

global issues



Responses to Human Trafficking

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In our 21st century world, where freedom and democracy are spreading to every continent, it is appalling and morally unacceptable that hundreds of thousands of men, women, and children are exploited, abused, and enslaved by peddlers in human misery.

Trafficking touches many countries across the globe, including my own. An estimated 800,000 to 900,000 people are trafficked every year. Nearly 20,000 of these victims enter the United States. The transnational character of this crime means that countries of origin, transit, and destination must work in partnership to prevent trafficking, protect its victims, and prosecute those who are responsible for trafficking.

Using force, fraud and corruption, coercion and other horrible means, traffickers prey on the powerless, the desperate, and the vulnerable. Girls as young as five are sold into prostitution; boys as young as 11 are being strong-armed into militias to serve as child soldiers or to perform forced labor for the combatants.

The United States stands prepared to help countries that demonstrate a determined commitment to strengthen their domestic capacities for combating trafficking. Working together, we can help the victims of trafficking escape bondage and allow them to live in dignity and freedom. Working in partnership, we can spare countless thousands the pain that others have suffered.

U.S. Secretary of State Colin Powell

*Adapted from his remarks following the release of the
2003 Trafficking in Persons Report on June 11, 2003.*

From the Editors

Around the world, diverse organizations have joined governments in the campaign to eradicate human trafficking, working together to thwart criminal organizations that seek profit from enslavement. Whether in the courts, in the media, or in targeted local campaigns, law enforcement officers and human rights activists are finding ways to rescue victims from indentured servitude, forced prostitution, and child labor. At the same time, organizations and governments are conducting broad educational campaigns to prevent other innocents from falling prey to this 21st century form of slavery.

In this publication we highlight what these activists are doing to promote human potential and protect human dignity against the horrifying practice of human trafficking.

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Publisher	Judith S. Siegel
Editor	William Peters
Managing Editor	Charlene Porter
Text Editor	Jim Fuller
Internet Editors	Tim Brown
.	Christian Larson
Associate Editors	Jenifer Bochner
.	Ellen Toomey
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Editor, Global Issues & Communications
Bureau of International Information Programs
IIP/T/GIC
U.S. Department of State
301 4th Street, S.W.
Washington, DC 20547
United States of America
E-mail: (ejglobal@pd.state.gov)

FOCUS

The United States' Effort to Combat Trafficking in Persons

John R. Miller, Director
Office to Monitor and Combat Trafficking In Persons
U. S. Department of State

The State Department heads a sweeping government effort to rescue victims and prosecute traffickers, both in the United States and in other nations.

Modern day slavery is one of the great human rights challenges of our time. The United States is adamant that this form of transnational crime must be prevented and its perpetrators punished. The actions of increasing numbers of nations around the world make it clear they share this commitment.

The keystone of the American government's response to modern day slavery is the Trafficking Victims Protection Act (TVPA), enacted into law in October 2000. The United States recognized at that time that existing laws in this country and others failed to deter trafficking or to punish traffickers sufficiently. The Protection Act requires federal agencies to combat trafficking domestically and to work with other nations to address this problem internationally. On December 16, 2002, President George W. Bush endorsed the goals of the Protection Act by signing National Security Presidential Directive 22, in which he directs federal agencies to "strengthen their collective efforts, capabilities, and coordination to support the policy to combat trafficking in persons."

More specifically, the Protection Act declares trafficking to be a crime and calls on the U.S. government to prosecute and punish traffickers, protect and rehabilitate the victims, and prevent

these criminal activities. U.S. anti-trafficking policies and programs are overseen by the President's Interagency Task Force chaired by the secretary of state and implemented by the Senior Policy Operating Group consisting of high-ranking federal government officials. The task force and the operating group ensure that all aspects of the fight against trafficking are addressed by the appropriate government agencies.

Anti-Trafficking Efforts in the United States

The Departments of Justice, Health and Human Services, and the newly formed Homeland Security have the primary responsibility for fighting traffickers and assisting the victims within the United States. Justice Department attorneys—led by the Criminal Section of the Civil Rights Division—prosecute cases against traffickers and provide training regarding the new anti-trafficking law. Hundreds of victims of severe forms of forced labor and sexual exploitation have been successfully rescued; their traffickers have been prosecuted and convicted through Justice Department efforts.

Even before the passage of the Protection Act, the assistant attorney general for civil rights and the solicitor of the Department of Labor were empowered to establish and co-chair the Trafficking in Persons and Worker Exploitation Task Force that oversaw prosecutions of traffickers under involuntary servitude, peonage, and labor statutes. The Protection Act amended these statutes to make prosecutions more effective and increased the statutory maximum sentences for traffickers. This task force established and maintains a multi-lingual, national, complaint line for trafficking victims.

The Department of Health and Human Services (HHS) is responsible for certifying that a person is a trafficking victim and therefore eligible for temporary housing, legal assistance, educational opportunities, mental health counseling, foster child care, and other benefits. These programs are implemented by states and by dozens of non-government organizations (NGOs) with the assistance of HHS. In some situations, a person may have been identified by law enforcement officials as a potential victim but not yet "certified" by HHS. To help these persons and to gain their assistance in prosecuting traffickers, the Department of Justice

also has extended grants to NGOs to provide similar assistance to victims who are identified by law enforcement but are not yet certified.

Many victims in the United States entered the country without visas or, if they originally possessed visas, are determined to be "out of status" for immigration law purposes, for example, because of illegal activity. Before the passage of the Protection Act, such victims were often subject to deportation. This outdated approach is still the practice of many countries today.

The Protection Act rejected this approach. Instead of treating trafficked persons as illegal migrants subject to deportation, the new law grants victims of trafficking the opportunity to receive a specially created T-visa. They are required to assist in the investigation or prosecution of acts of trafficking. They may be granted permanent residence in the United States if their removal would cause them extreme hardship. Victims are entitled to privacy, physical protection, and other forms of assistance while their cases are investigated and prosecuted.

While each government agency trains its own staff to implement the Protection Act and provide services, much of the direct care and psychological, legal, and physical protection of the victims is provided by NGOs, sometimes with funding from the government. Such care and attention from NGOs is particularly helpful since many of the victims are distrustful of the police and other government officials – especially if they are in the country illegally. NGOs are particularly effective in reinforcing the notion that these people are not to be treated as criminals but as victims.

Anti-Trafficking Efforts Abroad

The Protection Act also directs the administration to work with other governments to protect and assist victims and to fight and prosecute traffickers. The Department of State, Department of Labor (DOL), and the U.S. Agency for International Development (USAID) all work with governments, international organizations, and international NGOs to rescue and support victims of trafficking, to punish traffickers, and to prevent trafficking by helping to educate, train, and assist potential victims to develop economically viable skills. Many NGOs

have extensive experience working with refugees, war victims, and exploited men, women, and children. Some NGOs are religiously affiliated, others are not. They all share the goal of protecting and delivering services to victims.

DOL combats international trafficking through its own programs and through nongovernmental and faith-based organizations. On the international level, DOL works in conjunction with the International Labor Organization's campaign to eliminate child labor in programs now reaching 28 countries. These projects rescue children from trafficking and exploitative work situations, provide them with rehabilitation services and educational opportunities, and provide prevention information.

DOL is also actively engaged in addressing the issue of child soldiers. In May of this year, the Department announced its intention to fund a \$13 million global initiative to help withdraw, rehabilitate, and reintegrate former child soldiers. In addition to its specific work against child labor, DOL's International Technical Cooperation Program mitigates trafficking by addressing the root causes of poverty—unemployment, skill development, and lack of a social safety net.

USAID implements its anti-trafficking programs in more than 30 countries through its overseas missions in partnership with international organizations, non-governmental organizations, and host countries. USAID programs support anti-trafficking efforts through public information and education campaigns. USAID programs provide economic and vocational opportunities for potential or actual trafficking victims and their families, assist victims of trafficking, and help support legislative reform to prosecute traffickers. The agency's ongoing development programs around the world reinforce these specific anti-trafficking efforts by helping to create conditions that lessen the vulnerability of women and children to traffickers, such as poverty reduction, girls' education, and promotion of the rule of law.

The Trafficking Victims Protection Act also authorized establishment of the Office to Monitor and Combat Trafficking in Persons (TIP Office) within the Department of State. Like USAID and DOL, the State Department, particularly through

the TIP Office and embassies abroad, supports international and nongovernmental organizations in the implementation of programs directed at preventing trafficking, prosecuting traffickers, and protecting trafficking victims. These programs are designed to improve anti-trafficking legislation around the world, to train prosecutors and police in the special needs of trafficking victims, and to develop support systems and protective services for victims. Since the passage of the Protection Act, the U.S. Government has invested more than \$100 million in anti-trafficking programs internationally. In addition, the State Department has primary responsibility for diplomatic engagement with other countries to help them become aware of this crime, to encourage cooperation in the fight against trafficking, and to develop full understanding of the importance of this issue to the United States.

The trafficking office is also responsible for publishing the annual Trafficking in Persons (TIP) Report. This report is a formal assessment of other governments' efforts to combat trafficking in persons. The third annual report was released on June 11, 2003 and can be found at www.state.gov/g/tip. The report includes a list of innovative ideas developed by different countries and organizations, some of which are not expensive. For example, when it is appropriate, a law enforcement officer's performance appraisal can be linked to his or her efforts to apprehend and investigate traffickers. Hotels that participate in a program discouraging child prostitution receive an extra "star" in their ratings. Local vigilance committees use chiefs and respected local women to legitimize the importance of enforcing penalties against traffickers.

The major feature of this annual report is the placement of countries on one of three tiers. The tier rankings indicate the degree to which a country's government meets the Protection Act's minimum standards for the elimination of trafficking. Governments of tier 1 countries fully comply, while governments of tier 3 countries do not fully comply and are not making significant efforts to bring themselves into compliance with these minimum standards. This year for the first time, the Protection Act requires that countries listed in tier 3 will be subject to possible sanctions, principally including the withholding of non-humanitarian, nontrade-related assistance. The

three annual reports issued to date demonstrate that the vast majority of governments of countries that face a significant trafficking problem are actively working to combat that problem, though it also shows that all could and should do more. (See a full description of these best practices under Additional Resources in this publication.)

The State Department, with other federal agencies, has strongly supported efforts to set international standards for cooperation against this transnational crime and human rights abuse. These efforts include negotiation of a Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the U.N. Convention against Transnational Organized Crime. The United States has signed but not yet ratified this protocol. The State Department also led the negotiation of other related international instruments, including an ILO convention against the worst forms of child labor, and two protocols to the Convention on the Rights of the Child—one against child soldiers and another against child prostitution, child pornography, and the sale of children. The United States has ratified all three of these instruments.

In addition to leading the diplomatic engagement abroad, facilitating international anti-trafficking programs, and producing the Annual Trafficking Report, the trafficking office works to enhance awareness of the issue. The office, along with a coalition of NGOs, organized an international conference in February 2003, entitled "Pathbreaking Strategies in the Global Fight Against Sex Trafficking." Hundreds of attendees from around the world who are addressing the problem on a daily basis came up with numerous wide-reaching recommendations to fight trafficking. Some of their recommendations were:

- Pass comprehensive national anti-trafficking laws that prosecute traffickers and provide for the safety and privacy of the victim, proper

representation in court, access to medical care, social assistance, compensation for damages, and the right to seek and receive residency.

- Establish better cooperation and planning between governments and NGOs through close communications and regular meetings.
- Establish contact points in source, transit, and destination countries so that each country knows exactly whom to contact in emergencies.
- Use existing laws, as well as anti-trafficking legislation, to prosecute traffickers and customers.
- Assign specially trained female officers to anti-trafficking in persons units and hot lines.
- Provide awareness training to young men on gender issues. Training should be by peers teaching from their experience, and should include former victims when possible and appropriate.
- Allow the free expression of religion. Organizations of all faiths should be permitted to provide services to victims regardless of the beneficiaries' religious backgrounds.

These goals and ideas came from experienced lawyers, legislators, jurists, journalists, social workers, medical personnel, and survivors. They represent the efforts individuals and governments and private organizations are making in the constant fight against trafficking.

It is a difficult struggle even for a country with the resources of the United States, but our determination to fight this modern day slavery is strong and we will continue to work with other nations in this effort.

U.S. Human Service Agencies Respond to Trafficking

By Wade F. Horn, Ph.D.
Assistant Secretary for Children and Families
U.S. Department of Health and Human Services

U.S. agencies work to
build a safety net for
victims of trafficking.

In 1998, Hurricane Mitch, one of the most deadly Atlantic storms in history, rampaged across Honduras causing death and destruction, and producing enormous economic hardship. Those hardships left Honduran women and girls vulnerable to the false promises of human traffickers who assured the victims that jobs and education awaited them in the United States. The women were lured by their hopes for better opportunities. Instead, they were delivered into the hands of pimps who plunged them into a world of captivity, beatings, and rape. The traffickers used threats, intimidation, and violence to force the women and girls into prostitution.

We do not know exactly how many people are brought to the United States under false pretenses only to be forced to work without pay or be sexually exploited. Current U.S. government estimates range from 18,000 to 20,000. Whatever the number, we are determined to bring this appalling practice to an end within our borders. To this end, President George W. Bush signed a National Security Presidential Directive with the purpose of coordinating U.S. government efforts to combat and eradicate trafficking in persons. This Presidential Directive also states that prostitution and related activities, which are inherently harmful and dehumanizing, contribute to the phenomenon of trafficking in persons.

The Trafficking Victims Protection Act of 2000 (Protection Act) conferred several important responsibilities on the Department of Health and Human Services (HHS) in the fight against human trafficking. We have been charged with promoting the public's awareness of trafficking and of the services available to trafficking victims. We certify victims so that they can qualify for benefits under

federal programs. We award grants to nongovernmental organizations to help these victims, and we report annually to Congress on the dimensions of the problem in the United States.

Here is how we are carrying out these mandates under the leadership of Secretary Tommy Thompson so that we can drastically reduce and eventually eradicate the degradation caused by trafficking in human lives.

Promoting Public Awareness

Currently victims of trafficking are largely hidden, as are those who exploit them for personal gain. HHS is launching an anti-trafficking public awareness campaign which seeks to bring trafficking out of the shadows by encouraging the identification both of victims and traffickers. We intend to create conditions under which victims will feel safe in identifying themselves because they know they will be protected and that there are programs designed to help them. No less important, we hope to reach those who are likely to encounter trafficking victims and enlist their help in freeing the victims and cracking down on the traffickers. We are working closely with the U.S. Department of Justice to accomplish these goals.

The public awareness campaign will use a carefully designed strategy of English and foreign-language media, and innovative means of information dissemination to reach victims and those who might encounter them. Its major messages will be:

- Trafficking in persons is a crime;
- Victims of trafficking are not criminals and need help;
- Such help is available;
- How to recognize a victim of trafficking;
- What to do if you are a victim or you know someone who is.

We expect to launch the campaign in early 2004. In concert with the public awareness campaign, HHS will establish a toll-free trafficking information telephone "hotline," operating 24 hours a day, seven days a week. Persons hearing the messages will have a place to turn for more detailed information or for referral to local organizations ready to help.

Certifying Victims of Trafficking

The Protection Act created a certification procedure so that victims can qualify for benefits under existing federally funded programs. Prior to the passage of this law, trafficking victims often lacked legal status in the United States, and thus were not eligible for most types of public assistance or services. However, the Protection Act empowers HHS to certify victims so that they may receive the same benefits and services as those available to refugees, thereby giving trafficking victims access to both state and federal assistance programs.

Since the Protection Act's passage in October 2000, nearly 400 trafficking victims have received this HHS certification. The Protection Act establishes several criteria for receiving certification:

- Individuals must be determined to be victims of a severe form of trafficking¹;
- Adult victims must either have been granted "continued presence" status by the Attorney General, ensuring their stay to aid in the prosecution of the traffickers, or have made a *bona fide* "T" visa application to the Department of Homeland Security;
- Adult victims must be willing to assist in every reasonable way in the investigation and prosecution of traffickers.

Once these criteria are met, the victims receive a certification letter, and HHS contacts local refugee service providers and other benefit-granting agencies to coordinate benefits and services with local programs. These may include Temporary Assistance for Needy Families (TANF), medical assistance, food stamps, and Supplemental Security Income. For those who do not qualify for TANF or the federal medical assistance program, an eight-month transitional program for single adults and childless couples, providing cash and medical assistance, may be available. Several of the victims from Honduras received services including mental health counseling, food stamps, medical assistance, English as a second language (ESL) training, and cash assistance through our refugee programs.

Victims may also be eligible to take advantage of programs that encourage employment and self-sufficiency. Program staffers intensively manage

each case, assuring that the victim receives comprehensive assistance to get established in the United States. These programs ensure that victims receive help with employment, food, housing, transportation, health care, and social adjustment. Several of the victims from Honduras took advantage of this program to begin stabilizing their lives. Special programs are available to assist victims under the age of 18.

Awarding Grants to Victim Assistance Groups

HHS has a long history of working with non-governmental organizations to achieve program objectives. Many such organizations have stepped forward to assist the victims of trafficking in the United States. HHS has supported and encouraged their work by awarding grants of approximately \$8.1 million to 37 organizations over three years. These grants provide services to victims, conduct local community outreach to raise awareness of trafficking issues, and provide training and technical assistance to others engaged in the fight against trafficking. Grantee groups come from 12 states and have assisted victims nationwide. They have helped with case management, education, immigration counseling, family reunification, and guidance on accessing public benefits. In addition, many of our other refugee program grantees have stepped forward to serve trafficking victims.

HHS Special Assistance to Minor Victims

Tragically, as we saw in the Honduran case, victims of human trafficking are often children. My agency, the Administration for Children and Families, which is part of HHS, takes particular care in assisting these most precious of victims.

Individuals under the age of 18 only need to be determined to be victims of a severe form of trafficking in order to be eligible for federal and certain state benefits and services. Underage victims of trafficking become eligible to enter our Unaccompanied Refugee Minor (URM) program, which has a long history of providing comprehensive, intensive, specialized resettlement, and foster care services for unaccompanied refugee minors.

URM services are provided through programs

specifically designed for the reception of refugee youth. We coordinate placements of minors based on individual needs, taking into consideration the cultural, linguistic, and religious background, as well as the special health, educational, and emotional needs of each youngster. Minor victims of trafficking can access comprehensive services that include housing, food, clothing, medical and mental health services, intensive case management, and education. HHS is well equipped to care for the special needs of young trafficking victims as they are found or come forward to receive protection.

The Future HHS Strategy

Despite our success in implementing the certification process and establishing a network of victim service providers, HHS is seeking new ways to increase the pace of identifying and assisting victims of trafficking and exploring new strategies to better carry out the mandates of the Protection Act.

First, we believe that our upcoming public awareness campaign will encourage many more victims to step forward and seek help and will make those who encounter victims aware of what they are seeing. Despite the passage of the Protection Act and increased attention to the problem of trafficking, the U.S. public generally remains unaware of the plight of trafficking victims. Victims are reluctant to identify themselves because they fear retribution from their captors or deportation. We suspect many victims do not even realize what is being done to them is illegal. The awareness campaign will change that.

Second, HHS is developing a toll-free information and referral line to assist victims and those who help them. Victims and/or their advocates will be able to call for information about local emergency services and receive referrals to groups serving victims of trafficking. Access to interpreters and to a national network of service providers will also be available. Guidance in receiving legal help and meeting the physical and mental health needs of victims will be among the other services available through this information and referral system. .

Finally, HHS is exploring new categories of grants to expand assistance to organizations conducting

outreach activities among populations likely to be aware of victims of trafficking (in areas of known prostitution activities, for example), so as to increase our pace of identification.

The passage of the Protection Act was a tremendous catalyst for federal government action against the grave human tragedy of trafficking in persons. The Protection Act acknowledged trafficking victims as the victims of a criminal enterprise. It gave federal agencies the tools we need to address this tragedy. HHS is committed to increasing the effectiveness and scope of our anti-trafficking efforts as we continue to implement the Protection Act in the

truest spirit of President Bush's stated commitment to uphold "liberty and justice because these principles are right and true for all people everywhere."

¹Under the Protection Act, severe forms of trafficking in persons means involuntary or underage participation in commercial sex; or the use of coercion, force, or fraud to subject an individual to involuntary servitude, debt bondage, or slavery.

COMMENTARY

U.S. Sends Strong Message to Those Who Traffic in Human Lives

By John Gittelsohn
Special Correspondent

A federal jury returns a guilty verdict against the owner of an American Samoa garment factory in the largest U.S. human trafficking case ever prosecuted. The conviction demonstrates that the United States is firmly committed to ensuring that those who traffic in human lives are swiftly prosecuted and punished.

The woman borrowed \$5,000 for a chance to earn more than \$400 a month sewing clothes in American Samoa, leaving her husband and two children in Vietnam, dazzled by what she considered a fortune.

One of the happiest days of her life, Nguyen Thi Le said, was when she signed a contract to work for a company called Daewoosa Samoa Ltd. Nguyen, who held a job as a seamstress in a small village near Hanoi, thought she was going to the United States and that's where she eventually ended up. But this was only after becoming a victim of the largest human trafficking case in U.S. history, working in conditions that Attorney General John Ashcroft described as "modern day slavery."

"Human trafficking is more than just a serious violation of the law; it is an affront to human dignity," said Ashcroft in February upon the Justice Department's successful prosecution of Daewoosa officials. "The Department of Justice is committed to protecting the victims of trafficking and to bringing to justice all those who violate the civil rights of trafficking victims."

The story of Nguyen and more than 250 other Vietnamese and Chinese workers at the Daewoosa

factory in American Samoa has become a landmark case in the United States' recent prosecution of human trafficking—the international practice of coercing people into servitude, slavery, peonage, child labor, or the sex industry.

Joseph Grover Rees, a former U.S. magistrate in American Samoa and currently U.S. Ambassador to East Timor, said the Daewoosa case should serve as a warning to anyone who considers exploiting workers within the United States. Those exploiters will be reached by the long arm of American law.

"If you're going to traffic women and men to slave-like situations, you better not do it in a place under the American flag," said Rees, who as a congressional aide helped draft the Trafficking Victims Protection Act of 2000, a legal cornerstone of the campaign against human trafficking.

The Daewoosa saga begins in 1998, when a South Korean businessman named Kil-soo Lee bought a struggling garment factory near Pago Pago, the capital of American Samoa. Officials in the U.S. territory welcomed the foreign investor, who promised to diversify the local economy. The only other major industrial site in American Samoa was a tuna canning factory.

American Samoa had several attractions for garment makers like Daewoosa. As a U.S. territory, its exports were not subject to the quotas and duties that restrict many American textile imports. The minimum wage was \$2.55—half that of the U.S. mainland—but the clothing still was allowed to use a "Made in USA" label. Among Lee's early customers: Sears, Roebuck and Co. and J.C. Penney, both major department store chains. Another advantage of American Samoa is that it was far from the eyes of the U.S. Labor Department and other monitors that are supposed to regulate workplace quality.

Instead of hiring locals in American Samoa, Lee imported about 250 workers from Vietnam and 25 from China to staff his plant. He promised to hire more locals once things got going.

The Vietnamese workers were recruited by Vietnamese government-owned enterprises—International Manpower Supply and Tourism Company 12—which are part of a national program to export

labor from the communist country. This year, Vietnam plans to send 50,000 workers abroad, hoping they will return billions of dollars in foreign currency to their impoverished homeland.

The Vietnamese workers each paid about \$5,000 to cover the cost of airfare and work permits. They signed four-year contracts in exchange for monthly paychecks as high as the average Vietnamese person earns in a year. Trouble began in early 1999, shortly after the first Vietnamese workers arrived in American Samoa. Daewoosa's paychecks were a fraction of what Lee promised. He argued he needed to pay the recruiters first. He also deducted what an American Samoa judge later determined were excessive fees for room and board in company dorms.

Living conditions also deteriorated. Meals consisted of porridge, occasional morsels of meat and, even more rarely, fresh fruit or vegetables. Temperatures in the factory soared above 34 degrees Celsius. Crowding in the dorms forced some of the workers to sleep two to a bed.

In late 2000 the U.S. Labor Department fined Lee more than \$350,000 for failing to pay back wages. Investigators from the Occupational Safety and Health Administration found inhuman living conditions.

But these sanctions seemed to have no influence on Lee. He confiscated workers' passports to prevent them from escaping. He stopped paying them when the factory ran out of orders, but he kept charging the workers for room and board. When they protested, he slashed food rations and threatened to deport them back to Vietnam, threats which were reinforced by the on-site representative of Tourism Company 12, Nguyen Viet Chuyen. Some workers said they were physically threatened—their punishment was to be thrown into a swimming pool polluted with rotting frogs carcasses.

The few American Samoans working for Lee mainly served as his enforcers, intimidating the Vietnamese with their physical bulk. In November 2000, tensions reached the breaking point. When a group of workers refused to return to their sewing machines, Lee ordered his enforcers to clear the floor.

"I'll take responsibility for this," he said, according to court testimony. A female worker was clubbed so severely that she lost her eye. Two others were briefly hospitalized.

The violence finally got the attention of local law enforcement. A magistrate banned Lee from contacting the workers. Lacking new orders or cash, the Daewoosa factory shut its doors. The workers were left stranded, bereft of money or tickets to go home. The recruiting companies and the Vietnamese government refused to pay for their flights back home because they had broken their contracts.

The workers lived like castaways scrounging for food. Some earned a few dollars cleaning homes. Others were caught stealing fruit from local orchards. Many relied on charity from churches.

Nguyen Thi Le, the garment worker from outside Hanoi, felt as if she had made a horrible mistake. Not only was she stranded, she worried about the burden on her family. Loan sharks back in Vietnam were hounding them to repay the \$5,000 she borrowed to get to American Samoa. Her husband was fired from his job, he said, because of her reputation as a troublemaker at Daewoosa.

Just when things seemed most desperate, the U.S. Justice Department stepped in. Lee was arrested and sent to Hawaii for a trial. The stranded Vietnamese workers were flown to the United States, admitted as potential witnesses for the prosecution.

In April 2002, a civil court in American Samoa fined Daewoosa \$3.5 million, finding that Lee and Tourism Company 12 owed 270 workers an average \$13,000 in back wages and punitive fines. None of the fines have been paid. In February 2003, Lee was convicted in federal court in Honolulu of holding the workers in involuntary servitude. Sentencing is scheduled for July 16. Lee plans to appeal on the grounds that he should not have been tried in Hawaii.

Justice Department officials would not comment on whether they plan more indictments in this case, such as representatives of the Vietnamese companies that recruited the Daewoosa workers. Attorney General Ashcroft said Lee's conviction

"demonstrates that the Department of Justice is firmly committed to ensuring that those who traffic in human lives are aggressively investigated, swiftly prosecuted, and firmly punished."

Most of the Vietnamese workers who came to the United States as potential witnesses are now applying for so-called "T" visas, specially issued to victims of trafficking, which can be a stepping stone to permanent residency status. The largest group, 33 of the workers, settled in Orange County, California. Most now work for the minimum wage in garment factories in the county's Little Saigon district.

Nguyen Thi Le sews women's clothing at a small workshop in Westminster. She no longer fears her bosses, but sorrow still etches her face. She shares a mobile home with four fellow workers from American Samoa and saves every penny from her job to help bring her family here. Her daughter, now 5, does not even know her. Her son, now 14, refuses to talk to her on the phone. Her husband thinks she's living a life of luxury in America while they suffer back home.

"They want to know when I can bring them here," she said. "I'm very, very depressed because I can't see my children."

Other workers also feel torn because they left family in Vietnam. Hoang Trong Thuy and his wife, Nguyen Thi Ngoc, have not seen their four daughters in more than four years. Their oldest girl, now 16, recently dropped out of school there and defies her grandparents by smoking cigarettes and staying out late.

"Children need their parents most around the teenage years," Hoang, 40, said, his eyes rimmed with black worry lines. "They have a lot of problems when their parents aren't there to protect or raise them."

But Hoang also has a new reason to celebrate being in America. In December, his wife gave birth to a boy they named Henry Hieu Minh Hoang.

"My dream is to reunite with all my children here," the proud father said. "To have a job with enough steady money so my family can be stable. A better

car is not important. Most important is to see my children and to be a good father."

Boat People S.O.S., a private social service agency with offices in Orange County and Washington, D.C., is helping the workers from American Samoa by offering English and job training classes and assisting their visa applications. It is also lobbying Congress to offer resettlement assistance to make it easier for trafficking victims to bring relatives to America.

Boat People is also training local law enforcement and other private agencies to help find more victims of trafficking cases. The Justice Department estimated 20,000 women and children trafficking victims enter the United States each year. Most operate below the public radar, trapped as domestic

servants, sex workers, or underpaid help in restaurants and construction sites.

Few are as easily identified as the workers at Daewoosa, said Kevin Pimentel, staff attorney at Boat People S.O.S. "That case is one of a kind," Pimentel said. "It's got everything—involuntary servitude, peonage, coercion, fraud. You don't want to say it's typical."

John Gittelsobn covers Asian and Pacific Affairs for the Orange County Register in California.

The opinions expressed in this article are those of the author and do not necessarily reflect the views or policies of the U.S. Government.

Saving the Victims, One by One

An Interview

Marco Gramegna

Director, Counter-Trafficking Service
International Organization for Migration

The International Organization for Migration and local affiliates work in projects all over the globe to extract victims of trafficking from their plight.

One hundred forty boys hope to be liberated from indentured servitude in Ghana in July. The International Organization for Migration in partnership with local nongovernmental organizations has been working for months to free these boys from forced and grueling labor serving "slave masters" on board fishing vessels plying the waters of Lake Volta. This will be the first round of releases in an ongoing project that aims to liberate more than 1,200 boys from harsh conditions in which they receive poor nutrition, no education, and no family nurturing.

The release of the fishing boys will be a victory in counter-trafficking efforts, but a small one. There are perhaps thousands more fishing boys who remain in indentured servitude. Throughout West Africa, an estimated 200,000 children are trafficked each year, according to UNICEF.

Marco Gramegna is the director of the counter-trafficking service for the International Organization for Migration, based in Geneva, Switzerland. He spoke with *Global Issues* Managing Editor Charlene Porter.

Q: What is the regional scope of human trafficking in West Africa?

Gramegna: In West Africa, we're dealing normally with kids who are trafficked for labor exploitation into agriculture from country to country, particularly Mali to Sierra Leone or Mali to Ivory Coast. They are kids who are sold by their families or just given to members of the family or foreigners who would take them to work someplace else for a better future in exchange for a certain amount of money to the family.

These kids are exploited in agriculture. They may come legally or illegally to the country of

exploitation, but they don't know where they are. They work a huge number of hours per day without any compensation and totally lost from their families or their countries of origin. In the crisis and conflict situations of many countries of West Africa, the fate of these children, if we do not intervene, is that they are likely to become either sex slaves for soldiers or soldiers themselves.

In communication and coordination with the countries and families of origin, what we do normally is return those kids back home to their families or, if not possible, to families that would receive them.

In West Africa, you can find different levels of trafficking for different objectives going from sexual exploitation, labor, domestic work, begging, criminality, and a mixture of all that.

What we deal with as well is the case of trafficking in women and girls for sexual exploitation—either within the borders of a country, or externally to either other African countries or Europe. Countries such as Nigeria, Ghana, and Senegal would be the main countries of origin.

What we do is return them voluntarily to their countries, and we try to provide some reception, shelter, and rehabilitation and reinsertion in the countries of origin.

The cases of women and girls trafficked for sexual exploitation are the most well known. But in working with children, we are underlining the importance that trafficking in children has in West Africa, which is among the most important in the world in terms of numbers.

Q: It is widely acknowledged that gathering data on numbers of trafficking victims in a region is extremely difficult, but do you venture any estimates on how many people are victimized by trafficking in West Africa each year?

A: It's very difficult, almost impossible to say, being that it is an illegal activity. There are no records, there are no statistics, and definitions are varied. Governments will record this in different ways if they record it at all. It is extremely difficult to risk a figure, but the figures are in the tens of thousands of victims a year.

Q: How broad a practice is it for families to give their children away and expose them to exploitation?

A: It happens in West Africa, but also in other regions of the world. You see it in the Balkans for at least the last 1,000 years. You see it in East Asia, in the hills of Thailand, Cambodia, Vietnam, and southern China. It's a traditional habit for poor families to sell or give away their children. Normally it is the girls because in patriarchal cultures a lower value is placed on girls than boys. So these kids are sold to assure them a future or some employment in other parts of the world, or just to get rid of them because they are one more mouth to feed. You can see this in the Balkans in Albania and Kosovo in traditional legal and social codes where women and girls have a monetary value next to cows and sheep.

You get into all the cultural intricacies to try to explain why people can give away or sell a baby or a child, but this is one of the underlying conditions for trafficking in children and women.

Q: In the last half of the 20th century, every decade is marked by a broader understanding and institutionalization of human rights principles. To what degree are those concepts reaching these remote areas and breaking through these traditional practices?

A: Human rights is something that has been underlined by more advanced countries in the last 50 years or so. We understand it very well. We are trained, formed, obliged to understand human rights as they were defined in 1948 in the Universal Declaration of Human Rights and even in discussions of years before. We understand these as intellectual, cultural practices to be followed. But these are agreements among states. States have to recognize and ratify such documents and then try to reflect those agreements, those principles, in their own practices and their own legislation. Then there's the enforcement by police, authorities, and institutions of the country. Then comes education, training of the people, and practice in these principles. Some times these new practices will have to fight traditional cultures.

That's why the Universal Declaration was passed in 1948, to fight traditional practices against human rights. And some of those practices are not only political activities, but also cultural behavior.

So human rights belong to humanity as principle now, but do they reach the last human being on the hills of Thailand or on the Volta River? I think the remote populations of the world are ruled by their own traditional cultures, and rules and regulations, more than international ones. I think it will take some time for the humanist principle to reach all of the six billion people living on Earth.

It's not that I'm condoning this ignorance of human rights principles, but this involves a long-term training and imposition of humanitarian principle—things that some people are totally ignorant of.

Q: Turning to the story of the slave fishing boys in Ghana, Dr. Ernest Taylor, who is working to reunite the youngsters with their parents, readily admits that he won't reach them all, that he can't reach them all. Are counter-trafficking initiatives played out just one victim at a time?

A: That's the only way to deal with it. We are coping with a small percentage of the universal caseload. It's very good to be clear about that.

If we have a program assisting victims of trafficking in the Balkans, helping, say, 1,500 women per year, we know that the total caseload is huge. This is probably a drop in the ocean. We don't mind. If we didn't do it, the problem would be much worse. That's why we take a concrete caseload per project per year.

The 1,200 boys in Ghana is a very realistic caseload. That would mean that the actual number of children working in forced labor is probably 10 times that, if not much more than that.

“We can't send these boys—or any trafficking victims—back to the same situation. We have to empower them in a different situation.”

—Gramegna

Q: IOM is helping to release about 1,200 boys. What do you do to support their families, provide them with some opportunities, and prevent this from happening again?

A: That's probably the most difficult part: preventing these kids from being re-victimized. We can't send these boys—or any trafficking victims—back to the same situation. We have to empower them in a different situation. Children will need support for a different kind of reinsertion in their communities. The families would have to have training on breaking cultural habits, and not selling their children. The children need to recognize that they have other choices in life, which would occur through education, or perhaps employment and education.

Q: So how do you do all that?

A: Through education and assisting the families economically to avoid their sending children off again. It's going to be difficult because the cultural habits will be very strong.

Q: Taking the larger view, however, there are some sweeping regional issues of sustainable economic development involved in the issue of trafficking. All of that goes far beyond the scope of this project to free slave fishing boys in Ghana, doesn't it?

A: IOM is not a development organization. It's beyond our mandate. But when we're dealing with these individuals, we try to somehow modify the root causes for the boys who are returned to their families. We know it is a very difficult thing to do, but sometimes creating certain privileges for those who go back—in terms of education, employment, vocational training, a different family setting—would make a difference in their future.

Q: On the matter of the enactment of new legislation to attempt to curtail trafficking in Ghana and elsewhere, what are your thoughts on the effectiveness of legislation and the probability of its enforcement?

A: Legislation is definitely very much welcomed in any country. The lack of legislation means definitely a total lack of action by institutions, but the fact of having legislation doesn't assure you of everything. That's a problem in some of the countries that have passed legislation, but where legislation is not sufficiently enforced.

Legislation is good because it gives us the platform to start acting concretely with local institutions. We believe legislation must be followed by training and education, particularly in the minds of law enforcement institutions and officials.

They need to learn about their new legislation, but also the real meaning of this. What is trafficking? Who is a victim? So the legislation gives us and other actors a platform to start active training for local institutions to enforce new legislation and to engage with nongovernmental organizations and intergovernmental organizations to prevent this problem of trafficking or slavery and to protect and assist the victims.

My forecast is that it is very good that Ghana is about to adopt legislation that is within the framework of the international trafficking protocol and the convention against organized crime. After that, the rest has to be done: training, enforcement, and monitoring. Avoiding corruption is, of course, a huge issue, not only in West Africa, but all over the world without exception.

So legislation is good, but much has to be done after that.

Q: How long do you think it will take to really spread the message about the heinous nature of trafficking?

A: We have developed more experience on training law enforcement now, all over the world, but mostly in countries of origin and destination of trafficked victims. The training is not a long process, but it's a process where the final result will be smaller than the forecast. You start training 100 police officers. You will end up with five, or six, or eight that you can trust and you can work with on trafficking problems. This has been normal.

We provide training for law enforcement about the basics of trafficking—the definitions and specific police training on investigation techniques and prosecution techniques. But we know, at the end, we will end up working directly with only 10 percent of them—for one reason or another, for personnel turnover, for corruption, for lack of interest, for lack of learning.

Ten percent is fine with me, as long as there is a unit of police—including women—who will be dealing with trafficking. You have to get the most committed people to work with you. It's very difficult for people in high-trafficking areas to avoid corruption, especially when you make \$20 per month in salary, and the trafficker comes to pay you \$1,000 each time he would cross your jurisdiction with a victim. Law enforcement officers who are going to be committed to ending human trafficking must have motives based on human principles, dignity principles more than anything else.

Porter conducted a telephone interview from Washington with Gramegna at IOM headquarters in Geneva, Switzerland.

The opinions expressed in this article are those of the interview subject and do not necessarily reflect the views or policies of the U.S. government.

Freeing the Fishing Children of Ghana

By Dr. Ernest Taylor
IOM Project Director
Accra, Ghana

I first saw the boys who work the boats on the waters of Lake Volta in April 2002. Hard work under punishing conditions had robbed them of the joy and vitality that lights the faces of healthy, happy children. The faces of these trafficked children in the fishing villages were lifeless, their bodies were stunted in growth from malnourishment and neglect.

I think their minds and spirits suffer another kind of hunger. Working in conditions of forced labor, lacking any familial affection or nurturing, they are traumatized and dispirited. I found that they couldn't communicate as a normal healthy child might. I would ask them, "Do you want to go home to your family?" I had to ask several times before they would answer, as if they had been told what to do so often, they'd almost lost the ability to speak for themselves and express their own wishes.

After the question became clear to them, they did say, "yes." They want to go home even though it may be to the same families who unwittingly allowed these children to become indentured laborers. The parents likely didn't know their sons would be awakened before dawn each day to go to the boats. They didn't know the children would work until last light, pulling the nets from the water. They were probably told that their boys would be cared for and educated while working at a skill that might bring them a better future.

It is called the "placement of children" in Africa, and it has been a long accepted practice. For generations, parents have placed their children for rearing in the home of a relative or a trusted friend. Most of the time, the bonds of trust in the community assured that the child would be cared for and raised decently. In the last 40 years or so, however, traffickers seeking only profits have exploited the crushing poverty of the region and corrupted this traditional practice.

Since we began our work to free the boys in the fishing villages, Ghanaian public awareness is growing of the unfortunate circumstances that the boys endure. We took a television crew with us to the lake villages last year, and a television documentary on the plight of the children was broadcast on national television in December 2002. Having learned of their children's fate in this way, some parents are now working on their own to find their boys and bring them home.

That has been a difficult part of the project for us. Some of the boys don't know where they came from, don't remember their families' names. So we've collected photographs of the boys we hope to liberate and now work to find their parents or other relatives. But in conducting this work, I've found that the conditions that led to the boys' separation from their families

have not changed. Some parents are frightened to take back the children because they have no means to take care of them. I can see the families are also frightened that they'll be punished for having let the young ones go. Those fears are so great it seems that they overshadow the natural love parents have for their offspring. It is a pathetic thing to see.

They say to me, "If you can help us take care of the children, then we will be happy to have them back." And that is what we must do, and will try to do, with a variety of assistance and micro-credit programs. We must help them find a way to bring some income to their families to sustain them.

While we must help the families, our project will also work to help the fishermen find another way of doing business so they do not depend on using child labor. We need to help fishermen find a different way of doing things, or find additional income-generating ventures for them, so they don't use children in this way. This needs a lot of support, financial support and government support.

When we first went into these villages to locate the boys and see what we might do about releasing them, I found out that the fishermen—the slave masters—didn't think it was wrong at all to be using child labor on their boats. The way they saw it, the parent needs money. The fisherman needs somebody to work for him, and the child will do the work. The fisherman doesn't think he's doing anything wrong. In fact, he thinks he's helping to reduce poverty.

So if you tell him that it's wrong, really, he doesn't see it. You have to point out to him that he is using somebody else's child to help take care of his own child who is not engaged in fishing. I tell them: "You send your children to school in the cities in order that they will have a better life in the future, but you send somebody else's children to the lake in the cold of the night and the chill of dawn to fish for you so that you will make money to sustain the education of your children in the cities. Does it not strike you that you are being unjust and cruel to the children that do the fishing for you? Do you not see that you are spoiling the future of the fishing boys for the benefit of your own children? Think about it."

Only then did these fishermen begin to realize that, yes, something in their practices is not proper. It is then that it strikes them there is something basically wrong with that kind of practice.

The opinions expressed in this article are those of the author and do not necessarily reflect the views of policies of the U.S. Government.

European Alliance Combats Human Trafficking

An Interview

General Ferenc Banfi

Zan Jovanovski

Southeast European Cooperative Initiative Center

Law enforcement agencies in Southeastern Europe adopt an unprecedented level of cross-border cooperation to combat trafficking in persons in a region where organized criminal groups operate sophisticated networks engaged in a variety of illegal activities.

The Southeast European Cooperative Initiative (SECI) Center is a regional law enforcement organization with 12 member nations working to address a variety of criminal problems including human trafficking. The demise of communism and the Balkan wars of the 1990s created a turbulent environment in which organized criminal organizations were able to thrive, fluidly moving their activities across national borders. Recognizing that law enforcement needed to respond with the same agility, regional governments signed the Agreement on Cooperation to Prevent and Combat Transborder Crime in Bucharest in May 1999, and one year later the SECI Center began its activity.

General Ferenc Banfi is the Deputy Director of the SECI Center and Head of the Operational Support Department. **Zan Jovanovski** is a Macedonian liaison officer who has played a key role in counter-trafficking operations. *Global Issues* Managing Editor **Charlene Porter** conducted a telephone interview with the two officers who spoke with her from SECI headquarters in Bucharest, Romania.

Question: What are the particular social, geographic, and political factors that have contributed to human trafficking as a growing form of criminal activity in the region?

Banfi: The main reasons for trafficking in human beings start with economics. After the fall of the communist bloc, there was economic trouble in most of the countries of Southeast Europe. The high number of unemployed caused very great difficulties for families. They weren't able to find appropriate jobs, and they were seeking any way to find financial resources. Unluckily, one of the directions they might go was to become a victim of trafficking of human beings.

Also we should talk about educational reasons, especially the lack of appropriate education. While the economies of the countries were in trouble, at the same time, most of the victims of trafficking were not well educated. Poor education makes additional problems for potential victims who want to find appropriate jobs.

The public awareness of human trafficking must be mentioned. During the communist era, the public opinion was that prostitution is a part of criminal activity.

After that, when the trafficking in human beings became a problem, the public couldn't make the distinction between voluntary prostitution and trafficking in human beings. It was a huge problem. Society needs to know more about the difference between voluntary prostitution and the trafficking in human beings.

Q: How is human trafficking linked to other criminal activities and organizations?

Banfi: I'll give you an example. Women are recruited from Ukraine, Moldova, and Romania. The destination country is possibly a Western European country or Macedonia. It's possible they might go in either direction. The women need visas to enter Macedonia or the European Union. But usually it is not possible to get a visa by legal means. So there is a division of labor in the criminal groups. One part of the group is dealing with recruitment and transportation of women; the other part of the group is dealing with forged documents. It is a regular practice that the trafficked women have forged visas or forged passports. It is a link to another part of crime.

We find that the criminal groups working with the transportation of the victims of human trafficking are also involved in the smuggling of migrants. So there are several links between different types of crime that we have identified.

Jovanovski: The victims from Southeast Europe can

“Trafficking in human beings involves not only sexual exploitation. We can talk about abduction, psychological violence, rape, enslavement, and deprivation of liberty.”

—Jovanovski

be discovered in Central Asia or South America or Western Europe. We see a very, very strong movement of the victims. We can talk about the relation between organized crime and trafficking in human beings as one chain. We can talk about the involvement of criminal activities in all three phases—recruitment, transportation, and exploitation.

In all three of those phases, you can find a very large variety of criminal activities. Trafficking in human beings involves not only sexual

exploitation. We can talk about abduction, psychological violence, rape, enslavement, and deprivation of liberty.

We can talk about the use of forged documents, possession of narcotics and drugs. We are facing on a daily basis a relationship between trafficking in human beings and other forms of organized crime.

Criminals are cooperating with each other in the same way as we are, as law enforcement agencies.

Q: The SECI Center coordinated raids on brothels and hotels in the region last September. What were the successes of that operation?

Banfi: The regional operation of police raids on hotels, restaurants, and similar establishments was just one element. The main goal of the operation was to create an appropriate basis for further investigations. It was complex also because not just police forces were involved in this operation. There were nongovernmental organizations, the International Organization for Migration (IOM), and a specialized task force on trafficking in human beings.

Regarding the outcome, first we identified 237 victims of trafficking. Also we identified more than 293 traffickers against whom criminal investigations were initiated. Mr. Jovanovski can explain how law enforcement cooperation has continued since this operation.

It's a concrete example of how SECI Center has established the appropriate communications and exchange of information.

Also, 23 victims were repatriated with the assistance of IOM and NGOs. The operation showed that we could stop crime and remove these people from dangerous situations.

More than 200 criminals were under investigation, with some of those cases still going on with the cooperation of Macedonia, Romania, Moldova, and Ukraine. It's very important that this operation was the first one when law enforcement and other responsible actors worked together.

Jovanovski: We're very proud of this at the SECI Center because it is the most complex activity in the region of Southeast Europe. I would like to stress that we organized the very first big regional operation last September, but prior to that we had several successful cases where we had bilateral and multilateral cooperation between countries in the region regarding the targeting of specific channels of trafficking in human beings.

For example, the Macedonian law enforcement agencies asked the SECI Center to support several investigations in Macedonia. The SECI Center was asked to coordinate activities in Ukraine, Moldova, Romania, Bulgaria, and Macedonia regarding the specific channels. As a result of that exchange of information, in Macedonia three criminals were arrested. All of them were convicted. That was in 2000.

In 2003, we are not only satisfied with the exchange of information, but also with organizing the police raids in the bars and the hotels. We also provided support in bringing witnesses to the courts in Macedonia. We try to avoid bureaucracy and the maze of problems that can occur in prosecuting crimes of human trafficking.

It is not a problem to organize simple police raids. But what after that? In all of our countries, we cannot keep the witnesses in our trafficked shelters or keep them in some safe location. It is against human rights principles. How can we obtain their testimonies and their appearance in the court? Now we have excellent examples of providing assistance

for the witnesses, and we are very happy that SECI Center is coordinating those activities.

I want to stress, specifically with regard to Macedonia, that we dismantled two criminal organizations that were internationally connected.

Banfi: If there is no victim in front of the court, there is no sentencing. What is so difficult for the Macedonian authorities is to persuade the victims to appear in front of the court. Through SECI cooperation, we were able to discover the victims of a specific case and rescue them. We provided the appropriate physical protection and transportation.

U.S. Supports SECI and Counter-Trafficking Campaign

The United States has been a strong supporter of SECI's efforts to improve regional law enforcement cooperation since the organization formed in 2001. The United States has assisted with start-up costs and equipment, providing about \$1 million in support although the center is governed wholly by the 12 member states.

Four SECI task forces focus on particular areas of organized criminal activity—human trafficking, narcotics, border issues, and financial crimes. Specialized U.S. law enforcement officers are assigned to each one of these task forces to provide assistance and technical advice to regional law enforcement.

SECI members are Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Greece, Hungary, Macedonia, Moldova, Romania, Serbia and Montenegro, Slovenia, and Turkey.

Then they could testify in front of the court. Their testimony was very critical, and that assured the appropriate sentences before the court.

Q: You identified almost 300 victims in the September operation, and repatriated 23. What happened to the rest of the victims?

Banfi: The identified victims should be able to go home. As I said, 23 were repatriated, and others were taken to safe houses operated by IOM and NGOs. Sometimes they make a statement that they need no further assistance from the police or these other organizations.

Q: Why is the multilateral cooperation you've discussed such a critical element in addressing the problems?

Banfi: Trafficking in human beings is characterized by the international nature of the criminal organizations. Look at the map. There are source countries, transit countries, there are destination countries. If law enforcement agencies are working separately, they will not be in a position to identify the whole network of criminal groups associated with each other.

It is very obvious that the criminals have established a high quality of cooperation on an international level. They have a division of labor on the international level. The globalization of this type of crime is established. If we want to provide an adequate response to this challenge, we should use the same globalization strategy.

Another thing is that the phenomenon of trafficking in human beings is unique. The victims need another form of assistance beyond just law enforcement investigation. That's just one part. Most of the victims are injured emotionally, psychologically, sometimes physically.

When we think about effectively combating organized crime in this regard, we should think about how we can make a complex response and adequately address all these problems; how we can provide appropriate assistance for the victims—medical assistance, psychological assistance, financial assistance, and educational assistance. It is not the same as the person who goes to the police station because someone has stolen his car.

Our victims are in a much more difficult situation, and establishing the trust between law enforcement and the victims is much more difficult. That is the reason why we need the assistance of NGOs.

Unfortunately, most of the victims of trafficking in human beings have also committed crimes. The pimps, the traffickers are telling the victims, "You entered the country illegally, you used a forged passport." Sometimes the victims are even using drugs and so on.

That's why we need a comprehensive approach to responding to this challenge.

Q: It's been a well-documented problem in many countries that legal structures regard the victims of trafficking more as criminals than as victims, focusing on their involvement with prostitution or immigration violations without recognizing the element of coercion that put the victims in the position of creating these crimes. How has the law changed in countries in your region to recognize these problems?

Banfi: The problem is identified. There are huge discrepancies among the laws of our member states. For example, we have EU member states among the SECI members. They have laws appropriate to the EU standard. In other countries that are expecting to join the EU soon, they have more developed national legislation. In other countries, they are just starting to develop national legislation on organized crime.

I can tell you generally that the SECI Center has established a close cooperation with the Stability Pact on Organized Crime (SPOC) initiative. The SPOC Secretariat moved to Bucharest, and we agreed that it would provide assistance to the SECI Center because we recognize the gaps regarding the legislation. That is the obstacle in front of us, to solve this problem.

Q: Attempting to raise local law enforcement awareness of trafficking as a crime is also a critical part of the effort to shut down the practice. How is the SECI Center doing that? How well do you think you're succeeding?

Jovanovski: This is a criminal phenomenon of the 21st century. In the last three years, we have had a very strong development of the law enforcement

agencies and their success in combating this type of crime. In all of the countries in Southeast Europe, we have national commissions for combating trafficking in human beings, each with a national coordinator. In all of our countries, we have laws for combating trafficking of human beings, or special articles in the existing criminal codes. In all of our countries, we have specialized departments at the ministries of interior for combating trafficking in human beings.

For the very first time, the customs administration is a very strong partner with the police of the region in combating this criminal phenomenon. We're involving the customs administration as a partner. We're involving our colleagues from nongovernmental organizations and international organizations.

Law enforcement is very much changing its mentality on how to combat this criminal phenomena. We're trying to develop an approach appropriate for the 21st century. We are trying to develop our police forces on a more modern level to respect human rights and especially the rights of the victims of trafficking, but also to change our approach and our attitude.

The SECI Center is involved as a partner in a U.N. Development Program effort to create a manual for training law enforcement officers. The center is also a partner with the International Center for Migration Policy Development (ICMPD) for creating a manual on basic law enforcement education.

In all of our police academies in the region, trafficking in human beings is included in regular education and in specialization programs for law enforcement personnel. We can see that law enforcement is very much involved in changing their mentality and their actions to combat trafficking.

In all of our activities, the most attention is paid to local law enforcement because they are on the frontline. They have the very first contact with the victim, they are doing the raid, they have to decide how the cases will proceed.

Banfi: I will summarize the outcome of our cooperation in the first two years of SECI Center's existence. First, we have regional development on

legislation in our countries. Secondly, we established a communication channel including contact persons in each SECI member state, in Kosovo at the United Nations Mission, and in observer states like Ukraine. If we need any type of law enforcement cooperation in any country, we shouldn't wonder about who should be called, or who should be reached. We have partners in 12 countries. The third thing is that we already show real law enforcement results including sentences and punishments by the courts in the countries. We have established a larger cooperation network involving NGOs, international organizations, and other institutions

We have organized several training sessions in close cooperation with the ICMPD and the Stability Pact Task Force on trafficking in human beings. We have developed a comprehensive training project that is due for implementation in certain SECI member states. This comprehensive training project means that law enforcement personnel and representatives of NGOs take part in common trainings, in order to get to know each other, in order to affect each others habits and approaches. It's very important.

In order to support law enforcement activity, the U.N. Development Program, with the leadership of Romania, has developed a manual of best practices for law enforcement in combating the trafficking in human beings.

What are our weaknesses? What we have experienced is that unfortunately our member states don't have financial resources to support concrete and coordinated investigations. That's why we are seeking external financial resources, so that we may distribute them to our national law enforcement agencies.

We have special financial support from the U.S. State Department, but also professional support from the U.S. Federal Bureau of Investigation, the Drug Enforcement Agency, immigration authorities, and others.

Another weakness is that we need to further develop and urge our member countries to develop legislation regarding witness protection, victim protection, and supplementary fields of legislation.

Q: Many studies identify trafficking in human beings as the fastest growing form of criminal activity to emerge on the international scene over the last few years. Are you on the road to slowing, even reversing that trend?

Banfi: Law enforcement cooperation is one tool in the hands of our governments. But the general solution can be found in development of the economies and the educational systems of the countries. All the social reasons that generate this phenomenon must be addressed. Law enforcement will never be able to solve these types of problems. We need peace in Southeast Europe, we need peace in all of Europe, we need peace around the world. We need assistance from the developed countries to provide stronger development in all aspects of these

countries. If we have that support, I have no doubt we will reach our final goal.

Jovanovski: We are very proud of what we are doing here. I am sure there are many areas where we can improve our activities. We need support from the media, from our member countries, and from the developed countries. But I am thinking we are on a good road.

Porter conducted a telephone interview from Washington with Banfi and Jovanovski at SECI headquarters in Bucharest, Romania.

The opinions expressed in this article are those of the interview subjects and do not necessarily reflect the views or policies of the U.S. government.

Preventing Victimization in Moldova

By Jana Costachi

Director, The Center for Prevention of Trafficking in Women

A nongovernmental organization works to prevent trafficking and protect potential victims in a country that has become one of the greatest sources of women trafficked to the brothels of Europe.

Moldova is at present one of the leading exporters of human beings to Western Europe. This phenomenon started growing in Moldova in 1994-1995, when a wave of illegal emigration began because of the economic crisis that beset the nation. Just as in other formerly communist states, the demise of the Soviet Union brought inflation, declines in production, increasing unemployment, and a reduction of expenditures for the social sphere.

All of these trends had a disastrous impact on migration for Moldova. Illegal emigration, sometimes considered the only solution against poverty, became a usual and tolerated phenomenon. According to a report by the United Nations Development Program for 2000, the number of Moldovan citizens who had left the country temporarily or permanently varied between 600,000 and 1,000,000. Because many of them are in an illegal status abroad, they can become victims to various criminal networks, including human traffickers.

We don't know the exact number of women who have left the country in search of a way to support themselves or their families. We do know that women represent 70 percent of the emigrants from Moldova. The average age of the women who have left is between 18 and 45. Many of them work in the Netherlands, Germany, Spain, Italy, Turkey, Greece, and Portugal. Others have gone to the Middle East or Asia, but neither official nor unofficial sources can provide a precise figure on the number of our girls who end up in the brothels and casinos of Istanbul, Athens, or Kosovo.

Launched in February 2001, the Center for the Prevention of Trafficking in Women (CPTW),

located in our capital Chisinau, has been created as an answer to this growing problem. CPTW is a project administered by the Association of Women Lawyers, a local nongovernmental organization, and is implemented under the aegis of the United Nations Development Program (UNDP) in Moldova. The main donors to this project are the U.S. State Department through the U.S. Embassy in Moldova and the Swedish organization World Childhood Foundation. They fund an annual budget of \$123,000, which allows us to support a nine-person staff involved in our programs.

In 2002, CPTW launched its first local branches in the districts of Ungheni and Balti. These border regions are identified as having a high risk of trafficking in human beings.

Our goal is simple. We want to keep Moldovan women and girls out of the brothels of the world. We're trying to do this through education, prevention, and prosecutorial efforts. We are working to create an efficient infrastructure for preventing and prosecuting trafficking in human beings. We hope to help strengthen the judicial system's capacity in order to work toward a goal of reducing human trafficking.

CPTW is engaged in informing vulnerable groups of teenagers about the risks and methods of human trafficking. In doing so, we also hope to develop among minors a stronger understanding of the rule of law and their rights under the law in order that they may be in a better position to protect themselves against trafficking.

Our informational and educational activities are not directed solely toward youth. We provide free assistance for anyone in need of information about human trafficking, and we are also working to improve the legal knowledge and practices among national law enforcement bodies in applying international and national anti-trafficking laws and norms.

CPTW is also working with law enforcement in the development of human trafficking prevention and prosecution programs. Civil society organizations are also involved helping to improve victims' access to justice and developing other counter-trafficking activities.

U.S. Embassy Supports Counter Trafficking in Moldova

The Center for Prevention of Trafficking in Women (CPTW) has been a leader in the fight against trafficking in Moldova since February 2001. The center has helped hundreds of trafficking victims and potential victims.

The State Department, through the U.S. Embassy in Chisinau, started funding the center in February 2001 with a grant of \$60,000. In the first year, the CPTW focused its activity on prevention through an effective media campaign.

A second grant from the Department of State in March 2002 provided another \$76,000 to support direct assistance to potential or trafficked victims,

For the third year of activity, April 2003-April 2004, the Department of State contributes \$100,000 to fund the center.

U.S. Embassy, Chisinau

CPTW is laying the groundwork for the creation of a comprehensive anti-trafficking response by building an active database of multi-lateral agencies and their efforts to prevent human trafficking. The efforts catalogued in this database range from government, inter-governmental (IGO) and nongovernmental (NGO) responses to a catalog of CPTW's current materials, promotions, events, and partners. This data is readily available and is accessed via the CPTW website: www.antitraffic.md From this site, anyone interested in understanding or contributing to mechanisms to prevent human trafficking can access current information, materials, and partners. The local and national government, international community, nongovernmental community, general public, and potential victims all benefit from the construction of a free and central information clearinghouse.

With the use of a variety of media campaigns across Moldova, CPTW focuses attention on the problem of human trafficking and emphasizes the need for effective prevention and prosecution. Our award-winning weekly radio program, TV programs, newspaper articles, advertisements, and permanent billboards attract attention to the many dangers of human trafficking. Broadly distributed and free of charge, this information helps to nurture a heightened awareness about the personal and social risks human trafficking poses to all members of the population. Moldovan society as a whole is the target audience because the problem of human trafficking affects such a wide segment of the population.

Potential victims are targeted in a more specific way with provocative and discriminating information campaigns. During two years of its activity, CPTW has blanketed the country with more than 231 radio programs, nine television documentaries produced and broadcast through 15 national and local channels, 100 news articles, billboards, and editorials across Moldova's media spectrum.

Teenagers are most vulnerable to the false promises

“We want to keep
Moldovan women and
girls out of the
brothels of the world.”

—Costachi

of opportunity abroad made by potential traffickers. CPTW targets them with awareness campaigns introduced mainly in rural schools. CPTW has trained approximately 100 youth volunteers from all districts across Moldova to help implement these programs. The volunteers, supervised by members of the project team, conduct seminars aimed at

the prevention of human trafficking. Our purpose is not only to educate about the dangers of human trafficking, but also to help teens understand the law and make them capable to protect themselves against violation of their rights.

CPTW also identifies cases of abuse and violations of children's rights in order to provide social and legal assistance to children from abusive environments who are especially attractive potential victims to traffickers. CPTW has educated more than 7,000 teenagers through 400 seminars in all districts of Moldova. Using young adults to educate the children is proving very successful. By promoting a program about not only the physical and psychological dangers of human trafficking, but also the legal and social aspects of this phenomenon, the most vulnerable populations are informed about the full range of dangers associated with human trafficking.

Volunteers are also involved in the dissemination of informative materials. More than 100,000 copies of educational brochures and leaflets, newsletters, and magazines produced by the center during its two years of activity have been distributed in schools, transit stations, on streets, and to strategic partners.

CPTW supports and operates three telephone information hotlines in Chisinau, Ungheni, and Balti. The hotlines provide information on securing legal employment and migration, as well as how to receive CPTW's free social and legal assistance. The hotlines are direct links to people with immediate concerns and fears about human trafficking. They also can help potential victims at any stage in their decision to emigrate or with assistance upon return. Often the hotlines also are a vital link to people

with information about immediate trafficking activity. Finally, the hotlines can assist families and friends in their attempts to locate their loved ones who may have disappeared.

Since February 2001, CPTW's hotline operators have helped more than 3,000 persons. Analysis of these cases tells us that people from different social categories become victims of trafficking, but most of them come from poor families with living standards below the poverty line. These are people who have been victims of abuse in their living environment, who have undergone stress and moral traumas, some of them having been abandoned by their parents or by society. The lack of specialized social services for these categories of girls is a factor in their decision to leave the country.

As part of our stated goal to prevent and prosecute human trafficking, CPTW works with all areas of the national and international community to develop law enforcement training programs based on the latest information and techniques. CPTW regularly provides specialized training modules for police, border guards, prosecutors, judges, and other officials. CPTW has increased the professional awareness about anti-trafficking programs, services, and procedures to 250 officials. By training and educating the law enforcement and juridical officials and actors, prevention and prosecution of human trafficking receives much needed attention. These organizations can help promote a broader sense of security across society.

Additionally, CPTW works with returning and repatriated victims to secure proper documents and works with prosecutors who are handling their cases. Returning and repatriated victims can receive free assistance in navigating an often confusing and difficult process to gain new documents and identity papers. CPTW has assisted 140 victims of trafficking with new documents and identity papers.

In April 2003, CPTW started to represent victims of trafficking, including minors, in civil lawsuits and criminal trials. Professional lawyers represent victims in civil lawsuits—such as divorce, property loss, and restoration of maternal rights—by representing their interests in a court of law and in other relevant domains. In criminal trials, CPTW is advocating for the legal interests of victims and

injured parties, including minors (with their appointed social assistant), for the entire length of the criminal process.

Based on experience gained during the process of representation of victims in trials, CPTW lawyers are working on development and expansion of national standards of protection and security of injured parties, victims, and witnesses during the course of the criminal trial. As part of this effort, we will be pushing for the development of national standards for victim and witness protection during human trafficking trials, and the establishment of temporary shelters for vulnerable parties until verdicts are delivered or judicial action is otherwise completed.

In order to ensure the success of the project and the efficiency of its activities, CPTW needs to have good communications with all actors involved in counter-trafficking. CPTW has memorandums of understanding with the most active institutions, such as the national Service of Migration, Department of Social Assistance of the Ministry of Labor and Social Protection, Division for Combating the Organized Crime of the Ministry of Internal Affairs, Department of Youth and Sport from the Ministry of Education, Department of Information Technologies, Border Police Control, Council of Ungheni district, and the International Organization for Migration. In addition, CPTW established fruitful collaboration with representatives of law enforcement institutions, local NGOs working in the field, and national and local media companies.

The CPTW has significant expertise implementing preventive measures against trafficking in women and children. The results achieved by CPTW during its first two years of activity prove that this independent entity has the capacity to manage and implement activities in prevention, victims' rehabilitation, and prosecution of cases of trafficking. By consolidating and expanding the current prevention, prosecution, and rehabilitation components of CPTW's work, vulnerable groups, women, and children are empowered to gain the knowledge they lack to prevent exploitation by traffickers and live in a secure environment.

The opinions expressed in this article are those of the author and do not necessarily reflect the views or policies of the U.S. Government.

ADDITIONAL RESOURCES

Developing Countries Take a Stand Against Trafficking

The following is excerpted from the third annual *Trafficking in Persons Report*, a comprehensive worldwide study by the U.S. State Department on the efforts of governments to combat trafficking in persons. The following section on “best practices” describes specific, inexpensive anti-trafficking measures being taken in many developing countries.

International Engagement: Sharing Best Practice

A number of innovative anti-trafficking efforts came to light during the preparation of the TIP Report and through the Trafficking Office's engagement with foreign governments and international and non-governmental organizations throughout the year. Many of these efforts are particularly notable because they demonstrate low or no-cost anti-trafficking measures that are sustainable.

Many developing countries have high percentages of working children and a problem with trafficking for forced labor or forced commercial sexual exploitation. In response, several have established local vigilance or watchdog committees to assist authorities in rescuing children, catching traffickers, and preventing trafficking. Some cash-poor governments are educating residents in trafficking-prone areas of the dangers of trafficking—through meetings with local traditional, religious, ethnic, or community leaders establishing child rights clubs in schools; running nationwide public awareness campaigns that include radio and television spots, cartoons, talk shows, dramas, and debates; and reaching bilateral and regional agreements to combat trafficking in persons.

After listening to victims and then mobilizing community participation, many are now strengthening partnerships with non-governmental and international organizations, which are well placed to assist victims.

"Red Card Against Child Labor." African governments, the ILO, and the Federation for International Football Associations teamed up with airlines, popular African soccer players, music personalities, and television and radio stations throughout Africa to launch a continent-wide anti-child labor campaign during the Africa Cup of Nations Soccer tournament. Television and radio stations broadcast songs and public service announcements throughout the month-long tournament. In this campaign, airlines gave "red cards" to fans traveling to these matches indicating their support to "eject" or end the worst forms of child labor. This campaign is being replicated for other regions of the world and will be included in the next World Cup tournament. Some African countries, such as Cote d'Ivoire and Ghana, continue to use these anti-child labor broadcasting spots during national and local soccer matches.

Targeting Transporters. The Government of Benin educated transporters and the transport unions as well as taxi and lorry drivers on the dangers of trafficking through meetings, briefings, and road signs. In addition, local vigilance committees use chiefs and respected local women to help legitimize the importance of enforcing penalties against traffickers.

Discouraging Sex Tourism. The Government of Brazil is fighting sex tourism by asking hotels to be active in discouraging child prostitution on their premises. Hotels participating in the program receive an extra "star" in their quality rating. Brazil also distributes brochures to visiting tourists making them aware of the penalties associated with exploiting minors. The Government of The Gambia asks visitors to give information to the police about sex tourists and the sexual exploitation of children through a special tip system. The government requires fingerprints before residence permits are issued to foreigners in order to check criminal records to prevent known exploiters from operating in the country. The Tourism Bill before the National Assembly provides protective measures for children

against sex tourists. The Gambian Government and the Government of The Netherlands set up a special police unit to monitor and track Dutch pedophiles in The Gambia.

Public Awareness. The Government of Mozambique has joined forces with non-governmental and international organizations to creatively utilize festivals, nationwide youth debates, dances, dramas, and posters to raise public awareness about child prostitution. They have saturated radio and television with key anti-child exploitation messages. The government also has conducted seminars for police emphasizing their role in protecting children.

Mass Mobilization. The Government of Bangladesh and international donors organized a month-long road march campaign throughout the country to highlight trafficking in persons and other crimes against women. Bangladeshis and government officials participated in the marches that educated communities about how to reintegrate, assist, and accept trafficking victims back into their home communities.

Mobilizing Children. The Government of Tanzania is educating children on the importance of watching out for one another. When children see one of their friends being abused or about to be trafficked, they blow wooden whistles that they have been taught to make, to identify the child in need. Community members, hearing the distress whistles being blown, then come to the child's rescue.

Listening to Exploited Children. The Government of Sierra Leone provides broadcast time for a "Voice of the Children" radio program run for and by children to assist in the psychological recovery process from the civil war.

Ban on Child Camel Jockeys. The government of the United Arab Emirates (UAE) is the first to enforce a ban on the use of underage, underweight camel jockeys. DNA testing is used to determine the parentage of children coming into UAE for work as camel jockeys and hand-bone x-rays are used to determine the age of camel jockey applicants. These practices prevent reliance on potentially fraudulent identity documents.

Source-Destination Cooperation. UAE police and Uzbek non-governmental organizations are

working together on the rescue and repatriation of victims. The UAE also is working with the Government of Bangladesh to sensitively repatriate child camel jockeys. The Government of Saudi Arabia has opened an information center in Sri Lanka, a major source country for foreign labor, to provide briefings for foreign workers on their rights and responsibilities and on cultural mores in Saudi Arabia. This is done in an attempt to better acquaint potential workers—especially women—with the lifestyle they will be expected to lead in the Kingdom and helps prevent misunderstandings with employers. Separate entry lines for foreign workers at airports in Saudi Arabia are used to give workers information on rights and responsibilities and points-of-contact should they need assistance. The United Kingdom has appointed prosecutors as liaison magistrates in source countries as well as in Spain, Italy, and France.

Rewarding Law Enforcement. In Andhra Pradesh, India, a law enforcement officer's performance appraisal is linked to his or her efforts to apprehend and investigate human traffickers.

Victim Assistance. The Government of Morocco provides social workers to facilitate the repatriation of child maids to families. Moroccan diplomats in destination countries are trained about trafficking and actively go into Moroccan expatriate communities to look for victims. The Government of Sri Lanka assigns welfare officers to its embassies in countries in the Middle East to assist trafficking victims. The Kyrgyz Republic has labor offices to identify vulnerable nationals working in Russia. Police officers in Ukraine work closely with an active network of non-governmental organizations to assist victims.

Border Monitoring. In Nepal, former victims work alongside Nepalese border officials to identify traffickers and victims at key crossing points. The

former victims are able to spot potential victims and provide assistance. The Government of Colombia has sent officials to the airports to identify and talk with likely trafficking victims as they are sitting and waiting to fly out. In many cases, they have succeeded in educating women about the dangers of traffickers and many potential victims elected not to leave. The Government of Romania facilitates cross-border law enforcement cooperation and assists in the coordinated anti-trafficking, joint law enforcement operation throughout the region.

Witness Protection. The Government of Sri Lanka encourages the use of video-taped testimony from children and other victims as evidence in trials of traffickers to decrease the trauma of the victims.

Government-NGO Cooperation on Law Enforcement. The Government of Thailand brings together government and NGO officials in an interagency working group to develop and implement comprehensive anti-TIP strategies. NGOs work to identify victims, pass that information along to the government, which can raid brothels, then refers victims' names and addresses to the NGOs for shelter and assistance. NGOs uncover information, such as the traffickers' names and addresses, from the victims and then pass that information back to the government to assist police work. The process makes for a regular exchange of information at a tactical level. A similar law enforcement Task Force exists in Edo State, Nigeria.

Shining A Light on Patrons. In addition to closing brothels that employ trafficking victims, South Korean police have threatened to publish the names of brothel owners and patrons. Many of the owners are prominent citizens and this strategy has proven to be a real deterrent.

Trafficking in Persons or Alien Smuggling?

The Protection Project
Johns Hopkins University School of Advanced International Studies

Two kinds of criminal activity involve the illegal movement of persons across international borders—trafficking in persons and migrant smuggling. Trafficking in persons and migrant smuggling are similar, but international agreements and national laws do make distinctions between them. The Protection Project, a research organization focused on trafficking issues, provides this analysis of those distinctions.

Smuggling of aliens or "illegal migrant smuggling" is defined by the U.N. 2000 Protocol Against Smuggling of Migrants by Land, Sea and Air, supplementing the U.N. Convention Against Transnational Organized Crime, to mean "the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of illegal entry of a person into a state, party of which the person is not a national or permanent resident" (Article 3 (a)).

Unlike trafficking in persons, which may occur internationally as well as internally or domestically, alien smuggling is always of a transnational nature, since it requires crossing a national border, and as such it involves an "illegal entry" of a person into a country of which such a person does not have legal status. Illegal entry, in this context, means "crossing borders without complying with the necessary requirements for legal entry into the receiving state" (Article 3 (b)).

For instance, in Bosnia, police arrested 37 criminals from Iran and Turkey who allegedly smuggled some 900 illegal immigrants into countries of the European Union. In the U.S., federal officials discovered in August 2002 a huge child-smuggling ring, smuggling hundreds of children from Guatemala, El Salvador, and Honduras through Mexico to Los Angeles. In 2000, U.S. officials discovered another ring that smuggled aliens from China through the Caribbean countries including Jamaica, the Dominican Republic, and Haiti, to the United States.

The Protocol recognizes as criminal offenses "when committed intentionally and in order to obtain, directly or indirectly, a financial or other material benefit, (a) "the smuggling of migrants; (b) when committed for the purpose of enabling the

smuggling of migrants (i) producing a fraudulent travel or identity document; (ii) procuring, providing, or possessing such a document; (c) enabling a person who is not a national or a permanent resident to remain in the state concerned without complying with the necessary requirements for legally remaining in the state by the means mentioned in subparagraph (b) of this paragraph or any other illegal means" (Article 6).

These criminal offenses are considered crimes against the state, while trafficking in persons is a crime against the individual. Moreover, in cases of alien smuggling, the smuggled alien, consenting to be smuggled, is treated as a criminal, whereas a trafficked person is considered a victim of the crime of trafficking since the trafficked person is typically subject to the "threat or use of force or other forms of coercion, of abduction, or fraud and deception, of the abuse of power, or of a position of vulnerability..."(Article 3(a) of the Trafficking in Persons Protocol), and as such, the person's consent is either lacking altogether or defective. In either case it becomes "irrelevant."

Consequently, while governments should adopt protective measures to protect trafficked persons, including granting such persons a residency status, in cases of alien smuggling, the smuggled person becomes subject to deportation. Therefore, unlike the U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which mandates states parties consider granting victims of trafficking temporary or permanent status, the Smuggling of Migrants Protocol calls upon states parties to "facilitate and accept, without undue or unreasonable delay, the return of a person who has been the object of conduct set forth in article 6 of this Protocol and

who is its national, or who has the right of permanent residence in its territory at the time of return" (Article 18(1)).

Nonetheless, the smuggled person is entitled to be treated with dignity until such person is deported. The Protocol mandates that parties preserve and protect the rights of a smuggled alien, including "the right to life and the right not to be subjected to torture or other cruel, inhuman, or degrading treatment or punishment" (Article 16(1)). The smuggled aliens should also be afforded "appropriate protection against violence that may be inflicted upon them, whether by individuals or groups, by reason of being the object of conduct set forth in article 6 of this Protocol" (Article 16(2)), in addition to the "appropriate assistance to migrants whose lives or safety are endangered" by such reason (Article 16(3)). In the case of their detention, the Protocol mandates that each state party must "comply with its obligations under the Vienna Convention on Consular Relations, where applicable, including that of informing the person concerned without delay about the provision concerning notification to and communication with consular officers" (Article 16(5)).

The Protection Project is a legal-human rights research institute based at the Johns Hopkins University School of Advanced International Studies in Washington, D.C. The project documents and disseminates information about the scope of the problem of trafficking in persons, especially women and children, with a focus on national and international laws, case law, and implications of trafficking on U.S. and international foreign policy.

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Anti-Slavery International

<http://www.antislavery.org/homepage/antislavery/trafficking.htm>

Anti-Trafficking Programme

<http://www.antitrafficking.org/frameset%5Findex.htm>

Captive Daughters, Inc.

<http://captive Daughters.org/index.htm>

Coalition Against Trafficking in Women

<http://www.catwinternational.org/>

Coalition to Abolish Slavery and Trafficking (CAST)

<http://www.castla.org/>

ECPAT (End Child Prostitution and Trafficking)

<http://www.ecpat.net/eng/index.asp>

Freedom Network (USA) To Empower Trafficked and Enslaved Persons

<http://www.freedomnetworkusa.org/>

Georgetown University School of Foreign Service Institute for the Study of International Migration

<http://www.georgetown.edu/sfs/programs/isim/VitalVoicesHumanTrafficking.htm>

Global Alliance Against Trafficking in Women

<http://www.thai.net/gaatw/>

Human Rights Watch Campaign Against the Trafficking of Women and Girls

<http://www.hrw.org/about/projects/traffcamp/intro.html>

HumanTrafficking.org

<http://humantrafficking.org/>

International Human Rights Law Group Initiative Against Trafficking in Persons

http://www.hrlawgroup.org/initiatives/trafficking_persons/

International Humanitarian Campaign Against the Exploitation of Children

<http://www.helpsavekids.org>

International Organization for Adolescents International Youth Trafficking Prevention Initiative

<http://www.iofa.org/initiatives/initiative2.html>

International Organization for Migration Counter-Trafficking

http://www.iom.int/en/what/counter_human_trafficking.shtml

Interpol Children and Human Trafficking

<http://www.interpol.int/Public/THB/default.asp>

Project Hope International

<http://www.phi-ngo.org/>

Protection Project

<http://www.protectionproject.org/main1.htm>

Shared Hope International

<http://www.sharedhope.org/>

Stop-Traffic

<http://www.stop-traffic.org/>

La Strada

<http://www.ecn.cz/lastrada/index.html>

U.N. Development Fund for Women Trafficking in Women and Children

<http://www.unifem-eseasia.org/Gendiss/Gendiss2.htm>

**U.N. Office on Drugs and Crime
Trafficking in Human Beings**

[http://www.unodc.org/unodc/trafficking_ human_beings.html](http://www.unodc.org/unodc/trafficking_human_beings.html)

**U.S. Agency for International Development
Trafficking in Persons**

<http://www.usaid.gov/about/trafficking/>

**U.S. Department of Justice
Trafficking in Persons and Worker Exploitation
Task Force**

<http://www.usdoj.gov/crt/crim/tpwetf.htm>

**U.S. Department of State
International Information Programs
Human Trafficking**

<http://usinfo.state.gov/topical/global/traffic/>

**U.S. Department of State
Office to Monitor and Combat Trafficking in
Persons**

<http://www.state.gov/g/tip/>

**Vital Voices
Anti-Trafficking and Human Rights**

<http://www.vitalvoices.org/programs/anti-trafficking/>

global issues



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