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RESCUING VICTIMS OF MODERN-DAY SLAVERY

The Policy of Victim Rescue

Human trafficking is modern-day slavery, involving victims who are forced, defrauded, or coerced into labor or sexual exploitation. While some victims of this crime are able to escape from involuntary servitude, many more are not able to break free on their own. They need help.

Help usually comes in the form of a raid on the place where victims are held against their will. Victims of involuntary servitude in a labor situation are rescued through raids on sweatshops, or searches of homes exploiting domestic servants, for example. Victims of sex trafficking are rescued through raids on brothels and other places where commercial sexual exploitation occurs, such as massage parlors, Karaoke bars, and strip clubs.

Regardless of the type of rescue, the law enforcement operation—typically termed a “raid”—should be executed through legal means, under the proper authority, using warrants or other necessary court or police orders.

The U.S. Government views rescues as an integral part of the law enforcement response to trafficking in persons. Rescues identify, gain access to, and protect victims while uncovering evidence for the prosecution of traffickers and their accomplices.

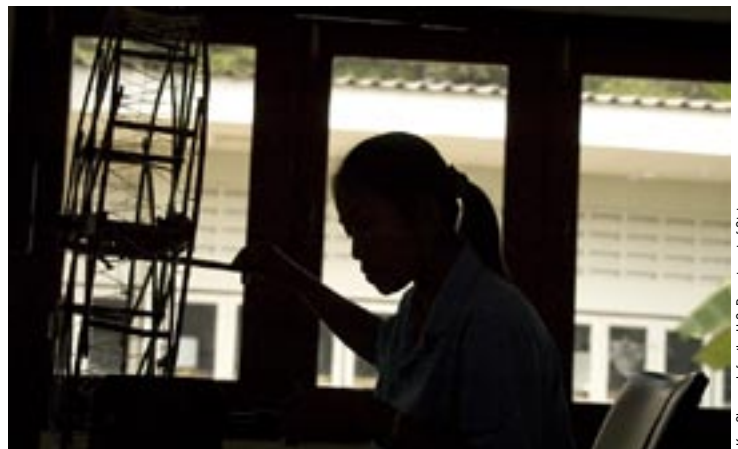
Smart Raids vs. Blind Raids

Law enforcement raids in search of trafficking victims are most effective when they involve good planning and information gathering. While it is unrealistic to get complete information on victims in servitude, learning enough to know, with a high degree of certainty, that trafficking victims are present in the commercial sex and labor sites is important. Victim information is usually obtained through law enforcement people working undercover or through strategically-recruited informants. Carefully planned to ensure the safety of all involved and with post-rescue care arranged for trafficking victims, these *smart* raids can free trafficking victims while minimizing harm to others.

Some law enforcement raids are *blind*: They are executed against a target without prior attempts to verify the existence of victims of trafficking in those locations. Blind raids can lead to poor results while inconveniencing or harming people not involved in trafficking. Law enforcement agents often become disheartened after such unsuccessful raids, especially if they assumed enslaved people would be found, enthusiastically awaiting liberation. Bad experiences with blind raids can lead to less effort against sites where labor or sex trafficking is ongoing—or lead to cynicism regarding the human trafficking phenomenon.

Identifying Victims of Trafficking

The violence (physical and psychological) and intimidation that marks involuntary servitude means that victims are often reluctant to identify themselves as victims. This is true around the world and occurs for various reasons. First, victims are usually taught to fear law enforcement authorities and non-governmental organizations (NGOs). If victims are underage, they are typically coerced by traffickers and brothel keepers to claim they are adults consensually involved in prostitution. Adult trafficking victims may be coerced to hide indicators of trafficking—such as confinement, debt bondage, or threats of violence against them and their families. Labor managers and brothel keepers often threaten victims or their relatives with future harm if their situation is revealed.



Kay Chermesh for the U.S. Department of State

This woman in her early 20s was trafficked to a blue jean sweatshop, where she and other young women were locked in and made to work 20 hours a day, sleeping on the floor with little to eat and no pay. She managed to escape and was brought to the government-run Baan Kredtrakarn shelter in Bangkok. After a few days, when she felt safe enough to tell her story to the director, the police were informed and they raided the sweatshop, freeing 38 girls, ages 14 to 26.



Kay Chermush for the U.S. Department of State

After the 2004 Trafficking in Persons Report placed Bangladesh on Tier 3, Bangladeshi police rescued these teenage girls from a brothel. They would have been trafficked to the Gulf states.

Suspected victims must be removed from the site of exploitation, away from the threatening environment, and taken to a safe place. The state needs to have temporary custody of these suspected victims, as victims or witnesses of serious crimes. In such an environment—usually in the form of a shelter—victims of human trafficking are more likely to reveal their true situations. The true ages of victims can be learned through self-reporting or medical examinations. Police and social counselors need time to interview and counsel suspected victims. This counseling period, ranging from a few days to two weeks, should become a standard practice in countries with significant trafficking problems. Once a person’s status as a victim of trafficking has been determined, long-term care should be available to facilitate rehabilitation.

Children Used for Commercial Sex

U.S. Government policy on children (under the age of 18) used for commercial sex is unambiguous: They must be removed from exploitation as soon as they are found. The use of children in the commercial sex trade is prohibited under both U.S. and international law. There can be no exceptions, no cultural or socio-economic rationalizations that prevent the rescue of children from sexual servitude.

NGO Involvement

NGOs often help law enforcement officers carry out raids and rescues. They can offer psycho-social counseling skills that help identify trafficking victims, usually after they are removed from trafficking situations.

NGOs and media representatives can also play a valuable role in holding law enforcement authorities to legal standards of crime prevention and victim care by bearing witness to, and demanding, accountability. NGOs, however, should not play a lead role in a raid or rescue, as they lack authority to perform law enforcement actions. NGOs and the media should avoid any practices that harm the rights of children or others.

Rights of Trafficking Victims

The U.S. Government will not compromise the rights of a victim of trafficking to be freed from sexual servitude or forced labor.

The U.S. Constitution (13th Amendment) gives all people the right to be free from slavery or involuntary servitude in the United States. We seek to ensure this basic standard in our efforts to combat trafficking in persons internationally. In approaching the prospective rescue of trafficking victims through law enforcement operations (“raids”), the rights of victims are paramount. Efforts should be made to minimize the number of non-trafficking victims affected by raids and rescues, but this must not preclude efforts to free every victim, who, by definition, is in clear and present danger of physical harm. There should be no safety zone in which traffickers can abuse their victims without fear of law enforcement action.

For more information, please log on to the Web site of the State Department’s Office to Monitor and Combat Trafficking in Persons at www.state.gov/g/tip.