



TRAFFICKING IN PERSONS



U.S. DEPARTMENT OF DEFENSE AWARENESS INITIATIVE

It Was Late Afternoon...

“I was washing dishes at the river with six other girls. We tried to run, but they caught us. Three girls resisted. To punish them, they cut off their ears. They knifed out their eyes. Then they killed them.”

“I was so afraid, I couldn't move. They said if we struggled, they would kill us too. They raped us. They held me down. It was the first time I had sex.”

“Sierra Leone is No Place to be Young,” NY Times, Feb. 14, 1999

Slavery is Happening Now



Photo Credit: UNODC

It's Worse Than You Realize

Trafficking in persons is the **3rd largest** criminal activity in the world, following illegal drug and arms sales



Who is Responsible?



Who is Responsible?

The “bad guys” are not just the people who operate the trafficking enterprise – they are also their customers, who could be:

- **Overseas Contractors**
- **Government Civilians**
- **Military Personnel**



Agenda

- US/DoD Policy
- Trafficking Phenomenon
- Detection
- Legal Provisions
- General Summary
- Localization by Theater



Zero Tolerance in the Armed Forces

Involving yourself with trafficking
jeopardizes your career

U.S. Government Resolve

On December 16, 2002 the President signed a National Security Presidential Directive mandating a “zero tolerance” policy toward trafficking among members of the US armed services, civilian employees and civilian contractors

ZERO
TOLERANCE



Photo Credit: DOD JDCC

From the Commander in Chief

“...the policy of the United States is to attack vigorously the worldwide problem of trafficking using law enforcement, diplomacy, and all other appropriate tools.”

“Those who patronize this industry debase themselves and deepen the misery of others. Governments that tolerate this trade are tolerating a form of slavery.”

(President George W. Bush, Sept 2003)

U.S. Government Resolve

January 30, 2004

Deputy Secretary of Defense expressly forbids involvement with trafficked people by U.S. troops, government civilians and defense contractors



U.S. Government Resolve

“[Trafficking in persons] is a violation of human rights; it is cruel and demeaning; it is linked to organized crime; it undermines our peacekeeping efforts; and it is incompatible with military core values”



U.S. Government Resolve

September 16, 2004

Secretary of Defense
calls for commanders at
all levels to ensure their
units are trained to
understand and
recognize indicators of
this serious crime



Forward Progress

You have the opportunity to create
positive change



Photo Credit: Human Rights Watch

The following presentation will show you how



Photo Credit: Dept of Labor

TRAFFICKING PHENOMENON

U.S. DEPARTMENT OF DEFENSE T.I.P. AWARENESS TRAINING

Poverty is So Miserable...

“I was desperate. When they offered work, I had no choice but to accept. Soon after my arrival in Japan, I realized that I had been sold. My life after that was like that of an animal.”

“I was sold three more times and forced to have sex everyday. My owner threatened that wherever I escaped to, I would be traced and killed and so would my parents in Thailand.”

“Set me free: Women immigrants often forced into prostitution,”
New Internationalist, Siriporn Skrobanek, September 1998

Trafficking Phenomenon

Objectives

- Be able to define trafficking in persons
- Be aware of the origins of trafficking in persons
- **Be able to identify behaviors of the perpetrators of this problem**

What is Trafficking in Persons?

The United Nations defines trafficking as:

Recruitment, transportation, transfer, harboring or receipt of persons. . .

By means of the threat, use of force, coercion, abduction, fraud, deception, abuse or exploitation

Trafficking is...

- Holding and/or transporting people against their will
- Forcing people into servitude through violence and/or deception



Trafficking is...

- Buying or selling human beings
- Supporting the above by hiring forced prostitutes or patronizing forced labor establishments



Photo Credit: UNODC

Vocabulary

- Involuntary Servitude
- Debt bondage
- Commercial Sex Act
- Sex Trafficking



The Victims

Most victims are women and children who have been:

- Kidnapped
- Tricked
- Coerced/Forced
- Sold by their families



Photo Credit: DOD JCCC

Circumstances Leading to Victimization

Women and children often become victims of trafficking for the following reasons:

- **Poverty**
- Lack of safety nets
- Low status within family
- Ill informed families sell their children
- Cultures of shame ban trafficked persons

Trafficking is...

Modern day slavery stemming from:

- Greed of perpetrator
- Economic hardship
- Destabilizing forces
 - ✓ Criminal activity
 - ✓ Government corruption
 - ✓ Armed conflict



Photo Credit: Dept of Labor

Perpetrators

Traffickers entice and control their victims in a number of ways

- Lying to victims about future employment, travel, living conditions or treatment
- Promises of valid immigration and travel documents
- Threat of harm to the victim and the victim's family

Perpetrators (continued)

- Involving victims in additional criminal activities
- Moving victims around on a circuit of workplaces or brothels
- Coaching victims on what to say to officials



Photo Credit: Human Rights Watch

Who Are the Perpetrators?

- International organized crime
- Small trafficking groups that specialize in one specific country
- Individual freelancers



Don't Assist the Perpetrators

You aid and encourage trafficking in persons without engaging in it directly by:

- Hiring prostitutes
- Attending nightclubs or strip clubs
- Patronizing businesses that are heavily guarded
- Not reporting cases of suspected trafficking
- Patronizing establishments that use forced labor

Types of Trafficking

- Sexual exploitation
- Child prostitution
- Forced labor
- Child soldiers
- Indentured servants
- Organ harvesting



Photo Credit: DOD JCCC

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Photo Credit: Teun Voeten – Panos Pictures

DETECTION

U.S. DEPARTMENT OF DEFENSE T.I.P. AWARENESS TRAINING

There Was a Bar Downstairs...

“Every night we were made to go there and find clients for sex. I tried not to attract attention by dressing modestly and sitting by myself.”

“Girls who would not cooperate were taken down to the basement and beaten across their backs – where it would not show but still be painful – causing damage to their kidneys.”

The Protection Project Database

Detection

Objectives

- Be able to identify signs that a person may be a victim of trafficking
- Be aware of where trafficked persons can be found
- Know the procedures for reporting an instance of real or suspected trafficking

Signs of Trafficking

- Victims can't speak the local language or move about and live in the local community
- Heavy security and restrictive access at brothels or other workplace
- Secretive advertisements for services
- Domestic violence

Where to Find Victims

- Nightclubs
- Bars
- Modeling studios
- Spas
- Clubs
- Escort services
- Massage parlors
- Adult bookstores



Photo Credit: Teun Voeten – Panos Pictures

Advertising

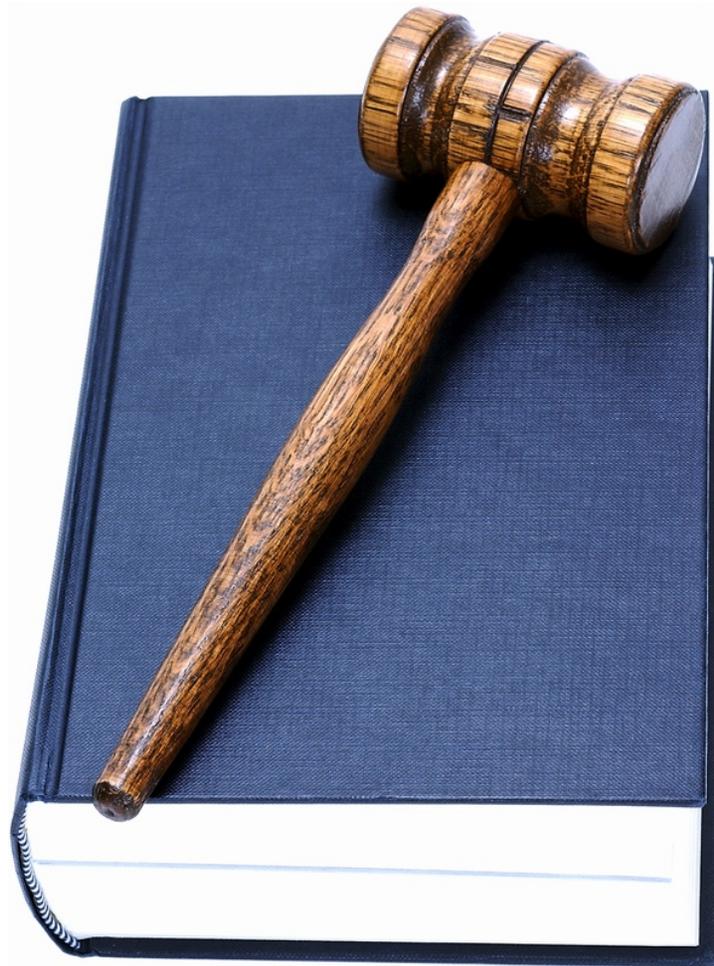
Advertisements for establishments that use trafficked persons will boast of having an ethnically diverse staff and can be found in:

- Yellow pages (under escort service and massage parlors)
- Free guides at adult bookstores
- Mail-order bride catalogues
- Tabloids

Reporting Trafficking

If you believe you have witnessed a trafficking operation or believe a person is being trafficked, you should. . .

Report that information to your chain of command, Provost Marshal or IG



LEGAL PROVISIONS

U.S. DEPARTMENT OF DEFENSE T.I.P. AWARENESS TRAINING

Legal Provisions

Objectives

- Understand the UCMJ (Article 134)
- Be aware of the Military Extraterritorial Jurisdiction Act of 2000 (MEJA)
- Be aware of the legal sanctions against military and civilian involvement with trafficking in persons
- Be aware of the legal consequences of trafficking in persons

UCMJ

Military Personnel

- Military personnel are subject to UCMJ jurisdiction 24/7, while on or off duty, while on or off military reservation, and worldwide
- Members of the Reserve Components are subject to UCMJ when performing active duty or training (National Guard when in Federal Status)
- Retired regular members of the armed forces who are entitled to pay are subject to UCMJ
- As a general rule, military family members and civilian employees are not subject to UCMJ

MEJA 2000

DoD Civilians/Contractors

Public Law 106-523
106th Congress

An Act

To amend title 18, United States Code, to establish Federal jurisdiction over offenses committed outside the United States by persons employed by or accompanying the Armed Forces, or by members of the Armed Forces who are released or separated from active duty prior to being identified and prosecuted for the commission of such offenses, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Military Extraterritorial Jurisdiction Act of 2000".

SEC. 2. FEDERAL JURISDICTION.

(a) CERTAIN CRIMINAL OFFENSES COMMITTED OUTSIDE THE UNITED STATES.—Title 18, United States Code, is amended by inserting after chapter 211 the following new chapter:

"CHAPTER 212—MILITARY EXTRATERRITORIAL JURISDICTION

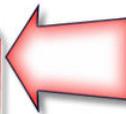
"Sec.
"3261. Criminal offenses committed by certain members of the Armed Forces and by persons employed by or accompanying the Armed Forces outside the United States.
"3262. Arrest and commitment.
"3263. Delivery to authorities of foreign countries.
"3264. Limitation on removal.
"3265. Initial proceedings.
"3266. Regulations.
"3267. Definitions.

"§ 3261. Criminal offenses committed by certain members of the Armed Forces and by persons employed by or accompanying the Armed Forces outside the United States

"(a) Whoever engages in conduct outside the United States that would constitute an offense punishable by imprisonment for more than 1 year if the conduct had been engaged in within the special maritime and territorial jurisdiction of the United States—
"(1) while employed by or accompanying the Armed Forces outside the United States; or
"(2) while a member of the Armed Forces subject to chapter 47 of title 10 (the Uniform Code of Military Justice),
shall be punished as provided for that offense.

"(b) No prosecution may be commenced against a person under this section if a foreign government, in accordance with jurisdiction

"...engaged in conduct outside the United States that would constitute an offense punishable by imprisonment for more than 1 year if the conduct had been engaged in within the special maritime and territorial jurisdiction of the United States..."



MEJA 2000

DoD Civilians/Contractors

**In other words, crimes committed
abroad will be punished as if they
were committed in the US**



SUMMARY

Summary

Trafficking Phenomenon

- Trafficking preys on those who are economically and socially vulnerable
- Traffickers use a variety of techniques to maintain control of their victims

Detection

- Trafficked persons are often in controlled, vulnerable situations
- You should know the procedures for reporting suspected trafficking

Summary (continued)

Legal Provisions

- The United States treats serious crimes committed by service members abroad as if they were committed at home
- Involvement in trafficking carries serious consequences
- The United States has a **zero tolerance policy** toward trafficking

Where to Get More Information

- 2004 Trafficking in Persons Report
<http://www.state.gov/g/tip/rls/tiprpt/2004>
- Ending Modern Day Slavery
<http://www.state.gov/g/rls/rm/2004/31063.htm>
- Slavery in 2004
<http://www.state.gov/g/tip/rls/29229.htm>
- Pathbreaking Strategies in the Global Fight Against Sex Trafficking
<http://www.state.gov/g/tip/c8628.htm>
- Military Extraterritorial Jurisdiction Act of 2000
<http://www.pubklaw.com/hi/pl106-523.pdf>