



COVER STORY

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I SELL SEX

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AND I HAVE RIGHTS, TOO

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Sex workers fight for a work environment that's safe, decriminalized and free of trafficking

'I thought the reason people tend to have a negative perception about the sex industry is because this industry is very secretive. So I wanted to show what it looks like on the inside.'

Kim Yeo-ni, sex worker and activist,
Giant Girls Network for Sex Workers' Rights

Kim Yeo-ni was at work when the police forced their way in and took pictures of her naked. When she tried to put her dress on, they removed it. For five minutes, she sat uncovered on a bed while an officer photographed her, the male customer she was with and the room they were in. As the walls were ripped apart in a search for emergency exits, she struggled with an officer after she tried to swallow the condom she had used with the customer.

She was taken to the police station, where she was questioned and made to give a statement about her work. A few days later, she received an 800,000 won fine for breaking the law.

Kim is a sex worker, an illegal profession in South Korea. Violent episodes like this, she says, are a common occurrence in parts of Korea's sex industry. "Massage salons get a lot of strong (police) intervention," she says. "Because the condoms are evidence, we swallow them when the police barge in, but the police try to make us vomit them back up by strangling us or putting their fingers down our throats."

Last November, a sex worker in South Gyeongsang Province died when trying to escape from an undercover police officer who caught her working. Rather than face prosecution, she jumped from the sixth floor of the building she was in.

Crackdowns, workplace violence and exploitation, and the fear of stigmatization make sex work dangerous. While statistics on violence

against sex workers in Korea are lacking, Kim says that the government's ongoing battle to eradicate the industry is making the situation worse. The biggest change she has witnessed in her seven years as a sex worker, she says, is the increase in crackdowns since the incumbent Park Geun-hye administration took office in 2013. "During Lee (Myung-bak)'s presidency there were almost no crackdowns. But when Park became president, the crackdowns got heavy right away," she says. "The work environment is getting worse. It's becoming more underground and more dangerous."

Despite the government's efforts to stifle it, Korea's sex industry is thriving. Harsh penalties for the sellers of sex were rarely enforced until 2004, when new laws intensified crackdowns on the industry and penalized both the buyers and sellers of sex in a bid to eradicate prostitution and human trafficking for sexual exploitation. But Kim is part of a movement of sex workers who entered the industry on their own conviction and protest the laws that they say threaten their livelihoods and put them in danger. They seek to create an environment where they can practice their trade without fear of violence or prosecution when asking for help in an emergency. Kim works to change the misconceptions people have about sex workers so they can be safe in their workplace.

"A lot of the times when sex workers are victimized by violence, they are treated as suspects," she says. "Society doesn't think of us as victims of a crime."



Threats of violence, threats of charges

Sex workers are threatened by violence from all sides. Police crackdowns on the industry can be violent. As sex workers take drastic measures to dispose of evidence quickly, officers at times use physical force to retrieve it. But violence toward sex workers isn't limited to police raids, and Kim notes they often face mistreatment and physical abuse by customers as well as managers.

In room salons, where hostesses chat up businessmen in a bar-like atmosphere, it's common for workers to leave with the client for "afters" in a hotel. The managers, Kim says, have little interest in what happens to the workers outside of their premises. While working at a room salon, Kim was forced to flee an "afters" arrangement naked when the customer hit her. "The manager doesn't really care about the things that happen outside of the room salon. The money earned in 'afters' all goes to the workers, not the room salon, so managers don't care what happens," she says.

In Kim's experience, violence from managers is becoming more frequent. The government initiatives to eradicate the industry, she says, are only making it easier for this to happen. She says more brothels are operating out of officetels, an environment that separates the workers from each other in different rooms and makes it harder for them to call for help in an emergency.

"Because employers know the passwords for the workers' officetel rooms where they take customers, they can just go in and rape the women easily," she says. In instances like this, Kim says, going to the police is not an option.

"In the past, the sex workers stuck together and worked together with solidarity like a labor union; we stood up to employers if we felt like one of us was being mistreated, but now we can't," she says.

Sex workers can also fall victim to blackmail or debt bondage, and often end up working for free because of it, says Kang Hyun-joon, director general of Hanteo National Union of Sex Workers, an organization that aims to protect the interests and rights of sex workers and their clients.

"Some men demand their money back after the service, claiming they weren't 100 percent satisfied," he says. The claim often ends with the employer persuading the sex worker to give the refund, which leaves the worker empty-handed. "You can't say no when they threaten you with the law."

Kang explains that under the law, the punishment for the employer is much more severe than for the buyer. A convicted male client can attend educational seminars aimed at preventing reoffenses in lieu of punishment. In cases like this, the brothel owner would rather take the financial loss than deal with the police. "The managers often end up giving (the disgruntled clients) more money on top of it. There's nothing that the brothel owner or sex worker can do about this," Kang says.

Hanteo, established in 2005, has 7,000-8,000 members consisting of sex workers as well as managers. Kang says this group represents a poverty-stricken population that often

lacks other employment options. Having owned a brothel in Busan for five years before managing Hanteo full-time, he notes that debt bondage can easily become a problem for workers in many types of workplaces in the sex industry.

Recruiters, Kang says, visit bars, karaoke rooms and "ticket" cafés, selecting targets to persuade to join the industry. "They would buy (the girls) stuff, give them allowances and tell them how much they would earn if they worked here or there. And because most of the women who work in those places part-time really need that money, they are quite easily persuaded," he explains.

The workers then end up working in a place like a room salon, where they must drink while working. Given that the women are picked by the men, they have to invest in their appearance, and if they lack the financial means to do so, they borrow the money and begin to accumulate debt. This debt increases if the workers fall ill and can't work. In the end, the women turn to brothels, which Kang says offers a better work environment. "In brothels they don't have to drink, and the employers usually pay off their debt first. Then they can work there to pay back that amount."

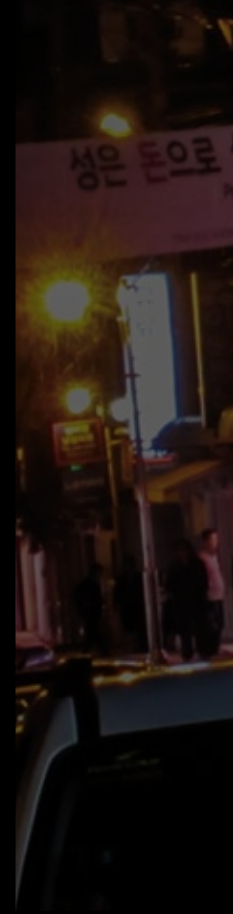
Lucien Lee, a transgender sex worker in Seoul who voluntarily entered the industry two years ago at age 21, has no manager and enjoys the work she does. "I love my job. I love helping my clients explore their own sexuality," she says. She works on a "jogeonmannam" basis, meaning conditional meet-up. She advertises herself online and uses chatting apps to arrange meetings with clients. Even though she can reject a client based on the demands, incidents of violence and blackmail can still occur.

"There was this 18-year-old man who found me online and threatened to report me to the police. He said he wouldn't report me if I met him. I met him and the experience I had on that day made me feel so helpless for a long time," she says.

After the incident, Lee felt that there was nowhere to go for help. While she was aware of organizations that help those who have been sexually assaulted, she didn't feel comfortable approaching them. "I know there are centers for sexually assaulted people, but I feel, from what I observed from feminists, I cannot expect to get help without first being judged based on my job," she says. Lee says such feminists from anti-prostitution organizations assume she hates what she does and seek to keep the industry criminalized.

Lee wants to be able to work without the fear of being arrested or secretly taped. The only way she sees this happening is through decriminalization, which would remove the laws and policies that make sex work a crime, help to reduce the stigma attached to it and create a safer work environment. "Currently, we find it very difficult to call the police when the client refuses to pay the (agreed) price, wear a condom or when the client blackmails us," she says.

"If sex workers, their business partners and clients are decriminalized, sex workers would feel much more comfortable calling the police when there is a need."



'In the past, the sex workers stuck together and worked together with solidarity like a labor union; we stood up to employers if we felt like one of us was being mistreated, but now we can't.'

Kim Yeo-ni, sex worker, activist



Nowhere to turn

In the face of daily threats of violence from all corners, sex workers feel they have nowhere to turn. They fear prosecution if they seek help from the authorities and, at times, harsh judgment from organizations that aim to “rescue” them.

Women’s groups with “anti-sex trade tendencies” have previously campaigned in areas where Kim has worked. Their work, which aims to help women exit the industry, carries a message that Kim refutes. “They said that we’re selling the right for men to rape us,” she says.

“The red light districts are open to anyone, so those women’s rights activists would just come in and tell us things like that. But when someone was interested in getting out of the industry and consulted them, they couldn’t give any real help because they didn’t have enough funds,” she says.

The organizations’ reputation in the industry means that sex workers can be reluctant to reach out to them or accept their help. Lee argues that if these organizations were really concerned for the safety of people in the industry, they would do more to improve support. “Feminists

should stop calling for more police raids and should focus on the more practical issues like improving working conditions by legislating new laws,” she says.

Over the past decade, the government has increased assistance to those in the industry who exit it. The number of counseling centers and shelter facilities available increased from 61 in 2004 to 91 in 2014, as has the number of medical legal and vocational training services available to women who exit the industry, according to the Ministry of Gender Equality and Family website.

But government resources are insufficient: A monthly stipend of 400,000 won is granted, but the minimum cost of living in Seoul is over 600,000 won per month for a single-person household. Kim says sex workers can potentially earn upwards of 75,000 won per hour to 300,000 per three hours depending on where they work, the frequency of the customers and if they have a manager. The Gender Equality Ministry has previously declined to reveal to media the effectiveness of the exit programs.

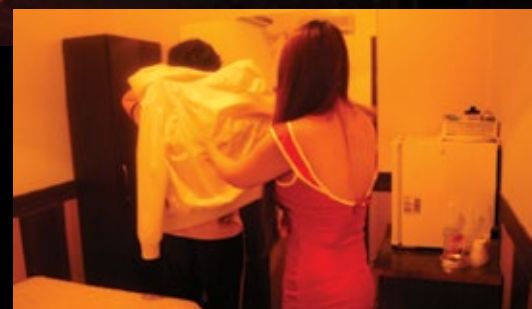
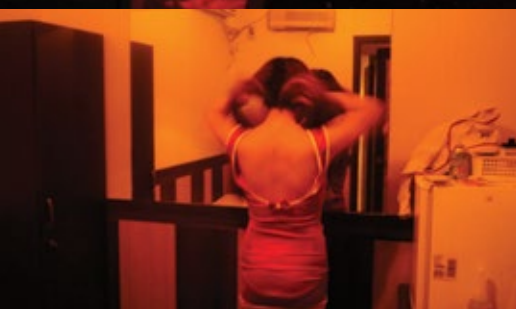


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“Working? Working!” (2013), a photo project by Kim Yeo-ni



The great debate: Sex work vs. trafficking

The debate surrounding the decriminalization of sex work is not only a moral issue. The crux of it centers on a question of protecting human rights: Does the sex industry facilitate human trafficking? Those who support the criminalization of the sex industry argue that it needs to be eradicated to prevent human trafficking for sexual exploitation. The parties that want decriminalization maintain that with the sex industry impossible to eradicate, it would improve working conditions for sex workers, which would then reduce the demand for trafficking for the purpose of prostitution.

Prostitution in Korea was made a crime in 1961, but crackdowns were not heavily carried out until recent years. Korea's Special Laws against prostitution were implemented after a fire in a Gusan brothel in 2000, which killed five women who were locked in the building, exposed the exploitation within Korea's sex industry and prompted women's rights groups to demand legal reform. The two laws, implemented in 2004, aimed to eliminate prostitution and prevent the trafficking of human beings into commercial sexual exploitation. At the same time, they legislated harsh punishment for anyone who sells sex, with a fine of up to 3 million won or a sentence of up to a year in prison, excluding those who have been coerced into selling sex.

But the laws that aim to tackle trafficking in Korea have not succeeded at eradicating it, according to Amnesty International. According to a 2009 report, women have been trafficked into Korea through the entertainment visa system by being initially recruited as singers and then ending up working in bars or nightclubs in *gijichon*, or U.S. military camp towns. In a survey by Durebang, a local women's shelter, of 40 female Filipino workers on E-6 entertainment visas in *gijichon*, 90 percent were employed in work that was different from what was written in their contract, and the majority said their employer told them they had to sell drinks and have sex with customers. Not all of these differing work contracts, however, imply that the employee is engaged in sex work, researchers point out. In 2013, human trafficking was added as a crime to Korea's criminal law, making human trafficking for the purpose of sexual exploitation punishable. The U.S. government's 2014 Trafficking in Persons Report estimates that there are more than 2,500 foreign women with debt bondage in "juicy bars" near U.S. military bases.

For those who join the sex industry by choice, a real danger stems largely from laws that put voluntary sex work under the same umbrella as trafficking for sexual exploitation.

Human trafficking, as defined by the U.N. and agreed on by Korea, is the recruitment, transportation, transfer, harboring or receipt of persons by means such as force, abduction, fraud or coercion for an improper purpose including sexual exploitation. Sex work, on the other hand, is any voluntary exchange of sex services for material compensation. Laws that conflate the two contribute to the abuse of sex workers' human rights by justifying crackdowns, thereby suppressing those who voluntarily work in the industry, according to a 2012 U.N. Development Program report on sex work and related laws in Asia and the Pacific. The report also found that criminalizing sex work "legitimizes" violence against sex workers, particularly from law enforcement officers and health care providers.

In New Zealand, where sex work was decriminalized in the 2003 Prostitution Reform Act, sex workers have reported better working conditions. They said they felt more confident in negotiations and dealings with clients and managers since the law was introduced, according to a 2007 review on the implications of the health and safety practices of sex workers. Then in 2008, a government review of the reform found no evidence of trafficking for sexual exploitation or an increase in the

size of the overall sex industry.

Anti-trafficking groups in Korea and elsewhere frequently conflate sex work and human trafficking for the purpose of sexual exploitation to support the criminalization of sex work, to the detriment of the safety and rights of sex workers, says Matthias Lehmann, a doctoral researcher in law at Queens University Belfast, who studied human rights violations against sex workers in Korea. This conflation results from their refusal to recognize sex work as work, he says. Instead, they view all sex-for-money exchanges as "inherently exploitative and as violence against women."

"Anyone has the right to find sex work objectionable. That's a matter of one's personal views, morals and beliefs," he says. "Pursuing agendas that are proven to harm the very people they are supposed to help is another thing. The evidence of the harm caused by conflating sex work and human trafficking is there, and willfully ignoring it is not a matter of opinion — it is causing serious harm."

Advocates for decriminalizing sex work in Korea argue that the country's Special Laws from 2004 make sex workers' jobs more dangerous, pushing their workplaces to the fringes. When sex work is criminalized, they say, it puts pressure on sex workers to negotiate pay quickly and gives them less time to screen clients, making for a more dangerous work environment.

Six pro-criminalization organizations contacted by Groove Korea declined to comment for this story or did not respond to requests for comment.

One such organization was the Dasi Hamkke Center, a government-run initiative that aims to protect the rights of sex trade victims and help them exit the industry. In a 2005 interview with Chamsesang Media, Jo Jin-kyung, the agency head, said that the 2004 laws are failing to help victims of the industry by the way "voluntary sex workers" is defined.

"If the sex workers were forced to sell sex by the business owner, they are exempt from punishment and are seen as victims. I think that's a big achievement," she is quoted as saying. "But I think the fact that the law separates sex workers into forced workers and voluntary workers and punishes the latter is a limitation."

Jo views all women who are involved in the sex industry as victims of exploitation. When the 2004 law was passed, debt held by the workers was invalidated, meaning they didn't have to pay it back. However, Jo says this debt was turned into "private loans" to be paid off through sex work. This, she says, made it difficult to prove if someone was coerced into the industry.

"It is very difficult for the workers who have no choice but to remain in the industry after the law was passed to be protected by this law. They are not defined as 'forced workers' and so are subject to punishment," she says.

Jo supports the Swedish Model, which ostensibly seeks to eradicate prostitution by ending the demand for it, as a way to reduce the size of the industry. "Sex trade should be perceived as a form of violence from one person to another, and so the ones selling sex should be viewed as victims, be they women or men, and the ones who buy them or facilitate sex trade should be defined as offenders. Only then can the cycle of buying-facilitating-supply of sex trade be broken," she says.

The argument that ending the demand for sex work will eliminate the industry is debated worldwide. Sweden implemented its approach to eradicating prostitution as part of its Violence Against Women Act in 1999, and in 2010 the Swedish government reported that the prohibition of sexual services succeeded in halving the occurrence of street



prostitution without increasing indoor prostitution, and helped to combat human trafficking for sexual services.

But researchers and anti-discrimination groups have criticized the validity of the government's findings for lacking sound research. The findings were disputed in 2012 when the Swedish National Police Board reported that 90 Thai massage parlors, which were judged to be offering sexual services, were operating in Stockholm. This number increased to an estimated 250 at the end of 2011 with some 450 parlors thought to be operating nationwide, according to the National Bureau of Investigation.

The Swedish Model has also been criticized by sex worker advocates, academics and international organizations for including laws against women in sex work, such as prohibiting them from renting property for work. When the idea of introducing the Swedish Model began to pick up in Europe last year, 560 NGOs and 94 academics worldwide signed an open letter to the European Parliament rejecting the plan. Nonetheless, the European Parliament approved a resolution in 2014 calling for the Swedish Model's adoption.

Elsewhere, Canada, Ireland and Northern Ireland recently decided to criminalize the purchase of sex, to the protest of sex workers. The Justice Department of Northern Ireland commissioned a report concluding that 98 percent of sex workers surveyed opposed criminalizing the purchase of sex, and 85 percent believed that it would not reduce sex trafficking. But the proposed Human Trafficking and Exploitation Bill was passed last year.

Similarly, research conducted by the Global Alliance Against Traffic in Women, a network of more than 100 NGOs worldwide, found in 2011 that criminalizing the buyers of sex does not reduce trafficking and violates the rights of sex workers, including threatening their income security and working conditions.



‘Having prostitution out in the open will benefit the women who work in the industry, as the government will make efforts to prevent the exploitation of them and violations of their rights, which are now rampant.’

Kim Kang-ja, former senior police officer,
2012 interview with the Korea Times





Why they fight

With Korea's Special Laws marking their 10th anniversary in 2014, the latest research commissioned by the Ministry of Gender Equality and Family showed that the sex industry has not declined. The number of red light districts decreased from 69 in 2002 to 44 in 2014, but the number of brothel houses increased by 2.9 percent from 2010 to 2014. The number of women engaged in the sex trade in red light districts rose by 3.8 percent over the same period.

Sex workers have rallied against the laws in defense of their livelihoods. The sex workers and brothel owners of the Yeongdeungpo red light district staged a protest against the increased crackdowns in summer 2011. Later that year, around 1,600 sex workers came together to protest the 2004 laws.

Kim's activism is in line with these demonstrations. She was not coerced into the sex industry, nor was she driven into it by poverty.

Kim cut ties with her parents when she left for university because she didn't want to live the life they laid out for her. At 19, she was working various part-time jobs to cover university costs when an unforeseen health issue put extra pressure on her finances. With money tight, an advert for well-paid bar work caught her eye. She applied for the position and found herself in one of Seoul's red light districts. She decided to try it for just one night, but leaving the next morning, cash in hand, she changed her mind.

Kim had little understanding of the industry at first. Describing her pre-sex worker days as "sheltered," she wasn't aware that the industry she was working in was illegal, having only the notion that it was "not morally right."

"I remembered being taught that sex work is unethical. There was no police regulation in the red light district where I began my work, so I wasn't really sensitively aware of it being illegal," said Kim, who has progressed from the red light district to a room salon to her current part-time position at a massage parlor.

Her foray into activism began three years after she entered the industry, when she started to question why it was illegal to provide "physical and emotional" services in exchange for money. In 2011, she discov-

ered Giant Girls Network for Sex Workers' Rights, an organization of sex workers that campaigns against the criminalization of sex work and the social stigma attached to working in the industry. She has been campaigning with them to decriminalize the industry ever since.

Kim admits that not all sex workers had the choices that she did to enter the industry. While she took the job for the economic stability and flexibility it can offer, others had few alternatives. Her decision to work in the industry makes her advocacy all the more difficult for some of her peers to comprehend.

"What the other girls are thinking about me is, 'If she chose to sell her body, over all the other choices she had, why is she doing this activism thing of hers?'" she says. "I wasn't in a desperate situation like the other workers. I had a choice; many others did not." Along with Giant Girls, Kim is fighting to decriminalize Korea's sex industry so that sex workers are treated as rightful laborers and gain the employment benefits that come with it. She aims to secure ways for them to pay taxes without registering with the authorities, as registering with their real name would ensure a lifetime of stigmatization, she says. Above all, she wants to be able to feel safe doing her job.

In 2013, Kim produced a photography project called "Working? Working!" to dispel the stereotypes and labels that people associate with sex work. By giving people a glimpse of what her job actually entails, she hopes to eliminate the stigma surrounding it.

"I thought the reason people tend to have a negative perception about the sex industry is because this industry is very secretive and people can't know what goes on here, under what conditions we work in and what work looks like in here. So I wanted to show what it looks like on the inside," she says.

Kim is comfortable discussing her job when she meets new people. Instead of giving a fake occupation, she uses the opportunity to inform them about the industry and the way sex workers are treated under the law. "They think I'm a strange person and they are surprised. But after they listen to what I have to say, a lot of them are like, 'Yeah, you're laborers too, and you need (and) deserve rights as laborers,'" she says.



‘If the demand withers, so does our income. If the sex industry itself is still banned, the stigma on sex workers stays. There has to be a new law that decriminalizes all.’

Lucien Lee, transgender sex worker

Decriminalization's rising support

Estimates on the size of the sex industry vary widely, but it is reported that the Ministry of Gender Equality and Family puts the number of women working in the sex trade at 500,000, while the Korean Feminist Institute estimates it at past 1 million. When the government shut down brothels, the industry fled to the backstreets and under the facades of massage parlors and officetels. Efforts to eradicate the industry instead have created a movement of sex workers dedicated to reforming the laws that they say are taking away their livelihoods. For them, decriminalization is the only solution.

Despite the crackdowns, a wave in the public sector is cresting in the opposite direction. A senior figure who was prominent in gaining public support for the Special Laws has come out in favor of government-regulated brothels in certain areas, as the industry will "always exist."

Kim Kang-ja, a former senior Seoul police officer, says there are not enough police to crack down on all illegal prostitution, and that taking women out of their job without enough resources to help them rehabilitate robs them of their livelihood. Claiming that harsher punishment

is not a long-term fix, she says a better solution is to have it regulated to increase safety.

"Having prostitution out in the open will benefit the women who work in the industry as the government will make efforts to prevent the exploitation of them and violations of their rights, which are now rampant," she said in a 2012 interview with the Korea Times.

Seoul City is even aiming to increase revenue by making the industry taxable, effectively legitimizing sex work. Last year, the Seoul High Court ruled that bar owners who arrange sex between their female employees and male customers should pay taxes on the earnings made from the arrangement.

Kim supports taxing sex workers without registration, and she and her fellow activists are pushing for full decriminalization. Until that happens, Kim and Lee will continue to fight for their rights and to end the discrimination against sex workers.

"If the demand withers, so does our income. If the sex industry itself is still banned, the stigma on sex workers stays. There has to be a new law that decriminalizes all," says Lee.

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MORE INFO

Global Alliance Against Traffic in Women: www.gaatw.org

Giant Girls Network for Sex Workers' Rights: www.ggsexworker.org (Korean only)

Durebang (My Sister's Place): <http://durebang.org>

"Working? Working!" photo project by Kim Yeo-ni: <http://tiny.cc/working>