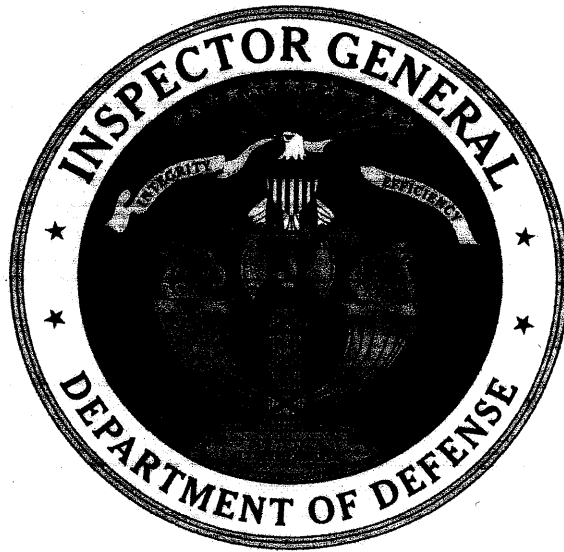


DEPARTMENT OF DEFENSE OFFICE OF THE INSPECTOR GENERAL

CASE NUMBER
H03L88433128

JUL 10 2003



ASSESSMENT OF DOD EFFORTS TO
COMBAT TRAFFICKING IN PERSONS

PHASE I -- UNITED STATES FORCES KOREA

Prepared by Program Integrity Directorate
Office of Deputy Inspector General for Investigations

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PHASE I -- UNITED STATES FORCES KOREA

I. INTRODUCTION AND SUMMARY

At the request of 13 members of Congress, including Congressman Christopher H. Smith (who also serves as Co-Chairman of the Helsinki Commission), the Office of Inspector General of the Department of Defense initiated a "thorough, global and extensive" assessment to address publicized allegations that "U.S. military personnel, particularly those stationed in South Korea, are engaged in activities that promote and facilitate the trafficking and exploitation of women." This assessment is being conducted in phases, the first building upon a foundation developed by and in cooperation with the various military offices of inspectors general associated with United States Forces Korea (USFK).

The Inspector General of the Department of Defense found that USFK leadership had initiated aggressive efforts to address the problem of human trafficking since June 2002 after several news organizations featured stories connecting the U.S. military establishment with the practice of prostitution and human trafficking in Korea. In particular, command authorities had made significant strides in educating their 37,000 personnel on human trafficking issues and the illegality of prostitution in Korea. In order to divert interest from predatory and exploitive off-installation establishments, the USFK leadership was also working to improve the quality of life and expand off-duty entertainment alternatives for assigned Service members.

During our assessment, we identified a number of opportunities for expanded efforts on the part of USFK leadership to combat human trafficking, particularly efforts that focused on reducing the number of off-post installations that were engaged in prostitution or human trafficking. Further, we found that the USFK leadership also expressed a strong desire to work more closely with Republic of Korea and U.S. government agencies as well as nongovernmental organizations (NGOs) to address human trafficking issues. We provided several recommendations to General Leon J. LaPorte, U.S. Army, Commander, USFK, among them: (a) improved training that would sensitize all Service members, as well as Military Police and Courtesy Patrols, to human trafficking, (b) more aggressive efforts to place offending establishments "off-limits," (c) renewed cooperation with Korean authorities, and (d) the deployment of Inspector General (IG) assets to evaluate progress in the fight against human trafficking.

Since our visits, USFK leadership has undertaken vigorous efforts to implement those recommendations. In a letter dated April 4, 2003 to Congressman Christopher H. Smith, General LaPorte reported the following accomplishments:

- improved training of troops stationed in the USFK area of responsibility to enhance their awareness of human trafficking issues. This effort included the establishment of a "Korea-wide Crime Stoppers Hotline" by which Service

members can report any suspicious activity that relates to human trafficking;

- placed 26 establishments suspected of involvement in prostitution and human trafficking off-limits to U.S. personnel. Subsequently, General LaPorte reported to the us that, as of June 4, 2003, 661 establishments had been placed off-limits throughout Korea for prostitution or prostitution-related activities;¹
- strengthened coordination with Korean authorities to control human trafficking; and
- directed the USFK IG to assess the effectiveness of programs that have been implemented to address human trafficking in entertainment districts near U.S. military installations.

The congressional request for this assessment was triggered by a March 2002 broadcast on Fox News that featured Service members in Korea patronizing off-post bars and other entertainment establishments where female companionship was offered. The broadcast depicted women (implied to be prostitutes) in the off-post establishments as victims of human trafficking and suggested that the military leadership in Korea, by providing “Courtesy Patrols” to monitor Service member behavior in off-post bars, essentially condoned the illegal activities that occurred there. Based on the Fox News report, Members of Congress expressed concern “that American soldiers [in Korea] are knowingly procuring the services of trafficked persons and that some of these soldiers may even be ordered to protect and patrol the brothels.”

Noting that the problem of human trafficking could affect Service members in other countries where there is a military presence, the Members of Congress emphasized “that any investigation into this problem be thorough, global, and extensive.” Accordingly, we will also review DoD efforts to combat human trafficking at two installations in the United States and at our most vulnerable overseas bases in Europe (Bosnia and Kosovo). This report provides our assessment of efforts by United States Forces Korea (USFK) to combat human trafficking as it affects Service members stationed there. A second report will provide findings and conclusions of Phase II of our assessment.

During Phase I, we conducted two on-site visits to Korea, visiting various military installations and observing off-post activities. We spoke with numerous officials involved in the matter, including General Leon J. LaPorte, Commander, USFK, subordinate commanders of military bases in Korea, legal and law enforcement officials, and United States embassy officials. The Inspector General of the Department of Defense personally traveled to Korea on the second visit to convey the personal interest of the President and Secretary of Defense in this matter and make first-hand observations regarding the adequacy of ongoing efforts to combat human trafficking.

¹ Although USFK has placed additional establishments off-limits as a result of aggressive efforts to combat human trafficking, the large jump in the number reported here represents primarily the decision to identify and count the number of individual establishments that are located in Korean “red light” districts that have historically been off-limits for Service members because of prostitution or prostitution-related activities.

This report provides further detail on the scope and nature of our visits and the basis for our recommendations in the matter.

II. BACKGROUND

In March 2002 Fox News broadcast a report on employment of foreign nationals in involuntary prostitution in Korea. The broadcast referred to alleged practices by owners of Korean entertainment establishments such as enticing women from Russia, the Philippines, and other countries to come to Korea to work, then withholding their passports forcing them to remain in Korea and earn their freedom to return home by practicing prostitution.

The report also suggested U.S. complicity in these schemes stemming from patronage of offending establishments by U.S. military personnel and oversight of the establishments by U.S. Military Police personnel. One segment of the report featured, among others, the following excerpts from interviews with Service members who were serving on a Courtesy Patrol² of off-base establishments:

- In response to the question posed by the Fox reporter “So you keep these places safe?” a Courtesy Patrol member replied, “Yeah, that’s what we do. That’s our job.”
- In another excerpt, a member of the Courtesy Patrol observed: “All these bar owners buy girls at auction. These girls have to earn however much money it takes to get their passports back.”
- In an earlier scene, that Service member had explained: “They [women working in bars] are told to come here to make some money. And no they don’t make money. They just make enough to buy their passport back. Because the people in Russia get them a visa, passport -- the whole 9 yards to work in Korea. They get off the plane and Korean nationals who work at the airport take the visa and passport away and put them in a line at the side. And they go to auction.”

In a letter dated May 31, 2002, 13 members of the U.S. Congress, acting under the auspices of the Commission on Security and Cooperation in Europe (“Helsinki Commission”), requested that we investigate allegations that “U.S. military personnel, particularly those stationed in South Korea, are engaged in activities that promote and facilitate the trafficking and exploitation of women.”

III. SCOPE

To conduct the assessment requested by Members of Congress, we made two on-site visits to various locations in Korea. During a visit conducted from December 3 to 14, 2002, we met senior USFK officials, including the Chief of Staff, Deputy Chief of Staff, Deputy Chief of Intelligence, and Provost Marshal. Additionally, we conferred with the Provost Marshal of the

² Within USFK, Courtesy Patrols consist of noncommissioned officers from individual company-sized units detailed to patrol off-post locations to ensure the safety and proper comportment of soldiers assigned to their units while off-duty.

USFK Medical Command, personnel assigned to the Army Criminal Investigation Command, four Area Commanders, the Second Army Division Commander, and various Army camp garrison commanders. We also met with the Republic of Korea Inspector General, visited several U.S. military installations in Korea, to include Camps Casey and Bonifas and Osan Air Force Base, and conducted a site visit to the Itaewon District in Seoul (outside Yongsan Army Garrison). Finally, we met U.S. diplomatic personnel, various Republic of Korea officials, and representatives of nongovernmental organizations who were concerned with human trafficking issues.

In a second visit to USFK from March 4 to 7, 2003 we met with the U.S. Ambassador to Korea, the USFK Commander, the 2nd Infantry Division and 7th Air Force Commanders, and a number of Korean officials, to include officers of the Korean Independent Commission Against Corruption and the International Organization of Migration, the Korean Forces Inspector General, and a Korean criminal prosecutor. We again conducted site visits to the Itaewon District, Camp Casey and surrounding commercial establishments, and Osan Air Force Base.

We reviewed documents, to include policy guidance issued by various U.S. military commands throughout the USFK area, an assessment conducted by the 8th Army IG between June 14 and August 14, 2002, entitled, "Review and Assessment of Regulations, Policies, and Enforcement Practices Regarding Off Limits Establishments and Prostitution," and other relevant materials.

IV. FINDINGS AND ANALYSIS

Standards

Title 10, United States Code (U.S.C.), Sections 3583, 5947, and 8583, "Requirement of Exemplary Conduct," dated November 18, 1997

These sections establish a standard of conduct for commanding officers and others in authority in the Army (3583), Air Force (8583), and Naval Service (5947) to

"(1) show in themselves a good example of virtue, honor, patriotism, and subordination;

"(2) be vigilant in inspecting the conduct of all persons who are placed under their command;

"(3) guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of [the relevant Military Department] all persons who are guilty of them; and

"(4) take all necessary and proper measures, under the laws, regulations, and customs of [the relevant Military Department] to promote and safeguard the morale, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge."

These provisions are of significance here, because, in our view, they impose on commanders a responsibility to lead by example in fighting human trafficking, to be “vigilant in inspecting the conduct of all persons who are placed under their command,” and to take proactive measures to discourage and punish conduct that contributes to human trafficking.

Public Law (P.L.) 106-386, Division A, 114 Stat. 1464, “Victims of Trafficking and Violence Protection Act of 2000”

The purposes of the Act are to “combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims.”

The Act requires the President to establish an Interagency Task Force, chaired by the Secretary of State, to “monitor and combat trafficking.” While the Department of Defense (DoD) is not named as one of the agencies to be included on the Task Force, the Act enables the President to designate Federal agencies in addition to those named.

The Act directs the Task Force to, among other things,

- “coordinate the implementation of” the Act;
- “measure and evaluate . . . progress . . . in the areas of trafficking prevention, protection, and assistance of victims . . . prosecution and enforcement against traffickers;” and
- “expand interagency procedures to collect and organize data, to include significant research and resource information on domestic and international trafficking.”

The Act empowers the President and Executive Agencies to take acts to fight trafficking in persons, to include imposing economic sanctions on countries that do not act to curb trafficking, providing assistance to victims of trafficking, such as special work visas and education programs, and amends U.S. criminal laws to better define, prosecute, and punish trafficking and related offenses.

National Security Presidential Directive (NSPD)-22, “Combating Trafficking in Persons,” dated December 16, 2002

NSPD-22 directs Federal agencies to “strengthen their collective efforts, capabilities, and coordination to support the policy to combat trafficking in persons.” It further states: “The policy of the United States is to attack vigorously the worldwide problem of trafficking in persons, using law enforcement efforts, diplomacy, and all other appropriate tools,” and directs relevant agencies of the U.S. Government to work together to address human trafficking.

The Directive details five areas of effort in fighting trafficking: vigorous prosecution of traffickers; raising awareness of the problem; protecting victims of trafficking; reducing vulnerability of potential victims through education, economic opportunity, and protection of

human rights; and encouraging cooperation of other nations in the fight against human trafficking.

The Directive states, “our policy is based on an abolitionist approach to trafficking in persons, and our efforts must involve a comprehensive attack on such trafficking, which is a modern day form of slavery. . . . [T]he United States Government opposes prostitution and any related activities, . . . as contributing to the phenomenon of trafficking in persons,” and takes the position that these activities should not be regulated as a legitimate form of work.

The Directive implements the Victims of Trafficking and Violence Protection Act of 2000 by creating a Task Force that includes the Departments of State, Justice, Labor, Homeland Security, Health and Human Services, Defense, and Treasury, and the Agency for International Development, the Central Intelligence Agency, the Office of Management and Budget to cooperate in developing a coordinated strategy for “active diplomatic engagement, marshalling law enforcement resources, gathering and sharing intelligence, obtaining international cooperation, and providing specialized law enforcement training as necessary to combat trafficking in persons.” The Directive assigns the Secretary of State the lead role in implementing the Victims of Trafficking and Violence Protection Act of 2000 and Task Force Initiatives.

The DoD, together with other agencies, is given the task of developing and implementing relevant training programs. The agencies must review their internal procedures, capabilities, programs, and resources necessary to implement the Directive and, within 90 days of the effective date of the Directive (December 16, 2002), promulgate plans to implement it. The Under Secretary of Defense for Policy is currently staffing the required plan.

Facts

Our assessment examined the adequacy of ongoing programs sponsored by USFK to curb Service member use of off-base establishments that may traffic in persons (“demand” side) as well as efforts to reduce the number of Korean establishments that are engaged in improper or illegal activities (“supply” side). Programs to reduce Service member demand for improper activities offered by off-base establishments are focused on two areas: (1) educating Service members on national policy regarding human trafficking, on the requirement for exemplary conduct by all Service members, and on the illegality of prostitution under Korean law and USFK regulations,³ and (2) improving on-base recreational facilities so those facilities become viable alternatives to off-base entertainment attractions.

USFK programs to reduce the number of Korean establishments that entice Service members include: (1) refocusing military law enforcement efforts, aided by Courtesy Patrols, to identify and place “off-limits” those establishments that support human trafficking, and (2) reinvigorating cooperative agreements with Korean authorities to suppress human trafficking activities. We address each of these areas below.

³ USFK Regulation 190-2, “Off-Limits Areas and Establishments,” prohibits all Service members in Korea from entering houses of prostitution. Service members who fail to comply with the regulation “are subject to punishment under the UCMJ [Uniform Code of Military Justice].”

Educational efforts

The assessment team found that the USFK leadership acknowledges the fact that human trafficking is a concept not necessarily tied to an individual's legal status in the country -- either as local nationals or as guest workers in the country on a valid visa. That is, leaders with whom we spoke recognized that individuals who are subject to force, fraud, or coercion in performing a certain act -- such as prostitution -- are human trafficking victims. USFK teaches assigned Service members that prostitution is a violation of Korean law, and that by engaging in acts supporting prostitution, U.S. Service members may violate USFK regulations and the Uniform Code of Military Justice (UCMJ). USFK's human trafficking program is geared to the premise that if Service member involvement in off-installation prostitution is reduced (demand-side), that reduction of demand will correspondingly lead to less human trafficking and off-installation exploitation (supply-side).

USFK's human trafficking education program is a positive effort. All Service members and USFK employees are taught that human trafficking and prostitution is illegal and that the chain of command in no way condones any actions that support human trafficking or prostitution. They are also taught how to recognize possible indicators of human trafficking or prostitution. Some specific details of the education program still need to be improved and fine-tuned. For example, there should be a standardized, more polished, and better-staffed USFK human trafficking core curriculum. This core curriculum should be taught to all members of the command upon arrival and must include the flexibility to be modified to accommodate relevant aspects of local conditions. These recommended improvements notwithstanding, the pervasiveness and the seriousness with which the subject is addressed reflects USFK's committed effort to address human trafficking and illegal prostitution issues.

The portion of the USFK education program that articulates prescribed standards, as reflected in the UCMJ and Service values, makes the clear point that human trafficking and illegal prostitution are incompatible with military service.⁴ This portion of the USFK education program is particularly strong and should be continued. We believe that, in addition to articulating the incompatibility of prescribed military standards and military values with human trafficking, the program should also draw attention to the prescribed standards of exemplary conduct that Congress codified at 10 U.S.C. §§ 3583, 5947, and 8583, as set forth in the standards section above. These congressionally prescribed standards apply uniformly for each Service and clearly articulate every officer's and leader's responsibility with regard to human trafficking and other exploitive practices. To that end, we made the following recommendations to General LaPorte at the conclusion of our second visit:

- Bolster human trafficking situational awareness in the context of ongoing emphasis on "Core Values" and "The NCO [noncommissioned officer] Creed." Provide official "tool kit" to Service members, that includes the unclassified version of the Presidential Directive on Human Trafficking and President Bush's letter of

⁴ Each Branch of Service has its own self-prescribed values. For the Navy and Marine Corps it is "Honor, Courage, and Commitment"; for the Air Force, "Integrity First, Service Before Self, and Excellence in All We Do"; and the Army has "Loyalty, Duty, Respect, Selfless-Service, Honor, Integrity, and Personal Courage."

February 20, 2003, announcing directive (see standards section above), the requirements for exemplary conduct in Title 10, and the Trafficking Victim's Protection Act of 2000.

- Develop and deploy a "human trafficking indicators" guide for sensitizing not only Military Police and Courtesy Patrols, but each Service member.
- Emphasize individual moral decision making based on Army Core Values and "The NCO Creed" as the ultimate metric for success.

We found that USFK has embraced those recommendations. By letter dated April 4, 2003, General LaPorte advised Congressman Smith, "We renewed our emphasis on initial training for all USFK newcomers and refresher training for all personnel that highlights suspicious indicators and explains the complex inter-relationship between these issues." Additionally, by email to this office dated June 4, 2003, General LaPorte emphasized,

"Training and awareness stands as one of the pillars of our program to address prostitution and its ties to human trafficking. We will tap the various resources you mentioned as well as others to gather information that will be more informative and substantive for leaders and Service members. . . . Our leaders continue to make direct linkages among the topics of service, values, ethical decision-making, and prostitution and human trafficking."

Improvements to On-Base Recreational Facilities

Anecdotal evidence suggested that the USFK infrastructure in Korea had been underfunded for an extended period of time. The lack of base living and recreational facilities comparable to those in the United States resulted in a situation where Service members were drawn to the exploitive off-installation bars for a number of reasons.

- they were looking for nearby places to relax after extended field training exercises resulting from USFK's high operations tempo;
- personal living conditions were so unpleasant that Service members wanted to spend as little time as possible in the barracks/dormitories;
- on-base recreational facilities or educational options were scarce and of low quality as compared to other U.S. military installations.

We understand that, for many years, USFK leadership has requested improvements to the living conditions of assigned Service members. Many of these requests are now being funded. The assessment team found significant new construction and quality of life improvements at all locations. Commanders assert that as these improvements continue Service members will look less and less to off-installation bars for their entertainment options. The commanders envision a day in the foreseeable future when on-installation and off-installation facilities will be

comparable with the conditions at stateside installations. It is their hope that, as conditions improve, predatory and exploitive off-installation clubs that engage in human trafficking and prostitution will no longer be in business. We found ongoing efforts in this area sufficient and found no basis to make recommendations.

Refocus Law Enforcement Efforts

Much attention was drawn to this issue because of the manner in which the member of the Courtesy Patrol who was featured on the Fox News video articulated that he was there to protect the "establishment." The statement was especially problematic because his comment gave the impression that his job was to protect what appeared to be a club using trafficked women to provide prostitution services exclusively to U.S. Service members.⁵

Notwithstanding implications in media accounts that USFK police personnel provide "protection" to predatory establishments, our assessment found that Courtesy Patrols and off-installation policing activities engaged in by U.S. Forces in Korea are focused on the protection of U.S. Service members rather than protection of any individual establishments. We did not find that uniformed U.S. Military Patrols, in any visited area, provided physical "protection" for off-installation bars. The patrols are there to provide a "Command Presence" in off-installation areas that have high concentrations of U.S. military personnel. Such a presence, whether by military law enforcement officials or other command representatives is appropriate because of the command's special responsibility for U.S. military personnel in overseas locations and because of the constant jurisdiction the UCMJ provides over Service members anywhere in the world -- on or off military installations.

Our observations tended to confirm information provided to Congressmen Smith by the Secretary of the Army in a letter dated June 19, 2002:

"The USFK Command does employ Courtesy Patrols (CPs) as a force protection measure in these legal establishments. CPs provide a uniformed presence in restaurants, bars, and clubs located near USFK military installations. While not a substitute for military police or other law enforcement measures, CP duty is officially tasked; members of CPs receive formal briefings and written instructions concerning their duties and responsibilities. Generally, CPS monitor the safety and behavior of military personnel patronizing establishments in and around the military

⁵ Neither Fox News nor USFK were able to identify the Service members serving on Courtesy Patrol who made comments during the Fox News video. There have been no reports of either reprisal or disciplinary action being taken against Service members as a result of their appearances in the Fox News report. However, based on our conversations with other Service members, we believe the Service member was repeating a generally held perception that many of the women who work in off-installation bars were exploited by debt-bondage, illegal confiscation of identity papers, and threats of physical violence. We found this perception to be corroborated by an abundance of articles on human trafficking and information from the United Nations and the Department of State's Office to Monitor and Combat Trafficking in Persons, as well statements by Korean government authorities and local non-governmental organizations which focused on aiding off-installation victims.

installation. Their function is predominantly preventative; CPs attempt to prevent U.S. Service members from becoming involved in acts prejudicial to good order and discipline or from engaging in conduct in contravention of the UCMJ or host nation law. CPs serve the additional function of prevent assaults and acts of terrorism on U.S. personnel.”

Off-installation policing is an important, productive, and an appropriate program. However, we observed that interactions between the command representatives (Courtesy Patrol and law enforcement officials) and patrons and employees of the off-installation bars were sometimes overly familiar and included behaviors that are more representative of friendship (such as shaking hands with bar employees) than of the demeanor that denotes being an official on duty. Such friendly behavior not only gave the appearance of official imprimatur to activities in the clubs, but also made it more difficult for those command representatives to make an objective assessment of the human trafficking situation in the respective off-installation bars. Based on these observations, we concluded there must be greater efforts to ensure all off-installation policing personnel -- Courtesy Patrols, as well as Military Police -- are trained to standards established by USFK and have formalized established reporting procedures to ensure that exploitive practices by off-installation facilities are formally documented and reported to the appropriate commanders.

We found that, already, for a wide variety of appropriate reasons, U.S. military law enforcement officials visit off-installation bars in civilian clothes for official duties. These official duties are related to a myriad of tasks from drug suppression to counter-intelligence. However, we noted that military law enforcement activities at off-installation bars may have overlooked human trafficking concerns because law enforcement personnel were focused on a misperception that they could only report improper activity rising to the level of evidence admissible in criminal courts (evidence beyond a reasonable doubt). This focus sometimes caused military law enforcement personnel to lose situational awareness of the exploitive and illegal practices occurring around them. The assessment team perceived the need to educate law enforcement officials that the information a commander needs to take noncriminal action against predatory off-installation establishments (e.g., place them “off-limits” to Service members) is different and need not meet the evidentiary standards of criminal courts.

For example, the team found that if military law enforcement officials saw a man and a female bar employee in an off-installation club leave the main room of the establishment together and emerge 15 minutes later, they would not necessarily perceive that as evidence of prostitution. The same might be true even if this same scenario occurred routinely throughout the evening, involving the same female employee and different men. Similarly, law enforcement personnel might find nothing to report if a Service member paid a “bar-fine”⁶ assessed against a woman and left the club with her for an evening.

⁶ A fine assessed by an establishment against one of its female employees for the value of her time away from the workplace. In Korea, this practice is often a subterfuge for payment to the establishment for prostitution services rendered by its female employees, and the fine is paid by the patron.

We found that commanders understood their authority, under USFK Regulation 190-2, "Off-Limits Areas and Establishments," to place off-installation establishments that engage in and support human trafficking, prostitution, and other exploitive practices off-limits to Service members. Notwithstanding this knowledge, we found that, for a variety of reasons, including lack of actionable information, commanders sometimes did not take the necessary steps to place establishments off-limits. At the conclusion of our second visit, we made the following recommendations that were intended to expand the use of the "off-limits" designation in order to eliminate Service member patronage of predatory establishments:

- Fully engage law enforcement and intelligence assets to collect and report indicators of human trafficking promptly to Armed Forces Disciplinary Control Board for possible off-limits show cause order.⁷
- Fully engage IG assets as a periodic and independent check on command/law enforcement efforts to identify clubs involved in human trafficking/prostitution. Designate the incumbent 8th Army IG as joint IG for USFK, allowing him to better handle joint issues. (As a matter of practice, the 8th Army IG served in a "dual-hat" capacity as the USFK IG, but was not officially designated as such.)
- Consider conducting interviews related to human trafficking through IG channels to preserve confidentiality of sources and preclude actual or perceived whistleblower reprisal.

Again, we found that USFK leadership aggressively took action in response to those recommendations. By letter dated April 4, 2003, General LaPorte advised Congressman Smith, that USFK had established "a Korea-wide Crime Stoppers Hotline by which servicemembers can report to the Provost Marshal any suspicious activity that relates to prostitution or human trafficking." Further, he stated that "we are publishing a USFK-wide policy that will, among other things, expressly state Courtesy Patrol (CP) reporting requirements concerning suspicious activity related to prostitution or human trafficking." As a result of those efforts, General LaPorte reported, "the Yongsan commander recently placed 26 establishments off-limits for suspicious activities related to possible prostitution."

Further, to "assess the effectiveness of the USFK programs," General LaPorte advised that he had "recently directed my Inspector General (IG) to conduct a 'Phase II Inspection.' The IG is now looking across the peninsula, focusing on leadership efforts, servicemember education, and the on-post and off-post environments." Subsequently, by email to this office dated June 4, 2003, General LaPorte advised, "My Inspector General has devoted a significant portion of his resources conducting a comprehensive inspection of our program across all five component commands and all six geographic areas." The email further emphasized,

⁷ The Armed Forces Disciplinary Control Board is the commander's tool for identifying and placing civilian establishments off-limits to Service members. According to a memorandum dated September 10, 2002, from the Chief of Staff, USFK, a investigation will be conducted "when credible evidence is presented" that the establishments "support, harbor, or in anyway sanction prostitution. . . .Businesses may be placed 'Off Limits' to USFK personnel due to these illegal activities."

“Military law enforcement continues to be one of the primary tools to combat this illegal activity. . . . Leads from this [Korea-wide Crime Stoppers] Hotline and any other leads are being followed up and provided to the Armed Forces Disciplinary Control Board and other appropriate agencies for action. We have currently designated 661 establishments as off-limits throughout Korea.”

Cooperative Agreements with Korean Authorities

As indicated in National Security Presidential Directive-22, programs to combat human trafficking involve the efforts of numerous Government agencies and must include “diplomatic engagement” and efforts toward “obtaining international cooperation.” Accordingly, we recommended that General LaPorte explore opportunities to “fully engage ROK [Republic of Korea] and NGO assets,” noting that the Chairman of the Korean Commission on Corruption offered to consider any whistleblower allegations of human trafficking corruption.

In his letter to Congressman Smith of April 4, 2003, General LaPorte reported a number of initiatives to expand cooperation between Korean government authorities and military activities with respect to human trafficking. Among them:

- Fifteen new direct telephone lines were installed between Korean National Police (KNP) and USFK police stations “to facilitate coordination in these areas with Korean authorities.”
- A U.S. commander and local Korean authorities issued a joint policy statement stating their “mutual resolve to address any problems of prostitution and human trafficking in the entertainment district adjacent to Camp Casey.”
- At the request of USFK, “the KNP Superintendent directed a 60-day investigation of prostitution in the vicinity of U.S. military installations the KNP has closed numerous establishments and prosecuted a number of people.”
- On at least three occasions, the KNP Senior Superintendent of Women and Juvenile Affairs visited entertainment districts to

“gather information on the working conditions and to inform the women of their rights, offer opportunities to return to their respective homelands, and distribute information on how to report illegal activities. With the information learned, the South Korean government changed its visa policies and placed greater emphasis on protecting the rights of foreign workers in the entertainment area.”

Discussion

We are convinced that USFK has taken strong and effective action, not only to change the military culture that generated the type of comments by Service members that were featured in the Fox News video but also, and more significantly, to reduce both the demand for and supply of off-base establishments that profit from human trafficking. These efforts demonstrate a commitment on the part of USFK leadership to comply with NSPD-22, as well as to satisfy its statutory duty under Title 10, United States Code, to “guard against and suppress all dissolute and immoral practices.”

The USFK education program for Service members serving in Korea relating to issues of illegal prostitution and human trafficking was already strong, as noted above. The command’s improvements of the program based on our recommendations further strengthened it. Among these improvements were integration of elements from the Presidential Directive and congressional “Exemplary Conduct” amendments to Title 10 into instructional content. The addition of instruction on indicators of illegal activity and information about the inter-relationships between prostitution and human trafficking further deepens the curriculum and enhances its effectiveness. Finally, we believe that the renewed emphasis on both initial and refresher instruction will keep human trafficking issues in the forefront and ensure continued focus on the problem by all USFK personnel.

The USFK program to enhance off-duty and housing facilities attacks human trafficking from the demand side and supplements the educational initiative. Further, we consider this program, with its long-term dedication of funds and effort, as a strong indication of long-term commitment by USFK leadership to the fight against human trafficking.

Finally, the enhancement of policing efforts, by U.S. Forces alone and in coordination with host nation and international elements, is the most visible and potentially effective aspect of USFK’s initiative. General LaPorte has provided the requisite command emphasis in a “top down” effort by issuing policy pronouncements (both unilaterally and jointly with Korean authorities) and, most importantly, by following up these pronouncements by providing instructions and means to police authorities and other USFK personnel to report human trafficking information. USFK’s affirmative acts, including placing establishments off-limits, coordinating with Korean authorities in prosecution of offenders, and involving all interested parties in oversight of the anti-human trafficking effort, further affirm the command’s commitment.

V. CONCLUSION

While some deficiencies existed in DoD efforts to combat human trafficking in Korea, USFK leadership has acted boldly and proactively to remedy these deficiencies and implement forceful and effective anti-human trafficking measures. These measures are consistent with the requirement for exemplary conduct imposed on all “commanding officers and others in authority” by Title 10, U.S. Code Sections 3583, 5947, and 8583, and demonstrate a firm commitment to the “abolitionist approach to trafficking in persons” that underlies national policy set forth by NSPD-22.

In that regard, the education and training programs implemented by USFK not only provide information concerning the legal and societal implications of patronizing establishments that engage in human trafficking, but appeal to “core values” that must form the basis for moral decision making among Service members. By approaching the human trafficking issues in that manner, USFK commanders and others in authority satisfy their responsibility to “guard against and suppress all dissolute and immoral practices.”

Similarly, the employment of the “off-limits” process to reduce profitability of offending establishments and USFK efforts to increase cooperation with local authorities are on-target responses to NSPD-22, which calls for “using law enforcement efforts, diplomacy, and all other appropriate tools” in the attack against human trafficking. The success of USFK leadership in engaging local authorities by installing new direct telephone lines between Korean and U.S. law enforcement authorities, issuing joint policy statements, and facilitating Korean inspections and investigations recognizes that the United States, working alone, cannot solve this global problem.

By encouraging, assisting, and guiding the efforts of Korean authorities, the USFK leadership has set the example for other overseas commanders who may encounter the impact of human trafficking in their theaters of operation. The long term continuation of such efforts will ensure that actual or perceived DoD complicity in human trafficking is eliminated.

VI. RECOMMENDATION

We recommend USFK leadership from top down continue to proactively pursue ongoing efforts to combat human trafficking.