

TRAFFICKING OF FILIPINO WOMEN TO JAPAN: A CASE OF HUMAN SECURITY VIOLATION IN JAPAN

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Introduction

This paper is based on research recently undertaken by the United Nations University (UNU) Peace and Governance Programme to consider the trafficking of Filipino women into Japan by organized crime groups.¹

There is considerable debate about an appropriate definition of “trafficking”. For the purpose of this research, the definition of “trafficking” was that used in the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*:

(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 by 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 or 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.²

In short, when the practice involves coercion or deceit, consent of the victim is not an issue. The definition is important, particularly as it relates to concepts like “smuggling”, because it makes clear that the use of coercion or deception is enough to nullify any supposed “consent” of the victim to enter the country. To some people, this may seem like a sympathetic interpretation but it is, in fact, merely stating existing legal norms about “informed consent.” It is logically only possible to “consent” to something if you know all the facts and are free to consent or not.³

The UNU research considered trafficking related practices in Japan and in the Philippines. It included a literature review, detailed qualitative interviews with 20 Filipino women who had been trafficked into Japan, and discussions with Japanese officials and NGO staff. This paper is an extension of that research.⁴

There are many factors that contribute to the trafficking of women, for example, the objectification and commodification of women, the operation of free market economies, and the actions of governments. While acknowledging these broad factors, this paper focuses on four main intersecting areas that are major factors in the trafficking of Filipino women into Japan:

1. Globalization - immigrant labor from the Philippines
2. Demand for services - the Japanese entertainment industry
3. Profits - the role of the Yakuza⁵
4. Regulation - the role of the Japanese Government

Globalization – Immigrant Labor from the Philippines

It is widely accepted that globalization has resulted in increased movement of labor across borders. What is not as widely acknowledged is that in some instances this has resulted in exploitation and forced labor – a failure of both labor migration and labor markets. Trafficking is as much an issue of labor exploitation as sexual exploitation.⁶

The Philippines is well known as a source of migrant workers. Workers remit billions of dollars to the Philippines each year.⁷ Foreign exchange inflow from overseas workers comprises nearly 85 percent of the country's gross earnings.⁸ The government encourages its citizens to consider working overseas, and has substantial infrastructure to facilitate the process, including government agencies additional to the Department of Foreign Affairs, (e.g., Overseas Workers Welfare Administration, Commission on Filipinos Overseas, Philippine Overseas Employment Association). The government is proactive. Labor Secretary Patricia Santo Tomas said that in 2003 her department was “targeting to deploy a million Filipinos abroad.”⁹ The Philippine Government has a strong economic vested interest in getting its workers overseas. That is not to say that it is without concern for those workers’ safety and well being, and here it must be noted that the Philippine Government is one of a few governments to have ratified the *UN Convention on the Protection of the Rights of All Migrant Workers*.¹⁰

In addition to the government infrastructure, there are hundreds of independent (government licensed) recruitment agencies that arrange migrant workers’ travel and employment. Many recruitment agencies operate outside the law.¹¹

The Philippine Government is aware that Filipino women are being trafficked. In early 2000, the Deputy Executive Director of the Commission on Filipinos Overseas acknowledged that trafficked Filipinos include women who are “legitimately” recruited, promised high-paying jobs, but end up as prostitutes; women who leave as tourists and end up as domestic helpers, exotic dancers, or bar girls; and women who are willing or coerced victims of the mail-order bride trade.¹²

On February 3, 2003 a government official was reported in the *Daily Tribune* as having gone a step further by acknowledging that a relationship exists between the

government's encouragement of overseas labor and trafficking. Labor Undersecretary Lucia Lazo was reported to have "admitted to government providing cover of legitimacy to the trafficking of women to other countries even as another agency under the department broke the back of the syndicate manipulating the assessment and certification system for overseas performing artists (OPAs) sent to Japan."¹³ Ms. Lazo is reported to have "admitted state policies covering the export of Filipino manpower [stet] implied approval of the illegal trade, admitting the government gives a veneer of legitimacy to the trafficking of women, drawing a boast from players in the overseas placement industry who claim their trade contributes heavily to the economic recovery."¹⁴

Seemingly in response to the *Daily Tribune*'s article, two days later the Department of Labor and Employment (DOLE) issued a media release stating that the department "strongly underscored that no official of the Philippine government can condone or abet human trafficking as such illegal act would violate the country's Code of Ethics and would also contravene international conventions."¹⁵ The press release also states that "DOLE's Information and Publication Service requested The Daily Tribune, in the interest of fair and honest reporting, to rectify"¹⁶ its February 3 report. No such rectification or retraction was forthcoming. On February 21, the Department of Labor and Employment put out another media release that stated, "the Philippine government does not in any way condone human trafficking of the so-called flesh trade."¹⁷ Regardless of comments that may or may not have been made by an individual official, the Government of the Philippines remains adamant that it has a strongly anti-trafficking stance.

The enormous size of the migrant worker "industry", its highly structured operation and the fact that it is government instigated, provide some rationale for why women might accept job offers for overseas work. Additionally, many Filipino women are faced with a profound lack of job opportunities and little or no opportunity to improve their circumstances. Poverty is widespread and sections of the population are undernourished.¹⁸ Many trafficking victims fall prey to deception because they seek a better life or enhanced economic opportunities. They are vulnerable to false promises of good jobs and higher wages. The majority of trafficking subjects interviewed by UNU researchers did not fit a stereotypical media image of a trafficked woman as a "kidnapping victim" or "slave". All displayed considerable agency in the decisions involved in traveling from the Philippines to Japan. They wanted to come to Japan. Some knowingly used false documents but were unaware of the degree to which these documents could later be used as leverage against them. This practice of traveling undocumented or with false documents potentially blurs the line between smuggling and trafficking as in some cases, women appear to have agreed to be smuggled into Japan – and perhaps they have. They have been trafficked, however, if when they reach their destination, their traffickers' deceptions are revealed, and they lose control of their situation.

How are the women recruited?

The UNU research found that a high incidence of recruitment in the Philippines was through informal networks, as many of the subjects came into contact with their recruiter through acquaintances or their family. This predominance of informal networks is consistent with a 1997 International Organization for Migration (IOM) survey of Filipino women¹⁹ that found that some (73%) of their subjects named friends and family as the source of their information about recruitment. Referral by friends and family suggests that at least some sections of Philippine society perceive working in Japan as advantageous and relatively low risk. This, and the very local and personal level at which recruitment occurs, has implications for regulation.

Type of work

Most of the subjects were promised jobs before leaving the Philippines. For example:

- One woman was an accountant in the Philippines when she was offered work as a cashier in a restaurant in Japan.
- One woman was working as a chambermaid in the Philippines when she was offered work as a chambermaid in a 5-star hotel in Japan.
- One woman came to Japan to marry, and was promised work on her husband's agricultural farm in Nagoya.
- Another woman had just gained government accreditation as a professional singer when she was promised work as a singer in a karaoke bar.

In all 20 cases, actual employment was different from that which had been promised. Nineteen of the 20 subjects reported they were forced to engage in sexual practices in their job.

Demand for Services - The Japanese Entertainment Industry

Japan is a key destination country for women trafficked from the Philippines for a number of reasons including its strong currency and the absence of alternative legal immigration routes. However, the primary driver is the thriving adult “entertainment” industry. This industry includes thousands of hostess bars, in many of which sex is not sold, and an intersecting and enormous sex industry.

The entertainment industry generates huge revenue, estimated by the *Asian Wall Street Journal* in November 2000 at gross annual earnings of between four and ten trillion yen (or US\$33 – 84 billion),²⁰ and by the *Financial Times* in February 2003 at ten trillion yen.²¹ Even taking the more conservative estimate of the *Asian Wall Street Journal*, that is 1 to 3 percent of Japan's GNP.²²

The entertainment industry is an enormous employer of foreign women although accurate figures are difficult to establish. The July 1999 bulletin of the 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.”²³ In 2000 the *Far Eastern Economic Review* suggested that there are 120,000 foreign women in Japan, and as many as 75,000 are working under duress in the sex industry.²⁴ The Japanese Justice Ministry reported that as of January 2002, some 105,945 women had overstayed their visas and that more than 46 percent of these women were working as bar hostesses and prostitutes.²⁵ Recently women are arriving from all over the world²⁶ with employment in the entertainment industry their goal.

Immigration status

Entertainer Visas

Among the UNU research group, the most commonly used visa was the “entertainer” visa. The conditions for use of this visa are based on the premise that “labor” must be “skilled” and are very specific. Entertainer visas are issued for short term entry to Japan to people who have passed Philippine Government controlled auditions, and demonstrated that they have the professional standard performance skills of a singer or dancer. There are, in fact, schools in Manila that operate for the sole purpose of training women in singing and dancing so that they might gain this accreditation. The agency responsible for testing and certification of talent is the Technical Education and Skills Development Authority (Tesda).

As well as the audition, the applicant must have spent a minimum of two years at a foreign educational institution studying subjects relevant to their type of performance, and have a minimum of two years’ experience outside Japan. It is questionable whether the majority of entertainer visa holders could satisfy these qualifications, particularly given the sheer number of entertainer visa holders traveling to Japan each year (see below).

The entertainer visa workplace regulations are also stringent. They state that while in Japan, “entertainers” are not allowed to work as hostesses or serve food or drinks, there must be a stage of at least 13 square metres, and there must be a waiting room for the entertainers of at least 9 square metres. (It must be noted that these dimensions seem incompatible with the very small size of many Japanese clubs, which in many instances are only a small single room.) Minimum salary is 200,000 yen a month.

Since the introduction of the entertainer visa, both the Governments of Japan and the Philippines have taken actions to tighten its “skills” requirements. The visa’s intention for use only by professional singers or dancers was entrenched in September 1996, when the Japanese Justice Minister’s Ordinance was amended to consolidate a clear distinction between “entertainer” and “hostess”. The number of Filipino entertainers entering Japan dropped sharply following the 1996 amendment.²⁷ Director General of Tesda, Dante Liban, claims that reforms to improve the standard of skill required for accreditation in the Philippines reduced the “pass” rate from the previous 95 percent to 55 percent of applicants.²⁸ The economics of such actions is pointed out by the *Daily Tribune* which quotes, “Tesda insiders claimed the drop in

passing rate meant about 20,000 applicants not making it to Japan and a loss of over P4 billion in commissions to the OPA sector of the overseas placement industry.”²⁹

Despite these actions, it appears many Filipino women are still being brought to Japan on entertainer visas, and are working in conditions which are blatantly contrary to their visa conditions – sometimes as hostesses (without sexual services) but often being forced to provide sex and related acts.

The ongoing problematic use of entertainer visas was also identified by the US Department of State in July 2001, when it found that many women who are trafficked into Japan, particularly from the Philippines, enter on such visas. The Department estimated that 40,000 women from the Philippines enter Japan on entertainer visas each year.³⁰ The *Daily Yomiuri* newspaper states that in 2002, “123,322 people came to Japan on entertainer visas, of whom about 60 percent were Filipinas, according to Immigration Bureau statistics.”³¹

Spouse Visas

Another visa type with relatively high usage among the UNU sample was the spouse visa. The use of spouse visas in the Japanese sex industry has also been picked up by the IOM report, which suggests that spouse visa misuse may have increased as entertainer and tourist visas have become less readily available.³² In fact, spouse visas may offer some advantage over entertainer visas, as they bypass the necessity for audition and accreditation and are not as strictly time limited.

The Entertainment Industry

Locating debate about trafficking within the context of the Japanese entertainment industry is necessary, as that is the industry into which women are trafficked. It is a given that the entertainment industry’s operation is highly gendered. Men are consumers. Women are objectified and paid to fulfill highly gender prescribed roles of service. However, generalizations and simplistic conclusions about the entertainment industry as a whole are dangerous. “Hostessing” is an occupation unfamiliar to many cultures, and many people erroneously presume that hostessing includes the provision of sexual services.³³ To be effective, any debate on trafficking must grasp the enormous size and diversity of the Japanese entertainment industry, that it is the employer of an enormous number of Japanese women (as well as foreign women), and that most women working within the industry are doing so with relative free agency. There is no evidence to date to suggest that trafficked women make up more than a small proportion of women working within the entertainment industry, and prostitution is only a part of that industry.

There are, however, issues about the broad entertainment industry’s general operation that are relevant to the issue of trafficking. Firstly, there is the issue of demand. There is an enormous demand for women to work in the entertainment industry, and this demand is not created by the trafficked women (or the non-trafficked women) who staff it. “Countries with

large sex industries create the demand.”³⁴ Unlike other professions, length of service is not an asset to the employer. Women are effectively chewed up and spat out, so the demand for new, young women is high.

The enormous entertainment industry is patronized by mainstream Japanese society, albeit predominantly male society. In fact, the entertainment industry as a whole forms a fundamental component of mainstream Japanese business culture. Entertaining and building trust between clients, customers and coworkers has a long tradition as a Japanese business practice which is why the industry is at least in part supported by corporate accounts. Sometimes, this goes beyond the harmless “hostess” scene.

It would be erroneous to suggest that mainstream business is responsible for the entertainment industry’s worst extremes or that mainstream business has any direct connection to the trafficking industry. It is important, however, to make the point that the industry, the whole industry, enjoys broad mainstream acceptance. In fact, the huge size of the industry makes generalizations about it difficult (and probably offers some general reassurance to young women being recruited to work in it; that is, sections of it offer highly paid, low risk work, without provision of sexual services). This difficulty in undertaking thorough analysis of the entertainment industry’s broad operation is compounded by a general lack of official government data on specifics within the industry and the practice of companies keeping very generalized records of their entertainment expenses.

Another point to note relates to the entertainment industry’s operation in simple labor market terms. Clearly, the industry is an enormous employer of foreign women. Although employment as a hostess is legal, there is no visa category that specifically covers this type of work. Foreign women may work legally, for example, if they have a spouse visa or work visa (which they cannot get for this kind of work). It is likely that many foreign women working in the entertainment industry do not have appropriate visas.³⁵ This environment is precisely that identified by the ILO’s Head of the Special Action Programme to Combat Forced Labor, Roger Plant,³⁶ “barriers...put up against legal migration in a context of demand for cheap migrant workers...can create a dangerous breeding ground for traffickers.”

The UNU sample group was small; however, it must be noted that not one of the entertainer visa holders interviewed was working as an entertainer per the terms of the visa. Two questions for future consideration may be:

- How many bearers of Japanese entertainer visas are currently working in Japan as entertainers?
- How many Filipino entertainers is the Japanese entertainment industry able to sustain, particularly given Japan’s current economic climate?

The Japanese labor migration/trafficking nexus deserves closer scrutiny by researchers but in the meantime, this paper will make one specific observation, which is that the use of

entertainer visas is at least one area where there is a substantial gulf between Japanese policy and reality. Perhaps, the visa category itself should be reconsidered.³⁷

Profits – the Role of the Yakuza

Criminal groups are the culprits when it comes to trafficking women into Japan. "The reality is that human trafficking has become a big business for organized crime."³⁸

So, where do the profits come from? There are two main financial (debt bondage/loan) systems operating:

- 1 – A substantial debt figure is named (the amount of which appears to be arbitrary, in that it is not based on actual “costs” or expenses of the “lender”), and the woman must work to repay the debt.³⁹
- 2 – A minimal debt is named or no debt at all, and the woman must work for a very small salary.

It is difficult to estimate the actual earnings of women trafficked into the Japanese entertainment/sex industries. In fact, the UNU research identified a substantial range of earnings among interview subjects. For some, it was shockingly low, but for all it was certainly less than they would make if allowed to work as a freelance hostess (not in the control of a criminal group), and far in excess of the income they could earn in the Philippines. Their income, however, is nothing compared to the profits being made by the club owners and organized crime.

Criminal Control

The criminals responsible engage in a number of practices to retain leverage over their subjects, including:

- removing passports and air tickets at the airport;
- controlling movement and communication;
- bullying;
- threatening and practicing violence;
- withholding their salary until their contract is completed;
- threatening to stop payments to their families; and
- threatening to report to police or immigration officials to have them deported.

The women interviewed, Japanese officials and NGO staff confirmed these practices. Once caught in the system, the women found it difficult to extricate themselves until their debt was paid/contract was completed, and sometimes even after that.

Willing Participation

It is easy to assert that trafficked women’s desire to remain in Japan is economically motivated,⁴⁰ however, that desire neither indicates trafficked women’s collusion in their trafficking nor mitigates the seriousness of the responsibilities of the organized criminal groups involved. The fact that women are prepared to return to, or remain in Japan, does not mean that

they would have been prepared to leave the Philippines to live in such conditions and undertake such work in the first instance. Two issues should be considered.

Firstly, organized criminal groups do deceive women to get them through the immigration process, and it is after that, those women are forced or coerced into the sex industry. The fact that deception is used at all suggests that many women would not come if they understood the conditions in which they would live and work. Or, why do recruiters bother to deceive them? It is also important to remember the types of practices used to control the women once in Japan.

Secondly, when considering whether to stay in Japan or return to the Philippines, most subjects imagine themselves escaping their current situation and being able to take advantage of better choices. This is quite feasible. There is a substantial range of wages paid throughout the entertainment industry, e.g., basic salaries usually increase after the first contract, bonuses and tipping will increase if women get regular customers, and “freelancers” have the capacity to earn substantial income. Also, there is an enormous range of clubs with different conditions, including pressure or lack of pressure to engage in sexual services.⁴¹ Most of the subjects surveyed who had paid their debt or run away had moved on to less exploitative work.

Regulation – the Role of the Japanese Government

There are many observations that could be made about the performance of the Government of the Philippines but this paper focuses on the role of the Japanese Government.

The US Department of State produces an annual *Trafficking in Persons Report*,⁴² in which it assesses many countries’ performance in relation to anti-trafficking strategies. This year’s report, published in June 2003, places Japan (and the Philippines) in Tier 2 of its three tier ranking system on countries’ performance against trafficking. Tier 2 represents countries which “do not yet fully comply with the *Trafficking Victims Protection Act of 2000* minimum standards, but are making significant efforts to bring themselves into compliance with those standards.”⁴³

Human Rights Watch is less sympathetic. It states, “Japan should be placed in Tier 3 [the lowest tier, because] specific legislation prohibiting trafficking does not exist and there is no indication that there will be...little to nothing has been done to control the growing trafficking issue in Japan.”⁴⁴

The Japanese Government provides international funding for anti-trafficking efforts in Southeast Asia. For example, in May 2003 the Japanese Government and the United Nations allocated US\$1.2 million to the “Prevention of Trafficking in Children and Women at a Community Level in Cambodia and Viet Nam”⁴⁵ project, and US\$243,960 to the “Support for Victims/Witnesses of Trafficking in Human Beings in the Philippines.”⁴⁶ “At home...measures are less advanced.”⁴⁷

The possibility of a reduction in the trafficking of women to Japan is severely constricted by the government's reticence to publicly acknowledge the problem. Kinsey Dinan of Columbia University states that "The Japanese government has been more reluctant to acknowledge that human trafficking exists in Japan, than other countries."⁴⁸ While individual bureaucrats have made comment from time to time, there is no public position or platform relating to trafficking into Japan in Japanese Government print or electronic publications. The three *Trafficking in Persons Reports* produced to date, have not generated a public response from the Japanese Government.

Specific obstacles to improving anti-trafficking efforts include:

- The government has no national plan of action. This suggests that the government does not consider trafficking to be significant enough to require formulation of a public position and cross-government agency action to develop strategies to tackle the problem.
- There is no government focal point on trafficking- be it an office, bureau, standing committee or working party. Currently, each issue (for example, prostitution, organized crime, immigration infractions, assault, illegal imprisonment) is dealt with separately by the relevant agency (Immigration, Justice, Labor, Foreign Affairs or Police) and "there are still many differences among the agencies on what should be done."⁴⁹ It is therefore difficult to find officials who have an expertise in all the different dimensions of trafficking--recruitment, deception, coercions, abuse, and organized crime--and who are prepared to speak on the subject. This lack of a focal point seriously hinders progress as it is difficult to identify how interested parties might feed information into government, and how progress can be made on this multi-dimensional problem unless all relevant agencies work together.
- Japan's law enforcement and immigration response is seriously hindered because government officials, unclear on the nature of trafficking, tend to define the crime too narrowly and disagree among themselves about who is a trafficking victim.⁵⁰ The definition of trafficking is narrow in many official circles, certainly much narrower than the UN definition.
- Japanese public authorities do not readily accept the concept of "victimhood" and coercion. Officials are trained to deal with extenuating circumstances of foreign victims, however, victims are often treated as criminals (prostitutes or illegal aliens) by the legal system because the Government does not consider people who willingly enter for illegal work can be trafficking victims. Trafficking victims are treated as illegal migrants and quickly deported. Victims who are suspected of attempting to avoid deportation may be held in detention centers, a treatment inappropriate to their status as victims of crime.⁵¹ Government support to NGOs assisting victims of trafficking is almost non-existent.
- Japan has no law specifically prohibiting trafficking, although in practice it mainly applies the immigration and labor laws against traffickers. It is questionable whether these laws

are able to effectively address the severity of offences being committed by domestic and transnational criminal groups. Ironically, an old law prohibits the trafficking of persons from Japan to another country.⁵²

- The government does investigate traffickers but there have been few prosecutions. The lack of prosecutions and the weakness of penalties are unlikely to act as an effective deterrent against the professional syndicates involved in trafficking.⁵³ The U.N. Committee on the Elimination of Discrimination against Women, which examined a report from the Japanese government in July 2003, stated in its concluding comment, "The committee is concerned that information on the extent of the problem (of human trafficking) is insufficient and the punishment for perpetrators under current laws too lenient."⁵⁴
- The government does not aggressively prosecute the criminal organizations (Yakuza) involved in trafficking.⁵⁵

The 2003 conviction of a high level trafficker, Koichi "Sony" Hagiwara, was significant as prosecutions are rare.⁵⁶ Hagiwara was tried under immigration and labor law on charges of forcing two Colombian women to engage in prostitution. Despite the charges relating to two women, police said he is known by about 400 Colombian women for his habit of videotaping (hence "Sony") new recruits before sending them to work,⁵⁷ and is considered a repeat offender who operated a criminal trafficking organization which moved hundreds of victims from Colombia.⁵⁸ While Hagiwara's conviction per se marks a success, his sentence of less than two years can be seen as a failure of appropriate legislation and its implementation.

Conclusion

On October 18, 2003, Japanese NGOs and academics launched The Japan Network Against Trafficking in Persons (JNATIP). This concerted effort to form an organized lobbying body marks a step forward in the Japanese anti-trafficking movement. JNATIP has started its work by organizing public forums and lobbying female lawmakers, with some success. In response to JNATIP's approaches, Social Democratic Party member Masako Owaki has publicly stated that issues involving foreigners do not draw much attention in the Diet (Japanese Parliament) because "foreigners don't have a vote," and she has stated that she is keen to create a task force on human trafficking with other lawmakers.⁵⁹

Similarly, a number of foreign embassies in Japan (particularly the Embassies of Thailand and Columbia) have increased their dialogue with Japanese Government.

The challenge, however, is enormous. The list of intersecting variables that facilitates the trafficking of women is long, and the intersection of those factors is complex. At the very least, progress to reduce the number of women trafficked into Japan cannot be made without debate about: migration and the need (or not) for skilled labor who require appropriate rights and protective mechanisms; the operation of the entertainment industry, including its function

within the Japanese economy, its role as a staple of Japanese business life and its highly gendered (and race-based) nature; the involvement and prosecution of organized crime; and the role of government to ensure appropriate legislation, policies, enforcement and support for victims is in place.

Notes

¹ This UNU project formed a part of the UNICRI project “Coalitions against Trafficking in Human Beings in the Philippines – Phase I”. The author was a researcher in the UNU project. This paper draws upon the results of the project but does not reflect the views of the UNU or UNICRI.

² *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*, at http://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf.

³ Ann D Jordan, *The Annotated Guide to the Complete UN Trafficking Protocol*, International Human Rights Law Group, Washington DC, www.hrlawgroup.org/initiatives/trafficking_persons/, p. 11.

⁴ The research findings are unchanged, however, the opinions contained in this paper are the author’s.

⁵ *Yakuza* is the Japanese word for the main Japanese organized criminal groups. Many scholars claim that such groups play an important role in Japanese society, although this role is often invisible to the outside world. See Karel van Wolferen, *The Enigma of Japanese Power*, Tokyo: Tuttle Company, 1993, pp. 132-142; S.N. Eisenstadt, *Japanese Civilization*, Chicago: University of Chicago Press, 1996, pp. 108, 111-12, 323.

⁶ In some instances is not an issue of sexual exploitation, as internationally, many people are trafficked into industries other than the sex industry.

⁷ The Bangko Sentral ng Pilipinas reports their expectation that Overseas Foreign Workers will remit US\$7.6 dollars in 2003 or possibly as high as US\$8 billion, at http://www.inq7.net/globalnation/sec_rec/2003/aug/18-01.htm, August 2003. “Economists and migration experts estimate total OFW remittances to range from US\$8 to 10 billion, if the remittances from the informal channels are included”, Jeremiaiah M. Opiniano, OFW Journalism Consortium at http://www.cyberdyaryo.com/features/f2003_0512_02.html, May 2003.

⁸ http://www.inq7.net/globalnation/sec_rec/2003/aug/18-01.htm, August 2003.

⁹ Ibid.

¹⁰ As of October 2003, countries that have ratified the *UN Convention on the Protection of the Rights of All Migrant Workers* are Azerbaijan, Belize, Bolivia, Bosnia & Herzegovina, Cape Verde, Colombia, Ecuador, Egypt, El Salvador, Ghana, Guatemala, Guinea, Kyrgyzstan, Mali, Mexico, Morocco, Philippines, Senegal, Seychelles, Sri Lanka, Tajikistan, Uganda, and Uruguay.

¹¹ “Coalition against Trafficking in Human Beings in the Philippines – Phase I,” Project Document, UNICRI, March 21, 2000, p. 5.

¹² Catherine Paredes-Maceda, Deputy Executive Director, Commission on Filipinos Overseas, “Prevention of Trafficking, Protection, and Rehabilitation of Victims,” in Ministry of Foreign Affairs, *Japan, Asia-Pacific Symposium on Trafficking in Persons* (proceedings), January 20, 2000, p. 29.

¹³ “DoLE Official Admits Gov’t Part in Trafficking of Women,” *The Daily Tribune*, February 3, 2003, at www.trafficking.org.ph/resources/feb03/dole.htm

¹⁴ Ibid.

¹⁵ Department of Labor and Industry, “Gov’t does not condone human trafficking – DOLE,” February 5, 2003, at www.dole.gov.ph/news/pressreleases2003/February/037.htm.

¹⁶ Ibid.

¹⁷ Department of Labor and Industry, “DOLE squarely against human trafficking,” February 21, 2003, at www.dole.gov.ph/news/pressreleases2003/February/037.htm.

¹⁸ “The 2000 Family Income and Expenditures Survey in the Philippines found that between 1997 and 2000 the poverty level actually rose to 33.7 percent. More than 20 percent of the population (or over 15 million people) are considered undernourished.” Quoted from Freedom from Hunger, “About the Philippines,” at <http://www.freefromhunger.org/philabout.html>

¹⁹ International Organization for Migration, *Trafficking in Women to Japan for Sexual Exploitation – A Survey on the Case of Filipino Women*, International Organization for Migration, May 1997, p. 32.

²⁰ “Bright Lights, Brutal Life,” *Asian Wall Street Journal*, New York, November 2000.

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- ²¹ Michiyo Nakamoto, Financial Times, London, February 6, 2003, p. 8.
- ²² “Bright Lights, Brutal Life,” Asian Wall Street Journal, New York, November 2000.
- ²³ IOM, “Trafficking in Migrants – Quarterly Bulletin, No. 19. July 1999,” IOM, Geneva, Switzerland, 1999.
- ²⁴ Kattoulas, Velisarios, “Bright Lights, Brutal Life,” Far Eastern Economic Review, Hong Kong; August 3, 2000; Vol. 163, Iss. 31, pp. 50 – 54.
- ²⁵ Suvendrini Kakuchi, Japan: Tougher Laws Asked for Sex Trafficking, Global Information Network, New York, January 23, 2003.
- ²⁶ Ibid.
- ²⁷ International Organization for Migration, Trafficking in Women to Japan for Sexual Exploitation – A Survey on the Case of Filipino Women, International Organization for Migration, May 1997, p. 9
- ²⁸ Quoted in “DoLE Official Admits Gov’t Part in Trafficking of Women,” The Daily Tribune, February 3, 2003, at www.trafficking.org.ph/resources/feb03/dole.htm
- ²⁹ “DoLE Official Admits Gov’t Part in Trafficking of Women,” The Daily Tribune, February 3, 2003, at www.trafficking.org.ph/resources/feb03/dole.htm
- ³⁰ US Department of State, Trafficking in Persons Report, US Department of State, July 2001, @ <http://www.state.gov>, October 2001.
- ³¹ Harumi Ozawa, Daily Yomiuri, October 5, 2003, at <http://www.iabolish.com/news/press-coverage/2003/dy10-05-03.htm>
- ³² International Organization for Migration, Trafficking in Women to Japan for Sexual Exploitation – A Survey on the Case of Filipino Women, International Organization for Migration, May 1997, p. 19.
- ³³ For more detailed information on hostessing see, for example, Anne Allison, Nightwork: Sexuality, Pleasure, and Corporate Masculinity in a Tokyo Hostess Club, Chicago: University of Chicago Press, 1994.
- ³⁴ Donna Huges, “The ‘Natasha’ trade: the transnational shadow market of trafficking in women,” Journal of International Affairs, Vol. 53, Issue 2 (Spring 2000).
- ³⁵ This includes entertainer visas, as they are not applicable to general hostessing work or any kind of sex work.
- ³⁶ Roger Plant, Trafficking in Destination Countries: The Forced Labor Dimensions, at ILO Symposium on Trafficking in Human Beings, UNU, 23 September 2003.
- ³⁷ The International Organization for Migration has also suggested that countries should seriously rethink the existence of such visa categories as “entertainers” or “dancers”.
- ³⁸ Tomoaki Onizuka, Assistant Director, Community Safety Bureau, National Police Agency (Japan), quoted in “Tokyo Under Fire for Turning Blind Eye to Trafficking in Women,” The Financial Times, February 6, 2003. By Michiyo Nakamoto, <http://www.iabolish.com/news/press-coverage/2003/ft02-06-03.htm>
- ³⁹ sometimes at market salary and sometimes at considerably lower than market salary
- ⁴⁰ A similar assertion is made in International Organization for Migration, Trafficking in Women to Japan for Sexual Exploitation – A Survey on the Case of Filipino Women, International Organization for Migration, May 1997, p. 28.
- ⁴¹ Although given the class/race based structure of the entertainment industry it is unlikely that Filipino women could succeed in gaining employment at the elite end of the industry.
- ⁴² <http://www.state.gov/g/tip/rls/tiprpt/2003/>
- ⁴³ US Department of State, 2003 Trafficking in Persons Report at <http://www.state.gov/g/tip/rls/tiprpt/2003/21262.htm>. Minimum standards and criteria are also set out at this site.
- ⁴⁴ Human Rights Watch, “US State Department Trafficking Report Undercut by Lack of Analysis,” New York, 11 June 2003, <http://www.hrw.org/press/2003/06/traffickingreport.htm>
- ⁴⁵ Vietnam News Services, “UN, Japan Help Stop Trafficking,” May 10, 2003, <http://vietnamnews.vnagency.com.vn/2003-05/09/Stories/09.htm>

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- ⁴⁶ Japanese Government Ministry of Foreign Affairs home page at www.mofa.go.jp/announce/announce/2003/5/0526.html.
- ⁴⁷ US Department of State, 2003 Trafficking in Persons Report at <http://www.state.gov/g/tip/rls/tiprpt/2003/>
- ⁴⁸ Kinsey Dinan, Policy Analyst, National Center for Children in Poverty, Columbia University, quoted in "Tokyo Under Fire for Turning Blind Eye to Trafficking in Women," The Financial Times, February 6, 2003, by Michiyo Nakamoto, <http://www.iabolish.com/news/press-coverage/2003/ft02-06-03.htm>
- ⁴⁹ Masahiro Suga, Japanese Foreign Ministry, quoted in The Asahi Shimbun, March 13, 2003, at www.protectionproject.org/daily_news/2003/ne317.htm
- ⁵⁰ US Department of State, 2003 Trafficking in Persons Report at <http://www.state.gov/g/tip/rls/tiprpt/2003/>
- ⁵¹ Ibid.
- ⁵² Article 226 of the Penal Code
- ⁵³ US Department of State, 2003 Trafficking in Persons Report at <http://www.state.gov/g/tip/rls/tiprpt/2003/>
- ⁵⁴ "Human Trafficking Becoming a Hot Topic," October 5, 2003, Harumi Ozawa, Daily Yomiuri Staff Writer <http://economist.blog-city.com/read/304896.htm>
- ⁵⁵ US Department of State, 2003 Trafficking in Persons Report at <http://www.state.gov/g/tip/rls/tiprpt/2003/>
- ⁵⁶ See related articles of The Daily Yomiuri at <http://www.iabolish.com/news/press-coverage/2003/dy10-05-03.htm> and The Asahi Shimbun at http://www.protectionproject.org/daily_news/2003/ne317.htm
- ⁵⁷ Taro Karasaki, The Asahi Shimbun, March 13, 2003, at www.protectionproject.org/daily_news/2003/ne317.htm
- ⁵⁸ US Department of State, 2003 Trafficking in Persons Report at <http://www.state.gov/g/tip/rls/tiprpt/2003/>
- ⁵⁹ "Human Trafficking Becoming a Hot Topic," October 5, 2003, Harumi Ozawa, Daily Yomiuri Staff Writer <http://economist.blog-city.com/read/304896.htm>