginalise human rights
- Marginalise (migrant) labour rights
- Increase punitive measures (in Thailand death penalty has been introduced for sex trafficking)
- Denies the importance for (women) workers of mobility and opportunities and their agency in making the best choices within limited options



What happens to HIV prevention?

- Forcing Pacific countries to crack down on sex trafficking may well reverse the progress made in curbing the spread of HIV
- Local HIV policy goals and legislation become skewed to trafficking demands
- Police targeting entertainment businesses make the position of migrant workers even more untenable
- Sex workers less able to access health services
- Preclusion of meaningful debate around (migrant) sex work, and into the failure of Pacific states to curb trafficking .

