

УДК 327

Democratic ideals and ODA as reflected in women's security in USA

YO. SHIN

University of Central Oklahoma, Edmond, OK, USA

Abstract

This paper explores if U.S. democratic norms and values are reflected in its foreign policy, especially in its Official Development Assistance (ODA) program. I examine ten largest recipient countries of the ODA between 2010 and 2012 and then cross reference them in their placement of the Traffic Victims Protection Act (TVPA) category as provided by the State Department. Since the majority of victims of human trafficking are women, I use human trafficking as an issue of women's security. Thus, my assumption is that women's security is an important part of national security based on the democratic ideals, therefore, countries with higher ranking in TVPA will receive higher amount of ODA, and vice versa. By this study, I hope to see if American democratic ideals are indeed pursued and implemented in a substantive way. Most of the information and data are drawn from the USDOS and the United Nations Office on Drugs and Crime (UNODC).

Демократичні ідеали та ОПР є дзеркалі безпеки жінок в США

ЙО.ШІН

Університет Центральної Оклахоми, Едмон, ОК, США

Авторське резюме

Ця стаття досліджує американські демократичні норми і цінності, відображені в її зовнішній політиці, особливо в її Офіційній Допомозі Розвитку (ОДР). Розглядається десятка найбільших країн-одержувачів ОДР між 2010 і 2012 роками, а потім посилання на категорії, передбачені у Державному департаменті, розміщені у Законі про захист жертв від торгівлі людьми (ЗЖТЛ). Так, більшість жертв торгівлі людьми становлять жінки, тому торгівля людьми використовується як питання безпеки жінок. Таким чином, моє припущення, що безпека жінок є важливою частиною національної безпеки, заснованої на демократичних ідеалах. Отже, країни з більш високим рейтингом у ЗЖТЛ, отримає більшу кількість ОДР і навпаки. Велика частина інформації і даних взяті з USDOS та Управління Організації Об'єднаних Націй з наркотиків і злочинності (УНЗ ООН).

Human Trafficking

The New York Times (March 1, 2014, A5) carried two articles on the same page about human trafficking: one was about the current operation of baby-selling criminal organization in China; the other was about Japan's intention to reexamine the apology made by the former administration over the Japan's involvement in sexual slavery, in euphemism «Comfort Women» during WWII.

These two separate issues that span over hundred years tell us something very ominous; in spite of many international laws and organizations to put a stop to human trades, selling and buying of people still occurs in many parts of the world, and more often than not, they are transnational transactions in character. If the key objective of international security supported by international law and various international organizations is to protect people from violence or inhumane treatment, why have women, so often and so long, been subjected to many forms of violence: rape, sex trafficking, kidnap, and bonded labor et cetera? It is this concern that prompted me to explore and hope to shed light on, and to prevent, violence committed against women by looking at transnational sex trafficking of women.

Ann Tickner (1992), a prominent feminist

international relations scholar, once stated that most scholars focus on international security issues often forget that having strong national military security or maintaining international peace does not always guarantee women's security. More than two decades after her expressed concern over the lack of attention given to this issue among scholars of International Relations theories, there have been little progress made in terms of both, the number of human trafficking and scholarly attention paid to this issue. In fact, the data show the trend in human trafficking is here to stay and it has not dwindled over the years, in spite of many domestic governments' efforts to curtail. For instance, a local TV broadcast in Oklahoma (June 20, 2014) carried an article that the US blacklisted Thailand and Malaysia on human trafficking. (<http://news9.com/story/25828389/US-blacklists-thailand-malaysia-over-trafficking>. Accessed on June 20, 2014).

There are many forms of trafficking in human. Some are for cheap or free labor and others are for sexual exploitation of men and women. And the age of trafficking ranges as well, many of them are underage. The transactions take place both intra-nationally as well as internationally, depending on the region. Furthermore, the forms of trafficking vary widely as well, some are done by personal acquaintances oth-

ers are by institutional criminal organizations.

An example of trafficked victim: the causes and the processes

Before going into details of Sex Trafficking, let me illustrate just one example of the process of human trafficking in order to inform one of the ways in which human trafficking is caused and takes place. 14 year old Siri in Thailand is a good exemplary case of sex trafficking of a girl from a poor family in a poor country. Her case reported by Bale (1999) is a double-edged sword that cut her life in half by the national government and the international financial organizations. Already poor, but further impoverished by the structural reform initiated by Thai government and the World Bank, which took away government subsidies for rice farmers forcing them to compete with imported rice which was subsidized by the country of exporter, thus cheaper than the domestic rice, the family faced impoverishment worse than before the intervention by the World Bank.

One day a came a woman who proposed to help the family by finding a job for Siri and made an advance payment \$2000 to her parents against her future earnings. This sum amounts to the family's income for the entire year. Then the woman sells her to a brothel for double of the amount she paid to Siri's parents. She works for an «investment club» whose members are local politicians and government bureaucrats. Having the government authorities as the owner of the club means it is immune to the police investigation, and the girls have no recourse to seek help. As is the case with Siri, it is typically the routine practice that whoever tries to escape, the penalty is added to the debt and the costs of antibiotics or contraceptives are also added to the already insurmountable debt to the girls, hence the term sex slave comes in.

What constitutes trafficking? For the purpose of the common language to understand this issue, I will use the definition provided by the UN. The UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons defines human trafficking as «the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion 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» (UN Office on Drugs and Crime, 2009: 1-2). According to the Protocol Against the Smuggling of Migrants by Land, Sea and Air, smuggling of migrants is defined as «the procurement, to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident» (UNODC, 2010:1-2). In short, the human trafficking must be understood, regardless how they entered the destination, if the person is

under threat or coercion or monetary transaction at any point in time should be construed as being trafficked.

According to International Organization of Migration (IOM), about 700,000 women and children are trafficked annually, and USDOS similarly estimates 600,000-800, 000 are trafficked international borders. (Lehti and Aromaa 2006). However, a troubling discovery in my research is that these figures that are provided by the USDOS are based on the reports by states and then «aggregate» them at the global level. For instance, in 2006, about 111 countries provided the data on the number of victims «officially» identified, which totaled to about 21,400, which creates a huge discrepancy between 600,000 and 21,400. According to Walker-Rodriguez and Hill (2011) sex trafficking is the third largest criminal enterprise in the world. Most of the victims are under-aged and runaway or thrown-away youth, there are 293,000 children in the United States alone who are at risk of becoming victim of such enterprise (Walker-Rodriguez and Hill, 2011). Similarly it is not clear how much revenue human trafficking really generates. At the global level, Leuchtag reports that «of all forms of slavery, sex slavery is one of the most exploitative and lucrative with some 200,000 sex slaves worldwide brining in their slaveholders an annual profit of \$10.5 billion.» (2003,10) However, Feingold (2005) has different views. He not only thinks that sex trafficking is not the largest form of human trafficking (labor trafficking is according to him), but also notes that it is not the biggest revenue producing international crime. Compared to \$320 billion international trade in illicit drugs, he notes, \$32 billion human trafficking (the figures are on forced labor) pales. Although it is hard to estimate the actual number of sex slaves and the revenue such criminal act generates, most scholars agree that it has risen to be one of the biggest enterprise among international criminal organizations.

In this paper I will first give a brief overview of data on trafficking in person and the efforts of the United States government made. Then I will try to see if there is a substantive correlation, not merely a policy statement, between disbursement of the ODA (either directly to the country or through Civil Society Organizations to developing countries) and democratic norms and practices of the recipient countries. There are many ways to assess the relationship, but for the purpose of the paper, I will explore one angle of democracy, that is, respect for the most basic form of human rights for women: freedom from being traded as if a sellable or buyable commodity without their consent, or being coerced into such transactions by threat or deception.

For this, I use the data compiled by the US Department of State (USDOS) on its effort to prevent human trafficking. Women have remained

to comprise sixty- eighty (60 to 80) percent of all trafficking in person since its inception of compiling the data by State Department on TVPA. My premise is that, the US as a leading democracy and being a hegemonic power would enforce its democratic norms and ideals if it has its will and that will be reflected in its ODA allocation to countries.

In the process of research, I have come to realize that there are many inherent problems to address this issue. First of all, getting reliable data has proven to be the first obstacle. Exactly how many people are affected by it, and how and where do the transactions take place? And how do we trust the source of information? Many of the sources come from interviews with victims, or reports to the local police, and data compiled by various NGOs. However, NGOs often build the data drawn from the same sources (e.g., interviews of the same victims) thus resulting in doubling the numbers. Furthermore, not all trafficked persons would go to the police for various reasons: lack of trust of the police, fear of reprisal by the perpetrator, or the fear of being deported to the country of origin, not to mention financial difficulties. In addition to the problem of getting reliable data as to the exact number of victims, there are also variations in the recruitment forms, processes, and purposes of trafficking. Some are intraregional transfer of victims, while others are domestic, yet others are trans-regional. By the same token, some victims are recruited by international criminal organizations while others are victimized by their own family or acquaintances.

These differences affect not only the kind of trafficking but also the process of trafficking and the end result of it as well. For instance, the Middle Eastern region is known for trafficking for domestic labor, whereas the Western Europe and North America are usually for sexual exploitation. Also depending on the regional differences, the age and sex of trafficking vary greatly as well as the source countries. Nevertheless, what remains problematic is that women are the predominant victims of all trafficking in persons, comprising 66 percent, which has remained constant even after the introduction of Trafficking Victims Protection Act (TVPA) in 2000. Further shocking is that girls (female victims below the age of 18 and they are in a separate category from women in the data) comprise 13 percent of all victims, which means that when women and girls are combined together, female victims account for nearly 80 percent of all victims of trafficking according to the report by the United Nations Office on Drugs and Crime in 2006 (UNDOC.GIFT). Also noteworthy is that 79 percent of female victims are for sexual exploitation (UNDOC.GIFT). The figures are based on the information collected from 52 countries in 2006). A very comprehensive article on these various as-

pects of trafficking is written by Lehti, M and K. Aromaa (2006).

Given these difficulties in discussing trafficking issues as a measure to assess the level of democratic values held by the U.S. government in its foreign policy, I have decided that I would look at the country's «efforts» to ameliorate the human trafficking issues according to the category provided by the State Department, rather than focusing the actual number of victims or perpetrators. And then I cross-referenced the placement of countries in the category with the disbursement of money for the Official Development Assistance (ODA) between 2010 and 2012, either directly to the country or through Civil Society organizations (CSO) to the developing countries (note that the USODA is given to international civil organizations only, not the CSO in the developing countries, I assume, to prevent corruption). Also note that I do not use all forms of foreign aid so as to separate security issues from humanitarian and economic developmental issues, the reason why I limit my work only to the ODA, a separate category from general foreign aid which is usually based on military strategic calculations.

ODA and TVPA category

By looking at the ten largest recipients of the ODA and cross reference them to the Tiers to which they are placed according to the Trafficking Victims Protection Act (TVPA), I hope to understand how U.S tries to implant its democratic ideals. The TVPA adopted in 2000 and has been further expanded and reauthorized in 2003, 2005, 2008, and 2013. My assumption is that if the U.S. policy on human trafficking is seriously implemented, the government will allocate largest (or larger) amount of the ODA to countries that are placed in Tiers 1 or 2, but certainly not to countries of Tier 2 Watch List of Tier 3 as categorized by the TVPA. (I will further discuss the TVPA categorization in later discussion). This will lead us to explore if there is a substantive correlation, not merely a policy statement, between disbursement of the Official Development Assistance and implementation of democratic norms and values of the U.S. government. My premise is that, the U.S., a leading democracy and a hegemonic power, would enforce its democratic norms and ideals through the use of ODA.

The U.S. Department of State divides TVPA into three categories: Tier 1, Tier 2, and Tier 3. Countries are placed onto one of three tiers based on the extent of government action to combat trafficking, not so much as on the size of the problem. For detailed information on Trafficking In Persons (TIP), see the link <http://www.state.gov/i/tip/rls/tiprpt/2011/164236.html>.

Tier 1 countries: countries whose government fully comply with the Trafficking Victim Protection Acts' minimum standards. While Tier 1 is the highest ranking, it does not mean there is no

trafficking in persons. Rather it simply indicates that a government has acknowledged the existence of human trafficking, and has made efforts to address the problem. Each year, governments need to demonstrate appreciable progress in combating trafficking to maintain Tier 1 ranking.

Tier 2 Countries: whose governments do not fully comply with the TVPA's minimum standard, but are making significant efforts to bring themselves into compliance with those standards; Tier 2 Watch List countries: countries whose government do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards AND

a) The absolute number of victims of severe forms of trafficking is very significant or increasing;

b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or

c) The determination that a country is making significant efforts to bring itself into compliance with the minimum standards was based in commitments by the country to take additional future steps over the next year.

Tier 3 countries: countries whose government do not fully comply with the TVPA's minimum standards and are not making significant efforts to do so. The decision to place countries to Tier 2 or Tier 3 based on the additional factors; The extent to which the country is a country of origin, transit, or destination for severe forms of trafficking. Second, the extent to which the country's government does not comply with the TVPA's minimum standards and, in particular, the extent to which officials or government employees have been complicit in severe forms of trafficking. And third, reasonable measures required to bring the government into compliance with the minimum standards in light of the government's resources and capabilities to address and eliminate severe forms of trafficking in persons.

Office to Monitor and Combat Trafficking in Persons states that «Tier 3 countries may be subject to certain sanctions, whereby the U.S. government may withhold or withdraw non-humanitarian, non-trade-related foreign assistance. In addition, countries on Tier 3 may not receive funding for government employees' participation in educational and cultural exchange programs. Consistent with the TVPA, governments subject to sanctions would also face U.S. opposition to assistance (except for humanitarian, trade-related, and certain development-related assistance) from international institutions such as the IMF and the World Bank.

The TVPA acts include protection of victims as well as punishment of traffickers.

For instance, criminal penalties prescribed for human trafficking offenses with a maximum of at least four years' deprivation of liberty, or

more severe penalty, It also calls for government funding with partnership with NGOs for services to health care, counseling, shelter without detention and with legal alternatives to removal to countries in which victims would face retribution or hardship.

Let me provide a short list of countries in each tier. For the exhaustive list, go to the state department website and see the appendix at the end of the paper for tier placement list in 2010 and 2011. Among the tier 2 (including tier 2 Watch list), and Tier 3, I chose only the top largest ODA recipients as reported in 2011, unless necessary for the purposes of discussing related issues and the latter are in parenthesis.

Tier 1: U.S., U K, Australia, Austria, South Korea, Poland, Portugal, Slovak, Italy, Belgium., Bosnia & Herzegovina, Denmark, Finland, France, Georgia, Germany, Ireland, Nigeria, Norway, Netherlands, Mauritius, Canada, Luxembourg, Slovenia, Spain, Sweden, Taiwan, Ireland, Lithuania, Colombia, Croatia.

Tier 2: Ethiopia, Pakistan, Kenya, South Africa, (Japan, Hungary, Kazastan, Aruba Singapore, Greece, Ukraine, Indonesia, the Philippines).

Tier 2 Watch list: Afghanistan, Algeria, Iraq, Tanzania (Bangladeshi, Belarus, China, Cameron).

Tier 3: Congo, Sudan ,Venezuela, Yemen, Zimbabwe, Libya, Madagascar, Burma, North Korea.

Trafficking Victims Protection ACT (TVPA): The Trafficking Victims Protection Act passed in 2000. Part of the TVPA is to protect victims of «severe forms of trafficking» as stipulated in HR 3244 by offering them special benefits such as visas and work permits. While this measure is being accused of a hidden façade to further limit immigration (Chapkis 2003), it does indeed provide some protection and also sets an example for other countries to follow suit as stipulated in the Tier categories. Does however meager the efforts and success might appear to be, it is clear that many governments are beginning to be aware of the severity of human trafficking and a few countries which were previously placed on the Tiers 2 or 3 seem to put efforts to upgrade themselves to higher categories. For instance South Korea which was previously placed in Tier 2 has been recognized as a Tier 1 country.

As noted, the US ODA has little to do with the country's placement in the TVPA category. Almost all of the top recipients are either in Tier 2 including Tier 2 watch list or Tier 3: Afghanistan (the largest ODA recipient all three years) and Iraq are in Tier 2 Watch list. And Congo (second largest recipient in 2011) belongs to Tier 3. One may argue that because most of Tier 1 countries are economically developed they tend to be donors, not recipients, of ODA, therefore, it is irrelevant to compare the Tiers with ODA pro-

gram to understand the government policies in promoting democratic ideals. Fair enough. However looking at the list of Tier 1 countries, one might note that many of them are still developing countries. Poland, Colombia, Croatia, Slovenia, Bosnia & Herzegovina, and Nigeria are such examples. Yes, Nigeria and it does not belong to among the ten largest ODA recipients. Definitely and without even bothering to look at the GDP one cannot deny that Japan, Switzerland, and Israel are far more economically developed than Nigeria, but the three former belongs to Tier 2, and they are presumably democratic countries and strong allies of the United States.

| List of top ten largest recipient countries of US ODA between 2010 | | | | | |
|--|----------|------------------|----------|---------------------------|----------|
| US ODA disbursement since 2010 in US dollars | | | | | |
| 2010 | | 2011 | | 2012 | |
| Afghanistan | 2 893,40 | Afghanistan | 2 901,22 | Afghanistan | 2 773,13 |
| | | Congo, Dem. Rep. | | | |
| Iraq | 1 622,91 | | 1 293,20 | Kenya | 817,83 |
| | | | | South Sudan | |
| Pakistan | 1 196,76 | Pakistan | 1 273,85 | | 773,34 |
| Haiti | 1 106,85 | Iraq | 1 264,03 | Ethiopia | 732,61 |
| | | | | South of Sahara, Regional | |
| Ethiopia | 875,34 | Kenya | 715,42 | | 639,1 |
| | | South Sudan | | | |
| Sudan | 726,35 | Sudan | 707,42 | Pakistan | 624,76 |
| Palestina n Admin. Areas | 720,75 | Ethiopia | 706,66 | Iraq | 582,8 |

Portugal in 2010 was on Tier 2, but it has moved up to Tier 1 in 2011, which indicates that the placement plays a role in the countries' efforts to improve human trafficking issues. Another point to note is that although Haiti was among one of the ten largest recipients of USO-

DA in 2010 and 2011, its placement on the TVPA is listed as «special case» along with Somalia and Cote d'Ivoire, which, I take it to mean, the unusual circumstances, such as natural disaster and political instability, make it difficult to follow the placement guidelines, although the USDOS website does not denote what «special case» means.

In order to have a balanced discussion, I would like to bring attention to the unusually unstable situation of two of the ten largest recipients, Iraq and Afghanistan. No doubt that the amount of ODA is overlaid with other security issues, especially in war zone areas such as these two countries (Afghanistan and Iraq) complicate this discussion. However, as I previously discussed I do not look at foreign aid in general (of which Israel has been the largest recipient), but only look at the ODA as a way to isolate U.S. military security and strategic issues from the issue of trafficking in human.

Conclusion

I have attempted to see a correlation between U.S. democratic ideals and its foreign policy as reflected in the ODA by examining the categories of TVPA created by the DOS. Not only the countries that we do not consider democratic at this time such as Iraq and Afghanistan, and in the TVPA Tier 2 Watch list receive the largest amount of ODA, but also Nigeria, one of the poorest countries in the world, but of Tier 1 category, does not belong to the ten highest recipient of the ODA. This study thus indicates that either correlating the ODA and Human Trafficking as a measure of implementation of democratic norms and values is futile and not very credible. Or that the US government policy is not directed by its zeal to promote democracy in the way how I would like to see: protecting and preventing women from being trafficked.

REFERENCES:

- Bales, Kevin (1999). *Disposable people: New Slavery in the Global Economy*. University of California Press: Berkeley, CA.
- Berton, Andrea (2004). «Transnational Activism to Combat Trafficking in Persons,» *Brown Journal of World Affairs*. Winter/Spring 2004 10 (2): 9-22.
- Chapkis, Wendy (2003). «Trafficking, Migration, and the Law: Protecting Innocents, punishing Immigrants,» *Gender and Society*, 17 (6): 923-937.
- Chung, Christine (2008). «The punishment and Prevention of genocide: International Criminla Court as a Benchmark of Progress and Need,» *Case Western Reserve Journal of International Law*, 40 (1):227-243.
- Emmers, Ralf, Beth Greener-Barcham, and Nicohlas Thomas (2006). «Institutional Arrangement to Countert Human Trafficking in the Asia Pacific,» *Contemporary Southeast Asia* 28 (3): 490-511
- Feingold, D.A. (2005) «Human Trafficking» *Foreign Policy* (September/October)150: 26-31
- Han, Chang-Ryung (2012). «Is the Immigration of Korean sex workers to the United States sex trafficking or migrant smuggling?» working paper, Center for Northeast Asian Policy Studies (CNAS), The Brookings Institution: Washington DC, U.S.A.
- Jones, Loring, et al (2007). «Globalization and Human Trafficking,» *Journal of Sociology & Social Welfare*, June, 34 (2): 107-122
- Lebovic, James H abd Erik Voeten (2009). *The Cost of shame: International Organizations and Foreign Aid in Punishing of Human Rights Violators*, *Journal of Peace Research* 46 (1): 79-98.
- Lehti, Martti and Kauko Aromaa (2006). «Trafficking for Sexual Exploitation,» *Crime and Justice*34 (1): 132-227.
- Leuchtag, Alice (2003). *Human Rights, Sex Trafficking and Prostitution*, *The Humanist* (January/February):10-15.

- Malarek, Victor (2004). *The Natashas: Inside the New Global Sex trade*. Arcade Publishing: New York.
- Mason, Margie (2012). «Facebook Sex Trafficking: Social Network Used to Kidnap Indonesian Girls, http://www.huffingtonpost.com/2012/10/29/facebook-sex-trafficking_n_2036627.html»
- Pochagina, Olga (2007). «Trafficking in Women and Children in Present-Day China,» *Far Easter Affairs*, 35 (1): 82-101.
- Specter, Michael (1998). «Traffickers' New Cargo: Naïve Slavic Women,» *New York Times*, January 11, 1998.
- Tickner, J. Ann (1992). *Gender in International Relations*. Columbia University Press: New York, New York.
- Tzvetkova, Marina (2002). «NGO Responses to Trafficking in Women,» *Gender and Development*, March, 2002, 10 (1): 60-68
- Vijayarasa, Ramona (2012). «The Cinderella Syndrome: Economic Expectations, false hopes and the exploitation of trafficked Ukrainian women,» *Women's Studies International Forum*, 35: 53-62
- Walker-Rodriguez, Amanda and Rodney Hill (2011), *Human Trafficking*, FBI law Enforcement Bulletin, Department of Justice, March 2011 (3):1-9.
- Wayne, R Lafave (2004). *Search and Seizure: A Treatise on the Fourth Amendment* (4th edition), Thomson/West.

Shin Youngtae - PhD, Professor
Department of Political Science
University of Central Oklahoma, Edmond, OK. USA

Шин Йоунгтае – професор
Кафедра політології
Університет Центральної Оклахоми, Едмон, ОК. США