



U.S. DEPARTMENT *of* STATE

OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

JUNE 2013

Alison Friedman, Deputy Director



U.S. DEPARTMENT of STATE

WHAT ARE WE REALLY TALKING ABOUT?

Trafficking in Persons...

A crime involving the exploitation of someone for the purposes of compelled labor or commercial sex through the use of force, fraud, or coercion.

**Where a person younger than 18 is induced to perform a commercial sex act, it is a crime regardless of whether there is any force, fraud, or coercion.*



U.S. DEPARTMENT of STATE

"It ought to concern every person, because it is a debasement of our common humanity. It ought to concern every community, because it tears at our social fabric. **It ought to concern every business, because it distorts markets.** It ought to concern every nation, because it endangers public health and fuels violence and organized crime. I'm talking about the injustice, the outrage, of human trafficking, which must be called by its true name -- **modern slavery.**"

– President Barack Obama



U.S. DEPARTMENT of STATE

Human Trafficking

as defined by the
Trafficking Victims Protection Act of 2000

- Sex trafficking in which a commercial sex act is induced by **force, fraud, or coercion**, or in which the person induced to perform such an act has not attained 18 years of age; OR
- The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of **force, fraud, or coercion** for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.





U.S. DEPARTMENT of STATE

U.S. LEGISLATION

Tariff Act of 1930 – prohibits importation of certain goods

“All goods...produced, or manufactured wholly or in part in a foreign country by convict labor or/and forced labor or/and indentured labor...shall not be entitled to entry at any of the ports of the United States”

TVPRA 2003 – provides a private right of action for damages and for attorney’s fees for particular violations

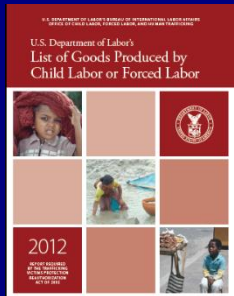
TVPRA 2008 – expanded a victim’s private right of action; provided for a “reckless disregard” standard that punishes financial gain:
“Whoever knowingly benefits, financially or by receiving anything of value...knowing or in reckless disregard of the fact that the venture has engaged in...[forced labor], shall be punished as provided in subsection (d)”



U.S. DEPARTMENT of STATE



**UN Convention Against Transnational Organized Crime
Protocol to Prevent, Suppress, and Punish Trafficking in Persons,
Especially Women and Children
Currently, 151 states are Party to the Protocol**



U.S. Department of Labor list of **134 goods from 74 countries that
DOL has reason to believe are produced by forced labor, child
labor or both, in violation of international standards.**



SB 657: California Transparency in Supply Chains Act



U.S. DEPARTMENT of STATE

HOW BAD IS THE PROBLEM?

- ILO estimates at least 20.9 million people are victims of human trafficking at any point in time
- ILO reports that migrants lose more than \$20 billion through coercion by traffickers
- Over the last 5 years, on average, there have been an estimated 3,700 trafficking convictions worldwide
- Of these, labor trafficking convictions only comprise approximately 7.2 percent



Cotton harvest in Burkina Faso



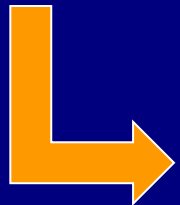
U.S. DEPARTMENT of STATE

Global Supply Chains





U.S. DEPARTMENT of STATE



Modern Slavery





U.S. DEPARTMENT of STATE

Unscrupulous Labor Recruitment Practices



Recruitment Fees

**Material Misrepresentation of
Conditions of Employment**





U.S. DEPARTMENT of STATE

Document Confiscation



Illegal Salary Deductions





U.S. DEPARTMENT of STATE



AN ETHICAL FRAMEWORK FOR CROSS-BORDER LABOR RECRUITMENT:

An Industry/Stakeholder Collaboration to Reduce the Risks of Forced Labor and Human Trafficking





U.S. DEPARTMENT of STATE

Apple Supplier Responsibility

2012 Progress Report



Apple Inc. ordered several international suppliers to **reimburse \$3.3 million in excess recruitment fees** to foreign contract workers in 2011, the Cupertino, California-based computer maker announced in its *Apple Supplier Responsibility 2012 Progress Report*. The report tracks activities at locations where Apple's products are manufactured.



U.S. DEPARTMENT of STATE

Now, finally, as one of the largest purchasers of goods and services in the world, the United States government will lead by example. We've already taken steps to make sure our contractors do not engage in forced labor. And today we're going to go further. I've signed a new executive order that raises the bar. It's specific about the prohibitions. It does more to protect workers. It ensures stronger compliance. In short, we're making clear that American tax dollars must never, ever be used to support the trafficking of human beings. We will have zero tolerance. We mean what we say. We will enforce it."

