



# TRAFFICKING IN PERSONS



U.S. DEPARTMENT OF DEFENSE AWARENESS INITIATIVE

# It Was Late Afternoon...

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“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

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Photo Credit: UNODC

# It's Worse Than You Realize

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Trafficking in persons is the **2nd largest** criminal activity in the world, following illegal drugs Just in front of illegal arms



# Who is Responsible?

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# Who is Responsible?

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

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





# Agenda

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



# Zero Tolerance in the Armed Forces

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Involving yourself with trafficking  
**jeopardizes your career**

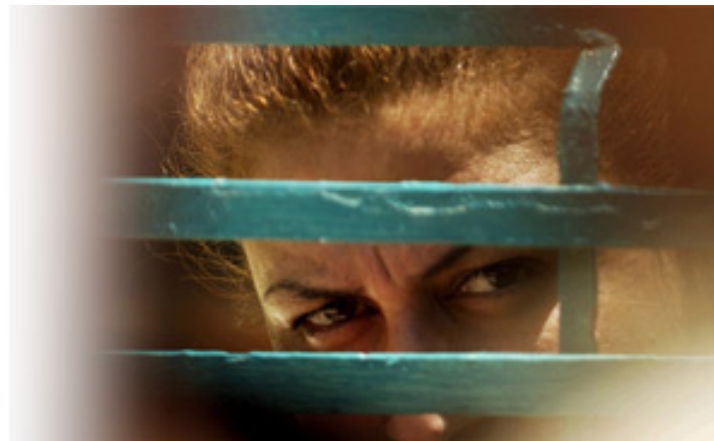


# U.S. Government Resolve

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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

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“...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

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**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

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“[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

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**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



# U.S. Government Resolve

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**February 16, 2007**

Department of Defense  
Instruction for  
Combating Trafficking  
in Persons assigns roles  
and responsibilities to  
all DoD components  
and incorporates the 2  
policy memos





# Forward Progress

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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...

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“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

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## 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?

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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...

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



# Trafficking is...

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



Photo Credit: UNODC

# Vocabulary

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





# The Victims

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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

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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...

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Modern day slavery stemming from:

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



*Photo Credit: Dept of Labor*

# Perpetrators

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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)

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- 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?

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



# Don't Assist the Perpetrators

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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

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



*Photo Credit: DOD JCCC*



*Photo Credit: Teun Voeten – Panos Pictures*

# DETECTION

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

# There Was a Bar Downstairs...

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“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

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## 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

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- 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

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



*Photo Credit: Teun Voeten – Panos Pictures*

# Advertising

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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

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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

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## Objectives

- Understand the UCMJ (Article 134) offense of "Patronizing a Prostitute"
- 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

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### Legal Prohibition on Prostitution

- ✦ On October 14, 2005, President Bush signed E.O. 13387 "2005 Amendments to the Manual for Courts-Martial, United States" that enumerates the Article 134, UCMJ, offense of "Patronizing a Prostitute"
  
- ✦ "(b)(2) Patronizing a Prostitute
- ✦ (a) That the accused had sexual intercourse with another person not the accused spouse;
- ✦ (b) That the accused compelled, induced, enticed, or procured such person to engage in an act of sexual intercourse in exchange for money or other compensation; and
- ✦ (c) This act was wrongful; and
- ✦ (d) That, under the circumstances, the conduct of the accused was to the prejudice of good order and discipline in the armed forces or was of a nature to bring discredit upon the armed forces"

# UCMJ

## Military Personnel

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- 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

# UCMJ

## Civilian Personnel

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- DoD civilian employees and DoD contract employees are subject to the UCMJ when they are serving with or accompanying Armed Forces in the field during a time of congressionally-declared war or a contingency operation.



# 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

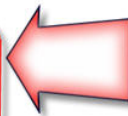
"Sec.  
"3261. Criminal offenses committed by certain members of the Armed Forces and by persons employed by or accompanying the Armed Forces outside the United States.  
"3262. Arrest and commitment.  
"3263. Delivery to authorities of foreign countries.  
"3264. Limitation on removal.  
"3265. Initial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

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

**DoD Instruction 5525.11, "Criminal Jurisdiction Over Civilians Employed By or Accompanying the Armed Forces Outside the United States, Certain Service Members, and Former Service Members"**  
(Available at <http://www.dtic.mil/whs/directives/>)

# DoD Contractors

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## **Federal Acquisition Regulation (FAR) TIP rule**

**Companies have a trafficking clause in their employment contract which stipulates they are responsible for:**

- **Complying with Host Nation & US Law, DoD Policy and local theater regulations on TIP;**
- **they are subject to contract penalties for non-compliance**

**Responsibility also flows down to any and all subcontractors of a given company**



# SUMMARY

# Summary

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## 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)

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## Legal Provisions

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

# Where to Get More Information

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- 2008 Trafficking in Persons Report
  - <http://www.state.gov/g/tip/rls/tiprpt/2008/>
  - Related Links:
    1. DoDIG Website:
      - <http://www.dodig.mil/Inspections/IPO/combatinghuman.htm>
    2. Department of State:
      - <http://www.state.gov/g/tip/>
    3. Department of Justice
      - [http://www.usdoj.gov/whatwedo/whatwedo\\_ctip.html](http://www.usdoj.gov/whatwedo/whatwedo_ctip.html)
    4. Department of Labor:
      - <http://www.dol.gov/ilab/>
    5. Department of Health and Human Services
      - <http://www.acf.hhs.gov/trafficking/>
    6. U.S. Immigration and Customs Enforcement:
      - <http://www.ice.gov/pi/investigations/publicsafety/humantrafficking.htm#trafficking>
    7. A web resource for combating human trafficking
      - [http://humantrafficking.org/countries/united\\_states\\_of\\_america/ngos](http://humantrafficking.org/countries/united_states_of_america/ngos)