

# **Combating Human Trafficking**

### **Sarah Mendelson**

Distinguished Service Professor of Public Policy and Head Of Carnegie Mellon University's Heinz College in Washington DC

Mid-Coast Forum on Foreign Relations October 29, 2018

## Agenda

- What is Trafficking in Persons (TIP)?
- What is being done to combat TIP internationally?
- III. What have I done to combat TIP?
- IV. What more should be done?
- v. What can you do?

## What is Trafficking in Persons (TIP)?

"Trafficking in persons' shall mean the recruitment, transportation, transfer, harboring or receipt of 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 a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery...."

### The Palermo Protocol

UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons,
Especially Women and Children
15<sup>th</sup> November 2000
Ratified by 173 Countries

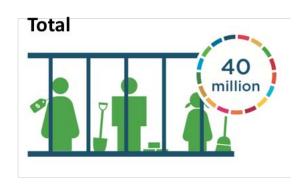


# **Different Types of TIP**

- Adult and child sex trafficking
- Forced labor
  - Involuntary or domestic servitude
  - Debt bondage
  - Forced child labor
- Recruitment and use of child soldiers
- Human trafficking is not the same as migrant smuggling
- A victim need not be physically transported from one location to another for the crime to fall within this definition

### **How Prevalent is TIP?**

- Major part of International Organized Crime
- Estimated to generate around \$150 billion a year
- The International Labor Organization and the State Department have for several years said that 21 million people are victims of some form of human trafficking
- That number has recently been revised upward by The Global Slavery Index to around 40 million
- Difficult to know exactly
- Focus has shifted over the years from a focus on sex trafficking to more of a focus on labor trafficking
- Ongoing debate: Who is most affected? Men, women, children?







#### **Forced Labor**

**United States**: Signal International brought 500 Indian workers to U.S. to work as welders/pipe fitters. Promised green cards and charged high fees—instead forced to work for low wages and lived in "man camps" with 24 men housed together in double-wide trailers. LED TO \$20 MILL LAW SUIT

### **Sex Trafficking**

**United States**: Amy, when 12, had an alcoholic father who began abusing her physically and sexually. At 17 she moved in with a friend who connected Amy with a "modeling agent." Instead, the man forced Amy into prostitution and locked her in a hotel room for weeks.<sup>2</sup>

### **Involuntary Servitude**

**Russia/DPRK**: DPRK sends approximately 20,000 citizens to Russia annually to labor in a variety of sectors, including logging in Russia's Far East. They reportedly have only two days of rest per year and face punishments if they fail to meet production targets. <sup>3</sup>





#### **Domestic Servitude**

**United States:** Domestic workers filed a civil suit against a former Qatari diplomat posted in the U.S. alleging the diplomat withheld wages, forced them to work excessive hours, and threatened deportation and blacklisting.<sup>4</sup>

#### **Child Soldiers**

**Syria:** Syrian government forces, militias, and armed groups, including ISIL, continue to recruit and use children as soldiers, human shields, and suicide bombers.<sup>5</sup>

### **Debt Bondage**

**Afghanistan:** Pasha was 10 years old when he was pulled out of school to work in a brick kiln to pay off debt to the kiln owner for his ailing father. For three years, Pasha has worked 12-hour days hauling a handcart full of dirt. The interest accrued makes the debt impossible to pay off and will be passed down to the next generation.<sup>6</sup>

## $\prod$

## What is Being Done to Combat TIP Internationally?

**Trafficking Victims Protection Act** of 2000 (Div. A of P.L. 106-386)

Established the office of J/TIP

Established reporting requirements on trafficking in persons complementing the Palermo protocol

Overtime, incrementally modify/expand criteria assessing whether governments are conducting serious/sustainable efforts to address human trafficking—generally—in a bipartisan manner.

**2003** Trafficking Victims Protection Reauthorization Act of 2003 (P.L. 108-193)

Created a special Tier 2 watch list of countries

**2008** William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (P.L. 110-475)

Limited the numbers of consecutive years a country may remain on the watch list

**Child Soldiers Prevention Act** of 2008 (Title IV of P.L. 110-457)

Established reporting requirements on child soldiers

**2013** Violence Against Women Reauthorization Act of 2013 (P.L. 113-4)

**2015 Bipartisan Congressional Trade Priorities and Accountability Act** of 2015 (Title I of P.L. 114-26)

**2016** Trade Facilitation and Trade Enforcement Act of 2015 (P.L. 114-125)

## The Dominant Policy Paradigm

### The 3Ps OR the 4Ps?

- Prevention: Awareness raising, education, economic activities that lower risk of TIP
- Protection: Identification of trafficked persons and the development of mechanisms that ensure protection of survivors
- Prosecution: Efforts to obtain justice for victims and punish perpetrators
- Partnership: Coordination between local, national, regional, and global networks (Added by Secretary Clinton; Subtracted by Secretary Pompeo)

## The Tier Ranking System

The Department of State's TIP Report classifies countries into tiers based on the Trafficking Victims Protection Act's (TVPA) minimum standards for the elimination of human trafficking—consistent with the Palermo Protocol.

- **Tier 1:** Countries that fully meet the TVPA minimum standards
- **Tier 2:** Countries that do not fully meet the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards
- **Tier 2 Watch List:** Countries that do not fully meet the TVPA's minimum standards **but** are making significant efforts to comply with those standards and:
  - The absolute number of victims of severe forms of trafficking is very significant or is increasing
  - There is a failure to provide evidence of increasing efforts to combat TIP from the previous year
  - The determination that a country is making significant effort to bring itself into compliance with minimum standards based on commitments by the country to take additional steps over the next year
- **Tier 3:** Countries that do not fully meet the minimum standards and are not making significant efforts to do so

## **Tier 3 Countries 4 Years Running**

Below are countries that have remained Tier 3 for the past four years:

**Belarus** 

**Belize** 

Burundi

**Comoros** 

Venezuela

**Equatorial Guinea** 

**Eritrea** 

Iran

**North Korea** 

Mauritania

Russia

**South Sudan** 

**Syria** 

### **U.S. Government Funded Programs to Combat TIP Internationally**



Bilateral and Regional



Child Protection Compact Partnerships



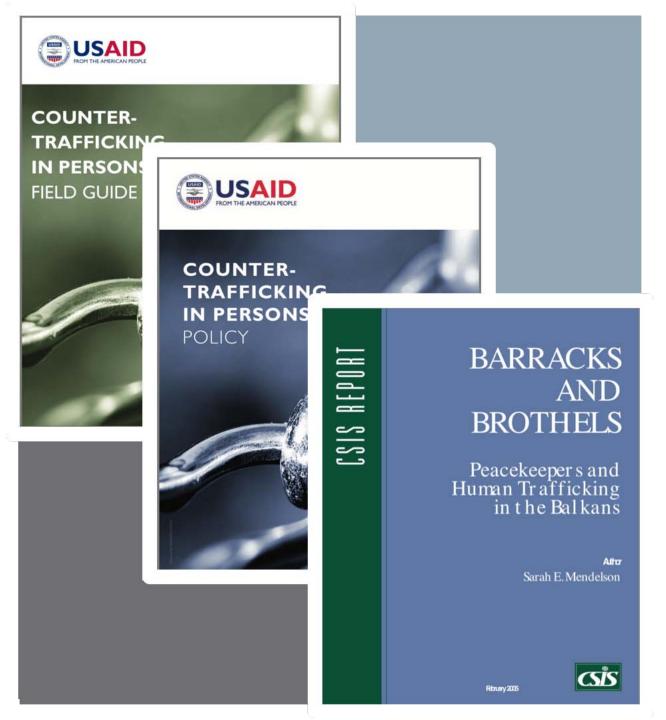
Training and Technical Assistance



**Emergency Victim Assistance** 



Research and Innovation



# What have I done to combat TIP?

A policy angle rather than victims assistance

- NATO Summit and Policy, 2004
- Barracks and Brothels: Peacekeepers and Human Trafficking in the Balkans (CSIS), 2005
- USAID Lead, 2010-2014
- USUN Ambassador, Elevation of TIP,
   2015-2017





## Brought Nadia Murad, Yazidi Survivor of ISIS, to the UN

- First-ever session on human trafficking: USled United Nations Security Council Session with Nadia Murad, Dec 2015
- Led to Goodwill Ambassador in Sep 2016 and Nobel Peace Prize in Oct 2018
- Spanish-led United Nations Security Council Session with Nadia Murad, Dec 2016
- UK-led United Nations Security Council Session on Trafficking, Mar 2017

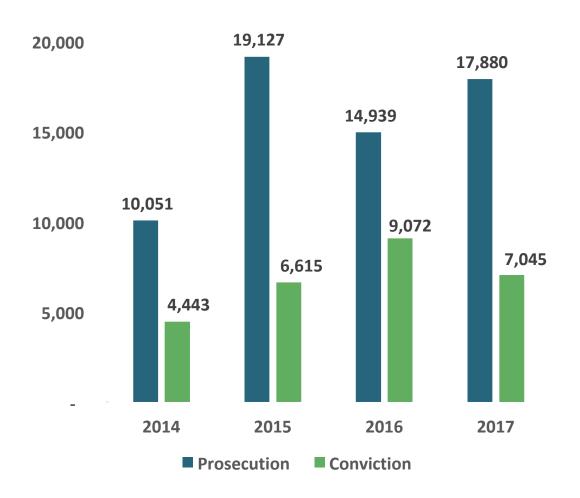
# What more should be done?

# **Opportunities**

- Recognize gaps in current approaches
- Dominant policy paradigm of prosecution with its low numbers suggests we need an updated approach
- Look beyond governments, lawyers, and law enforcement
- Increase our (consumer) knowledge, and change our attitudes and behavior
- Global commitment to the Sustainable Development Goals is a paradigm shift in development and an opportunity and mechanism that we can leverage

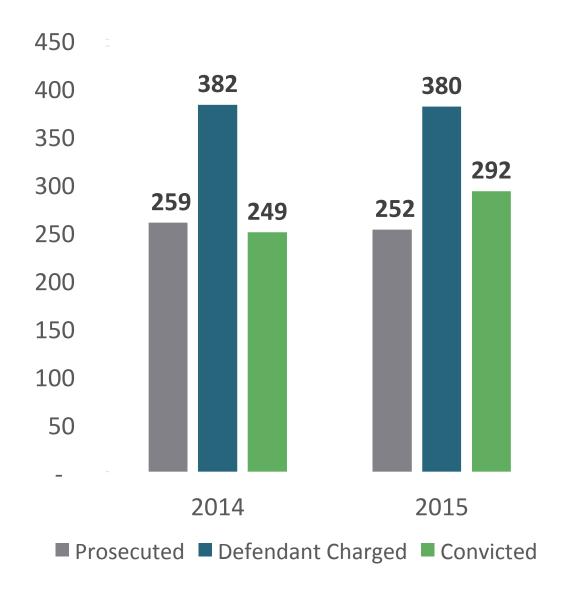
## **Global Law Enforcement Data**

25,000



' Year	Prosecution	Conviction
2014	10,051	4,443
2015	19,127	6,615
2016	14,939	9,072
2017	17,880	7,045

## **U.S. Law Enforcement Data**



Year	2014	2015
Prosecution	259	252
Defendant Charged	382	380
Conviction	249	292

## The Sustainable Development Goals







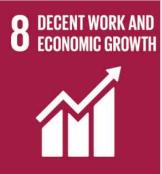
























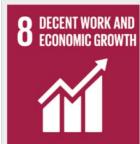






## TIP is explicitly addressed in the SDGs







- Goal 5.2: Eliminate of all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation
- Goal 8.7: Take immediate and effective measures to eradicate forced labor, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labor, including recruitment and use of child soldiers, and by 2025 end child labor in all its forms
- Goal 16.2: End of abuse, exploitation, trafficking and all forms of violence against and torture of children

## The SDGs, Cohort 2030, and TIP

- We need to grow the generation that demands and delivers the implementation of the Sustainable Development Goals
- This generation—born after 1980—will shape and carry forward the post-2030 agenda as citizens and as leaders
- Cohort 2030 is defined by the following characteristics:
  - Native fluency in innovation and technology
  - Empathy and attitudes toward diversity and inclusion particularly around gender
  - Antipathy regarding corruption and interest in transparency
  - Interest in ethically-sourced and environmentally-sound products
  - Concerned about climate change

How do we broaden constituencies concerned about TIP so that Cohort 2030 will be the generation that ends human trafficking?

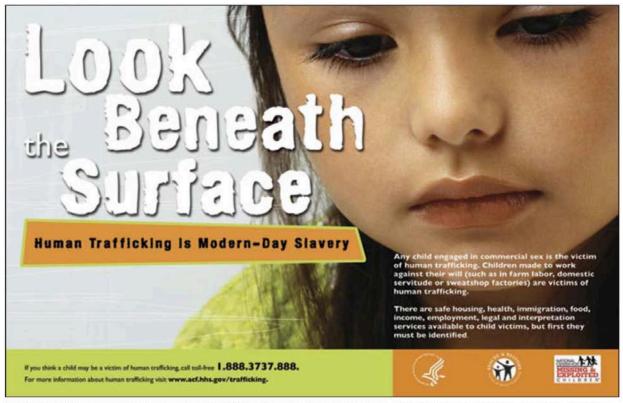


- » Did someone take away your ID or documents?
- » Is someone forcing you to work for them to pay off
- » Is someone forcing you to work or have sex against your will?
- » Is someone threatening or hurting you or your
- » Are you under 18 and getting paid for having sex?

Don't be afraid to ask for help.

You have rights in the U.S. regardless of your immigration status.

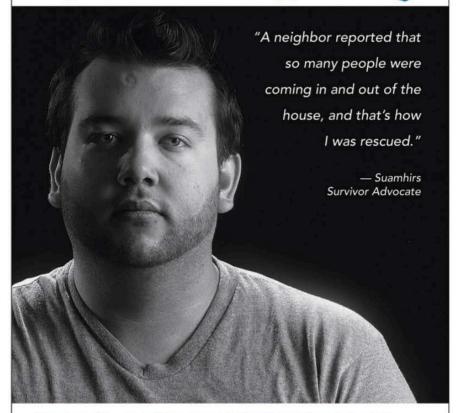
CALL TOLL-FREE, 24 HOURS: | Text INFO or HELP to: 1-888-373-7888 BeFree (233733)



## What can you do?

- 1. Educate yourself and recognize the signs of TIP if you see them
- Be a conscious consumer and visit KnowtheChain.org
- Know the Hotline Number: **1-888-373-7888** and email address: help@humantraffickinghotline.org
- Donate!
- 5. Call your Representatives! Urge continued/renewed US leadership! Reauthorize TVPRA!

### Know the Faces of Human Trafficking



The signs of human trafficking are subtle. Traffickers often use invisible bonds such as threats, drugs, or debt instead of locks and chains. By knowing what human trafficking is, what signs to look for, and whom to contact for help, everyone can play an important role in identifying and supporting victims.

For more information, visit the human trafficking section of the Office for Victims of Crime website at www.ovc.gov/trafficking or call the National Human Trafficking Resource Center at 888–373–7888.

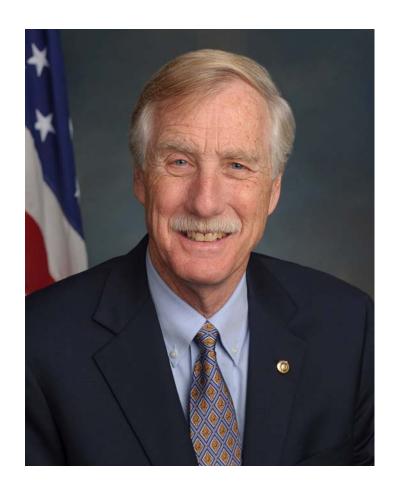


# Respected Organizations Supporting Survivors

- Not for Sale—notforsalecampaign.org—Programs for survivors teaching new skills
- 2. ECPAT—ecpat.org—Particular focus on ending child exploitation
- 3. The Freedom Fund—thefreedomfund.org—Leading fund specifically devoted to ending slavery
- 4. The Human Trafficking Legal Center—
  htlegalcenter.org—Devoted to training lawyers in how to prosecute trafficking cases successfully

# Call Your Senators! Susan Collins and Angus King





# Call Congressional Representatives! Bruce Poliquin and Chellie Pingree





## Thank you for your attention!

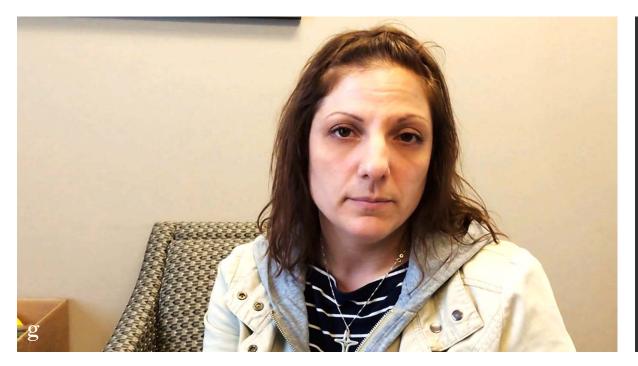
I look forward to your questions.

## References – Cases Shared

- 1 "Ending impunity, securing justice", The Human Trafficking Pro Bono Legal Center and The Freedom Fund. http://www.htlegalcenter.org/wp-content/uploads/Ending-impunity-securing-justice.pdf
- 2 2017 Department of State Trafficking in Persons Report. https://www.state.gov/documents/organization/271339.pdf
- 3 2014 Trafficking in Persons Report. https://www.state.gov/j/tip/rls/tiprpt/countries/2014/226753.htm
- 4 2017 Department of State Trafficking in Persons Report. https://www.state.gov/documents/organization/271339.pdf
- 5 2017 Department of State Trafficking in Persons Report . https://www.state.gov/documents/organization/271339.pdf
- 6 2017 Department of State Trafficking in Persons Report . https://www.state.gov/documents/organization/271339.pdf
- 7 "Retail giant Costco wins dismissal of prawn lawsuit over Thai forced labor", Reuters, 2017. https://www.reuters.com/article/us-usa-lawsuit-costco/retail-giant-costco-wins-dismissal-of-prawn-lawsuit-over-thai-forced-labor-idUSKBN1592JC
  - "Nestlé admits slavery in Thailand while fighting child labour lawsuit in Ivory Coast", The Guardian, 2016. https://www.theguardian.com/sustainable-business/2016/feb/01/nestle-slavery-thailand-fighting-child-labour-lawsuit-ivory-coast
- \* "Ending impunity, securing justice", The Human Trafficking Pro Bono Legal Center and The Freedom Fund. http://www.htlegalcenter.org/wp-content/uploads/Ending-impunity-securing-justice.pdf
- 9 "Hershey sued for information on use of child labor in cocoa supplies", Reuters, 2012. https://www.reuters.com/article/hershey-childlabor/hershey-sued-for-info-on-use-of-child-labor-in-cocoa-supplies-idUSL1E8M1GSB20121101
  - "U.S. appeals court tosses slave labor labeling lawsuit against chocolate maker", Reuters, 2018. https://www.reuters.com/article/usa-employment-laborconditions/u-s-appeals-court-tosses-slave-labor-labeling-lawsuit-against-chocolate-maker-idusl2n1t61wh
- 10 "5 things you need to know about sex trafficking in Maine", Bangor Daily News, 2016. https://bangordailynews.com/2016/01/09/the-point/5-things-you-need-to-know-about-sex-trafficking-in-maine/ "Yes, White American 'Girls Next Door' Can Be Sold Into Sex Trafficking, Too", The Huffington Post, 2014. https://www.huffingtonpost.com/2014/04/15/yes-white-american-girls-\_n\_5154877.html
- 11 "Maine Voices: Those trapped by human traffickers can benefit from Preble Street program", The Press Herald, 2017. https://www.pressherald.com/2017/10/14/maine-voices-preble-street-training-program-helps-pinpoint-victims-of-human-trafficking/
- 12 https://poliquin.house.gov/media-center/press-releases/congressman-poliquin-s-house-floor-speech-human-trafficking, January 28, 2015
- <sup>13</sup> Victoria Bonney, Director of Communications, Congresswoman Chellie Pingree, June 11, 2018

## Reference – Images

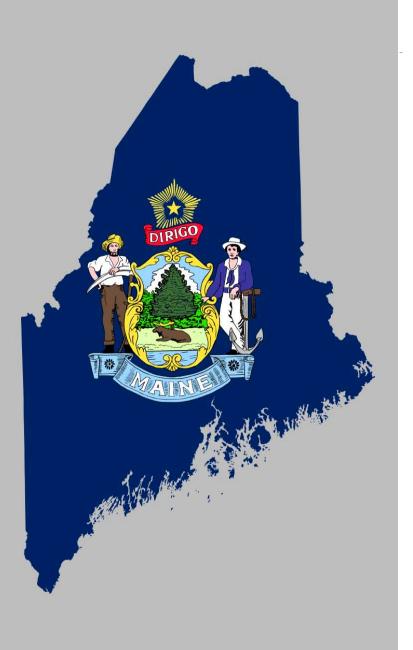
- a. "Ending impunity, securing justice", The Human Trafficking Pro Bono Legal Center and The Freedom Fund. http://www.htlegalcenter.org/wp-content/uploads/Ending-impunity-securing-justice.pdf
- b. 2017 Department of State Trafficking in Persons Report. https://www.state.gov/documents/organization/271339.pdf
- c. "Ending impunity, securing justice", The Human Trafficking Pro Bono Legal Center and The Freedom Fund. http://www.htlegalcenter.org/wp-content/uploads/Ending-impunity-securing-justice.pdf
- d. 2017 Department of State Trafficking in Persons Report. https://www.state.gov/documents/organization/271339.pdf
- e. 2017 Department of State Trafficking in Persons Report. https://www.state.gov/documents/organization/271339.pdf
- f. "Ending impunity, securing justice", The Human Trafficking Pro Bono Legal Center and The Freedom Fund. http://www.htlegalcenter.org/wp-content/uploads/Ending-impunity-securing-justice.pdf
- g. "Former sex-trafficking victim speaks out on 7 years of violence, captivity as warning to youth", New York Daily News, 2014. http://www.nydailynews.com/news/national/sex-trafficking-victim-speaks-7-years-captivity-article-1.1756116
- h. "Domestic servitude", BBC Radio, 2010. <a href="https://www.bbc.co.uk/programmes/b00srp6v">https://www.bbc.co.uk/programmes/b00srp6v</a>
- i. Sarah Mendelson, personal photgraph; Nadia Murad Basee, Twitter, <a href="https://twitter.com/nadiamuradbasee">https://twitter.com/nadiamuradbasee</a>



Jasmine Marino-Fiandaca was 19 when her boyfriend coerced her into prostitution promising money and a family. She was then sold at a brothel disguised as a massage parlor in Hartford, CT. Then she was sold on Craigslist. She spent five years as a sex slave in Connecticut and Maine. She was unable to escape due to manipulation, abuse, lack of resources and options of places to go.<sup>10</sup>



Sylvia was in her 30s when she escaped from her traffickers—a family in Maine who used physical and emotional abuse to control her while she worked 18 hours a day with little pay. She was forbidden to leave the house for over two years and had no way to communicate with the outside world.



## Human Trafficking in Maine

- Prevalence of trafficking in Maine ranges between 200 and 300 cases annually
- Nearly 40% of law enforcement officers have seen a trafficking case in the last year
- 71% of law enforcement officers however were not familiar with organizations in Maine addressing human trafficking
- Fewer than half of all law enforcement officers in Maine believe that their departments are prepared to address cases involving minors (child sex trafficking).