

## **Comments on the DRAFT General recommendation on Trafficking in Women and Girls in the Context of Global Migration**

- **(7~8):** the sex trafficking of a girl can also happen without physical contact. It may sound ridiculous, but considering the "Nth room case," traffickers can manipulate, coerce, and threaten the victim by only using the victim's personal information and private images. It is not open to many public, but in the "Nth room case," the offender enslaved the victims (called them as "slave number 1", "slave number 2"...) and sold a 'ticket (one-night ownership)' or CSEM by auction. Also, he gave orders to the victims to abuse themselves or to have unwanted sexual intercourse. The offender was not charged with sex trafficking because, according to Korean law, sex trafficking does not apply to his case. However, I strongly think that it was sex trafficking using the internet because the victims were commercialized and enslaved. The "Nth room case" was not a global crime, but since it is a sex trafficking using the internet, it can happen globally. It can be the start of a new trend of serious, organized, and world-wide online sex trafficking. I hope CEDAW also consider the danger of sex trafficking through the online.
- **(11):** I agree with the paragraph that international cooperation is needed. In my opinion, the current protection system neglects the international cooperation part. Also, I hope when international law is revised or newly made, the law could be applied to national cases as well. (This means that if trafficking happens in Korea, it would be good if we can use international law to punish the trafficker and protect the victim. For now, even though we have international agreements like the UN's convention on the rights of children, it does not hold much power within Korea.)
- **(12):** For this paragraph, I just have a question. I understand that this draft is focusing on the context of global migration; however, there are many cases of sex trafficking of girls (teenagers) in Korea, especially among run-aways. Since 'human trafficking' is often considered as an international crime, people mistakenly think that trafficking is only applied to a case that a victim is transferred from one country to another. But many girls are lured by adults and taken to different cities and are used in sex selling. In one case, 15 years old girl was taken by two males in 30s and was moved from city to city by a truck. Those two males sexually abused the girl and sold her sex to strangers for money. But they were not punished because she was 'paid' with food. According to our definition of sex trafficking, that case was surely a sex trafficking, but people do not see it as a sex trafficking because it happened within a country. It was not

even considered as a sex crime either. I agree that there is much more danger of trafficking in global migration, but it would be good to have a strong and official statement like this draft on local trafficking.

- **(18):** I agree with the statement that "women are not a homogenous group and their experiences as trafficking victims are diverse." I think a female child should be considered as a unique group in the trafficking victims because children have rights. Still, they can hardly perform the rights – they heavily depend on the system or adults in society.
- **(25-b):** It can be helpful to have follow-up research on survivors(victims) for the longitudinal analysis. Long-term data collection of survivors can help to figure out in which system the victims recover better – then disseminate such system/law/atmosphere to other regions.
- **(46):** In the case of children, a long-term protection/support system can be needed. If state parties are obligated to protect victims, and cannot forcibly return them to their country, there should be detailed guidelines for state parties to protect children. If a child is without parents/guardians, the necessary support and protection by state parties will increase. So the budget, human resources, and other factors should be considered.
- **(57):** In making a safe migration framework, it would be good to consider the age of the victims as well. For children without parents, there should be a legal representative (like social workers) to follow the steps for migration.
- **(62-c):** Strongly agree with this one. "Zero tolerance policies to sexual exploitation" is needed. I suggest adding stronger policies for child sexual exploitation.
- **(66):** Victim of trafficking, especially a child, often do not consider her as a victim. Since children are emotionally and psychologically more vulnerable than adults, it is harder for children to admit that they are victims, not 'sellers.' It may be an influence from the current culture which stigmatizes them as 'prostitutes.' I think it is excellent that CEDAW has picked up on this topic.
- **(72-i):** I wanted to comment on the "rehabilitation." In Korea, many girls, victims of sex trafficking, were sent to juvenile courts and prisons for "rehabilitation." They were legally defined as "Target youth" that refer to them as delinquents because the court viewed them as willingly participated sex sellers.
- **(72-n):** As I mentioned in the comments for par. 18, specific guidelines for children who cannot be safely returned to their homes will be needed. It's difficult for children to be independent.

- I hope my comments can be helpful in adding some perspectives of children in the draft. Unfortunately, ECPAT Korea is not actively involved in international trafficking and trafficking in context of global migration. So many of my comments are limited in smaller region and have a little narrow perspective. I'm sure many other ECPAT members can give much deeper insights on this matter.
- Thank you very much!

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