

# Stop Trafficking !

*Anti-Human Trafficking Newsletter*



*Awareness*

*Advocacy*

*Action*

1

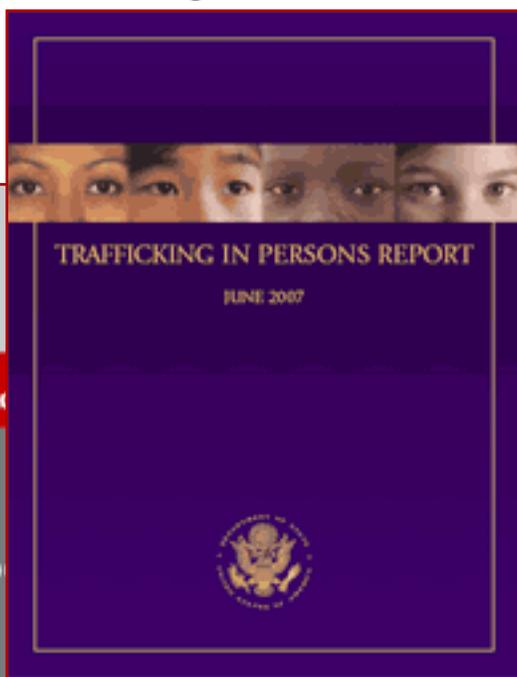
July 2007 Vol. 5 No. 7  
This issue highlights several reports that critique efforts by governments to stem human trafficking.

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## Three Reports on Efforts to Address Human Trafficking Globally, Nationally and Locally



*Report Card on State Action to Combat International Trafficking* by the Center for Women Policy Studies. (pg. 4, 6)



*Trafficking in Persons Report* by the U.S. Department of State. (pgs. 2, 5, 7)



*The U.S. Response to Human Trafficking: An Unbalanced Approach*

Women's Commission for Refugee Women and Children  
May 2007

Cover photo: © International Rescue Committee

*The U.S. Response to Human Trafficking: An Unbalanced Approach* by the Women's Commission for Refugee Women & Children. (pg. 3, 8)



## Awareness

# TIP: Trafficking in Persons Report

TIP 2007 reviews human trafficking in its myriad forms, describes experiences of victims and conditions that foster trafficking. The primary focus is an evaluation as to how countries ranked in their efforts to counter this abuse during the period April 2006 to March 2007. The Report includes a brief evaluation of U.S. domestic trafficking. The Report highlights two growing trends: use of debt as a tool of coercion and stalled progress in strengthening rule of law.

For example, 'sponsorship laws' used in Middle Eastern countries tie foreign workers to the sponsors who employ them in local economies and households as domestic servants, construction workers, and laborers in other low-skilled professions.

"These laws give employers the authority to provide legal identity cards for foreign workers and allow them to control whether workers can leave their work sites, or jobs, or even exit the country. ...Construed as a protection for the foreign worker, many sponsors abuse this power. For instance, employers commonly do not provide workers with documents legitimizing their employment in the country, thereby restricting their ability to leave the home or work site for fear of arrest and deportation. Similarly, sponsors often threaten workers with arrest if they try to complain about abusive conditions, such as physical and sexual abuse or long hours and prolonged nonpayment of wages.

In many instances, abused workers are able to escape conditions of involuntary servitude but face retribution from their exploitative sponsors who abuse the legal system to punish the escaped workers. Often, escaped

## Ko Muang

The 2007 *TIP Report* is dedicated to *Ko Maung*, who at the age of 22, left Burma with his new bride to find work in neighboring Thailand. He took a job on a fishing boat for two years because he was promised good money — \$70 per month. But that boat stayed at sea for three years and the workers were fed only fish and rice. Without enough vitamins, they began to starve. They were denied medical care or passage home. The good job turned out to be a floating death camp.

One by one, the men began to perish, including Ko Maung. His body was dumped overboard. So were the exhausted, malnourished bodies of 29 other modern-day slaves.

Sixty fishermen who survived weren't paid at all. Police refused to prosecute the employer since there were no bodies to prove a crime. In a climate of official indifference with forced labor violations typically not criminalized, desperate, migrant laborers are especially vulnerable to these fundamental markers of human trafficking.

Ko Maung's family's dreams were crushed. He paid the ultimate price of slavery. (TIP pg. 236)

victims, who attempt to file police complaints against their sponsors are instead arrested for running away from their employers without permission. Even if they show obvious signs of distress, they are treated as criminals, detained in jails and, more often than not, deported—a bitter consequence given the exploitation they suffered and the debt most have incurred

to migrate to the destination country. In some cases, sponsors refuse to sign exit permits allowing victims to leave the country, effectively holding the worker hostage in a shelter or detention center—sometimes for years—until he or she drops criminal or civil complaints against the sponsor. Crimes committed by the sponsors, meanwhile, go unpunished, as victims are often not even given the opportunity to file a criminal complaint before being deported." (TIP, pg. 29)

See pg. 7 for more from the *TIP Report*.

## New Director Speaks Out

For *Mark Lagon*, the newly-appointed director of the *State Department's Office to Monitor and Combat of Trafficking in Persons*, sharing knowledge and partnering with other countries to combat trafficking is a priority.

Prior to his appointment Lagon was involved in human rights issues as deputy assistant secretary of state for international organizational affairs and as a policy adviser to the secretary of state on international organizations, democracy and human rights.

"*The TIP Report is the best tool that the U.S. government has, because it helps assess the record of countries on protection of victims, on prevention of trafficking and on prosecution of those who are the exploiters,*" Lagon said.

Lagon wants to engage the private sector in the fight against trafficking. "*Businesses can be intimately involved in an industry that might be touching on human trafficking. For instance the travel industry --- airlines --- they have been helpful in taking steps to make public service announcements and consciousness-raising about the most horrendous form of abuse, which is child-sex tourism.*"

Emphasizing U.S. leadership responsibility Lagon said, "*We need to look at how products that are important in the United States might in fact be the*

*New Director cont. pg. 4*



## Awareness

# U.S. Response to Human Trafficking: An Unbalanced Approach

Critique by the Women's Commission for Refugee Women & Children

The Report, *The U.S. Response to Human Trafficking: An Unbalanced Approach*, released in May 2007 by the Women's Commission for Refugee Women and Children (WCRWC), focused on the U.S. effort to protect trafficked persons found in the United States. Under the *Trafficking Victims Protection Act* (TVPA), protections, services and benefits are only offered to trafficked persons who are witnesses assisting law enforcement. The WCRWC concluded that this places the conceptual framework of trafficking, "as a law enforcement issue and only a law enforcement issue."

"The results of six years of this approach are becoming startlingly clear – few trafficked persons coming forward to work with law enforcement. Those who are discovered by law enforcement but refuse or are unable to recount their experiences are not offered any protections and are instead deported. This is an acute problem in particular for trafficked children."

(Ed. Note: The TIP report states, "The Department of Homeland Security (DHS) has issued a total of 729 visas to human trafficking survivors, and another 645 T-visas to members of their family." (TIP pg. 49) This statistic is for the period 2002 – 2006 during which the U.S. also estimates that 70,000 potential victims may have been trafficked into the U.S.)

The Report concludes, "While the U.S. has made great efforts to address trafficking, particularly related to law enforcement, to date it has failed to take adequate steps to ensure the protection of trafficked persons. It has addressed trafficking as a law enforcement issue rather than as a human rights issue. The consequences of this approach are grave: few trafficked persons are willing to take the risks of reporting to law enforcement, protec-

tions are only offered to witnesses rather than all trafficked persons, identified trafficked persons are deported and law enforcement manipulates the system to secure cooperation by withholding benefits from potential witnesses." (pg. 31)

"It is increasingly acknowledged and recognized even among law enforcement officials that a trafficked person who receives assistance is more likely, willing and able to work with law enforcement."

The current state of the immigration debate in the U.S. has also affected the debate on trafficking. ... increasingly restrictive immigration policies that have led to an increase in immigration detention, more restricted access to asylum and the provision of benefits, and increased vigilance at the borders. Stricter migration controls force migrants and refugees who are making life or death decisions to take even greater risks, decisions that often force them into the hands of traffickers. Asylum has been underused in the U.S. as a form of relief for persons who were victims of trafficking in their own countries and who can meet the criteria of fearing persecution. The *UN High Commissioner for Refugees* (UNHCR) has concluded that human trafficking may be used as a form of persecution and that trafficking could be the basis for a refugee claim where the State has been unwilling or unable to provide protection.

The WCRWC recommendations, rooted in a rights-based approach, seek to bring balance to U.S. anti-trafficking efforts.

### Recommendations:

- *Improve data collection* to capture a more accurate, representative estimate of the number of trafficked per-

sons in the U.S. (Include all trafficked individuals, not only witnesses.)

- *Address all forms of trafficking.* (The lack of legal immigration options, given the demand for laborers and the growing informal labor sector, create immense opportunities for traffickers.)

- *Continue public awareness efforts.* (The Report is critical of the *Rescue & Restore Campaign*, which has not effectively reached trafficked persons directly.)

- *Make 'continued presence' mandatory* to guarantee protection – currently it is discretionary. Change its determination from "is a victim" to "may be a victim" and allow local law enforcement, attorneys and advocates to request continued presence for victims.

- *Amend 'certification'* so that attorneys, advocates and trafficked persons themselves may apply.

- *Change 'extreme hardship involving unusual and severe harm' in the T Visa application to the 'extreme hardship' standard* and allow 'mental health' and 'potential retaliation' exemptions from the requirement to cooperate with law enforcement.

- *Create eligibility for benefits for all trafficked persons, not only for witnesses.*

- *Provide benefits first, law enforcement cooperation second and voluntarily.*

- *Provide unrestricted funding to service providers.* Service providers are funded to assist only witnesses. Once a trafficked person decides not to report to law enforcement, the service provider can no longer assist that person with federal funding. Service providers report that this provision denies service to countless trafficked persons



Awareness

# First Ever State-By-State Report Card on International Trafficking of Women and Girls into the United States

In May 2007 the *Center for Women Policy Studies* issued a state-by-state analysis of state legislatures' efforts to confront trafficking of women and girls into the US, a global women's human rights crisis. *The Report Card on State Action to Combat International Trafficking* found that between 2002 and 2006, 27 states had enacted some form of legislation to combat trafficking, while 23 states received a grade of 'F' for having failed to take any action on this critical issue.

Each U.S. state was graded on five types of laws, using various criteria (see pgs. 3-4 of the *Report Card*) ranked from 0 ('not addressed') to 4 ('fully addressed') and averaged.

(See Table pg. 6. *Ed. Note: The Report Card included legislation enacted before Dec. 31, 2006. Various states have since promulgated anti-trafficking laws.*)

"The United States is a major 'destination' country for traffickers and each of our 50 states must join the federal government in responding," said Center president Leslie R. Wolfe. "Women and girls are trafficked into our country for forced labor and in-

voluntary servitude in horrific conditions in sweatshops, brothels, agricultural fields, and domestic servitude."

The *Center for Women Policy Studies*, founded in 1972, promotes public policy that will improve women's lives and preserve women's human rights.

Since 1999, the Center has worked closely with state legislators nationwide — as their 'national staff' — to create the policy framework that will enable states to prosecute and punish traffickers while protecting and supporting women and girls who have been trafficked into the U.S.

"We have traveled the country to work with advocates, service providers, communities of women religious and, especially, our stellar national network of state legislators who lead the way in policy change to support women's human rights," said Wolfe. "We issued this *Report Card* to recognize their leadership and inspire their colleagues in other states to take action."

Although the U.S. Congress passed the landmark *Trafficking Victims Protection Act of 2000* and President

Clinton signed it into law, according to a 2005 poll by Lake Research Partners, commissioned by the *Center*, only 23% of those polled knew about international trafficking of women and girls into the U.S. But once others heard the facts, 65% of likely voters agreed that state governments should take action.

The *Report Card* is valuable since it offers insights into the types of legislation needed and provisions within those laws that are particularly effective. For example, laws not only should criminalize trafficking, but ought to include provisions for mandatory restitution to victims, forfeiture of assets by traffickers, and affirmative defense for victims so they are not prosecuted for crimes they were forced to commit.

States with their own comprehensive anti-trafficking laws are better able to employ state resources to respond to this crisis as well as to create effective partnerships with federal agencies. A Reference page at the end of the *Report* includes the numeric citations for those states having legislation in place.

**New Director** *cont. from pg. 2*  
the United States might in fact be the result of slave labor. Forced labor is an important issue whether it's child labor, bonded labor, [or] labor explained away by caste." The 2005 TVPA reauthorization requires an annual Department of Labor report tracking the nature and extent of child labor around the world, and publication of a list of goods associated with

forced labor. Businesses can play a role here, according to Lagon.

An example is software giant Microsoft, which has information technology centers in India. India has a serious human trafficking problem and Microsoft "is looking at ways in which there is mistreatment of people that is in fact human trafficking, such as children who are involved in taking apart old computers," Lagon said. "India is

a priority, if only because of the sheer size of its population and the extent of trafficking." If people are treated as subhuman because of ethnicity or social status, wherever they are, the perpetrators "have violated basic values -- and I don't mean United States values, I mean universal values," he stressed. (Excerpted from: <http://usinfo.state.gov/xarchives/display.html?p=washfile-english&y=2007&m=June&x=20070607135505mlenuhreto.1422388>)



Advocacy

*“Because democratization is so much about women’s empowerment worldwide, we have to grapple with the situation of trafficking in persons, which is perhaps the most acute form of the disempowerment of women.”*  
 Amb. Mark P. Lagon

# TIP Report Tier Placements

## Based on the extent of a government’s actions to combat human trafficking.

**Tier 1:** Governments that fully comply with the TVPAs minimum standards for the elimination of human trafficking. (n) new country in ranking as of 2007; (+/-) indicates the number of tiers a country moved up (+)/down (-) since 2006.

Australia	Denmark	Hungary (+)	Morocco	Slovenia (+)
Austria	Finland	Italy	The Netherlands	Spain
Belgium	France	Korea, Rep. of	New Zealand	Sweden
Canada	Georgia (+)	Lithuania	Norway	Switzerland
Columbia	Germany	Luxembourg	Poland	United Kingdom
Czech Republic (+)	Hong Kong	Malawi		

**Tier 2:** Countries that make significant effort to bring themselves into compliance.

Afghanistan	Costa Rica	Jamaica (+)	Nepal	Singapore (-)
Albania	Cote D’Ivoire	Japan	Nicaragua	Slovak Republic
Angola	Croatia	Jordan	Niger	Suriname
Azerbaijan	East Timor	Kyrgyz Republic	Nigeria	Taiwan (+)
Bangladesh	Ecuador	Laos (++)	Pakistan	Tajikistan
Belize (++)	El Salvador	Latvia	Panama	Tanzania
Benin	Estonia	Lebanon	Paraguay	Thailand
Bolivia (+)	Ethiopia	Liberia (n)	Peru (+)	Togo (+)
Bosnia/Herz.	Gabon	Macedonia	Philippines	Turkey
Brazil (+)	Ghana	Madagascar	Portugal	Uganda
Bulgaria	Greece	Mali	Romania	Uruguay
Burkina Faso	Guinea	Malta	Rwanda	Vietnam
Cameroon (+)	Guinea-Bissau	Mauritius	Senegal	Yemen
Chile	Indonesia (+)	Mongolia	Serbia	Zambia
Congo (DRC)	Israel (+)	Montenegro	Sierra Leone	Zimbabwe (++)

**Special Watch List:** Based on the overall extent of human trafficking in the country and the extent to which government officials have participated in, facilitated, condoned, or are otherwise complicit in human trafficking.

Argentina	China (PRC)	Guatemala (-)	Libya	Papua N. Guinea (n)
Armenia	Cyprus	Guyana (-)	Macau	Russia
Belarus (-)	Djibouti	Honduras (-)	Mauritania	South Africa
Burundi (-)	Dominican Repub. (-)	India	Mexico	Sri Lanka (-)
Cambodia	Egypt	Kazakhstan (-)	Moldova (-)	Ukraine (-)
Cent. Afr. Rep.	Fiji (n)	Kenya	Mozambique (-)	Un. Arab Emir.
Chad (-)	The Gambia (-)			

**Tier 3:** Countries that do not fully comply and do not make significant effort to work toward compliance.

Algeria (-)	Equatorial Guinea (-)	Malaysia (-)	Qatar (-)	Syria
Bahrain (-)	Iran	North Korea	Saudi Arabia	Uzbekistan
Burma	Kuwait (-)	Oman (-)	Sudan	Venezuela
Cuba				



6

Report Card  
cont.  
from  
pg. 4

State	Criminalization Statutes	Victims Protection & Assistance	Statewide Task Forces	Regulating International Marriage Brokers	Travel Service Providers
ALABAMA	F	F	F	F	F
ALASKA	D+	F	F	F	C
ARIZONA	C+	F	F	F	F
ARKANSAS	B-	F	F	F	F
CALIFORNIA	B	B	A	F	F
COLORADO	D-	F	A-	F	F
CONNECTICUT	C	D	A	F	F
DELAWARE	F	F	F	F	F
FLORIDA	B	D	F	F	F
GEORGIA	B	F	F	F	F
HAWAII	F	F	A	C	A
IDAHO	C+	D-	A	F	F
ILLINOIS	B+	B	F	F	F
INDIANA	C+	B	F	F	F
IOWA	B+	C-	B	F	F
KANSAS	B-	F	F	F	F
KENTUCKY	F	F	F	F	F
LOUISIANA	B-	F	F	F	F
MAINE	F	F	A	F	F
MARYLAND	F	F	F	F	F
MASSACHUSETTS	F	F	F	F	F
MICHIGAN	B-	F	F	F	F
MINNESOTA	B	D	C+	F	F
MISSISSIPPI	B-	F	F	F	F
MISSOURI	C+	D	F	D+	A
MONTANA	F	F	F	F	F
NEBRASKA	B-	F	B	F	F
NEVADA	F	F	F	F	F
NEW HAMPSHIRE	F	F	F	F	F
NEW JERSEY	B+	D+	F	F	F
NEW MEXICO	F	F	F	F	F
NEW YORK	F	F	F	F	F
NORTH CAROLINA	B-	F	F	F	F
NORTH DAKOTA	F	F	F	F	F
OHIO	F	F	F	F	F
OKLAHOMA	F	F	F	F	F
OREGON	F	F	F	F	F
PENNSYLVANIA	B	F	F	F	F
RHODE ISLAND	F	F	F	F	F
SOUTH CAROLINA	C	F	F	F	F
SOUTH DAKOTA	F	F	F	F	F
TENNESSEE	F	F	F	F	F
TEXAS	B-	F	F	A	F
UTAH	F	F	F	F	F
VERMONT	F	F	F	F	F
VIRGINIA	F	F	F	F	F
WASHINGTON	B	C-	A	C	A
WEST VIRGINIA	F	F	F	F	F
WISCONSIN	F	F	F	F	F
WYOMING	F	F	F	F	F



Action

TIP: Commendable Initiatives

South Africa

South Africa’s beloved and foremost soccer team, the Kaizer Chiefs, started “Human Trafficking Awareness Week” wearing T-shirts with a counter-trafficking message and International Organization for Migration’s (IOM) national toll-free number during the warm-up before their Premier Soccer League match. The game was nationally televised and officially inaugurated Awareness Week for soccer fans. (TIP pg. 38)

Bosnia and Herzegovina

Vasa Prava is the only NGO providing pro bono legal assistance to victims of human trafficking in Bosnia and Herzegovina. Founded in 1996, the organization runs 16 permanent offices and 50 mobile units staffed by 80 employees, and it has assisted more than 400,000 Bosnians. Attorneys from Vasa Prava are available to domestic victims from the time they arrive at a shelter, even if they are not formally registered by the state, and arrange all residency permits and asylum applications for foreign victims. If a victim chooses to testify, Vasa Prava represents the individual from the first statement until trial completion. Through its uniform approach and intermediary work between victims and government, Vasa Prava has also helped to strengthen the rule of law in Bosnia and Herzegovina. Victims assisted by Vasa Prava are more likely to testify against their traffickers in criminal proceedings and have provided critical testimony leading to the conviction of several notorious traffickers and organized crime rings. Vasa Prava performs an integral civil role that the Bosnian Government, due to funding and logistical restraints, cannot fulfill, and has given a voice to those previously silenced. (TIP pg. 38)

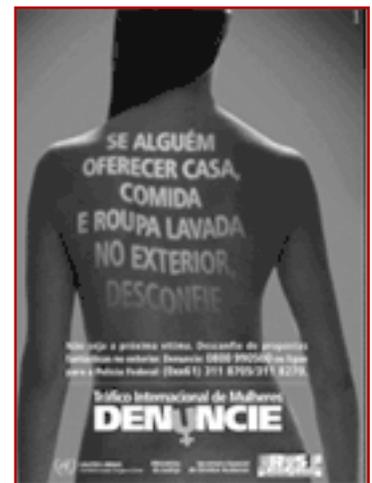
Cambodia

The NGO Childsafe Program has trained 36 mototaxi drivers and employees of 25 guesthouses to protect and identify children who are at risk of commercial sexual exploitation in Sihanoukville, a beach resort town. The program trains drivers of motodups (two-wheeled taxis) and tuk-tuks (three-wheeled taxis) to identify and report any suspicious behavior by tourists who may have the intention of exploiting children. (TIP pg. 39)



Government of Denmark Campaign. The poster reads: “She has herself chosen it”. And below: “The notion that foreign prostitutes are in Denmark to make quick money is a lie. The reality is forced sex with men up to 16 times a day and threats to her life if she does not comply. You are able to participate in stopping this trade in people.

You have a choice. That is what she doesn't have”. (TIP pg. 223)



Government of Brazil Campaign. The poster reads: “If someone offers you lodging, food, and clean clothes outside the country, be wary.” And below: “Don't be the next victim. Be wary of fantastic offers of work abroad.” (TIP pg. 214)

“It's time to move from statements of intent and legislative mandates into realization of goals and delivery of results. When families (in Asian villages) sell their daughter, it's not out of poverty necessarily, it may be cultural.” Antonio Maria Costa, Director UN Office on Drugs and Crime (UNODC)



Action

8

Open Position: Southern California Family Reunification and Child Placement Specialist

This Specialist will manage the reunification process for children being released from federal custody to families in the southern CA region. MSW or equivalent preferred. Must be bilingual in Spanish and English.

If interested, contact Arlene Ferandelli (aferandelli@sbcglobal.net) and Greta Uehling (guehling@uscgb.org) for a complete description of responsibilities.

Rescue & Restore Update

The Health and Human Services (HHS) Rescue & Restore Campaign reported in May 2007 that local coalitions held community rallies, survivor art shows, thought-provoking conferences and trainings. To ensure that this important work continues, HHS will continue to align people and programs to best serve the needs of the trafficking movement.

New efforts include:

- Launching three new cities and one new state in the summer of 2007;
• Expanding staff and assigning HHS contacts for the field;
• Updating materials and ensuring quick fulfillment of orders;
• Providing additional training to Resource Center staff;
• Streamlining service provision nationally through the USCCB;
• Broadening the ability to identify and serve victims through targeted technical assistance to shelters; and
• Connecting the organizations within HHS to identify, serve victims and leverage funding support for efforts concerning human trafficking.

A high priority is to ensure the sustainability of the Rescue & Restore coalitions by providing technical assistance and training, and by exploring ways to communicate regularly with other Rescue & Restore national coalitions.

A new Rescue & Restore Victims of Human Trafficking campaign training DVD was released in June 2007, available in English and Spanish. The DVD includes new victim stories, commentary by key HHS staff, and the updated National Human Trafficking Resource Center name.

Toll-Free 24/7 Hotline
National Human Trafficking
Resource Center
1.888.3737.888

WCRWC cont. from pg. 3

• The Office of Refugee Resettlement (ORR) must remove the barriers... that force children to cooperate with law enforcement in order to receive benefits.

• Adopt and incorporate a rights-based approach to human trafficking to balance the current law enforcement approach.

The framework to approach trafficking could be adopted from that used to protect refugees, which defines three possible durable solutions for those who have faced human rights violations: voluntary return that respects the safety and dignity of the person; local integration in the host country; or third country resettlement. According to this framework, the U.S. is failing to provide protections. The TVPA does not provide for return or resettlement and only offers integration to witnesses, who must endure an arduous process for the benefit. (Excerpted from the Executive Summary pgs. 1-5)

What Can I Do?

The TVPA requires significant revisions in order to facilitate identifying and helping trafficked victims.

Invite the many contacts you have within your various networks to communicate this concern to:

Ambassador Mark P. Lagon,
Director of the Office to Monitor and Combat of Trafficking in Persons
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Write your legislative representatives also.

Informative Web Sites:

(Each contains information related to human trafficking)

TIP Report 2007

www.state.gov/g/tip/rls/tiprpt

Women's Commission Report

www.womenscommission.org

Report Card on State Action to Combat International Trafficking

www.centerwomenpolicy.org

Rescue & Restore Materials & DVD

www.acf.hhs.gov/trafficking

Consumer Power

Oxfam America announced that Starbucks and Ethiopia have finalized an agreement that ends their trademark dispute and brings both sides together in partnership to help Ethiopian farmers. This agreement has the potential to give these farmers a fair share of the profits for their world-renowned coffees. More than 96,000 of Oxfam supporters around the world helped make this happen. E-mails, faxes, phone calls, postcards, and even in-person visits to Starbucks added strength to the call of Ethiopian farmers and brought global attention to this issue.

Stop Trafficking!

is dedicated exclusively to fostering an exchange of information among religious congregations, their friends and collaborating organizations, working to eliminate all forms of trafficking of human beings.

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