Human Trafficking in Asia and the Pacific Symposium
Friday, January 16, 2015
Center for Korean Studies Auditorium
1:00 – 4:35 pm Panel Presentations
4:35 – 5:00 pm Refreshments

Trafficking in persons is one of the fastest growing criminal activities in the world. Asia and the Pacific, including Hawai‘i, have become hubs for this activity which in part is explained by rapid globalization and the resulting movement of labor. The symposium’s panelists provide detailed presentations on case studies, illustrating the complexities of human trafficking and defying the tendency to universalize experiences. Cultural, economic, and historical contexts are factors to be considered, as well as state and federal laws and international protocols. The goal of the symposium is to examine different perspectives and questions on the topic to begin a conversation on the scope and range of the problems.

The U.S. State Department publishes an annual Trafficking in Persons Report rating 188 countries governments’ compliance with the Trafficking Victims Protection Act’s (TVPA) minimum standards. In the most recent report of June 2014, the TIP Report defined “trafficking in persons” and “human trafficking” as “umbrella terms for the act of recruiting, harboring, transporting, providing, or obtaining a person for compelled labor or commercial sex acts through the use of force, fraud, or coercion.”

Symposium Schedule:

1:00 – 1:05 pm  Opening Remarks

Panel 1  Hong Kong and Japan
Moderator and Commentator:  Nandita Sharma, Ph.D.,
UHM Associate Professor of Sociology

1:05 – 1:45 pm  Carole Petersen, J.D., UHM Professor of Law and Director of the
Matsunaga Institute for Peace and Conflict Resolution
Sex Work, Migration, and the United States Trafficking in Persons
Kong

1:45 – 2:25 pm  Petrice Flowers, Ph.D.
UHM Associate Professor, Political Science
Entertainers and Trainees: Race, Gender, and Visa Status in
Human Trafficking to Japan

2:25 – 2:35 pm  Commentary by Nandita Sharma

2:35 - 2:45 pm  Q&A

2:45 – 3:00 pm  Break

Panel 2  

Marshall Islands and Hawai‘i  
Moderator: Tarcisius (Tara) Kabutaulaka, Ph.D., UHM Associate Professor, Center for Pacific Islands Studies

3:00 – 3:40 pm  
Julie Walsh, Ph.D.  
UHM Curriculum Specialist, Center for Pacific Islands Studies  
Adoption (Under)Currents: Domestic Drift in Adoptions of Marshallese Children by Americans

3:40 – 4:20 pm  
Clare Hanusz, J.D.  
Immigration Attorney at Damon Key Leong Kupchak Hastert  
Labor Trafficking in Hawai‘i: A Case Study of Thai Farm Workers with Global Horizons and Aloun Farms

4:20 – 4:35 pm  Q&A

4:35 – 5:00 pm  Refreshments

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Abstracts


Carole Petersen
UHM Prof. of Law and Director of the Matsunaga Institute for Peace and Conflict Resolution

While the feminist debate on commercial sex reflects strong theoretical differences, both sides acknowledge the importance of studying women’s experiences in particular situations. Women’s accounts of sex work are affected by a multitude of factors, including economic inequality, the presence or absence of legal rights, and gender, ethnic and class discrimination. The state plays an important role as it largely determines whether sex workers (both migrant and domestic) are viewed as victims, criminals, or working persons. The treatment of sex work is also increasingly affected by the global anti-trafficking movement. Since the enactment of the Victims of Trafficking and Violence Protection Act of 2000, the US State Department has been ranking governments in an annual Trafficking in Persons (TIP) Report. But the TIP Report has been widely criticized, partly due to weaknesses in methodology but also because of the tendency to equate sex work with trafficking. The United States has adopted this approach without making any concerted effort to listen to the voices of sex workers or to appreciate the possibility of collateral damage from anti-trafficking laws and policies. This talk analyzes the experiences of local and migrant sex workers in Hong Kong and the potential impact of the US TIP Report on law and policy in the territory.

Entertainers and Trainees: Race, Gender, and Visa Status in Human Trafficking in Japan

Petrice Flowers
UHM Associate Professor, Political Science

Despite the Trafficking Protocol’s seemingly race and gender-neutral definition of trafficking, state policies to address human trafficking are often raced and gendered. The Protocol’s presentation of trafficked women as vulnerable naïfs who need to be protected coupled with the U.S. Trafficking in Persons Reports’ focus on Philippine women as the primary victims of trafficking to Japan has contributed to the Japanese government’s inadequate response to human trafficking. The gendered assumptions that underpin understandings of sex and labor trafficking have contributed to the government’s total disregard for how their Technical Intern and Training Program is at least as much a potential trafficking route as the entertainer visa. My research demonstrates how understandings of race and gender embedded in the discursive construction of human trafficking encourages states, including Japan, to adopt narrow understandings of trafficking that then limit their policy options for addressing the issue. This presentation will focus on empirical cases of Japan’s entertainer and trainee visas.
Adoption (Under)Currents: Domestic Drift in Adoptions of Marshallese Children by Americans

Julie Walsh
UHM Curriculum Specialist, Center for Pacific Islands Studies

American adoptions of Marshallese children suddenly soared in the late 1990s in the Marshall Islands. Within three years the Marshalls placed a moratorium on foreign adoptions and established an Adoption Authority to strictly regulate foreign adoptions. Despite the efforts of the Marshall Islands government, US adoption agencies and attorneys turned to Hawai‘i as an alternative site to continue this business. Agencies brought pregnant Marshallese women to Hawai‘i to give birth thus establishing the adoptions as domestic. The sudden increase of Marshallese adoptions in Hawai‘i and efforts by Hawai‘i courts to curtail possible exploitation of birthmothers led to a dispersal of American adoptions of Marshallese children to other locations on the continent, and a dramatic incline among migrant communities. This talk reviews the complicated and circumspect practices surrounding international and domestic adoption of Marshallese children and raises critical concerns regarding current trends in adoptions of Marshallese children in the United States.

Labor Trafficking in Hawai‘i: A Case Study of Thai Farm Workers with Global Horizons and Aloun Farms

Clare Hanusz
Immigration Attorney at Damon Key Leong Kupchak Hastert, A Law Corporation

From 2003-2005, approximately 800 Thai male farm workers were brought to the United States by Global Horizons, an international labor-contracting broker based in California. Many of these men labored on farms across Hawai‘i. In 2004, 44 men from Thailand were brought to Oahu by Aloun Farms. Workers paid huge recruitment fees in exchange for promises of jobs and decent conditions which did not materialize. In 2008 a few Thai men in Honolulu came out of the shadows to be interviewed by the FBI. These interviews and the subsequent investigations led to federal grand jury indictments for human-trafficking related crimes against owners and employees of Aloun Farms in 2009. Similar indictments came in 2010 against Global Horizons, billed as “the largest human trafficking case in US history.” In 2011, after the Aloun Farms trial had begun, the case was dismissed, and dismissal of the case against Global Horizons followed in 2012. Despite the dismissal of criminal charges, the Department of Justice issued statements that validated the workers as victims of human trafficking. What happened? Why did the largest human trafficking case in US history crash and burn? Where are the workers now and how are they doing? Was there any justice for the victims?