



Department of Justice, Peace and Human Development Office of International Justice and Peace

Background on Human Trafficking January 2014

I have always been distressed at the lot of those who are victims of various kinds of human trafficking. How I wish that all of us would hear God's cry: "Where is your brother?" (Gen 4:9). Where is your brother or sister who is enslaved? Where is the brother and sister whom you are killing each day in clandestine warehouses, in rings of prostitution, in children used for begging, in exploiting undocumented labour? Let us not look the other way.

-- Pope Francis, *Evangelii Gaudium*

BACKGROUND

The United Nations Protocol on Human Trafficking defines Human Trafficking as "the "recruitment, transportation, harboring or receipt of persons by means of force, fraud or coercion."¹ It is a horrific crime against the fundamental rights and dignity of the human person and takes a variety of forms in every region of the world. Some people are trafficked for prostitution, pornography, and other forms of sexual exploitation. Some are trafficked for forced labor in agriculture, sweat shops, and domestic servitude. Some are trafficked for both. Through sexual slavery, the body becomes little more than an object to be exploited. For victims of forced labor, the body is considered a disposable machine, made to work long hours for little or no pay and for the profit of others. In both cases the person who is enslaved is treated as an object for another's benefit. The person's God-given human dignity is either ignored or forgotten.

According to the U.S. State Department, every country in the world is affected by trafficking; it estimates that 600,000 to 800,000 men, women, and children are trafficked across international borders each year. Of these, approximately 80% are female, and up to 50% are minors. *The United Nation's International Labor Organization's 2012 Estimate on Forced Labor* shocks the conscience²:

- Of the 20.9 million victims of trafficking and human slavery worldwide, 9.1 million victims (44 percent) have been trafficked after moving internally or internationally, while the remaining 11.8 million are subjected to forms of modern slavery in their place of origin or residence within their own national borders.
- Nearly 1.5 million victims are currently laboring in conditions of forced labor, sexual exploitation and servitude in the United States, Canada and developed countries of the EU.
- Fifty-five percent of forced labor victims are women and girls, as are 98 percent of sex trafficking victims.
- Children aged 17 years and below are 26 percent of total victims, representing a total of 5.5 million child victims worldwide.

While many Americans imagine human trafficking to be a problem that only happens in far-off lands, it is, sadly, an American problem as well. The United States serves as a source, transit and destination country for

¹ 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, §3a 15 November 2000, available at: <http://www.refworld.org/docid/4720706c0.html>

² International Labor Organization, *2012 Global Estimate of Forced Labor* (Geneva, Switzerland: International Labor Organization), http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_182004.pdf

men, women and children - both U.S. citizens and foreign nationals. As many as 17,500 people are trafficked into the United States each year for the purpose of forced labor or sexual servitude.

The United States federal government has been a leader in addressing human trafficking at the national level. Through the Trafficking Victims Protection Act (TVPA), and subsequent reauthorizations in 2003, 2005, 2008 and 2013, the U.S. has developed a legal mechanism for implementing: trafficking prevention mechanisms, law enforcement and legal protections, and victim support services.

According to the State Department's 2012 annual *Trafficking in Persons Report*, federal and state human trafficking data indicate more investigations and prosecutions have taken place for sex trafficking than labor trafficking in the U.S.;³ however, victim service providers reported assisting significantly higher numbers of foreign national victims in cases of labor trafficking than in cases of sex trafficking. Non-governmental and religious organizations such as the U.S. Conference of Catholic Bishops have noted increasing reports of children recruited into criminal activity, particularly at the U.S.-Mexico border, as well as traveling sales crews and peddling rings utilizing the forced labor of children and adults.

USCCB POSITION

For over a decade the United States Conference of Catholic Bishops (USCCB) has been a leader in the U.S. and global response to human trafficking, and has established an Anti-Trafficking Program within the Migration and Refugee Services Department to coordinate the response of the U.S. Church. Through this office the USCCB has launched its Amistad Program that provides training to individuals in immigrant communities for the purpose of prevention and education. This office has also developed a wide range of educational resources that aim at raising awareness of this issue among Catholics on the parish level.⁴ Between 2001 and 2011, Catholic Relief Services had implemented 140 anti-trafficking projects in more than 35 countries. Many of these programs aim to prevent trafficking in high-risk communities or after natural disasters. Others respond directly to trafficking. For example, CRS partners in Brazil have developed legislation and programs to help companies ensure they do not use slave labor. It has also freed more than 30,000 slave laborers.

POSSIBLE LEGISLATION

HR 3344 FORTE Act (Fraudulent Overseas Recruitment and Trafficking Elimination) is designed to prohibit foreign labor recruiters from charging overseas workers large recruitment or job fees to apply and receive jobs in the United States and would create a clearinghouse or registration of foreign labor recruiters that must register with U.S. government agency. Frequently, these workers are exploited and misled by unscrupulous recruiters who promise them much higher wages and better living condition than they actually receive.

A second piece of legislation is the Global Supply Chain Transparency Bill which has not been reintroduced in the 113th Congress but is modelled after a similar bill sponsored by Rep. Carolyn Maloney in 2011. The bill would require certain identified companies to submit regular disclosures about what the company is doing to identify and address conditions of forced labor, slavery, and worst forms of child labor within the company's supply chain. Informing consumers about the supply chain is an important practice that helps eliminate exploitative commercial enterprises throughout the world.

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³ Department of State, *Trafficking in Persons Report 2012* (Washington, DC: U.S. Government Printing Office, 2012).

⁴ <http://www.usccb.org/about/anti-trafficking-program/become-a-shepherd-tool-kit.cfm>