Modern Slavery

Study-Action on Military Sex Trafficking: Cases of Criminal Responsibility

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- All human beings are born free and equal in dignity and rights… (Article 1)
- Everyone has the right to life, liberty and security of person. (Article 3)
- No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all its forms. (Article 4)

- The Universal Declaration of Human Rights

Introduction

These 1948 statements are reassertions of the principles encoded into international law by the 1926 *International Convention on the Abolition of Slavery and the Slave Trade*. They are norms that the human family expects to be observed by all societies and individuals. But even to this day there is a flourishing slave trade referred to as human trafficking, a good deal of it the transportation of women and girls for sale into what amounts to sexual slavery; and all of it in violation of the 2000 *Palermo Protocol to Prevent, Suppress and Punish Trafficking*. The element of this modern slavery that has emerged as a special concern to peace educators is that which is an integral component to military action, both warfare and peacekeeping in times of war, in post-conflict situations and around military bases the world over. Prior to the recent opening of criminal proceedings against two officers of the Guatemalan military on charges of sexual enslavement (as reported by Inter Press Service on 10/29/14), militarized sexual exploitation has not been the central issue tried in an officially established court. An account of the arguments and findings of this tribunal will be reported here on its completion.

Readers of the GCPE Newsletter will remember that the crime of sex trafficking has been the focus of study-action for a number of its peace educator contributors. Some peace educators have been involved in offering programs on the topic at the last two annual sessions of the UN Commission on the Status of Women. In 2013 the program was focused on a screening of "The Whistleblower," a film about the crime as it was committed in the context of the UN Peacekeeping operation in Bosnia. In 2014 a pre-

release screening of "Singers in the Band" was the basis of a discussion on trafficking from the Philippines to the sites of US military bases in Korea. Both cases are instances of gender violence as an intentionally instituted component of military operations, illustrations of the fundamental misogyny that feminists have long argued to be integral to war, militarism and preparations for war. Trafficking and sexual slavery are both elements of the larger complex system of gender violence and militarization that continues to pose the central problematic of inquiry and action for learning toward a gender just nonviolent world.

Caroline Fidan Tyler Doenmez of the Human Rights Associates Program of the Institute for the Study of Human Rights researched and wrote the paper that appears here prior to the historic trial of the military officers under indictment in Guatemala. It is a contribution toward learning for gender justice; a resource paper prepared as a study tool to encourage further inquiry into military sex trafficking, actions to reduce and eliminate it, and to bring its perpetrators to justice. We aim to focus particular attention on legal means to abolish this widespread form of "modern slavery." Caroline's paper might be used as a start for an inquiry into the juridical approach to ending militarized sex trafficking. In the next issue of the GCPE newsletter, a discussion of the legal principles and standards that make it possible will appear in a clip by Dorota Gierycz from the 2013 "Whistleblower" panel with a suggested inquiry for combining it with study of Caroline's paper and other incidents of the crimes of militarized sex trafficking and slavery. In an earlier issue, Madeleine Rees' presentation on the process of trafficking was posted as an introduction of the topic to peace educators (see: Military Sex Trafficking: Learning toward Abolition and Accountability). Readers are invited to integrate these postings and this present paper into courses on topics related to gender violence and/or the links between militarism and sexism, and to use it as a tool for anti-trafficking actions and informal discussions on this egregious crime. It is also applicable to human rights learning that explores relevant international standards and agreements toward their practical application to end and prosecute gender violence crimes.

Caroline researched this particular paper, as a member of a Columbia University team of graduate students under the leadership of Danielle Goldberg of the Human Rights Advocates Program who volunteered to help develop materials to facilitate study of the issues that were revealed in the documentary, "Singers in the Band." Yet to be released, the film reveals the actual nature of military sex trafficking with actual footage of the situations and processes of trafficking, documenting how young women from the Philippines are transported to brothel-bars in Korea that line the periphery of US military bases. Believing they were to be singers in these bars, the women, having had their passports taken from them, and informed on arrival that they have incurred a great debt to their manager-trafficker are unwillingly prostituted to American military personnel. This process follows a common pattern in the commission of these crimes as outlined by Madeleine Rees in her previously mentioned presentation on the trafficking process at the 2013 "Whistleblower" panel.

The Columbia team set forth topics for inquiry for research that would provide further understanding of the human rights violations that comprise militarized sex trafficking and

approaches to overcome them. The research questions Caroline addressed were: ***Have any legal cases been brought against those involved in militarized trafficking? If so, what were the outcomes?*** All readers are encouraged to pose their own questions for research and opportunities for action. Peace educators seeking to expand education on the topic might reflect on and discuss this question: *What particular groups should be educated about the specific conditions and issues raised in this paper? What elements of these crimes and the legal measures to prevent and punish them should be known and understood by all citizens?*

Human trafficking is a varied and complex crime committed in exploitation of the opportunities to profit from many forms of unpaid and unwillingly performed human labor. Peace educators and researchers who focus on trafficking as it is integrated into military operations refer to it as being "militarized," i.e. serving the military or facilitating military methods of addressing a range of public problems, some even beyond maintaining "national security." The following definition of the crime was posed for the purposes of Caroline's research.

> "Militarized or military sex trafficking is a violation of T*he Palermo Protocol*, in the transporting of women to the sites of military bases or conflict areas for the purpose of prostituting them to military personnel, during war or peacetime."

That definition informs Caroline's paper which follows.

Attempts at Legal Prosecutions of Militarized Sex Trafficking

Indicators of such Crimes: The Role of the U.S. Military in Sex Trafficking

While research points to the correlation between military presence and the trafficking of women and girls for prostitution, there is at present little data that directly implicates the US military in the process of sex trafficking. One of the few studies that does squarely confront this issue is "Modern-Day Comfort Women: The US Military, Transnational Crime and the Trafficking of Women," which describes the problem in South Korea:

> as of the year 2002, U.S. military bases in the Republic of Korea...formed an international hub for trafficking of women for prostitution and related forms of sexual exploitation. The traffickers recruited and transported women to meet the demand largely created by U.S. military personnel and civilian men in South Korea and the United States. In some cases, the U.S. servicemen themselves were traffickers, working with Asian organized crime networks. (Hughes, et al, 901).

This study also cites a report by Saewoomtuh (an NGO in South Korea that provides services to prostitutes on military bases) that states that 84% of male US military personnel have admitted to being with a prostitute (ibid, 917) involving an estimated one million Korean women in prostitution (ibid, 918). The link between prostitution and trafficking has been officially recognized by the US government, and in 2005 the Manual for Courts-Martial was amended to specify "patronizing a prostitute" as a violation of Article 134 of the Uniform Code of Military Justice. However, although this has been established for nearly nine years, as of 2012 there have only been 31 cases brought for 'patronizing a prostitute' and only 19 individuals have been convicted ("United States: Address role of US military in fueling global sex trafficking"). The military has recently taken steps to attempt to dissuade and prohibit its members from frequenting bars and other locations that exploit young women. For example, a memo issued on August 29, 2013 by Lt. Gen. Jan-Marc Jouas, the commander of 7th Air Force in South Korea, warned that: "airmen would face judicial punishment for giving money to any bar or business for 'companionship' as part of a Defense Department crackdown on establishments that support human trafficking" (Everstine,1). "Paying for companionship, in or outside of bars or other establishments, directly supports human traffickers and is a precursor to prostitution and sexual assault," Jouas wrote. "It is incompatible with our standards and legacy of standing up for the oppressed" (Everstine,2). Three weeks prior to the issuance of this Air Force memo, Army General James Thurman, US Forces Korea commander, had described the problem of human trafficking and prostitution near US military bases on the USFK website. These various public statements and prohibitions demonstrate awareness on the part of the military that some of its members are complicit in the on-going "demand" for prostitution that is often met through human trafficking. However, there have been few convictions for crimes related to this issue. Those that have been tried were convicted for patronizing prostitutes and not for involvement in trafficking.

The "Equality Now" report states: "It is widely acknowledged that where there is a large military presence, there will be a significant and concurrent growth of the commercial sex

industry and trafficking of women and girls into the industry." Considering this correlation between military presence and trafficking, it is unsurprising that there have been reports of increased sex trafficking in Iraq and Afghanistan, the most recent areas to be occupied by American military forces ("Victims of Complacency"). An interview with a former prostitute named Rania in Baghdad directly implicated the US military in the use of prostitutes: "...Rania and two other girls visited a house in Baghdad's Al-Jihad district, where girls as young as 16 were held to cater exclusively to the U.S. military. The brothel's owner told Rania that an Iraqi interpreter employed by the Americans served as the go-between, transporting girls to and from the U.S. airport base" ("Female Trafficking Soars in Iraq"). However, Human Rights Watch researcher, Samer Muscati, concedes that there is very little factual evidence and data at hand in addressing the issue of trafficking in Iraq.

Another dimension the US military's role in trafficking is the occurrence of 'sham marriages' between soldiers and Korean women, whom they bring back to America to be prostitutes:

> After gathering information from numerous massage parlor raids around the country, law enforcement officials named "sham marriages with GIs" as one of the primary methods that traffickers were using to get women into the United States….According to another officer who was involved in closing a Korean massage parlor in Farmington Hills, Michigan, in the mid 1980s: 'We learned servicemen had married some of the defendants in the case and brought them over here for a certain amount of money—$5,000 to $10,000. . . . It was a slavery thing. They divorced once they were here and [the women] went to work for a Korean crime cartel that had them actually living inside these places. (Hughes, et al 911)

The authors of this study go on to quote a representative from the Army's Criminal Investigation Mission, who attested to the impunity of these criminals: "Soldiers are seldom punished even when sham marriages are suspected" (Hughes, et al, 912). Moreover, they describe that many of these "massage parlors" are located next to military bases within the US; for example, they cite a Polaris Project study that lists "heavy concentrations" of Korean massage parlors near the Andrews Air Force Base, Bolling Air Force Base, the Naval Research Center and the Pentagon (ibid, 913). The US military's involvement in not limited to overseas locations; the problem exists within our own backyards.

Military contractors have often played a pronounced role in the trafficking of human beings to military sites, but enjoy impunity for their crimes. Much of their involvement centers on the use of human trafficking for exploited labor, but within this practice women are subjected to sexual abuse and exploitation, as well (Stillman, 2). A well-known example of this was the scandal, later dramatized in the film "The Whistleblower," that erupted when the world learned that employees of DynCorp International, Inc., a contractor in Bosnia hired to perform police duties for the UN and aircraft maintenance for the US Army in the late 1990s, had been buying "girls as young as twelve for use as sex slaves" ("Victims of Complacency"). One of the whistleblowers,

an aircraft-maintenance technician for Apache and Blackhawk helicopters named Ben Johnston, said:

> "I heard talk about the prostitution right away, but it took some time before I understood that they were buying these girls. I'd tell them that it was wrong and that it was no different than slavery - that you can't buy women. But they'd buy the women's passports and they [then] owned them and would sell them to each other." (O'Meara, 1)

This specific sex-ring was shut down by the US military and Bosnian authorities, but the contractors involved were not prosecuted. A report on this issue reveals that : "The presence of military contractors further increases women's vulnerability to such sexual exploitation, as there is 'no adequate governmental or military process in place for the criminal prosecution of [private contractor] employees engaged in sex trafficking activities'" ("Victims of Complacency"). There is clearly an urgent need for legal accountability and prosecution of military contractors who partake in these crimes.

Criminal Tribunals Addressing Militarized Sexual Slavery

Criminal prosecutions for sex slavery include the Revolutionary United Front referred to as the RUF case, the Kunarac case and the Charles Taylor case. Several other important cases, including the Tokyo "Comfort Women" Tribunal, the Akesayu case, and The Armed Forces Revolutionary Council or AFRC case, contributed to the evolving definition of the sexual slavery, and opened up a wider discussion about the nature of the crime.

In and of itself, the definition of sexual slavery does not account for the "trafficking" phase or process, in which young women or girls are tricked, manipulated or brutally forced into becoming sex slaves. None of the cases prosecuted cite *The Palermo Protocol* that criminalizes human trafficking. However, a few of the cases involved, such as the Kunarac and Rwanda cases summarized below, describe scenarios in which young girls and women were abducted by military members and subsequently forced to become sex slaves. Therefore, while not specifically prosecuting the "trafficking" phase of the crimes being prosecuted, the convictions punished individuals who had taken part in it in the course of committing the crime for which they were prosecuted, sexual slavery.

The Women's International War Crimes Tribunal on Japan's Military Sexual Slavery, conducted by women's civil society organizations addressed crimes ignored by the Tokyo War Crimes Tribunal conducted at the end of World War II. Although not legally binding, this "people's tribunal" played an important role in clarifying the crime of sexual slavery and in publicly issuing a judgment against some of the highest ranking perpetrators. The tribunal was created with the aim of confronting the history of the military sexual slavery practiced by the Japanese during the war in the Pacific, when the Japanese army forcefully enlisted or abducted girls and women from North and South Korea, Taiwan, China, the Philippines and Indonesia, and forced them to serve in military brothels to "comfort" soldiers on the front lines. These women suffered severe brutality, their bodies used by up to 30-40 men a day. The "comfort women" case is one of the

most well-known instances of military sexual slavery in recent history ("Armed Conflict and the Trafficking of Women"). The nongovernmental tribunal was organize in 1998 by a group of Japanese women who "felt responsible for the crimes their own country committed against women, and who believed that a twenty-first century free of violence against women cannot be realized without a response to the cries of the comfort women for justice and dignity" (Matsui, 1). The meticulously conducted Tribunal, convened from December 8-12, 2000 in Tokyo announced these goals:

> Firstly….to confirm that the comfort women system is a war crime against women and a crime against humanity, and to put pressure on the Japanese government to take legal responsibility. This is necessary because the crime of military sexual slavery has never been prosecuted, not by the International Military Tribunal for the Far East (the Tokyo War Crimes Trial), nor by the Japanese government itself. Thus, the Tokyo Women's Tribunal is considered to be an addendum, or a continuation, of the Tokyo Trial. Secondly, the Tribunal's aim is to end the cycle of impunity of wartime sexual violence against women and to prevent it from happening again in any part of the world. (Matsui, 2)

The prosecution placed in evidence official government documents demonstrating how the system of sexual slavery was planned and implemented in support of the waging of the war throughout Asia. Over twenty survivors of the military brothels from nine countries came forward with testimonials, describing painful and vivid memories of sexual abuse by Japanese soldiers. Several veterans, admitted perpetrators also testified, recounting their memories of the crimes and offering apologies. A year later, on December 4, 2001, the Tribunal issued its judgment, finding Emperor Hirohito and other high-ranking officials guilty of crimes against humanity, based on individual and command responsibility for the rape and sexual slavery carried out by the Japanese military (Banks, 14). The Tribunal conducted under international law as it existed at the time of the crimes were committed subscribed to the definition of slavery as formulated in the *International Convention on the Abolition of Slavery and the Slave Trade*, and invoked for clarification a principle of coinciding with *the International Criminal Court Elements of Crimes,* Article 7 (1) (c) [ICC UN Doc. PCNICC/2000/1/Add.2] on the crime against humanity of enslavement, which states that slavery is: "the exercise of any or all of the powers attaching to the right of ownership over a person," the *actus reas,* the act that comprises the physical element of a crime. This civil society tribunal augmented that definition by specifically noting that "exercising sexual control over a person or depriving a person of sexual autonomy constitutes a power attaching to the right of ownership" (Banks, 14). This unique and unprecedented formulation of sexual slavery contributed to the international understanding of the crime that continues to inform the movement for holding perpetrators legally accountable.

The *Akayesu* case (No. ICTR-96-4-T) tried by the ad hoc International Criminal Tribunal for Rwanda (ICTR) played an important role in dealing comprehensively with the crime of rape (Asser Institute). The case culminated on September 2, 1998 with the conviction of Jean-Paul Akayesu, "bourgmestre," or mayor, of the Taba commune in Rwanda. Akayesu had direct control over the local police forces supervising aspects of the crimes against the Tutsis, including inciting killings and rapes during the genocide

Hutu conducted against Tutsi. After the genocide, he fled Ruanda, but was extradited from Zambia to be prosecuted by the ICTR in October 1995. His subsequent convictions were groundbreaking. The first person to be tried for crimes enumerated in the 1948 *Convention on the Prevention and Punishment of the Crime of Genocide,* the Akayesu case also defined the rape as an "extremely grave crime as it can constitute genocide and a crime against humanity, providing that all the other elements for each of these crimes are met" (ibid).

The ICTR, and later the International Criminal Tribunal for the former Yugoslavia, were both significant in the developing jurisprudence on rape, defining it as a crime against humanity. The ICTR employed a broad definition of rape as "a physical invasion of a sexual nature, committed on a person under circumstances which are coercive," as well addressing sexual violence as a broader category that was marked by "any act of a sexual nature which is committed on a person under circumstances which are coercive" (ibid). The Akayesu case brought attention to the gravity of rape in the context of genocides, and was the first case to be prosecuted in that context. Moreover, the ICTR's decisions to define rape and sexual violence more extensively helped to establish a deeper and more thorough sense of the crime.

The "Foča" case argued before the International Criminal Tribunal for the former Yugoslavia (ICTY) further clarified the crime of sexual slavery as it was committed by military during the Bosnian War (1992-1995). It is crucial to note that the specific crime being prosecuted in this case was "slavery," as proven through evidence of sexual slavery (as well as other forms of slavery). As Valerie Oosterveld, a scholar and expert on gender issues in international law, explains, "The ICTY could only charge enslavement generally and not sexual slavery specifically because the Statute of the ICTY does not contain the specific charge of sexual slavery as a crime against humanity" (Personal correspondence). On 2001, three members of the Bosnian Serb armed forces, Dragoljub Kunarac, Radomir Kovavač and Zoran_Vuković, were convicted and sentenced for committing crimes of rape and slavery against Muslim women and girls in the municipality of Foča. The crimes began in July 1992, during the "takeover" of Bosnian-Muslim towns in the region. After detaining the men, soldiers took the women and children to a motel, sports hall, and school building in the town. Young women and girls held at these centers were raped repeatedly. Some were taken from the premises to various apartments and houses around the town where soldiers were staying. Several girls were kept for months where they were placed entirely at the disposal of the soldiers. Some were sold or 'handed on' to other soldiers.

Kunarac, Kovač and Vukovic were respectively sentenced to 28, 20 and 12 years' imprisonment for torture, rape and enslavement as crimes against humanity and torture and rape as violations of the laws or customs of war. When addressing Kovač, Judge Florence Mumba specifically and vehemently condemned his participation in the abuse and selling of young girls:

> Your active participation in this nightmarish scheme of sexual exploitation is therefore even more repugnant. You not only mistreated women and girls yourself, but you also organized their transfer to other places, where, as you were

> fully aware, they would be raped and abused by other soldiers...Particularly appalling and deplorable is your treatment of 12-year-old AB, a helpless little child...you abused sexually in the same way as the other girls. You finally sold her like an object...[Of the other three girls] you kept as your...slaves, to be used whenever the desire took you, to be given to whomsoever you wished to show a favour. You relished in the absolute power you exerted over their lives, which you made abundantly clear by making them dance naked on a table while you watched. When they had served their purpose, you sold them too. ("Foca Rape Case")

Since detainment itself would typically not be tantamount to slavery, the prosecutors focused on the other "elements of enslavement" that were present in the treatment of these girls in Foca, such as: "control of someone's movement, control of physical environment, psychological control, measures taken to prevent or deter escape, force or threat of force or coercion, duration, assertion of exclusivity, subjection to cruel treatment and abuse, control of sexuality and forced labour" (ibid). The judgment ultimately agreed with the prosecutors and did convict on the charge of slavery. Peggy Kuo, one of the prosecutors in the case, addressed the way in which this case "took on" the definition and understanding of sexual slavery: "The definition of slavery as set forth in 1926 has been fairly broad and it relied on the powers of ownership. This case clarifies and gives more concrete meaning to those abstract terms. It makes clear that slavery is not only forced labour but can also be sexual in nature" (ibid). She also noted the advances in prosecuting sexual crimes in recent trials, including the Akayesu case, gave her team momentum:

> At this point, the legal developments of the Tribunals both in The Hague and in Rwanda had set the stage for what we were doing. Rape was beginning to become more clearly defined….We had a definition in the Akayesu case in the Rwanda Tribunal that defined rape as sexual violation. The Court there had also already found that rape can constitute a crime against humanity. And in both Akayesu and in Furundzija, as well as in Celebici, the courts found that sexual assault could constitute a war crime. (Kuo, 3)

The "Foca" case is noteworthy as the first to convict for enslavement as a crime against humanity of enslavement, significantly based on evidence of sexual slavery.

The Special Court for Sierra Leone (SCSL) also convicted for the crime of sexual slavery committed during armed conflict. The first case contributed to the understanding and definition of sexual slavery, which paved the way for future convictions, but ultimately failed to prosecute on this charge due to technical complications. This interesting but imperfect situation unfolded at the trial of the three leaders of the Armed Forces Revolutionary Council: Alex Tamba Brima, Santigie Borbor Kanu and Brima Bazzy Kamara. On 20 June 2007, all three co-defendants were found guilty of war crimes and crimes against humanity by the SCSL; Brima and Kanu were sentenced to 50 years' imprisonment while Kamara was sentenced to 45 years' imprisonment. These sentences were upheld by the Appeals Chamber on 22 February 2008 ("AFRC Case"). While all three were accused by the Prosecutor of "sexual slavery and any other form of sexual violence," the judges dismissed the sexual slavery charges

because they were improperly both charged under the same count, an error known as "duplication." The evidence of sexual slavery was then used for the prosecution of the war crime of "outrages upon personal dignity." Despite the failure of this trial to specifically address sexual slavery, it set the stage for the subsequent prosecution in the SCSL regarding this crime.

One of the most important judgments by the SCSL was the first conviction by an international or internationalized criminal tribunal for the specifically named crime against humanity of sexual slavery (Oosterveld, 61). In October, 2009, the Special Court for Sierra Leone rendered the appeals judgement in *Prosecutor vs. Issa Hassan Sesay, Morris Kallon and Augustine Gbao*, more commonly known as the "Revolutionary United Front (RUF) case." The RUF, who were active in the ten years of armed conflict within Sierra Leone, were infamous for gender-based crimes that included forced marriage, rape and sexual slavery. These three members of the RUF were charged with four crimes against humanity: rape (count 6), sexual slavery (count 7) other inhumane acts (count 8, which included forced marriage), and outrages upon personal dignity (count 9) ("Prosecutor vs. Sesay, Kallon & Gbao"). All three men were convicted on all four counts, which represented a groundbreaking moment in jurisprudence: "the RUF trial judgment brought the first-ever convictions in an international or internationalized tribunal for the crimes against humanity of sexual slavery and forced marriage (as an inhumane act), which the Appeals Chamber confirmed" (Oosterveld, "Gender Jurisprudence", 50).

The RUF case echoed the view, first conveyed by the ICTY, that the question of consent in sexual slavery is legally irrelevant. In scenarios in which the expression of consent is impossible, this is enough to "presume the absence of consent." The Trial Chamber expressed its views of: "the environment in RUF-controlled parts of Sierra Leone as one in which genuine consent was not possible, characterizing the environment as 'violent, hostile and coercive' and full of 'uncertainty and subjugation of women'" (Oosterveld, GJ, 63). The defendant Sesay attempted to argue this position, claiming that the Trial Chamber was incorrect in its stance that there was no possibility for genuine consent, but Appeals Chamber responded with a resounding rejection, stating that consent to sexual slavery is impossible (Oosterveld, gj, 64). Oosterveld prescribes the significance of the RUF case to its reinforcement of the AFRC Trial's approach and in its milestone achievement of "securing" the first international conviction for sexual slavery.

The Charles Taylor case tried before the SCSL has had very significant impact on the issue of sexual slavery. President of Liberia from 1997 to 2003, Taylor was charged with five counts of war crimes and one count of another serious violation of international humanitarian law (recruiting child soldiers). Sexual slavery was one of five crimes against humanity charges (the others being murder, rape, other inhumane acts and enslavement). While not accused of personally committing all of these offenses, he was accused of having collaborated with and directing the RUF and AFRC. During this period, sexual violence was endemic and brutal. On Taylor's conviction, Prosecutor Brenda Hollis stated, "Sexual violence against women and girls was a key part of operations in Sierra Leone. Victims were savagely and repeatedly raped, and were then

used as sex slaves, handed from owner to owner. The emotional and physical trauma suffered by these victims will continue for a lifetime" ("Prosecutor Hollis hails the historic conviction of Charles Taylor"). Convicted on April 26, 2012, one month later, he was sentenced to 50 years. Despite an appeal, his conviction was upheld in September 2013. His conviction resonated due to his high rank and political power; moreover, "He became the first former head of state convicted by an international war crimes court since World War II" (Morris, 1).

The Taylor case had significant impact on the issue of the prosecution of sexual slavery various regards. First, it helped to cement and further legitimize the international definition of sexual slavery as previously asserted in the AFRC and RUF trials. Second it added more nuance to the understanding of the definition of the crime of sexual slavery, establishing it as a "continuing crime." Oosterveld states: "This recognition is significant because it reflects the reality of the crime. Sexual slavery is not made up of one discrete event; it comprises a number of actions which can stretch over a long period of time and in multiple geographic locations" (Oosterveld, "Gender and the Charles Taylor Case," 17-18). Third, it took the crucial step of redefining "forced marriage," a widespread practice in Sierra Leone wherein girls and women were forcibly made "wives" or sex slaves to soldiers. This topic within the trial was contentious, but yielded the most innovative and pioneering discussions. While Charles Taylor was not charged with forced marriage as an inhumane act, evidence from the "bush wife phenomenon" was used by the prosecution as proof of sexual slavery ("Gender and the Charles Taylor Case," 20), giving the court the opportunity to express its stance on "conjugal slavery;" The court held that the terminology implying "marriage" was erroneous, asserting an understanding of the phenomenon as being both labor slavery and sexual slavery; not a "new" crime, but a combination of two. (Gender and the Charles Taylor Case, 20). Thus the Charles Taylor trial helped to fortify and detail the crime of sexual slavery. Specifically, in expounding it as a "continuing crime," and raising important questions about the phenomenon of "bush wives," it offered the alternative definition of "conjugal slavery," subsuming sexual slavery and forced labor (24).

Concluding considerations: the need for further research-There is very little research data available on the role of the US or other militaries in trafficking. While all of the cases brought before these war crimes tribunals prosecuted crimes *related* to trafficking (and often *involving* trafficking), *none of them specifically have prosecuted for the crime of trafficking in and of itself.* Military sex trafficking continues with insufficient efforts to hold the perpetrators legally responsible.

- It is to be noted how the definitions and discourse surrounding crimes of sexual violence have continued to be debated and expanded up until very recently, and are likely to continue to be the subject of debate. It is clear that the understanding of the nature, complexity and magnitude of these crimes is still being developed and honed. So should researcher, activists, concerned citizens and students continue to pursue the possibilities for the prosecution of militarized sex trafficking.

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