"Destinations:" A Comparison of Sex Trafficking in India and the United States

Sarah Montana Hart
INTRODUCTION

You wouldn’t expect that India and the United States have much in common when it comes to sex trafficking. One might expect (as I did), that, if anything, the poverty and gender inequality of India might offer a “source” for women and girls who could be trafficked to a “destination” like wealthy America. The only link between the two countries, then, would be that of supply and demand.\(^1\) On closer examination, however, it turns out that India is a “destination” country, just like the United States – a place into which women are trafficked, to feed a need that is not being met in-country.

This paper will examine the reasons behind this similarity: what is it about the United States, and what is it about India, that pulls trafficked women in, rather than out? These two countries are vastly different in almost every way: majority religion, poverty levels, social structure, gender equality, and global prominence. And yet, they both are “destinations” for human traffickers. Why? By examining the similarities and differences between the causes of the sex trafficking “demand” in the United States and India, we can discover some universal root causes for sex trafficking – at least on one side of the path to exploitation.

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\(^1\) The term “destination” country and “source” country come from the language of the TIPS report, although they are not defined within that methodology. See US STATE DEPARTMENT, TRAFFICKING IN PERSONS REPORT 2010, available at http://www.state.gov/g/tip/rls/tiprpt/2010/142761.htm [hereinafter TIPS]. The basic meaning, however, is clear from the use of the terms within the report. “Destination” countries are those \textit{into} which the victims are trafficked, while “source” countries are those \textit{out of} which the victims are trafficked. \textit{Id}. Thus, the United States and India are “destination” countries because victims are trafficked into the country, while Nepal and Thailand are “source” countries because victims are brought out of those countries. I use the terms “supply,” and “demand” in their common and economic meaning. \textit{See e.g.}, ALFRED MARSHALL, PRINCIPLES OF ECONOMICS (Revised ed. 1920) \textit{reprinted by} Prometheus Books (1997).
A. The Definition of Sex Trafficking

The United Nations Convention against Transnational Organized Crime gave the following definition of sex trafficking in its “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially in Women and Children”:

Art. 3(a): Trafficking in persons’ shall mean the recruitment, transportation, transfer, harboring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation.

Art. 3(b): If one of the means set forth in Article (3) is used, it is irrelevant whether the person expressed his/her consent or not…

Art. 3(c): Does not take into consideration the issue of consent, so that the recruitment, transportation, transfer, harboring and receipt of a child followed by his/her exploitation has to be considered as child trafficking.²

Sex trafficking is, therefore, a global problem of transnational crime (recognized by the UN), that includes any kind of movement of people (whether recruiting, transporting, transferring, harboring, or receiving), through coercion (such as threats, violence, deceit or abuse of power), and for the purpose of exploitation (prostitution or sexual slavery).

B. The Size and Complexity of the Problem

Approximately 800,000 people are trafficked globally per year.³ International human trafficking is estimated to yield $31.6 billion (in U.S. dollars) in profit to organized crime operations per year.⁴ But the exact numbers are not known because there are some problems with lack of data and unreliable estimates, mainly due to the illegality of the practice, and a lack of trustworthy law enforcement data.⁵

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³ Id. at 8.
⁴ Id. at 16.
⁵ Id. at 8-10.
Attacking human trafficking is also a complicated problem. There are three stages of human trafficking: before, during, and after. We have to look at these separately, because each stage requires different analysis, different solutions, and different victim impact. There are different causes and effects of each stage. For example, what causes women to enter sexual exploitation is different than what causes them to continue being exploited. And a victim who is in the early stages of trafficking – being abducted or deceived – will be affected differently, and have different needs than a victim who has been in forced prostitution for years.

Sex Trafficking is also different depending on where you are in the world. Mary Crawford maintains that sex trafficking is not a single, global problem, but a multitude of local problems:

Sex trafficking is not uniform across social, cultural, and political contexts, but rather highly situation-specific. To begin with, the girls and women who are vulnerable are not all alike… The perpetrators differ, to… there are also enormous differences in root causes, modes of trafficking, victim characteristics, and perpetrator characteristics – differences that are elided in universalizing terms such as “global sex trade”…. I contend that attempts to understand sex trafficking as a unitary, global phenomenon are misplaced and likely to be ineffective. Instead, I hope to demonstrate that trafficking in girls and women is a product of the social construction of gender and other dimensions of power and status within a particular culture and at a particular historical moment.  

If we accept Crawford’s thesis, then no two systems of sex trafficking are alike, and each path that women follow to exploitation must be examined separately. But perhaps there are some similarities to be found, even in sex trafficking systems that seem wildly different, in countries that have very different “social constructions of gender” and “dimensions of power and status.”

There are, however, similarities between sex trafficking in India and in the United States. Specifically, both the United States and India are “destination” countries, despite huge differences in culture, religion, politics, wealth, and power. These similarities show that there are

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6 MARY CRAWFORD, SEX TRAFFICKING IN SOUTH ASIA: TELLING MAYA’S STORY 8-9 (2010).
7 Id.
some universal truths about the causes of sex trafficking, despite massive differences across the
globe. This paper will explore the important similarities and differences between the sex
trafficking system in the United States and that of India, focusing on the specific factors that
cause each country to be a “destination” for sex trafficking. Part I will focus on factors that make
the United States a destination Country. Part II will focus on India, and why it has come to have
a demand for trafficked women. Part III will discuss similarities and differences between the two
countries, and their respective demand for trafficked women. Finally, the Conclusion will
extrapolate some universal causes of sex trafficking in “destination” countries. All this will show
that, while Crawford’s thesis may be a useful warning in the dangers of oversimplification, she is
wrong to assert that the causes of sex trafficking are always singular to a “particular culture and
at a particular historical moment.”

PART I: FACTORS THAT MAKE THE UNITED STATES A “DESTINATION” COUNTRY

A. Some Basic Facts about Sex Trafficking in the U.S.

According to the “Trafficking in Persons” (TIPS) report, issued by the U.S. state
department in 2010 as an evaluation tool for the trafficking activities in countries around the
world, the United States is considered a “TIER 1” country. This means that U.S. “government
fully compl[ies] with the Trafficking Victims Protection Act’s (TVPA) minimum standards,”
which were established by the United States in 2000. Despite this high rating, however,

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8 Id.
9 TIPS at U.S Country Narrative, Introduction.
10 The Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106-386), the Trafficking Victims Protection Reauthorization Act of 2003 (H.R. 2620), the Trafficking Victims Protection Reauthorization Act of 2005 (H.R. 972), and the Trafficking Victims Protection Reauthorization Act of 2008 (H.R. 7311).
11 TIPS at U.S Country Narrative, Introduction.
officials still estimate that between 17,500 and 50,000 women and children are trafficked annually to the United States.\textsuperscript{12}

The TIPS report explains that “[t]he United States is a... destination country for men, women, and children subjected to trafficking in persons, specifically forced labor, debt bondage, and forced prostitution.”\textsuperscript{13} Although “[m]ore foreign victims are found in labor trafficking than sex trafficking” in the U.S., the TIPS report found that around 18 percent of the adults trafficked into the United States, and a disturbing 44 percent of the children, were imported to the United States for sexual exploitation of some kind.\textsuperscript{14} This indicates that, despite the U.S. government’s efforts to curtail the problem, and its compliance with the TVPA standards, sex trafficking in the United States is still a huge problem.

Women and children are thus trafficked into the United States, despite a readily available supply of vulnerable women and children within the U.S., itself. The TIPS report noted that, of the individuals trafficked within the United States, “[m]ore U.S. citizens, both adult and children, are found in sex trafficking than labor trafficking; U.S. citizen child victims are often runaway and homeless youth.”\textsuperscript{15} If most of the U.S. citizens who are trafficked internally end up in the sex trade, and there is a vulnerable population of runaways, homeless youth, why would traffickers need to bring women and children into the U.S. from outside? The TIPS report indicates that the “primary countries of origin for foreign victims certified by the U.S. government were Thailand, Mexico, Philippines, Haiti, India, Guatemala, and the Dominican

\textsuperscript{12} \textsc{Liana Sun Wyler and Alison Siskin}, \textsc{Trafficking in Persons: US Policy and Issues for Congress} 8-9, available at http://fpc.state.gov/documents/organization/147256.pdf. It should be noted, and I will discuss it later, but there are also a number of victims trafficked within the U.S. See e.g. Emily Harlan, \textit{It Happens in the Dark: Comparing Current Obstacles to Aid for Child Sex Trafficking Victims in India and the United States} (forthcoming, 2011); \textsc{Kevin Bales and Ron Soodalter}, \textsc{The Slave Next Door: Human Trafficking and Slavery in America Today} 102 (2009).

\textsuperscript{13} \textsc{TIPS at U.S Country Narrative, Introduction}.

\textsuperscript{14} \textit{Id.}

\textsuperscript{15} \textit{Id.}
Republic.”

What is it about the sex trade in the United States that demands victims from these countries be imported? In other words, why is the U.S. a destination for sex traffickers, rather than a source for victims – women and children who are homeless, runaways, or otherwise vulnerable? There may not be one single answer, but by looking at several different factors – the Johns who purchase the sex from trafficking victims, the pimps who sell it, the profiles of the victims themselves, and the law enforcement responses, perhaps we can find some answers.

**B. The Johns**

The first reality of sex trafficking is that the basic, sexual desires of the consumers of the sex traffickers’ product, needs to be met. As Kevin Bales explains, “[i]t is obvious that without the demand for the sexual services of women and young girls there would be no need to write this chapter. Yet the demand exists, and it is vast.” And, Bales asks, “who are the men who pay for sex, often with enslaved women and children? They go by several euphemistic names, but for the sake of this discussion we’ll call them ‘johns.’ [sic] They are ubiquitous and have been for thousands of years....” In general, research on the customers of sex trafficking “cautions against sweeping characterizations and generalizations. Customers vary in their background characteristics, motivation, and behavior, and they buy sex for different reasons.”

There are some common characteristics of the men who buy sex with victims of sexual trafficking, however. According to one study, “the typical john is around thirty years old, married, and employed full-time with no previous criminal record.”

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16 Id.
17 Bales, supra note 12, at 85.
18 Id.
19 Id. at 86, quoting Ronald Weittzer, who in turn is quoting Michael Horowitz, senior fellow at the Washington, D.C. headquarters of the Hudson Institute.
20 Iris Yen, *Of Vice and Men: A New Approach to Eradicating Sex Trafficking by Reducing Male Demand Through Educational Programs and Abolitionist Legislation*, 98 J. CRIM. L. & CRIMINOLOGY 653, quoting Duncan Walker,
in the U.S. and abroad also revealed that “[d]espite their diverse backgrounds, johns tend to share
similar perceptions about prostitution.”21 A study of 1,342 men arrested for soliciting
prostitution found that “johns also believe common myths about prostitutes such as: ‘she does it
because she likes it,’ ‘she chooses to do it,’ and ‘prostitutes make a lot of money.’”22 Johns also
often “feel entitled to any sexual service they desire because they dehumanize the prostitutes,
and instead view them as cheap sex objects.”23 Numerous studies have also found that “a
subgroup of hard-core, habitual users account for a disproportionate share of the demand for
prostitution.”24 In the U.S., specifically, one study found “that 11% of men who had ever
purchased sexual acts did so more than 100 times.”25

In addition to the demand for basic prostitution, “[m]ale demand also plays a pivotal role
in determining the characteristics of the trafficked victims” and the sex trafficking industry.26
Because “[s]ex trafficking is an efficient market that is very responsive to its clients' needs.”27
Throughout history, in areas where sex trafficking was previously non-existent, abundant male
demand and insufficient supply resulted in an exploding sex trafficking industry.28 As “demand exceed[s] supply, traffickers start[] to kidnap women and girls from various countries in the

Beer, Banter...and a Brothel (BBC television broadcast Oct. 3, 2006), available at
22 Id.
23 Id.
25 Id. In the same study, 22% of men had purchased sex up to four times. Id. It is also interesting to note that using the services of a prostitute does not necessarily diminish a man’s image in the United States. Perhaps the best known example from the present age is Hugh Grant, who has remained a romantic-comedy icon and movie superstar heartthrob despite his well-published history of being a john. See e.g., MELISSA HOPE DITMORE, ENCYCLOPEDIA OF PROSTITUTION AND SEX WORK, Volume I, 261 (2006).
26 Id. at 24.
27 Yen, supra note 20, at 666.
28 Id.
region and force them into the commercial sex industry.”

But what is the demand that is exceeding the supply? If there are vulnerable women and children in America, who are already being trafficked within the country, then why is there an additional demand?

The answer seems to be a matter of taste among the male consumers. One study explains that “[i]ohns typically do not explicitly ask for trafficked women, but they often demand ‘something different,’ meaning they desire ‘exotic’ foreign women.” Globally, johns currently seem to have a “preference for Eastern and Central European women” which has meant that “these women now comprise almost 25% of the global sex trade.” Additionally, the male demand for virgins or and girls who are (at least relatively) “clean” has caused child prostitution to increase at alarming rates as well. Since a younger victim is more likely to be “clean,” or virginal, sex trafficking victims are getting increasingly younger, and it is now common to find girls thirteen years old or younger among trafficked victims. The demand for “novelty and variety” has also prompted sex industry circuits where victims are rotated among cities within a country or region, once they are imported.

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29 Id.
32 Yen, supra note 20, citing Sara K. Andrews, Comment, U.S. Domestic Prosecution of the American International Sex Tourist: Efforts to Protect Children from Sexual Exploitation, 94 J. CRIM. L. & CRIMINOLOGY 415, 422-23 (2004) (noting that the high demand in some cultures for sex with virgins--based on their youth, purity, and supposed lack of sexually transmitted diseases -- has caused child prostitution to become more prevalent).
33 Yen, supra note 20 (“In a five-country study, 22% of the interviewed men preferred girls aged eighteen or under.”); BRIDGET ANDERSON & JULIA O'CONNELL DAVIDSON, IS TRAFFICKING IN HUMAN BEINGS DEMAND DRIVEN?: A MULTI-COUNTY PILOT STUDY 19 (2003), available at http://www.compas.ox.ac.uk/about/publications/Bridget/Anderson04.pdf?event=detail& id=2932.
In summary, then, there is a demand for novel, exotic, and foreign women among the johns in the United States. This explains the need for imported women, as no amount of internally trafficked U.S. citizens could ever fulfill that particular demand. The particular tastes of the American johns, therefore, accounts for one cause of the United States’ status as a “destination” country.

C. The Pimps

In addition to the johns – the purchasers of sex – we must also consider the pimps – the ones who sell the sex. Sex trafficking is a profitable business. The sex trafficking industry is growing as a lucrative source of income, and an increasingly successful business venture, for many reasons.\(^\text{35}\) Aside from the demand of the johns, “the relatively low risks of detection, prosecution and arrest attached to trafficking compared to other activities of organized crime,” also contributes to the success of the sex trafficking business.\(^\text{36}\) This illegal business is “estimated to generate profits upwards of $7 billion annually.”\(^\text{37}\) The illegal sex industry is, therefore, “the third most profitable illicit business, behind drugs and arms dealings.”\(^\text{38}\) The chances of getting caught, and the relative punishments for sex trafficking, are also low enough to make the cost-benefit analysis more favorable than that of drugs or arms dealing.\(^\text{39}\) With such a vast amount of money to be made, with relatively little risk, organized criminal organizations and individuals are bound to be drawn into the trade in sex slavery as a means of making vast quantities of money. One reason the pimps engage in sex trafficking, then, is simply because it is good business.


\(^{36}\) Id.

\(^{37}\) Id.

\(^{38}\) Id. citing Kathryn E. Nelson, Comment, Sex Trafficking and Forced Prostitution: Comprehensive New Legal Approaches, 24 HOUS. J. L. 551, 574 (Spring 2002).

\(^{39}\) Id.
In addition to the monetary gain available, we in the United States have accepted “pimping” as not only a possible vocation for men, but a glamorous job that is worthy of envy and emulation.\footnote{Bales, supra note 17, at 88.} The 2006 Academy Award for best song from a movie went to “It’s Hard Out Here for a Pimp.”\footnote{Id.} The film, about a pimp with dreams of becoming a rapper, also earned a Sundance Film Festival award, and its main actor, who played the sympathetic pimp, was nominated for an Oscar.\footnote{Id.}

Additionally, every year pimps hold a “Players Ball” in a different city in the United States.\footnote{Id.} At the event, fancy cars, clothes, and jewelry are shown off, and awards are given for “No. 1 International Pimp of the year” and “No. 1 Super Player.”\footnote{Id.} These events are often high profile, drawing media attention, and sometimes even the endorsement of the city’s mayor.\footnote{Id.} While the Players Ball is, in the words of one club owner, is “strictly a dress-up costume party…” that has nothing to do with pimps, prostitutes, or trafficking, “the pimps who attend are often facing indictments for sex trafficking, involuntary servitude, sexual abuse of a minor, kidnapping, assault with a deadly weapon, and racketeering.”\footnote{Id.} These men are often “responsible for the kinds of damage listed on the Department of Health and Human Services (HHS) fact sheet,” including damage inflicted by drug, alcohol, and physical abuse, PTSD,
depression, and suicide attempts, AIDS and other STDS, forced or coerced abortions, and many other brutalities against women and children.\textsuperscript{47}

Pimps may choose the vocation for a number of reasons, personal or professional. Perhaps overseeing prostitutes and trafficking victims allows these men to control women, which can satisfy an abusive personality; perhaps they are in it for the glory and the fame; or perhaps they are just in it for the money. Whatever the reason, it is clear that the pimps – the salesman and the day-to-day perpetuators of the sex business, are directly responsible for making sure the demand for sex is met – and profiting from that demand. The johns create the demand for the services of the pimps, and the pimps create the demand for the services of the sex traffickers. Where there is demand, there must also be supply, and that is the job of the traffickers. The money to be made trafficking women and children in the United States, the cultural reverence, and the power of the position, makes sex trafficking an attractive option for American men, and a reason that the U.S. has become a destination country for sex traffickers.

\textbf{D. The Victims}

Victims are often brought to the U.S. under false pretenses, with the promise of a good income and a better life.\textsuperscript{48} In its handbook on sex trafficking for lawyers, the American Bar Association (ABA) offers a striking case study of one such a victim.\textsuperscript{49}

Neelam came to the U.S. when she was sixteen to live with her aunt and uncle in Boston. Her aunt had promised Neelam’s parents she would send Neelam to school. However, Neelam’s aunt told her that she would be pulled out of school and shamefully sent back to India if she didn’t cook and clean for the family from the time she got home from school until well past midnight. Neelam obeyed her aunt for a while, but she was so tired she eventually asked to go back to India. Neelam’s uncle then raped her and sold her to a

\textsuperscript{47} \textit{Id.}
\textsuperscript{48} \textsc{American Bar Association, Eva Klain et al., Meeting the Legal Needs of Child Trafficking Victims: An Introduction for Children’s Attorneys & Advocates} 10 (2008).
\textsuperscript{49} \textit{Id.}
co-worker for sex. He told Neelam that she could never return to India now that she was a “street woman” and would have to stay in the U.S. and work for them.\textsuperscript{50}

Neelam’s story is a good example of the vulnerability, especially of children, to trafficking into America.

One author has cited “the growing demand for international migration” and “the restrictions on legal immigration imposed by industrialized countries, which have created the demand for alternative, illegal avenues of migration” as major causes of sex trafficking.\textsuperscript{51}

Because, for many, the United States offers a vast improvement in life quality from their country of origin, many women and children are eager to emigrate, legally or illegally to the U.S. This makes them easy targets for traffickers who promise a better life in America, and thus arrange the transportation for their willing victims into the U.S. It is only once the victims reach the United States that reality sets in, and the real purpose of their travel becomes clear. Once in the country, the victims are forced into prostitution or private sex slavery, as Neelam was.

The special situation of the United States, as a wealthy country with many employment and educational opportunities, makes it a particularly attractive destination for women and children from less affluent or powerful countries. Thus, the victims who are trafficked into the United States are often particularly susceptible to deceptions or coercion inducing the travel to America. The promise of a better life in a superpower country is an effective bait for traffickers to use, and it works unfortunately well for women and children who have little to look forward to in their home countries.

\textit{E. Law Enforcement}

\textsuperscript{50} Id.

\textsuperscript{51} Diep, supra note 35, at 311.
Although the United States, and indeed every country, has work to do, law enforcement for sex trafficking in America is making progress. According to the TIPS evaluation of the United States in 2010, the U.S. “government sustained strong law enforcement efforts and continued to encourage a victim-centered approach among local, state, and federal law enforcement.” The evaluation specifically noted that “the U.S. government saw improvement in the protection of trafficked foreign children due to new procedures to grant benefits and services more promptly upon identification.” In general, then, America received a positive review for their law enforcement efforts so far, although TIPS certainly had suggestions for improvement.

In the U.S. “[p]enalties for sex trafficking range up to life imprisonment with a mandatory minimum penalty of 10 years for sex trafficking of minors and 15 years for sex trafficking by force, fraud, or coercion or sex trafficking of minors under age 14.” This indicates that the U.S. justice system takes sex trafficking crimes seriously and punishes the perpetrators severally. According to the TIPS review, “TVPA trafficking offenses are investigated by federal law enforcement agencies and prosecuted by the U.S. Department of Justice (DOJ). The federal government tracks its activities [and]… In FY 2009, the Human Trafficking Prosecution Unit, a specialized anti-trafficking unit… charged 114 individuals, and obtained 47 convictions in 43 human trafficking prosecutions.” In addition to those federal prosecutions, “[t]raffickers were also prosecuted under a myriad of state laws, but no comprehensive data is available on state prosecutions and convictions.”

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52 TIPS at U.S Country Narrative, Prosecution.
53 Id.
54 Id.
55 Id.
56 Id.
available, however, indicates that even more prosecutions for sex trafficking happen at the state level than at the federal level.\textsuperscript{57}

In addition to the prosecutions, “DOJ funds 38 anti-trafficking task forces nationwide comprised of federal, state, and local law enforcement investigators and prosecutors, labor enforcement, and a nongovernmental victim service provider.”\textsuperscript{58} This means that there is a significant amount of training for law enforcement available in the United States, specifically on human trafficking. In fact, “[t]he DOJ task forces trained over 13,000 law enforcement officers and other persons likely to come into contact with human trafficking victims” in the 2009 fiscal year.\textsuperscript{59}

Although there is always more to be done, the state and federal governments in the U.S are successfully criminalizing, prosecuting, and punishing sex traffickers. This means that, even though some sex traffickers will evade justice, the United States continues to send a clear message that trafficking is a crime and will be punished. The TIPS report has no mention of corruption among police and prosecutors in the United States, and therefore it seems that any failings on the part of law enforcement are a result of limited resources (monetary and temporal) rather than something more sinister.

PART II: WHY INDIA HAS A DEMAND FOR TRAFFICKED WOMEN

A. Some basic facts

According to the TIPS report of 2010, India is a “Tier 2 Watch List” country.\textsuperscript{60} This means that, in the eyes of the U.S. State department, India’s government does not fully comply

\begin{footnotes}
\item[57] Id. This is because lower level sex offenses are often state criminal offenses, with exclusive jurisdiction at the state court level. Id.
\item[58] Id.
\item[59] Id.
\item[60] TIPS at Country Narratives: India.
\end{footnotes}
with the TVPA’s minimum standards, but is making significant efforts to bring itself into compliance with those standards and:\textsuperscript{61}

\begin{itemize}
  \item[a)] the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;
  \item[b)] there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or,
  \item[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 steps over the next year.\textsuperscript{62}
\end{itemize}

This means that, not only does the Indian government fail to comply with the standards set out by TIPS and the U.S. state department, but also that India is sliding backwards in its enforcement of sex trafficking, despite its alleged efforts.\textsuperscript{63} In other words, India has a long way to go and is not making enough progress.

The TIPS report also indicates that “India is a… destination… country for men, women, and children subjected to trafficking in persons, specifically forced labor and commercial sexual exploitation.”\textsuperscript{64} Thus, India, like the United States, is a country \textit{into which} women and children are trafficked. This occurs, like in the United States, despite a readily available population of vulnerable women and children within India.

The TIPS report explains, “[w]omen and girls are trafficked within the country for the purposes of commercial sexual exploitation.”\textsuperscript{65} This is done partially because “[m]ajor cities and towns with tourist attractions continue to be hubs of child sex tourism, and this phenomenon also takes place in religious pilgrim centers” due to “Indian nationals engage[ing] in child sex tourism

\textsuperscript{61} TIPS at \textit{Methodology}.
\textsuperscript{62} Id.
\textsuperscript{63} Id.
\textsuperscript{64} TIPS at \textit{Country Narratives: India, Introduction}.
\textsuperscript{65} Id.
within the country.”66 And yet, while “[n]inety percent of trafficking in India is internal,”
drawing women and children “from India’s most disadvantaged social economic strata,”67 a large
number of girls “from Nepal and Bangladesh are also subjected to forced prostitution in India.”68
This means that, despite the poverty, overpopulation, lack of education, and many other factors
that contribute to vulnerability in Indian women, the supply of Indian women does not meet the
demand, and women must be brought in from Nepal and Bangladesh to satisfy that demand.

There are no reliable estimates of the numbers of women and children trafficked into
India each year. Some state that there are as few as 10,000 women and children trafficked into
India from Nepal and Bangladesh each year.69 Other statistics show, however, that Nepali and
Bangladeshi women (presumably trafficked) make up about 70 percent of the population in
Indian brothels, or a total of about 700,000 women and children.70 Whatever the exact numbers
may be, there is clearly a very large population of women and children trafficked into India. This
occurs despite the availability of vulnerable Indian women. Why?

B. The Johns

One of the reasons that women and children must be brought into India has to do with the
demands of the men purchasing the sex within India – the Indian johns. Stanley K.V., co-
founder of Odanadi (a NGO in Mysore, India dedicated to human trafficking victims) believes
the demand for non-Indian women and children goes to the root of male psychology and social
ideals of beauty.71 He explains that, in India, fair skin is considered the most attractive, and the

66 Id.
67 Id.
68 Id.
69 M. NAIR, SANKAR SEN, & INDIA, NATIONAL HUMAN RIGHTS COMMISSION, TRAFFICKING IN WOMEN AND
CHILDREN IN INDIA 17 (2005).
70 Id.; HUMANTRAFFICKING.ORG, News and Updates, http://www.humantrafficking.org/updates/449 (last visited
71 Interview with Stanly KV, Odanadi, Mysore, India (March 21-22, 2011).
fairer a woman is, the better.\textsuperscript{72} Nepali women and children usually have lighter skin than Indian women, and are therefore seen as more attractive than their Indian counterparts.\textsuperscript{73} This observation is corroborated by the research done for Human Rights Watch Asia.\textsuperscript{74} That research also found that the johns in Indian brothels, who are mostly Indian men, prefer Nepali girls for their face and body shape, as well as the color of their skin.\textsuperscript{75}

This preference for light-skinned victims also explains why “NGO reports indicate that an increasing number of girls from the northeast – including those with education – are duped with promises of well-paid employment in large cities and then forced into prostitution.”\textsuperscript{76} Women in the North of India are generally lighter-skinned than those in the South, and therefore women in the North would be preferred by the Indian johns. Stanly, of Odanadi, offers another interesting twist here, however. He explains that, due to a large number of transplanted Southern Indians settling the North, hoping for better job prospects, women in the South are now also being trafficked to the North of India.\textsuperscript{77} This is not because of a preference for their skin color, but because of the desire for a woman who is somehow familiar (i.e. similarly South Indian) but also not a member of the john’s own community.\textsuperscript{78}

Stanly explains that men are more likely to hire a prostitute, and more likely to abuse her, if she is not seen as a member of his own social circle, but somehow “other” or “outside” is own community.\textsuperscript{79} For South Indian women, this means that they can be favored both by North Indian men, who see them as outsiders, but also by the displaced South Indian men, who can

\textsuperscript{72} Id.
\textsuperscript{73} Id.
\textsuperscript{74} Human Rights Watch Asia, Rape for Profit: Trafficking of Nepali Girls and Women to India’s Brothels (1995).
\textsuperscript{75} Id.
\textsuperscript{76} TIPS at Country Narratives: India, Introduction.
\textsuperscript{77} Interview with Stanly, supra note 71.
\textsuperscript{78} Id.
\textsuperscript{79} Id.
believe that these Southern Indian women, while they may look similar, are not members of their
treasured home communities. They are cast aways, who have come north, and are therefore no
longer deserving of the same respect that a woman “back home” would require.

Whether it be internal difference (i.e. Southern versus Northern Indian), or complete
difference (i.e. Nepalese), there is certainly a preference on the part of the Indian johns for
women who fit a certain “outsider” demographic. This is true even for women who are
somehow “familiar” to the john – i.e. resembling their home community in some way. Even if a
woman is somehow familiar, she must also be other, in order to be subject to the abuse that a sex
worker must endure. Whether familiar or exotic, then, the johns demand a woman they can
identify as “other.” As in America, this desire on the part of the johns will never be satisfied by
even an endless supply of Indian women who are familiar to them. Thus, there will always be a
demand for women from outside, which must be met by human trafficking.

C. The Pimps

As in the United States, sex trafficking into India is a very profitable business. By one
estimate, “at least one million Indian girls and women work in India's sex industry which is
estimated to be worth around 400 billion rupees ($9 billion) annually.”\textsuperscript{81} The profit margin is
especially large for traffickers from India to Nepal.\textsuperscript{82} Traffickers can purchase girls from the
rural hill villages in Nepal, usually from the girls’ relatives or local recruiters, for “as small as
Nepali Rs. 200 [$4.00].”\textsuperscript{83} These women are then delivered and sold to “brothel owners in India
for anywhere from Rs. 15,000 to Rs. 40,000 [$500-$1,333].”\textsuperscript{84} Thus, a trafficker from Nepal to
India stands to make somewhere between $496 and $1,328 on each girl, minus their minimal

\textsuperscript{80} Id.
\textsuperscript{81} HUMANTRAFFICKING.ORG, supra note 70.
\textsuperscript{82} HUMAN RIGHTS WATCH ASIA, supra note 74, at 1.
\textsuperscript{83} Id.
\textsuperscript{84} Id.
expenses. The annual, per-capita income in Nepal is around $1,100.\textsuperscript{85} The sale of one girl, therefore, has the potential to pay out more than the average Nepalese makes in an entire year. With this kind of monetary incentive, sex trafficking from Nepal to India is bound to continue, and even to grow as a profitable industry.

\textbf{D. The Victims}

In addition to the incentives for the traffickers, there are also economic incentives for the victims of sex trafficking in India. Svati P. Shah, who did field work in Mumbai on sex trafficking and prostitution, argues that poverty and sex trafficking are inextricably linked.\textsuperscript{86} She explains that there are “growing links between migration and economic sustainability for poor communities in India.”\textsuperscript{87} This migration, according to Shah, “is occurring against the rural context of depleted water tables, more arable land becoming drought-prone, and areas that have experienced massive rural displacement after receiving few of the benefits of industrial growth and economic prosperity.”\textsuperscript{88} Originally, agricultural work was “the main mode of survival in these areas, but, as food security decreases with the increased consolidation of food production, seed patenting, and greater areas of cultivated land being devoted to the production of cash crops (e.g., sugar cane), seasonal farm work has become less and less sustainable.”\textsuperscript{89} This means that, rather than sustaining and maintaining their original inhabitants, “[s]uch regions now supply the lion's share of migrant laborers to the world's urban economies.”\textsuperscript{90} In India and Nepal, this

\textsuperscript{87} \textit{Id.} at 453.
\textsuperscript{88} \textit{Id}.
\textsuperscript{89} \textit{Id}.
\textsuperscript{90} \textit{Id}.
means that historically rural, agricultural communities are no longer able to survive off the land, and are increasingly moving to cities like New Delhi and Mumbai to look for work.\textsuperscript{91}

For many women, this means work in the illegal sex trade. And working in the illegal sex trade in India’s brothels is not an easy life:

 Trafficking victims in India are subjected to conditions tantamount to slavery and to serious physical abuse. Held in debt bondage for years at a time, they are raped and subjected to other forms of torture, to severe beatings, exposure to AIDS, and arbitrary imprisonment. Many are young women from remote hill villages and poor border communities of Nepal who are lured from their villages by local recruiters, relatives or neighbors promising jobs or marriage, and sold… to brothel owners in India… This purchase price, plus interest (reported to be ten percent of the total), becomes the “debt” that the woman must work to pay off – a process that can stretch on indefinitely. Only the brothel owner knows the terms of the debt, and most women have no idea how much they owe or the terms for repayment. Brothels are tightly controlled, and the girls are under constant surveillance. Escape is virtually impossible. Owners use threats and severe beatings to keep inmates in line. In addition, women fear capture by other brothel agents and arrest by the police …. Many of the girls and women are brought to India as virgins and return to Nepal with the HIV virus.\textsuperscript{92}

Despite this grim reality, the promise of work in India, and the desperate situation at home, are enough to make victims willing targets to traffickers. Coercion and physical force will do the rest. Just as in the United States, India is a destination country for victims because it holds the promise of a better life.

\textbf{E. Law Enforcement}

According to the TIPS report for India, “[s]ome public officials’ complicity in trafficking remained a major problem” in the 2010 reporting period.\textsuperscript{93} According to Odanadi’s director, Stanley, however, police corruption is not just a major problem, but the major problem with attacking sex trafficking in India. According to Stanley, police officers are often customers in the Indian brothels, taking bribes to allow the brothels to function, or complicit in the trafficking

\textsuperscript{91} Id.
\textsuperscript{92} Human Rights Watch Asia, supra note 74.
\textsuperscript{93} TIPS at Country Narratives: India, Prosecution.
of girls. He spoke of one specific anecdote, from when Odanadi was performing a “rescue” of fifteen women and girls from a brothel in Mysore:

We knew there were a lot of girls in there because we had undercover agents go in and pretend to be customers to make sure they were there. Then we had citizen volunteers standing in a perimeter around the place, to make sure no one ran off between when the undercover went in and the police came. When the police got there, we searched the place but couldn’t find any of the girls. The police wanted to give up, and we said no, because we knew they were in there. We started looking for trap doors and false ceilings, floors, or walls. When we found a place in the wall that sounded like it was hollow, we told the police, and asked them to break it open. They refused, and they told us that if we did it, and destroyed property, we would be arrested. We did it anyway. We found 15 girls stuck inside this tiny little place. There were piled on top of each other, with sacks over them to hide them, and they had to lock the door from the inside. But there wasn’t enough oxygen in there to keep them alive for much longer. If we hadn’t gotten there when we did, the girls would have literally locked themselves in to die. When we pulled them out, some of them had already passed out. They were all covered in sweat. It was awful.\footnote{I am paraphrasing the story, as I could not write out the entire thing while he was telling it. For another account of this story, see Sarah Harris, My First Brothel Raid, Viceland Today, available at http://www.viceland.com/blogs/en/2010/09/21/my-first-brothel-raid/ (“We came to a disused room with a small trapdoor set into the wall at knee-height. Outside a tangle of clothes lay amongst dirty plates, high-heeled shoes, and discarded condom boxes. We had just enough time to stick our heads into the dank six by four foot hole. It stank of human bodies, piss, and old food. Dark stains splashed up one wall and the odd, sad item of clothing lay on the floor. There would not have been enough room for more then one of them to lie down and sleep... As the situation stands, the five Indian girls have had counseling and are being transferred to another rehabilitation center in Bangalore. Odanadi is still working for the release of eight Bangladeshi girls from jail, where they are currently being held by police for not having passports or the relevant immigration documents.”).}

In Stanley’s experience, then, where the police were not actively complicit, they were at least passively accepting of the terrible predicament of the women in the brothel.

Human Rights Watch Asia has also found a pattern of “police corruption and complicity” in India and Nepal.\footnote{HUMAN RIGHTS WATCH ASIA, supra note 74, at 44-51.} In their report, they reiterated portions of a letter from an NGO to the Home Minister, which “charged that the police regularly extorted large sums of money in red-light areas in the name of protection – up to Rs. 26,000 ($866) per day in Delhi alone.”\footnote{Id. at 44.} The president of that same NGO reported that “out of the Rs. 55 [$1.83] paid by the customer in one
of the city’s brothels, Rs. 10 [$0.33] went to the police.”

This sum varied according to the officer’s rank, with a head constable receiving more per-head than the sub-inspector did. Additionally, the organization charged that “[i]n the case of recently trafficked girls and women… police were involved in a staged process called ‘registering’ the victims.” During this process, the brothel owner “would notify the police of the arrival of a new victim in her establishment and pay a bribe for their silence… between Rs. 5000 and Rs. 25,000 [$166-$833].” In the case of a minor, the police “kept the girl for a day in lock-up, and produced her in court the next day along with a falsified First Information Report (FIR) attesting to her adult status, thereby protecting the brothel owner from any future charges relating to the prostitution of a minor.” The police were paid between Rs. 500 and Rs. 1000 (or $16-$33) for this service.

In addition to the issue of police corruption, there are also problems with the Indian Supreme Court. According to Kumar Regmi, a professor at the Kathmandu School of Law in Nepal, the “Indian Supreme Court, known throughout the world for its judicial activism, could address this problem more effectively by adopting a less biased attitude than it has shown to date.” As an example of this bias, Regmi quotes from Justice Broome’s opinion in Kauchailiya v. State, in which the Justice held that “If the magistrate finds that she has worked as a prostitute in the past, he can expel her from the area controlled by him without further ado. Moreover, she may not only be removed from one town to another, but may be expelled from the

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97 Id.
98 Id.
99 Id.
100 Id.
101 Id.
103 A.I.R. 1963 ALL. 71; Id. at 383.
whole district.” Regmi insists that “the legally untenable and insensitive approach of the Indian Supreme Court has contributed to the marginalization of the problem of trafficking in women and girls” and, therefore, this “prejudicial attitude toward victims of prostitution, and the discriminatory interpretation and application of existing laws need to be changed.” After discussing many of the trafficking and prostitution cases that have come before the Indian Supreme Court, Regmi explains a theme among them:

From the early 1960s the highest court has worked quite discriminatorily and has been overly protective of all people participating in prostitution except for the victims. This comes at a heavy price to the real victims of prostitution, and has considerably hampered the possibility of appropriate justice for this marginalized group of women.

It is not only the police, then, who must adjust their present practices if there is to be a successful campaign against sex trafficking in India. The country’s highest court must also make a change for the better.


A. Differences

There are several superficial differences between India and the United states that one would expect to affect the sex trafficking industry: The United States has a population of just over 300 million people, while India estimates a population of slightly over 1 billion. The United States has a Gross Domestic Product (GDP) of $126.3 billion a year, and a per-capita

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104 Kumar Regmi, supra note 102, at 383.
105 Id.
106 Id.
income of about \$47,400\textsuperscript{110} whereas India’s GDP hovers around \$1.43 trillion\textsuperscript{111} with a per-capita income of about \$3,400.\textsuperscript{112} India’s people are therefore living on about one-seventh \(\frac{1}{7}\) of what those in America receive on average. The poverty in India is widespread and highly visible, where as in the U.S. it is hidden and localized. Walking down the street in India, one can expect to see someone relieving themselves in public, but such a thing is unthinkable, criminal, and punished in America.\textsuperscript{113} In addition to basic economic facts, India and the U.S. differ in their majority religions – Christianity in the U.S.\textsuperscript{114} versus Hinduism in India.\textsuperscript{115} India maintains a caste system, that “places people into a social and professional hierarchy on the basis of familial lineage”\textsuperscript{116} whereas, in America, “[w]e hold these truths to be self evident, that all men are created equal.”\textsuperscript{117} Finally, women in India are so undervalued that sex-selective abortions are a widespread problem,\textsuperscript{118} while in the United States, women actually outnumber men.\textsuperscript{119} All of these generalized and superficial differences between the two countries would lead one to conclude that there must be a correspondingly radical difference in the sex trade for each country.


\textsuperscript{111} Id. at India, Economy, available at https://www.cia.gov/library/publications/the-world-factbook/geos/in.html.

\textsuperscript{112} Id.

\textsuperscript{113} I cite my own experience in India and the U.S. for both of these last statements.

\textsuperscript{114} Protestant 51.3\%, Roman Catholic 23.9\%, Mormon 1.7\%, other Christian 1.6\%. CIA Factbook at United States, People.

\textsuperscript{115} LEGAL SYSTEMS OF THE WORLD, supra note 98, at 693.

\textsuperscript{116} Id.

\textsuperscript{117} The Declaration of Independence para. 1 (U.S. 1776). I acknowledge that there are obviously problems with the idea of social mobility in America. See e.g. David Brooks, The Sticky Ladder, The New York Times, January 25, 2005; Alan B. Krueger, Economic Scene; The apple falls close to the tree, even in the land of opportunity, The New York Times, November 14, 2002; Paul Krugman, The Sons also Rise, The New York Times, November 22, 2002. I mean only to cite the principles at work, not all of the problems with their practical applications.


\textsuperscript{119} U.S. CENSUS BUREAU, FACTFINDER, Age and Sex, available at http://factfinder.census.gov/servlet/STTable?_bm=y&-geo_id=01000US&-qr_name=ACS_2009_5YR_G00_S0101&-ds_name=ACS_2009_5YR_G00_&-redoLog=false.
It is true that there are differences to be found in the sex trafficking of both countries. First, there is the obvious difference that the United States is a “Tier One” country, complying with the standards set out by the TIP report, while India is a “Tier Two, Watch List” country that is not in compliance with those standards. Second, there are differences in the source countries, where the trafficked women come from. The international trafficking victims who end up in India are almost all from Nepal. The international trafficking victims who wind up in the United States, however, are mostly from “Thailand, Mexico, Philippines, Haiti, India, Guatemala, and the Dominican Republic.” Third, there are differences in the number of women trafficked to each country. In India, estimates range wildly between 10,000 and 700,000 women and children trafficked per year, whereas in the United States, the estimates are between 17,500 and 50,000 women and children annually. This means that the number of women trafficked into India is, potentially, much larger than the number of women trafficked into the United States.

Finally, and perhaps most importantly, the biggest difference between the two countries appears to be in the role that law enforcement takes in relation to the sex trafficking industry. In India, corruption is the primary barrier to the fight against sex trafficking. The corruption runs across all levels of society – political, social, and economic – but it is felt most acutely at the law enforcement level. As discussed above, police in India are often not only tacit observers or passive participants in the sex trafficking, but are often very active members, receiving bribes,

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120 TIPS at U.S Country Narrative, Introduction; India, Country Narrative.
121 HUMAN RIGHTS WATCH ASIA, supra note 74.
122 TIPS at U.S Country Narrative, Introduction.
123 M. NAIR, SANKAR SEN, AND NATIONAL HUMAN RIGHTS COMMISSION, TRAFFICKING IN WOMEN AND CHILDREN IN INDIA 17 (2005).
124 Id.; HUMANTRAFFICKING.ORG, supra note 70.
125 Liana Sun Wyler, supra note 11.
126 Interview with Stanly, supra note 71.
127 Id.
providing protection to the brothel owners or traffickers, and even purchasing the services of the victims.\textsuperscript{128} 

In the United States, there are certainly problems with law enforcement, especially police (sometimes referred to as “the blue wall of silence”), and the arrest and prosecution process is certainly not without its faults. It is clear, however, that the corruption in the United States does not compare to that of India. The TIPS report for the United States\textsuperscript{129} does recognize areas that need improvement, namely in training on a nationwide scale, but it also recognizes that, in general, arrests and prosecutions are proceeding apace.\textsuperscript{130} While there will always be more that can be done, the level of corruption and police complicity in sex trafficking is still the largest difference between the industry in the two countries.

\textbf{B. Similarities}

Far more striking, perhaps because it is so unexpected, is the amount of similarity between the sex trafficking industry in India and in the United States. For places that appear in very many respects to be so different, it is surprising that we would find any similarity at all, let alone similarities that cut right to the heart of the demand for sex trafficking. India and America may differ in their law enforcement responses to the problem, but in every other area explored in this paper – the johns, the pimps, and the victims – there are marked similarities, from which we can learn a great deal.

Both the johns in the U.S. and the johns in India shared tastes. Although the exact demographic might be different – light skinned versus dark skinned, round face or oval, etc. –

\begin{footnotesize}
\textsuperscript{128} Id.; see also TIPS India at Prosecution; HUMAN RIGHTS WATCH ASIA, supra note 74, at 50-51.
\textsuperscript{129} Problematically, the TIPS report is produced by the United States, so there is certainly cause for skepticism as to its self-aggrandizement.
\textsuperscript{130} TIPS at U.S, Prosecution.
\end{footnotesize}
the overall characteristics were the same: johns want something new and other. On the one hand, both the johns in India and the U.S. wanted women who looked like their ideal of beauty, perhaps fostered by their own community and upbringing. On the other hand, however these women must clearly not be from that community, but somehow distant and other, and therefore deserving of the abuse of the kind that sex workers take from the johns. The johns in both countries had an insatiable taste for “‘exotic’ foreign women.” This desire, as long as it exists, will never be satisfied by even the largest population of vulnerable women in either country. As long as that demand for the exotic “other woman” is there from the john’s there will always need to be sex trafficking to meet that need. Thus, although the physical manifestations of what is “exotic” may be different in each country, the desire for the other is there in both, and cannot be satisfied by anything other than sex trafficking.

Pimps and brothel owners in both countries also share many of the same core characteristics, incentives, and tacit community approval. In both the United States and India, prostitution is illegal, but prevalent, and in both countries there is a culture of complacency. In America, this complacency manifests itself in the “Players Ball” and songs and videos about the sympathetic pimp. In India, this manifests itself in a brothel culture with over a million sex workers, and open police corruption. Most importantly, though, there is a lot of money to be made in both countries for someone who sells the sex of others. In the United States, it is

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131 Yen, supra note 20, citing Melissa Farley.
132 Interview with Stanly, Odanadi, Mysore, India, March 21-22, 2011.
133 Id.
134 Yen, supra note 20.
135 For a fascinating discussion of what can and should be done to educated johns and attempt to change their behavior and desires – and thus curb the demand for sex trafficking – see the work of Adam Grush.
136 See supra, text accompanying notes 41-47.
137 M. Nair, supra note 69.
138 See, supra Section III (a).
estimated to generate around $7 billion\textsuperscript{139} a year, and in India roughly 400 billion rupees ($9 billion) annually.\textsuperscript{140} This is the most profitable after guns and drugs\textsuperscript{141} – offering men (and women) who traffic the chance to earn, with one victim, what they might otherwise fail to earn in a year.\textsuperscript{142} While there is this much money to be made, neither country is going to be able to curb the illegal trafficking of women.

Finally, there are the victims to consider. Again, while the physical locations and descriptions of the victims may be different for each country, they share some important characteristics in common. Both the victims who reach India, and those who come to the U.S. are often brought under false pretences, especially with the promise of a better life. India, in comparison to Nepal, and the United States, when compared to Thailand (or any less developed country in the world), offer a beacon of hope for a better future, toward which these victims can be lured by traffickers. Once these women become willing travelers, their victimization – away from all their friends, family, and connections, in a new place, where they are usually illegal immigrants – is easy. The victims in both countries are then kept in similarly miserable conditions until they are no longer useful to the brothel owner or pimp. These victims all feel shame, and lack the tools to make a dependable wage in other ways, causing them often to turn back to the sex trade, even after they have been arrested by the police, “rescued’ by an NGO, or pushed out by a brothel owner. These women are thus similarly vulnerable, despite their different situations and countries of origin.

CONCLUSION

\textsuperscript{139} Hanh Diep, supra note 35.
\textsuperscript{140} HUMANTRAFFICKING.ORG, supra note 70; See also supra, text accompanying note 83.
\textsuperscript{141} Id.
\textsuperscript{142} See text accompanying note 85.
One of the most disturbing things about comparing sex trafficking in India and the United States is that, despite the differences between the two countries, both have very high levels of sex trafficking. This is true despite the very great differences in the law enforcement of both countries, which seems to negate the argument that stepping up law enforcement alone would be enough to solve the problem. The United States already has better law enforcement than India, and yet the problem is still rampant in America. The United States also has a higher standard of living, a greater female population, and a number of other differences that one would normally hold out as the ideals for a developing country – like India – that might solve the sex trafficking problem. If these basic differences cannot change the fact that sex trafficking exists, and thrives, then what will change it? Is there any hope at all?

Mary Crawford maintains that sex trafficking is “not uniform across social, cultural, and political contexts, but rather highly situation-specific.” This would seem to add another layer to the problem of solving sex trafficking globally. If there are no similarities to be found between the different sex trafficking industries in the different countries, then how are we to attack the problem on a global level? Must it be left to local governments – even those in developing countries who are already struggling with strained resources – to solve the problem for themselves? Is there nothing we can work on as a global community, together, to combat this problem?

From this case study, comparing India with the United States, we can gather at least a few answers. While it is true that we can see differences between the sex trafficking industry in India and the United States, there are also some very important similarities. We can, in fact, find universal causes of sex trafficking by looking at the similarities in “destination” countries like India and the United States.

143 Mary Crawford, Supra note 6.
As we have seen, there are similarities between the johns, the pimps, and the victims in both of these countries. These similarities exist despite the vast differences between the two areas – socially, politically, economically, and religiously. Perhaps this indicates some of the root causes of sex trafficking: First, the basic sexual demands of the johns are not being met by the local population of women, however vulnerable they might be. Second, sex trafficking is good business, and is usually more profitable than legal alternatives. Third, the victims, wherever they come from, are vulnerable to the dream of a better life offered by these traffickers and thus often consent to travel willingly with them, until it is too late. These three truths appear to rise out of all of the differences between the two countries, and the differences between the sex trafficking industries in both places. If this is true of these two countries, perhaps it is true of more countries as well. This seems to undercut Crawford’s thesis that sex trafficking is a local, and not a global problem. If these three basic truths about sex trafficking exist across national, cultural, and ethnic boundaries, then perhaps they point to some global issues we should address as an international community.

How should we do this? For the johns, there educational programs, known as “john schools” that have been shown to address some of the more fundamental, psychological and cultural causes of men’s demand for prostituted women.\textsuperscript{144} Given the similar needs of the johns for the exotic “other,” despite their variant definitions of what that other might look like, the global community could certainly benefit from a closer look at the basic male psyche, and what causes the sexual deviations that are fed by sex trafficking. If these are universally felt, perhaps there is some universal problem, or symptom, that needs to be addressed to satiate or eliminate the male need for a certain type of victim. Despite cultural differences, the overarching desire

\textsuperscript{144} Moira Heiges, \textit{From the Inside-Out: Reforming State and Local Prostitution Enforcement to Combat Sex Trafficking in the United States and Abroad}, 94 MINN. L. REV. 428, 461 (2009); see also Adam Grush, supra note 33.
for the other could be addressed through international education and awareness campaigns targeted specifically at the johns, could be helpful across the world.

For the pimps, we as a global community certainly need to address the business aspects of this. It simply must be made more cost prohibitive to traffic a woman than cost effective. To do this, all aspects of the business must be targeted, from the consumers, to the providers (although not the victims) of the service. We must also work with international financial institutions to freeze assets of those found to be trafficking in women, and connect anti-trafficking organizations with organized crime units, financial crime units, banks, and government organizations. If we can stop the flow of money, and make the business simply impractical, then we can stop sex trafficking in its tracks. But that alone is not enough. We must also work globally to offer men and women other, more legitimate, employment that can earn equal salaries. This is obviously a much larger effort, which would benefit much more than anti-sex trafficking movements, but would certainly have a direct effect on the number of men and women who are incentivized into the business.

Finally, for the victims, we must work internationally to educate women on the dangers of traveling with strangers, on nothing more than promise, and on the real consequences of those actions. This is not to say that we need to “frightening women into staying home,”145 but rather that we need to educate them and their families so that they can make educated choices without being easy prey. We also must make an international effort to offer vulnerable women legal immigration alternatives into “destination” countries. Since many women are lured into these countries under the pretense of a better life, and since we can identify the countries from which these women are draw, we can specifically target immigration rules toward vulnerable women in those areas. Until there are legal alternatives into countries like America and India, which really

145 Crawford, supra note 6, at 144.
do hold a different standard of living from the source countries (like Thailand and Nepal), women will always be vulnerable to a trafficker with a good story. There also must be efforts to raise the economic independence of women in the source countries, so that their value – to themselves and their families – can be realized at home, doing safe, legal work, rather than in a brothel abroad.\(^\text{146}\)

Although none of these ideas are easily implemented, they are all imperative. And, while it may seem daunting, it is at least somewhat reassuring that something can be done on a global level. There are similarities that transcend national borders, and by focusing on those, we can pool our resources as an international community, and target those areas that are universal. This, then, should give us hope that all is not lost. There are things we can, and should, be doing to combat this problem. We do not have to leave it to the local governments, and we do not have to tailor every program to a specific area. There are at least a few commonalities that we can focus on, in order to develop programs that can successfully travel from one area to another, with equal impact. Despite the vast amount of negative information that comes out of studying the sex trafficking field, this at least, is an uplifting thought, for working together we can do more than working alone.

\(^{146}\) For a very good example of one such effort by ABC/Nepal, see Crawford, supra note 6, at 60-61.