

Exhibit I

**BRIEF OF *AMICUS CURIAE*, THE COALITION AGAINST
TRAFFICKING IN WOMEN**

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS EASTERN
DIVISION**

-----)	
THOMAS DART, SHERIFF OF COOK)	
COUNTY,)	
)	Judge John F. Grady
Plaintiff,)	
)	Magistrate Judge Nan R. Nolan
v.)	
)	Case No. 09 CV 1385
CRAIGSLIST, INC.,)	
Defendant.)	
-----)	

**BRIEF OF *AMICUS CURIAE*, THE COALITION AGAINST
TRAFFICKING IN WOMEN**

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I. INTEREST OF AMICUS CURIAE

The *amicus curiae*, the Coalition Against Trafficking in Women (*CATW*), has considerable expertise advocating for the rights of victims of prostitution and sex trafficking. Founded in 1988, CATW is the world's first organization to combat human trafficking internationally. CATW has advocated for and contributed to strong anti-trafficking laws at the state level in New York, at the national level in the Philippines, Venezuela, Bangladesh, Japan, Sweden and the United States, and at the level of international agreements, in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

The end point of all sex trafficking is the commercial exploitation of women and children. The advertisement of prostitution not only normalizes and facilitates sex trafficking, it generates profits from sex trafficking. A key to combating sex trafficking is to prevent placing prostitution in the mainstream through advertisement and to prevent persons seeking to have commercial sex with prostituted women ("johns") from anonymously contacting persons who are engaged in trafficking of prostituted women and children ("pimps" or "traffickers").

Craigslist, Inc. (*Craigslist*) is a global advertisement business which facilitates and profits enormously from sex trafficking. There is no dispute that Craigslist's "adult services" web site, falsely labeled with an innocuous title, consists of advertisements for prostitution of women and children. Craigslist charges a ten dollar fee to post an "adult services" advertisement. In Chicago alone, on July 9, 2009, over three hundred advertisements for prostitution were posted.¹

Commercial sexual exploitation not only violates the human rights of women and children, it is inextricably tied to sex trafficking. Sex trafficking is a form of slavery.² Slavery is universally prohibited as an obligation *erga omnes* under international law.³

¹ Craigslist adult services web site in Chicago, available at <http://chicago.craigslist.org/ads/index300.html>.

² The International Criminal Tribunal for the former Yugoslavia (ICTY) was the first international tribunal to recognize sexual slavery as a crime against humanity. See *Prosecutor v. Dragoljub*

Craigslist cannot avoid these simple truths: neither by re-naming a category of prostitution services formerly entitled “erotic services”⁴ as “adult services,” nor by adding a meaningless disclaimer and a universally accessible button to click. By providing an anonymous forum for johns to contact pimps, Craigslist is facilitating these brutal abuses of human rights and violations of human dignity.

II. ARGUMENT OF AMICUS CURIAE

A. Myths About Prostitution

While it is universally accepted that sex trafficking is one of the most horrific forms of human rights violations, prostitution is often dismissed as something benign, as “the world’s oldest profession.” To the contrary, prostitution is the world’s oldest oppression. According to the preamble of the Convention for the Suppression of the

Kunarac, Radomir Kovac and Zoran Vukovic (Foca case), Appeals Chamber Judgment, Case No. IT-96-23 and IT-96-23/1 at ¶¶127-133 (June 12, 2002).

³ See IAN BROWNLIE, *PRINCIPLES OF PUBLIC INTERNATIONAL LAW* 537 (6th ed. 2003) (Obligations *erga omnes* include “principles and rules concerning the basic rights of the human person, including protection from slavery and racial discrimination”).

See Slavery Convention of 1926, September 25, 1926, 46 Stat. 2183, U.S. No. 778, 60 L.N.T.S. 253; See the Supplementary Convention on the Abolition of Slavery, Sept. 7, 1956, 18 U.S.T. 3201, 266 U.N.T.S. 3 (which broadens the 1926 Slavery Convention's definition of slavery to include the practices and institutions of debt bondage, servile forms of marriage, and the exploitation of children and adolescents).

Article 1 of the 1926 Slavery Convention provides:

“(1) Slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.

(2) The slave trade includes all acts involved in the capture, acquisition or disposal of a person with intent to reduce him to slavery; all acts involved in the acquisition of a slave with a view to selling or exchanging him; all acts of disposal by sale or exchange of a slave acquired with a view to being sold or exchanged, and, in general, every act of trade or transport in slaves.”

Recently, the High Court of Australia applied the Commonwealth Criminal Code, which incorporates Australia's obligations under the Slavery Convention and under international law, to the conviction of the owner of a licensed brothel of intentional possession and ownership of a slave. See *The Queen v. Wei Tang* (2008) 82 A.L.J.R. 1334.

See also, *Tel-Oren v. Libyan Arab Republic*, 726 F.2d 774, 781, 791 (D.C. Cir. 1984) (Edwards, J., concurring) (describing genocide and slavery as “heinous actions – each of which violates definable, universal and obligatory norms”).

⁴ Craigslist’s advertisements in countries other than the United States, from Bangladesh to Vietnam, maintain the “erotic services” title. See <http://www.craigslist.org/about/sites>.

Traffic in Persons and of the Exploitation of the Prostitution of Others, prostitution is “incompatible with the dignity and worth of the human person” and it “endanger[s] the welfare of the individual, the family and the community.”⁵

Prostitution is an act that destroys human dignity.⁶ Prostitution is increasingly understood to be violence against women.⁷ Prostitution also acts as a magnet for the most cruel and degrading acts imaginable.⁸

There is an all too common misconception that women enter prostitution freely and that they choose to remain in prostitution as a career. What we have learned is that the vast majority of prostitution stems from a lack of choice. In the vast majority of cases, women enter prostitution due to vulnerability, most likely through sexual abuse in childhood, gender inequality, drug addiction, poverty and various forms of coercion.⁹ Statistics indicate that women who have been sexually assaulted in childhood are 28 times more likely to be exploited in prostitution than non-sexually assaulted children.¹⁰

Many prostituted women’s lives are characterized by sexual abuse in childhood, repeated rapes and beatings, drug addiction and the risk of premature death at forty times the national average.¹¹ The failure to recognize prostituted women and children’s lack of negotiating power, as well as the pervasive violence in prostitution before the final exploitation between the john and the prostituted woman and children, results in their increased vulnerability to contracting HIV/AIDS and other sexually transmitted diseases. For example, almost half (47%) of prostituted women in a study in the United States

⁵ Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, UN Doc. A/RES/317, 96 UNTS 271.

⁶ See Catharine A. MacKinnon, *Prostitution and Civil Rights*, 1 MICH. J. GENDER & L. 13, 14 (1993).

⁷ *Id.*

⁸ *Id.* See also, MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 197 (2007).

⁹ Mimi H. Silbert & Ayala M. Pines, *Entrance into Prostitution*, 13 YOUTH & SOC’Y 471, 479 (1982) (60% of prostitutes were sexually abused in childhood).

¹⁰ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 197 (2007).

¹¹ REPORT OF THE SPECIAL COMMITTEE ON PORNOGRAPHY AND PROSTITUTION, PORNOGRAPHY AND PROSTITUTION IN CANADA, Vol. II, 350 (1985).

stated that men *expected* sex without a condom. Of these women, the vast majority (73%) reported that men would pay more for sex without a condom, with 45% stating that men became abusive in instances where women tried to insist that johns use condoms.¹²

Because of the presence of physically abusive pimps and, in addition, their economic vulnerability, the prostituted women and children are unable to set limits on what can be done to them. Ultimately, anything can be done to a pimp's "property" for a price.¹³ As the commodity in a transaction between the customer and the pimp, the sexually exploited usually must acquiesce to the customer's demands, including risky sexual practices. The price of resistance is often violence.¹⁴

Dr. Melissa Farley, a clinical psychologist and an expert on the effects of prostitution, has observed that the method by which pimps recruit women is generally through a calculated courtship that is similar to the "love-bombing" techniques used by cults;¹⁵ the woman is isolated from loved ones and social networks until her attachments to others are systematically destroyed. This leaves the pimp as the only available source of support.¹⁶ Even where women make the decision to leave prostitution, the personal barriers they face can often appear insurmountable. Finding accommodation (particularly shelters that will accept women with HIV or other diseases) dealing with physical and

¹² Janice Raymond, Donna Hughes, & Carole Gomez, *Coalition Against Trafficking in Women, Sex Trafficking of Women in the United States: International and Domestic Sex Industries* (2001), available at http://www.uri.edu/artscl/wms/hughes/sex_traff_us.pdf. It was reported that the former Governor of New York, Eliot Spitzer preferred to engage in unsafe sex when using prostitutes. See, e.g., *Were Spitzer's own tactics his downfall?* SEATTLE TIMES, March 12, 2008, available at http://seattletimes.nwsourc.com/html/politics/2004276458_spitzermoney12.html.

¹³ See Catharine A. MacKinnon, *Prostitution and Civil Rights*, 1 MICH. J. GENDER & L. 13, 14 (1993).

¹⁴ Coalition Against Trafficking in Women, *Statement Before the Fifty-Third Session of the United Nations Economic and Social Council, Commission for the Status of Women*, March 2-13, 2009, available at <http://daccessdds.un.org/doc/UNDOC/GEN/N08/643/70/PDF/N0864370.pdf?OpenElement>.

¹⁵ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS, 50, 205 (2007) (citing STEVEN HASSAN, COMBATING CULT MIND CONTROL (1990)).

¹⁶ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS, 50, 205 (2007).

mental illness, drug addiction¹⁷ and poor literacy skills are just a few of the obstacles stacked against prostituted women and children, obstacles that cause shame and despair.¹⁸

When surveyed, 89% of prostituted women in nine countries stated that, if they could, they would prefer to escape prostitution,¹⁹ and it is suggested that this figure would be almost 100 percent were it not for women's fear of reprisal.

Farley has documented countless horrific stories of young women and children being sold into prostitution as sex slaves in the United States.²⁰ While the specific details of each story change, they all follow the same formula of denying the humanity of women and girls by selling them for sex.²¹

B. The Internet Has Increased Prostitution and Sex Trafficking

The advent of the internet has increased prostitution and sex trafficking for several reasons. *First*, it has made it easier for johns and pimps to identify and have access to prostituted women and children.²² *Second*, it has increased the distance

¹⁷ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 45 (2007). The high levels of drug use and alcohol by women in prostitution is symptomatic of many women's desire to dissociate themselves from being prostituted; such drug and alcohol use also acts as an analgesic for the violence and physical abuse endured in prostitution.

¹⁸ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 168 (2007).

¹⁹ See Melissa Farley et al., *Prostitution and Trafficking in 9 Countries: Update on Violence and Posttraumatic Stress Disorder*, 4(3) JOURNAL OF TRAUMA PRACTICE 2, 33-74 (2003) (89% is a conservative figure – many service providers report that almost all women want to escape prostitution).

²⁰ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 75, 76, 107 (2007).

²¹ *Id.* See also, Catharine A. MacKinnon, *Prostitution and Civil Rights*, 1 MICH. J. GENDER & L. 13 (1993).

²² See United Nations Foundation, *ILO Members To Endorse Ban On Worst Forms*, U.N. WIRE, May 25, 2007 (“Younger and younger children are being sought for the sex trade in the belief that they are more likely to be ‘AIDS free,’ while sex tourism and pornography involving young girls and boys is flourishing, especially on the Internet,” the ILO says”), available at http://www.unwire.org/unwire/19990525/2785_story.asp; See also U.S. DEPARTMENT OF STATE, TRAFFICKING IN PERSONS REPORT, 35 (2007) (“Sex tourism and child pornography have become worldwide industries, facilitated by technologies such as the Internet, which vastly expand the choices available to pedophiles and permit instant and nearly undetectable transactions”), available at <http://www.state.gov/documents/organization/82902.pdf>; See also Athanassia P. Skoitou, Council of Europe, *Trafficking in Human Beings: Internet Recruitment* 29 (2007)

between the pimp and the john because an in-person encounter is less likely, further enabling johns to willfully ignore the brutality behind the encounter with a prostituted woman or child.²³ *Finally*, it has internationalized the prostitution business as never before.²⁴

The U.S. State Department's Office to Monitor and Combat Trafficking in Persons produces an annual report documenting countries' efforts to eliminate human trafficking. As part of that report, a number of case studies are documented, one of which told the story of 17 year-old Rosita. Rosita's case is similar to many others; she was recruited as a child and prostituted by her boyfriend.

However, rather than being prostituted in a brothel or being sexually exploited on the street, Rosita's "services" were advertised, with her trafficker's contact number, on a popular online server. The reports states that "Buyers called and made discrete arrangements. Following the business deal, Rosita was delivered to a home, a hotel, or other meeting place at an agreed upon time for an agreed upon price."²⁵ For three years Rosita was covertly trafficked through the internet; her childhood was destroyed by abuse, violence and exploitation of the most violent and degrading kind.

("[Trafficked women] are also tailored to the market the traffickers are targeting (e.g. tall, blond women are the type generally favoured by the Greek sex industry)", *available at* http://www.coe.int/t/dg2/trafficking/campaign/Source/THB_Internetstudy_en.pdf.

²³ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 147 (2007) ("When responding to prostitution advertising, predatory johns usually have no awareness that they may be buying trafficked women or minors for sex [...] Under duress from pimps or traffickers, women hide their coerced status in prostitution").

²⁴ See *United States Internet Sex Slaves: US has highest demand for internet pornography*, ASSOCIATED CONTENT, March 18, 2007 ("Prior to the internet, human traffickers had to travel within the United States or abroad to secure purchasing of females for sex slavery. However, with the growth of the internet, human trafficking is now being conducted via telephone and satellite transmissions"), *available at* http://www.associatedcontent.com/article/172291/united_states_internet_sex_slaves.html?cat=7; See also Donna M. Hughes, *The Internet and Sex Industries: Partners in Global Sexual Exploitation*, TECHNOLOGY AND SOCIETY MAGAZINE, Spring 2000, ("The expansion of the global sex industry, especially on the Internet, has intensified the harm to the victims, and normalized and globalized the victimization and exploitation. Two components of globalization, rapid development and deployment of information technology and the industrialized commodification of women and children have become linked to expand and truly internationalize sexual exploitation"), *available at* <http://www.uri.edu/artsci/wms/hughes/siii.htm>.

²⁵ U.S. DEPARTMENT OF STATE, TRAFFICKING IN PERSONS REPORT, 13 (2008), *available at* <http://www.state.gov/documents/organization/105501.pdf>.

As reported recently in the *Houston Metro*, a girl named Miley was seduced by a pimp when she was 15 years old. The man recruited her from a mall in Washington D.C. He then beat, abused and branded her with his name. To keep her from escaping, he hooked her on drugs and trafficked her from state to state using fake identification and selling her body for sex to the highest bidder.

Some of the men found her on the street, while others found her on the internet. "That's the way people are doing it. Online," Miley explained. From the internet to motels, Miley spent close to a dozen years being prostituted, trafficked, numbed on drugs and paralyzed by threats from her pimp. "He would tell me that if I left, he would find and kill me," Miley said. Miley, now 27, finally escaped, and is on the run in disguise and telling her story from a safe house.²⁶

Police Detective Woolley of Riverside County, California, has made several arrests through Craigslist's ads for "adult" or formerly "erotic" ads. Detective Woolley has found that pimps are typically gang members who trade in women as they would trade in drugs.²⁷ He has stated that he has never come across a prostituted woman or girl "who has not been assaulted in some capacity." According to Detective Woolley, "[t]hey are victims of crime constantly. Let alone the mental abuse from pimps."²⁸

Reports produced by the United States government and the Council of Europe make clear that the expansion of the internet has provided additional tools by which children may be victimized and has increased child sex tourism worldwide.²⁹ By providing a method of routing communications through numerous countries, the internet

²⁶ See Rucks Russell, *Warning to Parents: Sex Trade Predators Are Looking For Your Children*, KHOU-TV HOUSTON, Apr. 10, 2009, available at http://www.khou.com/news/local/houstonmetro/stories/khou090410_mp_sex-trade-warning.c0e77435.html.

²⁷ See Jessica Logan, *Internet Replacing Streetwalking for Inland Prostitution*, THE PRESS ENTERPRISE, Jan. 1, 2008, available at http://www.pe.com/localnews/sbcounty/stories/PE_News_Local_S_prostitution02.9893.html.

²⁸ See Jessica Logan, *Internet Replacing Streetwalking for Inland Prostitution*, THE PRESS ENTERPRISE, Jan. 1, 2008, available at http://www.pe.com/localnews/sbcounty/stories/PE_News_Local_S_prostitution02.9893.html.

²⁹ See U.S. DEPARTMENT OF STATE, *TRAFFICKING IN PERSONS REPORT*, 23, 28 (2008), available at <http://www.state.gov/documents/organization/105501.pdf>.

allows the actions of traffickers and pimps to remain undetected and allows “national recruitment networks” to operate and flourish.³⁰ In short, the internet has played a key role in the increased sexual exploitation of women and children.³¹

“Technology has given the sex industry new means of exploiting, marketing, and delivering women and children as commodities to male buyers. [...] [W]hen a new technology is introduced into a system of exploitation it enables those with power to intensify the harm and expand the exploitation.”³² It seems that eradication of such exploitation can only be possible where there exist effective, harmonized, international law and cooperation on the issue³³ and where the perpetrators and those complicit face sanctions proportionate to the crimes committed.

C. Some Statistics On Sex Trafficking

Human trafficking operates under a veil of secrecy. It is therefore difficult to obtain accurate figures documenting the number of persons who are trafficked through the United States and throughout the world on an annual basis.

1. Statistics in the United States

The Human Trafficking Reporting System (*HTRS*), a new system created recently by the United States Department of Justice has released a report in which it recorded information on more than 1,200 alleged incidents of human trafficking from January 30, 2007 until September 30, 2008. HTRS found that “[m]ost (83 percent) of the reported human trafficking incidents involved allegations of sex trafficking. Labor trafficking

³⁰ See Athanassia P. Skyiotou, Council of Europe, *Trafficking in Human Beings: Internet Recruitment*, 26, 29 (2007), available at http://www.coe.int/t/dg2/trafficking/campaign/Source/THB_Internetstudy_en.pdf.

³¹ See Donna M. Hughes, *The Internet and Sex Industries: Partners in Global Sexual Exploitation*, TECHNOLOGY AND SOCIETY MAGAZINE, Spring 2000, available at <http://www.uri.edu/artsci/wms/hughes/siii.htm>.

³² See Donna M. Hughes, *The Internet and Sex Industries: Partners in Global Sexual Exploitation*, TECHNOLOGY AND SOCIETY MAGAZINE, Spring 2000, available at <http://www.uri.edu/artsci/wms/hughes/siii.htm>.

³³ See Athanassia P. Skyiotou, Council of Europe, *Trafficking in Human Beings: Internet Recruitment*, 26, 29 (2007), available at http://www.coe.int/t/dg2/trafficking/campaign/Source/THB_Internetstudy_en.pdf.

accounted for 12 percent of incidents, and other or unknown forms of human trafficking made up the remaining five percent. About a third (32 percent) of the 1,229 alleged human trafficking incidents involved sex trafficking of children.”³⁴

The Carolina Women's Center at the University of North Carolina, Chapel Hill, estimates that thousands are trafficked into the Southeast region of the United States alone.³⁵ In reality, given the secrecy and violence underlying the methods of trafficking women and children and the shame and fear experienced by the victims, the figures are likely to be even higher.

2. Global Statistics on Sex Trafficking of Children

Wherever there is a thriving sex industry, children are inevitably prostituted. According to the U.S. Department of State Trafficking in Persons Report of June, 2008, more than two million children are exploited in the global sex trade.³⁶ The United Nations Population Fund conservatively estimates that two million girls, aged 5 to 15, are initiated into the commercial sex industry each year.³⁷

Prostitute users often prefer girls who are young and will pay more for them. Children are prime targets as they are easy for both pimps and johns to control. According to the Las Vegas Metropolitan Police, the trafficking of 11 – 17 year old girls to Las Vegas from other states for prostitution is “rampant.”³⁸ However, it must also be kept in mind that prostituted children grow up to be prostituted adults.

³⁴ See Press Release, U.S. Department of Justice, *More Than 1,200 Incidents of Human Trafficking Reported in the US* (January 15, 2009), available at <http://www.ojp.usdoj.gov/bjs/pub/press/cshti08pr.htm>.

³⁵ See Jesse James DeConto, *Sex Trafficking Seldom Prosecuted*, THE NEWS AND OBSERVER OF UNIVERSITY OF NORTH CAROLINA, April 5, 2008, available at <http://www.newsobserver.com/news/story/1026062.html>.

³⁶ U.S. DEPARTMENT OF STATE, TRAFFICKING IN PERSONS REPORT, June 2008, available at <http://www.state.gov/documents/organization/105501.pdf>.

³⁷ United Nations Population Fund, *Ending Violence Against Women and Girls in State of World Population*, Ch. 3 (2000), available at <http://www.unfpa.org/swp/2000/english/ch03.html>.

³⁸ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 105 (2007).

The impact on trafficked women and children is devastating and long lasting. In order to bring charges against a trafficker and to provide meaningful assistance to victims, trafficked persons need not only physical protection, but emotional and psychological support; with resources that are tailored to the needs of the individual. It is also essential to recognize the different types of harm that victims may have experienced³⁹ and to work with law enforcement agents who comprehend the extent to which trafficking victims are brainwashed by those who exploit them.⁴⁰ This is not easy to accomplish and hence, human trafficking flourishes. The secrecy, anonymity and ephemeral character of the internet is exacerbating the difficulties inherent in combating sex trafficking.

D. Sex Trafficking And Prostitution Are So Inextricably Tied That They Are Hardly Distinguishable In Most Cases

The end point of all sex trafficking is commercial sexual exploitation, whether that exploitation occurs in a hotel room, on a street corner or in a brothel. What matters is that a woman or child is being sold for sex, not the distance a woman or child is moved in order to be sold for sex. The distance is irrelevant both as a matter of fact and law.⁴¹

International law recognizes three fundamental principles related to sex trafficking and prostitution: (1) that it is a myth that prostitution is consensual; (2) that sex trafficking has nothing to do with movement or distance as victims can be trafficked domestically as well as internationally; and (3) that sex trafficking and prostitution are inextricably linked.

E. United States Law Governing Sex Trafficking

In the United States, the Trafficking Victims Protection Act of 2000, and its reauthorizations in 2003, 2005, and 2008 define a human trafficking victim as a person

³⁹ See Marisa Bava Ugarte, Laura Zarate, & Melissa Farley, *Prostitution and Trafficking of Women and Children from Mexico to the United States*, 3(4) JOURNAL OF TRAUMA PRACTICE 2 (2003), also available at <http://www.prostitutionresearch.com/c-trafficking.html>.

⁴⁰ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 124 (2007).

⁴¹ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 198 (2007).

induced to perform labor or a commercial sex act through force, fraud, or coercion.⁴² Moreover, any person under age 18 who performs a commercial sex act is considered a victim of human trafficking, regardless of whether force, fraud, or coercion is present. Sex trafficking is also prohibited under the Mann Act of 1910, 18 U.S.C. §§2421-2422, which provides that “[w]hoever knowingly transports any individual in interstate or foreign commerce, or in any Territory or Possession of the United States, with intent that such individual engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, shall be fined under this title or imprisoned not more than five years, or both.”

The reauthorization of the Trafficking Victims Protection Act in 2008⁴³ expanded the prohibition against profiting from sex trafficking to cover those who benefit financially from a venture engaged in peonage, forced labor, or document servitude. Craigslist clearly benefits financially from sex trafficking that occurs through advertisements on its web site.⁴⁴

F. International Law Governing Sex Trafficking

There are two international agreements that oppose prostitution and trafficking and challenge the misconception that prostitution is harmless, particularly when it might appear that women “freely consent” to engage in prostitution. One such agreement is the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 (the *1949 Convention*) which declares that “prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person.”⁴⁵ The 1949 Convention

⁴² 22 U.S.C. §7101.

⁴³ H.R. 7311 [110th]: William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, *available at* <http://www.govtrack.us/congress/billtext.xpd?bill=h110-7311>.

⁴⁴ Chapter 17 of Title 18, Section 1595 of the United States Code was amended to provide that “whoever knowingly benefits, financially or by receiving anything of value from participation in a venture which that person knew or should have known has engaged in an act in violation of this chapter.” *Supra* at §221. *See also*, Attorney General’s Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons Fiscal Year 2008, June 2009 at 4, *available at* <http://www.usdoj.gov/olp/pdf/agr-report-fy2008.pdf>.

⁴⁵ Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, Dec. 2, 1949, 96 U.N.T.S. 271, see preamble. *See also* Convention on the

speaks to the harms of prostitution to “consenting adult women whether or not they were transported across national boundaries.”⁴⁶

The Protocol to Prevent, Suppress and Punish Trafficking in Person Especially Women and Children adopted in 2000 (the *Palermo Protocol*)⁴⁷ enforces the principle that consent is irrelevant when judging whether the crime of trafficking has occurred. Further, the Palermo Protocol encourages State parties to develop legislative responses to the demand element of prostitution:⁴⁸ calling for appropriate legal instruments to be enacted and a “comprehensive international approach in the countries of origin, transit and destination”⁴⁹ to be set in motion to ensure that traffickers can and will be prosecuted.⁵⁰

Article 3 of Palermo Protocol defines trafficking as follows:

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt by persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include at minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or

Elimination of All Forms of Discrimination Against Women, December 18, 1979, art. 5, 1249 U.N.T.S. 13, 17 (declaring in Article 6 that state parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation or prostitution of women).

⁴⁶ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 209 (2007).

⁴⁷ See Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, G.A. Res. 25, annex II, U.N. GAOR, 55th Sess., Supp. No. 49, at 60, U.N. Doc. A/45/49 (Vol. I) (2001), entered into force September 9, 2003.

⁴⁸ See Janice G. Raymond, *The New U.N. Trafficking Protocol*, 25 WOMEN’S STUDIES INT’L FORUM 491 (2002).

⁴⁹ Protocol to Prevent, Suppress and Punish Trafficking in Person Especially Women and Children of 2000, see preamble.

⁵⁰ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 209 (2007).

services, slavery or practices similar to slavery, servitude or the removal of organs:

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

In spite of international agreements and legislation adopted in the United States that criminalizes sex trafficking, it is the case that women and children in particular are increasingly channeled into prostitution as their opportunities for legitimate work in other sectors of the community shrink. Craigslist's adult and erotic services web sites, in providing easy access to millions of pimps who are trafficking women and children for sex, makes a mockery of the clear prohibitions against sex trafficking under U.S. law and international law.

G. Lessons From Las Vegas: Trafficking And Prostitution Are Rendered More Accessible And Considered "Mainstream" Due To Craigslist's "Adult Services" Advertisements

As observed by Farley:

How did Las Vegas become a destination for prostitution tourists and a city to which women from all over the US and the world are trafficked? Although prostitution is not legal in Las Vegas, you wouldn't know it. It is openly and globally advertised.⁵¹

According to Farley, it is advertisement that drives the sex trafficking industry. In the same way, Craigslist's "adult services" section in the United States and "erotic services" sections across the globe drive sex trafficking by placing it in the mainstream and by giving it the appearance of normalcy and legality.

⁵¹ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 145 (2007). When Melissa Farley took a survey of 154 men and women walking on the Las Vegas strip, 67 of the 154 people thought that prostitution was in fact legal in Las Vegas.

Craigslist and other internet prostitution service advertisers are fast becoming a replacement for the more traditional “Las Vegas” prostitution services,⁵² where prostitution seekers travel to Las Vegas with the knowledge that “what happens in Las Vegas stays in Las Vegas.”⁵³

According to a police Detective Woolley of Riverside county, California, “[i]n this age, Internet prostitution is the biggest thing going.”⁵⁴ According to Julie Albright, a professor at the University of Southern California, internet venues attract new customers to prostitution because of the veil of secrecy and anonymity of the internet:

The Internet gives people the opportunity to explore things they never would have before because the Internet provides a cloak of secrecy.⁵⁵

Just one click on Craigslist’s “adult services” category of any major city in the United States on any given day shows that Craigslist’s reach easily eclipses a Las Vegas telephone book, yet the advertisements are based on the same formula, offering a “girl from Taiwan,” for example, to provide a “service.” Euphemisms such as “erotic services” and “erotic massages” convince users that they are seeking something mainstream, a pleasurable break that they deserve. Johns hide behind these euphemisms while engaging in exploitative acts which inevitably deprive women and girls of their humanity. Craigslist hides behind the euphemisms in order to enable it to profit from prostitution and human trafficking without legal consequence.

According to Craigslist:

⁵² See Jessica Logan, *Internet Replacing Streetwalking for Inland Prostitution*, THE PRESS ENTERPRISE, January 1, 2008, available at http://www.pe.com/localnews/sbcounty/stories/PE_News_Local_S_prostitution02.9893.html.

⁵³ See MELISSA FARLEY, PROSTITUTION & TRAFFICKING IN NEVADA: MAKING THE CONNECTIONS 145 (2007).

⁵⁴ See Jessica Logan, *Internet Replacing Streetwalking for Inland Prostitution*, THE PRESS ENTERPRISE, January 1, 2008, available at http://www.pe.com/localnews/sbcounty/stories/PE_News_Local_S_prostitution02.9893.html.

⁵⁵ See Jessica Logan, *Internet Replacing Streetwalking for Inland Prostitution*, THE PRESS ENTERPRISE, January 1, 2008, available at http://www.pe.com/localnews/sbcounty/stories/PE_News_Local_S_prostitution02.9893.html.

[o]ne of the subcategories of the “services” section of the craigslist website is titled ‘erotic.’ Craigslist introduced this subcategory several years ago at the request of users, so that legal escort services, massage workers, exotic dancers and others whose ads often contain adult content [...] would have a dedicated area in which to post their ads.⁵⁶

In other words, Craigslist dedicated a portion of its web site to johns, created a special category for those seeking prostitution and those trafficking in women and children, a category that would help provide them legal protection through the vague and euphemistic title of “erotic” and now “adult” services.⁵⁷

H. Some Recent Arrests/Investigations Of Sexual Traffickers Who Prostituted Children Through Craigslist

In 2008 alone, the FBI discovered 2,800 advertisements for child prostitution posted on Craigslist.⁵⁸ The FBI’s web site describes numerous incidents of women and children being prostituted through Craigslist. For example, Anthony Thomas, 35, of Mansfield, Texas, was sentenced on June 4, 2009 to serve 6 years in prison on charges of transporting a victim interstate to be prostituted, and persuading, inducing, enticing and coercing a victim to travel across state lines to be prostituted.

The FBI investigation in this case began with information one agent saw on an “erotic services” posting on Craigslist in the Atlanta, Georgia, area, that contained an advertisement for a young woman later identified as the victim.

Levar Simms, a 30-year-old resident of Washington, D.C., was recently sentenced to 96 months of incarceration for interstate transportation of a minor to be prostituted. Simms first encountered his victim, a 16-year-old girl, on July 6, 2006, when he pulled up alongside her in his car outside of a shelter for juveniles in Greensboro, North Carolina.

⁵⁶ Memorandum in Support of Craigslist’s Motion for Judgment on the Pleadings at 4.

⁵⁷ While some of the explicitly pornographic photos have recently been removed in light of pending litigation in the United States, the basic content has remained unchanged. The “adult services” category remains a web site offering prostitution services.

⁵⁸ See Abbie Alford, *On Line Sex For Sale*, FOX23.COM, Apr. 2, 2009, available at <http://www.fox23.com/content/solvingproblems/story/Online-Sex-For-Sale/GwqPO79BNE2vU6RWF39J4w.csp>.

Simms transported the girl to Washington, D.C., and prostituted her through advertisements on Craigslist in the “erotic services” section.⁵⁹

According to United States Attorney David E. Nahmias, “The use of internet websites like ‘Craigslist’ to facilitate the sexual exploitation of vulnerable young women is a growing problem.”⁶⁰

I. A Look At Craigslist’s Updated “Adult Services” In The United States

Craigslist has demonstrated a total disregard for those persons violated on a daily basis by way of its site. Craigslist has made clear by its inaction that it has no intention of preventing such violations; the change of name from “erotic services” to “adult services” amounting only to a token gesture. In maintaining its advertisements for prostituted women and children, Craigslist has also demonstrated a total disregard for demands by members of the U.S. Congress that it take steps to prevent its web site from facilitating violence against women and children.⁶¹

While the pictures in the advertisements for Craigslist “adult services” are slightly less explicit than those in the international “erotic services” section, they clearly advertise prostitution, with titles such as, “AMAZING BUSTY ASIAN KOREAN GIRL JUST ARRIVE” or “A GIRL COME FROM TAIWAN.”

That the “adult services” section advertises sex with women and children for money is manifestly clear from browsing the subject headings. In reading the full content of the advertisements, it is necessary to draw reasonable inferences given that they are

⁵⁹ See FBI Press Release, *District of Columbia Man Sentenced to 96 Months in Prison for Interstate Transportation of a Minor for the Purpose of Prostitution Defendant, Who Advertised on "Craigslist," Forced a 16-Year-Old Girl Into Prostitution*, July 7, 2008, available at <http://washingtondc.fbi.gov/dojpressrel/pressrel08/wf070708.htm>. See also, FBI Press Release, *El Dorado Hills Man Arrested on Sex-Trafficking Charges*, July 1, 2008, available at <http://sacramento.fbi.gov/pressrel/pressrel08/sc070108.htm>; FBI Press Release, *Florida Man Arrested on Federal Sex Trafficking Charges for Prostituting Girl He Solicited on Internet*, April 15, 2009, available at <http://losangeles.fbi.gov/dojpressrel/pressrel09/la041509.htm>.

⁶⁰ See FBI Press Release, *Pimp Who Claimed To Be Modeling Agent Sentenced to Prison - Reed Tricked Victim after Putting Her Photos on "Craigslist"*, June 4, 2009, available at <http://atlanta.fbi.gov/dojpressrel/pressrel09/atl060409.htm>.

⁶¹ See Exhibit A, Letter from certain Members of Congress to Craig Newmark, Founder, Craigslist and James Buckmaster, Chief Executive Officer, Craigslist, June 10, 2009.

written in coded language. The code words often reveal the underlying harm and the vulnerability of the women and children involved.

For example, when a user clicks on an ad for “Avail Latina 24/7”, Posting ID: 1206234125, posted on June 5, 2009, one reads:

Greetings,

My name is Serrenna, I travel to all of Chicago and all suburbs of IL and Northwest Indiana.

Sorry, but I cannot receive any text messages and I do not pick up on private or blocked calls.

Please be a gentlemen when contacting me thank you.

Serrenna ~ 773 494 9805 (At this current time, I do not host. Out calls only.) [sic]

Serrenna, who is available seven days a week, twenty-four hours a day, “travels” to provide sex for money. Serrenna’s request that men “act like gentlemen” is most likely a code word for “please, no violent sex.” Serrenna’s request can only be described as a pathetic expression of hope that she will not be physically abused, a danger which she inevitably faces twenty-four hours a day, seven days a week. The advertisement of Serranna is one of many that describe women and children who are traveling to different locations to give sex for money.

Craigslist’s prostitution ad for Tanya in Fairbanks, Alaska, Posting ID: 1207829240, similarly notes that Tanya will only be in town temporarily:

Visiting Fairbanks June 6th thru June 13th, Visiting Anchorage June 13th thru July 21st. I am driving, so I'm also availble to stop anywhere inbetween.

I have alot of experience as a upscale quality service provider. I 'm a gorgeous blonde, with faboulous playmate looks & style. 5'4 /34B I accept Visa/MC, you may email me.[sic]

Are we to believe that Tanya is simply driving around in her car in Alaska, during a limited time period only, at her own leisure, with a credit card machine ready in hand to

process orders for “upscale quality service”? More likely she is being driven, along with other children, or she is being trafficked, in Alaska, from June 6th to July 21st.

Another Craigslist ad, entitled “High class and upscale adult services,” posting Posting ID: 1206229718 dated June 5, 2009, states that in addition to erotic massage and role playing:

By the way, I will be more than welcomed to accompany you anywhere in the United States, and I will be dressed for the occasion so that you can get an exquisite escortee. [sic]

It is probable that the particular woman or child advertised as “high class and upscale adult services” who is available “to accompany you anywhere in the United States” is being trafficked for prostitution. This could also be an advertisement from a pimp to other pimps, offering a woman or child for sale.

While Craigslist dismisses any reading between the lines of its advertisements for “adult services” as mere speculation, the number of arrests already made for the sex trafficking of minors through Craigslist should assure this Court that such inferences are entirely reasonable.

A police detective from the San Bernardino County region in California reported that in one weekend in December 2007, 700 people advertised in Craigslist’s “erotic services” category, as it was then called.⁶² The tremendous volume of Craigslist’s prostitution advertisement across the United States and across the globe is allowing the sex trafficking industry to thrive; in return, Craigslist becomes increasingly profitable as it has access to more users and charges fees.

J. A Look At Craigslist’s “Erotic Services” In Vietnam, Panama And Indonesia

If there were any doubt that Craigslist has become an international, on-line “Las Vegas,” an on-line sex provider that profits from sex trafficking, one need look no further than two identical posts which happen to appear in Craigslist’s “erotic services” category

⁶² See Jessica Logan, *Internet Replacing Streetwalking for Inland Prostitution*, THE PRESS ENTERPRISE, Jan. 1, 2008, available at http://www.pe.com/localnews/sbcounty/stories/PE_News_Local_S_prostitution02.9893.html.

currently available in Vietnam and Panama (Craigslist did not consider it necessary to change the name of its international "erotic services" advertisements):

The Trip You Always Wanted To Vietnam - w4m
(Vietnam)

Reply to: pers-8ueej-1206316934@craigslist.org Date:
2009-06-05, 5:20PM ICT

Vietnam travel in your future plans? Change the way you plan your travel. This trip stop dreaming and wishing and start making your dreams come true. It is time to check it out for your self. See and taste and feel what everyone is talking about. All of it is true everything you have read and heard about the Asian sex scene is true only it is way, way better. Whether you are traveling to Thailand, China, Korea or Japan and points in between I can help you. I offer an information service that gives you the knowledge to arrive here and not waste any time or money wondering where to go, what to do or how much to pay. This trip spend your time having fun and all the sex you want. This trip leave prepared and know before you leave where you are going, what you are doing and how much you are paying. Save your self time and money and worry and leave prepared. This trip do the work upfront and then have as much sex as you want when you want it.

Location: Vietnam

it's NOT ok to contact this poster with services or other commercial interests

PostingID: 1206316934

For The Trip You Always Wanted To Panama - w4m
(Panama)

Reply to: pers-rkgkj-1206328806@craigslist.org Date:
2009-06-05, 5:55AM EST

Panama travel in your future plans? Change the way you plan your travel. This trip stop dreaming and wishing and start making your dreams come true. It is time to check it out for your self. See and taste and feel what everyone is

talking about. All of it is true everything you have read and heard about the Latin America sex scene is true only it is way, way better. Whether you are traveling to Costa Rica, Brazil, Argentina or Dominican Republic and points in between I can help you. I offer an information service that gives you the knowledge to arrive here and not waste any time or money wondering where to go, what to do or how much to pay. This trip spend your time having fun and all the sex you want. This trip leave prepared and know before you leave where you are going, what you are doing and how much you are paying. Save your self time and money and worry and leave prepared. This trip do the work upfront and then have as much sex as you want when you want it.

Location: Panama

it's NOT ok to contact this poster with services or other commercial interests.

Even blatant prostitution advertisements such as these, aimed at businessmen and tourists looking for women and children for sex in developing countries, may have additional purposes. They may also enable those who are trafficking in women and children to trade them over the internet.

In Craigslist's ads for "erotic services" in Indonesia, one comes across advertisements from a "Western business" man seeking a sexual companion:

Western man and regular visitor seeking young asian girl for fun or more. send pics and detail if interested.

Location: Grand Hyatt Bali

it's NOT ok to contact this poster with services or other commercial interests. PostingID: 1190937002⁶³

It is likely that, rather than receive a response from a "young Asian girl" this "Western business man" will likely receive a message from an Indonesian pimp. Or perhaps, this "Western business man" is a pimp himself, looking to acquire or trade in young Asian girls. Perhaps the "young Asian girl" that is sold to him through this site then becomes the "exotic Asian girl" on Craigslist in New York, Chicago or Las Vegas.

⁶³ Craigslist's "erotic services" web site categories in Bali, Indonesia, Panama and Vietnam, last visited on June 7, 2009, available at <http://www.craigslist.org/about/sites>.

It is a fact that sex traffickers earn huge sums for their victims. According to studies conducted by the United Nations, prostituted Asian women and girls in the United States and Japan may be sold for up to \$20,000 each. Trafficking all over the globe has soared thanks to the growth of sex tourism, an industry blatantly advertised through Craigslist.⁶⁴

Craigslist cannot deny that its web site provides an extraordinary opportunity for the coordination of transnational sex trafficking, from Indonesia to the United States.

K. Craigslist's Profitability, Power And Corporate Responsibility

While Craigslist is not a publicly traded company and does not release information concerning its profits, financial news analysts observe that the company that "is indifferent to money [...] gushes profits." In particular, Craigslist is "burning up the market" in classified advertisement.⁶⁵ A recent article in the *New York Times* which estimated Craigslist's profits to be over 100 million forgot to mention how much of those estimated profits were derived from Craigslist's "adult" and "erotic services."⁶⁶ The *New York Times* based its information on a report by the AIM Group. According to the report prepared by the AIM Group and released on June 10, 2009, Craigslist's projected revenues from "erotic" and "adult services" combined for one month only amounts to over five million, an estimate it describes as conservative.⁶⁷ Projected over a year, it is fair to estimate that Craigslist's global profits from its adult/erotic services ads will constitute over half of its overall profits.⁶⁸

⁶⁴ See Press Release, United Nations, *New Global Treaty to Combat Sex Slavery of Women and Girls* (February 2000), available at <http://www.un.org/events/10thcongress/2098.htm>.

⁶⁵ See Adam Lashinsky, *Burning Sensation*, CNN MONEY.COM, December 12, 2005, available at http://money.com/magazines/fortune/fortune_archive/2005/12/12/8363113/index.htm.

⁶⁶ See Brad Stone, *Craigslist Revenue Is Said To Top \$100 Million*, N.Y. TIMES, June 9, 2009, available at <http://www.nytimes.com/2009/06/10/technology/internet/10craig.html?ref=business>.

⁶⁷ See Exhibit B, *Craigslist Tops \$100 Million Revenue*, Classified Intelligence Report, AIM Group Vol. 10, No. 11, June 10, 2009.

⁶⁸ One of the AIM Group's clients is Ebay. Ebay owns 24% of Craigslist. One of the AIM Group's employees has openly denounced lawsuits concerning Craigslist's adult/erotic services web site on the AIM Group blog. See Peter Zollman, *AGs Keep Blathering About Craigslist; Now They're Targeting Other Sites, As Well*, AIM GROUP BLOG, May 26, 2009, available at

While Craigslist made the rather ambiguous claim in its Memorandum in Support of its Motion for Judgment on the Pleadings that net proceeds from its “erotic services” section would be donated to charity,⁶⁹ it has since backed down from that position. Since posting the newly revised “adult services” section in the United States, Jim Buckmaster has said that “[w]e are making no representation regarding how revenue from the “adult services” category will be used.”⁷⁰

In any event, it is not at all clear what Craigslist had meant by “net proceeds” with respect to its profits over “erotic services.” Moreover, it is unimaginable to think that charities would wish to receive proceeds from sex trafficking. CATW can assure this Court and has assured Craigslist that it does not wish to receive one penny derived from the profits of sexual exploitation.⁷¹

For as long as websites such as Craigslist create advertisements for prostitution, they contribute to not only the world’s oldest oppression, but to one of the most serious human rights abuses imaginable.

While Las Vegas is just one city attracting sex trafficking from all over the globe, Craigslist’s universe goes from Alaska all the way to Vietnam, allowing coordination between sex traffickers between different countries. Craigslist is a powerful company that receives tremendous profits from its ability to advertise anywhere at any time. With that power comes responsibility. The trafficking of women and children that occurs through Craigslist is prohibited under domestic and international law.

In addition, Craigslist has a corporate social responsibility (*CSR*) to address the issue of sex trafficking and the prostitution of persons that occurs every day by way of its site. To date, the United States has chosen to document its CSR policies, principles and

<http://aimgroup.com/index.php/article/ags-wont-give-up-on-craigslist-theyre-now-targeting-other-sites-as-well>.

⁶⁹ Memorandum in Support of Craigslist’s Motion for Judgment on the Pleadings at 3, footnote 1.

⁷⁰ Jenn Abelson, *Craigslist Changes Get Early Approval, But Advocates Wait To See If Ads Make A Return*, BOSTON GLOBE, June 2, 2009, available at http://www.boston.com/business/articles/2009/06/02/craigslist_ad_changes_get_early_approval.

⁷¹ See Exhibit C, Letter from Norma Ramos, Co-Executive Director, CATW, to Craig Newmark, Founder, Craigslist, December 1, 2008.

aspirations in soft law instruments; one notable example being the OECD Guidelines for Multinational Enterprises (the *OECD Guidelines*).

The OECD Guidelines provide that multinationals need to “respect the human rights of those affected by their activities consistent with the host government’s international obligations and commitments,” and “support and uphold good corporate governance principles and develop and apply good corporate governance practices.”⁷²

Even “absent a legal duty, [multinational corporations have] an ethical or moral duty to respect the fundamental human rights contained in the Universal Declaration of Human Rights.”⁷³

While the OECD Principles constitute soft law, they are nevertheless guiding principles and should be taken into account when conducting global business such as the global advertisement business of Craigslist.

Craigslist must therefore take positive action to protect the women and children made vulnerable and exploited through its website by entirely eliminating the “adult services” section from its web site. Craigslist could set an *industry standard* by no longer hosting such advertisements. This would go a long way towards creating a human trafficking-free internet.

Craigslist continues to cynically profit from the rank exploitation of others by functioning as an online pimp, rendering Craigslist complicit in sexual exploitation.

Craig Newmark has observed regarding the nature of his business, “[w]e’re just motivated by the same values we all learn in Sunday school or the equivalent. The Golden Rule and that it’s more important to help people.”⁷⁴ Ceasing his facilitation of human trafficking through the use of his website would be the powerful alignment of action in support of those words.

⁷² OECD, GUIDELINES FOR MULTINATIONAL ENTERPRISES 14 (2008), available at <http://www.oecd.org/dataoecd/56/36/1922428.pdf>.

⁷³ Barbara A. Frey, *The Legal and Ethical Responsibilities of Transnational Corporations in the Protection of International Human Rights*, 6 MINN. J. GLOBAL TRADE 153, 164 (1997).

⁷⁴ See Adam Lashinsky, *Burning Sensation*, CNNMONEY.COM, December 12, 2005, available at http://money.com/magazines/fortune/fortune_archive/2005/12/12/8363113/index.htm.

III. CONCLUSION

For these reasons, the Court should deny defendant Craigslist's motion for judgment on the pleadings.

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