**General Submission on Trafficking in Women and Girls**

**in the Context of Global Migration**

**for the Committee on the Elimination of Discrimination against Women**

By Project X (Singapore)



Project X is a non-governmental organisation based in Singapore, that provides direct services to sex workers of all genders and sexual orientations, and advocates for sex workers’ rights. A large proportion of the sex workers that Project X works with are migrant women and girls.

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This submission includes the following sections:

1. Background: Migration and Sex Work in Singapore p.2
2. Women’s Reasons for Migration to Singapore for the Purpose of Sex Work p.3
3. Working as an Unlicensed Sex Worker p.4
* Case Study 1: Mai\* p.5
* Case Study 2: Neena\* p.6
1. Recommendations for Human Rights Based Responses to Trafficking in Women
and Girls in the Context of Global Migration p.7

**Background: Migration and Sex Work in Singapore**

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| *“We have responsibilities. We have kids. My husband doesn’t earn enough. Living expenses are high. No one wants to do this type of job. They do it to earn money for kids. This is just work.”*- Cisgender woman from China, who worked as a massage establishment-based sex worker |

 Singapore is home to a large migrant worker population, a significant proportion of which works in the sex industry. Most migrant women and girls who enter Singapore with the intent of performing sex work report similar reasons for doing so, and face similar situations of precarity once they are in Singapore.

 While migrant sex workers in Singapore often face the same types of exploitation that other migrant workers in Singapore do, they can face greater precarity, due to the fact that a large number of sex work related activities are criminalised in Singapore. Some of these activities include, but are not limited to:

* Soliciting in a public place for the purpose of prostitution (Miscellaneous Offences Act, Article19)
* Living on the earnings of a prostitute (Women’s Charter, Article 146)
* Owning a brothel (Women’s Charter, Article 148)
* Buying or obtaining a woman or girl for the purposes of prostitution (Women’s Charter, Article 140)
* Using a remote communication service to advertise or promote prostitution (Women’s Charter, Article 146A)
* Public obscenity (Penal Code, Section 294)
* Operating an unlicensed massage establishment and conducting vice activities on the premises (Massage Establishments Act)
* Migration into Singapore as a prostitute or former prostitute (Immigration Act, Section 8)
* Bringing into Singapore women and girls for the purpose of prostitution (Immigration Act, Section 8)

When migrant women and girls are treated as criminals, there is greater room for abuses perpetrated against them, and less access to justice from the state.

Confusingly, the Singapore state also operates a number of licensed brothels, in which migrant women and girls can work as licensed sex workers. Colloquially known as the “yellow card scheme”, there is no information about this scheme that the state has made available. The majority of migrant women and girls who perform sex work in Singapore, however, fall outside of this scheme, and are subject to law enforcement.

**Women’s Reasons for Migration to Singapore for the Purpose of Sex Work**

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| *“Usually the reason for people from China to come to Singapore to do sex work is just to make money. Of course it’s to make money. The Singapore dollar is strong, isn’t that right? The economy in China is also very bad. If you work in a factory back in China the salary is roughly RMB3,000 (S$600) to RMB5,000 (S$1,000) per month. Yes, that’s right, that’s in* renminbi*. Furthermore, these workers are university graduates. In Singapore dollars, RMB5,000 comes up to about S$1,000, isn’t that right? If you have a job in Singapore, S$1,000 salary per month is regarded as very low. So yes, it’s all for making money; earning more money.”*- Cisgender woman from China, who worked as a street-based sex worker |

 As seen above, global economic forces are some of the biggest drivers for women and girls to migrate to Singapore for the purpose of sex work. The sex industry is one which has comparatively fewer barriers to entry, which helps it to be an attractive option for many. Other reasons provided by migrant sex workers are listed below:

* Women and girls’ duty to financially provide for their families
* Significant strength of the Singapore dollar in Asia
* High proportion of millionaire residents in Singapore, and
* Many business travellers in Singapore, due to Singapore’s economic structure
* Sometimes scarce job opportunities in home countries
* Relative ease of travel into Singapore
* Better sanitation and physical infrastructure in Singapore
* Relatively lower rates of crime in Singapore

 These factors have contributed to sex work being perceived as a lucrative and reliable avenue for migrant women and girls in Singapore. Not only do women and girls migrate to Singapore to seek work as independent sex workers, but many intermediaries have built elaborate structures of migration and payment, to profit from this industry and the many women and girls who seek to work within it.

**Working as an Unlicensed Sex Worker**

 The unlicensed migrant sex workers that Project X has worked with have faced a range of abuses and exploitation. Some of these elements of exploitation are indicators for trafficking and/or forced labour. However, it must be emphasised that the exploitation of migrant women and girls engaged in sex work far outsizes what can be measured through the established indicators of trafficking and/or forced labour.

 Some of the common abuses against sex workers include:

* Harassment and intimidation from clients, agents and police
* Physical assault from clients and agents
* Excessive use of physical force from police
* Rape by clients
* Extortion (sometimes accompanied by impersonation of police officer) from clients
* Theft from clients
* Deception about the nature of the work from agents
* Deception recruitment from agents
* Coercion from clients and agents
* Abuse of power to gain sexual favours from immigrations officers or other authorities
* Forced to work to pay off high debts owed to agents
* Threats against family members by agents
* Threats to privacy from clients, agents and police
* Confiscation of passport from agents
* Confiscation of wages from agents
* Financial penalties from agents

 When sex work is criminalised, migrant women and girls who engage in sex work in Singapore become more vulnerable to abuse from clients and agents. Project X has been made aware of syndicates that deliberately target sex workers and rob or extort money from them, threatening them with exposure to the police. Project X has also documented serial rapists and abusers of sex workers, who taunt women and girls with their helplessness in the face of a system that criminalises and will punish them. Given the nature of sex work, it is important to remember that women and girls who migrate for the purpose of engaging in sex work are more vulnerable to sexual violence.

 Agents are likewise free to set conditions of labour that are hugely unfair and stacked against migrant sex workers, in an industry that relies on being outside the purview of the state to function. That sex work is criminalised also gives agents incentive to penalise women and girls who are caught by the police. As a result, many migrant women and girls who were brought to Singapore with the assistance of agents work under conditions that resemble forced labour and/or trafficking. The following two case studies illustrate this.

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| Case Study 1: Mai\* (in Singapore 2018-2019)Made reports against her recruiters/pimps, but dismissed and repatriated by the police |
| Mai is a cisgender woman from Vietnam, who arrived in Singapore in September 2018. A friend of hers, Lin\*, who was a fellow sex worker, told her that there was a way to work in Singapore for longer periods than the social visit pass would allow (1 month). For S$15,000, paid over 6 months, Mai would be given a valid work permit, to do “free work” in Singapore for 6 months. Mai understood it to mean sex work.When she arrived in Singapore, her passport was confiscated by an unknown man. She presumed the man was the one who got her the Performing Artiste visa, which stipulates that performing artists may be hired only to carry out duties related to stage performance. Mai managed to get enough work in the first month to pay the first installment of S$4,000, and her passport was returned to her. The installments were collected from her every month by Lin’s Singaporean boyfriend.Mai was required to pay S$2,200 per month for the remainder of her 5 months in Singapore. In her third month in Singapore, she failed to make enough, and could only pay S$700. Lin was furious, but said she would loan Mai the remainder of S$1,500, to be paid back as soon as Mai could. The next day, however, Mai was arrested in an entrapment exercise by the Singapore police. Released after interrogation, Mai was to be repatriated 5 days later. Mai then asked Lin for part of the $700 back, since she had not managed to earn anything for herself in her time in Singapore. Lin, however, blamed Mai, denied knowledge of her sex work, and alleged that Mai had broken the terms of the Performing Artiste work permit. She also demanded that Mai repay the S$1,500 she owed Lin. Mai then approached Project X, and was advised to lodge a police report given the various elements of exploitation she suffered. The unknown man, presumed to be employer, was in violation of the Employment of Foreign Manpower Act. The investigating officers who interrogated Mai, however, took an extremely aggressive approach. Among other things, they accused Mai of lodging a police report for the purpose of being allowed to remain in Singapore as an investigative witness, so that she could perform sex work. They became even more antagonistic upon hearing that Mai had sought advice from Project X. Mai also said that it was clear from the interrogation that the police were more interested in Project X’s part in the case, than they were in investigating the syndicate that had enabled her (and so many other Vietnamese women) to enter Singapore on the Performing Artiste work permit. She was so traumatised after the interrogation that she left group chat channels with Project X, and also left Project X messages asking not to be contacted again.Mai was deported and banned from re-entering Singapore. |

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| Case Study 2: Neena\* (in Singapore 2017-2019)Detained in Singapore to aid police investigations, passed away while under detention |
| Neena was a cisgender woman from India, who arrived in Singapore in November 2017. She was brought here by a big-time *mamasan*, or agent, who promised Neena that she would earn a lot of money as a sex worker in Singapore. Though her agent paid for her flight and accommodation, she also forced Neena to hand over all her daily earnings, and gave her only a daily food allowance. In early 2018, Neena was robbed by a customer, who stole her purse from her hotel room. As it contained S$200, Neena called the police and attempted to lodge a police report. However, when the police found out that she had worked as a sex worker under a pimp, they informed Neena that her visa would be cancelled, and that she had 48 hours to leave Singapore.Neena’s agent was furious upon finding out about the police involvement. In retaliation, her partner assaulted Neena, leaving Neena with injuries that required stitches. Following this, the police decided to pursue charges against Neena’s agent and her partner. The police did not reveal the nature of the investigation, and the possibilities include investigations into trafficking in persons or living on the earnings of a prostitute.Neena was thus detained in Singapore by the police to aid as a prosecutorial witness. She continued to perform sex work so as to support herself while in Singapore. However, while detained, she fell ill. The police referred her to a clinic better known as an STI clinic, where she was misdiagnosed with a urinary tract infection, when she in fact had contracted acute pancreatitis. As a result, Neena passed away in January 2019. |

**Recommendations for Human Rights Based Responses to Trafficking in Women and Girls in the Context of Global Migration**

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| *“[The police] keep asking me if I know what I am doing is wrong. They keep telling me I’m a bad person. I tell them, no, I am just trying to help my family. But they keep saying I’m a bad person.”*- Transgender woman from the Philippines, who worked as as an independent escort |

To effectively identify victims/survivors of human trafficking and render support to them, a number of strategies must be considered.

1. Decriminalisation of adult, consensual sex work. If sex workers are criminalised instead of protected, victims of human trafficking for the purposes of sex work are not protected either.
	1. The heavy policing of sex workers often means that firstly, people within the sex industry are often very afraid of the police. This means that sex workers, clients of sex workers are afraid to report crimes against them or others to the police. This can include human trafficking (among other forms of exploitation within the sex industry). Secondly, raids used to apprehend unlicensed sex workers are extremely violent and injuries are common. Such raids often assume that everyone in a space is engaged in illegal activities, and as such, victims of human trafficking in their midst will also suffer the physical and psychological violence that comes with raids.
	2. The criminalisation of sex work often leads to heavy policing of borders. Women from developing countries around the region are often profiled as sex workers and deported. While in theory this practice seems to be keeping out “illegal immigrants”, its enforcement often relies on xenophobic, racist, and classist prejudices. Furthermore, these barriers have given rise to syndicates who have the power to provide solutions for migrants struggling to cross borders -- for a price. Sex workers often willingly engage such agents but then fall into huge sums of debt, which can lead them further into a situation of exploitation and potentially human trafficking.
	3. Recognise that sometimes consensual sex workers may become trafficked. However, because one is recognized as a “criminal” for having done sex work, their claims of having been trafficked may be diminished, and they may face difficulties in getting people to believe them. Decriminalisation of sex work would help women in these situations to be seen as more credible witnesses.
	4. Recognise that sometimes victims of sex trafficking may turn to sex work after their ordeal. For them, they may discover that the sex industry will pay more than traditional industries. They would have also fostered connections and networks within the industry that lead them back in -- albeit under better working conditions. Decriminalisation will protect these victims even more; recognise their agency and support the ways in which they try to rebuild their lives.
2. Ensuring gender-sensitive education. Sex trafficking is gender-based violence and is intricately connected with how society perceives and treats women.
3. The stigma surrounding women and girls as sexual beings -- whether as sexual agents or as sexual victims -- often deters victims from seeking help. Some victims of sex trafficking and/or forced labour in Singapore were compelled to obey regulations set out by traffickers because traffickers threatened to expose their involvement in the sex industry to victims’ families and communities. More commonly, the police also threaten sex workers with exposure to families if they do not confess to having done sex work. This only further perpetuates the injustices committed against those trafficked into the sex industry. In this way, stigma creates vulnerabilities, and enables the coercive elements of human trafficking.
4. Laws must address the stark power imbalance between the police and sex workers, and remediate that. Great power imbalances encourage unilateral and hasty judgment on the part of the police and allow room for the abuse of sex workers by the police. This can be an obstruction to the effective identification of sex trafficking, and run counter to supporting victims of human trafficking.
	1. There needs to be greater transparency and accountability in all police procedures. This should include explicit regulations of what can and should not be expected in any police-sex worker engagement.
	2. Conduct sensitivity training for the police. There are frequent reports from sex workers alleging that the police routinely humiliate them, intimidate them, and use vulgarities on them over the course of interrogation. Derogatory racialised and sexualised slurs are exceedingly common. Misgendering of transgender sex workers is routine, and even post-operative transgender women can be placed in male holding cells.
	3. Enact regulations that limit the excessive force often used by police on sex workers. We often receive reports of physical injuries that sex workers suffer as a result of police action. Hair-pulling and slapping during raids are the milder cases. Sex workers have also reported having their heads slammed against walls, having cable ties tightened around their wrists to the point of causing chafing and cutting, being left in freezing cold rooms over the course of interrogation. One report recounted a police officer forcibly smearing lubricant onto a sex worker’s face, and squeezing it into her mouth.
	4. Enact channels for redress for abusive police officers. Oftentimes, reports of police abuse that are lodged are simply dismissed, or the cases closed without further explanation. With a system that allows unchecked abuse of powers, victims of human trafficking have no incentive to seek help from the police.

* 1. Ensure strict anti-corruption mechanisms are in place within the police force. Regionally, it is clear that police officers are intricately connected to the sex industry and many have been prosecuted for being complicit in sex trafficking.[[1]](#footnote-1) In Singapore, many media reports have been written on police officers abusing sex workers.[[2]](#footnote-2) Unless proper reform to the police force -- and not merely tokenistic sensitivity training -- happens, human trafficking will continue to thrive. Corruption fuels human trafficking, and unless independent channels for redress and whistleblowing policies are set up, human trafficking will persist as a problem.
	2. Credible translators must be provided by the police. In Singapore, the police frequently communicate with migrant workers via Google translate, which is highly inadequate and leaves women with little knowledge of the English-language statements and forms they are expected to sign.
1. Witness protection mechanisms should be in place.
2. Sex workers should not be forcibly detained in investigations of human trafficking. A 16-year old transgender girl is currently helping the Singapore state with investigations into sex trafficking. Despite having been identified as a victim of sex trafficking, she was questioned for hours in court. At the end of the questioning, she pleaded with the judge to be allowed to return to Thailand, but was denied her request, and due to be held in Singapore for at least another year, as the case was postponed.
3. Sex workers and victims of human trafficking should not be forced into acting as prosecutorial witnesses, especially when inadequate care is given to them. In Singapore, those who are forced to testify are typically detained against their will in Singapore. I refer to Case Study 2, of Neena, a cisgender woman from India. While detained to testify against her pimp, she was not given adequate protections. She was harassed and tortured by the police. Her pimp’s people also found her, and physically assaulted her, leaving her with injuries requiring medical attention. While detained, she also contracted acute pancreatitis. When she presented with symptoms, the police directed her to a clinic better known as an STI clinic, where she was misdiagnosed with a urinary tract infection. As a result, she passed away from an easily-curable disease in January 2019.
4. Witness protection should be provided for sex workers and victims of human trafficking who do act as prosecutorial witnesses. Witness protection should also be provided for the families of sex workers and victims of human trafficking who do act as prosecutorial witnesses. This is especially pertinent when most agents of sex workers who have fallen prey to trafficking are known to the victim and their families and communities. Sometimes, these traffickers hold positions of regard within the community. Efforts should be made to ensure no backlash from the traffickers.
5. The state must recognise non-governmental organisations and other grassroots movements that support sex workers as being equal partners. They should avoid harassing sex workers and victims of human trafficking who seek the help of such organisations.
6. Enact legal protections for all migrant workers. There should be anti-discrimination laws that specifically protect migrant workers, including migrant sex workers. Protections under labour laws should be unequivocally extended to migrant workers, including migrant sex workers. This helps to mitigate the extent of the exploitation that occurs under human trafficking.
7. Both criminal and civil mechanisms of redress must be in place. Many factors can deter victims of human trafficking from seeking criminal remedies. Civil remedies may better suit victims of human trafficking in these cases.
1. <https://www.asiaone.com/asia/thai-cops-involved-teen-sex-ring>; <https://www.straitstimes.com/asia/se-asia/verdict-due-in-major-thai-human-trafficking-trial>; <https://www.channelnewsasia.com/news/asia/thai-police-probed-for-getting-freebies-from-massage-parlour-9861990>; <https://coconuts.co/hongkong/news/police-inspector-guilty-misconduct-blackmailing-prostitute-free-sex/> [↑](#footnote-ref-1)
2. <https://www.todayonline.com/singapore/ex-police-officer-convicted-having-sex-prostitutes-without-informing-them-hiv-status?fbclid=IwAR2lcDEYAGOfWypIHUq0plYEpOvDXzGpngu1GJe0_7gJkj2zrN5ouzeDVno>; [https://www.straitstimes.com/singapore/courts-crime/ica-officer-charged-with-accepting-sex-as-bribes-and-breaching-officialhttps://www.straitstimes.com/singapore/courts-crime/ica-officer-charged-with-accepting-sex-as-bribes-and-breaching-official](https://www.straitstimes.com/singapore/courts-crime/ica-officer-charged-with-accepting-sex-as-bribes-and-breaching-officialhttps%3A//www.straitstimes.com/singapore/courts-crime/ica-officer-charged-with-accepting-sex-as-bribes-and-breaching-official) [↑](#footnote-ref-2)