

Stop Trafficking !

Anti-Human Trafficking Newsletter



Awareness

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Action

July 2009 Vol. 7 No. 7

This issue highlights the 2009 Trafficking in Persons Report from the U.S. Dept. of State.

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‘Trafficking In Persons’ TIP Report for 2009

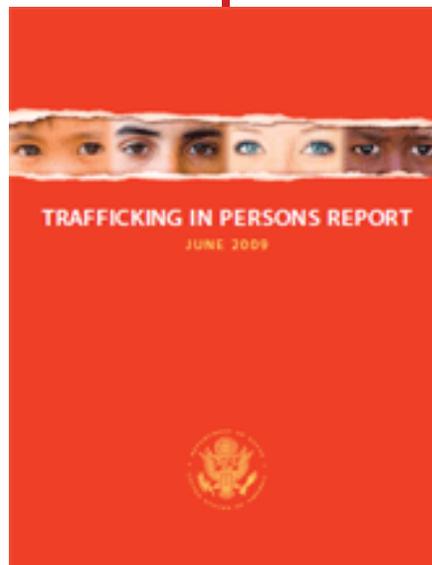
The 2009 *Trafficking in Persons Report* (TIP) is the ninth annual report submitted to Congress by the U.S. State Department as a requirement under the *Trafficking Victims Protection Act* (TVPA). It assessed and ranked 175 countries during the period April 2008 through March 2009.

“During this time and since the passage of the TVPA, the fight against trafficking passed an important milestone, as more than half of the world’s countries have enacted criminal legislation prohibiting all forms of trafficking in persons. Over the last year alone, 26 countries enacted new anti-trafficking legislation, some going beyond the minimum standards of the TVPA and the 2000 UN TIP Protocol by offering the victims of trafficking restitution through court proceedings and other protections.”

“The last year was marked also by the onset of a global financial crisis, which has raised the specter of increased human trafficking around the world. As a result of the crisis, two concurrent trends — a shrinking global demand for labor and a growing

supply of workers willing to take ever greater risks for economic opportunities — seem a recipe for increased forced labor cases of migrant workers and women in prostitution.” (TIP pg. 9)

“This report attempts to identify systemic contributing factors to particular forms of human trafficking. These include particular policies or practices, such as labor recruiters’ charging of excessive fees to prospective migrants and governmental policies allowing employers to confiscate passports of foreign workers — factors that have been shown to contribute to forced labor.” (TIP pg. 11)



The Report is accessible at:
<http://www.state.gov/g/tip/rls/tiprpt/2009/>



See pages 2-5 for further insights into the Report.



Awareness

“The root causes of migration and trafficking greatly overlap. The lack of rights afforded to women serves as the primary causative factor at the root of both women’s migrations and trafficking in women...By failure to protect and promote women’s civil, political, economic and social rights, governments create situations in which trafficking flourishes.”

Radhika Coomaraswamy, UN Special Rapporteur on Violence Against Women (TIP pg. 36)

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Overview of the TIP Report

In prior years 100 or more trafficking victims had to be documented for a country to be ranked in the TIP Report. The *William Wilberforce Trafficking Victims Protection Reauthorization Act* of 2008 (TVPRA of 2008) eliminated this requirement, thereby expanding the scope of countries included in the 2009 report.

The TIP Report is “a diplomatic tool for the U.S. Government to use to encourage continued dialogue and to help focus resources on prosecution, protection, and prevention programs and policies.” (TIP pg. 14)

(The U.S. is covered in a separate report.)

Topics of Special Interest

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Gender Imbalance in Human Trafficking

“According to the *International Labor Organization* (ILO), the majority of people trafficked for sexual exploitation or subjected to forced labor are female. According to researchers, both the supply and demand sides of the trade in human beings are fed by ‘gendered’ vulnerabilities to trafficking. These vulnerabilities are the result of political, economic, and development processes that may leave some women socially and economically dependent on men. If that support from men becomes limited or withdrawn, women become dangerously susceptible to abuse. They often have no individual protection or recognition under the law, inadequate access to healthcare and education, poor employment prospects, little opportunity to own property, or high levels of social isolation. All this makes women easy targets for harassment, violence, and human trafficking.”

“Research links the disproportionate demand for female trafficking victims to the growth of certain “feminized” economic sectors (commercial sex, the ‘bride trade,’ domestic service) and other sectors characterized by low wages, hazardous conditions, and an absence of collective bargaining mechanisms. Exploitative employers prefer to use trafficked women—traditionally seen as submissive, cheap, and pliable—for simple and repetitive tasks in agriculture, food processing, labor-intensive manufacturing, and domestic servitude.”

“In countries where women’s economic status has improved, significantly fewer local women participate in commercial sex. Traffickers bring in more female victims to address the demand and also take advantage of women who migrate voluntarily to work in any industry. As commercial sex is illegal in most countries, traffickers use the resulting illegal status of migrant women that have been trafficked into commercial sex to threaten or coerce them against leaving.”...

“In many cultures, new widows must adhere to strict mourning practices, such as a month of isolation, or become outcasts. Despite official inheritance laws, during her isolation the relatives of a deceased man may confiscate the man’s property from his widow and children. In many cases, without her husband’s permission the destitute widow may not withdraw money from her bank account, register her husband’s death or their child’s birth, receive a passport, or take a job. Without a birth certificate, she cannot enroll her child in public school or see the doctor at the local clinic. Desperate to feed her child, the widow becomes easy prey for human traffickers.” (TIP pg. 36)



Awareness

“Where human trafficking exists, the Rule of Law cannot exist.”
Andy Prozes, CEO, LexisNexis Group

Public-Private Sector Partnerships: A Powerful Tool

“With limited resources in great demand, government, corporate, and NGO leaders are coming together to find new ways to combat human trafficking. These partnerships have varied in size, scale, and duration, though they have one key common element: the desire to harness various competencies to tackle human trafficking.”

- “In 2008, *LexisNexis*, an online database service, partnered with the U.S. *National Human Trafficking Resource Center* (NHTRC) to develop a national database of social service providers for the Center’s hotline. In Southeast Asia, *LexisNexis* partnered with a leading anti-trafficking NGO and taught technical skills to the shelter’s staff. The company also created an online resource center for attorneys who work with human trafficking victims; it collaborated with the American Bar Association (ABA) to support a training institute on civil remedies for TIP victims, which trained lawyers from six countries and across the United States.”
- “Wyndham Hotel Group partnered with the anti-trafficking NGO *Polaris Project* and made hundreds of free hotel rooms available for trafficking victims in emergency situations.” (See TIP pg. 10 for more examples.)

2008 TVPA Strengthens Prohibitions Against Forced Labor and Fraudulent Recruitment of Foreign Workers

“The enactment of the *Trafficking Victims Protection Reauthorization Act* of 2008 (TVPRA of 2008) strengthened the U.S. Government’s criminal statute on forced labor. It clarified nonphysical forms of coercion, which are recognized as potent tools used by traffickers. The act now explicitly provides a detailed explanation of ‘abuse or threatened abuse of law or legal process,’ a prohibited means of coercion under both the forced labor and sex trafficking statutes. This is often seen practically in acts such as an employer threatening to have a migrant arrested and deported as an undocumented alien if he or she refused to enter into or continue a form of labor or services.”

“The statute also explains that ‘serious harm,’ another form of coercion, includes harming or threatening to harm someone financially in such a significant way that it would compel that person to enter into or continue a form of labor or services.”

“The TVPRA of 2008 also created a new criminal statute prohibiting fraud in foreign labor contracting, which imposes criminal liability on those who, knowingly and with intent to defraud, recruit workers from outside the United States for employment within the United States by means of materially false or fraudulent representations. While not a trafficking-in-persons offense per se, this crime may be closely linked to forced labor. The new statute prescribes a punishment of up to five years’ imprisonment.” (TIP pg. 26)

The Language of Human Trafficking

“Finding the right words to describe the crime remains a persistent challenge in combating human trafficking. Most formulations used to describe trafficking focus on the trade or buying and selling of people, or they mean something closer to “smuggling,” which relates specifically to movement over borders. These words, including the word trafficking in English, may not adequately capture the most important aspect of the practice: exploitation.” (TIP pg. 15)

Language	Phrase	Literal Translation
Arabic	<i>Al-ittijaar b'il-bashar</i>	The commercial trade of people
Burmese	<i>Lu kon ku de</i>	Trade in people
French	<i>La traite des personnes</i>	The trade of people
Japanese	<i>Jinshin bai bai</i>	The buying and selling of people
Mandarin	<i>Guǎi mài</i>	The cheating/tricking and selling of people
Mandarin	<i>Fan mai ren kou</i>	The buying and selling of people
Russian	<i>Torgovlyei lyudmi</i>	The trade of people
Spanish	<i>La trata de personas</i>	The trade of people
Swahili	<i>Usafirishaji haramu wa binadamu</i>	The illegal transportation of human beings
Thai	<i>Garn ka manut</i>	The act of trading persons



Advocacy

TIP Report Tier Placements

Based on the extent of a government's actions to combat human trafficking. (See TIP Report pg. 50)

Tier 1: Governments that fully comply with the TVPAs minimum standards for the elimination of human trafficking. (n) new country in ranking as of 2009; (+/-) indicates the number of tiers a country moved up (+)/down (-) since 2008.

Australia Austria Belgium Canada Columbia Croatia	Czech Republic Denmark Finland France Georgia Germany	Italy Korea, Rep. of Lithuania Luxembourg Macedonia Mauritius (+)	The Netherlands New Zealand Nigeria (+) Norway Poland	Slovenia Spain Sweden Switzerland United Kingdom
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Tier 2: Countries that make significant effort to bring themselves into compliance.

Afghanistan Albania (+) Antigua & Barbuda (n) Armenia (+) The Bahamas (n) Barbados (n) Belarus Benin Bolivia Bosnia/Herz. Botswana (n) Brazil Brunei (n) Bulgaria Burkina Faso Chile	Costa Rica (+) Cyprus (+) East Timor Ecuador El Salvador Estonia Ethiopia The Gambia (+) Greece Honduras Hong Kong (-) Hungary (-) Iceland (n) Indonesia Ireland	Israel Jamaica Japan Jordan (+) Kazakhstan Kenya Kosovo (n) Kyrgyz Republic Laos Liberia Macau Madagascar (-) Malawi The Maldives (n) Malta	Mexico Mongolia Morocco Mozambique (+) Namibia (n) Nepal Oman (++) Palau (n) Panama (+) Paraguay Peru Portugal Romania Rwanda Serbia	Sierra Leone Singapore Slovak Republic South Africa (+) Suriname Taiwan Tanzania Thailand Togo Trinidad/Tobago (n) Turkey Uganda Uruguay Vietnam Zambia (+) Table cont. pg. 5
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"To some, human trafficking may seem like a problem limited to other parts of the world. In fact, it occurs in every country, including the United States, and we have a responsibility to fight it just as others do. The destructive effects of trafficking have an impact on all of us. Trafficking weakens legitimate economies, breaks up families, fuels violence, threatens public health and safety, and shreds the social fabric that is

necessary for progress. It undermines our long-term efforts to promote peace and prosperity worldwide. And it is an affront to our values and our commitment to human rights."

Sec. Hillary R. Clinton, June 16, 2009

Debt Bondage in Pakistan

Waleed, a bonded brick kiln worker, was freed in 1997 by a historic Pakistani Supreme Court decision that deemed bonded labor illegal. But he could not adjust to freedom, not knowing how to support his family of six. Work at the kiln was the only life his family knew.

They went back. Ten years later Waleed, now age 45, is once again in bondage, having accumulated a debt of more than \$700. He, his wife, two young daughters, son, and daughter-in-law all work as brick makers. Together they make 2,000 bricks a day, for which they are paid \$3. To cover their daily expenses — including food, electricity for one 60-watt light bulb, and medical care for frequent mosquito-borne illnesses — the family takes more loans from the kiln owners and continues working to repay these debts.

(TIP pg. 11)



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Adjustments to TIP Rankings

“There were 40 countries on Tier 2 Watch List in the June 2008 report. Two additional countries were reassessed as Tier 2 Watch List countries in November 2008. The Department of State included these 42 countries in an ‘Interim Assessment’ released on January 27, 2009.”

“Of these 42 countries on Tier 2 Watch List at the time of the Interim Assessment, 11 moved up to Tier 2 in this report, while four fell to Tier 3 and 27 remain on Tier 2 Watch List. Countries on Tier 2 Watch List in this report will be

re-examined in the next Interim Assessment, which will be submitted to the U.S. Congress by February 1, 2010.”

“Amendments made by the TVPRA of 2008 provide that any country that has been ranked Tier 2 Watch List for two consecutive years (beginning with the 2009 Report) will be ranked Tier 3, unless the President waives application of this provision based on a determination that, among other things, the government has a written plan for meeting the TVPA’s minimum standards.” (TIP pg. 13)

TIP Report Placements *cont. from pg. 4*

Special Watch List: Based on the overall extent of human trafficking in the country and the extent to which government officials have participated in, facilitated, condoned, or are otherwise complicit in human trafficking.				
Algeria (+)	China (PRC)	Guinea	Micronesia (n)	Senegal
Angola (-)	Congo (DRC)	Guinea-Bissau	Moldova (+)	Sri Lanka
Argentina	Congo (Rep. of)	Guyana	Montenegro	Tajikistan
Azerbaijan	Cote D'Ivoire	India	Neth. Antiles• (n)	Tunisia (n)
Bahrain	Djibouti (-)	Iraq (n)	Nicaragua (-)	Ukraine (-)
Bangladesh (-)	Dominican Repub.	Latvia (-)	Pakistan (-)	Un.Arab Emir.(-)
Belize (-)	Egypt	Lebanon (-)	Philippines (-)	Uzbekistan
Burundi	Equatorial Guinea	Lesotho (n)	Qatar (+)	Venezuela
Cambodia (-)	Gabon	Libya	Russia	Yemen (-)
Cameroon	Ghana (-)	Mali (-)	St. Vincent & the Gren. (n)	(• See TIP pg. 220)
Cent. Afr. Rep.	Guatemala			
Tier 3: Countries that do not fully comply and do not make significant effort to work toward compliance.				
Burma	Fiji	Mauritania (--)	Papua N. Guinea	Swaziland (n)
Chad (-)	Iran	Niger (-)	Saudi Arabia	Syria
Cuba	Kuwait	North Korea	Sudan	Zimbabwe (-)
Eritrea (n)	Malaysia (-)			

Victims in Shelters: A Bad Practice

“Once positively identified, law enforcement authorities should remove victims as quickly as possible from detention centers or jails and refer them to appropriate care facilities where they can receive counseling, shelter, medical care, and legal aid. This should apply to all victims, regardless of nationality and regardless of immigration status.”

“For adult victims, the government should obtain their informed consent before committing them to more than a temporary stay in a shelter facility. Victims should be provided with available options.” ...

“According to an August 2008 paper published by the *Australian Agency for International Development*, governments often neglect to obtain the full and informed consent of adult trafficking victims when placing them in a govern-

ment-run or government-funded shelter. This detention can impede a victim’s rehabilitation as the victim feels confined and denied basic freedoms—the hallmark of trafficking experiences. Lengthy detention without the ability to work and earn income can hurt a victim and a victim’s family economically. As noted in a path-breaking recent report by the NEXUS Institute on victims of trafficking who reject assistance, adult victims must be given the option of receiving assistance on their own terms—without physical restraint or confinement—or of rejecting all assistance from the state or others. At the core of human trafficking is the loss of basic freedoms; any effective remedy for victims must include a restoration of all such freedoms.” (TIP pg. 35)



Action

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

TIP Heros

Benjamin Perrin founded *The Future Group*, a Canadian NGO “dedicated to combating human trafficking and the child sex trade around the world.



He advocated for the adoption of a Canadian national action plan and has pushed for stronger enforcement and more effective victim services. His

2006 report on Canada’s treatment of victims led to the provision of temporary residence permits and medical assistance to trafficking victims. ... His investigations have identified a nation-

wide sex trafficking ring and dozens of cases in which Canada has been a transit and destination country.” (TIP pg. 44)

“**Elly Anita** is a victim-turned-advocate, who fights for the freedom of Indonesian workers trapped in the Middle East. In 2006, Ms. Anita accepted an offer to work as a secretary in Dubai. But she ended up in Kurdistan, Iraq, where she was expected to work as a waitress or hotel receptionist. When she refused,



Anita cont. col. 3

Religious Networking Against Human Trafficking

The second international Congress, organized by the *International Union of Superiors General* (UISG, leaders of women religious) and by the *International Organization for Migration* (IOM), was held in Rome June 15-18, 2009. “Some congregations have adopted the struggle against trafficking as part of their capitular deliberations, making it an obligatory mandate for members of their congregation. This has also included a number of men’s orders,” Bernadette Sangma, FMA explained.

“Only through a networking strategy, which includes the victims’ countries of origin, of transit and of destination, will it be possible to prevent the weakest and most vulnerable people from becoming human merchandise,” she said.

During the Congress the 252 orders currently involved in combating human trafficking in 36 countries formed a new international network called “*Talita Kum*,” Aramaic for “*Get Up*”. The network founders pledged their concrete support to sisters already working to ensure that women and children are not taken from their homes and sent to Canada to work as prostitutes during the February 2010 *Winter Olympic Games* in Vancouver or to South Africa for the June-July 2010 *World Cup* soccer tournament.

In addition to lobbying Canadian and South African governments to make it more difficult for criminal organizations behind trafficking to establish prostitution rings at the 2010 sporting events, sisters in the two countries are preparing publicity materials and organizing conferences to raise people’s awareness about trafficking.

“The traffickers are organized on a transnational level; we must do the same in order to fight them,” said Consolata Sister Eugenia Bonetti, working against trafficking in Italy. (<http://www.catholicnews.com/data/stories/cns/o9o2814.htm>)

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

**Global Hotlines Listings
(April 2009)**

<http://www.state.gov/g/tip/rls/other/2009/121161.htm>

**TIP Awareness Programs
and Resources**

<http://www.state.gov/g/tip/c26189.htm>

**LexisNexis Supports
National Hotline**

<http://www.lexisnexis.com/media/press-release.aspx?id=1098.asp>

Anita cont. from col. 2

the employment agent put a gun to her head, beat her, starved her, and kept her confined to the employment agency. Near death, she still refused to be forced into a job other than secretary. When the office was empty, Ms. Anita used the Internet to contact a friend. The friend directed her to the Indonesian Embassy in Amman and Indonesian NGO Migrant Care.

She managed to escape Kurdistan at great risk with IOM assistance. Since returning to Indonesia, she has worked for *Migrant Care* and has helped rescue six other women who were trafficked to Iraq.” (TIP pg. 45. Read about other TIP Heroes on pgs. 44-46 in TIP Report.)

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

Use the following web address to access back issues of *Stop Trafficking!*
<http://homepage.mac.com/srjeanschafer/sds/stoptraffic/index.html>

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