

Trafficking of Women in Indonesia for the Purpose of Prostitution¹

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Abstract

Both primary and secondary data was employed in this study. The primary data has been collected from a survey using a depth interview with the respondents; meanwhile the secondary data has been collected by review of the literature available on the Indonesia sex industry.

This paper try to identify the problem in the sex Industry in Indonesia from the Human Right perspective, included in the sending area, transit area, and receiving area as a basic for recommend policy strategies for the government in order to protect the victims.

The results reveal that socio economy condition is the major factor contributes to the women entering prostitution. Moreover, the result indicates that trafficking occurs because there is a large demand for cheap, purchased sex. And finally, the supporting of the society to this industry can be consider contribute to trafficking occurs. Furthermore, the human right abuses in the process of women trafficking for the purpose of prostitution can be found in the *sending, transit and receiving area*

Introduction

The issue of trafficking of women for the purpose of prostitution³ has been a matter of international concern since the turn of the 19th century, when several international conventions on “white slavery” were adopted. Recently there have been renewed efforts to address the issue of trafficking in women at the international and regional level, largely prompted by the work of non-governmental organizations, which have brought to light the huge numbers of women involved and the extent of the human rights abuses they suffer. The trafficking of women for the purposes of prostitution into certain parts of Asia, in particular into Thailand, India and Japan, are now relatively well-documented.

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³ It should be noted that children (both girls and boys) can also be trafficked and that trafficking can also occur for purposes other than prostitution, such as forced marriage, begging and factory work. However, this report focuses specifically on the trafficking of women for the purpose of prostitution.

The trafficking situation in Indonesia has, however, been given much less attention, even though Indonesia is well known as the fifth sending larger country after Thailand, India, Pakistan and the Philippines, and therefore further initiatives may be required in order to develop a proper analysis of and response to the problem.

Talking about women trafficking is very complicated issue due to there is link between poverty, culture, prostitution, and trafficking of women. Prostitution is not just product of poverty. In more developed countries poverty is no longer the driving force in the entrance women to prostitution. Prostitution is a career option for many young girls. If they are successful they will be able to buy a house and consumer goods and the respect of their neighbors. Many prostitutes are poor but their poverty is relative and not absolute. If prostitution was simply about poverty we could have expected a contraction of the sex industries in countries with fast-developing economies. But during the 1980s and 1990s the sex industry in countries like Thailand, the Philippines, Malaysia and Indonesia expanded as the standard of living of large section of the population improved. There are many poor communities and families who would never send a child into sex work.

Moreover, the fact that all women in Asia, particularly in Indonesia are discriminated against relative to men within their own social and economic classes which this does not mean that all women are equally burdened by the weight of discrimination. The East culture which gives women as a responsible person in the family to take care of the family is the reason of women trafficking and the use of women sex industry.

Furthermore, trafficking of women in Indonesia has often been related to the export of workers to Singapore, Malaysia, Japan and other countries in Asia, to the Middle East, Europe and the US. Labour migration has become an official policy in these countries and several structures and mechanisms have been set up to regulate the migration of their nationals.

Despite these structures and mechanisms, irregular migration and abuse and exploitation of these Overseas Foreign Workers (OFWs) continue to exist. Trafficking does not, however, only take place for work and services abroad, but is also a problem affecting children and the internal sex business.

Therefore, in order to develop a proper analysis of and response to the problem of women trafficking in Indonesia, particularly for the purpose of prostitution, may require a comprehensive cooperation not only between the human right commission and also the cooperation between all of the institution related to those problems such as Indonesian Human Right Commission, Policies, Immigration, Local Government and Community

This study is an attempt to correct that, although, given the “hidden” nature of the problem and the time and difficulties involved in obtaining primary information, it must be regarded very much as a preliminary study, but one which is intended to provide the foundation for further work in the future⁴. Hence, this study try to (1) identify the factors contribute to the trafficking of women in sending area, transit

⁴ The information contained in this report is as at 30 May 2000, unless otherwise indicated.

area, and receiving area of women trafficking for the purpose of prostitution in Human right perspective, (2) identify if there human right abuses in the process of women trafficking for the purpose of prostitution started from *sending, transit* and *receiving area* and who is the actors, (3) identify the characterize of the trafficking process for the purpose of prostitution, and finally (4) recommend policy strategies for the government in order to protect the victims.

This study first considers some of the overview of women trafficking in Indonesia which continue to plague the discussion of methodology using in this study (Part II). It then turns to results and discussions of the study. Finally, the report makes some conclusions and recommendations in relation to the issue in Indonesia.

Overview of Women Trafficking in Indonesia

Definition of Trafficking

Unfortunately, despite a number of international instruments on the subject, there is no internationally agreed definition of the term “trafficking”, nor has a general consensus emerged as to the meaning of the term.

One of the major causes of confusion is that the term “trafficking” is often used interchangeably with smuggling. However, these concepts are not the same. Whilst both smuggling and trafficking involve facilitated migration (i.e. migration facilitated by a third party), smuggling always involves illegal migration, whereas trafficking can involve either legal or illegal migration. What the central characteristic of trafficking is (or in my view, should be), is a lack of consent on the part of the trafficked person. It should therefore be addressed as a human rights issue, rather than a question of migration control.

Another major cause of confusion in the particular context of trafficking for the purpose of prostitution arises from the fact that, whilst women’s groups agree that trafficking is non-consensual, they are deeply divided on what constitutes actually constitutes, due to their different stances on the issue of prostitution itself. Thus the Coalition Against Trafficking in Women (*CATW*) believes that a woman can never make a rational decision to enter the sex industry and therefore takes the view that all prostitution, and all migration for prostitution, is non-consensual. The Global Alliance Against Traffic in Women (*GAATW*), on the other hand, recognises a woman’s right to choose to work in the sex industry and to migrate for this purpose. The key issue from *GAATW*’s point of view is whether the woman’s choice was free and fully informed. However, this sparks further debate on whether a woman’s choice is “free” when it is based on economic necessity, that is, a need to escape extreme poverty.

Fortunately, it is increasingly being recognised that a consensus must be sought, or at least the common ground pursued, in order to best protect the human rights of women.

Trafficking in Indonesia is mostly perceived within the context of labour migration to the Middle East and certain East and South-East Asian countries, though the issue has, by far, not received as much attention. The government policy of the past decade

has been to promote labour migration as a means to deal with the internal surplus labour problem and to have a positive impact on national economic development through the occurrence of remittances (Tjiptoherijanto, 1998). The sixth Five-Year Plan covering 1995-1999, REPELITA VI, included ambitious numbers of migrants to be sent out, emphasizing the contribution of migrants to the national economy. Less attention is paid to the abuse and exploitation of mi-grants (Derks, 2000).

Public reports about and actions against the violence and sexual abuse encountered by female migrants in particular are discouraged out of fear of damaging the relations with the receiving countries and of diminishing the good image of Indonesia. The Indonesian government has, however, shown interest in a regional strategy to combat trafficking and hosted the fourth meeting of the Manila Process on “Preventing and Combating Irregular Migration and People Trafficking in South-East Asia” in October 2000. This may be an important step to raise the issue of trafficking in the Indonesian context, thereby stimulating the development of appropriate responses at a regional level as well as from the government, international organizations and NGOs within the country.

Laws and the judicial system

There is no specific act or regulation on trafficking, though the government has undertaken an intervention scheme based on existing laws and acts. Several reports criticize the legal situation regarding trafficking and the protection of migrant labourers.

The National Law on Labour, promulgated in 1997, does not include for-foreign employment guidelines and is viewed as providing the state more power to control the increasing labour movement in Indonesia (Tirtosudarmo, 1998). The National Commission on Human Rights deals with specific issues of women’s rights. Under criminal law, prohibitions are made for helping and facilitating illegal sexual activities, and trading of women and under-aged boys (UNOHCHR, 1998).

Prevention

Measures directed at the prevention of trafficking have been limited. The government has given notice of its intention to gradually reduce the number of unskilled migrants, including domestic workers, since most of the violence against Indonesian migrants is related to unskilled work. As critics have pointed out, however, without a sound employment creation policy in Indonesia, such a measure may only increase problems such as the rise of undocumented workers. The Ministry for the Role of the Women is responsible for programmes and policies pertaining to the enhancement of the role of women in Indonesia, including enhancing the role and status of female workers and increasing the level of women’s education and skills. No information was, however, available on activities of the Ministry directly addressing the issue of trafficking.

Protection and return

The Indonesian government has taken some measures to protect their migrant workers. These measures include the introduction of a computerized system to monitor the mobility of women overseas, the establishment of a job-hunting agency overseas supported by a wide-range information network, initiatives for the provision of better remuneration and protection, and intensified pre-departure training for migrant workers in order to provide them with important information relating to their work (United Nations Press Release, 1998). The government also intended to approach the relevant agencies in the receiving countries in order to ensure better protection for Indonesian migrants. Furthermore, the Ministry of Social Affairs has started undertaking rehabilitation of female victims of trafficking. In March 2000, the Indonesian government announced plans to increase labour exports and to improve protection for migrants. Protection measures consist of requiring migrants to take three-day pre-departure courses, which teach them their rights abroad, and to buy insurance that will provide them with a ticket home and back wages if they are fired from jobs abroad (*Migration News*, June 2000). Though these may be valuable initiatives, their actual implementation and effectiveness remain to be evaluated.

UNIFEM has recently started a cross-regional project involving Asia and the Pacific and Middle Eastern countries. The projects are aimed at protecting the rights of migrants in labour migration in the light of large-scale participation of Asian women in labour migration and their heavy concentration in reproductive work in countries in the Middle East. The project will support a dialogue between sending and receiving countries with a focus on issues related to women's human rights and violence against women. Indonesia has been identified as an important sending country and for the first phase of the project, a situation analysis of Indonesian migrant workers will be carried out. This cross-regional approach to problems related to labour migration and trafficking is relatively new and may set an example for the development of innovative counter-trafficking initiatives by other international organizations. Various migrants' organizations have become active in dealing with the problems faced by Indonesian migrants. The Center for Indonesian Migrant Workers (CIMW) has programmes for advocacy and campaigns on the laws and rights of migrant workers, provides legal assistance, counselling and temporary shelter for migrant women, has set up peer leader training on HIV/AIDS, and conducts research on Indonesian migrant workers abroad. The CIMW is a member of existing networks in Asia, such as the Migrant Forum in Asia and has built partnerships among local and regional support groups, notably the Asian Migrant Centre in Hong Kong, Tenaganita in Malaysia and Ansan Migrant Shelter in Korea (Asian Migration Center, 1997).

Soldaritas Perempuan has developed activities towards the protection of women migrant workers, such as temporary shelter, handling cases, organization of workshops, campaigns and policy studies on female migrant workers' issues. The Consortium of Migrant Workers Defenders is involved in policy support for migrant workers as well as legal protection for migrant workers. These networks and their relations to organizations in receiving countries may be a valuable source of support for Indonesian OFWs, especially where there are clearly identifiable lacks in support structures for those who have faced abuse, exploitation and trafficking and seek help to get out of their situation.

Protection and rehabilitation of women working in prostitution within Indonesia has been attempted through a system in which areas are set aside for the localization of prostitution. Women working in these organized complexes are subject to tight regulations, and have to attend and pay for education, skills training, and mental and social guidance classes (Lim 1998). Yet, prostitution does not only take place within these regularized zones and thus the regulations miss women working in other establishments.

Some other initiatives reaching out to commercial sex workers have been developed by Indonesian organizations. The Australian government has funded a project in Surabaya which aims to raise the self-esteem of women and girls in prostitution and arm them with information and confidence to protect themselves from AIDS and other STDs (Hughes et al, 1999).

Indonesia has, besides the trafficking related to labour migration of Indonesians and the commercial sex industry in Indonesia, encountered an influx of irregular migrants from, in particular, Afghanistan, Iraq and Iran, who are en route to Australia. IOM and UNHCR have been involved in providing assistance and return of these irregular migrants.

Methods of Data Collection

This research utilized both primary and secondary data. Data was collected through interviews and surveys in research area i.e: Indramayu regency for the sending area, Entikong for the transit area and batam and Riau Archipelago for the receiving area.

Whilst some information is available on the Indonesia sex industry generally, very limited information is available on the situations of non-local women who have been recruited to work in the sex industry, or forced into prostitution, in Indonesia. An earlier attempt was made by the NGOs during 1990-2000 to obtain information and statistics on trafficking in women and forced prostitution for the purposes as discover during the discussion as pre-literature review for this study. The information contained in this paper is therefore based substantially on primary research. The following sets out the methodology adopted.

General Information on the Indonesian Sex Industry

- Review of the literature available on the Indonesian sex industry.
- Review of documents produced both by the Indonesian Government and by non-governmental organisations in relation to women trafficking.

Information on Women recruited for the Purpose of Working on the Prostitution

As Indonesia law does not distinguish between trafficking for the purposes of forced prostitution and other types of trafficking, there are no statistics specifically available in relation to cases of trafficking for forced prostitution. In order to establish how many known cases of trafficking for forced prostitution there have been in the last

ten years, and to gain an understanding of the experiences of the women involved, the following methods were adopted:

- Review of literature on migration and trafficking for prostitution, focusing on literature on Asia. This included hard copy literature and literature available on relevant websites.
- In relation to the experiences of non-local women working on the prostitution in the sending, receiving, and transit area in Indonesia, which included information based on interviews with 7 Mainland Indonesian women who have been trafficked to Malaysia.
- Interviewed has been done to the local recruiters of women as well as the agents which is involving directly to the women trafficking in Indonesia.
- Review of literature on trafficking in Asia for references to any cases of trafficking of women into Malaysia for the purpose of forced prostitution.
- Discussions with non-governmental organisations. I have spoken to numerous non-governmental organisations which provide support to sex workers and/or migrants, to see whether they are aware of and/or have provided support in relation to any women who have been trafficked for forced prostitution, namely:
- I have not been able to locate, and therefore speak to, any women who have been victims of trafficking for the purpose of forced prostitution in Malaysia, however, we have did an interview with “Lilik”, she is a physiologic and consultant to recover the trafficked girls in Malaysia.

Policies of Indonesian Authorities

There was scant information on the policies adopted by the authorities in Indonesia in responding to cases of trafficking. However, information was obtained from the following sources:

- Immigration Department, which revealed that it considers trafficking to be an issue of enforcement against vice activities, and therefore a matter for the Police Force.
- Discussions with government (police) and non-governmental organisations as to how the authorities had dealt with particular cases (in particular in relation to cases of forced prostitution).

Results and Discussions

This chapter presents the results and discussion obtained from the interviewing data collection. The outcome and findings are presented in three sections. The first section discusses the results of sending area, which including discussion of the how is the socio-economy background of the sending area of prostitution workers in Indonesia and then followed by the second section focuses on the discussion in the transit area, and the third section presents the results of receiving area.

Sending Area

To understand the root problem of women trafficking in Indonesia and sexual exploitation, it is essential to know how the socio-economy background of the women are, where they come from and, how their image of sex workers. Knowledge of sending area economy condition, women's educational background, job skills are keys to providing assistance to victims.

This section presents information on the background of the sending area of the sex industry resulted from a depth interview in the sending area i.e Indramayu Indonesia. These sources included: 1) interviews with the family which have sex workers, 2) interviews with the local government, and 3) interviews with NGO activities which concerns with the issues of sex industry.

Socio-economy and Culture

Girls and women in prostitution frequently relate similar stories about the background to their work. The families sent their daughter or at least gave them permission to leave home due to families waved them off happy in the knowledge that their girl was going to the big city to get a job in a factory or as a domestic servant. Many families are not dissembling. They really think that their child will have a better life away from the poverty of the village. But it is hard to believe that all are so ignorant of the fate that will befall their daughters.

Many families which have sex workers and those who are directly coerced into prostitution share a similar set of characteristics. First they have low educational levels. The educational levels of family which have sex worker were similar ranging from those with limited primary school training to those who had some second education. The jobs that family which have sex worker were informal sector with minimum wage jobs. This condition is similar to the report resulted by the International Labour Organisation in South-East Asia which found that sex workers were less educated than the average women. In India, where most women are illiterate, brothel-based prostitutes and streetwalkers almost invariably have little or no schooling.

The family which has sex worker comes from poor communities. Their origins are almost as despised as their occupation. Most family which has sex workers were born and raised in poor rural areas. Two thirds of the girls and women who enter prostitution in Indramayu come from areas that are drought prone.

The poor people's form an excellent recruitment pool for the sex industry because women's status in many of these communities is not quite as circumscribed as in the dominant richer people's cultures. Women have greater economic power, more social standing and there are looser restrictions on sexual morality.

Marriages fail and parents fail and, inevitably, it is girls and women who carry the heaviest burden as a result. Sixty per cent of girls enter prostitution in order to

support their parents. A majority of family which has sex workers do so after the failure of a marriage and the subsequent need to support their children.

Community opinion about sex workers

There is link between poverty, prostitution, and trafficking of women, which implies that prostitution is not just product of poverty. According to Farid (1999), among factors which contributes to Child Sexual Abuses (CSA) in Indonesia are gender dimension, socio-cultural factors, inadequate legislation and regulation, family disintegration and child neglect, lack of education, vocational and employment opportunities.

Even, in more developed countries poverty is no longer the driving force in the entrance women to prostitution. Prostitution is a career option for many young girls. If they are successful they will be able to buy a house and consumer goods and the respect of their and neighbors.

Actors in recruitment of sex workers

In order to obtain a picture of the scope of the industry, its links with organized crime groups and gangs, and with dominant sex industries, interviewer were asked about the origin of recruiters, and traffickers. Sometimes it was difficult to know who was involved.

Girls are usually first pulled into the sex industry's web by someone they know. The typical procurer is an older woman - a friend or maybe a relative - who has secured the trust of the girl and her family. Sometimes these women may run a small business that recruits girls now and again. Most recruiters are not practising sex workers but many may be former sex workers who know the business and how to initiate new recruits into the trade. Recruiters like these are professionals. But there is another numerically more important group involved in the sale of women: ordinary people. They may be family members: uncles, aunts, cousins, husbands, in-laws and even parents. They are neighbors and friends. Crucially they are the very people their victims trust most.

By far the most common means of trafficking young women into the sex industry is to promise them a job. Some know what short of work they will do but the majority probably do not. The prospective job on offer may be as a domestic worker.

The most successful recruiters operate at times of hardship. In Indramayu, for instance, they are most active between June and August when food is scarce. The pattern is common throughout Indonesia. Small-time procurers may take a girl from the village to the city, and they may even sell her directly to a brothel, but they will rarely take her across national borders. This task is left to more organised groups of traffickers, and the further a girl moves from her home the more likely she is to become drawn into the network of professional traders. The role of these traders is a complicated one: recruiters and traffickers are vilified - but not universally so.

Although the girls they recruit may be viciously exploited, some people within rural communities hold the agents in high regard

A high proportion of the traffickers - as opposed to the procurers - are full-time professionals. They are often the sons of sex workers. Some of the less professional traffickers force the girls to have sex with them on the journey, but most do not. Far from being a mark of respect for the girls, this restraint is necessary in order to preserve the men's own reputations. Their credibility within the sex trade would be severely dented if they were found trying to pass off used goods as high-cost virgins.

Transit Area

Sponsor and Agents

“A sponsor said that a lot of girls are demanded everyday, Sometimes I send more than 20 girls a day during the season such as after Holiday for Hari Raya Idul Fitri. Sometimes I have to go to Surabaya to find the girls from the Dolly (one name of localization in Surabaya)”

Trafficking occurs because there is a large demand for cheap, purchased sex. Importing women from other countries therefore makes the shortfall. The advantage with this import strategy is that imported women are significantly cheaper than the home-grows variety. Contrary to popular myth, large numbers of girls are not abducted, drugged and then forced into prostitution.

Agents do not need to go to such lengths. There is a ready supply of candidates for the brothels without engaging in risky abductions. Not all girls who are forced into brothel-based prostitution are brought by agents from the villages. Some arrive under their own steam. They are classic rural-urban migrants seeking work in the cities and they find themselves sucked into the sex trade because they are young and naive and vulnerable.

Trafficked girls are frequently taken first to transit centres. These function rather like large clearing houses. From there agents will distribute them to the most appropriate market. It is commonly assumed that girls and women who have been trafficked from other countries are inevitably destined for large brothels in major urban centres. This is incorrect.

Border crossings are potentially the most dangerous part of the trafficking process, but generally Indonesia's international borders are not rigorously policed and many border patrols find it hard to distinguish trafficked girls from the general population. The agents who accompany girls to the cities are smart. They know how to avoid the authorities and the organizations combating trafficking. They do not take the girls along the most direct obvious routes. In some places they take a detour and stop for a days or weeks to avoid the suspicion that they are ferrying girls to market. Whenever agents believe that their movements have become exposed they switch to another route.

Trafficked women almost always end up in the very worst kind of brothel or club, servicing a large number of clients for very little money. Some receive no payment at all. The structure of the industry and the way in which women are duped, forced or enticed into it varies throughout the region depending on how highly developed the business has become.

“The characteristic of women they are looking for varies. Sometimes they need beautiful girls for working in a Pub. Based on the characteristic of the girls then the agent will choose which girls will be placed as a pub workers or a domestic servant”.

The sex industry does not place just one product on the market. Even within the brothel sector the product is not uniform. There are vast variations in the type of women or girls available: prices vary according to age, beauty, ethnicity, whether she is a virgin, whether she has had children, and what services she can perform. Women who enter prostitution in their twenties will fetch very little because they have limited working life left. A girl of about nine or younger will also be cheap because she will have to be supported for a year or two before she can start earning substantial sums on a regular basis. The price a brothel pays to an agent for an individual girl will depend upon these factors. It will also fluctuate according to the basic laws of supply and demand. Prices drop when there is a glut of girls on the market. Typically this happens when some crisis in the rural areas propels more young women to the cities. Similarly, they also decrease when seasonal food shortages in the countryside mean that procurement rates rise. Prices also vary according to the nature of demand.

Passport making and Cross Border

Usually the women who will go to Malaysia come to the Entikong without any documents. From the sending area, they will be not sent directly to cross border and enter Malaysia but they will stay ranging from 2 days to one week in the transit area. The sponsor will finance for the expenses as well as the cost for making a passport. The women are accommodated in hotels or sponsor houses provided by the agency.

The Immigration Department has a role at different stages of the process relating to migration/trafficking, in deporting women from Indonesia. The Immigration Department seems to be vigilant in checking the validity of marriages between local men and South East Asian women.

“Yusof said that the passport making process needs only 1-3 days only in the immigration. With the cost ranging from Rp.600000 – 800000, the passport is ready within this time. It seems very easy to make a passport in the Entikong”.

When the interviewer tries to clarify in the immigration office, we found that very easy to get a passport in the Entikong. Without complete documents the passport

will be ready within 3 days due to there is a good cooperation between immigration officers and the “calo”.

The Immigration Department does not appear to look behind any of these situations to establish whether they involve trafficking. Indeed, the Immigration Department informed me that it did not have any policies towards women who had been trafficked (e.g. whether in identifying women who had been trafficked, or in dealing with trafficked women), referring me instead to the Police Force. It informed me that my questions concerned “enforcement against vice activities”, whereas the role of the Immigration Department was to control the entry of immigrants and enforce the Immigration Ordinance against immigration offenders.

Receiving Area

Living Conditions

The women are accommodated in houses provided by the agency. They have to pay for their own food and personal items. The interviewer has visited two houses between 7 and 15 women each. “E” shares her bedroom with 5 other women. She thinks that the size of the room is fine for 6 women, and each has their own bed. Some women have complained that they have to share a single bed (of a bunk bed) when there is an overlap between those women who are leaving and those who are arriving. This overlap can be for two weeks.

Depending on the agency, the women might live in a house which is not “minded” (guarded), and be relatively free in their movements (as is the case with “E”), or they might live in a flat which is minded and have limited, or no, opportunity to leave the flat. About half fall into each category. The women who are not minded are nevertheless supposed to stay in the house, and the agency might sometimes call to check up on their movements. Of the women that are minded, some women have to sign out and give details of where they are going, and provide proof on their return. Others have free time, but this may be limited to a mere two hours a week, and then between 1 pm and 3 pm, when the women would usually be sleeping.

Most women are allowed to visit the Social Hygiene Clinic, which offers free check-ups every fortnight. The strict confinement of the women is obviously prompted by a concern that the women may earn some money “on the side”, of which the agency and mamasan would be deprived their usual cut. The researcher has never heard of any cases of psychological or physical abuse against the women by the agency, mamasan or minders. The interviews will seek to confirm this.

Working Conditions

The women are required to work seven days a week, usually from 8 pm to 5 am. However, those clubs that have a happy hour (5 or 6 out of the 27 clubs) require the women to work from 3.30 pm to 5 am. Some of the women are given two days off a

month. “E” preferred to work instead of taking her two days off, as she received double pay on those days.

Most of the women have to pay back the agency fee within three to six months of their arrival in Malaysia. However, “E” reported that her agency’s policy was to take her first two months’ basic salary and first month’s commission and tips to pay back the agency fee. The basic salary is usually RM 450 to RM 600 a month, although “E” reported that she was paid a basic salary of RM 750 (she was not aware that this was unusually high, however, she had not yet worked the first two months, so it remains to be seen if she actually received this amount). The women also receive an average of RM 20 commission on each drink bought for them by a customer (it varies between RM10 and RM20 depending on the club), as well as tips. “E” said she was bought about 60 drinks each month at RM10 commission each, which amounts to RM600 commission a month. On the basis of an average basic salary of RM600, and commission on (say) 40 drinks a month at an average of RM10 each, amounting to RM400, a woman would earn a total of RM1000 each month. Over three months she would therefore earn RM3000, and over six months, RM6000. It is clear from these calculations that if a woman is only given three months to pay back the agency fee, she is likely to struggle unless she does escort work or a boyfriend pays the agency fee back for her, which sometimes happens. In “E’s” case, since her first two months’ basic salary and her first month’s commission were used to pay the agency fee, she said she needed to do escort services, otherwise she would not have had any money to pay for food or personal items. The interviews seek to establish more information in this area.

Sometimes the girls works outside the club to attract customers and receives commission on the men who want an escort, but not on drinks. Some women have reported being pressurised by their mamy to take customers generally, or particular customers, or to give the mamy a cut of their commission on drinks. However, generally, the mamy seem to treat the women well, and look after their interests. For example, the mamy usually vets potential customers, and is cautious about tourists (since they are not resident in Malaysia), or men of certain nationalities who have a general reputation for treating women badly or wanting sado-masochistic sexual services. Where the man is not a regular, the mamy requires payment by credit card, so that there is a record of the client should the woman not return or have difficulties with him. All the women say that they ask men to use condoms, but some men refuse, and some men pay more for sex without a condom, which some women might agree to. “E” reported that some men slip the condom off during sex.

The women tend to earn about RM6000 in six months, although they can earn a lot more if they are popular and do a lot of escort work. They are never allowed by the agency to extend their six-month visa, as the clubs want a constant turn-over of new women.

Freedom

Threats to inform a girl's family of her involvement in prostitution are one way to tie her into the trade - and this applies even to those girls who were forced into prostitution. Girls who joined the trade when their families accepted an 'advance' on their earnings is taught to fear retribution against their families if they should decide that the work is not something they actually wish to perform. This can range from the threat that a girl's family must repay the advance to threats that relatives will be targeted for physical punishment. Brothel owners and managers use varying levels of brutality to season new girls.

This strategy of burdening a girl with a massive amount of debt is commonplace. The girl is then given only one realistic way of clearing the debt: she has to sell her body. A Romanian woman trafficked to work in a Japanese sex club described the methods that the club owners used to encourage her into prostitution.

Debt bondage is the name given to this system. It is a widespread practice throughout the global sex industry and is common in Asia. At its best it can be seen as a way a girl can secure an advance upon her earnings. At worst it is akin to sexual slavery because the brothel and club owners manipulate the debt. The debt is not fixed and it expands at the whim of the brothel owner or manager. In essence debt bondage is used to force women to become prostitutes and to make them accept customers and comply with sexual acts that they would otherwise refuse. The basic structures of the debt bondage system are identical in South-East Asia. The costs for trafficked girls, for instance, usually have to be repaid with 100% interest. Perhaps the most perplexing aspect of the debt bondage system is the way that it is accepted as inevitable by those girls who have experienced it at its most vicious and exploitative.

Escape is impossible for the victims of sexual slavery. Brothel owners have paid for the new recruits and they are unlikely to let their investment simply walk away. The girls will only be free once their purchase price has been recouped and a substantial profit has been made. Until then they are watched and guarded. This involves far more than simply placing a tough guy on the door. One of the great advantages of using trafficked girls is that they rarely know where to escape to. This is especially true for those who have been trafficked over substantial distances and particularly across international borders. They may not know the language and they may not know the city they are in.

Whose Men buy Sex

Male migrant workers are some of the best clients of brothel based prostitutes. These men are often poorly paid and so when they buy sex they patronise the lower end of the market. Many of the women who service these migrants will be held in a form of slavery. There are large populations of male migrant workers throughout Asia. They work in badly paid jobs that the local people shun. They Work in factories and on construction sites. Most are unaccompanied unmarried or they might have left their families back at home.

Conclusions and Recommendations

Poverty, lack of employment opportunities, lack of education, and a lack of awareness among the general population of trafficking and abuse in migration are usually mentioned as important causes for trafficking.

It is important to keep in mind that the causes of trafficking can not be reduced to poor economic conditions and ignorance only, but are related to a complex mixture of local and global structures concerning economic, political, socio-cultural and historical processes. In receiving countries, preventative measures often focus on the prevention of illegal immigration.

Protection initiatives have focused on those who are within a potential trafficking situation as well as those who have come out of a trafficking situation. Most of the protection services, such as shelters, health care, counselling, education and training are focused on prostitution and are usually concentrated in urban areas. Insufficient services, lack of resources, capacities, and coordination and cooperation between the various services have limited the effectiveness of protection strategies. Further-more, the marketability of certain skills or initiatives provided within vocational training and credit programmes, have not always been taken into account.

Based on all of the mention above, the following recommendation can be drawn for the Indonesian government as a solution to minimize the case of women trafficking for the purpose of prostitution:

- (1) Investing in educational and economic opportunities for women and girls
- (2) Through international assistance program that give women the tools to find work in Indonesia
- (3) Good cooperation between countries especially in Asia Pacific in order to minimize the case of trafficking as well as the victims
- (4) Encourage the Indonesian Parliament to legalized the laws draft of Human Trafficking Crime

REFERENCES

- Altink S. *Stolen Lives: Trading Women into Sex and Slavery* (Scarlet Press, London, 1995).
- Asia Watch Women's Rights Project (Division of Human Rights Watch), *A Modern Form of Slavery: Trafficking of Burmese Women and Girls into Brothels in Thailand*, (Human Rights Watch, New York, 1993).
- Ca. Tellez C, *Hong Kong as Receiving Country*, in Coalition against Trafficking in Women, *Women Empowering Women: Proceedings of the Human Rights Conference on Trafficking of Asian Women*, 2-4 April 1993, Quezon City, Philippines (CATW, Philippines, 1993), 138-440.
- Coalition Against Trafficking in Women, *Trafficking in Women and Prostitution in the Asia Pacific*, available at <http://www.uri.edu/artsci/wms/hughes/catw/asiapr1.htm> (site visited 31 January 2001).
- Chuang J, *Redirecting the Debate over Trafficking in Women: Definitions, Paradigms, and Contexts*, (1998) 11 *Harvard Human Rights Journal*, 65-107.
- Defeis E, *Draft Convention against Sexual Exploitation*, in Askin, D and Koenig D (eds), *Women and International Human Rights Law, Volume 2* (Transnational Publishers Inc, New York, 2000), 319-349.
- Demleitner N, *Forced Prostitution: Naming an International Offence*, (1994) 18 *Fordham International Law Journal*, 163.
- Gallagher, A, *Contemporary Forms of Sexual Slavery*, in Askin, D and Koenig D (eds), *Women and International Human Rights Law, Volume 2* (Transnational Publishers Inc, New York, 2000), 487-523.
- Global Alliance against Trafficking in Women (GAATW), *Trafficking in Women in the Asia- Pacific Region: A Regional Report* (GAATW, Bangkok, 1997).