

a web resource for combating human trafficking

SEARCH GO[United States of America](#) ▶ [Government](#) ▶ Action Plan

"The National Action Plan (January 2000) that is included below was prepared for the Asia Regional Initiative Against Trafficking (ARIAT) conference. An updated action plan is in process and will be available soon."

Country Action Plan of the United States of America (January 2000)¹

INTRODUCTION

Of all the human rights abuses to which the international community has turned its attention, the trafficking of human beings, predominantly women and children, is clearly one of the most egregious. In addition, trafficking is one of the fastest growing and most lucrative criminal enterprises in the world. Profits from the industry are enormous, generating billions of dollars annually to organized criminal groups. The United States of America views trafficking as a global problem that must be addressed through both domestic policy as well as through coordinated international efforts. Countries of origin, transit and destination must work together in order to achieve significant progress.

The United States of America is primarily a destination country, although there have been cases of American women being trafficked to other countries. It is estimated that over one million women and children are trafficked around the world each year, and around 50,000 of these women and children are trafficked into the United States of America. Trafficked victims have traditionally come from Southeast Asia and Latin America; however, increasingly they are from the New Independent States and Eastern Europe. Women have been trafficked to the United States of America mainly for the sex industry, for sweatshop labor, domestic servitude, and agricultural work. The average age of the trafficking victim in the United States of America is thought to be roughly 20 years old.

The President, the Secretary of State, and the Attorney General have shown tremendous commitment to combating trafficking, and the Department of State, Department of Justice and other relevant agencies have made significant progress over the past two years to advance the U.S. anti-trafficking strategy set forth in a Presidential directive on March 11, 1998. The interagency approach reflects the multi-faceted nature of this problem and the need for coordination across the government.

President Clinton's directive charged the President's Interagency Council on Women with the development and coordination of U.S. domestic and international policy to reduce trafficking in women and children. The Secretary of State is the Chair of the Council and First Lady Hillary Rodham Clinton is the Honorary Chair. To combat the

problem of trafficking, the United States of America has developed a three-tiered strategy focused on prevention, protection and assistance for trafficking victims, and prosecution and enforcement against traffickers. This anti-trafficking policy framework is part of a broad commitment by the U.S. government to eliminate violence against women around the world.

Secretary of State Madeleine Albright has made the issue of trafficking a priority for the Department of State. Her leadership and advocacy have helped put this issue on the agenda of the world's leaders. For example, in September 1999, Secretary Albright hosted a dinner for women foreign ministers on the margins of the United Nations General Assembly meeting, at which she and her guests signed a letter to UN Secretary General Kofi Annan calling for the expeditious completion of the UN Convention Against Transnational Organized Crime and the protocol on Trafficking of Persons. Foreign Minister Nyam Osoryn Tuya of Mongolia, who was unable to attend, also endorsed the letter.

The United States of America intends to continue to address trafficking through a comprehensive and integrated effort emphasizing the development of both national and international capacities to combat trafficking. The United States of America believes that close cooperation with its Asian regional partners on practical anti-trafficking strategies and programs will result in a reduction of trafficking, as well as improved protections for its victims.

PREVENTION

1. National anti-trafficking action plan: President Clinton issued a directive on March 11, 1998, establishing the United States of America's strategy to combat the trafficking of persons around the world. The strategy involves prevention, protection and assistance for trafficking victims, and prosecution of traffickers. The three elements of the U.S. policy framework are interconnected, and it is crucial to advance each of them concurrently. The United States of America views trafficking as a global problem that must be addressed through country-specific, anti-trafficking initiatives as well as by regional cooperation.

The President directed the President's Interagency Council on Women, chaired by the Secretary of State, to develop and coordinate U.S. domestic and international policy on this issue. The Council chairs an interagency working group consisting of the National Security Council, the Departments of State, Justice, Labor, Health and Human Services, as well as agencies such as the Agency for International Development, the Immigration and Naturalization Service, and the Federal Bureau of Investigation.

Within the Department of State, the President's Interagency Council on Women and the Office of the Senior Coordinator for Women's Issues work with geographical Bureaus covering East Asia and the Pacific, the Near East, South Asia, Europe, Russia and the New Independent States, as well as functional Bureaus such as Democracy, Human Rights and Labor, International Narcotics and Law Enforcement, Consular Affairs, Diplomatic Security, and Population, Refugees and Migration. The Council's work has focused on ways to enhance and institutionalize the treatment of trafficking in U.S. government initiatives.

The Department of Justice investigates and prosecutes trafficking cases that occur both in the United States of America and abroad when the United States of America is affected. In January 1998, acting on a growing concern about the apparent increase in the number of trafficking incidents worldwide, the Department of Justice created the

Working Group on Trafficking in Women and Children. It examines issues related to investigations and prosecutions, immigration status of victims and witnesses, victim services, outreach, and training. In April 1998, the Attorney General announced the creation of the Worker Exploitation Task Force (WETF), chaired jointly by the Acting Assistant Attorney General for Civil Rights and the Solicitor of Labor. Drawing on the resources of the Departments of Justice and Labor, the Task Force encourages and coordinates investigation and prosecution of worker exploitation cases throughout the United States of America. It also conducts training for regional task forces consisting of federal agents and prosecutors. The Working Group and the Task Force have been working together to develop an effective federal response to this crime.

The United States of America has made considerable progress in implementing this national anti-trafficking action plan, but recognizes significant gaps, particularly in the area of protection for victims, including the possibility of temporary residency. At present, there are no shelters designed specifically for trafficking victims. Existing shelters for domestic violence victims are the only current resources available for trafficking victims. Even these shelters may face funding constraints, with limited program funds tied to assisting a specific category of people, such as juveniles or rape victims. The government must do a better job of providing streamlined procedures and specific programs for housing and handling trafficking victims.

[Top of page](#)

2. Government cooperation with international organizations, NGOs and the private sector to implement the national action plan:

The advocacy of NGOs in the United States of America and overseas has been instrumental in moving the issue of trafficking to the forefront of U.S. policy. The United States of America has close partnerships with domestic and overseas NGOs, including human rights groups, service providers and religious organizations. When the United States of America conducts law enforcement training with other governments on trafficking, the United States of America invites NGOs to meet with law enforcement and impresses on those governments the value of close cooperation.

The U.S. government has worked with religious institutions and NGOs to examine how to adapt the existing support infrastructure available for underserved populations - for example, shelters for abused women, and health and legal clinics in immigrant communities - to the particular needs of trafficked women. The Department of Justice facilitates meetings between NGOs and governmental agencies on trafficking, such as the April 1999 meeting for government agencies to promote support service for trafficking victims.

3. Public information media campaigns to educate the public about the dangers of trafficking in general and recruiting methods in particular:

The Department of State's Bureau of International Narcotics and Law Enforcement developed a brochure entitled "Be Smart, Be Safe" targeted at potential victims. It describes the tactics that criminal groups use to traffic women, the risks of trafficking, and what women can do to protect themselves. The brochure is distributed in U.S. Embassy consular waiting rooms in the Ukraine and Poland. The brochure is being revised and translated with plans to make it available at other U.S. Embassies.

4. Media campaigns to warn potential perpetrators of legal consequences of trafficking:

Such media campaigns do not currently exist. However, should the U.S. Congress pass new legislation to address trafficking of persons, which would provide effective punishment for traffickers and a wide range of protection for victims, attendant publicity would warn potential perpetrators of the legal consequences of trafficking.

5. School programs to educate potential victims about the realities of trafficking and recruiting methods:

In that the United States of America is not a major source country, such school programs do not exist.

6. Compulsory education until the age of 16: Yes

7. Economic programs particularly for those women and children most vulnerable to being recruited by traffickers:

The U.S. Government sponsors microcredit programs, both in the United States of America and abroad, many of which are serving women. It also sponsors job skills training, small business development skills, and mentoring programs to help make potential victims less vulnerable to the lure of traffickers.

8. Centralized data collection on trafficking including incidence rates, trafficking routes, suspected traffickers, conditions of exploitation, and related criminal activity:

The United States of America government created the Subgroup on Alien Smuggling and Trafficking of Women and Children to work under the auspices of the National Security Council and focus on the transnational crime implications of trafficking. This process has produced the first preliminary U.S. government estimates of trafficking to the United States of America: 45,000 - 50,000 annually primarily from Latin America, Russia, the New Independent States, and Southeast Asia.

The Department of Justice (DOJ) does not have a specific database on trafficking. The DOJ, through its research and evaluation branch, the National Institute of Justice, is funding a study of sex trafficking in five U.S. jurisdictions.

The Department of State, Bureau of Diplomatic Security (DS), in collaboration with the Bureau of Consular Affairs, is establishing a "Trafficking in Women and Children" (TIWC) analytical and investigative group. The TIWC will work with U.S. Embassies worldwide to detect and prevent visa fraud as a means of trafficking in women and children. By providing timely investigation in the United States of America and prompt intelligence reporting to U.S. consular officers abroad, the TIWC will provide a proactive means of detecting and preventing the exploitation of women and children by traffickers intending to bring them into the United States of America for illegal and abusive purposes.

9. Law enforcement training programs to ensure tighter border control and better recognition of victims as well as traffickers in order to interdict trafficking at international points of entry:

The United States of America emphasizes the prosecution of traffickers and protection of victims to avoid impinging on the right of women and others to freedom of movement across international borders. In August 1999, the U.S. Immigration and Naturalization Service (INS) District Director's office, together with Japanese officials

and the International Organization for Migration, conducted a two-week program on Illegal Migration and Trafficking in Women and Children training program at the International Law Enforcement Academy in Bangkok. Approximately 50 immigration and border officers from most ASEAN countries participated in the program that included topics on trafficking in women and children case studies and gender-responsive care for women and victims of trafficking.

With funding support from the U.S. Department of State's Bureau for International Narcotics and Law Enforcement Affairs, INS representatives in Vienna and Moscow hosted regional conferences on alien smuggling and trafficking in women and children for immigration and border officers. These conferences provided a venue for sharing best practices and networking. The INS District Director in Bangkok is considering hosting a similar conference this year for the ASEAN region.

PROTECTION

1. Shelters for trafficked victims:

There are limited shelters specifically designed for trafficking victims. At present, the United States of America government is aware of only one project specifically designed to provide shelter for trafficking victims. The Office for Victims of Crime (OVC) at the Department of Justice is funding a network of community-based service providers to provide culturally appropriate and language specific services such as mental health counseling, emergency shelter, and referrals for medical care to Asian victims of trafficking in the Los Angeles area. In addition, local victim service providers who work with battered women, survivors of sexual assault, and/or with immigrant or refugee populations may be providing shelter in certain cases. Many such service providers have agreed to serve as referral resources for the National Worker Exploitation complaint line (see #2 below). However, because these programs are not always tailored to the needs of trafficking victims, there is a need in the United States of America for a network of trafficking-specific programs.

2. Hotlines for victim assistance:

The Department of Justice's Civil Rights Division has established a worker exploitation complaint and rescue line to receive calls to assist trafficking victims. The Department of Justice has sought to publicize the complaint line by asking television stations and newspapers to display the toll-free number prominently in their coverage of the trafficking issue.

3. Alternatives to immediate deportation:

The Immigration and Naturalization Service (INS) has two alternatives to immediate deportation of trafficking victims under current law. The first is "deferred action," under which individuals may be permitted to remain in the United States of America with work authorization until INS decides to proceed with their removal from the United States of America. At that point deferred action is revoked, and INS may initiate proceedings for removal. This option presents certain administrative burdens and negative consequences for trafficking victims, which INS is currently working to resolve.

The second option is known as "parole," through which INS can permit an alien to enter the United States of America for "urgent humanitarian reasons" or "significant public benefit." Parolees are eligible for employment authorization and, therefore, are

able to work while they remain in the United States of America. The parole period can be extended indefinitely. Once it expires, the alien is treated as an applicant for admission to the United States of America. Advance parole can be issued to an alien already in the United States of America to enable him or her to remain in the country, but the alien must leave and then reenter the United States of America using an advance parole document. This process is expensive and cumbersome and therefore is not the best alternative to deportation for trafficking victim-witnesses.

If statutorily subject to Expedited Removal proceedings, unless credible fear is found, then an alien is processed for removal proceedings under Section 240 of the Immigration Nationality Act, and normally released from custody. Removal may also be delayed if an alien subject to Expedited Removal is held as a witness in a criminal case, i.e., smuggling.

If the alien is statutorily subject to removal proceedings under 240, normally the alien will remain at liberty during the proceedings, which normally take several months for completion. Upon completion, the alien may be granted voluntary departure or ordered into the custody of the Immigration Naturalization Service for removal.

In the cases of temporary residents, certain waivers may apply under certain circumstances for victims of violence, who would normally be subject to conditions of their temporary residency, without the requirement for placement into immigration removal proceedings.

All aliens detained by the Immigration Naturalization Service are notified of their rights to consular protection, and the Service's obligation to facilitate communication, either mandatorily or upon request of the alien, dependant upon country of citizenship. All minors are escorted in coordination with their consulate or embassy.

[Top of page](#)

4. Review of country-specific victim assistance needs:

The Department of Justice's Office for Victims of Crime (OVC) also funds state victim assistance programs that offer direct services to victims, including trafficking victims regardless of status. Victims in the United States of America should contact the state program for their state of residence to see if they are eligible for counseling and other direct victim services.

The DOJ is reviewing protection and assistance needs of trafficking victims.

5. Visa/national residency provisions for trafficked victims in illegal immigration status:

Current law provides for a special "S" visa category for certain aliens who possess critical and reliable information that is essential to a criminal case and who are willing to supply or have supplied such information to U.S. law enforcement authorities or U.S. courts. Eligibility for such status is determined by the Attorney General. The "S" visa has strict standards for eligibility and is available to only 200 criminal witnesses/informants per year, with an additional 50 available for persons who possess significant information related to terrorist actions.

An alien may not initiate an "S" visa application on his/her own behalf; rather, "S" visa status must be sought for the alien by sponsoring U.S. law enforcement authorities.

Current law limits the period of admission in "S" status to three years.

A new nonimmigrant category has been proposed in several draft pieces of legislation on trafficking. If this legislation is enacted, aliens, who have suffered severe physical or mental abuse in the United States of America as victims of criminal activity, would be eligible to obtain a "T" visa (or change to this category of nonimmigrant status, if already in the United States of America) if they possess information that is "material" (rather than critical information, as required in the "S" category) to a criminal investigation.

One proposal would allow for 1,000 "T" visas a year for these victims and for their family members. The "T" visas - as currently proposed - would be valid for up to three years, and could be adjusted to permanent legal status for humanitarian reasons if necessary. Once the aliens became permanent residents, there would be offsets against the annual number permitted for a country. The proposed "T" visa category is intended to assist law enforcement in the prosecution of traffickers, as it would ensure the availability of witnesses.

6. Coordination with countries of origin to facilitate return of trafficked persons as victims rather than illegal migrants:

Such coordination occurs on a case-by-case basis.

7. Counseling available for victims:

The Department of Justice's Office for Victims of Crime, Federal Crime Victims Division funds state compensation and state victim assistance programs. The Crime Victims Fund, established by the Victims Crime Act of 1984 and distributed to the states, is available to trafficking victims in terms of services but not in terms of direct funding. No state is permitted to give direct compensation to an undocumented individual, only services.

The Department of Justice is funding a pilot project using a network of community-based organizations to provide region-specific services, such as mental health counseling, emergency shelter and referrals for medical care, to Asian victims of trafficking the Los Angeles, California area. The project also includes regional meetings with service providers from across the country.

8. Medical assistance for psychological and emotional problems as well as physical needs for victims:

Medical assistance is included in the state victim assistance programs referred to in Questions 4 and 7.

9. Centers available for free legal assistance, information to victims, and access to lawyers:

These services are included in the state victim assistance programs referred to in Questions 4 and 7.

10. Protection for victims and their families from retribution by traffickers:

The Department of Justice's Office for Victims of Crime, the victim-witness coordinators

from the U.S. Attorneys' offices, and victim-witness staff in other DOJ components have primary responsibility for working to ensure the safety and protection of victims.

11. How do you publicize services available to women and children in need?

While there is no ongoing media campaign, these services are publicized through the Department of Justice's hotline for victim assistance and in the course of media coverage of the trafficking issue.

[Top of page](#)

REINTEGRATION

1. Programs to receive trafficking victims returned from other countries including:

Domestically, the United States of America has no formal reintegration programs because the number of U.S. women and children who are trafficked abroad has been relatively low to date. Every effort is made to assist such victims on a case-by-case basis.

Abroad, Americans in distress can turn to a U.S. consular officer for help. Overseas Citizens Services in the Department of State's Bureau of Consular Affairs approves repatriation loans to pay for destitute Americans' direct return to the United States of America. Each year over \$600,000 is loaned to destitute Americans.

2. Monitoring programs to ensure reintegration and the safety of returned victims:

No formal programs exist.

3. Government cooperation with international organizations, NGOs and the private sector to implement safe and dignified returns to home country:

Abroad, the United States of America has worked closely with NGOs to ensure safe and dignified returns to victims' home countries on a case-by-case basis.

4. NGO programs targeting at-risk women and children once they are returned to their home country:

The United States of America has funded a project by the International Organization for Migration to break the cycle of trafficking and re-trafficking by arranging a safe return and offering a one-year voluntary reintegration package for trafficking victims in the Mekong Region (Thailand, Cambodia, Vietnam and Laos).

PROSECUTION

1. Laws that criminalize trafficking in women and children and contain stiff penalties:

The United States of America currently does not have a comprehensive trafficking law, although national legislation on trafficking is pending with the U.S. Congress. Law enforcement now relies upon a number of criminal, labor, and immigration laws to address activities involved in trafficking schemes. U.S. federal law prohibits slavery and involuntary servitude, the traveling across state or national borders for the purposes of

prostitution or other criminal sexual activity, and certain immigration fraud that is often part of trafficking schemes. The Department of Justice enforces all of these statutes and has established an internal working group and, with the Department of Labor, an interagency task force called the Worker Exploitation Task Force. It is chaired by the Department of Justice's Civil Rights Division and the Department of Labor's Solicitor's Office to ensure an effective federal response to worker exploitation and trafficking in all of its forms.

2. If there are no laws, is there pending draft legislation:

Legislation has been introduced in the U.S. Congress, in both the Senate and the House of Representatives, to address trafficking in persons, especially women and children. The bills would strengthen criminal penalties against traffickers and provide a range of protections for trafficking victims. These protections include the possibility for temporary residency in the United States of America and eligibility for assistance, such as shelter, medical and legal assistance. The Administration is working with Congress to craft the strongest and most comprehensive legislation possible, and the passage of new legislation this year appears likely.

3. Training models for law enforcement, including border police, consular, anti-fraud, visa officers, and local police to recognize and prosecute traffickers, as well as to assist trafficking victims without treating them as criminals or illegal migrants:

Trafficking-specific training has been improved for domestic and international law enforcement, including border enforcement officers and local police, to recognize trafficking cases and to respond appropriately to help protect victims. In addition, consular personnel receive training to identify visa schemes used in the trafficking of women and children to the United States of America. The Consular Affairs Bureau of the Department of State has produced a manual for consular personnel clearly identifying their role in the fight against trafficking. This manual encourages outreach to other countries' consular offices to exchange information on victim assistance and on consular services' vulnerabilities to exploitation by traffickers.

The Department of Justice (DOJ) has conducted and continues to conduct workshops and training sessions at federal, state, and local conferences across the United States of America to raise awareness of the needs of trafficking victims, to train law enforcement and prosecutors on victims' rights, and to assist in the development of service networks for trafficking victims.

The DOJ developed training videos for federal law enforcement agencies, including the Immigration and Naturalization Service, on the needs of victims in trafficking cases, the details of victims' rights laws, and steps law enforcement officers must take to assist victims.

The DOJ's Civil Rights Division, in cooperation with the Department of Labor and the President's Interagency Council on Women, developed training material for law enforcement officers who may come into contact with trafficked women and children so that they can intervene appropriately to protect victims from further harm.

The Department of State's Bureaus of Diplomatic Security and International Narcotics and Law Enforcement have also provided and sponsored international training for law enforcement personnel on the investigation of passport, visa and identity document fraud to combat smuggling and trafficking in human beings. Future training on these topics is also planned within and outside the International Law Enforcement

Academies.

4. Institutionalized procedures for investigations and prosecution of cases involving trafficking including witness protection programs:

The Attorney General issued new national procedures developed by the Worker Exploitation Task Force to standardize and institutionalize regional procedures for investigations and prosecutions of cases involving exploitation, including trafficking cases.

The Departments of Justice and Labor's Worker Exploitation Task Force has made great strides in the development of national trafficking-specific training for their enforcement officials.

The Department of Justice operates a witness protection program that is available for witnesses in organized crime cases. This program would be available to most trafficking victims, if they are willing to meet the restrictions of the program.

[Top of page](#)

5. Training for police, judges and prosecutors on rule of law and anti-corruption issues:

Trafficking depends heavily upon official corruption to facilitate its success. The Department of State organized and hosted Vice President Gore's Anti-Corruption conference in February 1999, and will cosponsor with the Netherlands the second global forum on fighting corruption in late May at The Hague. Follow-up activities include targeting the nexus between corruption and trafficking.

The Department of Justice developed training videos for federal law enforcement officers, including the Immigration and Naturalization Service, on the needs of victims in trafficking cases, the details of victims' rights laws, and steps law enforcement officers must take to assist victims.

6. Regional law enforcement cooperation to disrupt trafficking routes and criminal activity:

The Department of Justice (DOJ) participates in the Interpol Standing Working Party on Offenses Against Children. The DOJ continues follow-up and implementation projects from the First World Congress Against the Sexual Exploitation of Children, Stockholm, Sweden, in August 1996.

The Department of State participates in ongoing regional migration fora which include alien smuggling and trafficking in women and children issues. The Regional Conference on Migration consists of representatives from Central America, the Dominican Republic, Mexico, Canada and the United States of America. The Budapest Group includes Central European countries and the European Union (the United States of America is an observer). The Inter-governmental Consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia (IGC) provides an informal setting for immigration and foreign affairs officials to discuss the latest issues affecting their respective countries.

7. How does your government publicize prosecutions:

The Department of Justice issues press releases to the print and electronic media each time a significant indictment or conviction is obtained in a trafficking case.

1. Which of the four areas of trafficking is your government most concerned about?

In response to a Presidential directive to address the problem of trafficking almost two years ago (March 1998), the United States of America has adopted a comprehensive and integrated anti-trafficking policy framework based on prevention, protection and assistance for victims, and prosecution and enforcement against traffickers. These three elements of U.S. policy are interconnected and the United States of America strives to implement policies that advance all of them. The following is a sampling of U.S. anti-trafficking programs and international cooperation.

PREVENTION OF TRAFFICKING IN HUMAN BEINGS

* The U.S. has increased its emphasis on economic opportunity and social development programs for women in source countries to provide economic alternatives to counter the lure of leaving their home countries or communities to look for employment. For example, the U.S. Agency for International Development is sponsoring a consortium of NGOs in the Ukraine to provide job skills training, small business development skills and mentoring for women.

* The U.S. funds public awareness campaigns throughout source countries of the Former Soviet Union and Europe, warning potential victims of methods used by traffickers.

* The United States of America developed a brochure entitled "Be Smart, Be Safe" targeted to potential victims describing the tactics that criminal groups use to traffic women, the risks of trafficking, and what women can do to protect themselves.

PROTECTION AND REINTEGRATION ASSISTANCE FOR TRAFFICKING VICTIMS

* The United States of America has allocated funds to the Mekong Region (Thailand, Cambodia, Vietnam, and Laos) in order to provide return and reintegration assistance to victims of trafficking.

* The U.S. has allocated funds to return trafficked migrants from Bosnia and Herzegovina. The project will put in place mechanisms and procedures for the orderly and safe return of trafficked victims to break the cycle of trafficking and re-trafficking of women who have been entrapped in the sex industry.

* The Department of Justice is funding a pilot project using a network of community-based organizations to provide region specific services, such as mental health counseling, emergency shelter, and referrals for medical care, to Asian victims of trafficking in the Los Angeles area and is planning regional meetings with service provider across the country.

PROSECUTION OF/AND ENFORCEMENT AGAINST TRAFFICKERS

* The Attorney General created a Department of Justice Working Group to address this issue and, with the Department of Labor, created a Worker Exploitation Task Force that is strengthening the Administration's response to trafficking cases.

* In July 1999, the United States of America together with Japanese officials and the International Organization for Migration, conducted a two-week training program on Illegal Migration and Trafficking in Women and Children at the International Law Enforcement Academy in Bangkok.

* The Gore-Kuchma Commission established a law enforcement working group, which is cooperating on combating organized crime, including trafficking of women. This cooperative effort will include training programs for Ukrainian law enforcement officials.

[Top of page](#)

INTERNATIONAL COOPERATION

* In April 1998 at the UN Commission for Crime Prevention and Criminal Justice, member states adopted a resolution on trafficking in women and children. As a result, a UN Protocol on Trafficking in Persons, Especially Women and Children, is currently being negotiated. This protocol will supplement the UN Convention on Transnational Organized Crime. The United States of America is working with over 100 countries to ensure the Convention and the trafficking protocol will be ready for ratification by governments in September 2000.

* The United States of America funds programs through the International Labor Organization's (ILO) International Program on the Elimination of Child Labor (IPEC) to combat sexual exploitation of children. Since 1995, the Department of Labor has funded programs in countries such as Nepal and Thailand that aim to strengthen Government and NGO capacity to combat trafficking of children for sexual exploitation, support public awareness campaigns against child prostitution, and promote alternatives such as education for these children.

* At the November 1999 OSCE summit, the United States of America underscored the threat of trafficking in the OSCE region and joined other summit participants in calling for the implementation of the Action Plan to Combat Trafficking by all OSCE member states.

* The United States of America and Italy continue to cooperate on the bilateral Initiative to Combat Trafficking in Women and Children signed by President Clinton in 1998. The joint campaign targets data collection, the protection of the rights of victims, and training for law enforcement.

* Since 1998 the U.S. Embassy in Nepal has carried out a program to combat trafficking. Six U.S. government agencies cooperate with the government of Nepal to help prevent trafficking, protect the victims and prosecute traffickers. Programs in Nepal strike at the sources of trafficking through poverty alleviation and rural income generation.

2. What are your government's "best practices" and success stories in reducing the trafficking of women and children?

Domestically, the United States of America has been able to achieve considerable progress in implementing its anti-trafficking strategy through the close coordination and cooperation of many federal and local agencies. The use of an interagency working group focused exclusively on the problem of trafficking of human beings with a single office in the lead (President's Interagency Council on Women) facilitated this

cooperation and proved to be key to integrating efforts and resources.

At present, the Administration is working closely with the U.S. Congress to craft the strongest and most comprehensive anti-trafficking legislation possible, and prospects for passage of new legislation this year appear likely. The pending legislation would strengthen criminal penalties against traffickers and provide a range of protections for trafficking victims. These protections include the opportunity for temporary residency in the United States of America and eligibility for assistance, such as shelter and medical and legal assistance. The passage of this legislation would profoundly advance U.S. efforts to reduce the trafficking of women and children. Internationally, the United States of America has had success with public information campaigns to sensitize the general public to the dangers of trafficking and to publicize assistance programs, such as hotlines, shelters, and involved NGO's. Other best practices on an international level include law enforcement cooperation particularly in the areas of information sharing and joint training. Working with other countries to promote anti-trafficking initiatives in multilateral fora is also useful in addressing the transnational ramifications of the problem. There were successful prosecutions against traffickers in the United States of America in the following cases:

* Some 70 hearing-impaired and mute Mexican nationals were recruited in their homeland, brought to the United States of America, enslaved, beaten and forced to peddle trinkets in New York City and other cities. In New York, twenty persons were indicted on charges of aiding and abetting; conspiracy; the bringing in, transporting, harboring, and inducement to enter of illegal aliens; the interference of commerce by threats or violence; and involuntary servitude. The ringleader received 14 years in prison, with the co-conspirators receiving one to eight year sentences depending on their involvement in the criminal scheme. In Charlotte, two defendants in the case pled guilty to aiding and abetting; conspiracy; and the bringing in, transporting, harboring and inducement to enter of illegal aliens. One defendant received a prison term of almost four years; the other received three years and four months.

* Thai garment workers were held captive in El Monte, California. Seven defendants were convicted of alien smuggling, involuntary servitude, and civil rights violations. They received sentences ranging from four to seven years, with one defendant receiving seven months. Restitution in the amount of \$4.5 million was ordered for the victims.

* Teenage Mexican girls were held in slavery in Florida and the Carolinas and forced to submit to prostitution. In March 1998, 16 men were indicted in Florida for enslaving the Mexican women and girls in brothels. The men were charged with importing aliens for immoral purposes, transporting women and minors for prostitution, involuntary servitude, visa fraud, conspiracy, and violation of civil rights. The defendants' sentences ranged from two to six years with one ringleader receiving 15 years. The judge ordered that the trafficking organization pay \$1 million dollars in restitution.

* Russian and Latvian women were forced to dance nude in Chicago. According to charges against the traffickers, the traffickers picked the women up upon their arrival at a U.S. airport, seized their documents and return tickets, locked the women in hotels or other locations, beat the women and told them that if they refused to dance nude in various nightclubs, then the Russian Mafia would kill their families. Two Russians and two Latvians were arrested for a variety of offenses including peonage, conspiracy to commit offense or fraud, and obstructing law enforcement. The arrests resulted in the recovery of 11 weapons, ammunition, documents and photographs identifying additional victims.

* Over a period of three years, hundreds of women from the Czech Republic who answered advertisements in Czech newspapers for dancing were forced to dance nude and be fondled for money. Two defendants in the case received sentences for approximately five years incarceration for trafficking women into the United States of America for prostitution or other immoral purposes, and two additional defendants were charged with witness tampering.

* In November 1998, three individuals were indicted in the Northern Mariana Islands for luring women from China with promises of waitressing jobs and then forcing them to work as "bargirls" and have sex with customers. All three pled guilty in October 1999 to conspiracy to violate the 13th Amendment and laws governing involuntary servitude, extortion and transportation for illegal sexual purposes. The leader received a nine year sentence in prison, his wife a five year sentence, and their son a three year sentence.

3. How are the non-government organizations (NGOs) effectively involved?

NGOs in the United States of America were instrumental in bringing the issue of trafficking to the forefront of U.S. domestic and foreign policy. NGOs have courageously convened fora, produced moving documentaries and accurately reported the horrors faced by trafficking victims. U.S. NGOs remain actively involved both at home and abroad in the fight against trafficking and in assisting victims. The United States of America is committed to a close partnership with NGOs as it develops U.S. policy and programs.

This partnership is an open and transparent process. The President's Interagency Council on Women and the Office of the Senior Coordinator for International Women's Issues at the Department of State conduct public briefings at the Department of State every three months on a range of issues, including trafficking. Just last month, over 400 participants attended a general briefing at the Department of State followed by a separate session on trafficking. The Council posts summaries of the NGO briefings on its website to extend its outreach to interested parties across the United States of America and around the world.

4. What are your government's unmet needs in the fight to reduce trafficking women and children?

The passage of national legislation against trafficking is crucial to the success the United States of America can achieve in the fight to reduce trafficking of women and children, to protect and provide assistance to its victims, and to prosecute the traffickers. The prospects for passage this year appear good.

5. Does your government have any expectations for the ARIAT meeting or meeting or any questions you would like to ask the co-hosts?

In that traffickers in women and children, much like narcotics traffickers, operate boldly across international borders, the United States of America strongly believes that all countries - whether they be countries of origin, transit or destination - must collaborate to combat the trafficking problem. The United States of America greatly values the opportunity to work with the nations of the Asia Pacific region to build on and augment the Bangkok Declaration of April 1999 by developing practical strategies for national and regional action to reduce trafficking.

¹. Retrieved February 2002 from U.S. State Department Web site.

[Top of page](#)

Last modified: November 2004

[Prevention](#) | [Protection](#) | [Reintegration](#) | [Prosecution](#) | [NGOs](#) | [Governments](#) | [Countries/Regions](#) | [Resources](#) | [Home](#)
[Privacy Statement and Disclaimer](#)
[Contact Us](#)