



**ERASMUS MUNDUS MASTER
IN WOMEN'S AND GENDER STUDIES**

Theoretical reading on 'Trafficking' in Women for the purpose of Sexual Exploitation in Prostitution. Case of study: Colombia

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ABSTRACT

The trafficking of women as a widespread phenomenon is a complex topic with manifold consequences which have a direct bearing on the manner in which the problem of trafficking is understood by regulatory institutions and their proposed solutions. Governmental strategy must respond to this multidimensional phenomenon through state tools to counteract the effects of crime and recognize that women, men, children and adolescents may be vulnerable to this scourge indiscriminately. Nevertheless, we must recognize that, due to cultural facts, women and girls make up the majority of its victims and specific actions are required for them.

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LIST OF ABBREVIATIONS

CATW	Coalition Against Trafficking in Women
GAATW	Global Alliance Against Trafficking in Women
IACHR	Inter-American Commission on Human Rights
ILO	International Labour Organization
NGO	Non Governmental Organization
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization

INTRODUCTION

Prostitution and trafficking in women is a topic increasingly discussed in the international arena and in Colombia as well. Indeed, although prostitution is the central issue of this thesis, and although the theoretical perspective develops according to prostitution, the problematic under analysis and my purpose is to analyse the relationship between prostitution trafficking and the discussion of prostitution within anti-trafficking debate. Those concepts are I will argue, instruments of social control over prostitution inscribed in legal practice and are legitimized by states as Colombia.

Suggestions are made for legalization as well criminalization of prostitution within trafficking discussion. It constitutes a public awareness of prostitution as a problem. Women, men, children and teenagers may be vulnerable to slavery or exploitive situations in different activities. However, in the case of sexual exploitation in prostitution, women have become the most significant objects of consumption for the sexual market. I will examine the process of objectification of prostitutes and trafficked women because they are subject to gendered exclusion in national and transnational agendas. Dominant discourses lump them all into the same category and attribute to them a common set of characteristics as 'those women', meaning 'prostitutes'.

Therefore the novelty and the purpose of the thesis is to include interviews with prostituted women, because research about trafficking don't study what prostituted women themselves think, how they got into prostitution and who they are.

Petherson (1996) argues that prostitution functions as a prism in "deviating attention, decomposing understanding and deforming reality" (Petherson, 1996: 7). The projection object within prostitution are women identified as prostitutes, they are as any social group, a construction; prostitutes are socially stigmatized because of their activity and they are not

considered persons who ‘freely choose’ prostitution. Pheterson (1996) pointed out that prostitution laws codify states and society, they reinforce control “of women’s sexual, reproductive and economic behaviour” (Pheterson, 1996: 16). It is important to stress that prostitution stigmatization serves to support the sexist social control of women.

Trafficking in women is a constructed topic and, as a result of it being morally equated with prostitution, it tends to justify violations of women's rights by further criminalizing prostitution without taking its causes and social effects into account. In this thesis based on the interviews with women I suggest that not all victims of trafficking are prostitutes and that there is a difference between trafficking, sexual exploitation and prostitution. Sexual exploitation in prostitution is only one purpose of trafficking; not all victims of trafficking are prostitutes and not all prostitutes are victims of trafficking. Therefore all the debate around trafficking is focusing just in prostitution.

The international visibility of trafficking in persons –or ‘human trafficking’- started from feminist discussions around prostitution which were eventually conflated with trafficking. The central goal of my research is to study how the feminist debate supports the trafficking debate, how it is constructed the international discourse over female prostitution and linked with trafficking, how Colombia incorporates international and feminist discussions about ‘trafficking’ within its own national context and legislation, I begin by explaining the theoretical framework that allows us to understand female prostitute bodies and intimate citizenship. Then I will explain the leading feminist debates surrounding the subject of prostitution: abolitionism, regulationism and finally ‘queer’ theory. As I have stated above, the main idea is to explain the international construction of prostitution and its link with trafficking. I will study the influence of feminism in the political and legal construction of prostitution insomuch as they link with trafficking and as they continue dominating scholarly writing and understandings of it. In the specific case of Colombia, I will use information

from international and Colombian legislation to examine the ways in which prostitution has been constructed in medical discourse in the case of Colombia in the Bogotá Capital District to understand the Colombian dynamic of this issue.

Since its inclusion within international arena, the whole debate around trafficking has focused on the abolition of prostitution; this issue still remains central to the current discussion on ‘eliminating trafficking.’ Therefore, is necessary to deconstruct the anti-‘trafficking’-prevalent discourse which focuses on prostitution as the only purpose of ‘trafficking.’ This should not be construed as a denial that some women in the sexual market are doing this activity in slavery conditions, but neither does it deny that it is possible to ‘choose’ prostitution as an economical activity.

Trafficking is a global phenomenon that is, though lacking in understanding, gaining in importance and hopefully the allocation of resources. (Wijers, Marjan, 1998: 69) That argument is supported by the United Nations; the recognized international organization gives primacy to the problem of trafficking because it is recognized to be the third most lucrative business in the world behind the arms trade and the trade in narcotics. Consequently, the UN fosters international pressure against trafficking and towards its abolition.

My research analyzes the discourse on trafficking in women for the purpose of sexual exploitation in prostitution. I will do a theoretical read of trafficking and its relation to the female prostitution debate because both discourses are conflated within the international anti-trafficking campaign, though I will focus this analysis on the female prostitution debate since trafficking is generally understood as prostitution. Prostitutes are considered ‘victims,’ slaves and ‘trafficked’ women. Therefore, in order to comprehend ‘trafficking’ one must first analyze prostitution; this will further allow us to understand the close relationship between both of them and to figure out why the sexual exploitation in prostitution is more visible than the other purposes of trafficking within both international and Colombian arenas.

Although Colombia as a state recognizes the various purposes of trafficking, they nonetheless perpetuate misconceptions that equate trafficking to prostitution and assume that all prostitutes are sexually exploited. The frame of international discussion reinforces the powerlessness of prostitutes because I am claiming there is not possible distinction between sexual exploitation and prostitution under non-slave conditions.

Colombia is my case study because it is a statistically significant country of origin, transit and destination of victims of trafficking. (UNODC, 2006) Colombia has an international importance within the South America context, (United Nations, 2003) this makes the phenomenon in Colombia a large and complex issue with multiple challenges.

Women and girls are most vulnerable to trafficking and therefore require specific measures to protect them. My research subjects are women and not men because trafficking is a growing problem which affects women disproportionately and with greater evidence of female prostitution. Increasing numbers of Colombian women arrive over the border and are convinced by international crime rings to travel to other countries where they wind up in prostitution. (UNODC, 2006) For the International Organization of Migration –IOM-, in 2001 35,000 women annually were trafficked out of Colombia and about 500,000 Colombian women and children were in forced prostitution or forced labour. (IOM, 2001: 3) Moreover, according to the UN, between 20 and 50 women from other Andean countries are trafficked through Colombia each week. (United Nations, 2003)

‘Trafficking’ is represented within political and public discourses in Colombia in different ways which construct prostitution as a ‘problem’ to be debated. This discourse on trafficking emphasizes the concepts of slavery and consent in prostitution as important notions which differentiate personal choices and slavery situations in this specific activity. Slavery and consent in prostitution are discussed within international anti-trafficking debate

and they are topics long debated by feminist theory from abolitionist, regulationist to queer theory.

I am claiming the feminist debates reproduce two parallel discourses and two parallel agendas: abolitionism and regulationism. Now, a new post-modern feminist point of view to understand 'trafficking' has surfaced: so-called 'queer' theory which is analysing the power structures of sexual practices.

The debate on prostitution started with abolitionist feminists in the late 1980s; this was the position of the international women's movement from the end of the 19th century. They asked for the political recognition of prostitution as an activity of female slavery that must be condemned and subsequently as the main manifestation of trafficking. When 'trafficking' entered through international agreements in the global agenda it was institutionalized within the international arena; it was and is an issue discussed by different actors: multilateral and international organizations, states, NGOs and feminist civil society.

Abolitionist feminism discourse defines prostitution as a violation of human rights and as a coercive activity. This dominant discourse on trafficking in women is promoted and supported by the United Nations –UN- and as a consequence by states ratifying UN conventions. The UN's position is an institutional viewpoint of trafficking and abolitionist feminists are working within this view in the Coalition Against Trafficking in Women - CATW- founded by Kathleen Barry. Consequently, the abolition of prostitution is the main argument to abolish trafficking in women.

The inclusion of prostitution in the discourse on trafficking is problematic in that prostitution is automatically regarded as the only manifestation of trafficking and as a slavery activity. This perspective is promoted by the most recognized organizations such as CATW and by some states, e.g. Colombia. This fact explains why both CATW and Colombian state

do not recognize the self-determination of prostitutes to sell a service, sexual service, even though coercion does not exist in all cases of prostitution.

The other agenda is the regulations perspective; it talks about the right of women's self determination and sees prostitution as a 'choice' rather than a product of coercion. Some civil institutions and NGOs support this argument, the Global Alliance Against Trafficking in Women (GAATW) being the most representative; it distinguishes between forced and 'voluntary' prostitution and respects the right of women's self determination.

Finally, the new feminist perspective is 'queer theory' which categorizes prostitution as a form of violence against women masquerading as 'choice' or 'agency.' Prostituted women are a 'sexual minority'; they are not totally sexually liberated because they have to sell their sexuality to survive. 'Queer' perspective understands prostitution as an objectification of women because their bodies are treated as 'objects for others to use.' In this view, it is not the body which is problematic, but rather the gender construction of the body used to enforce social control and the creation of 'male supremacist society' and the powerlessness of women. Social control reinforces sexual and physical violation over people, especially over women by men. Prostitution exists, not because it is the 'oldest profession', but because we are in an oppressive society which justifies slavery in relation to women and where prostitution has a meaning only in terms of power relations. (Jeffreys: 1994)

This thesis will provide direct first hand data from the perspective of those treated with condescension in society: prostitutes. The existing 'trafficking' framework *mutes* the 'real' experiences of prostitutes and sexual exploited for the purpose of 'trafficking.' This thesis is not about telling 'The Truth,' it is about revealing the interface of conflicting perspectives and even opposing 'styles' reflecting power relations. My contribution is to call such dominant narratives into question in order to give visibility and evidence to alternative narratives, in this case those of the 'objects' of the mainstream discourse who are used to rationalize laws and

treatments. It is within the frame of prostitute narratives that I will reinforce my point about the misunderstanding of trafficking in the dominant discourses. I will explain that not all prostitutes are ‘victims’ of slavery but it is possible to have sexual exploitation in prostitution coexisting with ‘consent.’ I will support my arguments with three Colombian prostitute interviews that I made in different cities: Bogotá (Appendix No. 1 Sulma Manco), Santa Marta (Appendix No. 2 Neydis Carola) and Cartagena de Indias (Appendix No. 3 Diana) and two cases from researches by GAATW (Margarita and Shenaz). I will explain the methodological implications of using these interviews in a separate chapter. The aim of this material is to give evidence to prostitute experiences in Colombia and abroad and trafficked women, both internally and externally, including those who are not sexual exploited (Shenaz). This data will demonstrate the necessity of condemning all slaving activities in all economic and lucrative activities and we should not focus all attention on prostitution.

CHAPTER 1: BETWEEN CITIZENSHIP, THE SEXUAL CITIZEN AND INTIMATE CITIZENSHIP

The relationship between bodies and sexuality can be conceptualised differently. We need to move beyond citizenship to intimate citizenship and to a concept of the sexual citizen; not all forms of sexual citizenship are treated equally in their social environment. Therefore, the relation between prostitution and trafficking needs to be explored because now both of them are understood as an issue which has consequences for prostitutes and the intimate life of women in general. That is the main reason to ask why control of women over their bodies is a necessary condition for their full exercise of citizenship. To answer this question I will focus on one dimension of citizenship -intimate citizenship- in order to analyse body issues specially linked with prostitution.

The conceptualization of intimate citizenship comes from the work of Ken Plummer (1995). Plummer (2003) proposes sexuality as a zone of intimacy that needs to be explored thus he suggests the concept of intimate citizenship to link the ways “of doing the personal and intimate life” (14) and the array of choices around sexuality in private and public spheres. Within the public sphere emerges “intimate troubles” around the issue of “intimacy in the private life of individuals” (13) e.g. sexuality of prostitutes (Plummer, 2003:13-15). From that explanation, prostitution as a public sphere requires the analysis of the contestations and discussions constructed by feminists about the sexuality of prostitutes—namely Abolitionism, Regulationism and Queer- and how these are influencing the personal and intimate life of prostitutes.

Ideas about citizenship are supported upon assumptions about sexuality –hegemonic heterosexuality- and citizens are constructed as normative (hetero)sexual subjects. Accordingly, states ‘legitimately’ have power over bodies, principally female bodies; they

institutionalize control over them in the name of guaranteeing the basic human rights and integrity of these female bodies.

1.1 Citizenship and identity

Citizenship often is debated as a political concept that creates discussions around the body and sexuality. Therefore in this section I am arguing following Richardson (2000) though that sexuality is a social construction which reaffirms dominant assumptions and ideas of normality and heterosexuality. Citizenship is a status associated with 'the institutionalization' of heterosexuality and the privileged male (Richardson 2000:261-266).

For Plummer (2003) the concept of citizenship signifies a unitary and exclusive group within a certain framework of values reinforced by the dominant subgroup. The social status of citizen also creates an 'other' who is not a citizen e.g. prostitutes; this basic principle is well established through different traditions: the first one is the classical liberal model, it focuses on the rights and obligations of citizens. The second model is linked to communitarianism and republicanism which emphasize civil participation of citizens. The third model aim is to prevent "state abuses and greed of market." (51) (Plummer, 2003:50-53).

Both citizenship and identity emphasize the idea that "life is lived within certain boundaries and is guided by some sense of continuities, connection and sameness." Citizenship is a concept that denotes the participation in a group or community through which certain rights and obligations are ascribed. Identity signifies who is and who is not; in the context of intimacies, this constructs the history of an individual and creates differentiations between people expressed by statements such as 'I am gay,' 'I am a prostitute,' 'I am her husband,' etc. These groups of individuals create new 'citizen identities' such as lesbians and gays, married couples and families, single parents etc. -I suggest prostitutes.- These newly

emerging groups of citizens are part of the culture, the language, and provide new personal identities (Plummer, 2003:50).

1.1.1 Sexual citizenship

Citizenship is based on heterosexual principles and practices; it is a construction of an ideal image of the citizen. For Evans (1993), sexuality is a central concern of human beings and an intermediary that helps to define personalities. This creates the sexualisation of societies and a special public interest in handling the body and identifying abnormalities and deviations, i.e. female prostitution. (Evans 1993:1-14)

Sexuality is an aspect of social life, being “natural, personal and private” (Evans 1993:47). It is linked with the body and creates new discourses about the female body, politicizing sexuality and generating academic discussions about sexual citizenship. Different models of citizenship have political and policy implications regarding who they include and exclude depending on sexual status. As a result, sexuality is one of the main ways in which intimate citizenship is analyzed.

There many categories of sexual citizenship: the homosexual, the bisexual, the transvestite, the transsexual, the child, the female, etc. (Evans, 1993:8). This thesis will center on female sexual citizenship.

Richardson (2000) pointed out, citing David Evans, that sexual citizenship is constructed “as a membership of sexual communities, with rights and privileges determined by individuals” (257). The concept of citizenship is articulated as forms of participation and exclusion of particular sexual constituencies, “lesbian citizen, the queer citizen and so on” (Richardson, 2000: 262). This concept is important because the citizenship is constructed

based on the sexual identity and consequently the intimate identity is controversial as happens with prostitution as I will explain below.

1.1.2 Intimate citizenship

The key category for this thesis is intimate citizenship which recognizes “emerging intimacy groups and identities, along with their rights, responsibilities, and need for recognition in emerging zones of conflict” (Plummer 2003:68). It also refers to areas of life that appear to be personal but they are regulated in the public sphere as is the case with prostitution. Prostitution would seem to offer a good example of where citizenship, in this case intimate citizenship, is mediated via the public sphere.

Citing Plummer, Lisa Smyth argues that the concept of intimate citizenship explains conflicts and contestations linked with practices and processes of intimate life. This concept deals with aspects of ‘private’ life beyond the public concern of citizenship to understand a socio-political context. For Smyth, Plummer is a theoretical innovator because he includes ‘intimate’ contexts and issues such as family life, sexuality, gender, reproduction, and bodily transformation (Smyth 2007:2). Smyth argues that ‘citizenship affects intimate aspects of life,’ because the distinction between public and private life is problematic as is any choice within options available to us (Smyth 2007:2). For the purposes of this research, the definition of intimate/personal choice refers to the “close relationships between adults both sexual and non-sexual,” (Roseneil 2009:11) and the concept of intimate citizenship is used in contradistinction to ‘gender-neutral’ definitions (Richardson 2000:263).

According to Plummer, intimate citizenship is a project which focuses on making decisions “over the control (or not) over one’s body, feelings, relationships; access (or not) to representations, relationships, public spaces, etc; and socially grounded choices (or not) about

identities, gender experience; erotic experiences” (Roseneil 2009:11). This is a free ability which comes from a personal choice to “construct and live selfhood and close relationships safely, securely” (Plummer 2003:14). Consequently, its exercise includes “rights, responsibilities and capacities” (Roseneil 2009:10-11).

The concept of ‘intimacy’ refers to issues such as family life, sexuality, reproductive technologies, the relationship between public, private and political recognition. According to Plummer, the new social order controls the lives of people and facilitates the public appearance of certain problems surrounding issues of privacy and individualism (Plummer 2003:8-14).

Elzbieta Oleksy, referencing Plummer, explains his definition of intimate citizenship as the “rights concerning people’s choices about their bodies, emotions, relationships, and desires, and proposes adding ‘intimate citizenship’ to the traditional models of political, social, and civil rights” (Oleksy 2009:85). Plummer (2003) argues that we are in a world of intimate troubles which oblige us to confront an array of “*choices* in our personal life” (4) around sexualities, so-called sexual orientation and sexual preference. It addresses to the main topic of my work, prostitution, as “non-procreative, non-penetrative, non-reproductive, *and recreational*” (5). This is linked to families, gender, bodies, identities, and sexualities; it asks how women gain autonomy over their bodies and their lives (Plummer 2003:4-5).

For Plummer (2003) intimacy means a “close association between two people and an overall attitude of *loving, sharing and caring*.” (12) In the modern world there are some forms of intimacy manifested by relationships: couple, friend and kin, parent-child, and sexual relationship.” (12) (Plummer, 2003: 12) For this work, I am dealing with the sexual relationship in a certain kind of manifestation, prostitution, which emerged within modern intimacies as an issue debated hotly because the body is a central element in understanding intimacies and the personal lives of women.

CHAPTER 2: READING OF PROSTITUTION

Reading of prostitution is important in order to understand why the body of prostitutes is a controversial issue. I am arguing that the body is a construction and the female body politicises and dichotomises the category ‘woman.’ The identity of women is based around topics of sexuality that characterises women between ‘good’ and ‘bad.’ Consequently, prostitutes are bad women and their identities are constructed negatively as the ‘other.’

My purpose with this chapter is to provide evidence about the problematic construction of the prostitute body and the prostitute identity. I suggest that even the category prostitute is based on symbolic representations of the female body and trafficking and prostitution of women are controversial issues because construct and reproduce a negative image of prostitutes and reinforces stereotypes of prostitution.

2.1 Female body

The body is a social phenomenon because it influences a person in terms of image. Shannon Bell argues that the debate about prostitution within feminism is important because the prostitute body is a place of contestations about “sexuality, desire, and the writing of the female body” (Bell 1994:3). Today the body is a women-centred issue. Women around the world, including prostitutes, have argued for self-determination over matters concerning the body and for changes the traditional political, legal and social controls over women’s bodies (Outshoorn 2008). Outshoorn says that a number of issues remain controversial: abortion, contraceptive rights, domestic violence, sexual violence, female sexualities, sexual orientation, trafficking and prostitution of women; my work focuses on the last two.

Bell (1994) points out that the modern construction and reproduction of the prostitute body is negative because it focuses on “undeniable suffering and oppression” (2). Modernity,

through a process of 'othering', produces and reproduces the prostitute as 'the other of the other' within the categorical 'other woman' (4).

The distinction drawn between the prostitute and everyone else perpetuates her exclusion from rights to freedom from violence at work (Kamala and Jo 1998:65). Modern prostitution's codification has politicized prostitute identities through the process of othering that finally constructs the prostitute body. The identity of otherness inside the category 'woman' produces dichotomies which deny women active sexual desire and pleasure. This dichotomy divides the female into 'good' and 'bad' woman; this is applied to all women: virtuous woman/whore, normal/abnormal, licit/illicit, wife/prostitute, virgin/whore, Madonna/prostitute, chaste/licentious, reproductive body/ un(re)productive body (Bell 1994:39-41, Kamala and Doezeema 1998: 5-6). This social division creates categories between women and it generates a stigmatization based in moral values as happens with female prostitution. This is linked with the main argument of the thesis because

2.2 Prostitute as a category

I am not a prostitute
(Pheterson, 1996: 12)

Stigmatization is a socially negative status built from the dichotomies that I described above and prostitution is a category which describes 'bad women'. In words of Gail Pheterson (1996), prostitution is an "obstacle" because stigmatizes women "who are suspected of being or acting like prostitutes" (30). According to Pheterson, any woman acquires the "social statuses of prostitutes" (31) when they are suspected of asking for money or commodities for sex. Because legislation controls this activity, prostitutes are vulnerable to legal controls. Consequently, prostitutes are a social category –a negative status- that

means “they are typically associated with disease and sexual pleasure” (Pheterson 1996: 30-31).

Pheterson (1996) argues that some researches of prostitution claim that “it is literally impossible to obtain representative samples” (35). She (1996) disputes this claim and disagrees that these researchers do not question “the social status of ‘prostitute.’” (31) (Pheterson, 1996: 31-35). This category is methodologically problematic because it creates negative images of prostitutes and in some cases reinforces stereotypes related to the body, sexuality and identity, an issue that I will return to below.

2.2.1 Definition of prostitution

Prostitution exists, at least in part, because of the power and status differentials between men and women in most societies. This imbalance is reflected in the double standards of sexual behavior and economic power for men and women, with men institutionally having more access to and control of money than women. In virtually all countries, men earn more for the same or equivalent work than do women (with notable exception of prostitutes). (Delacoste and Priscilla 1998:190)

Prostitution has been a subject of controversy and scrutiny. For centuries, politicians, reformers, and religious and medical authorities have debated whether the prostitution of women should be entitled, prohibited, tolerated, regulated or abolished; the prostitute has become a symbol of social disruption, immorality and disease (De Piedra 1998:3; Pheterson 1989:12). The first urban civilizations in Babylon, Egypt and Phoenicia founded prostitution as ritual of hospitality and ‘sexual entertainment,’ (Fundación solidaridad Democrática 1988:11) but today it has acquired different connotations due to religious convictions and medical and political discourses to become a social problem.

Prostitution means the sale of sexual services for money, goods, services, commodities or other remuneration for a prostitute. In most cases these 'sex workers' are women, however, transvestites, children and gigolos often fill this role as well. Its consequences such as sexual exploitation by organized crime and/or pimps, venereal disease, drug abuse, physical abuse of clients and the lack or non-payment are harmful. Sex is a morally charged activity that is often stigmatized as 'immoral' when conducted outside of marriage. Thus, though prostitution is accepted as a profession, the income produced by this 'work' is described as dirty even though it may be a lifestyle that allows the survival of its practitioners and their families (Bell, 1994; Doezenia 1997; Fundación solidaridad Democrática, Kempadoo and Doezenia, 1998; 1988; Pheterson 1995; 1998).

Prostitution is a public concern assumed to be inevitable; it is politicized because it tends to generate a great deal of conflict. The practice of prostitution can result in 'sexual exploitation' by organized crime or pimps¹, venereal disease and drug abuse as well as sexual abuse by 'clients' who refuse to pay for their sexual services.

Prostitution can be conceptualised as a 'moral panic' because of the effects of disease and its prevention (Kempadoo 2005:vii-xxxi; Kullick 2003:208). According to Goode (1994), panics are explained and understood within medical discourse. Prostitution is regarded as an excellent vehicle for the dissemination of syphilis and other venereal diseases by health authorities and Christian moralists. In the words of Sophie Day, "the 'prostitute's' body is inscribed as a site of disease and a source of contagion" (Day 2004:139). Consequently, prostitution was medicalized and regulated as a mechanism for controlling venereal disease through a discourse against syphilis, its treatment being medical intervention (Barry 1995:92). Medicalization means the 'best' solution for a specific social complexity which was not

¹ The pimps are collectors of women as potential victims, through strategies aimed at persuading friendship or love through cunning, deceit or even physical force to become prostitutes.

previously understood as illnesses but now is defined and treated as medical problem. (Fendrich, Michael, 2010)

Some actors during a moral panic such as the state, the church and doctors exaggerate prostitution as an inevitable phenomenon and equate the panic to a disaster while controlling society by dividing it into 'them' and 'us' (Goode:1994). These influential institutions tend to protect their interests in their capacity to use moral panic against the 'others', namely prostitutes, to mark off social boundaries in medical terms (Obregón 2002).

The first historical references of medicalization which is so important for the Colombian case because come from France with the examination of Parisian prostitutes by physicians. During the French Revolution, initially in France and in Germany and then across Europe, public institutions regulated prostitution to 'protect soldiers' as the best way to prevent disease. Prostitutes were forced to report cases of infection; they were registered and obliged to submit semi-weekly examinations (Barry 1995:91-92).

Under this power, they were able to regulate behaviours as a standard set for the whole population. During this period many people perceived prostitution as a terrible vice, a social cancer, generating a plague of diseases to be extinguished and combated. Prostitutes were given a certificate stating their health status and their next appointment date. Because the risk of pollution was high, prostitutes were monitored constantly to prevent the spread of 'venereal disease.' Women who were sick were hospitalized and treated until their complete healing (Obregón 2002:163).

Between 1864 and 1869 in England and Ireland the Contagious Diseases Acts regulated prostitution through abolitionism, a Victorian feminist perspective. This campaign against prostitution had the purpose of 'protect' British soldiers from diseases (Barry 1995:91-92; Doezeema 2001:23; Walkowitz 1980:1-31). The extension of anti-slavery

discourse is still present, not just in England and Ireland, but in many countries including Colombia.

CHAPTER 3: THE FEMINIST DEBATE AROUND PROSTITUTION

Much depends on the case of why you are forced to engage in prostitution.

Because there are several cases.

That led deceived or are subject or commitments.

Then you have to look the specific case.

(From the interview with Sulma)

Prostitution and ‘trafficking’ are relevant issues on different levels of multilateral, national and local discourses. I will explain in this section something different that in previous chapters related about prostitution. Here I will explain the feminist debate over a women’s right to ‘choose’ within which the issue of prostitution leads public discourses around intimacy and sexuality. Around the issue of prostitution as I argued before we can find three feminist interpretations: abolitionism, regulationism, and the ‘queer’ theory. All ideological points of views about prostitution have different opinions and concerns about whether or not a person can ‘choose’ prostitution as an income activity. I analyze based on the previous statements I am going beyond that focusing on ‘consent’ are constructed models of women’s freedom and the ‘consent’ is not merely the presence of available options for women; because before ‘consent’ there must be self-determination (Plummer 2003:42, citing Raymond Janice1994).

3.1 ‘Slavery’ and ‘consent’

The consent is a key category in my interviews. Therefore I am analysing in details what the conceptual dichotomy of ‘consent’ and ‘slavery’ forms of prostitution mirrors the dichotomous framework discourse over trafficking (Kempadoo, 1998: 33). This conceptualization negatively influences the signification of ‘trafficking’ as we will see below because this dichotomy leads to other way to deny sex workers' human rights. The distinction

between ‘consent’ -voluntary- and ‘slavery’ -forced- prostitution creates a false dichotomy between sex workers. This dichotomous idea over prostitution created a sense of the “liberated western whores who are free to choose their profession... and forced trafficked Third world victims” (Kempadoo, 1998: 30).

Women’s ‘consent’ applies to the self-chosen decisions about their own bodies, including their sexuality and sexual relationships. However, the sexual accessibility of women’s bodies by men is a product of the social power of men and the existing cultural hierarchies which objectify bodies and sexuality (Barry 1995:22-26). Within power relations of domination we have to question the concept of ‘consent’ because there are many determinates of consensual decision-making; in the case of prostitution we must focus on those economic reasons. It is not possible to conceive of ‘consensual’ prostitution without autonomous decision-making about women’s-own sexuality and therefore with women’s bodies the ‘consent’ is questionable.

According to Bindman (1998), the concept of slavery “is not inherent to the sex industry” (31) but is still possible in prostitution because prostitutes are marginalized workers in the sex industry. Slavery is a condition “whenever and wherever workers are denied basic human rights and freedom” (Bindman, 1998: 31).

Pheterson argues that many women use prostitution as an “escape from prosecution, poverty, abuse and/or tedium at home” and “the lack of choice is not inherent to prostitution but rather to abuse, poverty, racism, drug addiction, poor working conditions, inexperience, and/or despair.” Prostitutes or ‘sex workers’ want to change their work circumstances though they are necessitated by their trade (Pheterson 1996:39).

Finally, I am arguing cannot be reduced to an understanding that all prostitutes are enslaved. We must reject all forms of slavery but not focus attention exclusively on

prostitution solely because it is a type of non-reproductive sexuality for which access must be paid.

3.2 Abolitionism

The first feminist interpretation of prostitution is the abolitionism. Its analysis of prostitution within international agendas started during the nineteenth century and was influenced by Josephine Butler. She was the first who brought the issue of the ‘white slave trade’ to international attention. Her feminist campaign began by repealing the Contagious Diseases Acts in Britain under these acts the category of ‘common prostitute’ was institutionalized. Prostitutes were obligated to undergo internal examination and if they were infected they were interned in special hospitals (Barry 1995:235-239; Doezeema 1998:35).

The abolitionism perspective seeks to establish the idea that “all prostitution is illegal and both prostitutes and customers are criminals” as are their pimps because “pimps earn income from prostitution” (Barry 1995:222). This point of view is against independent state regulation of prostitution and instead supports an international position on it.

The abolitionist perspective delegitimizes the legalization of prostitution. This discourse is rooted in the work of Catherine MacKinnon (1987) and Kathleen Barry (1981) (Barry 1995; Delacoste and Priscilla 1998:224; Murray 1998:59). The abolitionist legislative model holds that prostitution is not itself as Mackinnon (1987) argues that sexuality is a site of social oppression, something “stolen, sold, bought, battered or exchanged by others” for the benefit to men. (Mackinnon, 1987:59) Within her construction of female sexuality, prostitution benefits males but dis-empowers female sexuality (Barry 1995:83).

MacKinnon's perspective is supported by Kathleen Barry. She founded the most representative abolitionist international organization: the Coalition against Trafficking in Women (CATW). This Coalition was formed in the United States and “has an underlying

agenda of abolishing prostitution” by linking all forms of the sex trade together (Murray 1998:52). Barry’s premise is that “sex is power over all women” and is socially constructed; she suggests that sexuality is used worldwide to dominate and oppress women (Barry 1995:10-11).

Abolitionists regard prostitution as a violation of human rights and as a form of sexual exploitation; therefore, women in prostitution are victims. This Coalition believes that sexual exploitation is a manifestation of power over women and a practice which abuses and subordinates women’s sexuality and/or violates their physical integrity (Doezema 1998:37-38). From the late nineteenth century to the mid-1980s, UN Conventions and international campaigns to prevent the trafficking of women were supported by the abolitionist perspective. This dominant angle defines prostitution as a violation of human rights and aims to abolish prostitution itself.

I am arguing the problem with this perspective is that creates a new ‘other’ by victimizing sex workers. Abolitionism is the “dominant ideology about prostitution within the United Nations,” regarding prostitution as a form of sexual exploitation which should be abolished (Murray 1998:60). The leading critique of this view is that they do not hear the sex workers, they just condemn prostitution. In the early 1990s, abolitionist feminist approaches to prostitution were attacked from the international sex workers rights movement who argued that prostitution should be regarded as work.

3.3 Regulationism

*First is important to identify prostitution as a work,
as an occupation susceptible like others to exploitation.
Then sex workers can be included and
protected under existing instruments
which aims to protect all workers from exploitation,
and women from discrimination
(Kempadoo and Doezema 1998:8)*

The second feminist interpretation of prostitution is the regulationism. Regulation requires the establishment of special state agencies to control prostitution (Delacoste and Priscilla 1998:224). In other words, regulationism accepts prostitution as a form of work and offers to prostitutes guarantees of protection without the total elimination of sexual exploitation. This feminist perspective promotes the decriminalization of “all aspects of prostitution resulting from individual decision”, making visible the right to self-determination of the “adult person who [is] voluntary engaged in prostitution” (Doezema 1998:37). Barbara Sullivan (2003) argues that the ‘work’ of prostitution can be used to resist the dominant representation of prostitutes as “abnormal/bad women.” (Sullivan 2003:77)

Following this perspective it is possible to claim rights for prostitutes as workers. As Murray argues, if prostitution is work, sex workers can be included and protected “under existing instruments to protect all workers from exploitation and women from discrimination” (Murray 1998:67). This point of view promotes a conceptual separation between being forced by a third party and deciding for oneself to work as prostitute for economic reasons (Delacoste and Priscilla 1998:197). Therefore, strategy for dealing with sex work should focus attention of decriminalization or legalization of prostitution and “the extension to sex workers of those civil, occupational and human rights already available to other citizens and workers” (Sullivan 2003:70).

Prostitutes support this feminist point of view because they demand “the right to sexual self-determination” of their own sexuality, including “the choice of partner(s), behaviors, outcomes, to refuse sex and to initiate sex, to use birth control (including abortion), the right to have lesbian sex, the right to have sex across lines of color of class, the right to engage in sado-masochist sex, and the right to offer sex for money” (Delacoste and Alexander 1987:309).

According to Barry, prostitution is an occupation relate with economical necessity, as in all paying professions. Prostitution is legalized when brothels are regulated by State; legalization means regulation and social normalization of this activity but this does not necessarily imply that prostitutes gain civil rights (Barry, 1995: 228-230), though it does provide an alternative to the prohibition of prostitution (Delacoste and Priscilla 1998:223).

3.3.1 Sex work

*After 1990s prostitutes have decision-making
and self determination.
I as a prostitute
I need a man,
but I can gain control to say:
I do not have any relation
that I do not want
(From the interview with Sulma Manco)*

Regulations feminists argue that ‘sex work’ is an occupation like any other (Doezema 2001:29-30). The terms ‘sex work’ and ‘sex worker’ have been coined by sex workers themselves through the prostitutes’ rights movement in the United States and Western Europe, particularly in the United Kingdom and the Netherlands and has been discussed in various publications (Frederique delaCoste 1987; Laurie Bell 1987; Gail Pheterson 1989; Nickie Roberts 1992; Valerie Jenness 1993; Anne McClintock 1993; Shannon Bell 1994; Wendy Chapkis 1997). Sex work “redefines commercial as an income-generating activity or work of employment for women and men” (Doezema 1997:4), therefore it is connected to efforts for the recognition of women’s work in terms of working conditions according to basic human rights (Kempadoo 1998:5).

Gail Pheterson argues that sex workers, “whether called prostitutes or trafficked women or whores, face such judgments in society, law, science and medicine” (Gail Pheterson 2010). As Doezenia (1997) explains, those to whom the term of ‘sex workers’ is applied are “usually referred to as prostitutes” (Doezenia, 1997: 4). In this sense, prostitutes

are excluded from mainstream society, occupying a marginal position which denies them protection from abuse that is available to other citizens, women or workers (Kempadoo and Doezema 1998:2). They are therefore likely to be defensive when speaking about their lives and some may assume such self-protection is a sign of conflict or confusion (Pheterson 2010). Of course, prostitutes are a stigmatized group socially and legally punished and controlled through the dominant discourse and narrative.

Recognizing prostitution as paid work would mean that a prostitute is entitled to benefits and rights, improving their living conditions as workers, and reducing risk, violence and sexual exploitation that might they be exposed to (Kempadoo and Doezema 1998:7-8). Consequently, prostitutes will be less likely to feel conflict about their choices and self-determination. I agree If we see this activity as a ‘work’ and the prostitutes as ‘sex workers’, it is possible to articulate and link women’s common interests with efforts “against the devaluation of women’s work and gender exploitation within capitalism” (Bindman 1998:8-30).

3.3.2 Sexual exploitation

The concept of sexual exploitation is important within regulationist feminist because they recognise prostitution as a work and accept the possibility of sexual exploitation also in consent prostitution. GAATW defines sexual exploitation as “the participation by a person in prostitution, sexual servitude, or the production of pornographic materials as a result of being subjected to a threat, deception, coercion, abduction, force, abuse of authority, debt bondage or fraud” (GAATW, 2000: 26). Consequently, sexual exploitation means the objectification of people bodies (Barry 1995), this

means that prostitution itself is not exploitation unless there is coercion, abduction, force, abuse of authority, debt bondage or fraud.

3.4 Queer theory

For prostitutes, against prostitutes
(Jeffreys, 1997: 74)

The third feminist interpretation of prostitution is the 'queer theory' is a contemporary feminist perspective; it emerged in the late 1980s at a time of debates about sexual orientation and gender. Queer theory deconstructs and criticizes the complexity of normative sexuality locating 'non-heteronormative' practices as sites of resistance (Green, 2007).

For Jeffreys (1997) queer theory's position on prostitution is derived from lesbian, gay and queer politics. It calls prostitution 'sex work' explaining its existence as “a reflection of economic circumstances” (74) because of the “economic inequality of sexes.” (75) Queer prostitution perspective disagree with the negative perception of prostitution as a ‘problem’ because it is an expression of sexuality which itself is good. Jeffreys recognizes prostitutes as a stigmatized sexual minority because of their non-normative sexuality practices which, for her, must be de-stigmatized. According to Jeffreys, referencing Andrew Hunter (1992), prostitution represents sex and “prostitutes are sexual revolutionaries working for everyone’s sexual freedom and critics are anti-sex” (Jeffreys 1997:74-77).

Conversely, Arthur Gould argues that it is important to criminalise and prohibit prostitution because it is a form of violence against women. This perspective differentiates between forced and voluntary prostitution defending the right of women to sell sexual services e.g. Swedish case. (Gould 2001:438).

Clearly, as I understand it is possible that prostitute's rights movement move towards the position of queer theory because is a new interpretation of prostitution within feminist debate. One of the best critiques from queer theory on prostitution is that of Arthur Gould and Don Kullick about the Swedish case which I explain in Chapter 6.

3.5 International feminist campaign against trafficking

Since mid 1980s, trafficking has received increased interest (Doezema 2001:17; Kempadoo and Doezema 1998:30; Kempadoo 2005 vii-xxxi; Outshoorn 2004 9-144). At the end of the nineteenth century and the early decades of the twentieth century, feminists crossing international borders campaigned against 'white slavery' as 'sexual slavery' resulting in some essentially feminist international agreements adopted between 1903 and 1949 (Day 2004:3; Outshoorn 2004:9; Kempadoo 2005: vii-xxxi; Sullivan 2003:68).

The inclusion within international agendas of both prostitution and trafficking were the result of feminist pressure. This context has been the subject of lobbying by feminist discussions split into two opposing and controversial views, abolitionism and regulationism, represented in different transnational alliances against trafficking: the Coalition against Trafficking in Women (CATW) and The Global Alliance against Traffic in Women (Global Alliance-GAATW).

For Oustroom (2004) the feminism of GAATW "calls for the 'decriminalization' of prostitution and the combat of 'trafficking' and forced prostitution" (10). This organization attacks the abolitionist discourse and tries to disconnect trafficking from prostitution because this link comes from an incomplete conceptualization of trafficking. The Global Alliance has disagreed with the international conceptualization of trafficking through international instruments in that these instruments do not include "the possibility of voluntary prostitution

into UN treaties” (11) (Oustroom, 2004:10-11) GAATW supports the recognition of the distinction between ‘forced’ and ‘voluntary’ prostitution, pointing out that this distinction is important since prostitution is ‘sex work’ (Bindman 1997:2b; Outshoorn 2004:7-11).

GAATW claims to be feminist but “only opposes forced prostitution” (Murray 1998:53). It is one of the most important international actors who support a prostitution-as-sex-work perspective; they make a clear distinction between ‘voluntary’ and ‘free’ forced labour, prostitution and trafficking. As Sullivan (2003) explains this organization argues for international instruments to support both sex workers and trafficking victims. Sullivan argues that GAATW was actively involved in campaigns to educate and empower sex workers and “aid victims of forced trafficking” (Sullivan, 2003:72) as well as for international instruments against trafficking which keep the possibility of female self-determination in mind.

GAATW criticizes the UN definition of trafficking and instead chooses to echo the voices of many NGOs worldwide with experience in this issue, among them the International Human Rights Law Group and the Foundation Against Trafficking in Women (STV). Centring on human rights of trafficked persons and people in vulnerable situations, all GAATW anti-trafficking campaigns distinguish cases of trafficking in other cases, i.e. undocumented migration. A good definition of trafficking must address forced labour and services in all sectors of the formal and informal economy as well as the public and private organisation of work; the main idea is to promote the protection, and defend of the rights, of persons in the formal and informal labour markets which include sex work as much as they do domestic work (GAATW 2010).

The opposite feminist view is that of CATW, an organization formally part of the UN since 1989 via UNESCO. Sullivan clarifies (2003) that in the late 1980s and 1990s a radical feminism approach to prostitution and trafficking was pursued in the international arena by the CATW. This organization acts in different international scenarios, the first being the 1995

Beijing Conference which unsuccessfully supported the Convention Against Sexual Exploitation. Since then, CATW supports the 1949 Trafficking Convention and denies a distinction between trafficking and prostitution (Sullivan 2003:70-71).

CATW combats trafficking in women through protective legislation; its mission is to rescue and help 'Third World victim prostitutes'. This coalition promotes the abolition of prostitution. In the words of Jo Doezema, "CATW sees all prostitution as violation of women's human rights" (Doezema 2001:17). Its members pressed the UN to prevent a distinction between trafficking and prostitution in the 'Trafficking Protocol' and to include prostitution as slavery and forced labour (Bindman 1997:2b; Outshoorn 2004:11-12; Sullivan 2003:71-73).

International feminist discussions influence academic, ideological and political debates over 'trafficking' and prostitution. CATW influences International organizations and its power in its official role fosters confusion between trafficking, sexual exploitation and prostitution. In the words of GAATW, "this early confusion of trafficking with prostitution is still seen in the anti-trafficking activism of some individuals, organisations and governments today" (GAATW 2000:20).

CHAPTER 4: 'TRAFFICKING' DEBATE

The trafficking debate is important to analyse the Colombian case and for the interpretation of the prostitute interviews as I will see in chapter 9. Colombia is following international discussion and is incorporating discourses without a proper analysis between the phenomenon of trafficking and the special reality of the Country. In order to understand what is going on in the trafficking debate in Colombia I am analysing what is mean trafficking and how international instruments influenced state interpretations about this controversial issue.

4.1 Definition of 'trafficking'

Case of Shenaz

Shenaz, from Bangladesh, was a married woman and mother of three when she decided to pay an agent to go to Bahrain to work. Her family was very poor, and her husband had already tried to get work abroad, but was cheated out of a lot of money. Shenaz wanted her children to get an education. She approached an agency, borrowed money from loan sharks, neighbours and friends and put her house down as collateral to pay the agent for the \$1000 ticket to Bahrain. She would work as a domestic worker for a family in Bahrain.

After one month there, the employer told Shenaz she had to go to work in America. Shenaz was frightened and refused, but eventually agreed to go.

Shenaz moved to New York to work as a live-in domestic worker for a high level diplomat of the United Nations and his wife. Upon arrival, her employers took her passport away from her. She worked seven days a week and was virtually imprisoned. They paid her husband in Bangladesh US\$100 per month, but Shenaz was given no money for herself. They left Shenaz alone in New York for days at a time without any food. She was forbidden from going out alone, and in nine months, she only left the apartment three times, and always with her employers. On one occasion, the diplomat's wife struck her with a glass. After ten months living and working under these abusive conditions, Shenaz finally managed to escape with the help of a community group.

(GAATW, 2000: 19-20)

'Trafficking' refers to different exploited cases not just sexual exploitation in prostitution. Cases like Shenaz's are more and more common around the world. Women from different countries are trafficked from one place to another to work in exploited, abused, and forced slavery conditions for little or, in many cases, no money. She 'consents' to work abroad but she did not know her real work conditions.

The debate about trafficking is the product of a phenomenon with large and multiple consequences; the definition of trafficking that focuses on prostitution leaves out many other criminal manifestations such as kidnapping, extortion, massacres or forced displacement. The origin of the concept of ‘trafficking’ comes from international agreements. First international references relate trafficking with prostitution date from 1900 they referred to the ‘white slavery,’ then the international agreement was the 1904 Convention to ‘Suppress White Slave Traffic’ and then the 1949 Convention for the Suppression of the Traffic in Persons and Sexual Exploitation. (GAATW, 2000: 20; Sullivan, 2003: 68-71; Universidad del Rosario, 2009)

‘White slavery’ means voluntary migration of European white women as concubines or prostitutes to Arab and Eastern countries. Following that perspective prostitutes are by definition victims of trafficking (Outshoorn, 2004: 9). These terms do not describe reality and yet through laws, protocols and hegemonic discourses that attempt to explain the issue they convincingly appear to. Initially the term sought to distinguish the practice from the black slave trade in the nineteenth century, however, it became a fight against international trafficking of white women, although the fight included 'black', 'brown' and 'yellow' women as well (GAATW 2000:20). This fundamental definition characterized conventions and treaties from 1904 and culminated with the Trafficking Protocol of 2000 which itself is derived from the ‘abolitionism’ approach of prostitution (Bindman 1997:2b). Those understandings of trafficking are discussed from several feminist perspectives, as I will describe below, as the best way to abolish prostitution around the world.

For this research, 'trafficking' means a local phenomenon and/or global enslavement manifested in a variety of forms. It is an offence against the dignity and freedom of people that may or may not involve coercion. In cases where coercion is not involved, there may be situations of vulnerability and even extreme poverty, displacement, internal armed conflict,

lack of opportunities, violence and gender discrimination. Trafficking in persons enables a situation of exploitation for sexual purposes, forced labour, servitude, slave practices, organ trafficking and other illegal purposes, in which many trafficked persons are aware, but without options become victims (Bindman 65-67; Doezenia 1998:43-47; Murray 1998:51-64; Wijers 1998:31).

According to Maria Cristina Agudo the purposes of trafficking in persons are [1] sexual exploitation such as pornography, slavery prostitution and sex tourism, [2] labour exploitation in highly visible activities such as begging, street sales, domestic service, agriculture, fisheries, mining, and construction, among other productive activities, [3] cases involving the establishment of servile marriage known as 'mail order brides', [4] cases involving the recruitment of a person for a specified time to commit a specific crime, [5] recruitment of persons to participate actively in the context of armed conflict or [6] organ trafficking (Agudo 2003:23-26). Finally, Teresa Ulloa Ziáurriz the director of the Caribbean and Latin America office of CAATW adds one more purpose: the use of people, mainly women, for drug transport because of debt or addiction.

Maria Cristina Agudo argues that one of the purposes of trafficking in persons is sexual exploitation, including pornography, prostitution and related activities such as sex tourism. Being the most visible by a moralistic society, they are believed to be the most common because they are exercised in public places where there is contact of victims with customers and club owners. However, their social definition as a private activity facilitates discriminatory practices towards those most affected, namely women and children (Agudo 2003:23-26).

I am arguing this stance against 'trafficking' of women into prostitution does not differentiate sexual exploitation from prostitution itself. Campaigns against 'trafficking' argue that a victim's 'consent', or lack thereof, is considered insufficient as a means to

identify victims. In that sense the stigmatization and discrimination of prostitutes does not solve the problem of trafficking. Instead of guaranteeing real protections and rights, governments break with the democratic right to equality with monitoring and control measures as ‘special protection’ to ‘vulnerable’ and denies women the status of subjects able to assume their autonomy and own responsibility (Pheterson 1989:50-51).

4.2 Anti-‘trafficking’ International Instruments

The identification of international instruments is important because conventions and treaties conceptualize, define, discuss and debate trafficking, this is the official international interpretation of trafficking. The interpretation of this phenomenon focuses on prostitution and its abolition is followed by many states to incorporate international understandings of trafficking e.g Colombia state. Consequently if I understand why Colombian state interprets trafficking focusing on prostitution is important to know where definitions and interpretations come from and the answer is easily: from international instruments.

Several instruments of international law by the United Nations², the International Labour Organization (ILO)³, and the Inter-American Commission on Human Rights (IACHR)⁴ are promoting agreements, conventions and protocols to combat trafficking in its different forms (Appendix No. 7). Those initiatives represent an important step towards the future direction of both international law and domestic law within many countries such as Colombia; legislation which constructs definitions and understandings of states' obligations to stop trafficking.

² Is a worldwide organisation made up of 189 governments of recognised countries of the world. It is the formal international system that monitors human rights implementation and violations worldwide.

³ The International Labour Organization (ILO) is the tripartite UN agency that brings together governments, employers and workers of its member states in common action to promote decent work throughout the world.

⁴ Is one of two bodies in the inter-American system for the promotion and protection of human rights. Is an autonomous organ of the Organization of American States (OAS).

Once signed and ratified they have the force of law by which they can recommend that States effectively protect victims of trafficking from damage by traffickers and provide guarantees for their lives. The mistake of this international perspective is that States assume that all prostitution is a product of trafficking. Individual states, such as Colombian, then adopt these international standards which are reproducing the same discussions from the international arena.

So, the international community response was reflected in the International Agreement to ‘Suppress White Slave Traffic’ of 1904 in order to stop the mobilization of women for prostitution, an activity considered ‘immoral’. (Kempadoo, 2005: vii-xxxi)

The 1949 Convention for the Suppression of the Traffic in Persons and Sexual Exploitation cemented the relationship between trafficking and the exploitation of the prostitution of others. This convention considered all prostitution, voluntary or forced, to be trafficking and fails to mention other purposes of ‘trafficking’; also, it has declared that prostitution was incompatible with dignity and with the safety of the family and the society:

Article 1: 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. (Convention for the Suppression of the Traffic in Persons, 1949)

1949 Convention assumes a crime control perspective for prostitution, contributing to confusion and indiscriminate treatment between trafficking and prostitution. Also, it does not specify the definition of trafficking (Sullivan 2003:68-91).

Article 6 of the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) calls on States to “take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women” (Convention CEDAW 1979:Article 6). This convention does want to combat prostitution indiscriminately per se, but neither does it define ‘exploitation’ (Outshoorn,

2004:10-11). Consequently, without an explicit definition, States freely interpret this Convention and incorporate these undefined concepts within domestic law.

After the 1949 Convention, the two most recent international agreements, both adopted in 2000, are the Convention Against Transnational Organized Crime and its supplemental protocol to combat 'Trafficking in Persons, Especially Women and Children'. The so-called 'Trafficking Protocol' is the only relevant universal instrument that actually defines 'trafficking,' addresses all aspects of 'trafficking' in persons, promotes the establishment of domestic laws and the protection of privacy and identification of 'trafficking victims' as well as promoting efforts to prevent or control all forms of exploitations of persons, especially women and children, and recognizes the existence of voluntary prostitution and forced prostitution (Trafficking Protocol 2000). The problem with this instrument, however, is that the definition of 'trafficking' is vague because it transports the phrases "the exploitation of the prostitution of others" and "other forms of exploitation" from the 1949 Convention without explicit definition (Murray 1998:54; Sullivan 2003). Article 3 of the Protocol conceptualizes the term 'trafficking in persons':

...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. (Trafficking Protocol, 2000: Art. 3a)

So, States parties do not know how to address prostitution in their domestic laws (Sullivan 2003) because the international legislation is not clear about prostitution. Both the Convention and its supplementary protocol were signed and ratified by Colombia. We can argue that this misconception is related to the link between 'trafficking' and prostitution established in the 1949 Convention and ratified in the Trafficking Protocol of 2000 from discourse against prostitution within the abolitionist framework.

The ‘Trafficking Protocol’ does not recognize a difference between ‘consent’ prostitution without slavery and force and coerced prostitution. When international law is adopted by states, states reproduce the same discourse and the same perspective within domestic law; this is the case with Colombia.

The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used (Trafficking Protocol, 2000: Art. 3b)

With the inclusions of this perspective within the ‘Trafficking Protocol,’ States augment the risk of the ‘victims in prostitution’ by reinforcing pre-existing anti-immigration policies without considering the causes of trafficking and without regarded to whether or not it is ‘slavery’ (Day 2004:3; Kempadoo 2005; Sullivan 2003:68-91).

Rather than reducing the vulnerability of prostitutes, States are increasing their isolation and dependence on the criminal protection of men legally and socially separated. The laws that seek to protect women really effectively exclude women, stigmatized as prostitutes, from legal protection by not distinguishing between individual choice –consent- and coercion –slavery- and by blaming women themselves labelled as prostitutes for violence against them.

The consequences of anti-trafficking campaigns and international instruments against trafficking are evident today when states, such as Colombia, tend to identify trafficking and undocumented migration as prostitution. The response of states is to adopt immigration policies that are increasingly restrictive, selective and apparently exclusive to combat illegal trade in persons.

The recently definition in the Trafficking Protocol is criticizes because in words of GAATW ‘trafficking’ shall mean,

All acts and attempted acts involved in the recruitment, transportation within and across borders, purchase, sale, transfer, receipt or harbouring of a person involving the use of deception, coercion (including the use or threat of force or the abuse of authority) or debt bondage for the purposes of placing or holding such person, whether for pay or not, in servitude (domestic, sexual or reproductive), in forced or bonded labour, or in slavery like

conditions, in a community other than the one in which such person lived at the time of the original deception, coercion or debt bondage. (GAATW, 2000: 26-27)

Legally, some institutional actors are involved together in cooperative efforts against trafficking e.g. Colombia. They have to include within their institutional agendas the issue of trafficking, extend their public authority, and use concrete and symbolic ways to respond and manage the potentially conflicting nature of applications received (see Appendix No. 8 and 9).

I am actually speaking about the impact of all the international legislation explained before to Colombia. Colombian state adopted and incorporated international mechanisms into national legislation in order to reduce causes and consequences of trafficking in persons. The most representative and recent action of the Colombian state was the creation of the Interagency Committee to combat trafficking. This is a specialize agency which exclusively focuses on this phenomenon.

CHAPTER 5: READ OF SWEDISH CASE: CRIMINALIZATION OF PROSTITUTION

*Sweden...was sending out a signal
that prostitution was not acceptable
in a gender equal society
(Gould, 2001: 443)*

Queer theory however disputes this approach saying that this regulationist perspective prohibits prostitution. The Swedish case is interesting not only because this is the first country where buying sex is punishable, but also because successful feminists and authorities agreed to give a prohibitionist approach to prostitution. Therefore in this section I am analysing the importance of the Swedish case to understand better the case of Colombia. 'Radical Swedish feminists' influenced government policy to criminalise prostitution. After political discussion about this controversial issue, the final consensus was to intervene against prostitution because of its relation to drugs. Consequently, Sweden is the first country where buying sex is criminalized but not its sale because prostitutes themselves are regarded as 'oppressed victims.'

5.1 Illegal to buy sex but not to sell

In 1993, the Ministry for Equality created a Commission comprised in equal members of men and women to investigate the change of prostitution in character and form. After some discussions, the Commission recommended "the criminalization of prostitutes themselves (male and female) and those who were purchasing their services (male and female)" (439). They use the term 'sex trade' to talk about "sexual services of various kinds" (440) by which they mean occasional sexual relationship for up to six months and the trade in

pornography films for financial gain where “those involved were paid to have intercourse” (Gould 2001:439-440).

In 1998, Sweden passed a law prohibiting the buying of sex against the liberal position of “defending the right of women to sell sexual services” and to “send a message” that society does not accept prostitution (Kullick 2003:200). After this law that criminalizes clients, Sweden moved from an ‘abolitionist legislative model’ to a prohibitionist model that criminalizes selling sex (Kullick 2003:200).

The aim to criminalise prostitution was based on three arguments: a) because ‘sex trade’ is contrary to “the notion of equality between men and women”, therefore the ‘sex trade’ and selling of women’s body does not promote values of equality (199); b) where prostitution is accepted and tolerated i.e. Germany and Holland, prostitution increases; and finally, c) the cost of prostitution in terms of disease and crime is high for the Swedish society (Gould 2001:437-441, Kullick 2003:199).

5.2 Critiques of the Swedish model

The criminalisation of prostitution in Sweden is criticized because, as Arthur Gould (2001) says, “criminalisation will do little or nothing to reduce” prostitutes (453). Sweden used the issue of prostitution to secure their entry into the European Union since their number of prostitutes is not high, “the total number of street prostitutes in all Sweden has never numbered more than about 1000” (Kullick 2003:199-200). Swedish legislation criminalises prostitution because “buying sex is synonymous with an unequal society” and because if the demand persists then prostitution will continue (Gould 2001:443). The ‘success’ of the prohibitionist perspective in Sweden is due to the cooperation between politicians and the radical women’s movement, the association of prostitution with drugs, the view that

prostitution is a degradation of women and a form of violence against women, and a disagreement with the liberal position about prostitution.

The consequences of the law to non-Swedish sex workers are difficult to establish because “if a prostitute is with a client and she is not citizen or legal resident... she is immediately deported” (Kullick 2003:201) However, the law on sex workers in Sweden has had some effects on those workers. A positive effect in terms of trafficking is that it has made the exploitation of sex workers illegal; however, it also makes it illegal for sex workers to “rent apartments or commercial spaces for work, to hire anyone to book their appointment, to openly advertise their services in newspapers and magazines and even to live with anybody” (Kullick 2003:201-205).

5.3 Sweden's legislation regarding prostitution and ‘trafficking’

*Prostitution and trafficking for sexual purposes
represent a serious obstacle to social equality,
gender equality and the enjoyment of human rights.
Most of the victims are women and children,
but men and boys are also being exploited.
Studies show that the great majority of sexual services
are purchased by men
(Ministry of Integration and Gender Equality 2008)*

Sweden's legislation deals with prostitution and ‘trafficking in persons’ with the 1999 Swedish law that prohibits the purchase of sexual services. Part of Sweden’s efforts against ‘trafficking’ was evidenced in the 2002 law outlawing human trafficking for sexual purposes. In order to combat trafficking, in 2008 the Government Offices of Sweden approved an action plan to combat prostitution and trafficking in some priority areas granting “greater protection and support for people at risk, more emphasis on preventive work, higher standards and greater efficiency in the justice system, increased national and international cooperation, and a higher level of knowledge and awareness” (Government Offices of Sweden, 2010).

As I explained above, feminist discussions are part of a debate over women's right to choose. Within such debates, namely prohibitionism, abolitionism and queer theory, the issue of prostitution in the public sphere conducts public discourses around the intimacy and sexuality of prostitutes. To conclude, the dominant international political discourse is abolitionist and influences both international and national levels. The relation between prostitution and trafficking needs to be explored because now both of them are understood as an issue which has consequences for the intimate life of prostitutes and women in general.

Regulation can only be fruitful if it is dedicated to tolerance and the legalization of prostitution (Sánchez 1998:147). Many countries worldwide are involved in trafficking; some States incorporate international law to prevent trafficking as a 'problematic', however, few countries have undertaken legislative initiatives to regulate trafficking, Colombia being one of them. In the next section or where I will link all the feminist debates around trafficking and prostitution in order to prove that the trafficking debate focuses on the abolition of prostitution since its inclusion within the international arena.

CHAPTER 6: COLOMBIAN CASE: DEBATING BETWEEN PROSTITUTION AND 'TRAFFICKING'

If you ask me what was Colombia State doing for prostitutes?

Nothing, absolutely zero

During the 90s the State was not doing anything

(From the interview with Sulma Manco)

Prostitution is a case for the public mediation of intimate citizenship. Female prostitutes are a public category and prostitution is a concern of heterosexuality. Within the field of intimate citizenship, medical discourse discusses the body and sexuality to regulate areas of life that appear to be personal, like sexuality. Because Colombian medical discourse has social recognition, its perspective justifies the institutionalization and the identification of prostitution as an abnormality and a deviation.

Working from the concept of intimate citizenship (cf. Plummer 2003), as I explained in previous chapters, prostitution is a public sphere that requires analysis because it attracts public attention and produces reactions. The discourse of medicalization argues against prostitution because it links prostitution with the spread of syphilis, thus labelling it as a social and public 'problem' relating to intimacy and sexuality, themselves controlled by the subject of sexuality.

The aim of this chapter is to study the debate about prostitution in Colombia and the Colombian position around this controversial issue in order to understand why prostitution is linked with trafficking. This chapter will develop relevant concepts and discussions to address the issue of 'trafficking in persons,' especially in the discourse of trafficking in women. First, I will analyse the debate over the medicalization of female prostitution in Colombia as a moral panic with a special attention on the case of Bogotá because it is the most documented case in Colombia.

6.1 The Debate over Medicalization in Colombia: Regulation of Female Prostitution

Colombia is an example of public concern about how prostitution became a public subject of the state for the defence of society. Therefore in this section I will illustrate that Colombia is a country which regulates prostitution. Adult prostitution is not a crime, consequently it is not covered by any law. This situation does not guarantee the safety of prostitutes.

In the case of Colombia, doctors constructed notions focused on trying to control the spread of infection through a regulation of prostitution that would identify women who exercised prostitution. But, the discourse on medicalization and its medical examinations did not end prostitution because prostitution was regulated by the medical discourse.

In 1858 the Penal Code prohibited prostitution as a morality infringement (Martínez Carreño, 2002: 138). During 1886 and 1952, with the emergence of the middle class and the growth of the population, female prostitution had become as a subject of medical and legal policy in Colombia, especially in Bogotá D.C., the capital district (Sánchez 1998:147). For example, in 1907 the medical sector founded some clinics to treat syphilis (Obregón 2002:162-163). This momentum was maintained through hygienist discourse.

With the spread of syphilis in the cities, doctors argued that syphilis came from the female prostitutes, called 'public women'. Consequently, prostitution was regulated by the fear of the spread of syphilis and was considered a 'problem' that must be addressed by the medical and legal field. As a result, the medicalized discourse related prostitution and syphilis to justify the control of prostitution and to maintain the 'moral order' (Obregón, 2002: 162-163). This position justified the stigmatization of prostitutes in the culture of fear and panic that is Colombian society. In this panic prostitution was publicly declared to be a 'plague' and a 'danger' because it was considered a deviant, immoral and a non reproductive

sexuality. Thus, towards the end of the nineteenth century doctors defended the regulation of prostitution to control the expansion of the spread of diseases and at the same time they regarded prostitution as a 'necessary evil' (Obregón, 2002; Sánchez, 1998: 148).

From the late-nineteenth to mid-twentieth centuries, the issue of prostitution occupied Colombian doctors (Sánchez, 1998: 156-157), not because this peculiar social and cultural phenomenon had not existed in previous periods, but rather because medicine was a respectable profession.

In the judgments of the Constitutional Court (1995 (C-620, C-507 of 1999 and SU of 1997), the State is a guarantor of public order, 'social morality' and 'decency.' So, in Colombia prostitution is regulated and is related to the right to free development of personality.

6.1.2 The choice of prostitution

Under existing law in Colombia prostitution is practiced by an adult who theoretically 'chooses' to do so. This conceptualization is important because don't accept the prostitution of children. The Penal Code Act 599 of 2002 in its Article 214 prohibits any kind of pimping, prostitution though voluntary is viewed as an act of survival. Hence the references in the Constitutional Court to 'no[t] attempt[ing] to deny the right to free development of personality with prostitutes and transvestites in question.' (Penal Code Act 599 of 2002, Article 214) Prostitution and transvestism, however, are not in themselves prohibited. Both can be practiced but only where reasonable and proportionate (Constitutional Court 1995 C-620; C-507 of 1999 and SU, 1997).

Also the Constitution, in article 25, establishes that work is a right and social obligation, with state protection: 'Work is a right and a social obligation and has in all its

modalities of the special state protection’ (Constitution of Colombia, 1991: Article 25). Furthermore, as Article 26 of Colombian Constitution explains, legally

‘Every person is free to choose a profession or occupation. The law may require certificates of competence. The competent authorities will inspect and supervise the exercise of the professions. Occupations, the arts, and work that do not require academic training are to be freely exercised, except for those which involve a risk to society.’ (Constitution of Colombia 1991: Article 26). Therefore following constitutional precepts everyone has the right to work in good conditions, and if prostitution is not an illegal activity we have to question why it is not lawfully protected as other ‘legal’ activities? To contextualize this question I will explain below the specific situation in Bogotá – the capital of Colombia – as a prime example through which to understand how prostitution as a public concern which moves from abolitionism to regulationism and vice versa without clear changes in different historical periods and without explicit feminist discussions.

6.1.3 What are Bogotá’s laws concerning prostitution?

*Some mayors of Bogotá (Mokus and Peñalosa)
talked about the legalization of prostitution.
They accepted a zone of tolerance and now we have five.
With tolerance zones prostitution is recognized: is legalized.
Brothels are not illegal. I agree with this recognition.
Then they tried to turn the area into a mega-tolerance,
That is called the first international sex zone of America
(From the interview with Sulma Manco)*

To understand a specific socio-political context in Bogotá as the capital district with more influence in the debate about prostitution in Colombia I take the idea of *intimate citizenship* because it takes into account aspects of the ‘private’ life beyond mere public concerns (Plummer, 2003). In Bogotá prostitution as a ‘public’ issue is mediated through the legal regulation of the intimate lives of the women in prostitution. According to Plummer intimate citizenship is thus a project which

focuses on making decisions about the control (or lack thereof) of the body (Plummer, 2003).

6.1.4 Regulation vs. abolition of prostitution

In 1907 Bogotá's Act 35 authorized houses of prostitution, it forced prostitutes to carry a license and register them for medical and police controls, it banned the trade in women less than 15 years of age and it established tolerance zones in the city. In 1911 Bogotá's municipal syphilitic clinic for 'public women' inspection was founded. Then in 1948 the prohibition of prostitution was approved by Act 95 of the Bogotá council which prohibited areas of tolerance and the operation of establishments where prostitution was previously accepted (Martinez Carreño, 2002: 155). Today, by contrast, Bogotá has five tolerance areas located in the city centre, the west and the north which authorize the exercise of *sex work* according to the classification established by the Plan de Ordenamiento Territorial (POT) ("Land Management Plan"). The first area declared tolerant, is located in an area known as the Alameda, which delimits of the towns of Santa Fe and the Martyrs. It is very close to the city centre, call 'International Centre las Vegas', where there are least 100 establishments which operate as homes, brothels, residences and bars, according to a study by Planning District to create Zonal Planning Unit La Sabana (UPZ 102; Decree 619: 2000).

Tolerance areas and the conditions under which they operate are regulated by Decree 188 of 2002. Its seven articles set out the requirements for the proper functioning of establishments engaged in sex work and other related activities in the context of health, sanitation, social welfare, environment and police control. The decree defines activities related to prostitution as amusement and recreational services offered in bars, brothels or

through striptease. The tolerance areas are permitted only in the areas of where trade and service activities predominate, and are entirely prohibited in residential areas and areas subject to urban renewal and conservation (Decree 188, 2002).

The Personality office of Bogota – which has notably compiled the Jurisprudence and Doctrine of the Police Code, chapter 4, the Article 46 concerning prostitution – has commented: ‘People who exercise prostitution should be respected. The exercise of this activity in itself does not lead to corrective measures’ (Agreement 79, 2003: Article 46). This chapter of the Police Code regulates prostitution because prostitutes must have protection from the state for both the people who use prostitution and those who practice it. This agreement explains that prostitutes ought not receive discriminatory treatment, that they have facilities for rehabilitation, and the right to personal choice as well as respect for these rights, it thus demands the protection of their right to health and life.

Consequently, prostitution in Colombia and in Bogotá is not legal but at the same time it is not illegal. As I have explained above, although prostitution was abolished for a long period, it has since 1948 been regulated within a legal framework.

Because prostitution is the focus of multiples debates within the international arena, it creates a ‘necessity’ to ‘control’ prostitution by state. The answer is reflected in many international instruments which called States to ‘stop’ slavery situations specifically prostitution as I will explain below.

6.2 Contextualization of ‘Trafficking’ in Colombia

Colombia is a country affected by ‘trafficking,’ because this is a domestic and international phenomenon. ‘Trafficking’ has turned Colombia into a country of origin for trafficking ‘victims,’ (Sullivan, 2003:85) transit and even destination and it has a high incidence of internal ‘trafficking.’ (Universidad Nacional de Colombia, 2009) Because of the

complexity of this issue in the state of Colombia it has adopted all international mechanisms to combat trafficking in persons and incorporated into national legislation to meet the international call.

From transportation within and across borders (as recognized in the Trafficking Protocol), some form of physical movement or transportation is needed. One of the purposes of trafficking in persons is sexual exploitation, including pornography, prostitution and related activities such as sexual tourism. Being the most visible by a moral society, they are believed to be the most common because they are exercised in public places where there is contact by the victims with many people as customers and club owners. However, this social definition as a private activity facilitates discriminatory practices towards those most affected, namely women and children, by auto-derogatory expressions and the acceptance of a morality that excludes and rejects a conservative and individualistic social sector (Agudo 2003:23-26).

Also, for the State Department of the United States, Colombia is a major source country for women and girls trafficked through Latin America, the Caribbean, Western Europe, Asia, and North America, including the United States, for purposes of commercial sexual exploitation and involuntary servitude. Women and children trafficked from rural to urban areas for 'commercial sexual exploitation' remains a large problem (Department of State 2009) (see figure 1 Countries of destiny and transit from Colombia).

Registration information for victims of human trafficking in the Colombian system, tracked by, Ritra (Registro de Información de Trata de Personas), shows that during the years 2002-2006, it was discovered a total of 138 trafficked women and a total of six men during the same period. (Comité Interinstitucional Trata de Personas, 2010) The major destinations of Colombian victims are fourteen countries: China, Costa Rica, Ecuador, Spain, USA, Philippines, Japan, Mexico, Panama, Dominican Republic, and Venezuela (Interagency Committee 2009) (see figure 2 Common routes of trafficking). In November 2003, the

United Nations reported that Brazil, Colombia, and the Dominican Republic were the Latin American countries most affected by trafficking, primarily to Europe. Between 20 and 50 women from other Andean countries are trafficked through Colombia each week (United Nations 2003).

Colombia is a common country of origin for trafficking to Europe (Sullivan 2003:85). In the case of prostitution, Europe regards this as an international phenomenon involving increasing numbers of women, men and children from other continents and other European countries. Migrant sex workers are in a marginalized position because they are outside of legal, social and medical structures (Brussa 1998:247). This kind of migration should be described with the experiences of migrants in search of employment. The main cause of trafficking is the inability of the economy, the political sphere and the market to provide equal opportunities and fair employment for women.

Poverty and unemployment increase opportunities for trafficking in women and new forms of sexual exploitation through offers to work in developed countries. Nevertheless, as Doezema argues, “poverty is not usually the primary reason for women to choose sex work or to migrate as a sex work...not all poor women choose to become prostitutes” (Doezema 1998:49). The results are practices which are incompatible with equality, respect for human rights, dignity of women and are exacerbating risky situations to suffer violence and abuse in a system which excluded the stigmatized as whores. Thus, women who migrate from ‘poor’ to ‘rich’ countries may be automatically charged as prostitutes, whatever their activity, as an excuse for their removal, or control of the livelihood of these women and people related with them.

6.2.1 Internal ‘Trafficking’

Case of Margarita

Margarita came from the Caldas region in Colombia. Gustavo, a friend of the family offered her a job as a waitress in a club in Bogota. Her mother let her go because Gustavo told her that Margarita would earn 150,000 pesos (\$US80) a month. The money would contribute to the housekeeping and help her brothers and sisters.

After arriving in Bogota, Margarita was sold to Eugenia, a club owner. She was forced to work in prostitution at the club. She had to work between 10-18 hours per day every day, and was not allowed to leave except with clients. The club paid her enough for the costs of food and lodging, but nothing beyond that. Since she had no money, she was sometimes forced to buy clothes from the club, and so her debt kept increasing. She also had to pay fines to the club when she was late or sick and could not work.

(GAATW 2000:22)

Trafficking often occurs between different countries, but it can also occur without the crossing of international borders. The case of Margarita is the best example of a Colombian woman who is internally trafficked for the purpose of sexual exploitation. As I mentioned before trafficking is not only an international migration process abroad a country. It is important to make visible cases of intern trafficking to take into consideration all the manifestation of trafficking. According to the Interagency Committee to Combat Human Trafficking in Colombia, there is a number of places in Colombia's internal context which have become the main centers of activity in organized networks because they are regions that generate the greatest number of victims of trafficking; these are Antioquia, Bolívar, Caldas, Cundinamarca, the coffee growing region, Huila, Nariño, Norte de Santander, Putumayo, Risaralda and Valle del Cauca (Figure 3 Risk Map of human trafficking).

This is confirmed by Fanny Polanía, the coordinator of the ‘Fundación Esperanza⁵’ – Hope Foundation- and expert in the prevention of trafficking in women. Polanía talks about regions of origin, “almost 70% of women victims of internal trafficking come from regions like the Valle and the coffee zone, this trend is due in large part because these regions were prosperous, its decline pushed up unemployment rates and hence job opportunities for

⁵ The Hope Foundation is an organization of civil society, a leader in Colombia and Latin America in promoting the due exercise of the rights of people in context of mobility, specially vulnerable migration and human trafficking.

women” (Polanía 2002:24). So, this becomes a key aspect that focuses the attention of authorities and government agencies to act effectively in those places that actually require their presence and intervention. The various forms of recruitment makes it possible to capture women of all statuses and socio-economic conditions through advertisements in national and regional newspapers, modelling agencies, marriage, travel, recruiting women, the Internet, bingo establishments, clubs, scholarships, exchange student programs, study abroad and skilled or professional work abroad.

6.3 International Instruments adopted by Colombia

International laws and Colombian law understand trafficking in their various ways to respond effectively to international calls against this complex phenomenon, to respond to its impact and to make visible the most affected: women and girls. Consequently, as with many other countries, trafficking in women for the purpose of prostitution emerged in Colombia in the 1990s as the most important issue in the discussion on violence against women. Colombia, following international recommendations, adopted within domestic law a series of international agreements (see appendices No.7, 8 and 9) (Universidad del Rosario 2009).

The Colombian state has made visible the issue of human ‘trafficking’ by promoting its incorporation into public agendas. Thus, Colombian law is recognized because follows international standards of trafficking and provide a legal framework into law after they are signed and ratified; these standards recommend ‘protect’ effectively and provide guarantees to ‘victims’ (Pearson 2004:32). Through this, the Colombian state has adopted international standards on ‘trafficking’ and incorporates these standards into domestic law. The first legal instrument adopted by the Colombian state was the International Convention for the Suppression of Trafficking in Women and Children of 1921; it was incorporated by Law 12 of 1933. This Convention integrates the definition of ‘trafficking’ as an anachronistic concept

that calls upon states to punish those who committed the crime of prostitution and those who try it tentatively.

Additionally, the state joined Act 800 of 2003 the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Subsequently, Colombia adopted the Convention for Elimination of All Forms of Discrimination against Women of 1979; it was adopted by the Act 51 of 1981. The aim of this instrument was to take political and legislative measures to eliminate discrimination against women in all its forms.

Furthermore, the Colombian State has adopted the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women "Convention of Belém do Pará," of 1994; it was adopted by the Law 248 of 1995. This instrument shows that women must be protected against violence originating in discrimination. Colombia also adopted the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted by Act 51 of 1981. Finally, the most recent instrument adopted was the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention against Transnational Organized Crime in 2000.

The Colombian state is recognized because of its 'active' response to 'stop' trafficking. The most recent international recognition of Colombia's timely adoption of international instruments was conducted by the U.S. Department of State in June of 2010 through their *Trafficking in Persons Report*, a diplomatic U.S Government tool to encourage partnership and determination against trafficking. In this report, Colombia is located in category one (Tier one) for "countries whose governments fully comply with the Trafficking Victims Protection Act's (TVPA) minimum standards" (U.S. Department of State 2010) (Appendix No.4).

The United States has been recognized by the State Department, publishing yearly reports on trafficking, as a major destination country of trafficking and is being driven by international cooperation between countries to combat and prevent this crime. In the words of Roberto Vidal López, teacher at Javeriana University in Bogotá, Colombia and some of the few researchers about trafficking in Colombia says about the State Department recognition of the Colombian effort to combat trafficking,

The report on trafficking traces activities based on information compiled in consulates and embassies of the United States. It is from this classification that the Department of State distributes the aid budget of the United States in the fight against trafficking and applies sanctions in cases it deems appropriate. Since the first report on this crime, this government body has ranked Colombia within the group I, as one of the countries that fully comply with minimum standards to fight trafficking. (Universidad Nacional de Colombia 2009:27)

The Colombian state has adopted international standards on ‘trafficking’ in persons, as defined in international law, and incorporated them into domestic law. Therefore, it is aware of the ‘problem of trafficking in persons’, especially women, as well as the misconceptions about trafficking because it recognizes the existence of several purposes of ‘trafficking’ in women. However, it focuses all of its efforts on ‘sexual exploitation of prostitution,’ conceived of without distinction between sexual exploitation and prostitution *per se* in cases when slavery is not present. This is connected with the main argument of the thesis because I am arguing that the debate of trafficking focuses its discussion to abolish prostitution to stop trafficking. I will explain in the next section that Colombia is taking some relevant actions to prevent trafficking and the most recent and relevant is the National Strategy.

6.3.1 The National Strategy

Since 1996, Colombia has undertaken actions to stop the progress of trafficking and to prevent it as a crime. Therefore, by Act 1974 of 1996 Colombian state created the Interagency Committee to Combat Trafficking in Persons, especially of women and children. This committee supported competent state bodies in the field; this

interagency cooperation was responsible for implementing preventive activities and sensitizing the authorities and public opinion to the issue.

Act 1974 of 1996 explains ‘traffic’ as a ‘problem’ which affects women; this is the main reason for the creation of an Interagency Committee for Combating ‘Trafficking’ in Women. This act declares the state's commitment to combat sexual exploitation and trafficking in women and children. In this sense, the Colombian government required the development of a policy to prevent this scourge through institutional coordination by the committee as an advisory body to the Government. The aim of the Interagency Committee is to seek effective cooperation of involved institutions which regulate trafficking and creating state guidelines that allow effective responses to prevent, assist and reduce the effects and consequences of trafficking, to protect those who are subjects and to prosecute those who promote this crime.

Subsequently, the Colombian state through Law 985 of 2005 replaced the already established committee of 1996, this political decision was made by following the Palermo Protocol of 2000. Thus, since 2005 the Colombian government adopted a series of measures to strengthen state action against trafficking. This legislation seeks to introduce a series of measures to help prevent, protect and ensure respect for victims_human rights violations. The functions of the committee were to review existing policies, develop a government policy, suggest state activities, coordinate agency actions, serve as an advisory body to recommend the adoption of international standards, propose research and coordinate the design and implementation of a system to collect and report data.

Law 985 of 2005 was created to seek effective cooperation with the institutions involved in regulating trafficking from a joint space between their members with a view to create state strategy that allows effective responses to prevent, assist and reduce the effects and consequences of trafficking, and to protect those who are subjected to, and to prosecute

those who promote, this crime. In this regard, Act 985 defines 'trafficking in persons' in accordance with international standards, establishes the penalties for those who are involved in the commission of the offense and provides for manifestations to be levied. Thus trafficking is defined as follows, "Article 3. Trafficking. Whoever captures, transfers, harbors or receives a person within the territory or outward, for purposes of exploitation shall be liable to thirteen (13) to twenty (23) years and a fine of eight hundred (800) a fifteen hundred (1,500) legal monthly minimum wage" (Act 985 2005: Article 3).

State actions concerning trafficking in persons, especially those related to the creation of inter-agency committees, have been the product of the various international instruments adopted by the Colombian state. The first committee (1996) was created to combat trafficking in women and children because it was in correspondence with the adoption of the CEDAW Convention in 1980. The replacement of the 1996 committee created in 2005 resulted from the signing and ratification of the Palermo Protocol of 2000 extending the concept of 'human trafficking' beyond just women and children.

A very important aspect of Act 985 of 2005 is the governmental adoption of National Strategy against Trafficking in Persons, a policy to prevent, suppress and punish trafficking in persons. Colombia could be an example for the region, regarding the creation and implementation of legislation and programs to combat the phenomenon of trafficking. The 1991 constitutional reform allowed for institutional changes, in turn, allowed the creation of figures to combat crime and provide more and better tools. The Interagency Committee for Combating Trafficking in Persons that thereafter replaced that established by Act 1974 formulates the national strategy. It is an advisory body to the national government as a piece of the State Policy.

The National Strategy focuses on causes, patterns and consequences in order to create a series of social, economic, legal and political actions to strengthen criminal prosecution,

investigation, indictment and punishment of crime. Furthermore, it seeks to provide assistance and protection to victims for physical, psychological, social, economic and legal issues, as well as prevention tools to prevent the rise of this scourge (Act 985 2005).

6.4.1 Sweden and Colombia interpretation of prostitution and trafficking

Some key points are important to point out about the Swedish and Colombian cases. I found three differences and three similarities between both countries related about their own understanding of prostitution and trafficking.

The differences are based on three arguments: a) Sweden moved from an abolitionist legislative model to a prohibitionist model that criminalizes selling sex. Sweden is a country where buy sex is punishable and criminalized but not its sale. Sex trade means selling of women's bodies and inequality between men and women. Contrary in Colombia Prostitution moves from abolitionism to regulationism. Prostitution is not an illegal activity. Colombian state regulates prostitution and adult prostitution is not a crime but the safety of prostitutes is not guaranteed. b) Radical Swedish feminists' started the political discussion of prostitution they influenced government policy because they agreed between feminists and authorities to criminalise prostitution because of its relation to drugs. In Colombia the discussion of prostitution started from the discourse of medicalization against prostitution it was linked with the spread of syphilis. It was not a feminist discussion around the issue of prostitution. c) Swedish legislation considers the possibility that prostitutes could be male and/or female and sexual services could be purchased by male and female. But Colombian legislation just mentions prostitution without clarify if they are talking about women and men. Also in Colombia does not take into consideration the role of the buyers of sex.

The similarities between the Swedish and Colombian cases in order to combat trafficking are based: a) both countries link prostitution and trafficking. Sweden's and Colombian's effort against 'trafficking' consider trafficking the exploitation of sex workers are illegal. The only difference is that Sweden prohibits the purchase of sexual services b) Sweden and Colombia have a special legislation plan to combat prostitution and trafficking. c) the dominant international political discourse is abolitionist and influences both countries because the debates are focusing on the abolition of prostitution but in different ways.

CHAPTER 7: METHOD

I use qualitative narrative analysis to observe the experiences of prostitutes and trafficked women to make sense events in their lives. Interviews are located as personal experiences to support my point that not all prostitutes are slaves and ‘victims’ and that sexual exploitation in prostitution is not the only purpose of ‘trafficking.’ The methodological orientation is qualitative research design -de-emphasizing sample size- to provide life experience of prostitutes and to support my arguments.

Following Fraser (2004), after the interviews have been conducted there are some important issues regarding the analysis of the information. The first one is hearing the narrations and experiences of the participants to “provide clues about the meaning made” (Fraser 2004:186). The second phase is transcribing the interview, this is a useful step in which one analyzes stories line by line. In my research, I “clean up the speech,” meaning I “remove comments [and] repetitive sentences that are not finished” made by the interviewees. The third phase is to identify some “directions of the stories and contradictions” in order to analyze the contents and the manners in which stories are told because sometimes narrators focus their stories on a specific issue, others tell perfect stories or they try to describe some events never before told (Fraser 2004:186-189).

My data comes from the selected stories of three prostitutes interviewed in Colombia in Castilian and all of them were recorded, transcribed and then translated into English. The appendices offer just a summary of the interviews, but within the thesis I use some quotes from the English translation. Other data comes from two women narrations as a result of GAATW research. The use of interviews made by others offer other perspective related about cases of trafficked women in different contexts as Shenaz case. Those interviews are very useful for this thesis because they come from some other researches and support more

evidences to support my arguments. Both cases are about internal trafficking in Colombia for the purpose of sexual exploitation in prostitution (as with Margarita) and one is a case of labour exploitation (Shenaz).

7.1 Participants

The group of prostitutes that I interviewed is not a representation of prostitute narrations but this helps to give evidence of some prostitute experiences. I want to clarify that I am not going to give voice to prostitutes; I am in a “privileged position” (Kohler:8-16) as an educated woman, I heard and I will interpret their narrations. I interviewed 6 prostitutes in different Colombian cities: four in Cartagena de Indias, one in Santa Marta and another one in Bogota D.C –Capital District-. I contacted all of them directly or with some help of persons they knew. I selected just 3 interviews one in Cartagena de Indias, one in Santa Marta and another one in Bogota D.C –Capital District because they are serving my point that is that not all prostitutes are trafficked or sexual exploited.

Furthermore, they were knowledgeable about the nature of the questions to be asked and instructed that they were not obliged to answer any specific question if they did not wish to do so. All the interviews were recorded with their prior consent. Interviews were not made following a standard format or questionnaire as they were narrations about their lives.

7.2 Ethical issue

The ethical issue in this research is very important because the focus population is prostitutes. They are people with high risk of becoming victims of slavery situations; this is the main reason to have considered the ethical behaviour in prostitute narrations in the areas of confidentiality, boundaries, conflicts of interest, understanding legal responsibilities,

professional competency, and the victim's right to self-determination. Ethics is foundational to all research (O'Leary 2004:50), the ethical dimensions, concerns and dilemmas in research need to be considered in order to follow ethical principles related to informed consent, privacy, anonymity and confidentiality (Neuman 1997:116-8; Plummer 2002:217-228).

Consequently, a researcher has to decide how to act as an individual decision because all kind of researches have ethical problems and dilemmas; they are part of doing research (Guillemin and Gillam 2010). I am not excluded from this; as a researcher I have to confront and solve these sorts of tensions and dilemmas that are part of the practice of qualitative research. Esterberg argues that in qualitative research the ethical conduct of a researcher implies more than "following guidelines provided by ethics committees"; to solve ethical dilemmas we must to analyze representatively the data collection (Esterberg, 2002: 51).

Informed consent is a fundamental ethical issue because "participation must be voluntary" and researchers must get permission because participants have to know how they are going to contribute to the research (Esterberg 2002:5,45-46; Neuman 1997:124; O'Leary 2004:53; Paul 2007:90; Yvonna 1998:170).

The second ethical issue is privacy because, as Neuman (1997) points out, it is important to protect their privacy by not revealing their identity because in general researchers "transgress the privacy of subjects in order to study social behaviour" (Neuman, 1997: 126). Privacy protects the identity of individuals by anonymity - people remain anonymous or nameless- and confidentiality - information may have names, but the researcher keeps it secret from the public. Both of them usually go together but it is possible to have anonymity without confidentiality, or vice versa. Anonymity without confidentiality makes public all the details of the subject without mentioning names. Confidentiality without anonymity does not make public the information but "a researcher privately links individual names to specific

responses” (Esterberg 2002:50-52; Neuman 1997:126-127; O’Leary 2004:54; Paul 2007:87; Yvonna 1998:157-176).

For this research participation in interviews was voluntary. Interviewees were informed about the purposes of the research and their statements. Confidentiality was an important issue for some non-public figures as Sulma Manco and Neydis Carola. Finally, the women interviewed in Cartagena have a false name (Diana). The sampling strategy was the examination of a ‘sensitive’ issue –prostitution. Prostitution is problematic in terms of methodological and technical concerns and the analysis of results. In the research I had some common difficulties - give evidence vs. give voice, participation and the financial remuneration- related to information from the prostitute interviews that I will explain below.

This kind of qualitative research *provides a voice* to prostitutes who may be marginalized or ignored within anti-prostitution lobby and now within the anti-‘trafficking’ debate. This could be problematic in empirical generalization but this research does not want to generalize.

Financial remuneration was offered to all by the time of the interviews. They did not accept any amount of money by the time to tell their stories. However, the financial reward was not an incentive for women to accept being interviewed.

The collection of data from interviews of prostitutes has been used for this analysis. The sample included ex-prostitutes and prostitutes with and without international experiences as prostitutes and those who in some cases were trafficked to other countries. Transcriptions of the interviews were reviewed and data was organized in a coherent and understandable manner, as presented in the next chapter.

CHAPTER 8: INTERVIEW ANALYSIS OF COLOMBIAN WOMEN IN PROSTITUTION

The qualitative analysis of female narratives involving in prostitution and trafficking is used to describe experiences (Esterberg 2002:181). I will use this method to interpret the stories of prostitutes and to interpret narratives and representations. Deconstructing experiences as a monolithic essential category offer a new perspective to analysis emerging narrative frames in order to contrast the results from the interview analysis. With the theoretical part of the thesis I am claiming the reason of this qualitative tool is to observe experienced respondents. Interviews locate personal experiences.

Narrative analysis is an important method because it helps to study the role of the interviewer in the construction of the interview narrative. Ezzi quoting Bell describes this method of analysis in steps. Initially identification of narrative segments in the transcription of the interview; also examination of word choice, phrasing, imagery and structure of clauses, we must focus in the telling of the story: how people explain what they did or what happened. (Fraser 2004:100). Finally, the analysis facilitates the construction of the narrations, also it helps to connect the personal accounts, locating the researcher herself in the analysis.

Qualitative analysis is the entire of a person's story, this kind of analysis identifies the narratives of people "to turn meaningless events into meaningful episodes that are part of a story leading out of the past and into the future" (Ezzy, 2002: 95). It is important to take into consideration the issue of 'the truth' as I talked before because this is the main data to support arguments in this research.

Laura Agustín pointed out that to tell 'the truth' is problematic when a research is using prostitute interviews (Agustín 2004). Firstly, information from prostitute interviews is considered part of an intentional performance to lie (Nencel 2001:88, Kohler); "sometimes

people are lying” (Agustín 2004). Finding ‘the truth’ is the main obstacle when a researcher wants to use prostitute narrations as a main data in a research.

Secondly, researchers have to gain access to research subjects and have to convince them of their good intentions to ask personal questions. Maybe research subjects do not want to talk about themselves because they know that they are recognized and considered ‘victims’ and ‘deviants’. In this case prostitutes prefer “to say what the researcher wants to hear” (Agustín 2004).

Thirdly, Agustín argues that prostitutes think that researchers are worry about prostitutes and they do not want to hear that they prefer to do this earn activity (Agustín, 2004). However, in this research prostitutes presented their self as workers whose sell a service: sexual services, as workers, as independent women –rational choice-, and those they were not forced to do this.

Fourthly, in cases when ‘trafficking’ experiences was involved, they maybe do not want to talk about intimate matters, others tell sad stories, or they present themselves as victims (Agustín 2004).

Finally, as Laura Agustin (2004) argues to tell ‘the truth’ some times is considered unethical but we have to take into consideration that ‘the truth’ in a research *is questionable* because if people believe in the existence of universal standards of ethics, “it is better to be ethical than not”. (Agustin, 2004: 7) The ethic usually is referred to a western perspective, but we can find different values which make sense in variety of cultures (Agustín 2004). It is difficult to know that prostitutes told ‘the truth’. As Riessman argues, interpretations are relative and without certitude and very difficult to generalize because “narratives are interpretative and require interpretation... they don’t speak for themselves” (Riessman, 1993:22).

8.1 Interview with Colombian Women in Prostitution

This chapter will present data collected through interviews with three women who were formerly prostituted and their views, experiences, thoughts and feelings to know what is shaping out from the prostitute stories. The study brings out possible narrated events which led to prostitution and the situations in which one decides to go into prostitution. The analysis led to three basic bases: influence of international discussion of trafficking and prostitution, sexual intimate citizenship and consenting prostitution.

Two interviewee names have not been changed: 52 years old Sulma, 45 years old Neydis, and one interview was anonymous and her name has been changed 35 years old Diana. The data presented below will introduce the reader to three women whose personal experiences will provide the reader with a meaningful look into their lives the existing ‘trafficking’ framework which mutes the real experiences of prostitutes and sexual exploited for the purpose of trafficking.

8.1.1 Sulma’s Story

I decided to work as a prostitute.

And I worked as a prostitute.

The day I stop thinking as a prostitute,
my life doesn’t make sense.

I can be a wife, worker, a fighter,
a human rights activist, prostitute, and mother.

(From the interview with Sulma Manco)

My first interview was with Sulma. She is from Bogota. I met her because a colleague of mine who was working in the United Nations told me about her availability of time to be interview. I had her mobile number and I contacted her to suggest and interview and she reacted positively. She agreed to tell her experience as prostitute. The

interview was made in two sessions of two hours in her place. She explained why she was in prostitution and her national and international experiences in this activity.

She has a university education; she finished one semester of law and 10 semesters of psychology. She was working with the United Nations and later with the Ministry of Health. Sulma describes prostitution as an activity that she had to start for economic necessities. For her prostitution is an exchange for money or goods in order to have a better life.

She explains that her first international experience as prostitute was in Japan. She had to pay a debt between US10 thousand and US30 thousand. Sulma talked about her second experience abroad, in Italy but just for three months. Then she went to Bali and Indonesia. In all her international experiences she did not talk about slave situation or sexual exploitive situations she was talking about selling sexual services. Because she didn't feel exploited she demands the right to work and state protection because the state does nothing to protect prostitutes.

8.1.2 Neydis Story

I met with Neydis in Santa Marta –touristic city in the coast of Colombia- few weeks after she won the national award Women Cafam that recognizes the social work of women in Colombia. She was recognized because her work in the 'Fundación Luz de Esperanza' - Foundation Light of Hope – to help people with HIV. I contacted her because the institution Cafam gave me her mobile number and her e-mail. During these days she was a public person she was interviewed by different media outlets in Colombia, it made contact easy. The media attention over her was as a former “sex worker who contracted the AIDS virus, received the national award in Bogota Women Cafam 2006.” (Interview from Neydis)

When I asked her to talk about her experience as a prostitute she replied positively. I went to Santa Marta to talk with Neydis. The interview was made during two hours in her office of the 'Fundación Luz de Esperanza.' Her appearance was of a sick person but with a positive energy. She was 45 years old and her home was in Santa Marta, although she was born in Copey, Cesar.

Neydis said that she has had a difficult life. She has no father and her mother was responsible for the income of a large family with 11 children. Neydis has finished the basic primary school but began to have difficulties at school because they were poor that her mother was unable to buy school supplies and to have enough food for all the children. Finally Neydis dropped out at 11 years old.

She thinks she had a working childhood because when she was 11 years old she started to work as a nanny. When she was so young she started to live with a man who became the father of her three daughters. She explained to me that "he was from a gentleman to a drug addict and aggressive man." This situation changed everything. She divorced when he started to be alcoholic and a drug addict. She describe me to me that she was "physical and psychological abused by her husband."

Then Neydis became a single mother with a lot of economic responsibilities. She entered to prostitution at the age of 28 when her youngest daughter was sick and she didn't have money to visit a doctor and to buy the medicine for her. She clarified to me "I did not decide to be a prostitute by choice; I never had other options".

She was prostitute in the port of Santa Marta selling sexual services to foreigners from Filipinas, Italy, India and Greece. Some times as she explained she was forced to have unprotected sex and forced to take drugs.

She was a victim of trafficking when she went abroad to sell sexual services. She was prostitute in Curacao, Aruba and St. Martin. Curacao was her first experience in prostitution.

She paid \$250 USD to get a contract to sell sexual services in Curacao because prostitution is legal there. After she paid the money she had certain health requirements and medical examinations of blood, HIV, and even psychiatric disorders. That contract entailed compliance responsibilities of a full exercise of prostitution. She signed the contract before she went there she accepted some conditions but once she was there ‘they’ –pimps- changed the conditions under which she was contracted.

Once she was in Curacao she went to an exclusive zone for prostitution. It was called Campo Alegre –Happy Camp-. There was a complex designed for the sale of sexual services of women from various Latin American countries.

She described to me that experience in Curacao as a ‘horrible’ experience. For Neydis Curacao was a prison, she could not leave and if she went out she had to return before 6 pm because otherwise this would entail consequences, economic consequences. She had a debt that could grow if she didn’t follow the instructions of the pimps. In Curacao she won a lot of money in a short time that in Colombia would take me years. She was there just for three months. As soon as she could cover travel expenses and the debt returned to Colombia.

One she went back to Colombia from Curacao she went to Aruba. She paid US\$1000 for migration management and to get the contract as a sex worker. The situation was completely different from Curacao, but in Aruba prostitution is illegal and prostitutes were prosecuted and subject to police raids, in one of them she was arrested and deported.

When she returned to Colombia from Aruba, she knew she could go back to Aruba but went instead to St. Martin. She paid to be there to a pimp or native man US\$ 1000. That man certified to the authorities that she was his partner, in real terms his own property.

The context in St. Martin was not easy because prostitution illegal. This made the most precarious conditions and even worse treatment by the clients who knew that she was afraid to be deported.

In San Martin, the debt to be paid the contract there was increasing with every passing day the days. She did not earn a lot of money because she was depressed. In addition, customers were mostly drug addicts and forced her to have sex as they want even without a condom.

In San Martin she met her partner for a couple of months he was Japanese, he helped her to pay the debt. Then she was not forced to be there. She started a relationship with that man but finally the relation was over and she decided to go back to Colombia.

Stories like Neydis are becoming increasingly common throughout the world. She accepted to sell sexual services abroad but the conditions under she accepted the proposal were not the same with those found once she arrived at destination country. So, in terms of trafficking she was trafficked, consequently she was sexual exploited in prostitution.

8.1.3 Diana's Story

*Reasons to be in prostitution?
...economic reasons.
I started working in Medellin.
If I exemplified...
For example, with 300 services at least
I can pay what I need in a month
(From the interview with Diana)*

Diana is from Medellín, she is 28 years old. I met her in Cartagena de Indias. She was prostitute in a famous nightclub called 'Dolce Vita.' I made contact with her because I asked in a police station about NGO's or some kind of organizations that work the issue of prostitution in Cartagena. The head of the police station explained to me that he didn't know about that but he knew one place when I could get information about prostitution. He explained to me that 'Dolce Vita' was a place where men buy sexual services. He told me that he knew the owner of the nightclub, he was Italian and he could introduce me to him to have access to prostitutes. I went there with the head of

the police station and with one more police officer in a police car. One we were there the head of the police office asked for the Italian man but he was not there but I met the nightclub manager. The manager of 'Dolce Vita' asked to me if I was interested to interview some girls and he ask me my mobile number. The day after he called me and he invited me to go there in the evening to try to ask to some prostitutes if they would be interviewed. I made 4 interviews but for the purpose of this research I just use one, the case of Diana.

Diana is a prostitute in Cartagena de Indias, one of the most touristic cities in Colombia. She 'chooses' prostitution for economic reasons; she has high level of education and no children. She was prostitute in Japan during two years. She knew what she had to do but nobody had ever told her that this experience would be the worst of her life or about the consequences of being a prostitute there. She was trafficked for the purpose of sexual exploitation in prostitution because she was doing this activity from 7 AM to 7 PM and she could not choose her own clients; she had to sleep with everyone and all the money she earned had to be delivered to someone else, she could not save money for herself. Finally she was deported to Colombia because she was an illegal immigrant. Now she is a prostitute in Cartagena and she has control over her sexuality. She has her own job schedule, she chooses her clients, all the money is for her she doesn't have to pay a debt as was the case in Japan.

8.2 Findings

My main point is that the narratives of international organizations promote the abolition of prostitution to stop trafficking and have little to do with individual stories of former prostitute victims of trafficking because they don't take into consideration the reality of persons at risk of being trafficked, current victims of trafficking and former victims of trafficking. Finally, those people is going to be affected by public policies or laws that

regulate trafficking and prostitution. Of course not all prostitutes are the same, and no one can speak for all but their points are not considered. Consequently there is a risk that policies and interventions developed based on international precepts and understandings will be ineffective. As I describe in the first part of the thesis a substantial number of international discussions on trafficking for sexual exploitation are influenced by political debates surrounding these issue in Colombia.

Neydis story in St. Martin, represent the case of many prostitutes still trafficked from Colombia to Central American Countries to work in conditions were they are abused, treated like slaves or forced. As GAATW argues, ‘women from Latin America, Africa, Eastern Europe or elsewhere in Asia have similar tales stories to tell.’ (GAATW, 2000:20) Many people, often women and children, are ‘trafficked.’

Moreover, the narrative of Sulma represents the critique of state actions against prostitution. She cannot represent all prostitute experiences. She is just talking about her own experience. She is claiming for state protection because their income activity is not legal.

8.2.1 Sexual Intimate Citizenship

The dimension of sexual intimate citizenship is important in order to analyse prostitute’s stories because sexuality refers to intimacy that is a personal and private aspect of social life. However prostitute’s sexuality is considered public and trouble issue. Consequently, the control and regulation of prostitute’s bodies and sexuality is necessary to control this emerging conflict zone. Prostitute’s body is politicized and regulate by international agreements because the recognition of the citizenship depends of the acceptability of a sexual identity and in the case of prostitutes they are not socially accepted and recognized.

In my study I have treaty interviewees' sexual experiences in prostitution. This approach is supported by Sulma Manco when she identifies her self as a prostitute. She creates a citizen identity around prostitution because allows her to recognize her identity as a prostitute without hiding her real income activity; this is why she cannot but think of herself as a prostitute.

As I explained in the first part of this thesis the social status of citizen creates the prostitute as the 'other.' Prostitute citizen identity is socially constructed and is identified as abnormal and deviate. Neydis and Sulma were responsible for the children when they divorced. They were forced to provide money for their families.

The story of Diana is important in this section because in my work I argue that prostitution is a conflict zone; it can be regarded as a notion of intimate citizenship which recognizes the emergence of intimacy groups and identities. Diana narrates she feels that now she is controlling her body, her sexuality and her life, though she does recognize her role in society because her income activity.

Some prostitutes have control over their sexuality (Sulma Manco, Diana and Neydis when they were prostitutes in Colombia) selling sexual services. But the sexual control per se is not a guaranty of freedom to choose. Consequently, we have to condemn all slavery situations in all economic and lucrative activities and we don't have to focus attention just in prostitution. Some factors influencing of prostitutes have control of their sexuality all this is connected with the first part of the thesis about the different debates around prostitution and then the legislation is the representation of feminist debates have focused on the abolition of prostitution to stop trafficking.

Therefore, the relation between prostitution and trafficking both of them are understood as an issue which has consequences for the intimate life of prostitutes

8.2.2 Consenting prostitution

Choices around sexuality are public spheres most in the case of prostitute sexuality because is regarded as an intimate trouble intimate citizenship focuses on making decisions over the control (or not) of the body, and choices relates with the personal life.

Women I interviewed perceive that because of their lower socio-economic status they 'choose' prostitution as an income activity. The reasons why these women decided on prostitution were numerous. First, two of them –Neydis and Sulma- come from poor families and family difficult economic situations. This fact perhaps reflects the increasing importance of education and better labor opportunities for women. Colombia's ongoing conflict, the displacement of people, the low rates of women's education increased the trafficking of women. (Survivors' Rights International, 2010: 6) In terms of education nationally, 9.8% of women and 10.4% of men, age 3 and older, have no education. 13.4% of women and 13.5% of men have completed primary school. 4.8% of women and 4.3% of men have completed secondary school and 7.0% of women and 6.7% of men have professional level.(Departamento Nacional de Planeación: 2007). The low level of education in Colombia

However, this thesis found that many of these women left home because of poverty and difficult family relations. International documents are not addressing the socio structural that do more vulnerable women's to be exploited. Unfortunately, even with the efforts of the Colombian state gender discrimination, economic hardship make women more vulnerable to situations of exploitation. When they decide to go abroad they are more vulnerable to sexual abuse and exploitation because for the migration condition and becausee the illegality of prostitution when the decided to go.

The last census for was on October 2005 shows that the total population is 42.888.592 people. Of all of Colombia's population 51.2% are women, and 48.8% are men. Women

represent a greater proportion of the population in all population groups except the group of 0-14 years where 51% are men and 49% female. (Departamento Nacional de Planeación: 2007)

Neydis was sexual exploited and trafficked for the purpose of prostitution from Colombia to Curacao, Aruba and St. Martin. We can argue that because some indicators that I will explain below: the case includes the movement of her to other country, there was deception but not coercion upon her to work as sex worker there and she was working under abusive and slavery-like conditions. (GAATW, 2000: 31) She knew what kind of activity she was going to do, she was free to go, free to select where she wanted to work but she was not free to 'choose' clients. She couldn't manage to save money because she had a debt to pay. She had travelled to earn money for her daughters and this was my main motivation there she won a lot of money in a short time that in Colombia it would take her years. She was there only three months.

When Diana was in Japan she was trafficked for the purpose of sexual exploitation. So her 'consent' to being prostitute made her vulnerable to be exploited.

To conclude I argue that not all prostitutes are 'victims' of slavery situations but is possible to be sexual exploited in prostitution also with 'consent.' All the prostitutes I interviewed started as prostitutes by 'choice' but that were not a guarantee to don't be sexual exploited. They wind up in prostitution by offering a job as prostitutes. Once abroad, they must 'work' as prostitutes to pay a fee. This situation makes the women illegal and more vulnerable. Some are let go after paying the debt as Diana; others are kept in captivity.

Women's situation, possible choices and contacts played a role in entering prostitution. Upon analysing interviews stories it is very clear that they consider prostitution as an income activity as any other, they called prostitution as a work.

To summarize the topics –sexual intimate citizenship, consenting prostitution and reasons for remaining in prostitution- discussed in the interview with prostitutes give clear and new insights into the world of women in prostitution and also the connection with the phenomenon of trafficking itself.

The prostitute women clarified and interpreted their activities in some areas: prostitution is an income activity or a ‘work.’ They started in prostitution for economic reasons. They were trafficked for the purpose of sexual exploitation in prostitution and all of them ‘choose’ to go abroad as prostitutes. Finally the international debate around prostitution defines their social status as the ‘other’ because international agreements promote the abolition of prostitution itself.

CONCLUSIONS

The issue of trafficking is constructed upon a dominant assumption that “most trafficking happens for the purpose of prostitution” (Kempadoo 2005:5). Based on this assumption all women in the sex industry are thought of as forced, coerced and trafficked. As we saw in the prostitute narratives, all of them, including Sulma, were sexually exploited, such as Diana, Neydis and Margarita.

Within the anti-trafficking debate there is a problem with the way that it has been addressed by the abolitionist feminism point of view because it constructed the dominant discourse of trafficking and its understanding. As a result, state interventions and programs flowing from this understanding rarely include the point of view of prostitutes. The abolitionist dominant discourse of trafficking is based upon assumptions which are not supported by prostitutes because they argue that all prostitutes are victims so they have to be protected. Consequently, prostitutes are excluded within official trafficking debate because their activity is not recognized.

The women’s right to choose activities dealing with intimacy and sexuality is a central issue within this research because the wrong relation between prostitution and trafficking has consequences for the intimate life of prostitutes. The self determination of prostitute bodies is a place of public debate because their sexuality is outside of the ‘normal’ assumptions and social constructions over sexuality. The ‘normal’ sexuality -reproductive and heteronormative- give a social status within rules of a ‘unitary’ social group. Female prostitutes are stigmatized in Colombia because the sexualized society identifies their sexuality as deviant and abnormal.

There is a misconception in the world about trafficking. Sexual exploitation and prostitution are focal points of trafficking in women and this somehow justifies those

misconceptions, the misguided relationship with the sole purpose of sexual exploitation of trafficking, and the wrong relevance given to prostitution. In order to understand trafficking is important to clarify that there are various forms of exploitation and in the case of sexual exploitation in prostitution is only one of its manifestations. The wrong relationship between trafficking, sexual exploitation and prostitution of the female stigmatizes sex workers.

The critique of these instruments is that they create international law and they affect domestic law when states incorporate their precepts. The problem is not the existence or non-existence of international instruments, on the contrary the focus of attention is to question the discourse of these agreements, how they are explaining ‘trafficking’ and how they are linking trafficking with prostitution. The conceptualization of ‘trafficking’ influences the understandings of prostitution without differentiating between slavery and ‘consent’ and the self determination of women in prostitution.

Colombia has a range of policy tools to treat the ‘right’ phenomenon in the domestic response with the ratification of all international instruments related with trafficking. However, gender inequalities persist in Colombia, as do economic inequalities and social exclusion. It is not enough, ensuring vertical equity against the authorities, but it requires ensuring non-discrimination in the horizontal plane in all areas of human activity. This is connected to the whole debate of the thesis because prostitution is automatically regarded as the only manifestation of trafficking and as a slavery activity.

The Colombian state has adopted international standards for trafficking in persons, as defined in international law and it incorporated into domestic law, therefore, the problem of trafficking in persons -especially trafficking in women- is understood following international parameters. Empirical evidence demonstrate that Colombia does not have any feminist discussion around prostitution and ‘trafficking.’ Consequently, Colombian legislation

reproduces misconceptions because, although it recognizes the existence of several purposes of ‘trafficking’ in women, it only focuses on prostitution.

Finally, the new feminist perspective of ‘queer theory’ categorizes prostitution as a form of violence against women, renaming consent ‘choice’ or ‘agency.’ The ‘queer’ perspective is good theoretical frameworks to move beyond an alternative understood of prostitution because prostitution exists because the society is oppressive and objectifies, controls and justifies slavery of prostitutes thus reinforcing their powerlessness because they are ‘objects for others to use.’ So, we don’t have to condemn prostitutes but rather criticize the social system of power relations between women and men.

APPENDICES

Appendix No. 1 Case of Sulma Manco

Sulma Manco
Orientation
<ul style="list-style-type: none">• Time : 3 hours• Place: Bogotá, Colombia. 2006.

I decided to work as a prostitute. And I worked as a prostitute. The day I stop thinking as a prostitute, my life doesn't make sense. I can be a wife, worker, a fighter, a human rights activist, prostitute, and mother. Speaking about prostitutes is not easy all of us have a home. In my case, I was in a context of family violence and not economic support. So the only solution was to be a prostitute.

Prostitutes are doing this because economic necessities. Yes, financial need, but they have other needs. Prostitution is an exchange for money or goods, in order to have a better life. When I come back at home with money after work I feel happy because I have money to eat, to pay debts and to buy a book because I like to read. But this is not a job this is an activity.

I have some international experiences as prostitutes. The first one was in Japan I was there because I have to support my family but no one forced me. It was because I wanted to work for my family. So I went into debt to pay 20, 30 million Colombian pesos to my trip. I took the decision to go there.

I had other experiences in prostitution abroad. I was in Italy for three months. Then I returned, I was in Bali and Indonesia.

I finished one semester of law and 10 semesters of psychology. I couldn't finish the program because I got a contract with the United Nations and later with the Ministry of Health, and therefore I can not end, because while you eat ... You can not do a thesis.

We the prostitutes, we demand the right to work. The State tells you what you have to do. The State does not claim to prostitutes.

The State does nothing. It has none role of the state at the time to protect prostitutes, absolutely zero and unknown has been the state's role in protection for prostitutes in 1990. The world is muted on prostitution and we the prostitutes have to do something. Prostitution is a mafia of international aid.

Appendix No. 2 Case of Neydis Carola

Neydis Carola Marriaga Orientation
<ul style="list-style-type: none">• Time : 2 hours• Place: Santa Marta, Colombia. 2006,• Situation: Few weeks after she won the award for women CAFAM.

I am Neydis Carola Marriaga in the end of 2006 I was one of the mediatised figures in Colombia. Radio, television and writing medias made visible that an ex-prostitute won the annual award for women Cafam which recognizes the social work of women in Colombia. This Women award Cafam 2006 coincides with the celebration of World Day of the woman. I was awarded for my social work in the “Fundación Luz de Esperanza” -Light of Hope Foundation- of which I am still part, and set up to help many people who has AIDS as I have. I was born in Copey Cesar. My family was large -11 children, of which 6 were men and 5 women and with few resources to provide the basic needs for all of us. When I was a child I had to work early, consequently I left the school early. My childhood was spent more in unpaid work than at school, I left at age 11 to work as a nanny, selling and services. My earnings contributed to my family expenses.

My family's economy was unsustainable and hurrying I had the desire to get out of there, the main option: have a husband who supplier of those needs are not filled at home. So at an early age I decided to share my life with the man who became the father of my daughters and at the same time, ‘the source of many problems.’ With the passing of days, my husband went from being a gentleman, to become a drug addict and aggressive man. This changes everything; I left him when he fell into alcohol and drug vices of which he could never leave, ‘for the physical and psychological abuse I received from him.’

After that decision, I was a single mother without education and depended for years of the father of my daughters. My daughter and my family - mother, my father and some nephews- were important to become prostitute. I did not decide to be a prostitute by choice; ‘I decided that because I had no options.’ It was because my youngest daughter, who by then was a girl, now 21-, was even more and more sick.

Once I was prostitute I became the main economic providers for my family, the need involved me in prostitution.

I worked as a prostitute in the port of Santa Marta selling sexual services to foreigners from Filipinas, Italy, India and Greece. Some times I was forced to have unprotected sex and forced to take drugs.

I became a victim of trafficking networks when I decided to leave the country to take on the sex worker.

I was prostitute abroad in Curacao, Aruba and St. Martin. Curacao was my first experience in prostitution outside the Colombia. I made a contact in Bogotá there I paid to get a contract to work as sex worker in Curacao because prostitution is legal there. I got in touch with a woman I paid US\$250 to get a place to work there. After paying the money I had to meet certain health requirements and medical examinations of blood, HIV, and even psychiatric disorders. That contract entailed compliance responsibilities of a full exercise of prostitution. I signed a contract before I left she accepted some work conditions but once I was there ‘they’ changed the conditions that I covenanted.

Once I was in Curacao I went to a zone exclusively for prostitution and endorsed by authorities, it was called Campo Alegre –Happy Camp-. There was a complex designed for sell sexual services of women from various Latin American countries. This was a huge place with about 300 houses, bars clubs, everything was there. I purchased a responsibility despite having paid to be there because it was throwing a new debt that could grow. I had to stay there permanently if I went out I had to come back before 18h because if not I had to pay a penalty (35 forints). When I covered travel expenses and the debt I returned to Colombia.

A few years after that ‘horrible’ experience, I decided to work in Aruba. There I had to pay US\$1000 for migration management and to get the contract as a sex worker. The situation was completely different from Curacao, because there prostitution is illegal and prostitutes were prosecuted and subject to police raids, in one of them I was arrested and deported.

When I returned to Colombia, I found out that I could went back to Aruba but to go to St. Martin, a place that undoubtedly an open market women. As in previous occasions, I paid to be there for a pimp or native operator US\$ 1000. The native man certified to the authorities that I was her partner.

In St. Martin I was illegal immigrant. This situation made most precarious my conditions and even worse treatment by the clients who knew that I had to give up all claims by the fear of being deported. In San Martin, the debt to be paid the contract there was increasing with every passing day the days. I did not work much because in this place she found herself repudiated. In addition, customers were mostly drug addicts and forced to have sex as they wanted even without a condom.

Despite the difficult circumstances, I met Japanese who helped her out of there he paid my debt and took my to live with him. In addition to fixing my situation immediately as sexually exploited, I provided financial support for my family. I could buy a house in Santa Marta and I had the opportunity to visit them occasionally. However, in one of my trips to visit Colombia I lost contact with the Japanese and when I returned I didn't find him. No reason to leave. I never loved him, I appreciated him, and I thanked him for all he did for me.

Once I backed to Colombia I became HIV positive and my life changed. I fell into a deep depression but I found kind people who helped me to find motivations to live. After that depressed period I started to do an actively working with few resources but by many HIV and that this is one of the many reasons I have to keep living and keep on fighting.

Appendix No. 3 Case of Diana

Diana
Orientation
<ul style="list-style-type: none">• Time : 1 hours• Place: Cartagena de Indias, Colombia. 2006,• Situation: Prostitute in a famous disco

My name is Diana. I'm from Medellín. I am 28. I don't have babies. I studied for teaching. And I have a degree in physical education. I exercised it very little and now I'm prostitute. I did not feel comfortable doing that but I liked sports.

I came to Cartagena two years ago. I'm prostitute for the last four years. Reasons to be a prostitute are economic reasons. I started working in Medellín. If I make an example at least with 300 service and I pay for what I hold the rest of the month. Then I even enough to transport. Beyond that, be used to pay not only services, which helped with half the market. Tell me who will pay the rest. Not me.

Before I decided to come to Cartagena I was in another country doing the same. I was paying a debt. I was in Japan for two years, I return to Colombia, but here to Cartagena. I returned because I was deported, I was illegal.

I went to Japan because someone at the school told me about the opportunity to go there and I wanted to go. I did not think about consequences or anything, but I got to go, but I knew what was... Beyond pay a debt of 6 billion yen, equivalent to 120 million Colombian pesos. That amount of money included only the trip because it was my turn to pay my lease and everything there. I knew a friend there, but she just connects me with someone else.

The connection was made in Bogotá. A lady from Bogotá. I had to go to Bogotá to the papers and everything. That was a matter of eight days, you said you have to say this or the other

when they ask you. You say that you met a Japanese and, it was easy, they did not ask me any papers or anything.

My experience in Japan was very difficult. It's called Japanese mafia. Jakusas, that was a bitch up treatment, threats, beatings, ill-treatment. They had a device to burn the body. I felt terrible, was awful. There you can find women everywhere Japanese, Russian, German, Thai, Filipino, Chinese, Korean, Brazilian, Mexican.

Japanese are very respectful to work. The Japanese is not one you want to disrespect or want to do what he pleases, no. The rhythm of life was very hard. Here I am working on my own, I am independent, no one controls for work hours or until I have to stay. If I do not want to go I have no problem with anyone. There I met a schedule of 7 am to 7 pm. Sometimes we worked from 10 am to 2 am, but we had to be all day. In Japan we had to sleep with everyone who came out could not be turned away. All the money that I picked up I had to deliver, I could not stay with anything and if I sent money to Colombia, I could say I was stealing. It was horrible, I felt I was in a Chinese torture. Here in Cartagena is different, this is a "RELAX". There could demand condom use, but depended on each. It was very hard but could not buy something, all you had to deliver daily.

In a controlled our customers with cards that were at the end of the week we paid, but that money was for the person that had brought us there. I do not want to go back there.

Now I'm planning a trip. I know there is not going to go wrong. Maybe, I can start a business. The trip is for outside the country. The contacts are not the same people in Japan they are different. I have friends of mine who are in St. Maarten, Aruba, Curacao, Panama. I have a friend in Panama. That's the plan, the plan is to travel to Panama or San Martín for the next year. Here in Cartagena is temporary as in any other work.

Prostitution is a job like any other job. Many people say that's not working for me is work. I'm not going to stand all night in a nightclub to go to rumba. I earn my money and I have to work

hard, for me is a job. But the levels of drugs and alcohol in prostitution are high. I like liquor. Most use marijuana, but there are some who use heroin, the Popper.

We the prostitutes do something that people see wrongly because people earn for selling sex. But a prostitute is also a woman who is having sex with her husband but at the same time sleeps with everyone and does earn money ... what kind of prostitute is she? Also a prostitute is the woman in a neighbourhood has sex with everyone but the day before she doesn't have money to eat. What kind of prostitute is she? What's the difference with me?

Before I accepted the offer to Japan I knew I had to work as a prostitute. The reasons to go there were earn a lot of money. But when I was there everything was completely different. I saved money there but very little.

I was deported when I was working, the migration police went there. I did not want to back because I was finishing my debt. I was already paying it was to get money to me. Already paying debt and saving is gained. I did not want to return. Month and a half I was detained and then deported me. I was in prison during 3 or 6 months, not for prostitution but because I was illegal .

Appendix No.4 International instruments to ‘combat trafficking’

United Nations
International Agreement for the Suppression of the White Slave Traffic, signed at Paris on 18 May 1904
Protocol amending the International Agreement for the Suppression of the White Slave Traffic, signed at Paris on 18 May 1904, and the International Convention for the Suppression of the White Slave Traffic, signed at Paris on 4 May 1910
International Convention for the Suppression of the Traffic in Women and Children, concluded at Geneva on 30 September 1921
Slavery Convention, on 25 September 1926 United Nations.
Protocol amending the Slavery Convention signed at Geneva on 25 September 1926.
International Convention for the Suppression of the Traffic in Women of Full Age, concluded at Geneva on 11 October 1933
Protocol to amend the Convention for the Suppression of the Traffic in Women and Children, concluded at Geneva on 30 September 1921, and the Convention for the Suppression of the Traffic in Women of Full Age, concluded at Geneva on 11 October 1933.
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 2 December 1949
Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, done at Geneva on 7 September 1956
International Covenant on Civil and Political Rights (1966)
Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly in its resolution 34/180 of 18 December 1979
International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families, adopted by the General Assembly in its resolution 45/158 of 18 December 1990
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)
United Nations Convention against Transnational Organized Crime (2000)
Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations convention against transnational organized crime (2000)
International Labour Organization
Convention concerning Forced or Compulsory Labour, 1930 (Convention No. 29), of the International Labour Organization
Convention concerning Migration for Employment (Revised), 1949 (Convention No. 97), of the International Labour Organization
Convention concerning the Abolition of Forced Labour, 1957 (Convention No. 105), of the International Labour Organization
Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975 (Convention No. 143), of the International Labour Organization
Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization

Appendix No.5 Interagency Committee to combat Trafficking of women and children, 1996.

- Minister of Interior and Justice or his delegate who will preside
- the chairman of the Board of the Institute of Family Welfare
- the Minister of Foreign Affairs or the Secretary Communities abroad and Consular Affairs
- The Director General of the National Police or the Inspector General of the institution;
- The Prosecutor General's Office or the Director from the Office of International Affairs and the Director Sectional Attorneys of Santa Fe de Bogota,
- The attorney General's Office or the Attorney Delegate for Children and Families
- The Advocate of the People or the Ombudsman Delegate for Children, Women and the elderly,
- The Registrar National Civil State or the Secretary General, The Director of the Presidential Program for the Defence of Personal Liberty, or the Secretary Technical
- The Director General of the Bureau of Interpol in Colombia,
- The director General of the Colombian Institute for Family Welfare or the Secretary Protection,
- The Director National Office for Equality of Women and the Assistant Director.

Appendix No.6 Interagency Committee to combat Trafficking in persons, 2005

- Minister of Interior and Justice or his delegate who will preside
- the Minister of Foreign Affairs or the Director of Consular Affairs and Colombian Communities Abroad, or his delegate,,
- the Minister of Social Welfare or his deputy,
- the Minister of Education or his representative, the Director General of the Administrative Department of Security or his delegate,
- the Director General of the National Police or his delegate, the Attorney General's office or his delegate,
- the Attorney General's Office or his delegate,
- the Ombudsman or his deputy, the Assistant Director General, Bureau of Interpol in Colombia or his delegate,
- the Director General of the Colombian Institute for Family Welfare or his deputy,
- Presidential Women's Councillor Equality or its delegate
- The Director (a) of Fondelibertad or his delegate and the Director General Special Administrative Unit of Financial Information and Analysis or his delegate.

Appendix No.7 United Nations Conventions and Protocols adopted by Colombia

<i>International Covenant on Civil and Political Rights (1966)</i>		<i>The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly (1979)</i>		<i>International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)</i>		<i>Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)</i>		United Nations Convention against Transnational Organized Crime (2000)		Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations convention against transnational organized crime (2000)	
Signature	Ratification	Signature	Ratification	Signature	Ratification	Signature	Ratification	Signature	Ratification	Signature	Ratification
21 Dec. 1966	29 Oct. 1969	17 July 1980	19 Jan 1982		24 May 1995	6 Sep 2000	11 Nov. 2003	12 Dec. 2000	4 Aug. 2004	12 Dec. 2000	4 Aug. 2004

***Appendix No.8 International Labour Organization –ILO-
Conventions adopted by Colombia***

Convention concerning Forced or Compulsory Labour C29, 1930	Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour C182, 1999
Ratification	Ratification
04 March 1969	28 January, 2005

Appendix No.9 Inter-American conventions adopted by Colombia

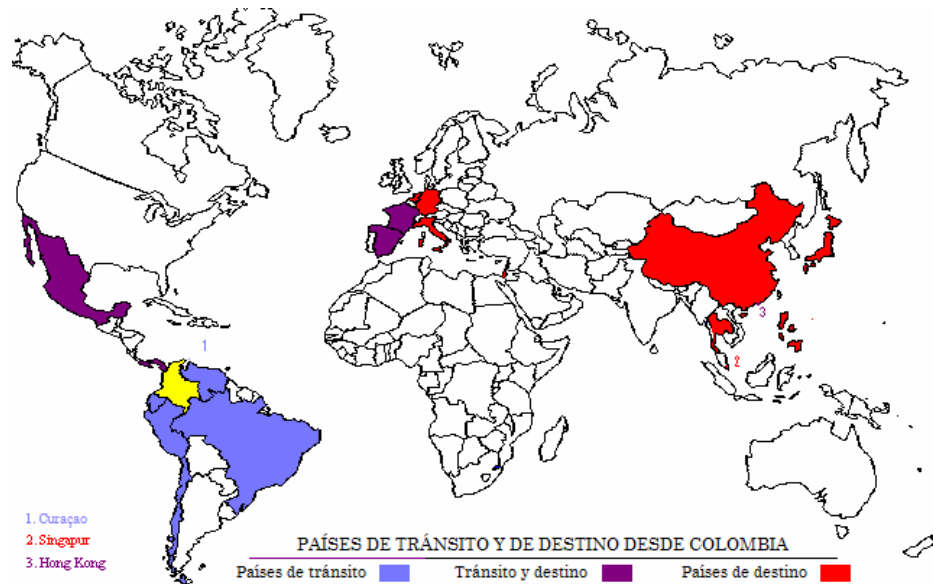
Inter-American convention on the prevention, punishment and eradication of violence against women "Convention of Belem do Para" (1994)		Inter-American Convention on International Traffic in Minors, (Mar. 18, 1994)	
Signature	Ratification	Signature	Ratification
	15 Nov. 1996		12 June 2000

Appendix No.10 Tier 1 Placements

Tier 1 Placements	
Australia	Korea , South
Austria	Lithuania
Belgium	Luxembourg
Bosnia & Herzegovina	Mauritius
Canada	Netherlands
Colombia	New Zealand
Croatia	Nigeria
Czech Republic	Norway
Denmark	Poland
Finland	Slovenia
France	Spain
Georgia	Sweden
Germany	Taiwan
Ireland	United Kingdom
Italy	United States of America

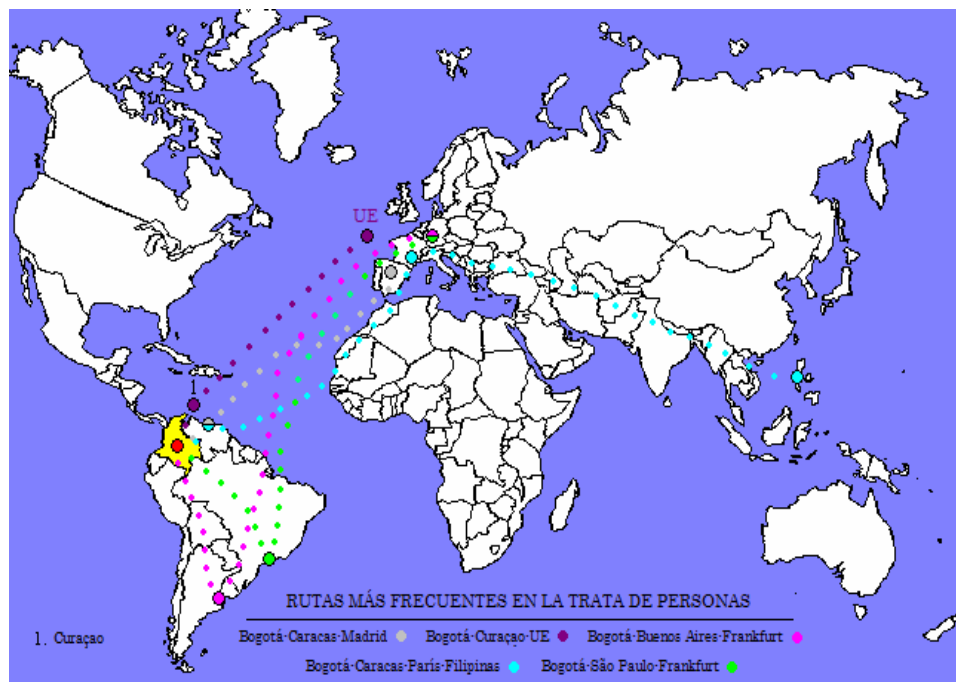
Department of State of United States. 'Trafficking in Persons Report, 2010'

Figure 1 Countries of destiny and transit from Colombia



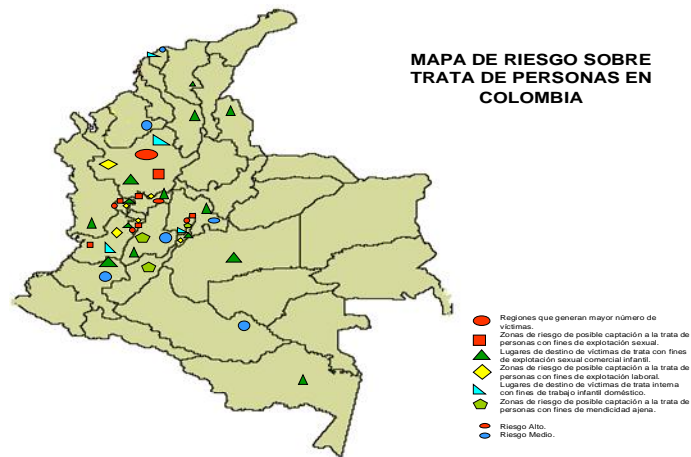
Comité Interinstitucional de Lucha contra la Trata de Personas, 2010.

Figure 2 Common routes of ‘trafficking’



Comité Interinstitucional de Lucha contra la Trata de Personas, 2010.

Figure 3 Risk Map of human ‘trafficking’



Comité Interinstitucional de Lucha contra la Trata de Personas, 2010.

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