



Counter-Human Trafficking Fact Sheet for Federal Office Seekers

The Alliance to End Slavery and Trafficking (ATEST) is a U.S. based, nonpartisan coalition that advocates for solutions to prevent and end all forms of human trafficking and modern slavery around the world. ATEST provides accurate and up-to-date information to members of Congress and federal agencies about human trafficking and assists in drafting and supporting counter-trafficking legislation, as well as combats misinformation. Below you will find resource materials about human trafficking in the United States and around the world, recent counter-human trafficking legislation, and our policy priorities for your use as you prepare your platform and communicate to constituents.

Comprehensive good data on human trafficking in the United States and globally are not readily available. The United States needs to do more to invest in understanding this complex issue in our own country and around the world. However, from the data we have, even with its limitations we know: Human trafficking is a global crisis occurring in every country in the world and every state in the United States:

- The Trafficking Victims Protection Act defines federal human trafficking crimes as:¹
 - **Sex trafficking:** recruiting, enticing, harboring, transporting, providing, obtaining, advertising, maintaining, patronizing, or soliciting by any means a person; or benefiting from any such acts, knowing or recklessly disregarding that means of force, fraud, or coercion will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act.
 - **Forced Labor:** providing or obtaining the labor or services of a person through the by means of force, threats, serious harm the abuse or threatened abuse of law or legal process; or by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint.
- Human trafficking consists of three core elements from the U.N. Palermo Protocol²:
 - Action: recruitment, transportation, transfer, harboring or receipt of persons
 - Means: threat of force or use of force, deception, coercion, abuse of power or position of vulnerability

¹ 18 U.S.C. §§ 1589, 1591.

² UN General Assembly, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000.

- Purpose: exploitation
- The International Labor Organization estimates there are about 25 million people in forced labor around the world.³
- Trafficking is estimated to be a \$150 billion industry and is the fastest growing criminal enterprise of the 21st century.⁴
- Of 24.9 million victims of trafficking around the world in 2017, the majority experienced labor trafficking: 64 percent experienced forced labor in the private sector, 17 percent experienced state-imposed forced labor, and 19 percent were forced into sexual exploitation.³
- 10,949 trafficking cases were reported to the National Human Trafficking Hotline in the United States in 2018.⁵ Reported trafficking cases in the United States rose by 25 percent between 2017 and 2018.⁶
- In the Americas, there are 1.3 victims of forced labor for every thousand people.³
- Asia and the Pacific and Europe (4 victims per 1,000 people) and Central Asia (3.6 victims per 1,000 people) have the highest regional prevalence of forced labor.³
- Trafficking victims come from all demographics, but vulnerabilities like homelessness, domestic violence, sexual assault, war or conflict, and social discrimination make people more susceptible to trafficking.⁵
- Victims of forced labor face multiple forms of coercion including wage theft, threats of deportation, threats of physical violence, acts of physical violence, threats against family, and sexual violence.³
- The sectors in which victims are most often forced into labor are domestic work, construction, manufacturing, and agriculture.³
- 57.6 percent of the 16 million people affected globally by privately-imposed forced labor are women and 42.4 percent are men.³
- 99 percent of the 4.8 million victims of sexual exploitation are women and girls; 1 million of these victims are children.³
- Human smuggling differs from trafficking because it is an offense against an international border, rather than an offense against a person. Smuggling may turn into trafficking, but often people willingly consent to being smuggled. In contrast, trafficking is always nonconsensual. Moreover, movement is not a requirement of trafficking.³
- While migration puts people at risk for trafficking, 77 percent of forced labor occurs within the victim's country of residence.³

Holistic Approaches to Combat Trafficking:

Holistic government approaches are necessary to create lasting solutions to human trafficking. Trafficking cannot be effectively combatted without effective coordination from many organizations

³ International Labour Office. (2017). "Global Estimates of Modern Slavery."

⁴ International Labour Office. (2014). "Profits and Poverty: The Economics of Forced Labour."

⁵ The Victims & Traffickers. (2015, October 12), from Polaris website: <https://polarisproject.org/victims-traffickers>

⁶ Brandon Bouchard. (2019). U.S. National Human Trafficking Hotline Cases Soar by 25 Percent in 2018 [Press Release]. Polaris.

and government agencies. Multiple approaches are needed to address the complicated root causes of human trafficking. Since trafficking lies at the intersection of many issues, holistic approaches across the range of federal agencies look like:

- Creation of legislation that further prevents trafficking, effectively protects survivors, and efficiently prosecutes traffickers;
- Enhanced legislation and policies protecting human rights, women's rights, labor rights, migrant rights, and children's rights;
- Effective implementation of existing legislation and protections;
- Improved training for law enforcement to recognize trafficking, identify victims, and appropriately investigate trafficking cases;
- Coordination across federal agencies and with state governments;
- Stronger and more accessible prevention programs for all groups vulnerable to trafficking like migrant workers, runaway and homeless youth, and victims of domestic violence;
- Implementation of the first national study of human trafficking in the United States to provide stronger data to inform federal decisionmaking;
- Accountability for all governments, including the United States, for participation in trafficking, failure to protect survivors and prosecute traffickers, policies that make people more vulnerable to trafficking, and lack of effort to holistically combat trafficking; and
- Global leadership to provide a stronger example of efforts to combat trafficking and encourage foreign countries to improve their efforts.
- Procurement practices that disallow government purchases of goods and services produced with forced labor, and that reward companies that give preference in the bidding process to companies that sell products certified as produced without forced labor.

Counter-Trafficking Legislation:

Congress has enacted and reauthorized multiple laws in the past 20 years that have improved legal responses to trafficking cases, increased victim protections and services, and established counter-trafficking programs. These include:

- The landmark Trafficking Victims Protection Act of 2000 and its subsequent reauthorizations in 2003, 2005, 2008, 2013, and 2018 which provide assistance to trafficking victims, create grant programs for counter-trafficking efforts and victims services, establish new trafficking related crimes, and authorize the U.S. Government to assist foreign countries' efforts to combat trafficking.⁷
- Harkin-Engel Protocol of 2001, an international agreement which provides global industry standards to report, identify, and eliminate the worst forms of child labor in the cocoa industry.⁸ Recent reporting has made clear that this effort has failed, and additional efforts are required to eliminate child labor and forced labor in cocoa and similar industries.

⁷ 18 U.S.C. §§ 1589, 1591.

⁸ Agreement to end child labour on cocoa farms [Press release]. (2001, October 1). Retrieved December 27, 2019, from http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_007859/lang-en/index.htm

- Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (PROTECT) Act of 2003 established stricter penalties for individuals who engage in sex tourism with children in both the United States and foreign countries.⁹
- The Preventing Sex Trafficking and Strengthening Families Act of 2014 requires states to develop policies to identify children at high-risk of trafficking, provide appropriate services, and report children identified as trafficking victims to law enforcement and the Department of Health and Human Services.¹⁰
- The Justice for Victims of Trafficking Act of 2015 provides increased access to restitution for survivors and improves law enforcement reporting on incidences of trafficking.¹¹

Primary Federal Agencies and Programs Currently Involved in Combating Trafficking:

- State Department: Office to Monitor and Combat Trafficking in Persons (J/TIP), United States Agency for International Development (USAID);
- Department of Homeland Security: Immigration and Customs Enforcement: Homeland Security Investigations;
- Department of Justice (DOJ): Human Trafficking Prosecution Unit (HPTU), Child Exploitation and Obscenity Section (CEOS);
- International Labor Affairs Bureau (ILAB): Workers' Rights Program and Child and Forced Labor Program;
- Department of Health and Human Services Office on Trafficking in Persons (OTIP); and

ATEST's Priorities:

- Advocate for newly-authorized initiatives in the TVPRA and related legislation to receive full financial appropriations for FY2021 and beyond
- Advocate for effective implementation of new provisions that require tier ranking of countries in the annual Trafficking in Persons Report to be based exclusively on each country's anti-trafficking efforts
- Engage with the Departments of Justice and Homeland Security for development and implementation of a comprehensive victim services protocol, and enhanced data collection on human trafficking incidences and investigations around the country
- Engage with USAID in the update of its Counter-Trafficking in Persons (CTIP) Policy
- Engage with the Treasury Department for implementation of a new initiative to get multilateral development banks to create anti-trafficking provisions in international projects
- Continuing to speak out when policies or practices harm trafficking victims and survivors, or hurt immigrants or others who are vulnerable to trafficking
- Use of all available tools (legislation, Customs and Border Protection enforcement, and more) to make real the promises made in the Harkin-Engel protocols, both in cocoa and

⁹PROTECT Act, Public Law No: 108-21 (2003).

¹⁰ Preventing Sex Trafficking and Strengthening Families Act, Public Law No: 113-183 (2014).

¹¹ Justice for Victims of Trafficking Act of 2015, Public Law No: 114-22 (2015).

other industries, banning child labor and also forced labor in the supply chains of goods imported to the United States

- Building on the presidential executive order banning human trafficking in government contracts, further responsible procurement practices that give preference in the bidding process to companies that sell products certified as produced without forced labor, such as those produced in the Fair Food Program in agriculture.

Resources from ATEST members:

- Find out more about human trafficking in your state in the Human Trafficking Institute's 2018 Federal Human Trafficking Report State Summaries:
<https://www.traffickingmatters.com/human-trafficking-state-reports/>
- Learn more about the data collected from the Polaris run National Human Trafficking Hotline at <https://humantraffickinghotline.org/states>
- Learn more about the intersection of youth and young adult homelessness and human trafficking at: <https://nn4youth.org/learn/youthhomelessnesshumantrafficking>

Federal Resources:

- 2019 State Department Office to Combat and Monitor Trafficking in Persons Report:
<https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>
- FY 2017 Attorney General's Annual Report to Congress on U.S. Government Activities to Combat Trafficking in Persons:
<https://www.justice.gov/humantrafficking/page/file/1103081/download>