2011 Reauthorization of the TVPA

ATEST Recommendations

The Alliance to End Slavery and Trafficking (ATEST), a diverse alliance of U.S.-based human rights organizations, shares an agenda to end modern-day slavery and human trafficking around the world.

ATEST member organizations include: Coalition to Abolish Slavery and Trafficking (CAST), Coalition of Immokalee Workers (CIW), ECPAT-USA, Free the Slaves, International Justice Mission, Not For Sale Campaign, Polaris Project, Safe Horizon, Solidarity Center, Vital Voices for Global Partnership, World Vision, and one individual member, Julia Ormond, former U.N. Goodwill Ambassador and president and founder of the 'Alliance to Stop Slavery and End Trafficking'.

What follows is a partial list of the recommendations ATEST proposes. The full report contains evidence to support each proposed improvement in the Trafficking Victims Protection Act (TVPA).

**National Level - Prevention**
- Foster care programs must report on efforts to combat trafficking and commercial sexual exploitation of children, including prevention and protection, for children in their care.
- Strengthen regulation of foreign labor recruiters (in the U.S. and abroad) to prevent trafficking. Recruiters often charge exorbitant fees for their services, forcing workers.

ATED Recommendations cont. pg. 2

‘Progress & Promise’

During a 2010 National Human Trafficking Conference Luis CdeBaca, Amb. at-Large, Office to Monitor & Combat Trafficking in Persons, commented, "Human trafficking is a human rights abuse; a byproduct of conflict; a threat to national security, public health and democracy; a labor and migration issue; and an ever-growing global phenomenon. It is also a crime: a crime akin to murder and rape and kidnapping. It is a fluid phenomenon, responding to market demands, vulnerabilities in laws, weak penalties, natural disasters, and economic instability.

We see in the field that there is less duping and kidnapping of naive victims than there is coercion of people who initially agreed to do the work. In the last 10 years, we have learned that movement is not required to be considered trafficking in persons and that this crime is not limited to one gender, faith, or geographical area. In addition, traffickers use rape as a weapon against women, whether in a field, factory, brothel, or suburban home. ..."

Besides prevention, protection and prosecution, the work of the Trafficking Victims Protection Act (TVPA), "our efforts will be bolstered by what has now been coined as the fourth ‘p’ - partnerships. We must strive toward better coordination with our inter-agency partners within our government, but also with partners from unlikely or untapped resources. ..."

Today, we are working to build on our historic relationships and cultivate new partnerships with the private sector, namely private business and corporations so that we can leverage the resources, expertise, and talents against trafficking.
ATEST Recommendations cont. from pg. 1

into debt bondage. They falsify documents, including identity documents and contracts, and may lie to workers about the terms and conditions of work. Stricter regulation of labor recruiters is needed to protect workers, especially in temporary or guest worker programs.)

- Increase transparency to prevent trafficking in supply chains. (To create incentives for businesses to prevent and remediate slavery and human trafficking that exists within their supply chains. Through transparency about their own efforts, companies will become more accountable to consumers and investors who demand slavery-free goods.)

International Level - Prevention

- Direct the Dept. of Labor (DOL) to update the child-made and slavery-made products list, including names of producers wherever possible. (This allows consumers better choices. Governments can also investigate identified abusers.)

- Ensure no goods made with forced or indentured labor enter the U.S.

- Increase access to educational materials for workers lawfully entering the U.S., including pre-departure education, informational pamphlets, and video resources.

National Level - Protection

- Extend existing protections to crime victims whose lives were destroyed by foreign labor contractor fraud.

- Ensure that those trafficked in the U.S. are eligible for T-visas despite having fled the U.S. or been deported.

- Lessen response time for granting continued presence. (Until undocumented human trafficking victims receive lawful status in the U.S., they often remain fearful of their traffickers’ threats of deportation. Also, their recovery is often hindered by an inability to work in the U.S., which can lead to further exploitation. Continued Presence, created by the TVPA of 2000, is meant to be a temporary interim status for undocumented victims of human trafficking cooperating in an investigation with law enforcement. It can be immediately granted to victims and should take only 3–6 weeks to be processed, as it requires limited paperwork. Despite the original intent of the TVPA to create temporary relief to assist potential trafficking victims quickly, law enforcement often takes months to make a decision regarding granting continued presence to a human trafficking victim.)

- Provide flexibility to victims of human trafficking who cooperate with law enforcement. (This provision ensures that human trafficking victims who have taken the brave step to report their case to law enforcement are not penalized for law enforcement’s lack of responsiveness.)

- Give access to employment authorization to applicants with pending T and U-visa applications. (Current adjudication of T and U-visas can sometimes take more than one year. Early access to work authorization promotes victims’ economic security, making them less vulnerable to re-victimization and exploitation. This provision would provide T and U-visa applicants with a specified date they can apply for work authorization after their applications are pending.)

International Level - Protection

- Strengthen influence of G/TIP by elevating Ambassador position to Assistant Secretary.

- Highlight anti-trafficking successes.

- Clarify definition of trafficking.

National Level - Prosecution

- Prohibit employers from holding worker’s identification and immigration documents.

- Prosecute exploitation of children by U.S. citizens traveling or living overseas.

- Enhance prosecution of trafficking offenses by providing whistleblower protections to trafficked workers.

- Provide Wage & Hour funding specific for human trafficking training and investigation or for specialized investigators, (to encourage the Dept. of Labor Wage & Hour Division to investigate and identify more cases of labor exploitation in workplaces.)

For Authorization of Appropriations

- Increase authorizations of appropriations for federal programs to combat human trafficking in the U.S. and internationally. (Amounts authorized for federal programs to combat human trafficking both nationally and internationally should be increased significantly. Calls requesting assistance and services to the National Human Trafficking Hotline have increased exponentially over the past three years. Additionally, service providers and law enforcement regularly report the lack of services for human trafficking victims identified in the U.S. Meanwhile, U.S. efforts to combat trafficking have reached a critical stage in developing partnerships with countries that are showing increasing commitment to eradicate trafficking and modern day slavery. Additional resources to expand those potential partnerships can have a potentially dramatic impact on reducing this scourge. The TVPRA of 2011 should increase authorizations in a graduated way over the duration of the authorization to keep pace with the increased needs in the U.S. and the increased opportunities abroad.)

(www.endslaveryandtrafficking.org/)
Report on Law Enforcement Responses to Human Trafficking

Northeastern University’s Institute of Race and Justice published a 225 pg. report in 2008 entitled, “Understanding and Improving Law Enforcement Responses to Human Trafficking.”

Generally, the research addressed four areas:
1) Law enforcement’s perceptions and prioritization of human trafficking,
2) Law enforcement’s identification and reporting of trafficking,
3) Characteristics of human trafficking cases, and
4) Investigation and prosecution of trafficking cases.

Different methodologies were employed to answer research questions in this study. First, a national random sample of approximately 3,000 state, county and local law enforcement agencies was surveyed to determine local definitions of human trafficking, the number and type of investigations conducted, the extent of reporting and coordination with other agencies and the ‘best practices’ for combating human trafficking problems encountered. The national random survey was supplemented with a second group composed of all remaining law enforcement agencies serving populations over 75,000. Third the study included all remaining law enforcement agencies that were part of existing federally funded multi-agency human trafficking task forces. Finally, intensive case studies were conducted in Boston, MA, Houston, TX and Phoenix, AZ to provide qualitative data about local efforts to investigate human trafficking cases and provide services to trafficking victims. These jurisdictions represent different dynamics of the human trafficking problem and each had begun to work on these problems using a multi-agency approach. (www.ncjrs.gov/pdffiles1/nij/grants/222752.pdf)

Noteworthy Findings from the National Survey
• Local law enforcement personnel frequently perceive human trafficking as rare or nonexistent in their local communities; however, agencies serving larger communities are more likely to identify human trafficking, particularly sex trafficking as a more pervasive problem.
• All types of law enforcement agencies, including those serving the smallest jurisdictions, have investigated at least one case of human trafficking.
• Over half of the law enforcement agencies serving large jurisdictions (over 250,000 population) have investigated trafficking cases.
• When controlling for size and location of communities, the degree to which law enforcement is prepared to identify human trafficking cases is a significant indicator of whether or not they actually investigate cases.
• Nearly 92% of law enforcement agencies reported a connection between human trafficking and other criminal networks such as drug trafficking and prostitution.
• Agencies that have identified cases of human trafficking report pro-active investigative strategies (such as gathering information on human trafficking during the course of other investigations.)
• Local law enforcement agencies participating in federally funded human trafficking task forces that investigated a case of human trafficking reported investigating many more cases on average than non-task force agencies (36 on average for task force agencies compared to 15 on average for non-task force agencies.)
• Between 2000 and 2006, the number of human trafficking investigations by respondents rose dramatically each year from 175 reported cases in 2000 to 750 in 2006. The average number of cases investigated by each agency more than doubled from 3 cases in 2000 to 8 cases in 2006.
• The U.S. was the second largest source country for both victims and perpetrators, after Mexico.
• Approximately 62% of all trafficking victims identified by law enforcement were younger than 25 including 16% under 18 years old. Victims of sex trafficking are proportionately younger than other trafficking victims with 31% of the identified sex trafficking victims under 18 years old.
• Overall, the majority of human trafficking victims identified were female (70%). However, agencies that only investigated cases of labor trafficking reported proportionately more of the victims they encountered were male (62%).
• Perpetrators of trafficking tend to be older than their victims (29% were in their thirties) and were much more likely to be male (70%).
Human Trafficking ‘Enhanced Enforcement Initiative’

In February 2011 the U.S. Departments of Justice, Homeland Security and Labor launched a nationwide Initiative designed to streamline federal criminal investigations and prosecutions of human trafficking offenses. As part of the ‘Enhanced Enforcement Initiative’, specialized ‘Anti-Trafficking Coordination Teams’, known as ACTeams, will be convened in select pilot districts around the country. The ACTeams, comprised of prosecutors and agents from multiple federal enforcement agencies, will implement a strategic action plan to combat identified human trafficking threats. The ACTeams will focus on developing federal criminal human trafficking investigations and prosecutions to vindicate the rights of human trafficking victims, bring traffickers to justice and dismantle human trafficking networks.

The ACTeam initiative follows the July 2010 launch of the Department of Homeland Security’s Blue Campaign, which includes new web-based training for law enforcement officers, enhanced resources for trafficking victims and expanded public awareness campaigns. The ACTeam Initiative also follows the Department of Labor’s March 2010 announcement that it would, in coordination with other federal agencies, begin certifying U non-immigrant visas for human trafficking victims and other qualifying crime victims who are identified during the course of labor investigations and enforcement actions. The locations of the pilot ACTeams will be announced upon completion of a competitive inter-agency selection process.

(http://www.justice.gov/opa/pr/2011/February/11-ag-140.html)
Films Expose the Plight of Uganda’s Child Soldiers

There is an invisible war in Africa. Joseph Kony is terrorizing four African countries. It is the longest running conflict on the continent, and the soldiers are children abducted from their homes and forced to fight. Since 1986 in northern Uganda over 100,000 innocent civilians have been killed; over 66,000 children have been abducted; and at the height of displacement, two million people were displaced.

In 2006, Joseph Kony and the Lord’s Resistance Army (LRA) left Uganda to continue their terror across the Democratic Republic of Congo (DRC), the Central African Republic (CAR), and southern Sudan. Since 2008, their impact has caused 280,000 displaced people in DRC; 87,000 displaced in southern Sudan; and 26,000 displaced in CAR.

Joseph Kony is the most wanted man in Africa. He is wanted for crimes against humanity, which include murder, enslavement, sexual enslavement and rape. He is wanted for 21 counts of war crimes, which include murder, cruel treatment of civilians, intentionally directing an attack against a civilian population, pillaging, inducing rape, and forced enlisting of children into the rebel ranks. Kony abducts girls in order to offer them as rewards into the rebel ranks. Kony abducts female children in order to offer them as rewards into the rebel ranks. Kony abducts female children in order to offer them as rewards into the rebel ranks.

In 2006, Kony told the UN Under-secretary-General for humanitarian affairs and emergency relief, “We don’t have any children. We only have combatants.” In 2008, the U.S. Treasury Department placed Kony on its list of ‘Specially Designated Global Terrorists,’ a designation that carries financial and other penalties. The Ugandan military has attempted to kill Kony for most of the insurgency. Uganda’s latest attempt towards tracking down Kony has been to enlist the help of former LRA combatants to search remote areas of the CAR, the Sudan and the DRC where he was last seen. (http://en.wikipedia.org/wiki/Joseph_Kony)

In May 2009, U.S. President Obama signed into law the ‘Lord’s Resistance Army Disarmament and Northern Uganda Recovery Act,’ legislation aimed at stopping Joseph Kony and the LRA. The bill passed unanimously in the Senate in March 2010 with 65 Senators as co-sponsors, then passed unanimously in the House of Representatives in May 2010 with 202 Representatives as co-sponsors. In November 2010 President Obama delivered the strategy to disarm Joseph Kony and the LRA and provide support to rebuild the area.

Invisible Children

‘Invisible Children’ (IC) is a movement seeking to end the LRA-initiated conflict and bring displaced peoples home. IC is committed to helping free and rehabilitate child soldiers in Uganda, Democratic Republic of Congo and other countries of Africa. They use film to educate people about the conflict and its impact on Uganda and the surrounding area.

Their first film, ‘Invisible Children: Rough Cut,’ features a young teenage boy, Jacob, who was abducted by the LRA as a child soldier. Forced to leave behind a brother who was killed, he later escaped and was living the hidden life of many Uganda boys – the life of a night commuter. In order to avoid abduction from their homes in the middle of the night, thousands of teenage boys would leave their families each night and walk miles to the nearest urban center, to sleep in gyms or in crawl spaces, in search of safety from the LRA.

‘The Rescue of Joseph Kony’s Child Soldiers’ (2009) documents the efforts of the founders of ‘Invisible Children’ to expose the tragedies of war-affected regions while inspiring individuals in the Western world to use their voices for change.

Their latest film ‘Tony’ is the story of a LRA survivor. (Trailer: http://vimeo.com/16189889) (http://store.invisiblechildren.com/films/)

IC has implemented long-term development programs: rebuilding schools and rehabilitating child soldiers, water and sanitation projects, providing scholarships to secondary and university students, providing radio towers (establishing communication in villages where communication is non-existent), rescue child soldiers (search teams seek out former children deserted by the LRA), and rehabilitate child soldiers when they return home. (http://www.invisiblechildren.com/about)

“Invisible Children is in this until we see the LRA disarmed and the leadership standing trial for the crimes they’ve committed. They’ve committed the worst crimes known to humanity. And for us, this is our life now.”

Laren Poole, Invisible Children (www.huffingtonpost.com/2011/02/21/giving-a-voice-to-africas_n_826273.html)
‘SOMEBODY’S DAUGHTER: The Hidden Story of America’s Prostituted Children & the Battle to Save Them’

America’s forgotten children are the hundreds of thousands of child prostituates walking the Las Vegas Strip, exploited in casinos of Atlantic City, at truck stops on interstates and on street corners of our cities. Most people wrongly believe sex trafficking involves young women from foreign lands but the vast majority of teens caught in the trade are American girls — runaways and throwaways few people care about. They become victims of ruthless pimps whose lifestyles are often glorified in the media and in rap music. ‘Somebody’s Daughter’ takes you behind these scenes to expose one of America’s most under-reported crimes — the trafficking of American girls on American streets — and points to five ways used to help address this tragedy.

A Safe Harbor
Rachel Lloyd, founder of the NY shelter and rehabilitation program GEMS: Girls Educational and Mentoring Services, used her knowledge to lobby for laws to protect prostituted minors. After four years, NY adopted the ‘Safe Harbor Act’ in 2008. It provides protection and services to minors rather than prison. Since then, CA, CT, WA and IL have enacted similar laws.

Spotting High-Risk Victims
In Dallas, TX, police found that a high percentage of prostituted children were repeat runaways. They trained a High Risk Victims Unit of police to understand most of these children represented at-risk youth. Ten years later, rescued youth are spotted 75% of the time by regular patrol officers, and courts have successfully won cases against 90% of the pimps. Dallas police have since trained law enforcement around the U.S. and in Canada.

A Special Court
In Las Vegas, NV, the Yellow Pages in casino hotel rooms show 89 pages of ‘escort services’ that advertise ‘barely legal’ teens and ‘naughty school girls.’ Vegas is a mecca of child prostitution. In the past decade, a special police squad has rescued more than 1,500 minors forced into prostitution: 60% come from outside the city, including from Canada. In 2005 a Family and Youth Court judge created a ‘prostituted youth’ court, in which the judge plays a stern father, a psychologist and a cop. For many minors, it is their first chance to tell their story and feel heard. His court has low recidivism with 12% repeat prostitution charges.

Going After the Johns
Despite strict federal human trafficking laws since 2000, no one had been charged with buying sex. ‘Johns’ are notoriously difficult to charge and convict because prostituted women and their pimps are unable or unwilling to identify the anonymous clients. In 2009, Missouri prosecutors set up a sting called ‘Operation Guardian Angel’, and advertised ‘young fun’ and ‘little girls’ on sex websites and in magazines. Within minutes, men started responding. Seven were eventually convicted – the first convictions ever under U.S. federal law – with sentences ranging from 10 to 15 years.

Pimps — The New Mafia
The Federal Bureau of Investigation has set up 39 Task Forces across the U.S. as part of its ‘Innocence Lost’ initiative. Since 2003, the FBI has convicted more than 600 pimps and their associates – and rescued more than 1,200 children. Some sentences were for more than 20 years. In 2010 the Canadian Parliament passed a bill, which imposes a minimum five-year sentence for anyone convicted of trafficking in a minor. (http://www.theglobeandmail.com/news/national/five-innovative-ways-to-protect-young-victims-of-the-sex-trade/article1862073/)

“Masterful, absorbing. To date the most definitive account of sex trafficking of children and the culture that supports it.” Norma Ramos, Executive Director of Coalition Against Trafficking of Women

“A brutally honest look into the hidden world of prostituted children in the US. A compelling book that will touch hearts and minds and inspire people to take action.” Rachel Durchslag, Chicago Alliance Against Sexual Exploitation

“A ‘Somebody’s Daughter’ exposes the grit behind the glamor, the exploitation behind the elegance, and the violence and abuse that are the true story of the women and children hurt on our own streets, in our own cities. When you read it, it will make you angry...not just about the pain and suffering, but about the lies in our society that perpetuate and normalize these crimes.” Laura J. Lederer, Global Centurion, Former Senior Advisor on Trafficking, U.S. Department of State. (http://www.juliansher.com/trafficking/)
The ‘Virtual Knowledge Centre’
to End Violence Against Women & Girls

The site, developed by UN WOMEN, has programming modules for Gender Based Violence (GBV) work related to Adolescents & Youth, Campaigns, Conflict, Education, Health, Justice, Legislation, Men & Boys, Policy & Budget Cycles, Prevention, Safe Cities, and Security – Military and Police. Currently the only active links are Legislation, Men & Boys, and Safe Cities. The other links will become active in the coming months.

In addition, in the ‘TOOLS’, a search will find virtually any and every document from a credible source on anything related to that term. It is essentially ‘Google for Violence Against Women’. Documents are available in 60 languages.

Change.org Successes

Recently, the largest florist in the world, 1-800-Flowers, responded to 54,000 Change.org members and agreed to begin selling Fair Trade flowers and insist on a strong code of conduct for all their suppliers to counteract the deplorable working conditions that thousands of female flower workers face in South America. They’ve promised to offer Fair Trade flowers in time for Mother’s Day, making 1-800-Flowers a leader in the industry.

Go to: http://www.facebook.com/1800flowers
Thank them for Fair Trade flowers.

After a devastating clothing factory fire in Bangladesh took the lives of 27 workers, Change.org asked seven clothing companies, including Abercrombie, the Gap, and Target to compensate the victims’ families and revamp safety standards in their affiliated factories.

After over 65,000 Change.org members spoke out (http://www.change.org/petitions/clothing-brands-take-responsibility-for-workers-burned-alive), a spokesperson from Target said, “I want to understand what we have to do to get our brand off the Change.org petition ... Tell me what we need to do, and we will try to do it.” All seven companies met Change.org demands. (http://www.change.org/victories?alert_id=oKSsLEIEUE_RiXLNXcumGKme=aa)

If there’s something you want to change, you can start your own petition at: http://www.change.org/start-a-petition

‘Dirty Dozen’

As of July 2010 the Polaris Project (http://www.polarisproject.org) ranked 12 states as the ‘Dirty Dozen’. They include: AK, AR, CO, HI, MA, OH, OR, SC, SD, VA, WV, and WY.

States were evaluated on the strength and inclusion of the following 10 statutes in their anti-human trafficking legislation: (1) Sex trafficking (2) Labor trafficking (3) Asset forfeiture for human trafficking crimes (4) Training on human trafficking for law enforcement (5) Human trafficking commission, task force, or advisory committee (6) Posting of a human trafficking hotline (7) Safe harbor (8) No requirement for force, fraud, or coercion for minors (9) Victim Assistance (10) Civil remedy.

Do your legislators need a reminder to “do the right thing” on behalf of the victims of human trafficking?
World Fair Trade Coffee Break 2011

Across North America, advocates are inspiring over 100,000 people to take a Fair Trade Coffee Break from May 1-15. (In 2009 over 65,000 people took such breaks.) This year, individuals as well as organizations will host hundreds of events, such as festivals, fashion shows, speeches, food and drink tastings, film showings, sports games, neighborhood crawls, and concerts to celebrate Fair Trade. More participants will make a greater difference.

With over 1,000,000 producers around the world already benefiting from Fair Trade, it’s time to raise our voices and vote with our dollars until all trade is fair! We are aiming to gather over 100,000 North American citizens, businesspeople, faith advocates, students, consumers and activists to celebrate the people who grow our food and produce our goods.

Please join in and use the free tools in the World Fair Trade Day (WFTD) Toolkit to plan your event. Your event can be as big or small as you choose. What’s important is that you are COUNTED celebrating Fair Trade!

Tools (http://www.fairtraderesource.org/wftd/toolkit/) include:
- Posters, postcards, T-shirts, stickers
- Brochures, booklets, films, curricula
- Free Fair Trade ice cream, soaps, chocolate
- Event planning guide
- Games, recipes, attendance sheet
- Media outreach resources

Must a Fair Trade Coffee Break involve coffee?

No. Just like coffee breaks at work, we welcome breaks of all kinds to pause from our routine. Since people do many different things during coffee breaks, including activities that don’t involve coffee, Fair Trade Coffee Breaks can really be any Fair Trade activities. A Fair Trade Coffee Break is simply an opportunity for a community, a workplace, a class, or a group of friends to take time out to enjoy, showcase, and/or discuss the benefits of Fair Trade. The goal is to increase awareness and educate others about the importance of Fair Trade and the producers who make and grow the products that we consume.

Who can be counted?

Participants must be 6 years of age or older, attending an event anytime from May 1-15, 2011. At least one of the products available for display or consumption must be Fair Trade. Some form of verbal discussion or acknowledgement about Fair Trade, or written information, must be present.

How do you report the participants involved?

Email your final count of participants to wftday@frtn.org by May 20, 2011. Check all the resources at: http://www.fairtraderesource.org/wftd/

Informative Web Sites:
(Each contains information related to human trafficking)

Tell Obama to Support the TVPA Reauthorization
http://www.endslaveryandtrafficking.org/action

U.S. State Dept. Human Trafficking Information
http://www.state.gov/g/tip/index.htm

Protect Children Using Social Media
http://www.nals.org/?p=2544

Fair Trade Myths
http://fairtradefederation.org/ht/d/sp/i/198/pid/198

‘Don’t Buy It: Get Media Smart’

‘Don’t Buy It: Get Media Smart’ is a media literacy web site for young people that encourages users to think critically about media and become smart consumers. Activities on the site are designed to provide users with some of the skills and knowledge needed to question, analyze, interpret and evaluate media messages.

‘Don’t Buy It: Get Media Smart’ (http://pbskids.org/dontbuyit/parents-guide.html) is funded by the Corporation for Public Broadcasting (http://www.cpb.org/aboutpb/education/resources.html) and the Public Broadcasting Service (http://www.pbs.org/parents/).

Other sites include: ‘Plastic Fork Diaries’ (http://pbskids.org/cgi-registry/kidsbridge.cgi?context=dontbuyit_PlasticForkDiaries) and ‘It’s My Life’ (http://pbskids.org/itsmylife/).