

RECOMMENDATIONS FOR A TRAFFICKING IN PERSONS FOCUS COUNTRY APPROACH

Prepared by



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INTRODUCTION

The Alliance to End Slavery and Trafficking (ATEST) is a U.S. based coalition that advocates for solutions to prevent and end all forms of human trafficking and modern slavery around the world. ATEST member organizations include: Coalition to Abolish Slavery and Trafficking (CAST), Coalition of Immokalee Workers (CIW), ECPAT-USA, Free the Slaves, International Justice Mission, Polaris Project, Safe Horizon, Solidarity Center, Verité, Vital Voices Global Partnership, and World Vision.

Trafficking in Persons Focus Country Approach

Trafficking in persons (TIP) is a transnational crime and is the second largest criminal industry in the world, second only to drug trafficking. Yet, for every \$32 a human trafficker earns, the U.S. Government spends only ten cents fighting them. Recognizing the need for an efficient use of targeted resources, ATEST recommends the launch of an innovative “focus country” approach to combating TIP.

Defining the Focus Country Approach

The focus country model is designed to implement comprehensive strategies to prevent TIP, prosecute perpetrators, and protect and reintegrate victims and vulnerable populations. Under this approach, the Administration would designate focus countries, in consultation with national governments, international and domestic non-governmental organizations, and other civil society groups in potential beneficiary countries that demonstrate the political motivation to address TIP, forced labor, and other forms of modern slavery. The U.S. Government, acting in partnership with foreign governments and civil society, would grant funding to these focus country governments or to civil society groups, which otherwise lack the resources and infrastructure to combat TIP, in spite of their political motivation to do so.

The administration of the focus country approach would require an agreement between the U.S. Government and the beneficiary country (i.e., the focus country government). This agreement would identify the appropriate strategies that can measurably reduce the incidence of TIP in that country, and require benchmarks and fiscal transparency to be able to track progress throughout the duration of the program. U.S. Government grants would be based on a 3-5 year plan. Existing protective and preventive response systems and perpetrator accountability mechanisms in local communities can be leveraged to build upon their successes. The Department of State, in consultation with other agencies including the Department of Labor and U.S. Agency for International Development (USAID), is uniquely positioned as the diplomatic arm of the U.S. Government to lead the management of the focus country approach and to develop action plans and the key mechanisms to support them. Working collaboratively, these agencies can play an important role in implementing a focus country strategy at the headquarters and mission levels.

As an initial step, the U.S. Government should begin developing the focus country approach by mapping capacity, funding baseline studies, compiling proven successful strategies, and collecting data in potential focus countries in order to identify effective anti-trafficking initiatives. Selected focus countries should demonstrate political motivation to combat all forms of TIP, including sex and labor across multiple sectors. In cooperation with the United States, these focus countries would pioneer new strategies or document the success of existing strategies that, in turn, can be scaled up and replicated.

This document is not intended to outline a fixed process to identify specific focus countries. Rather, ATEST urges the US Government to undertake a similar process to identify a methodology that would allow the U.S. to determine what countries could reach a “tipping point” in combatting trafficking in persons if they were to receive an influx of resources and capacity.

Legislative Initiatives Connected to the Focus Country Approach

The Child Protection Compact Act (CPCA) provides a key framework for the focus country approach to combating TIP. The CPCA is designed to assist countries that have the political motivation but lack the resources and capacity to combat child trafficking by offering U.S. Government technical assistance and training to help enforce anti-trafficking initiatives. Enacted as a part of the Trafficking Victims Protection Reauthorization Act of 2013 (P.L. 113-4), the CPCA authorized the Department of State, in consultation with USAID, the Department of Labor, and other relevant agencies, to provide heightened levels of assistance in focus countries that enter into a child protection compact with the United States to support programs that combat child trafficking.

It is recommended that a focus country approach to combat all forms of TIP follow the CPCA’s model by requiring: the adoption of a multi-year plan to achieve measurable objectives; the commitment to a financial contribution plan by the U.S. Government; an estimate of the amount of funding for each component of the program, and an explanation of how a country strategy will be developed and how data is collected. The CPCA’s approach of supporting governments with political motivation to address trafficking can be a model for the broader focus country approach beyond just focusing on children.

U.S. Government Support of Focus Country Approaches

The President’s Advisory Council on Faith-based and Neighborhood Partnerships recently published a report that proposed mechanisms to build partnerships to eradicate TIP. The Advisory Council identified the focus country approach as a way to leverage in-country efforts to combat TIP and to join forces to elevate and align this work. The Advisory Council recommended that U.S. senior diplomatic and development staff members engage with local civil society and religious leaders in the countries where they are working to develop comprehensive countrywide strategies to raise awareness and counter TIP.

A focus country approach to combat TIP internationally would mirror the logic of other focus country models, such as the President’s Emergency Plan for AIDS Relief (PEPFAR) and the Millennium Challenge Corporation (MCC) compacts, which are multi-year agreements between the MCC and individual beneficiary countries to fund anti-poverty and economic growth programs. Furthermore, USAID’s Counter-Trafficking in Persons (CTIP) policy calls for investments in “critical TIP challenge countries”. These are countries that have “global strategic importance and significant trafficking problems.” ATEST agrees with USAID’s assessment that “progress in these nations would send an important signal” to other nations and “would allow for increased harmonization of U.S. diplomatic and development efforts.”

At a broader level, seven U.S. Government agencies are aligned under the Action Plan for Children in Adversity, which also takes a focus country approach to address the prevention and response to child vulnerability. Among these agencies and efforts, the focus country approach aligns existing resources to streamline efforts against TIP and other forms of exploitation and abuse.

Sample Indicators for Identifying Focus Countries

ATEST proposes that the U.S. government undergo a process to identify countries that are most likely to benefit from an infusion of significant resources and capacity. Such a methodology may consider a variety of indicators that demonstrate a potential tipping point in a particular country’s TIP situation and, thus, conditions conducive to effective U.S. Government intervention. These indicators could include basic criteria such as presence of a USAID mission; listing on the Tier 2 or Tier 2 Watch List of the U.S. State Department annual Trafficking in Persons (TIP) report; and non-listing as a country known to recruit or use children in their national armies. Additionally, because one focus country funding strategy could be partnering directly with a national government and formal structures are needed for long-term sustainability, the U.S. government could consider whether potential focus countries maintain effective rule of law, efforts to control corruption, and a climate in which civil society can operate independently and without fear. The U.S. Government could also assess migration statistics, recognizing that comprehensive anti-trafficking efforts should include environments where migrant populations are particularly vulnerable to force, fraud, or coercion in their effort to find or maintain work.

Considering the Indicators to find a “tipping point”: Sample Focus Countries

For example, **Ghana** has a new National Action Plan (NAP) and a taskforce to combat human trafficking including a child labor monitoring system. A compact could focus on support for the Anti-Human Trafficking Unit and regional AHTUs and addressing child trafficking in Volta region. Additionally Ghana has done a Child Protection Systems mapping and could be a partner country for the Action Plan of Children Adversity (APCA), allowing for better leverage of USG funding. USAID has also been active in integrating CTIP into development programs, specifically in food security and agriculture. This also includes seeing an increase the effectiveness of a government’s judicial system.

In the **Philippines**, an influx of capacity can help the Philippine government clear the backlog of cases in the judicial system, strengthen anti-trafficking training for police recruits, front-line officers, assist the government in providing better protections for its migrant workers abroad, and police investigators, and improve collaboration between victim services organizations and law enforcement authorities with regard to enforcement operations.

Labor-oriented anti-trafficking efforts could achieve high impact in the **Dominican Republic's** sugar sector. The Department of Labor Office of Trade and Labor Affairs (OTLA) recently found indicators of forced labor and the worst forms of child labor in the export-oriented Dominican sugar sector. In follow-up to these findings, OTLA is engaging with the government of the Dominican Republic to improve labor and employment conditions. Additionally, the Department of Labor Office of Child Labor, Forced Labor, and Human Trafficking routinely names Dominican sugar on its annual List of Goods Produced by Child Labor or Forced Labor. Many factors reinforce the high risk of labor trafficking and forced labor within the Dominican sugar sector. Chief among these factors is the migratory status of sugarcane cutters – they are primarily Haitian migrants or individuals of Haitian origin who lack Dominican documentation. Other concerns include deceptive recruitment practices; forced over-time work; retaliatory firings of workers who organize or report labor law violations; and worker housing in remote, dilapidated, company-owned shanty towns. Effective interventions could include workers' rights education programs, government engagement (on effective labor law enforcement and immigration laws that currently increase worker vulnerability), employer engagement (on labor law and human rights law), increased international media attention, and engagement of U.S.-based sugar buyers and consumers.

Efforts to eliminate labor trafficking also could be especially effective in **Thailand**. The high proportion of migrant workers in the seafood sector increases vulnerability and thus increases trafficking risk. The significant seafood trade between Thailand and the United States creates an opportunity to leverage political and consumer action, which could trigger more improvement on the ground. A concerted effort by the U.S. and Thai governments in partnership with NGOs and the fishing industry could see a dramatic shift in the number of people from the Mekong sub-region trafficked for their labor in the fishing industry.

Given the restrictive fiscal climate in which all U.S. Government entities that combat trafficking are operating, a focus country approach as outlined above would allow for innovative and targeted efforts to combat TIP. In creating a process for selecting countries where there can be dramatic gains in particular areas, the United States can show how concentrated funds and support can lead to effective change in the fight against human trafficking. With the U.S. Government's financial and technical support and in partnership with civil society, selected countries can develop effective and sustainable models for combatting TIP.