

**NGO Involvement in Combating Traffic in Women in and from
Mongolia**

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Abstract

Trafficking in women has been occurring throughout the history of humankind. Nowadays trafficking in women affects almost all countries in the world. Women are trafficked for forced prostitution, marriage and forced labor. Trafficking in women occurs on national and transnational levels. As prostitution has a close link to trafficking in women, the definitions of trafficking given by United Nations caused debates among anti-trafficking groups about that issue. Thus, there have been different approaches toward trafficking in women: neo-abolitionist and pro-sex work. According to their approach towards trafficking in women, anti-trafficking groups interpret the definition of trafficking differently, which has consequences for the state, sex workers and victims of trafficking. This thesis focuses on the Mongolian NGO that combats trafficking in women in and from Mongolia, *Khunii Erkh Khugjliin Tuv* (The Center for Human Rights and Development). This study tries to answer to what extend this NGO's anti-trafficking activities are successful and what explains their success or failure.

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Introduction

This thesis focuses on an Mongolian non-governmental organization (NGO) that aims to combat the traffic in women, namely *Khunii Erkh Khujlgiin Tuv*¹ (The Center for Human Rights and Development, CHRD).

The traffic in women in and from my home country, Mongolia, has become an acute problem in recent years. In Mongolia, trafficking in women has been discussed on a social level only since the year 2000 (NHRCM² and CHRD 2002: 27). If in 2000 the number of registered victims was only two, in the first half of 2006 it reached one hundred and twenty two (Orkhon 2006). One might think that this number is not high comparing to, for instance, the U.S. State Department's estimation of 800,000 to 900,000 people who are trafficked worldwide each year (Malarek 2003: 5). Nonetheless, one should take into account that this number is comparatively high if we consider that Mongolia's total population is only 2.7 million. Therefore, the topic is crucially important.

Trafficking in women is a part of trafficking in human beings. Because this thesis deals with trafficking in women, I will use the term trafficking for trafficking in women. "To traffic women means to work upon their desire to migrate, by bringing them into prostitution under conditions that make them totally dependent on their recruiters in ways which also impair their rights" (Altink 1995: 1). In addition, traffic in women means to transport a woman within the same country or across border in order to exploit and keep

¹ Throughout the thesis, the English translation will be used.

² National Human Rights Commission of Mongolia

her in such situation that this woman cannot leave that particular place. Trafficking in women includes not only coerced prostitution, but also it includes mail-order marriage, domestic work, working in factories and other types of labor.

The main questions the thesis is going to deal with are the following:

- How is the Mongolian non-governmental organization, the Center for Human Rights and Development, involved in fighting against the traffic in women in and from Mongolia?
- To what extent is the CHRD successful and effective, and what explains its successes or failures?

Methodology

For the thesis methodology, I chose to use a qualitative research method, particularly content analysis. Content analysis is “a research tool used to determine the presence of certain words or concepts within texts or sets of texts. Researchers quantify and analyze the presence, meanings and relationships of such words and concepts, then make inferences about the message within the texts, the writer(s), the audience, and even the culture and time of which these are a part” (CSU³ Writing Guide 2006).

Firstly, I looked at some pieces of scholarly literature on trafficking in women. I found out that scholars (Doezema, Jordan, Anderson and O’Connell Davidson, and so on) identify two anti-trafficking groups that have different approaches towards trafficking and these anti-trafficking groups debate how trafficking must be defined. Therefore, I

³ Colorado State University

specifically looked at how these two anti-trafficking groups define and what their arguments are. In addition, I placed emphasize on the consequences of these different approaches. Because of different approaches towards trafficking in women and these consequences, anti-trafficking groups' activities to combat trafficking differ. Therefore, after this I looked directly at these anti-trafficking groups' publications to find out how they justify their arguments and how their anti-trafficking activities vary.

Secondly, for the case study of the Mongolian NGO, I analyzed its publications trying to find out its approach towards trafficking in women and to what extent activities of this NGO are successful. In order to analyze its activities and performance, I consulted literature on NGOs, specifically literature on NGOs' operation in the post-state socialist countries and its critique.

In the process of thesis research, I found out that the information in the publications of the above mentioned Mongolian NGOs was not enough for my purposes. Therefore, I was in email contact with them, I used their emails to include more information about these organizations. I mainly focused on general information, which was not in their reports.

The Structure of the Thesis

The structure of the thesis will follow the tradition: form the general to the particular. Firstly, it will discuss the 1949 and 2000 United Nations definitions of traffic and debates around these definitions; then, it will give information about Mongolia and causes of trafficking in and from Mongolia. Lastly, it will present and analyze the CHRD's involvement in combating the traffic in women in and from Mongolia.

Chapter 1, “Trafficking in Women,” deals with the global phenomenon of trafficking in women. First it will introduce to the reader the history of trafficking in women, and the terms used when trafficking is discussed by anti-trafficking activists. Then, it will present the United Nations’ definition of trafficking and discuss how various feminist groups approach trafficking in women. Because there are different ideas of what trafficking entails, there are also different approaches of combating the phenomenon. Therefore, chapter 1 will explore these different interpretations of trafficking and the consequences of these different interpretations. This chapter will define the global causes and consequences of this type of migration. Lastly, it will question how various international organizations and NGOs depending on their approaches towards trafficking have different methods and activities to combat and prevent trafficking and to treat victims of trafficking in women.

Chapter 2, “The Current Situation of Trafficking in Women in Mongolia,” discusses the characteristics of trafficking in women in Mongolia. Firstly, this chapter will present background information about Mongolia. Taking into account the global factors that contribute to the traffic in women, it will describe Mongolian women and their social and economic situation: what was Mongolian women’s position during state socialism and after the fall of socialism? I will give special attention to the current social and economic conditions that produce and reproduce gender inequalities and can thus be seen as contributing to trafficking

Chapter 3 will focus on one Mongolian NGO’s involvement in combating trafficking in women: the Center for Human Rights and Development (CHRD). First of all, section 3.1 will discuss some of the scholarly literature about the role of NGOs in

civil society building in post-state socialist countries. Section 3.2 starts with general information about the CHRD in order to give basic introduction about this NGO. Referring back to the findings of Chapter 1 and 2, this chapter will also demonstrate to what extent the CHRD's activities to combat traffic depend on its views of what trafficking is. My analysis of their perspectives and activities will be based on its publications and e-mails. Finally, this chapter will also assess how effective the NGO is.

In the Conclusions, I will answer the above-mentioned main questions, and list my findings from the research.

This is a new case study that analyses Mongolian NGO's performance. Although there have been studies done on NGOs in post-state socialist countries, Mongolia has never been included. Moreover, there have been no studies about Mongolian NGOs that combat trafficking. Finally, this research attempts to find out whether the two dominant approaches, that is the neo-abolitionist and pro-sex work, to anti – trafficking are being followed by every anti-trafficking group.

Chapter 1. Trafficking in Women

This chapter deals with the different perspectives on what trafficking is, and the consequences of these different perspectives. It will begin with a short introduction of the history of trafficking in women and some terms used when trafficking is discussed in the section 1.1. This section will also discuss the different approaches to trafficking identified by scholars and the related different perceptions on combating trafficking in women. Then, it will present the definition of traffic by the United Nations accepted in the year 2000 and show how feminists criticize this definition as well as the possible consequences of misinterpretations of the definition, in the section 1.2. Section 1.3 will explore the causes and effects of trafficking in women. Section 1.4 will explore how international NGOs combat trafficking in women and how their approaches are related to perspectives towards the problem.

1.1 Definitions of Trafficking in Women

One form of forced migration is trafficking in persons, particularly trafficking in women. Women are trafficked all around the world: from Eastern Europe to Western Europe, from Southeast Asia to Middle East and even within the same country. It can include women trafficked for domestic work or involving women into prostitution by coercion. The latter, forced prostitution, is the most crucial element in trafficking in women.

Trafficking in women has a long history; it has existed for hundreds or even thousands of years. It was practiced as a custom in some countries such as India and

Pakistan, and sometimes it already had elements of contemporary trafficking in women. Altink describes, for example, that in the Roman Empire girls were trafficked and forced into prostitution (1995: 8). The main factor contributing to trafficking was poverty and its consequences. Nineteenth century accounts on trafficking in women focused on the so-called 'white slave trade', which meant the trade in European women who had been kidnapped to harems in the Middle East (Altink 1995: 1; Outshoorn 2004: 9).

The International Organization for Migration estimates that more than 700,000 women are trafficked each year across national borders (IOM 2001, quoted in Wennerholm 2002: 10). Trafficking in women that includes transport of women for sexual exploitation has become a complex activity and a global problem, which affects most countries in the world.

The UN *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others*, which was approved by the United Nations (UN) in 1949, was one of the most crucial anti-trafficking documents and combined the previous agreements, such as the *International Convention of 11 October 1933 for the Suppression of the Traffic in Women of Full Age*, and the *International Convention of 30 September 1921 for the Suppression of the Traffic in Women and Children* (UN 1949).

The 1949 UN convention defined trafficking as follows:

The Parties to the present Convention agree to punish any person who,
to gratify the passions of another:

1. Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person;
2. Exploits the prostitution of another person, even with the consent

of that person. (UN 1949 Article 1)

However, in the opinion of scholars and anti-trafficking groups, the 1949 Convention did not provide a proper definition of trafficking. Scholars and various anti-trafficking groups have identified key problems and criticized this definition and the Convention for being highly problematic. The United Nations Office on Drugs and Crime (UNODC) recently claimed that the 1949 Convention failed because it mainly focused on the punishment of traffickers (UNODC 2006: 50). The 1949 Convention, which served as a model for legislation in many countries, viewed prostitution to be “incompatible with the dignity of the person.” Trafficking in women and prostitution were seen as closely linked (Doezema 2002: 24).

Because the 1949 convention didn't serve its purpose any more, in the year 2000 the United Nations adopted a *Protocol to Prevent, Suppress and Punish Trafficking in Persons*, supplementing the *UN Convention Against Transnational Organized Crime*, adopted by the General Assembly in November 2000. In 2000, the UN defined trafficking in human beings as:

the recruitment, transportation, transfer, harbouring 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, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. (UN 2000 Article 3)

The UNODC states that this Protocol is more updated; it requires states to ratify, and addresses the issues of victims of traffic such as rights and protection (2006: 50). The Global Alliance Against Traffic in Women comments with approval that the definition of trafficking in the 2000 Protocol does not “equate trafficking with prostitution and makes a distinction between voluntary prostitution and prostitution under coercion” (GAATW 2002: 4).

Although the definition by the United Nations in principle can be applied to any country, there are other definitions of trafficking in women depending on that particular group’s interests and perspectives. “Because so many different agencies, organizations and lobby groups seek to address such radically different concerns and agendas through a focus on trafficking, it has proved remarkably difficult to obtain consensus on a precise and workable legal definition of the term” (Ucarer 1999, quoted in Anderson and O’Connell Davidson 2002: 8).

Even though over eighty countries signed the 2000 UN *Convention*, its definition of trafficking has been causing debates among scholars and anti-trafficking groups before and after the 2000 *Convention* (Doezema 2002: 20). The main reason for these debates is the close link in the 2000 *Protocol* between traffic, prostitution and migration. While there are women’s organizations and anti-trafficking groups who agree with this position, others do not. Basically, there are two opposing sides in the debate (Doezema 1998, 1999, 2000, 2001, 2002, Outshoorn 2004, Alison 1998, Law 2000, Anderson and O’Connell Davidson 2003).

One of the sides is represented by the Coalition Against Trafficking in Women (CATW), which argues that “trafficking should include all forms of recruitment and

transportation for prostitution, regardless of whether any force or deception took place” (CATW 1999, quoted in Doezema 2002: 20). The CATW fights not only against prostitution, but also against pornography, sex tourism and mail order bride selling (CATW 2007). Doezema analyzes its “Convention on the Elimination of All Forms of Sexual Exploitation of Women” and concludes that the CATW sees prostitution as “a form of sexual exploitation just like rape, genital mutilation, incest and battering” (Doezema 1998: 37). Many scholars agree that the CATW’s perspective on prostitution is that all forms of prostitution are a violation of women’s human rights (Law 2000, Outshoorn 2004, Doezema 1998, 1999, 2001, 2002). The CATW emphasizes that prostitution is exploitation of women, because “a woman’s consent to undertake sex work is meaningless” (Doezema 2002: 21). Doezema therefore calls the CATW group with a “neo-abolitionist” view (1998: 37). Because of the view on prostitution, the CATW insists on including in the definition of trafficking “situations in which person both consented to travel and consented to do sex work, even if no force or deception was involved” (Doezema 2002: 21).

However, although traffic is associated with prostitution, “not all prostitution involves trafficking” (Marjan 1998: 69) and “not all prostitutes are victims of traffic in women” (Altink 1995: 3). Doezema argues that prostitution can be both “voluntary” and “forced” (Doezema 2002: 21) She does not agree that sex work is by definition a violation of human rights and thus can never be perceived as consented; in addition, she points out “the harmful political consequences of arguing that coercion (including deception) is not an essential part of any definition of trafficking” (ibid.).

The side opposing the CATW or neo-abolitionist position is represented by the Global Alliance Against Traffic in Women (GAATW), the Human Rights Caucus and the Network of Sex Work Projects that recognize prostitution as legitimate labor and argue that coercion and deception are important for the definition of trafficking (Doezema 2002: 20). They see prostitution as only a part of trafficking, because women, men and children are also trafficked for other forms of labor. In their view, the 2000 UN *Protocol* is an anti-prostitution document (ibid.).

GAATW clearly defines certain elements of the crime of trafficking in order to distinguish trafficking from other acts such as undocumented migration or smuggling in migrants (GAATW 2000: 27). The GAATW claims that trafficking involves not only prostitution, but also other forms of forced labor and trafficked women should be treated as migrant workers (Doezema 1998: 53, Outshoorn 2004: 11). However, some would argue that “their conceptual position is confused, since the free/forced distinction is untenable” (Murray 1998: 53).

In a contrast to the “neo-abolitionist” CATW, the GAATW, which is a pro-sex work group, does accept the distinction between forced and voluntary prostitution (Doezema 1998: 34). According to the GAATW, prostitution can occur voluntarily and since self-determination is the right of any person, combating trafficking and forced prostitution must be done with respect for the sex workers who are engaged in prostitution voluntarily (ibid.).

Even though there are debates on the definition of trafficking in women and it is an extremely complicated issue to define what trafficking in women is, the definition should definitely emphasize that trafficking is a violation of human rights. Altink

concludes that trafficking is a human rights issue, which “violates articles 4, 5 and 13 of the Universal Declaration of Human Rights” (Altink 1995: 4). However, many scholars insist on conceptualizing trafficking as forced prostitution, because sometimes migrant sex workers are referred to as victims regardless of consent and the conditions of their work (Altink 1995, Chapkis 2003, Anderson and O’Connell Davidson 2003). It is important to place trafficking in women vis-à-vis prostitution, because prostitution is more socially acceptable and visible, whereas trafficked women are invisible and hidden from the public (Kligman and Limoncelli 2005: 121). Murray says that trafficking has a shadowy nature because it is linked to child prostitution, which makes the debate on the UN definition of trafficking even more controversial (Murray 1998: 55). Most importantly, conceptualizing the definition of traffic in women is essential, because different approaches towards the UN definition cause problems.

1.2 Consequences of Different Interpretations of the UN Definition of Trafficking

Different groups have different views on the UN definition of traffic, because trafficking in women is related to prostitution and migration. These different views have consequences for related aspects or element such as migration and prostitution, policies and legislation, and most importantly for the treatment of the victims.

Sometimes the concepts of trafficking in women and smuggling in migrants are confused, because these two concepts both involve people moving across borders in search of a better life. The UN definition of trafficking, as has been showed in the

previous sub-chapter, is problematic. Trafficking in women and smuggling in migrants are closely related concepts in human migration and are “often conflated” (Kligman and Limocelli 2005: 121). Smuggling in migrants has been defined by the UNODC as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a country of which the person is not a national or a permanent resident” (UNODC 2006: 50).

There are similarities between these types of migration; trafficking in women and smuggling in migrants. Often both smuggled migrants and trafficked women leave the country of origin on their free will. Trafficking in women and smuggling in migrants are lucrative businesses: both smuggler and trafficker, in some cases, receive money for recruitment. Smuggled migrants and trafficked individuals may face danger or discomfort during the journey to the destination. Therefore, smuggling in migrants “may [also] involve grave human rights abuses” (Laczko et al 2002: 2).

Although trafficking is often conflated with smuggling in migrants, there are certain differences. Smuggling is always transnational, because it involves movement from one country to another, whereas trafficking in women can occur regardless of whether the victims are taken to another country or only moved from one place to another within the same country (UNODC 2006: XV). Governments confuse trafficking with smuggling in migrants or undocumented migration; thus, they tend to treat all victims in the same way - to deport them. As a consequence of deportation, traffickers are not prosecuted; instead, victims might be prosecuted for immigration and labor violations. (Jordan 2002: 30)

The second consequence of different approaches of the UN definition of trafficking is that countries pass abolitionist laws, which violate the rights of sex workers. As sex workers' rights activist Jo Doezema argues, abolitionist laws ban and prohibit prostitutes to work together (because one of them will be arrested for pimping), to establish unions (because it will promote the sex industry) and ignore the legal protection of sex workers when their rights are violated (2002: 24). It is a fact that sex workers have been deported "in the name of fighting trafficking" (ibid.).

Another consequence is that different approaches may increase violations of women's human rights. Doezema argues that including both free and coerced prostitution in the 2000 *Protocol* brings "victory" to pro-sex activists and sex workers who claim that prostitution is legitimate labor (2002: 24). Consequently, prostitutes can at least theoretically enjoy their rights. However, acknowledging prostitution will not decrease violations of women's human rights and therefore it can even strengthen the sex industry (Raymond 2003). Raymond's argument supports the CATW's abolitionist view on trafficking in women and prostitution. She says that it is an advantage to pimps and traffickers if prostitution is decriminalized. She gives an example of traffickers in Europe who use the work permits to bring foreign women into the Dutch prostitution industry, covering the fact that women have been trafficked by making them describe themselves as independent "migrant sex workers" (Raymond, 2003).

According to the abolitionist approach to trafficking, decriminalizing prostitution can increase trafficking in women, especially in Europe. On the other side, Jordan argues that criminalizing prostitution can have negative effects (Jordan 2002: 30). Abolitionists believe that criminalizing prostitution is necessary to make all forms of forced

prostitution disappear and thus trafficking into prostitution will disappear. On the other hand, criminalizing prostitution and clients can also be advantageous to criminals. It makes independent sex workers ‘co-operate’ with third parties who offer them protection from arrest. If the sex industry is pushed underground, “organised crime takes over, and trafficking into forced prostitution increases” (ibid.).

Different interpretations of the UN definition of trafficking and their conflation with prostitution and undocumented migration make some governments deny the acute problem of traffic. Therefore, there is need for research of all forms of trafficking (for example, trafficking for forced prostitution, marriage, domestic work and so on). Once governments acknowledge the existence of the problem, there is still a risk that they “fail to consider the crime from the perspective of the trafficked person” (Jordan 2002: 29). They perceive trafficking as a problem of organized crime, migration, and/or prostitution, rather than as a human rights abuse (ibid.). Additionally, some governments restrict movement and migration of women traveling independently (Doezema 2002: 24).

Because the 2000 *Protocol* includes a difference between ‘coerced’ and ‘non-coerced’ migration for prostitution, “it offers very little in terms of human rights protections for trafficked victims, and nothing at all for (migrant) sex workers who were not coerced” but ended up being trafficked (Doezema 2002: 24). Most governments and some NGOs only address trafficking in women into forced prostitution. Trafficked women are treated as ‘madonnas’ (innocent) who need support or as ‘whores’ (tainted) who need redemption and rehabilitation. Governments and some NGOs are more likely to help ‘madonna’ victims than ‘whore’ victims (Jordan 2002: 31).

Even though trafficking is distinct from undocumented migration and prostitution, a large diversity of perspectives on the UN definition of traffic exists. The definition of trafficking in women is dependent on the particular group's interests, and different definitions have consequences for migration and sex work, governments and victims. Therefore, the definition of traffic should be re-thought.

1.3. Global Causes and Effects of Trafficking in Women

The increase in trafficking is one of the most problematic issues in the world. In recent years, trafficking has become a complex global business. It has a number of causes that affect our lives. The causes are also called push factors, which make women migrate and to be trafficked.

One of the factors contributing to trafficking in women is globalization, which affects every sphere of life. "The modern world is characterized by interactive relations among all countries, in which the transactions that take place are of a new order and intensity" (Appadurai 1996: 27). Globalization brings change in socio-economic, cultural and political trends and dimensions that result "in individualization and commoditization of social relations" (Economic and Social Commission for Asia and the Pacific 2005: 5). The Economic and Social Commission for Asia and the Pacific (ESCAP), for example, criticizes governments that cut spending on health care, education, social security and subsidies since the introduction of structural adjustment programs by the World Bank and International Monetary Fund (IMF) in the 1980s.

Another critique of globalization concerns tourism. During the 1960s and 1970s tourism became one of the big industries for developing countries. Promoted by the World Bank and IMF, and agencies like USAID, countries were urged to exploit their natural resources by developing resorts and hotels to attract foreign capital. A part of the tourist attraction was certainly sex tourism. Package tours were developed to include airfare, accommodations, cars, and women or men for sexual pleasure. In Thailand, for instance, travel brochures promoted "sun, sea, and sex." They built on the patriarchal and racist fantasies of First World men by touting the exotic, erotic subservience of Asian women (Mirkinson 1994).

Secondly, trafficking is caused by an economic problem, particularly unemployment and poverty, which also have contributed to the feminization of migration (GAATW 2000: 34). For instance, after the collapse of the communist regime in Albania, the country started to experience harsh economic times and people started to migrate to find better living conditions. Studies by UNIFEM⁴ show that, for example, "over the period 2002-2005 a low percentage (around 20-30%) of the 200 victims assisted by one shelter were employed before being trafficked" (UNIFEM 2006: 25).

Another cause of trafficking is gender-based discrimination. For instance, Russia has one the highest proportions of women living in single-parent households and "single-mothers suffer doubly - as women and as single mothers - from Russia's vertical and horizontal job segregation and pay discrimination (Russian women earned only 56% of the average male salary in 2003)" (Kanji quoted in UNIFEM 2006: 19).

⁴ United Nations Development Fund for Women

Racism is one of the most crucial factors contributing to trafficking in women. Murray argues that the “erotic-pathetic stereotype of the Asian prostitute” and racism create the possibility of trafficking. In Doezema’s view, for example, calls anti-trafficking campaigns are characterized by “colonial ‘gaze’” (Doezema 1999) and she criticizes the CATW founder Kathleen Barry for victimizing the “injured third world prostitute” (2001: 17). She challenges the CATW for “identification/othering” of “‘the third world prostitute’, oppressed by tradition and religion, exploited by western patriarchal capitalism” (Doezema 2001: 33). Doezema certainly supports the notion that western feminist discourse produces an image of the Third World woman as “a singular monolithic subject” being “‘third world’ (ignorant, poor, uneducated [...], victimized)” (Mohanty 1994: 196 and 199).

Laws and policies on migration also contribute to trafficking in women (GAATW 2000: 36). Some destination countries do not require visa and other documents, which causes free flow of people between the countries: an example could be the newly entered EU states and the shifting borders within the EU territories.

Corrupt authorities and officials play a role in trafficking in women as well. Officials accept bribes from traffickers in return for allowing traffickers to cross borders, and authorities may be directly involved. For example, there are reports of direct involvement of both Burmese and Thai officials in the trafficking of Burmese women to Thailand. Women reported instances of being transported into Thailand by policemen in uniform, armed and often in police vehicles (GAATW 2000: 38).

Religious and cultural practices are also causes of trafficking in women. When someone talks about trafficking in women in India, *devadasis* are discussed:

These are young girls who are supposed to serve the goddess Yellama by giving themselves, in return for a pittance, to every man who happens to fancy them. Girls destined for this kind of temple service cannot get married but have to be faithful to the goddess [...]. Parents in poorer regions prefer to sell their marriageable daughters to men who have earned something in the boom. (Altink 1995: 24-25)

One of the important reasons of occurrence of trafficking in women is militarization, in some cases governments are involved, which existed throughout the history. In the first half of the twentieth century Japan ‘employed’ women, particularly of Korean descent for Japanese soldiers fighting in mainland China; it was a nationalist policy of the state that ‘sacrificed’ women in the name of the state. (see Lie 1997) Moreover, it was practiced in the second half of the twentieth century. With respect to Bosnia and Kosovo, Kligman and Limoncelli point out that “wars have facilitated trafficking” (2005: 127).

Finally, the causes of trafficking are interrelated. One can see, for example, that the economic situation and gender based discrimination factors may contribute to occurrence of trafficking in women simultaneously.

It is essential to talk about the consequences of trafficking in women and to continue state of the importance of national policies against trafficking. Among the main consequences are the crimes committed by traffickers, which can involve assault and battery, rape, torture, abduction, sale of human beings, unlawful detention, murder, deprivation of labor rights, and fraud (GAATW 2000: 40). Therefore, violation of human rights is the most important consequence of trafficking in women (Global Rights 2000:

47). Even though all countries have laws concerning crimes committed by traffickers, and although some traffickers commit all of these crimes, few traffickers are ever prosecuted or punished for any of the crimes listed above. More generally, traffickers are “punished under migration-related laws that are less serious offences and carry less severe sentences. Additionally, traffickers who traffic women into the sex industry are prosecuted under laws relating to prostitution rather than laws relating to the real and serious harm done to victims” (GAATW 2000: 40). Therefore, it is necessary to promote and run programs to combat and prevent trafficking.

Forced prostitution can “lead to a very unstable and fragmented Ego structure” (Koleva 2006: 18). For instance, forced prostitution is an experience that can never be forgotten and stays as a dark spot in a woman’s life. Most women continue to suffer after their return to home: some are stigmatized as prostitutes, some experience emotional instability, some commit suicide. As traffic makes women engage in prostitution by force, health conditions of women worsen: they loose weight, and there is high possibility of drug and alcohol addiction. In addition, trafficking in women that involves forced prostitution increases the rate of AIDS/HIV (see Law, 2000). Sadly, although trafficking in women often has severe effects on women as individuals, trafficked women sometimes become traffickers themselves (Altink 1995:2).

There is a tight connection between causes and consequences of trafficking in women. Causes and consequences illustrate how trafficking in women have become a net-business where all actors are interlinked and influenced by socio-economic causes including globalization.

1.4 Global Prevention of Trafficking and Treatment of Trafficked

Women

As trafficking in women has become a global problem, which involves most of the countries in the world, and is a highly complicated issue, governments are ratifying and putting new laws into action and signing conventions and protocols. Furthermore, most of the largest international institutions are funding more programs to combat the problems of trafficking. Tzvetkova states that there is “[a] relative absence of government initiatives and assistance for trafficking victims, means that it is NGOs who have taken up the challenge of organizing locally, nationally, and internationally to advocate for and meet the needs of victims” (Tzvetkova 2004: 60). As there are different positions on definitions of and perspectives on trafficking among various NGOs, their strategies for combating trafficking also differ. Although it can be appreciated that the CATW has a mission to combat trafficking in women, which includes sexual exploitation, we do see that its mission excludes other types of violence against women caused by trafficking.

The CATW works closely with national and regional organizations and individuals to prevent trafficking by educating the population and young people about harm of sexual exploitation and ways to combat it. There are several projects and programs developed by the CATW in collaboration with local governmental and non-governmental institutions of selected countries. For example, the CATW and the European Women's Lobby (EWL) have developed a joint project Measures to Combat Trafficking in Human Beings for Sexual Exploitation. The goals of the project are “to address gaps in current anti-trafficking programs and policies that avoid focusing on gender equality, the demand, and the links between trafficking and prostitution” (CATW

2007). The project will be carried out in thirteen countries in Central and Eastern Europe. For example, in Bulgaria in cooperation with the CATW the Bulgarian Gender Research Foundation will coordinate this project and its anti-trafficking campaigns will be directed at potential victims and clients. Moreover, this project's most important aim is to raise awareness of the links between prostitution and trafficking and to dissuade the Bulgarian government from legalizing prostitution. Here, one can see that although the CATW is supporting and cooperating with other organizations to carry out a project, it follows its abolitionist perspectives on trafficking in combating traffic and leaves anti-trafficking activities for other victims, who were not forced to engage in prostitution.

Though the CATW works on prevention of trafficking in women, runs different projects in many countries and “helps create and support alternatives for women and girls who have been sexually exploited” (CATW 2007), there have been no reports on CATW direct assistance by CATW to victims, for example, providing shelters or legal and medical assistance. Thus, the CATW works more on prevention of trafficking directly with both women and governments.

The Global Alliance Against Traffic in Women's (GAATW) also works on issues related to trafficking in women and labor migration of women globally. According to the GAATW, the definition of trafficking lacks a comprehensive description of “human rights violations and abuses inflicted upon migrant women workers” (GAATW 2002: 1). Moreover, the GAATW proclaims that its “mission is to ensure that the human rights of migrant women are respected and protected by authorities and agencies. We advocate for living and working conditions in countries of origin to provide more alternatives in their

home countries, and to develop and disseminate information to women about migration, working conditions and their rights”. (GAATW 2002)

The GAATW criticizes some governments for restricting their laws on migration and controlling young women and girls who are traveling alone; it concludes that it violates basic human rights of freedom of movement. It suggests instead of harshening laws there is a better alternative to prevent trafficking, and at the same time empower women, namely to provide more employment opportunities for women in their home countries.

Many activities by the GAATW focus on the prevention of trafficking. One of them is the *Migration Women’s Handbook* (1999), which is directed at potential victims of trafficking. It describes the whole process from the recruitment in the sending country to the arrival in the receiving country. It is written in a very simple language explaining, for example, even what a passport is because not everybody knows that (GAATW 1999: 17).

Although the *Migration Women’s Handbook* is an important tool to prevent trafficking, in my view, the book has several weak points. First, it was published in the English language and English is undoubtedly one of the most common spoken languages in the world. However, as it is in most cases that victims of trafficking have less education. It is likely that many of the target audience cannot to read the book in the original language. Secondly, there is the possibility that the potential victim is illiterate and thus she will not be able to read the book at all. Moreover, it is important to stress the limited availabilities of the book. The GAATW cannot give a copy to every woman, for instance, in a village in Cambodia, it will cost too much to publish the book in a great

number; as a result not every potential victim can read it in the case if she is literate and knows the language. Even though there are weak points of this type of prevention, effort such as this one might still succeed in saving several hundred women from being trafficked.

The GAATW has also developed a guide to assist trafficked women. It is a guide for non-governmental staff how to treat victims, how to find them, how to make them understand that they are victims, because some women do not accept the fact that they are victims, and so on (GAATW 2007). The GAATW also works with NGOs in different countries for treatment of trafficked women. For example, in India a better understanding of issue of trafficking and protection of victims has resulted in an increase of services and facilities for trafficked persons such as shelters, medical care, psychological counseling, outreach programs, education and training. Most importantly, in contrast to the CATW, the GAATW believes that every victim is an individual who has her own agency and the right to make her own choices (GAATW 1997: 6). The GAATW also pays attention to potential cultural differences between victims and caregivers (see Koleva, 2006: 11-18) Therefore, it is clear that the GAATW puts more emphasis on assisting victims of trafficking them.

It is crucial to note that these two organizations, like all other organizations that combat trafficking in women have a similar mission: to prevent trafficking and assist victims, despite the fact that “NGOs are not a homogeneous group with similar interests. Their diversity is reflected in the interests and issues they promote” (Tzvetkova 2004: 61). They carry out professional research to know the environment of trafficking from the sending country to the destination country with the aim of initiating effective programs

and projects to combat trafficking. Besides various reports, these NGOs also have regular publications (the CATW- *Coalition Report*, the GAATW- *Alliance News*) in which they discuss current issues and events, problems they and the victims face, and so on.

Compared to governments NGOs work more predominantly in areas where governments do not reach (see Tzetkova 2004, Kligman and Limoncelli 2005, Limanowska, 2002). The reason is that NGOs are often seen as ‘conscience of government,’ and representatives of civil society, and have traditionally stepped in where governments have failed to initiative (Tzvetkova 2004: 61).

Trafficking in women has been existing for centuries and has become a global problem. Although trafficking was defined by the UN, there are different approaches towards trafficking in women, namely neo-abolitionist and pro-sex work approaches. Causes and effects of trafficking in women are complex and interrelated. Moreover, because of different approaches towards trafficking in women, activities of anti-trafficking groups differ, as it was shown in the last section.

Chapter 2

The Current Situation of Trafficking in Women in and from Mongolia

This chapter discusses the current situation of trafficking in women in and from Mongolia. First, it gives general information about Mongolia and Mongolian women in section 2.1. In order to familiarize the audience with the context, this chapter contains descriptive and factual accounts of Mongolian history, society and economics. Then, section 2.2 describes the factors that contribute to trafficking, referring back to the more general analysis of causes in section 1.3.

2.1 Background Information about Mongolia

Mongolia is a country located in Central Asia, between Russia and China. Its total population is 2,475,400 (NSOM⁵ 2003: 33). At the end of 2002, 49.6 percent of the population was male and 50.4 percent of the population was female (ibid. 37). Rural population was 42.6 percent of the total population (ibid. 47).

Mongolia became the second socialist country in 1924 and efforts to bring women into public life and into the labor force began. The Soviet Union from 1924 turned Mongolia into a satellite nation with a new form of colonial subordination, that is the USSR asserted complete control over the political, economic and social life of the country, transforming Mongolia into a communist republic. The one-party communist government (Mongolian People's Revolutionary Party) developed five-year plans, the

⁵ The National Statistics Office of Mongolia

state was turned completely into the Soviet system, and the Soviets isolated the country from the outside world and eliminated the intellectual classes. In addition, Mongolian national culture was suppressed, religious practices were banned and religious leaders were executed (Bilskie and Arnold 2002).

Mongolian women received the right to vote in 1924, according to the first Constitution (Zanaa, 2006: 3). In 1925, the first women were appointed to positions in local government and in 1929, a woman was appointed as a member of the People's Supreme Court. In 1931, 30 percent of local government officials, including two aimag [provincial] governors, were women (Robinson and Solongo 1999: 6). Later on, quotas of female representation were legally guaranteed in parliament, in ministerial posts and at government and aimag⁶ levels, though there were proportionately fewer women than men to be found in the most senior posts (ibid: 6).

In Mongolia, 86 percent of women had joined the workforce by 1986, and the state guaranteed employment to young women who graduated from secondary and vocational schools. Most women worked in educational, health, banking and financial sectors. However, neither highly educated women, nor ordinary female laborers reached the top levels or the most important positions in their professions or work very often. Nonetheless, "96 per cent of Mongolian women were literate, and 43 per cent of university and technical college graduates were female" (Rossabi 2005: 151). "Pay was similar for men and women and wage differences were small, characteristic of the compressed wage scales of socialist economies though difference operated through the

⁶ Aimag is an administrative unit in Mongolia. There are 21 aimags in Mongolia.

allocation of additional rewards, benefits and privileges” (Robinson and Solongo 1999: 6).

The government, in addition, increased health and welfare care for women. The communist government promoted the introduction of Western-style medicine, which meant opening hospitals and clinics in villages and towns. State-sponsored maternity rest homes for pastoral women in the last stages of pregnancy helped “to lower infant mortality from 109 per 1,000 live births in 1960 to 57.4 in 1990” (Rossabi 2005: 151). Generally, women benefited from maternity leave guarantees; after their return to work, the state provided mothers with infant and child-care facilities.

The process of democratic transformation started in 1990 and the new democratic Constitution was adopted in 1992. The Constitution of Mongolia includes equal rights for men and women (Article 1). The laws formally reflect the equality of women developed during state-socialist times and there are provisions for equal opportunity in education, employment and financial assistance for childbirth. However, “women’s role and visibility in public affairs has significantly reduced since 1990” (Ginsburg and Ganzorig 1996, quoted in Robinson and Solongo 1999: 16).

Following the national elections in 1992, the gender imbalance became more visible. According to “the results of the 1992 and 1996 Parliamentary elections, only ten per cent of female candidates were selected, whereas 50.4 percent of Mongolian population are women” (Zanaa 2006: 3). During the state-socialist time, a quota system for female representation operated, which ceased after 1990. Although some women now advocate its return, others oppose it (Robinson and Solongo 1999: 16). The draft law on

quota systems has been discussed since the 2000 parliamentary election, when only five female members were elected out of seventy six. In all government departments there are numbers of women to be found, but mainly in lower positions (*ibid.*).

Mongolian women have a higher unemployment rate than men (overall, 6 percent higher) and lower levels of wages (women receive, on average, 75 percent of the wage paid to men for the same job) (Robinson and Solongo 1999: 3). It is estimated that around 36 percent of the population in Mongolia is living below the defined poverty line, though in some areas this proportion may be higher (Zanaa 2006; Robinson and Solongo 1999). Single heads of households, particularly women, are identified as a vulnerable group, especially if they have children. The number of female-headed households in Mongolia was 51,732 in 1997 (14.7 per cent of the total number of households), a large increase compared to 19,289 (4.5 per cent of the total) in 1990 (UN, 1995: p. xii quoted in Robinson and Solongo, 1999: 15).

Women's participation in education, including higher education, is higher than that of men in Mongolia. Female students far outnumber male students: they form 68 per cent of students at public universities and 71 per cent at private universities (Robinson and Solongo 1999: 12). Men are participating less in education, because most parents think that, because of the strong discrimination against women, girls need more education in order to survive, whereas boys will survive in any case (Asian Development Bank and World Bank 2005: 36). The other reason is that in rural families boys' work is more valued.

In summary, during state socialism women enjoyed more rights than after socialism. The rapid political and economical changes brought more inequality between men and women, and overall increase poverty and unemployment.

2.2 Causes of Trafficking in Women in and from Mongolia

In this section, I will try to identify factors contributing to the traffic in women in and from Mongolia. In order to explore the causes of trafficking, I will refer back the causes mentioned in the previous chapter and see if and how they apply in the Mongolian case.

Globalization, as we have seen, is one of the important causes of trafficking. The shift to democracy in the early 1990s brought Mongolia a chance to be a part of the globalizing world, and globalization subsequently brought socio-economic, cultural and political changes in the country. One important example is that globalization brought expansion of the media and increased media freedom to Mongolia. And traffickers find young women through the media. There are dozens of advertisements of marriage agencies or jobs abroad offering high wages in the newspapers; these are usually jobs of waitresses or masseuses. Although some of them are true advertisements, some are trying to attract women into trafficking. The political reforms of the 1990s brought not only freedom to travel and migrate but also media freedom that has negative effects regarding trafficking.

The economic situation is the second important reason of the emergence of trafficking in women. The economic situation in Mongolia is characterized by increased by poverty and unemployment. The National Statistics Office of Mongolia (NSOM)

reports that the unemployment rate reached 33.8 thousand people in 2006 and 56.4 percent of job seekers are women aged from 16 to 34 in the first half of 2006 (2006: 9). Before the 1990s, as a country with a centrally planned economy, Mongolia did not experience a high rate of unemployment among young people. The state provided the youth with an opportunity to receive professional and vocational training and with employment afterwards. However, when Mongolia started to shift to a market economy, there was loss of work in most sectors due to privatization and rationalization. Privatization also affected citizens in the rural areas, which led to massive migration to urban areas. However, the urban areas also experienced unemployment, resulting in emigration of Mongolians to work in South Korea, USA, Western Europe and so on (Batbayar 2003: 5).

Poverty and unemployment are causes of alcohol abuse. Fifty one per cent of the adult Mongolian population abuses alcohol, almost all of them men and six percent of the alcohol abusers are women (Asian Development Bank and World Bank, 2005: 44). Poverty, unemployment and alcohol abuse cause increase violence against women. The National Center Against Violence (NCAV) surveys show that one in three women regularly suffer from some kind of violence, and one in ten women regularly suffer physical abuse (CEDAW Report 2000; Asian Development Bank 2005: 58). Furthermore, poverty and unemployment lead young people to drop out of schools and universities. Sometimes young female students who cannot afford to pay their studies in universities engage in prostitution.⁷

⁷ This is what I have seen from my personal experience in 2001-2006 while studying at National University of Mongolia.

The next factor that contributes to trafficking is the laws and policies on migration. Political reforms of the 1990s granted Mongolian citizens the right to travel and migrate. For instance, Article 4 of the *Law on Migration and Travel of Mongolian Citizens for Private Business* indicates that “the citizens of Mongolia have the right to travel for private business and to migrate” (1993). In 2002, 536,306 Mongolian citizens traveled abroad (NSO, 2003: 226).

The next factor is gender based discrimination. Despite the fact that women are educated, they experience discrimination, such as a wage gap between men and women. Studies show that men earn twice as much as women do in managerial positions (Asian Development Bank and World Bank, 2005: 35).

So-called ‘invented tradition’ can also affect gender based discrimination, and thus trafficking. “Women’s hair is long; the mind is short”, “Women come from witches”, “State men should take care of the purity of state. Women should take of the purity of nation” are only a few of numerous Mongolian proverbs and sayings that degrade women. Eric Hobsbawm argues that “traditions which appear or claim to be old are often quite recent in origin and sometimes invented” (1983: 1). Moreover, he also points out that “inventing traditions is essentially a process of formalization and ritualization, characterized by reference to the past” (Hobsbawm 1983: 4). Mongolia, as the case at hand, also refers to its past and ‘traditions’ that were invisible during the state-socialist times and practiced in feudal Mongolia (17-19th centuries) when women had no right of political, social and economic participations. Mongolia is in the stage after socialism that it wants to come back to its traditions in response to the Russian domination. Therefore, in this case it creates and re-creates traditions like the above

mentioned sayings. This “tradition”, by degrading women, encourages the factor to migrate as does women’s discrimination generally.

Most Mongolians believe that Mongolian women are more liberated and privileged than women in other Asian countries. It looks as if Mongolian women are enjoying equal rights despite the fact that “at the top decision levels, there are only few women” (“Mongolia’s Reverse Gender Gap” 2005). However, the Mongolian ex-President Ochirbat Punsalmaa said, “...we are, I should say, very liberal. We put humans above the State. The sun revolves around the human being. We stand for human rights, for freedoms. And this, you must understand, is very non-Asian. It conflicts with Asian traditions” (Undarya 2000). The Mongolian state believes that women along with men are treated well enough compared to other Asian countries. Of course, this is questionable. For example, Vietnam has already ratified law on Gender Equality, while Mongolia has only started working on a draft law on Gender Equality (Erdenemaa 2006).

Corrupt officials are engaged in trafficking as well. In Mongolia, there have not been registered cases of traffic that involved corrupt authorities; yet Mongolia has a high rate of corruption. In 2004, 88.9 percent interview respondents in a survey on corruption in Mongolia said that it was widely spread in the country (Final Report on Corruption 2004). Government officials might accept bribes to issue false passports or related documents.

The shift to democracy has brought Mongolia new opportunities; however, it created ‘a favorable environment’ that causes trafficking in women in and from Mongolia.

Chapter 3

NGO Involvement in Combating Trafficking in Women in and from Mongolia

This chapter deals with a Mongolian non-governmental organization's involvement in combating trafficking in women in and from Mongolia: *Khunii Erkh Khugjliin Tuv* (the Centre for Human Rights and Development, CHRD). This chapter asks which anti-trafficking activities the CHRD does and to what extent these activities are successful. In order to explore this NGO performance, section 3.1 discusses the scholarly critique of NGOs mushrooming in the former Second World and tries to answer why NGOs are actively participating in civil society building in post-communist countries. This section also gives an outline of NGO performance assessment. Section 3.2 then explores how the CHRD is engaged in fighting against trafficking in women in and from Mongolia. This section starts with general information about this organization. It will also discuss how the CHRD runs activities and programs. This chapter tries to identify which approach the CHRD is following, the neo-abolitionist or pro-sex work. Section 3.2 also asks whether this NGO is successful in combating trafficking and what explains its successes or failures. In addition, this section examines which problems the CHRD faces and identifies the causes of these problems.

3.1 Governance in Post Socialist Countries

In the beginning of the 1990s, Central and Eastern Europe (CEE) experienced dramatic changes in its political and socio-economic systems. One of the key changes in the so-called Eastern Bloc was the emergence of democracy and a “civil society”. Wedel argues that building democracy and a civil society in the region through local organizations was in the intention of the West “to supplant communism” and thus the West saw NGOs as a tool of intervention to the region (Wedel 1998: 83). The perspective of the West implied that the East had never had a civil society in which citizens had the right to establish their own organizations, which operated independently from the state (ibid.). Building civil societies in the CEE states started with the emergence of nongovernmental organizations (Wedel 1998: 85).

Non-governmental organizations are recognized as representatives of global governance (Mingst 1999: 255-257). Governance is different from government. James Rosenau suggests that governance is “a more encompassing phenomenon than government. It embraces governmental institutions, but it also subsumes informal, non-governmental mechanisms whereby those persons and organizations within its purview move ahead, satisfy their needs, and fulfill their wants” (Rosenau, quoted in Mingst 1999: 255). Additionally, in a democratic society, NGOs are seen as a means to put pressure on governments that failed to improve citizens’ lives (Tzvetkova 2002: 61, Mingst 1999: 256). And NGOs operate as “counter weight to state power - protecting human rights, providing training grounds for activists and promoting pluralism” (Edwards and Hulme 1995: 4).

The collapse of socialist regimes in the CEE brought instability in the social, economic and political spheres and caused a rapid emergence of non-governmental organizations in the regions' transition to democracy. A flow of Northern or Western donors focused on NGOs as a means to form and strengthen civil society in CEE (Wedel 1998: 85). One of these donors was George Soros, who established the Open Society Institute even before 1989 and spent more money on the region than any other foundations and donors (1998: 86). The NGOization of the region has been at the center of scholarly debate in the last decades.

Some scholars point out that Western aids through the development of NGOs has caused new problems. One of these problems is that NGOs have been operating as tools to permeate the former Second World (Wedel 1998: 108-112). Wedel argues that in the beginning of the 1990s the ground and circumstances for future development of NGOs in the former socialist countries was extremely different from the West; yet they followed their Western counterparts (Wedel 1998: 109, also see Kay 2000: 121). Although northern NGOs and donors suggested grant programs to various NGOs, financing the right programs proved to be the hardest task. Especially in the early years, the NGO staff in CEE, which were initiating civil society and receiving grants from the West, were former "energized elites" and they "cultivated international contacts and set up NGOs and 'foundations' to receive funds" (Wedel 1998: 87). These 'elites' used their proficiency in the English language and their contacts with the West; it had a consequence that individuals did not benefit from foreign donors (Wedel 1998: 97).

Even the vocabulary used to describe NGO activities was borrowed from the English language (Wedel 1998: 109). For instance, "consciousness raising" was used as

“povyshenie soznaiia” or “self-help” was used as *“samo-pomoshcs”*” (Kay 2000: 121). New vocabulary and mushrooming of NGOs in CEE impacted on NGOs staff, “who were unwilling to share information or otherwise cooperate with anyone” (Wedel 1998: 111).

In the region, NGOs tended to register as foundations and associations, and initiating foundations and associations became business. NGOs were dependent on Western donors, so that their projects relied on Western financial support (Wedel 1998: 91). Moreover, projects without Western sponsors became unimaginable, whereas “to get money from the West was to be blessed” (ibid.). One of the strong critiques of the NGOs in the literature is that ‘energized elites’ took advantage of tax and legal environment by registering NGOs under foundations and associations (Wedel 1998: 109). “By 1998, in Poland, for example, there were more than 5,000 foundations and some 21,000 associations” (ibid.).

Women’s organizations in the CEE caused more debates. Feminist scholars argue that western feminists saw NGOs in the region as a tool to import ‘cultural feminism’ (Ghodsee 2004: 734-6). Ghodsee, for example, points out that “communism taught women not to distinguish their needs from the needs of men but to struggle together in their class interests;” hence feminism was seen as a tool of capitalism and the bourgeoisie (Ghodsee 2004: 733). When women’s organizations or NGOs started to emergence, in Russia these organizations were not supported by the public (Kay 2000: 123). Scholars explain that the rejection of women’s organizations was related to the fact that feminism was still seen as a tool of capitalist ideology (Ghodsee 2004: 733, Kay 2000: 129). Therefore, initiating women’s organizations in the former Second World was not easy.

Even though NGOs and women's NGOs had some disadvantageous sides, scholars have also demonstrated the importance and need of NGOs in CEE (Wedel 1998, Lindenberg and Bryant 2001, Kay 2004). Most scholars suggest that NGOs in the post state-socialist countries should be considered in a more specific way. After unexpected collapse of socialism, political and socio-economic situations worsened dramatically. During socialist times, citizens relied on state assistance in every sphere; when shift to democracy and market economy started these citizens did not know what to do and did not know who refer to. Thus, people did not trust the state and distrust in the state increased. This fact affected NGO performance in the region by increasing demands from NGOs.

Distinguishing NGOs in the CEE from Western NGOs was essential in the post socialist-countries. Operating in the harsh transitional period, when poverty caused "anger and frustration," NGOs had to learn "what would and what would not work" (Lindenberg and Bryant 2001: 121). In this context, the American "can-do mentality" and self-training made NGOs improve their performance (Wedel 1998: 85 and 119). If in the very beginning of the emergence of dozens of NGOs, 'elites' were playing crucial roles in receiving grants, later in mid-1990s these 'elites' trained other NGO staff (ibid.).

In addition, it was unclear to donors whom they should give their grants and the donors relied more on 'elites'. As 'elites' took advantage of registering NGOs in the name of foundations, these foundations created favorable environment to earn money through grants. Therefore, some NGOs failed throughout the 1990s so that NGOs performance failure increased "pressure on NGOs from donors" (Lindenberg and Bryant 2001: 21). Assessing NGOs' performance became more important and donors' successful

funding decisions contributed to a crucially important change: “the very categories ‘West’ and ‘East’ became less meaningful, if not irrelevant, in most cases” (Wedel 1998: 118). Demands from donors became high, which affected of CEE NGOs to be more like their counter-parts in the West.

The scholarly discourse on NGOs in the post-socialist bloc not only criticized NGOs’ emergence and operation in this region, but also raised the issue of assessing NGOs’ effectiveness and failure. Thus, assessment of NGOs’ performance has become a new issue. Social scientists agree, however, that it is not easy to assess any NGO’s activities and performance (Edwards and Hulme 1995: 6, Fowler 1995: 149, Smillie 1995: 161). Nonetheless, Fowler suggests that an NGO should ask itself certain questions in order to evaluate its own performance (Fowler 1995: 153). According to Edwards and Hulme it is even more difficult to assess NGO in “democratization.” Democratisation in most countries caused instabilities in all levels: society, economy and politics. Because of this assessment should look at “micro-policy reform,” an area where NGOs can have an influence (1995: 7).

“Effective accountability” is another way to assess NGO performance (Edwards and Hume 1995: 9). Even though there is “as yet no agreed definition of NGO accountability” (Tandon 1995: 41), accountability has been identified as “the means by which individuals and organizations report to a recognized authority, or authorities and are held responsible for their actions” (Edwards and Hullme 1994, quoted in Edwards and Hulme 1995: 9). In order to succeed in NGO assessment, long-term and short-term results should be separated (Edwards and Hulme 1995: 9):

Effective accountability requires a statement of goals, transparency

of decision-making and relationships, honest reporting of what sources have been used and what have been achieved, an appraisal process for the overseeing authority(ies) to judge whether results are satisfactory and concrete mechanisms for holding to account (ie, rewarding or penalising) those responsible for performance. (ibid.)

NGOs have developed the ability of self-training. Through “ability to learn from experience,” NGO performance can be assessed (Senge 1990, quoted in Fowler 1995: 144). Lastly, the most important element to be assessed is the NGO influence on government and agencies, because it is intention of NGOs to pressure governments towards positive change and to be a part of governance - as mentioned above.

In sum, the establishment and activities of NGOs engaged in development of the civil society in CEE has brought disadvantages and advantages. In the next section I will focus on one specific NGO in Mongolia, describe its anti-trafficking activities .and assess its successes and failures.

3.2 The Center for Human Rights and Development of Mongolia

3.2.1 General Information

The Center for Human Rights and Development (CHRD) of Mongolia was established in 1998 by a group of three human rights activists and two lawyers, who worked as professors in the State University. It is a non-governmental, non-partisan and non-profit organization. Its main goal and mission is to contribute “to the promotion and protection of human rights and social justice in Mongolia” (CHRD, 2007). Specifically, the aims

are: providing accurate and timely information about the human rights situation in Mongolia, promoting the creation of an independent and effective human rights promotion and protection mechanism in Mongolia, conducting legislative advocacy, increasing public awareness on human rights, [and] participating in the regional and international human rights movements (CHRD 2007). Since 2003 the CHRD's current aims also include "combating human trafficking in Mongolia, supporting effective human rights advocacy, including strategic litigation and international human rights advocacy, and promoting economic social and cultural rights with a focus on the right to food and adequate housing standards" (ibid.). The CHRD framework of combating human trafficking in and from Mongolia includes prevention of trafficking, protecting victims and ensuring effective prosecution and enforcement of laws (CHRD 2007).

The CHRD has a Chairperson, eleven Governing Board Members, eleven regular staff, and three part-time staff. The Chairperson of the CHRD, Urantsooj. G., is one of the initiators of this NGO, who worked in district court as a lawyer before 1997. She graduated from one of the universities in the former Soviet Union and was 41 in 1997, when spadework to initiate the organization started. At the time when this NGO was established, she spoke fluent Russian and intermediate English.

The Governing Board Members of the CHRD include both men and women, who had been working as university professors and officials at the Ministry of Justice. Three Board Members graduated from universities in former Soviet Russia in the 1980s and were appointed at Mongolian State universities and district courts in the capital city of Ulaanbaatar. Other eight Board Members graduated from Mongolian universities and were working before in other development NGOs. Their ages vary from thirty three to

fifty one. The eleven regular staff graduated from Mongolian universities. Their background varies: three had worked as a school teacher, accountant and journalist, four were recent university graduates, two were English language translators, one was a librarian and one was a program coordinator in other NGO. They were all employed in the CHRD after 2000. In 2005, two volunteers worked for CHRD who came from England and Australia. The NGO has fifteen local representatives in 15 *aimags* [provinces] and twenty eight volunteers in Ulaanbaatar, the capital city of Mongolia (ibid.).

The CHRD's main types of activities consist of:

human rights advocacy, litigation, legal counseling, monitoring
and research, organizing seminars and training workshops,
public mobilization, information dissemination, assisting
local citizens in community development, and participating
in national, regional and international networks (ibid.).

In the framework of its research and documentation, the CHRD collects facts on human rights violations, operates as a documentation and information center, and conducts research on specific human rights issues. The monitoring and reporting activities include producing reports on the human rights situation in Mongolia and contributing to reports on the government's compliance with international treaties. For advocacy, the CHRD lobbies the government to sign and ratify those international conventions to which Mongolia is not party; in addition, the CHRD tries to influence and support relevant organizations in Mongolia to change their policies in accordance with international human rights standards. Lastly, for public education, it maintains a website on human rights in Mongolia, prepares handbooks on human rights issues, conducts human rights

educations activities, and produces a newsletter, articles and brochure for dissemination among the population. (ibid.)

The Center is a member of several national and international organizations such as the Network of Human Rights NGOs of Mongolia (since 2002); Forum-Asia (Asian Forum for Human Rights and Development), Thailand (since 2003); APRN Asia Pacific Research Network, Philippines (since 2004); ECPAT (Elimination of Child Prostitution and Trafficking) in Mongolia (since 2004); PANAP (Pesticide Action Network Asia Pacific, member of Task Force for Food Sovereignty and Sustainable Agriculture) (since 2005); APWLD (Asia Pacific Forum on Women, Law and Development), member of Task Force on Women and Environment (since 2005) (ibid.)

3.2.2. Activities of the CHRD

From the beginning, the CHRD has been working on the issue of trafficking in humans with support of the Asia Foundation, Mongolia, since 2003. The Asia Foundation is “a private, non-profit non-governmental organization working to advance mutual interests in United States and Asia Pacific region. Through its programs, the Asia Foundation builds leadership, improves policies, and strengthens institutions to foster greater openness and shared prosperity in the Asia-Pacific region” (www.asiafound.org). Here, we see a classical example of a Northern donor in the global South. The Asia Foundation cooperates with the CHRD only on trafficking issues. Other programs and projects of the CHRD are sponsored by other donors.

The first attempt to study and raise the problem of trafficking in Mongolia was carried out by the CHRD in 2000. This study was sponsored by the Global Alliance

Against Traffic in Women that has pro-sex work approach towards trafficking in women (CHRD 2000: 1). This first study carried out by the CHRD aimed “to reveal and investigate the facts on trafficking, analyze the situation with awareness and understanding of the problem among policymakers, professionals and NGO community and clarify future actions” (CHRD 2000: 3). In this project, there was no definition of trafficking in women; moreover, the CHRD concluded that the concept of trafficking was unclear to the Mongolian public. The 2000 CHRD project on trafficking in women showed that Members of Parliament and police officials did not know what trafficking in women was. The results of a focus discussion showed that the participants equated trafficking with prostitution; none of them mentioned any other forms of forced labor. For example, “32% [of MPs] mentioned cases of selling women and young girls for sex services, providing them with premises for sharing 10% of profits, hiring young girls for dancing in nightclubs as some forms of trafficking in women and children” (CHRD 2000: 9).

Throughout its research, the CHRD did not mention any other elements of trafficking such as debt-bondage or mail-order bride; in addition, this study did not include any information about ‘forced’ and ‘voluntary’ prostitution. Thus, at this level one cannot see clearly what approach towards trafficking the CHRD followed, although, of course, they did cooperate with the pro-sex work GAATW. This study pointed out that the CHRD confused trafficking with smuggling in migrants.

Although the 2000 CHRD study on trafficking showed that the CHRD was confused about the full definition of trafficking (mixing it up with smuggling), it

suggested that there should be more a favorable legal environment for acknowledging the crime of trafficking and more preventive actions taken against trafficking.

The next study was performed by the CHRD in 2002. It was a joint research with the National Human Rights Commission of Mongolia (NHRC) and sponsored by the United Nations Development Program (UNDP). This study showed that the CHRD had become more experienced in the issue, which indicates its success by its ability to learn from its experience. Yet there was still no definition of trafficking in women. It suggested that trafficking in women must be identified more specifically. For example, this study showed the weakness of the Criminal Code of Mongolia that defined trafficking only as “the sale and purchase of persons” (CHRD and NHRC 2002: 11). Moreover, with this study, the CHRD and NHRC lobbied the government of Mongolia to ratify the 2000 UN *Convention against Transnational Organized Crime*, which includes the *Protocol to Prevent, Suppress and Punish Trafficking in Persons*. In addition to lobbying the Government of Mongolia, this study reminded the government that it should implement the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), signed by Mongolia in 1982.

One of the aims of the 2002 study was to put pressure on the Mongolian government, and the Center did succeed in making government of Mongolia include the issue of trafficking in women in the National Program on Promoting Human Rights (CHRD and NHRC 2002: 10). Because the goal of the 2000 CHRD study on trafficking was to identify and analyze facts of traffic in Mongolia, analyze if officials related to combat trafficking are aware of the phenomenon of traffic, and finally, to spell out future

actions (CHRD 2000: 3). Thus, we clearly see that after the 2000 CHRD study the CHRD put pressure on the government.

The 2002 study mentioned the protection of victims for the first time (CHRD and NHRC 2002: 16). During the trial of the first case of trafficking in women, two victims were stigmatized by the judge and victims' photos were printed in daily newspapers. The CHRD commented that printing photos of victims made the public blame victims for practicing prostitution. The CHRD pointed out that the negative attitude of the public could make other victims hide and thus decrease their will to testify and the CHRD emphasized that protection of victims was essential in combating trafficking in women in and from Mongolia (ibid.). The 2002 CHRD and NHRC study also suggested that public knowledge about trafficking must be increased (29). Therefore, it raised the issue of awareness raising, which is one of the activities derived from this study. In addition, the 2002 study raised the issue of the causes of trafficking in women, which were seen as being related to the socio-economic environment of women who are at risk of trafficking.

Nonetheless, because of the lack of the definition of trafficking, the 2002 study still confused trafficking with smuggling in migrants. It mentioned "illegal transfer of North Korean citizens to South Korea" and Mongolian citizens' role as smugglers and Mongolia's role as transit country (CHRD and NHRC 2002: 20). However, as we have seen in chapter 1, although smuggling in migrants and trafficking in women are closely connected, trafficking is distinct from smuggling in migrants. Since its first attempt to study trafficking in and from Mongolia, in 2002 the CHRD had not yet clarified this issue.

In 2000 and 2002 studies, the Center emphasized more state and public awareness and legislation related to trafficking. As an outcome of these two studies, it developed more programs, such as prevention of trafficking, victim protection and improvement of the legal environment.

The next and the largest study by CHRD is *Combating Human Trafficking in Mongolia: Issues and Opportunities* (2005), which was sponsored by the USAID, the World Vision Mongolia and the Asia Foundation and was carried out in 2003-2004. This study finally does give the definition of trafficking from the 2000 UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons*. It was a large study project compared to previous studies; additionally, the 2003-2004 study included information about victims' experiences, women at risk of trafficking and full analysis of the laws of Mongolia related to trafficking in women. It was a more advanced research, because it included in-depth interviews with victims of trafficking, a survey of media announcements, a survey of women engaged in prostitution and a comprehensive analysis of Mongolian laws and policies and law enforcement mechanisms.

The CHRD recommended the Government of Mongolia to ratify *Protocol to Prevent, Suppress and Punish Trafficking in Persons*, to strengthen anti-trafficking related rules and regulations, to approve a new legislation to protect victims and witnesses of trafficking, to raise civil servants' knowledge about trafficking, to increase public awareness in both rural and urban areas and to improve conditions that are related to causes of trafficking (CHRD 2005: pp. 59-61). Thus, this study developed 'umbrella' programs of anti-trafficking such as prevention of trafficking and treatment of victims.

The 2003-2004 research analyzed cases of trafficked women who were kept in debt-bondage in Japan, Macau and China. It also pointed out that women were coerced to practice prostitution. This study clearly identified that trafficking includes coercion and it also recognized that not all prostitutes are victims of trafficking in women. This is a clear indication of the CHRD's approach towards trafficking, namely 'pro-sex approach'.

The 2003-2004 CHRD research differentiates trafficking in women from smuggling in migrants and forced prostitution is trafficking in women. However, it does not mention mail-order bride or forced domestic work as a part of trafficking. In March 2005, the CHRD organized a public launch of the 2003-2004 research report. Approximately 150 participants from NGOs, government agencies, international financial and development organizations, foreign diplomatic missions, ambassadors, and media personnel attended the launch of the report (CHRD 2007). The CHRD comments that along with the research itself the launch of the report "was an important event in that it helped to raise awareness of the issues among stakeholders, provided an opportunity to discuss key challenges, and helped strengthen the networks among those who work on human trafficking" (ibid.).

The CHRD broadened its effort to improve and update training techniques and course materials. A training program for legal officials and literate and illiterate individuals at risk was held in June 2005, at the border town of Zamiin-Uud in the South of Mongolia. This training program utilized a more interactive approach than in the past. An improved training manual for a mixed group of prosecutors, judges, police, advocates, media people, social workers, medical workers and governors was developed. Looking at

the activity plans of this organization, “to organiz[e] seminars and workshops” and basing on its accountability, we can see here that it is fulfilling its proposed activity.

In the framework of awareness raising activity, the CHRD produced two documentaries about trafficking in women, which were broadcasted on five television channels, and copies were distributed to the Intelligence School, the Police office of Zamiin–Uud border town, and 21 provinces of Mongolia. In addition, the CHRD also produced ten thousand educational leaflets about the crime of trafficking were produced and distributed for the purpose to increase public awareness. The leaflets include contact addresses of organizations that provide assistance to victims in the destination countries. These leaflets were distributed to the public at the airport, railway stations, and travel agencies. (CHRD 2007)

Victim protection is another activity carried out by the CHRD. Mainly, it focuses on legal counseling for victims. In its report *Protecting Victims*, the CHRD lists names of lawyers and their information and information about victims (CHRD 2006). This study evaluates that since the beginning of CHRD anti-trafficking activities such as distribution of leaflets and broadcasting programs on TV, the number of victims who request legal assistance increased. In the first six months of 2006, the CHRD was working on four cases, whereas in October 2006, the study showed thirteen cases. The legal counseling is provided not only for victims, there are also requests from families of women who went abroad to work and disappeared or went abroad after marrying a foreign person, and call their families that they are experiencing difficulties. The CHRD also lists the difficulties they face. Although the CHRD would like to help the families of victims and find their daughters or sisters, there are financial problems, which do not allow the CHRD workers

or these families to travel abroad. Even so, the CHRD helps victims and their families by contacting local embassies and consulates and providing counseling service.

Improvement of laws is one of the important activities carried out by the CHRD. By this activity, the CHRD lobbies the government to amend laws. *Zar surtalchihlgaany tukhai khuuliig saijruulakh beltgel ajil* [Preliminary Work to Improve the Law on Advertisement] analyses the existing law on advertisement, and gives recommendation to the state amend some articles, for example, to include an article to ban suspicious advertisements that can harm a person's rights and freedom (CHRD 2006). However, the Law on Advertisement has not been amended yet.

It was suggested before that assessing NGO performance is a complex activity (Edwards and Hulme 1995: 6, Fowler 1995: 149, Smillie 1995: 161). Edwards and Hulme recommend that since NGO performance is "a messy business," long-term and short-term results should be discussed separately (1995: 6 and 12). Moreover, because any NGO is involved in projects, assessment of the organization should be separated from project evaluation.

In order to answer one of the central questions of this thesis, to what extend the anti-trafficking activities of CHRD are successful, I look at the long-term results of its activities. The CHRD has carrying out anti-trafficking activities for more than five years. The 2000, 2002, 2003-2004 studies were preliminary studies to research the nature of trafficking in women and find out future activities.

As it appears in section 3.1, ability to learn from experience is an indicator of success of any NGO performance. Although the 2000 and 2002 CHRD studies did not identify the definition of trafficking in women, the 2003-2004 study did. As the CHRD's

research has been becoming more specific, its role as anti-trafficking group became more important. This can be explained by the fact that more victims and their families receive assistance from this organization, because the CHRD became more visible in public as an anti-trafficking group.

Lastly, the most important part of NGO performance assessment is its influence on government. Along with other NGOs and organizations, the CHRD lobbied the government of Mongolia to initiate National Plan of Action against Human Trafficking and Sexual Exploitation of Children, Girls and Young Women. As a result, the National Plan was adopted by the Government of Mongolia in November 2005. (CHRD 2007)

The 2003-2004 studies show that the main destination where Mongolian women are trafficked to is Macau, China. Mongolian citizens travel to China with no visa and only three consulates operate in China (cities Beijing, Huhhot, Erlian). However, there is no Mongolian consulate or other state representative in Macau. Therefore, the CHRD suggested the government of Mongolia to establish a permanent consulate in Macau. The issue of establishing a consulate in Macau has been discussed at the state level and there is hope that this will happen in the near future (CHRD 2007).

In overall, by looking at its performance such as ability to learn from experience, influence on government and accountability, one can conclude that the CHRD's long-term performance to in general has been successful.

Conclusions

This thesis has discussed anti-trafficking activities, with a focus on one Mongolian NGO, The Centre for Human Rights and Development (CHRD), which aims to combat the traffic in women. The main questions of the thesis were: 1) How is the Mongolian non-governmental organization, the Center for Human Rights and Development, involved in fighting against the traffic in women in and from Mongolia? 2) To what extent is the CHRD successful and effective, and what explains its successes or failures? ? In order to answer these questions and to establish the broader context, I studied scholarly literature about anti-trafficking and NGOs in Central and Eastern Europe, and material produced by the CHRD since 2000.

Chapter 1, “Trafficking in Women,” discussed the global phenomenon of trafficking in women. It mentioned the history of trafficking in women, and the terms used when trafficking is discussed by anti-trafficking activists. Then, it presented the United Nations’ definition of trafficking and the scholarly work about anti-trafficking activities – with a focus on the difference between the so-called “neo-abolitionist” and the pro—sex work approaches – and discussed the consequences of these different interpretations and approaches. This chapter also outlined the global causes and consequences of trafficking in women, and discussed the different methods and activities of a number of well-known international NGOs to combat and prevent trafficking and to treat victims of trafficking in women.

Chapter 2, “The Current Situation of Trafficking in Women in Mongolia,” focused on the characteristics of trafficking in women in Mongolia. This chapter presented background information about Mongolia and women’s situation in socialist and

post-socialist times. It also described the current problematic social and economic situation in the country, which has clearly contributed to the recent increase in the traffic of women in and from Mongolia.

Chapter 3 focused on a Mongolian NGO's involvement in combating trafficking in women: the Center for Human Rights and Development (CHRD). First of all, it discussed the scholarly literature about the role of NGOs in civil society building in post-state socialist countries, including the question of how NGO activities and effectiveness can be properly assessed. Referring back to the findings of Chapter 1 and 2, Chapter 3 also asked to what extent the CHRD's activities to combat traffic depend on its views on trafficking.

My research has yielded the following findings. The CHRD is one of the few NGOs in Mongolia that combat trafficking in human beings, including trafficking in women. It has done several studies on the nature of trafficking in Mongolia. The CHRD has initiated programs and projects on a national level to prevent trafficking, which include lobbying the Government of Mongolia to amend its existing laws related to the nature of trafficking, to ratify international protocols and conventions, to provide a legally favorable environment for victims and witnesses of trafficking, to provide legal and psychological assistance to victims and to represent Mongolia on an international level (CHRD 2007).

The CHRD does not follow a 'neo-abolitionist' approach towards trafficking in women but, interestingly, does not fully support the 'pro-sex work' approach either, because it does not acknowledge 'voluntary' prostitution as legitimate labor. It seems therefore that there are more approaches in anti-trafficking work than the either/or

polarization in the literature suggests.. With respect to my second question, the CHRD fully learns from its experience, has managed to influence the government and has an effective accountability. Therefore, one can conclude that the CHRD's long-term performance has been successful.

NGO involvement in combating trafficking in women in and from Mongolia can be studied from different angles. Future researches might want to compare Mongolian NGO involvement in combating trafficking in women with that of other NGOs in Asia, if only to develop more strategies to combat trafficking.

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