



Organization for Security and Co-operation in Europe

Special Representative and Co-ordinator for Combating Trafficking in Human Beings

Foreword

On 1 - 12 February 2016, I had the pleasure to pay an official visit to the United States of America to hold consultations with high-level government officials, including Ambassador-at-Large to Monitor and Combat Trafficking in Persons Susan Coppedge of the U.S. Department of State, Representative Chris Smith of the United States House of Representatives, high-level representatives of the Departments of State (DOS), Health and Human Services (HHS), Homeland Security (DHS), Labour (DOL), Justice (DOJ), Office of the Management and Budget (OMB), and the Office of State Attorney General (AG) and the Los Angeles Task Force in California, and met with anti-trafficking experts from over 30 organizations representing academia, civil society, faith-based organizations and the private sector in the Washington DC metro area, New York, Los Angeles and San Francisco.

The objective of the visit was to promote full implementation of the OSCE commitments in the field of anti-trafficking and to propose action-oriented recommendations to better prevent and respond to human trafficking. I appreciate the constructive discussions held and I am pleased to have learned much regarding the co-operation mechanisms between government and civil society for the identification of and assistance to victims of trafficking in the U.S., both victims of labour and sexual exploitation among vulnerable migrants, as well as among children. Society actors and survivors expressed their hope to me that the US government would place an enhanced focus on protection and prevention, to ensure a balanced and comprehensive approach to combating human trafficking.

I wish to commend the issuance of the first report of the the United States Advisory Council on Human Trafficking which was established in May 29, 2015 and comprised of eleven survivor leaders bringing their critical voice of experience to advise and provide recommendations on federal anti-trafficking policies to the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF). I was heartened by the adoption of the International Megan's Law to Prevent Demand for Child Sex Trafficking introduced by the Representative Smith's H.R 4573 and signed into law by President Obama on February 8, 2016. This will ensure the notification of foreign governments when a citizen of United States who is registered as a sex offender for a sexual offense involving a minor will be traveling to the foreign country in question.

I was also pleased to learn more about the development of innovative practices and robust laws. I commend in particular the legislative measures aimed at preventing human trafficking in supply chains, and will be closely following the implementation of the Federal Acquisition Regulation to strengthen protection against human trafficking in federal contracts, as well as the California Transparency in Supply Chains Act. As always, the essential element is the actual implementation and enforcement of laws and policies, accompanied by the necessary financial and human resources. The recently adopted US Trade Facilitation and Trade Enforcement Act of 2015 also makes it easier to prevent goods made with forced labour from being imported into the country.

The Report was presented to the U.S. Delegation for comments on 21 July 2016, and was given three months to respond. The Delegation has shared the report for inter-agency comments and will submit its response which will be annexed to this report in their entirety.

Finally, I encourage the U.S. authorities to continue fighting human trafficking by implementing the suggested recommendations mentioned in my report and I look forward to further continuing our exchange and co-operation on the occasion of a follow-up to this report.

A handwritten signature in blue ink, appearing to read 'Madina Jarbussynova'.

Madina Jarbussynova

**Report by OSCE Special Representative and Co-ordinator for Combating
Trafficking in Human Beings, Madina Jarbussynova, following her official visit
to the United States of America
1-12 February 2016**

1. This Report presents the main findings of the official country visit to the United States of America of the OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings, Madina Jarbussynova (hereinafter referred to as the SR), which took place from 1 to 12 February 2016¹.
2. The purpose of the visit was to hold consultations with government officials and experts at both the federal and state levels, as well as with representatives of academia, civil society, faith-based organizations and the private sector on human trafficking issues. More specifically, the objectives of the visit were to discuss ways to support and advance ongoing efforts to prevent trafficking, assist trafficked persons and protect their rights, as well as bring perpetrators to justice in line with OSCE commitments and recommended actions and relevant international standards.
3. In the course of the visit, the SR engaged in direct consultations² with high-level government officials, including Representative Chris Smith of the United States House of Representatives, Ambassador-at-Large to Monitor and Combat Trafficking in Persons Susan Coppedge of the U.S. Department of State, high-level representatives of the Departments of State (DOS), Health and Human Services (HHS), Homeland Security (DHS), Labor (DOL), Justice (DOJ), Office of the Management and Budget (OMB), and the Office of State Attorney General (AG) in California, and other relevant agencies.
4. Furthermore, the SR held consultations with anti-trafficking experts from over 30 organizations representing academia, civil society, faith-based organizations and the private sector in the Washington DC metro area, New York, Los Angeles and San Francisco.
5. The SR wishes to thank the authorities of the United States, and in particular, the Permanent Delegation of the United States to the OSCE, the Department of State's Bureau of European and Eurasian Affairs, Office of Security and Political Affairs (EUR/RPM), and the Office to Monitor and Combat Trafficking in Persons (TIP Office), as well as the Commission on Security and Cooperation in Europe (U.S. Helsinki Commission) for their kind assistance in organizing and facilitating the visit. She also wishes to thank all interlocutors, from the national authorities to civil society and other international

¹ The SR was accompanied by her Deputy, Ms Ruth Freedom Pojman and her Temporary Adviser, Ms Mariyana Radeva Berket.

² For a complete list of meetings, please refer to the detailed country visit programme in *Annex I*.

organizations based in the United States, for their willingness and time to meet her and to share their knowledge and insights.

6. The SR regrets that the Department of Defense (DoD) was the only major U.S. agency that was unable to hold a separate meeting at the senior level with her during this Country Visit, as the largest employer in the world, including millions of employees and contractors. It would have been important to meet at the appropriate level to learn about the implementation of the DoD policy against human trafficking and of Title XVII of the National Defense Authorization Act (NDAA).
7. In the course of the visit, the SR noted with appreciation that government officials and non-governmental representatives at all levels demonstrated significant awareness of human trafficking as a serious violation of fundamental rights, knowledge of new trends in human trafficking in the country and a readiness to tackle new threats. In this regard, the SR is pleased to note the continued interest expressed by Representative Chris Smith of the U.S. Helsinki Commission to hold hearings on new trends and forms of human trafficking, including country-specific hearings, in the U.S. Congress, thus enhancing its critical legislative/policymaking role in combating trafficking in human beings as recommended by the OSCE Action Plan to Combat Trafficking in Human Beings³.
8. Consultations during the visit were focused on the situation of trafficking in human beings (THB) in the country and the ongoing policy, legislative and practical responses to it. More specifically, discussions were focused on identification and assistance provided to victims of all forms of trafficking, in particular victims of labour exploitation, the protection of victims' rights, especially among vulnerable migrants, efforts in the area of prevention, cooperation with non-governmental organizations (NGOs) as well as the prosecution and conviction of traffickers.
9. The SR stressed the importance of maintaining the prevention and the fight against all forms of trafficking, including for sexual and labour exploitation, as one of the main priorities on the Government agenda. In addition, the SR highlighted the need to conduct proactive identification of victims of all forms of trafficking, in particular sexual and labour exploitation, as well as to proactively investigate and prosecute these crimes accordingly.
10. The SR commends the United States for its leading role in preventing and combating trafficking in human beings in supply chains, including through government procurement, utilizing [Executive Order \(EO\) 13627, Strengthening Protections Against Trafficking In Persons In Federal Contracts](#), the Federal Acquisition Regulation (FAR) and the NDAA. The FAR policy on combating trafficking in persons in federal contracts is intended to implement EO 13627 and the NDAA, prohibits contractors from engaging in a variety of activities that can lead to human trafficking, including charging employees recruitment fees. The FAR requires further guidance for

³ MC Decision No. 2/2003 Combating Trafficking in Human Beings, 2 December 2003

acquisition personnel, including on prohibiting practices/fees/fraudulent recruitment practices. We understand that it will undergo an update.

11. The SR welcomes U.S. government plans to further amend the FAR in 2016 to include a definition of “recruitment fees” that contractors are prohibited from charging under the EO. The SR was informed that the notice of the Proposed Rule Federal Acquisition Regulation: Combating Trafficking in Persons: Definition of Recruitment Fees was posted on regulations.gov and open to public comment until 11 July 2016⁴.
12. The SR is pleased to learn about the impact that the OSCE project on domestic servitude has had, which the United States actively supported, including through extra-budgetary funding, by having prompted the pilot program on the registration of domestic workers in diplomatic households in Washington, DC. The [Know Your Rights](#) pamphlet was updated in 2016 and is now available to all U.S. embassies and consulates. The Know Your Rights Pamphlet is also available online at: https://travel.state.gov/content/dam/visas/LegalRightsandProtections/Wilberforce%20Pamphlet_June2016.pdf . The SR is looking forward to learning about the expansion of the program to other major US cities where there is a large body of diplomatic and consular staff, such as New York and Los Angeles.
13. The SR was pleased to learn more about the regular and continuous work of the **President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF)** and the **Senior Policy Operating Group on Trafficking in Persons (SPOG)** to facilitate interagency co-ordination. The Trafficking Victims Protection Act of 2000 (TVPA) established the PITF as a cabinet-level interagency coordination structure. The PITF, which has met regularly since February 2002, is chaired by the Secretary of State and is comprised of some 15 U.S. government agencies.⁵ The PITF's responsibilities include co-ordination of the implementation of the TVPA. The Trafficking Victims Protection Reauthorization Act of 2003 (TVPRA) established the SPOG, which is chaired by the Ambassador-at-Large of the State Department's Office to Monitor and Combat Trafficking in Persons (TIP Office). The purpose of the SPOG is to bring together senior policy officials from all the PITF member agencies to follow up on the task force meetings to co-ordinate the implementation of the TVPA across the whole of the U.S. government.

⁴ "Federal Acquisition Regulation: Combating Trafficking in Persons: Definition of Recruitment Fees (FAR Case 2015-017)." www.regulations.gov. May 10, 2016. Accessed December 06, 2016. https://www.regulations.gov/document?D=FAR_FRDOC_0001-1143.

⁵ Agencies of the PITF include: Department of State (DOS), Department of Defense (DOD), Department of Justice (DOJ), Department of the Interior (DOI), Department of Agriculture (USDA), Department of Labor (DOL), Department of Health and Human Services (HHS), Department of Transportation (DOT), Department of Education (ED), Department of the Treasury and the United States Trade Representative.

14. There were only 18 federal forced labour prosecutions initiated in FY 2013 and only 18 such cases initiated federally in 2014. This shows that the number of federal criminal prosecutions of human trafficking for labour exploitation remains low despite efforts to proactively identify labour trafficking cases and to overcome challenges that can be more pronounced in the labour trafficking context. These challenges include the generally lawful nature of many underlying industries in which potentially labour trafficking victims are exploited versus the generally unlawful nature of commercial sex industries, which increases law enforcement encounters with potential sex trafficking victims; the increased isolation of many potential labour trafficking victims, who unlike potential sex trafficking victims need not be advertised or brought into contact with customers; and the fact that all labour trafficking prosecutions require proof of coercion, whereas sex trafficking of minors requires no proof of coercion.

Though more prosecutions are needed, civil litigation is helpful in holding perpetrators accountable and in affording the victims remedy. Civil rights of action are authorized by the TVPA, and are a significant means of seeking recourse, particularly since a civil violation may be established by a preponderance of the evidence, whereas a criminal violation must be established by the higher evidentiary burden of proof beyond a reasonable doubt. A recent report states that, "*civil lawyers tend to work independently when they conduct litigation against private actors engaged in modern-day slavery. These cases can produce significant damages awards for victims, allowing private firms to cover their fees and costs. However, some firms, particularly in the United States, are willing to run cases pro bono, providing significant time and resources without collecting fees. Unfortunately, the impact of these cases often fails to reach beyond the individual litigants*"⁶. An update of the [Civil Litigation on Behalf of Victims of Human Trafficking](#) manual (Southern Poverty Law Center, 2008) is forthcoming, and expected to provide more information on the issue of civil litigation.⁷

15. As NGO advocates have pointed out, the disparity between sex and labour trafficking prosecutions does not correlate with the numbers of trafficking victims identified in non-prosecution contexts. According to the Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons for fiscal year (FY) 2014 (U.S. AG Report),⁸ 74 per cent of all foreign victims who were certified to receive benefits from HHS in FY 2014 were victims of labour trafficking, while approximately 19 per cent were sex trafficking victims, and 7 per cent were victims of both labour and sex trafficking. Of the foreign child victims who received eligibility letters, 66 per cent were labour trafficking victims, 31 per

⁶ "Ending Impunity, Securing Justice: Using Strategic Litigation to Combat Modern-day Slavery and Human Trafficking." www.htprobono.org. 2015. Accessed December 06, 2016. http://www.htprobono.org/wp-content/uploads/2015/12/FF_SL_AW02_WEB.pdf.

⁷ "Resources Publication Library". www.htprobono.org. Accessed December 06, 2016. <http://www.htprobono.org/resources-publications-library/>

⁸ "Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons Fiscal Year 2014." www.justice.gov. Accessed December 06, 2016. <https://www.justice.gov/ag/file/799436/download>.

cent were sex trafficking victims, and 3 per cent were victims of both labour and sex trafficking.⁹ While these numbers do not include U.S. citizens or Lawful Permanent Resident (LPR) victims of trafficking, and while they exclude foreign adult victims who did not meet statutory requirements for certification to receive HHS benefits, the disparity is still striking. DHS data included in the U.S. AG Report indicate that DHS's U.S. Immigration and Customs Enforcement (ICE) only made one arrest and obtained only one conviction for labour trafficking in all of FY 2014 (compared to 98 arrests and 52 convictions for sex trafficking). According to the prosecution statistics published in the 2015 Trafficking In Persons Report (TIP Report), only 8.7 per cent of all federal prosecutions initiated in FY 2014 were for forced labour.

16. The SR is pleased to note the political and bi-partisan commitment of the U.S. Administration and U.S. Congress to combating trafficking in human beings, including at the highest levels. The SR notes especially the commitment to the issue of the President of the United States, demonstrated multiple times not only by support for legislative initiatives, but also by powerful [remarks and statements](#)¹⁰. The SR hopes that the next U.S President will further commit to combating trafficking in human beings.
17. The SR further welcomes the proclamation since 2012 by the President of the United States of the month of January as National Slavery and Human Trafficking Prevention Month, culminating in the annual celebration of National Freedom Day on February 1.⁸
18. The commitment of the U.S. President was also demonstrated by the appointment of the U.S. Advisory Council on Human Trafficking in January 2016 in accordance with the Justice for Victims of Trafficking Act of 2015 (JVTA). The Council is made up of 11 trafficking survivors, and its objective is to give trafficking survivors a formal platform to advise and provide recommendations on federal anti-trafficking policies and programs to the U.S. government, specifically to the agencies of the PITF and the SPOG and to Congress. The Council's recommendations will help support the adoption of victim-centred policies for the protection of trafficked persons, as well as on effective prosecution and prevention policies.
19. The SR congratulates the United States for having a full-time Ambassador-at-Large to Monitor and Combat Trafficking in Persons and Senior Advisor to the Secretary of State.
20. The SR welcomes the continuous work of the TIP Office to collect information and publish the TIP Report, which constitutes an extremely valuable source of information, including since 2010 an overview of the situation and a country assessment on government efforts to combat human trafficking in the United States.

⁹ "Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons Fiscal Year 2014.", pg. 26-27

¹⁰ "Remarks by the President to the Clinton Global Initiative." The White House. September 25, 2012. Accessed December 06, 2016. <https://www.whitehouse.gov/the-press-office/2012/09/25/remarks-president-clinton-global-initiative>.

21. The SR further looks forward to learning more about potential further discussions on reforming the TIP Report's tier ranking system, recalling the [Reuters Report](#),¹¹ mentioned by Rep. Smith and his concern that TIP Report tier rankings may be used politically as trading chips, and his proposal for a rule on countries that do not disclose information.
22. The SR is glad to see that the government, civil society and private sector companies are harnessing the power of technology to create tools and applications to strengthen the fight against trafficking. A good practice in this regard is the "[Sweat & Toil](#)" App of the DOL report, which features a list of products and goods made with forced or child labour and country-specific suggested actions. *Sweat & Toil: Child Labor, Forced Labor, and Human Trafficking Around the World* is a comprehensive resource developed by DOL's Bureau of International Labor Affairs (ILAB) documenting child labour and forced labour worldwide. Data and research in this app are taken from ILAB's three flagship reports that serve as valuable resources for research, advocacy, government action and corporate responsibility: [Findings on the Worst Forms of Child Labor](#); [List of Goods Produced by Child Labor or Forced Labor](#); and [List of Products Produced by Forced or Indentured Child Labor](#).¹²
23. Similarly, the SR congratulates the State Department's TIP Office on the launch of the [Responsible Sourcing Tool](#) website. This tool is a viable example of how multi-stakeholder collaboration and the integration of data across multiple sources can be utilized in the prevention and fight against trafficking in human beings and is the result of the collaboration of four institutions committed to fighting human trafficking: the State Department's TIP Office, Verité, Made in a Free World, and the Aspen Institute.
24. Finally, the SR commends the notable commitment to strong co-operation between government and civil society both at the federal and local levels. Some NGOs noted that improvement could still be made in respecting their critical role in ensuring a victim-centred approach to combating human trafficking, as advocates and in the provision of victim services.
25. The SR further commends the United States for its leading role in combating human trafficking internationally, including: placing the issue in the view of States at the political level, including on the agenda of the UN Security Council for the first time at the UN, and to maintain attention and support for the issue at the OSCE and other international organizations; as well as devoting significant financial resources in supporting countries around the world in their holistic approach to fighting human trafficking. In FY2014, the TIP Office awarded approximately \$18 million to fund 41 grants and cooperative agreements with NGOs, international organizations and

¹¹ Szep, Jason, and Matt Spetalnick. "Special Report: State Department Watered down Human Trafficking Report." Reuters. August 03, 2015. Accessed December 06, 2016. <http://www.reuters.com/article/us-usa-humantrafficking-disputes-special-idUSKCN0Q821Y20150804>.

¹² "Sweat & Toil: Child Labor, Forced Labor, and Human Trafficking Around the World." Mobile Applications - U.S. Department of Labor. Accessed December 06, 2016. <https://www.dol.gov/dol/apps/ilab.htm>.

universities for projects to address sex and labour trafficking outside of the United States in countries in which governments lack the economic resources or anti-trafficking expertise to effectively address the problem.¹³

United States Government funding

26. The U.S. government has committed sizeable resources both nationally and internationally to support the fight against trafficking in human beings. The SR is pleased that, since 2002, the TIP Office has supported more than 835 projects with more than \$216 million in foreign assistance funding to combat human trafficking around the world¹⁴.

27. Nationally, funds are allocated towards victim services, investigation and prosecution, as well as prevention. At the federal level, there are two principal funding streams for victim services: one is via HHS, which amounts to \$15 million annually, and the other one is via DOJ, which is a larger pot, with over \$44 million allocated in FY 2015. The two funding streams totaled \$60 million in FY 2015. Additionally, at the state level, states allocate differing amounts of funding for trafficking victim services: for example, the State of California has appropriated \$10 million to non-profit organizations for specialized services. While significant law enforcement resources are dedicated to investigation and prosecution of human trafficking offenses, these resources are usually funded from general federal law enforcement operating budgets and not from appropriations specifically designated for anti-trafficking enforcement efforts or positions.

28. The SR commends the increase in financial resources domestically, as well as internationally, in particular for funding services for victims of trafficking. The Administration for Children and Families (ACF) at HHS has requested a budget increase for FY2016 in order to better address the needs of domestic victims of trafficking. Victim assistance funding appropriated to ACF prior to FY2014 was primarily to aid foreign national victims of human trafficking in the United States. In FY2014 HHS began to receive appropriations to assist domestic (U.S. citizens and lawful permanent residents) victims of human trafficking. The Enacted Budget to assist domestic victims was \$1,755,000 in 2014 and \$2,755,000 in FY2015. The FY2016 Proposed Budget to assist domestic victims was \$9,000,000, an increase of over \$6million from the prior year.¹⁵ The FY2016 Enacted Budget appropriated \$13,000,000 to assist foreign victims of trafficking, and \$5,755,000 to assist domestic victims¹⁶. The SR welcomes the ongoing initiative to raise the HHS funding allocated to

¹³ "Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons Fiscal Year 2014.", pg. 16

¹⁴ "About Us." U.S. Department of State. Accessed December 06, 2016. <http://www.state.gov/j/tip/about/>.

¹⁵ "The Family Room Blog." Administration for Children & Families (ACF). Accessed December 06, 2016. <http://www.acf.hhs.gov/blog/2015/03/what-the-fy-2016-federal-budget-could-mean-for-victims-of-humantrafficking>.

¹⁶ Chon, Katherine. "What the FY 2017 Budget Could Mean for Victims of Human Trafficking." Administration for Children & Families (ACF). February 18, 2016. Accessed December 06, 2016. <http://www.acf.hhs.gov/blog/2016/02/what-the-fy-2017-budget-could-mean-for-victims-of-human-trafficking>.

domestic victims of trafficking, noting the proposal for FY2017 of a further \$3,245,000 increase in funding to support domestic victims of trafficking as part of “ACF’s ongoing efforts to strengthen services to victims of trafficking and build capacity to implement new legislative authorities enacted in 2014 and 2015”.¹⁷

29. The SR notes the concerns raised by some NGOs that the U.S. government appears to place prosecution highest among the so-called Ps, and would prefer a more balanced approach to combating human trafficking across the Ps. The U.S. government funding to trafficking victim services continues to channel funding through federal government agencies, with significant victim services programs funded through the Justice Department’s Office for Victims of Crime, as more funds for anti-trafficking programs and services are still channeled through law enforcement agencies, including the Department of Justice. The State Department’s “Bureau of International Narcotics and Law Enforcement’s (INL) FY2014 appropriation of \$1.35 billion from the International Narcotics Control and Law Enforcement (INCLE) account supports country and global programs critical to combating transnational crime and illicit threats, including efforts against trafficking in persons, terrorist networks in the illegal drug trade, and illicit enterprises”¹⁸.
30. The SR notes the potential impact of a federal legislative proposal, *The End Modern Slavery Initiative Act of 2015*, introduced in February 2015 by Senator Bob Corker¹⁹, which proposes to authorize the appropriation of \$250 million to anti-trafficking programs internationally between 2016 and 2022. The SR further hopes that increased funding internationally will not impact the anti-trafficking budgets of the TIP Office or the United States Agency for International Development (USAID), or the level of domestic funding for U.S. anti-trafficking efforts, including funding for victim services.
31. DOJ’s Office for Justice Programs (OJP) funds anti-trafficking activities and manages competitive anti-trafficking grant programs using funding allocated by the TVPA and JVTA. OJP funded 60 different projects in FY 2015, including comprehensive and specialized services programs for victims, funding for law enforcement entities and service providers participating in multidisciplinary task forces grants, research projects, and training and technical assistance. For example, the Office for Victims of Crime (OVC) in OJP, in partnership with the Bureau of Justice Assistance (BJA), provides grant funds to Enhanced Collaborative Model (ECM) anti-trafficking task forces, such as the LA Task Force which the SR met with. ECM task force grants fund both investigative/prosecutorial components, as well as victim service providers, and the ECM task forces are required to include all levels of law enforcement (federal, state and local), as well as a comprehensive range of services for survivors. The OVC also administers money coming

¹⁷ "What the FY 2017 Budget Could Mean for Victims of Human Trafficking."

<http://www.acf.hhs.gov/blog/2016/02/what-the-fy-2017-budget-could-mean-for-victims-of-human-trafficking>.

¹⁸ "Attorney General’s Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons Fiscal Year 2014.", pg. 71

¹⁹ "End Modern Slavery Initiative Act." www.corker.senate.gov. February 24, 2015. Accessed December 06, 2016. <https://www.corker.senate.gov/public/index.cfm/end-modern-slavery-initiative-act>.

from the [crime victims fund](#)²⁰, where fines are collected from offenders in other crimes. In FY2016, approximately \$2.4 billion from the crime victims fund were disbursed to states to support state victim assistance and compensation programs, and many states allocate some of this funding to service providers delivering specialized services to victims of human trafficking.

International and national legal framework. Federal and state legislation.

32. The SR regrets that the United States has not signed and ratified the International Labour Organization (ILO) Forced Labour Convention No.29 and its Protocol P029 from 2014, but hopes that the lack of ratification will not inhibit striving towards compliance. The SR notes that the United States has ratified other fundamental ILO conventions such as the 1957 Convention on the Abolition of Forced Labour No.105, ratified in 1991, and the ILO Convention on Worst Forms of Child Labour No.182, ratified in 1999. The SR notes with regret that the United States has not ratified the ILO Convention 189 concerning Decent Work for Domestic Workers, which entered into force on 5 September 2013 and serves as a powerful instrument for the prevention of human trafficking for labour exploitation, especially for domestic servitude.
33. The SR notes with regret that the United States signed in 1980 but has not ratified the UN Convention on the Elimination of All Forms of Discrimination against Women.
34. The SR notes with regret that the United States has not ratified the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families of 1990.
35. Likewise, as a participating State to the OSCE, the United States has pledged to implement the commitments it has undertaken in the OSCE framework, in particular the 2003 Action Plan to Combat Trafficking in Human Beings, as well as its 2005²¹ and 2013²² Addendums. The SR thanks the United States for its leading role, together with the Russian Federation, and other OSCE pS under the Ukraine Chairmanship-in-Office to develop and adopt the Addendum.
36. In the national context, the SR is pleased to learn about the ongoing initiatives, both at state and federal levels, in adopting new legislative and policy measures to tackle trafficking in human beings. The SR is looking forward to learning about further harmonization of legislation across states, in

²⁰ "OVC Fact Sheet." Office for Victims of Crime. Accessed December 06, 2016.

<http://www.ovc.gov/pubs/crimevictimsfundfs/intro.html>.

²¹ OSCE Permanent Council Decision No. 685 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: Addressing the Special needs of Child Victim of Trafficking for Protection and Assistance, PC.DEC/685

²² No.1107 on Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later, PC. DEC/1107/Corr.11

order to create comprehensive coverage in the country and ensure the same standards for the protection and assistance of victims of trafficking.

37. In October 2000, the **Trafficking Victims Protection Act (TVPA)** (Division A of Public Law 106-386²³) was enacted to combat trafficking, to ensure the just and effective punishment of traffickers and to protect victims. The TVPA addresses both trafficking for the purpose of sexual exploitation and labour exploitation. The TVPA and its subsequent reauthorizations, as well as the Justice for Victims of Trafficking Act of 2015 (JVTA), strengthened pre-existing criminal penalties, afforded new protections to trafficking victims, and made available certain benefits and services to victims of severe forms of trafficking. With this comprehensive approach to the problem, the TVPA created significant mandates for several federal government agencies, including the Departments of State, Justice, Labor, Health and Human Services and USAID. The TVPA authorizes the establishment of the Office to Monitor and Combat Trafficking in Persons (TIP Office) and the PITF to assist in the co-ordination of anti-trafficking efforts.
38. In the following years, the TVPA was amended by the Trafficking Victims Protection Reauthorization Act of 2003 (H.R. 2620), the Trafficking Victims Protection Reauthorization Act of 2005 (H.R. 972), the Trafficking Victims Protection Reauthorization Act of 2008 (H.R. 7311) and the Trafficking Victims Protection Reauthorization Act of 2013, officially passed as Title XII of the Violence Against Women Reauthorization Act of 2013 (2013 TVPRA). In addition, the Preventing Sex Trafficking and Strengthening Families Act was enacted in 2014, and the Justice for Victims of Trafficking Act was enacted in 2015.
39. The SR notes that each reauthorization has added key anti-trafficking measures. Most recently, the 2013 TVPRA strengthened collaboration with state and local law enforcement to ease charging and prosecuting traffickers. It also enhanced law enforcement capacity to combat sex tourism by establishing jurisdiction to prosecute U.S. citizens living abroad who commercially sexually exploit children.
40. The SR welcomes the signing by President Obama of the Trade Facilitation and Trade Enforcement Act of 2015²⁴, which amends the Tariff Act of 1930 and closes the “consumptive demand” loophole, which allowed for the import of goods regardless of how they were produced, as long as there was not sufficient supply to meet domestic demand. The SR looks forward to learning about its enforcement by DHS, to ensure that no goods are imported that are made with forced labour.

²³ "Victims of Trafficking and Violence Protection Act of 2000." U.S. Department of State. October 28, 2000. Accessed December 06, 2016. <http://www.state.gov/j/tip/laws/61124.htm>.

²⁴ "Trade Facilitation and Trade Enforcement Act of 2015." Wwww.congress.gov. February 24, 2016. Accessed December 06, 2016. <https://www.congress.gov/114/plaws/publ125/PLAW-114publ125.pdf>.

41. Under the [California Trafficking Victims Protection Act \(AB 22, 2005, Lieber\)](#)²⁵, enacted January 1, 2006, a **human trafficking victim caseworker privilege**²⁶ was established, different than the common attorney-client legal privilege. It offers safe haven for victims to share their full story, as caseworkers can ask difficult questions and it offers the needed space for the development of a trusting relationship.

PREVENTION

42. The SR congratulates the convening of the **HHS Task Force to Prevent and End Human Trafficking**²⁷, inaugurated in March 2015. HHS is a member of the PITF. The HHS Task Force to Prevent and End Human Trafficking, represented by the heads of HHS operating and staff divisions, meets twice a year. The HHS Task Force Policy Operating Group supports the HHS Task Force through three committees and meets bi-monthly. The Administration for Children and Families serves as the Secretariat for the Task Force.

43. The SR further welcomes the [Blue Campaign](#)²⁸ of DHS, which is the unified voice for DHS's efforts to combat and prevent human trafficking²⁹. Through the Blue Campaign, DHS raises public awareness about human trafficking; leveraging partnerships to educate the public to recognize human trafficking and report suspected instances. The Blue Campaign also offers training to law enforcement and others to increase detection and investigation of human trafficking, and to protect victims and bring suspected traffickers to justice. Recognizing the importance of leveraging partnership and training, the SR commends the collaborative approach applied by DHS in tackling human trafficking.

44. The SR commends the work done to prevent, investigate and respond to human trafficking for all forms of exploitation in the context of mega sporting events (MSEs), including the Super Bowl, as well as to look at other MSEs where US businesses may be involved either as contractors or sponsors³⁰.

45. The SR finds that initiatives that target the root causes of trafficking can be very effective and commends the United States for its work on economic

²⁵ "Assembly Bill No. 22, Chapter 240." Official California Legislation Information. September 2005. Accessed December 06, 2016. http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_22_bill_20050921_chaptered.pdf.

²⁶ "Caseworker Privilege Fact Sheet." Coalition to Abolish Slavery and Trafficking. Accessed December 06, 2016. <http://www.castla.org/templates/files/factsheetcaseworker.pdf>.

²⁷ "Task Force to Prevent and End Human Trafficking Fact Sheet." U.S. Department of Health and Human Services. Accessed December 06, 2016. http://www.acf.hhs.gov/sites/default/files/endtrafficking/hhs_task_force_fact_sheet.pdf.

²⁸ "Blue Campaign." Department of Homeland Security. Accessed December 06, 2016. <https://www.dhs.gov/blue-campaign>.

²⁹ "CIS Ombudsman." Department of Homeland Security. October 11, 2016. Accessed December 06, 2016. <https://www.dhs.gov/topic/cis-ombudsman>.

³⁰ "Human Trafficking & The Super Bowl." www.chrissmith.house.gov. January 27, 2016. Accessed December 06, 2016. <http://chrissmith.house.gov/news/documentsingle.aspx?DocumentID=367856>.

empowerment of at-risk populations as a means of preventing trafficking internationally, and hopes that the United States will also support similar efforts within the country, including for re-integration of trafficked persons by NGOs.

46. The SR recognizes the good practice of the work of the Coalition of Immokalee Workers (CIW) and their Fair Food Program, which contributed significantly to the eradication of trafficking and slavery in tomato production in Florida. The Program is a unique partnership among farmers, farmworkers and retail food companies that ensures humane wages and working conditions for the workers who pick fruits and vegetables on participating farms. It harnesses the power of consumer demand to give farmworkers a voice in the decisions that affect their lives, and to eliminate abuses in the agricultural sector.³¹ To ensure and monitor the implementation of the Fair Food Program, a separate not-for-profit organization, the Fair Foods Standards Council, was set up in 2011 with the sole function of overseeing the Program. The Council is responsible for both financial and systems audits of participating farms and retailers, for staffing a 24-hour toll-free complaint telephone line, for investigating and resolving complaints that arise, and for otherwise helping growers and corporate buyers comply with the requirements of the Program. By 2013 the Council reported having conducted almost 60 audits, visited 45 farm locations and interviewed 4,000 workers to assess compliance³².

Child trafficking

47. The Commercial Sexual Exploitation of Children (CSEC) remains a challenge. The SR is pleased to know that a number of prevention and awareness raising campaigns have been introduced, such as the *There is no such thing as child prostitute*³³ campaign. As a result of the campaign, in April 2016 the Associated Press (AP) eliminated the term “child prostitute” from their AP Stylebook³⁴. Other media outlets are encouraged to follow suit.

48. The SR congratulated Representative Smith on the passage of [International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders](#)³⁵, signed into law by President Obama on 8 February 2016.

³¹ "The Fair Food Program." Fair Food Program. Accessed December 06, 2016.

<http://www.fairfoodprogram.org/>.

³² "Ending Exploitation. Ensuring That Businesses Do Not Contribute to Trafficking in Human Beings: Duties of States and the Private Sector." OSCE. November 3, 2014. Accessed December 06, 2016.

<http://www.osce.org/secretariat/126305>. pg. 24

³³ "Rights 4 Girls." Rights 4 Girls. 2016. Accessed December 06, 2016. <http://rights4girls.org/campaign/>.

³⁴ Perlmann, Merrill. "A Matter of AP Style." Columbia Journalism Review. April 04, 2016. Accessed December 06, 2016. http://www.cjr.org/language_corner/a_matter_of_ap_style.php.

³⁵ "H.R.515 - 114th Congress (2015-2016): International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders." Library of Congress. August 02, 2016. Accessed December 06, 2016. <https://www.congress.gov/bill/114th-congress/house-bill/515>.

49. The SR welcomes the engagement of the California Department of Social Services, in charge of cases of child trafficking, including for the establishment of a new Child Trafficking Response Unit. The unit is working mostly on CSEC, but now also created a working group on child labour.
50. Unaccompanied minors (UAMs) remain a target group for traffickers. In the United States, most UAMs come from Central America, where they escape violence and abuse. This group is also in need of legal representation. A recent report has found that “in almost half (47%) of the cases in which the child was represented, the court allowed the child to remain in the United States,” while “where the child appeared alone without representation, [...] one in ten (10%) were allowed to remain in the country”³⁶.

Trafficking in human beings in supply chains

51. The U.S. government is likely the largest single purchaser of goods and services in the world and has an enormous economic power to leverage. Likewise, the State of California is a large economic player as well.³⁷ The SR is pleased to note that both the federal and some states’ governments have recognized the impact of government procurement and transparency measures on ethical sourcing.
52. The SR sees the adoption of EO 13627 and implementing the FAR as creating a necessary context – the first contract that is declined on the basis of the FAR will set a baseline for all other contracts and companies.
53. The SR welcomes the creation of a **Labor Compliance Advisor (LCA)** position in governmental institutions in October 2016, to assist in the efficient implementation of EO 13627 and the FAR. The LCAs will have responsibilities for assisting contracting officers in implementing EO 13627³⁸. This is critical for guidance and implementation of this important measure when there are 37,000 contracting officers in 3,200 offices who are not THB experts.
54. Civil society organizations shared their concern that there is currently not much transparency on the enforcement of the California Transparency in Supply Chains Act (CA-TISCA, SB657), including about which companies are subject to it. The SR regrets to know that this list is not public, due to data protection reasons, as data is derived from how companies self-report to the Tax Board, while tax information is confidential. [Sustainalytics](#)³⁹ found 500 companies subject to the law, based on public data.

³⁶ "New Data on Unaccompanied Children." Transactional Records Access Clearinghouse (TRAC) - Comprehensive, Independent, and Nonpartisan Information on Federal Enforcement, Staffing and Funding. July 15, 2014. Accessed December 06, 2016. <http://trac.syr.edu/immigration/reports/359/>.

³⁷ If California were an independent country, it would be the 8th largest economy in the world (data from 2014).

³⁸ "Implementation Of the President's Executive Order on Fair Pay and Safe Workplaces." White House. March 2015. Accessed December 06, 2016.

<https://www.whitehouse.gov/sites/default/files/omb/memoranda/2015/m-15-08.pdf>.

³⁹ "Sustainalytics." Sustainalytics. Accessed December 06, 2016. <http://www.sustainalytics.com/>.

55. The SR acknowledges the increase in compliance with CA-TISCA since the California Attorney General's office sent letters to all companies subject to the law in the summer of 2015. The SR also commends the issuance of [The Resource Guide](#)⁴⁰ which makes it clear who is covered by the law, provides real examples from websites of companies that are already reporting, but at the same time does not provide legal advice to companies (since the AG's office is charged with enforcing, not counselling).
56. The SR welcomes the initiative at the federal level to adopt the bipartisan bill H.R. 3226 *Business Supply Chain Transparency on Trafficking and Slavery Act of 2015*, introduced by Representatives Carolyn Maloney and Chris Smith on the House side in July 2015 and by Senator Richard Blumenthal on the Senate side in August 2015, in order to build upon the momentum created by the CA-TISCA. The SR hopes that, if adopted, this bill will have "more teeth," especially if oversight by the Securities and Exchange Commission (SEC) is included, following the example of the Foreign Corrupt Practices Act. The proposed bill aims "to amend the Securities Exchange Act of 1934 to require certain companies to disclose information describing any measures the company has taken to identify and address conditions of forced labour, slavery, human trafficking, and the worst forms of child labour within the company's supply chains."⁴¹
57. In order to deter business from embarking on exploitative practices, the SR finds that businesses should be made to feel accountable for their actions, including and especially in cases where a complicated relationship between employer and contractor exists. It is also important to give employers the chance to provide remedies first, assuming that most cases of exploitation tend to be isolated cases, rather than a symptom of systematic abuse.
58. In this regard, the SR recognizes the important work of the Equal Employment Opportunity Commission (EEOC) in handling cases of trafficking for labour exploitation since the early 2000s, including by applying the civil rights remedies to the issue. The SR regrets that at this juncture the EEOC does not have the jurisdiction to handle criminal cases, and also cannot tackle cases of employers who have fewer than 15 employees.
59. The SR is looking forward to the upcoming U.S. National Action Plan on Business and Human Rights, which is due in 2016.
60. The SR acknowledges the good practices implemented by the private sector, related to preventing human trafficking for labour exploitation in their global supply chains. The Electronic Industry Citizenship Coalition (EICC) has 120 members globally that represent their entire supply chain – from big electronics companies such as Apple, HP, Hewlett Packard Enterprise, etc.

⁴⁰ "The California Transparency in Supply Chains Act." California Department of Justice. 2015. Accessed December 06, 2016. <https://oag.ca.gov/sites/all/files/agweb/pdfs/sb657/resource-guide.pdf>.

⁴¹ "Text - S.1968 - 114th Congress (2015-2016): Business Supply Chain Transparency on Trafficking and Slavery Act of 2015." Library of Congress. 2015. Accessed December 06, 2016. <https://www.congress.gov/bill/114th-congress/senate-bill/1968/text>.

on the top, to Tier 1 suppliers and below. EICC promotes conflict-free sourcing all the way to the bottom of supply chains, and has implemented policies to reduce and address instances of forced labour. The EICC has made the eradication of forced labor in the electronics industry a priority and has strengthened their Code of Conduct⁴² to enhance worker protections. Their Code of Conduct is updated on a regular basis. The last one was adopted in 2015 and promotes freely chosen employment. It also includes that no fees can be charged to employees, who also have to have a contract in their native language.

61. The SR congratulates the NYU Stern School of Business for establishing the first [Center on Business and Human Rights at a university in the United States](#).⁴³

PROTECTION

Identification, assistance and protection of victims of trafficking

62. The United States is a source, transit, and destination country for men, women, transgender individuals, and children – both U.S. nationals and foreign nationals (regular and irregular migrants) – subjected to trafficking in human beings for sexual and labour exploitation, as well as forced labour, and debt bondage. Trafficking can occur in both illicit and legal economies and industries, including commercial sex, hospitality, sales crews, agriculture, manufacturing, janitorial services, construction, shipyards, restaurants, health, child and elder care, hair and nail salon services, fairs and carnivals, peddling and begging, and domestic service. Victims originate from almost every region of the world; the top three countries of origin of federally identified victims in FY2014 were the United States, the Philippines and Mexico, whereby trafficked persons from the latter two received 31 per cent and 21 per cent of all Certification and Eligibility Letters⁴⁴, respectively.
63. The Urban Institute published a study in October 2014 entitled *Understanding the Organization, Operation, and Victimization Process of Labor Trafficking in the United States* which examined experiences of 122 individuals identified by NGO victim advocates as labour trafficking victims in four locations within the United States.⁴⁵ The study found that, “the majority of victims (71 per cent) entered the United States on a lawful visa, but most victims were

⁴² "EICC Code of Conduct 5.1." Electronic Industry Citizenship Coalition. January 01, 2016. Accessed December 06, 2016. <http://www.eiccoalition.org/standards/code-of-conduct/>.

⁴³ "The NYU Stern Center for Business and Human Rights." NYU Stern. Accessed December 07, 2016. <http://www.stern.nyu.edu/experience-stern/about/departments-centers-initiatives/centers-of-research/business-and-human-rights>.

⁴⁴ "Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons Fiscal Year 2014.", pg. 27

⁴⁵ Owens, Colleen. "Understanding the Organization, Operation, and Victimization Process of Labor Trafficking in the United States." Urban Institute. October 21, 2014. Accessed December 06, 2016. <http://www.urban.org/research/publication/understanding-organization-operation-and-victimization-process-labor-trafficking-united-states>.

unauthorized (69 per cent) by the time they escaped labour trafficking and sought services.” The study identified passport confiscation, non-payment or limited payment of wages, restriction of movement, isolation from the community, threats of violence against the victim or their families and physical and sexual abuse as means of keeping victims in compelled service. There are cases of domestic workers, foreigners on A3 and G5 visas, being subjected to trafficking-related abuse by diplomats posted to the United States.

64. Vulnerabilities remain even for legally documented temporary workers who typically fill labour needs in the hospitality, landscaping, construction, food service, and agricultural industries. In some human trafficking cases, workers are victims of fraudulent recruitment practices and have incurred large debts for promised employment in the United States, which makes them susceptible to debt bondage and involuntary servitude. Additional challenges derive from the lack of transparency of recruiters under the temporary foreign workers visas. Government officials, companies, and NGOs have expressed concern about the risk of human trafficking in global supply chains, including in federal contracts.
65. Particularly **at-risk populations in the United States include**: children in the child welfare and juvenile justice systems; children in foster care, runaway and homeless youth; children working in agriculture; American Indians, in particular on reservations under limited law enforcement monitoring, and Alaska Natives; migrant labourers; foreign national domestic workers in diplomatic households; employees of businesses in ethnic communities; populations with limited English proficiency; persons with disabilities; rural populations; and lesbian, gay, bisexual, and transgender individuals, in particular youth.
66. Special attention should be paid to the group of **transitional age youth** in the context of foster care, where care services do not extend past the 18th year of the person’s life. Thus youth, between 18 and 24, exiting foster care become a primary target group for traffickers. The SR notes that some measures have already been undertaken in this regard by establishing the system of Covenant Houses. The SR visited a Covenant House in Los Angeles which caters to homeless youths, including victims of trafficking, and was impressed by the range of service offered by the Covenant House and wishes such houses were more numerous and available in more states around the country. HHS has also integrated anti-trafficking measures into the child welfare system and runaway and homeless youth programs to establish a broader safety net for youth at risk of trafficking.
67. The SR notes that the Department of Fair Employment and Housing in Los Angeles described how sadly foster care poses additional challenges. Statistics from a California organization indicate that between 50 and 80 percent of commercially sexually exploited children in California in 2012 had been involved with the child welfare system (California Against Slavery Research and Education, 2015).

The Administration on Children, Youth and Families, (ACYF), within the U.S. Department of Health and Human Services (HHS) Administration for Children and Families, (ACF), cited a number of alarming statistics in a 2013 document, including several studies showing that 50 to more than 90 percent of children and youth victims of child sex trafficking had been involved with child welfare services (ACYF, 2013). These numbers are echoed in other estimates of both national and State incidences of crossover between trafficking and child welfare, for instance: in testimony before the U.S. House of Representatives Committee on Ways and Means Subcommittee on Human Resources, John Ryan, CEO of the National Center for Missing and Exploited Children, noted that 60 percent of runaways who are victims of sex trafficking had been in the custody of social services or in foster care (Ryan, 2013). According to Ryan, regarding runaway youth, LGBT youth are particularly reluctant to self-identify themselves as victims of trafficking due to rejection and ostracism. Similarly problematic, when compared to girls, boys may not be identified as victims of trafficking due to their reluctance to share information, gender stereotyping, or simply not being asked the same screening questions.⁴⁶

68. With regard to CSEC, the SR lauds the initiatives taking place in a number of states to vacate prior convictions of minors for prostitution, in order to expunge their criminal records and ensure more successful reintegration into society. The top three crimes cited as committed while in a THB situation are fighting, stealing, and prostitution. The SR stresses the importance of the non-punishment principle, especially critical as concerns children.
69. The SR notes that in LA County, a [First Responder protocol](#)⁴⁷ for CSEC is available online and will be expanded to all counties in California.
70. The SR welcomes the adoption in January 2014 of the Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013–2017⁴⁸, the result of a collaborative, multi-phase effort across agencies, led by co-chairs from DOJ, HHS and DHS.
71. There is a need for better understanding of coercive methods and victimization patterns, in particular related to cultural differences. Exploiters often target the same ethnicity, in order to more easily isolate them, and use cultural specificities to coerce their victims. Psychological coercion and cultural particularities make it nearly impossible for a person to leave an exploitative situation. Examples were given by civil society and government officials on cases involving the Filipino and Korean communities.

⁴⁶ "Child Welfare and Human Trafficking." Child Welfare Information Gateway. 2015. Accessed December 06, 2016. <https://www.childwelfare.gov/pubs/issue-briefs/trafficking/>.

⁴⁷ "Los Angeles County Law Enforcement First Responder Protocol for CSEC." Scribd. 2015. Accessed December 06, 2016. <https://www.scribd.com/doc/268505750/Los-Angeles-County-Law-Enforcement-First-Responder-Protocol-for-CSEC>.

⁴⁸ "Federal Strategic Action Plan." Office for Victims of Crime. January 2014. Accessed December 06, 2016. <https://www.ovc.gov/pubs/FederalHumanTraffickingStrategicPlan.pdf>.

72. Since undocumented migrants, caught working illegally, as susceptible to being detained by local police and/or deported by immigration officials, irregular migrants who become victims of trafficking frequently are not willing to self-identify. Their fear of law enforcement and immigration officials may be an obstacle to the effective identification of trafficking situations. Some NGOs noted the importance of continued training for local police, and of decoupling local policing and immigration enforcement. The DHS Blue Campaign continues to train government and local law enforcement and USCIS continues to train on T and U visas in an effort to assist law enforcement in the identification of trafficking victims and knowing what immigration benefits are available for relief.
73. While U.S. citizen victims are eligible for a variety of services funded by the federal and state government, the SR noted that victim advocates cited the need for increased specialized services, including comprehensive case management, for U.S. citizen victims.
74. Recognizing the importance of medical professionals in the identification of victims of trafficking and with a view of reports that 59 per cent of women in trafficking situations have been to an emergency room, the SR welcomes the Congressional hearing⁴⁹ on this matter. The practice by Massachusetts General Hospital, whose trafficking clinic⁵⁰ won a grant from the Partnership for Freedom, is further identified as a good practice. HHS also has a focused effort to increase training and capacity of health care professionals to respond to human trafficking.
75. The SR is pleased to learn more about the engagement of the DOL's Wage and Hour Division (WHD), responsible for administering and enforcing a number of federal laws which set basic labour standards, in particular their participation in local task forces and the training they undergo on the issue of trafficking. She welcomes the critical role of the WHD investigators who detect and refer cases of abuse and exploitation possible trafficking, and enforce labour laws. The laws they enforce apply regardless of immigration status of the workers.
76. The SR highlights the need to be strategic with resources to focus on low-wage workers and industries, due to concerns that there are insufficient investigators (1000 WHD staff in 200 offices across the USA, while there are 135 million workers). She was pleased to learn that WHD works with DOJ to calculate back wages, and that trafficked persons can receive restitution regardless of their immigration status⁵¹.

Referral and integration of trafficked persons

⁴⁹ "Combating Trafficking in Our Major Cities." U.S. Government Publishing Office. March 2014. Accessed December 05, 2016. <https://www.gpo.gov/fdsys/pkg/CHRG-113hrg88557/pdf/CHRG-113hrg88557.pdf>.

⁵⁰ "Human Trafficking Initiative." Massachusetts General Hospital. Accessed December 06, 2016. <http://www.massgeneral.org/emergencymedicineglobalhealth/initiatives/Human-Trafficking-Initiative.aspx>.

⁵¹ "Working for a Fair Day's Pay." U.S. Department of Labor. Accessed December 06, 2016. <https://www.dol.gov/whd/statistics/>.

77. International trafficking victims receive immigration relief in two ways: short term Continued Presence and longer-term “T non-immigrant status” (commonly referred to as the “T visa”). Both statuses confer the right to work legally in the United States. A foreign national victim of human trafficking is eligible for Federal and State benefits and services to the same extent as a refugee upon certification by HHS. HHS issues a Certification Letter after notification from the U.S. Department of Homeland Security (DHS) granting a person Continued Presence, or a T visa, or that a bona fide T visa application has not been denied. “U non-immigrant status” is another immigration benefit – available to victims of 32 different crimes, including trafficking victims. DHS determines whether to afford immigration relief. FY2014 marked the fifth time US Citizenship and Immigration Services (USCIS) reached the statutory annual cap (10,000) for U visas. At the same time, the numbers of “Continued Presence” (CP) remain low.
78. The [DHS Ombudsman](#), who is an impartial and confidential resource that is independent of USCIS⁵², reviews appeals in cases where a T visa application was rejected. The Ombudsman also serves as the Department's Chair of the Blue Campaign (see above). In her Annual Report to Congress⁵³, the Ombudsman outlines her current work, including with regard to humanitarian and immigration relief for victims of trafficking, as well as her ongoing concerns.⁵⁴
79. The National Human Trafficking Resource Center (NHTRC), which is funded by HHS and operated by the NGO Polaris, offers a hotline 24 hours a day, every day. The NHTRC helps callers identify and co-ordinate with local organizations that protect and serve victims of trafficking. The NHTRC compiles statistics regarding the calls it receives through the hotline⁵⁵. According to the U.S. AG Report for FY 2014, the NHTRC received 34,361 calls, an 18 per cent increase from the previous fiscal year. Of the total hotline calls, 76 per cent were “substantive in nature (i.e., not hang-up, wrong number, or missed calls).” In FY 2014, the NHTRC received reports of 5,152 unique cases of potential trafficking. Due to the high numbers of callers⁵⁶, Polaris sees the hotline as a facilitator of referral of trafficked persons, in lieu of a national referral mechanism.
80. As of September 2016, there are 27 BJA/OVC-funded anti-trafficking Task Forces⁵⁷ with many other funded and unfunded task forces in operation across the country. The SR was hosted by the Los Angeles County (CA)

⁵² "CIS Ombudsman." U.S. Department of Homeland Security. October 11, 2016. Accessed December 07, 2016. <https://www.dhs.gov/topic/cis-ombudsman>.

⁵³ "Annual Report 2015." U.S. Department of Homeland Security. June 29, 2015. Accessed December 06, 2016. https://www.dhs.gov/sites/default/files/publications/2015_CISOMB_Annual_Report_508.pdf.

⁵⁴ "Annual Report 2015."

⁵⁵ "Hotline Statistics." National Human Trafficking Hotline. Accessed December 06, 2016. <https://humantraffickinghotline.org/states>.

⁵⁶ In total, 19,724 cases of human trafficking have been reported through the NHTRC and Polaris's BeFree texting helpline between 2007 and 2014: <https://polarisproject.org/news/press-releases/2014-humantrafficking-hotlines-data-released>

⁵⁷ "Development of Human Trafficking Task Forces." Bureau of Justice. Accessed December 06, 2016. https://www.bja.gov/funding/Awards_GMS-numbers.pdf.

Sheriff's Department, which is also the largest **co-located OJP-funded task force** and fosters the collaboration between the NGO CAST, the Sheriff's Department, the U.S. Attorney's Office in the Central District of CA, and DHS. The SR is pleased to note the collaborative approach of these agencies together with civil society and hopes that this collaboration will strengthen the victim-centred approach to combat trafficking in human beings, and prove to be an effective good practice, that could be replicated across the country. The OJP Task Force structure is set forth by the grant application solicitation requirements. The task force sites are selected through a competitive process and the grant requires regular and collaborative reporting, to make sure the money is spent according to the program guidelines and requirements and task force partners are sharing performance metrics.

81. With regard to the referral of victims of trafficking, the SR is glad to see that protocols for the exchange of information, with due regard to data protection, across different agencies within the Task Forces are being discussed. The SR notes that similar protocols should be developed for the referral of victims of trafficking.
82. Compensation and restitution remain a challenge. According to a 2014 report published by an NGO entitled *When "Mandatory" Does Not Mean Mandatory: Failure to Obtain Criminal Restitution in Federal Prosecution of Human Trafficking Cases in the United States*⁵⁸ restitution is only awarded in 36 per cent of cases, and victims with legal representation are more likely to receive restitution. If trafficking victims have no representation, they are unlikely to receive restitution. Restitution has to include at least labour wages. Altogether restitution has to be economically significant for the survivor of human trafficking. Civil remedies are crucial. Prosecutors do not always know how to obtain the labour wages. Cases of discrimination would commonly receive compensation. The court can also order the perpetrator to pay for non-economic damages, such as pain and suffering and punitive damages. DOJ Criminal Division's Asset Forfeiture and Money Laundering Section's encourage the use of forfeiture (and the JVTAs as a tool to return assets to victims).
83. Another NGO report, *Breaking The Law: The Failure To Award Mandatory Criminal Restitution To Victims In Sex Trafficking Cases*, found that labour trafficking victims are more likely to receive restitution than victims of sexual exploitation. And those least likely to receive restitution were child victims of commercial sexual exploitation: "Finally, and most troublingly, the victims least likely to obtain restitution orders were children trafficked into the sex industry.⁵⁹" The lead authors of this report also noted that "in all of the forced labor cases included in the dataset analyzed for this article, prosecutors

⁵⁸ "When "Mandatory" Does Not Mean Mandatory: Failure to Obtain Criminal Restitution in Federal Prosecution of Human Trafficking Cases in the United States." The Human Trafficking Pro Bono Legal Center. Accessed December 05, 2016. <http://www.htprobono.org/wp-content/uploads/2014/09/HTProBono-Trafficking-Restitution-Report.pdf>.

⁵⁹ Levy, Alexandra F., and Martina E. Vandenberg. "Breaking the Law: The Failure to Award Mandatory Criminal Restitution to Victims in Sex Trafficking Cases." Saint Louis University School of Law. Accessed December 05, 2016. http://law.slu.edu/sites/default/files/Journals/alexandra_levy-martina_vandenberg-article.pdf. pg.45

requested—and courts awarded—mandatory restitution;” that the Justice Department’s “Human Trafficking Prosecution Unit has actively and consistently pressed for mandatory restitution under the proper statute.

84. Furthermore, NGOs in California explained that historically, agriculture and domestic workers enjoyed fewer rights and federal protections as compared to workers in other economic sectors/industries.⁶⁰ The Migrant and Seasonal Agricultural Worker Protection Act is a good practice in enshrining the rights of migrant and seasonal agricultural workers into federal law.
85. An effective approach to the reintegration of victims of trafficking will be the provision of a continuum of services, tailored to individual needs, with due regard to age and cultural particularities of the assisted individuals.
86. The SR welcomes programs such as the Trafficking and Crime Victims Assistance Program (TCVAP)⁶¹— a temporary service to give resources to non-citizens in California until the federal level takes over. The partnership with counties and their awareness of this program is of utmost importance. Still the SR regrets that the TCVAP is very small compared to other programs, which continues to be a challenge.
87. One of the most important elements for successful integration of survivors after trafficking is working on their economic independence, as many survivors of trafficking could end up in an exploitative situation post-trafficking, due to lack of viable economic options. Economic empowerment of victims has not received due attention as a part of recovery measures. A good practice example from the Californian NGO Thai CDC includes training for survivors to become entrepreneurs.

PROSECUTION

Investigation and prosecution of human trafficking

88. The SR welcomes the intention of the Ambassador-at-Large to Monitor and Combat Trafficking in Persons to continue working towards the non-criminalization of crimes committed as a result of being trafficked, including implementing the recommendations on non-punishment as elaborated in the OSCE publication [*Policy and legislative recommendations towards the effective implementation of the nonpunishment provision with regard to victims of trafficking \(2013\)*](#).
89. Likewise, the SR welcomes the passage of safe harbour laws, prohibiting prosecution of minors for engaging in prostitution, and to ensure that children are not considered prostitutes. Yet, the SR notes that safe harbour laws are

⁶⁰ "Migrant and Seasonal Agricultural Worker Protection Act (MSPA)." U.S. Department of Labor. Accessed December 06, 2016. <https://www.dol.gov/whd/mspa/>.

⁶¹ "Human Trafficking." Department of Social Services. Accessed December 06, 2016. <http://www.cdss.ca.gov/refugeeprogram/PG1268.htm>.

currently (as of Fall 2015) available in 34 out of 50 U.S. states and they vary significantly in quality.⁶²

90. The SR welcomes the U.S. government's commitment to criminal justice, and the specialized Human Trafficking Prosecution Unit (HTPU) created within DOJ's Civil Rights Division in 2007, which applies a victim-centred approach to tackling this crime. She noted good practices such as the pilot Anti-trafficking Coordination Team (ACTeam) Initiative, with six teams representing DHS, ODJ, DOL and the FBI working in six districts to increase the rate of THB prosecutions, bringing in in 55 per cent of prosecuted cases across the US, showing the importance of partnerships. The HTPU-led interagency initiative of DOJ, the FBI, DHS, and DOL, convenes teams of federal agents and federal prosecutors in select judicial Districts designated through a competitive, nationwide, interagency selection process, to focus on developing significant human trafficking prosecutions involving forced labour, international sex trafficking, and sex trafficking of adult victims. The SR was also interested to learn about the USG's strong forfeiture laws, including as amended by the Civil Asset Forfeiture Reform Act of 2000 (CAFRA)⁶³, used by federal agencies to fight human smuggling and trafficking through the forfeiture of proceeds and of properties that have been used to facilitate these or related crimes, as examples. Forfeiture laws are an important tool because many property owners regularly use their own properties to facilitate these crimes or may turn a blind eye to the facilitation of criminal activity on or through their properties by other individuals. Federal forfeiture laws also allow forfeited assets to be paid to victims for purposes of restitution, and mandate those payments in certain circumstances. The SR was further interested in the first prosecution using the Benefiter concept, instituting criminal liability for anyone benefiting financially from human trafficking as an economic crime.
91. The SR welcomes the use of financial investigations in THB cases. Financial investigations are an essential part of the development of THB cases by federal law enforcement agencies, including DOJ, DHS, and the FBI. These investigations glean information from receipts, bank account and credit card records, Money or Value Transfer Services (MVTs transactions), funds transfers, reports that financial institutions are required by federal law to submit, and other sources in order to better understand criminal organizations, identify suspects' assets and money earned through criminal activity for forfeiture, and pursue money laundering and other criminal charges⁶⁴.
92. DOJ prosecutes human trafficking cases through the 94 U.S. Attorneys' Offices (USAOs) and the two specialized units that serve as DOJ's nationwide subject-matter experts: the Civil Rights Division's Human Trafficking Prosecution Unit and the Criminal Division's Child Exploitation and

⁶² "Human Trafficking Issue Brief: Safe Harbor." Polaris. October 2015. Accessed December 06, 2016.

<https://polarisproject.org/sites/default/files/2015%20Safe%20Harbor%20Issue%20Brief.pdf>

⁶³ "Civil Asset Forfeiture Reform Act of 2000." Library of Congress. Accessed December 06, 2016.

<https://www.congress.gov/106/plaws/publ185/PLAW-106publ185.pdf>.

⁶⁴ "Leveraging Anti-Money Laundering Regime to Combat Trafficking in Human Beings." OSCE. July 11, 2014. Accessed December 06, 2016. <http://www.osce.org/secretariat/121125?download=true>.

Obscenity Section. In FY2014, the Civil Rights Division and the US Attorney Offices (USAOs) together brought 67 cases involving forced labour, sex trafficking of adults, and international sex trafficking (18 involving primarily labour and 49 involving primarily sex); charged 152 defendants (45 labour and 107 sex); and secured 95 convictions (24 labour and 71 sex). Including additional trafficking cases brought by DOJ's CRM and USAOs, which primarily involve domestic sex trafficking of minors, as a whole DOJ initiated a total of 208 federal human trafficking prosecutions in FY2014, charging 335 defendants (45 labour and 290 sex), and secured 184 convictions (27 labour and 157 sex)⁶⁵. Of these prosecutions, 190 involved predominantly sex trafficking and 18 involved predominantly labour trafficking, although some involved both. These figures represent an increase from FY2013, during which DOJ brought 161 prosecutions charging 253 defendants. These prosecutions and convictions include cases brought under trafficking-specific criminal statutes and related non-trafficking criminal statutes, but do not include child sex trafficking cases brought under non-trafficking statutes. Penalties imposed on convicted traffickers ranged from five years to life imprisonment. NGOs continued to call on federal prosecutors to vigorously seek mandatory restitution for victims of trafficking.

In FY 2016, DOJ initiated a total of 241 human trafficking prosecutions, charging 531 defendants. During FY 2016, DOJ convicted 439 defendants in human trafficking prosecutions. In FY 2016, the FBI investigated 1,894 cases involving the domestic and international trafficking of adult and juvenile victims for purposes of commercial sex and forced labor. Additionally, the Department of Homeland Security initiated 1,025 human trafficking cases and identified 435 victims of human trafficking. The FBI currently operates 74 Child Exploitation Task Forces and is part of over 100 task forces and working groups nationwide that collaboratively address the human trafficking threat. The Justice Department also awarded \$15.8 million in grant funding to the multi-disciplinary partnerships of Enhanced Collaborative Model (ECM) anti-trafficking task forces across the United States. ECM task forces are comprised of federal, state and local law enforcement, labor officials, prosecutors, victim service providers, and other allied professionals.

93. According to the 2015 Trafficking in Persons report, "during FY 2014, DOJ secured convictions against 184 traffickers, compared with 174 convictions obtained in FY 2013. Of these convictions, 157 involved predominantly sex trafficking and 27 involved predominantly labour trafficking, although several involved both. These totals do not include child sex trafficking cases brought under non-trafficking statutes. Penalties imposed on convicted traffickers ranged from five years to life imprisonment. For the first time, the government used an extraterritorial jurisdiction provision of the law to convict a trafficker for sex trafficking that took place in another country".⁶⁶ Section 2423(c) of Title 18, United States Code, prohibits U.S. citizens or legal permanent residents from traveling from the United States to a foreign country, and while

⁶⁵ "Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons Fiscal Year 2014."

⁶⁶ "2015 Trafficking in Persons Report." U.S. Department of State. 2015. Accessed December 06, 2016. <http://www.state.gov/j/tip/rls/tiprpt/countries/2015/243559.htm>. pg. 353

there, raping or sexually molesting a child or paying a child for sex. Citizens can be punished under this law even if the conduct they engaged in was legal in the country where it occurred. For example, if an individual traveled to a country that had legalized prostitution, and while they were there they paid a child for sex, that individual could still be convicted under this statute. The penalty for this provision is up to 30 years in prison.⁶⁷

94. Although criminal prosecution has been the primary focus of anti-trafficking law and policy responses, civil lawsuits have become an increasingly important means for victims to seek redress and remedy for the trafficking. Given the relatively small number of criminal prosecutions of labour trafficking cases, civil lawsuits, in which the burden of proof required to prevail is lower, are a crucial avenue to accountability for labour trafficking victims in particular. The 2003 TVPRA established a private right of action for trafficked persons, 18 U.S.C. §1595. Trafficked persons may also be able to bring a claim before the EEOC, which may then bring a lawsuit against the traffickers on behalf of the trafficked persons.
95. The SR welcomes the impressive work of the EEOC in civil remedies, and hopes that it is further included in inter-agency co-operation on anti-trafficking issues (and/or gets expanded jurisdiction).
96. The SR recognizes as a good practice, the Victim Witness Coordinators (VWC), who assist victims are involved with the criminal justice process, and promote their well-being throughout an investigation, prosecution, sentencing and immediately after. They are based in federal agencies, such as DOJ's U.S. Attorneys' Offices, HTPU, CEOS, and the FBI, and DHS. Their duties include notifying victims of important case events and proceedings, and providing victims with information on their rights and referrals for victim services (including victim compensation programs and counselling). The work of VWC with victims with continued, consistent co-ordination resulted in increased services and more successful identification of trafficked victims.
97. The SR welcomes the willingness and availability of law firms to do pro bono work on behalf of trafficking victims, as this is an effective way for qualified lawyers to provide necessary representation.
98. The SR recognizes as a good practice the existence and work of the **human trafficking intervention courts**, established in New York State. They form a state-wide system of courts, designed to intervene in the lives of trafficked human beings and to help them to break the cycle of exploitation and arrest.⁶⁸

⁶⁷ "Citizen's Guide To U.S. Federal Law On The Extraterritorial Sexual Exploitation Of Children." U.S. Department of Justice. July 06, 2015. Accessed December 06, 2016. <https://www.justice.gov/criminal-ceos/citizens-guide-us-federal-law-extraterritorial-sexual-exploitation-children>.

⁶⁸ Lippmann, Jonathan. "Announcement of New York's Human Trafficking Intervention Initiative." Center for Court Innovation. September 25, 2013. Accessed December 06, 2016. <http://www.courtinnovation.org/research/announcement-new-yorks-human-trafficking-intervention-initiative>.

99. Training of law enforcement remains crucial for improved victim identification and for their appropriate treatment. Among the many training initiatives, the SR notes the innovative effort of DHS via [govloop](#), which will be rolled out by 1 October 2016 – and increased financial training (including training on money laundering and forfeiture tools for human trafficking prosecutions) in 2015 and 2016.

Data collection

100. The SR commends the good practice of collecting data on international child labour and forced labour, published in ILAB's three flagship reports, mentioned in point 22. These reports are DOL's Findings on the Worst Forms of Child Labor; the List of Goods Produced by Child Labor or Forced Labor; and the List of Products Produced by Forced or Indentured Child Labor. Each of these reports has a distinct mandate, focus and set of implications, but taken collectively, they document the current situation of child labour, forced labour and forced child labour around the world.

101. The SR commends the Attorney General of the United States for the comprehensive annual reports⁶⁹ to Congress on the issue of human trafficking. She noted that the assessments for FYs 2013 and 2014 were made public at the end of 2015, and that the assessment of FY2012 was not released until 2014. She noted that the FY2015 report was released in June 2016⁷⁰.

102. Most interlocutors agree that currently data are inadequate, especially on the number of identified and assisted victims of trafficking, and that there needs to be a more consistent and coherent way of collecting data, as well as agreed upon definitions based on the TVPA.

RECOMMENDATIONS

The SR recommends further action in the following areas:

1. Improve data collection, sharing, and reporting

⁶⁹ "Office of the Attorney General Archive." U.S. Department of Justice. Accessed December 06, 2016.

<https://www.justice.gov/archive/ag/anu-rpt.html>.

⁷⁰ "Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons Fiscal Year 2015." Accessed December 06, 2016.

<https://www.justice.gov/ag/file/870826/download>

The U.S. government – via the PITF — should develop a clear set of parameters by which to collect data regarding trafficking cases, such as uniform harmonized definitions across different legislative acts, including the broader definition under the TVPA. Currently, data collection efforts are inconsistent, even within government agencies, rendering it difficult to ensure a co-ordinated response to collect data, especially on victim identification and assistance, and to measure the incidence of trafficking. Improving these data collection efforts would facilitate the estimation of the total number of trafficked persons.

Further training would also be needed for all stakeholders that collect and manage data on trafficking. A uniform standard on data collection, including uniform definitions (based on the TVPA) and indicators should be developed in order to provide for consistency of data and improved data collection.

The U.S. government should develop a procedure or mechanism — perhaps a central database — that would facilitate inter-agency sharing of this data.

When reporting on US anti-trafficking statistics — for example, in the TIP Report — the US government should include more specific data regarding the handling and disposition of trafficking cases, including additional data on the nature of the charges brought against traffickers — whether charged under anti-trafficking or other statutes — and indicate on which convictions were obtained.

It would be productive to consider changing the nature of the TIP report; to focus more on developing action plans with states, rather than ranking.

The US government should ensure that the U.S. AG Report is released in a timely fashion, its release publicized and made readily available to the public.

Data should also be collected on the cases in which the victims have received restitution.

2. Monitoring and evaluation

The SR recommends to the TIP Office and USAID to engage evaluators at the beginning of international projects they fund rather than at the end, and consider commissioning a firm to do this across the board.

3. Increase efforts to obtain restitution for trafficked persons

Federal prosecutors should be required —as a matter of *practice* — to fulfill their obligation under the law to seek restitution for victims of trafficking for sexual exploitation as well as for labour exploitation, as well as for child victims who are currently the least likely to receive restitution. The federal government should increase training of prosecutors in this respect, and establish internal mechanisms to ensure that prosecutors are complying with this obligation.

As the OSCE/ODIHR publication *Compensation for Trafficked and Exploited Persons in the OSCE Region* recommends, it should be ensured that “compensation orders made in criminal proceedings are not humiliatingly small and provide clear guidance

as to how these are arrived at. Ensure criminal compensation orders are efficiently enforced and take priority over other payments such as fines.”⁷¹

4. Provide continuous training

It is recommended that officials, especially at the local level, be better trained on the differences between the visas available to foreign victims of trafficking and the benefits each brings.

Training should also be stepped up for prosecutors and judges in order for them to be better equipped to seek restitution for all forms of trafficking, including in unpaid wages.

5. Increase efforts to address all forms of human trafficking, especially for child and labour exploitation

According to the U.S. AG Report for FY2014, only 18 federal forced labour cases were initiated in 2014. While multiple federal agencies investigate forced labour, the Department of Homeland Security reported that it was involved in only 1 arrest and 1 conviction for forced labour (under 18 U.S.C. §1589) – compared to 98 arrests and 52 convictions for sex trafficking (under 18 U.S.C. §1591)— during FY2014. The federal government should make concerted efforts to investigate and prosecute labour trafficking cases at the federal level and to overcome identified challenges identifying and developing criminal forced labour matters. The federal government should also work with state and local prosecutors to ensure that they are vigorously investigating and prosecuting labour trafficking cases. The ACTeam Initiative, which extensively involves the Department of Labor in anti-trafficking efforts, should be supported as a promising practice aimed at enhancing capacity to develop labour trafficking cases.

The federal government should take measures to ensure—perhaps through explicit conditions on task force funding—that the human trafficking task forces, whether state-wide or city-level, make vigorous efforts to close the considerable gap in identification, (proactive) investigation and prosecution of non-sexual labour trafficking cases.

The SR considers that there is a need to further improve co-operation between agencies on THB for labour exploitation cases with DOL and the EEOC, and empower these agencies to do more on labour THB, including in criminal, as well as civil cases, as is being encouraged through the ACTeam Initiative.

The USG should consider appointing and funding more WHD labour investigators in order to provide for more rigorous inspections of at-risk workers in low wage jobs and industry worksites, to strengthen inspections, as these inspections are effective while resource-intensive.

⁷¹ "Compensation for Trafficked and Exploited Persons in the OSCE Region" OSCE. May 26, 2008. Accessed December 06, 2016. <http://www.osce.org/odihr/32023?download=true>.

The SR recommends enacting and implementing the Sex Trafficking Demand Reduction Act, to address demand for commercial sex, targeting men who purchase sex.

6. Ensure that victims of trafficking are not subject to criminal prosecution — at either state or federal level — for any criminal activities committed while under the control of their traffickers

The federal government should encourage state and local authorities to ensure that individuals deemed trafficking victims at the federal level are not prosecuted at the state level for crimes they may have committed while under the control of their traffickers, including through the provision of incentives and training.

The federal government should encourage that all state and local governments consider adopting laws permitting vacature/expungement of a trafficked person's past convictions for crimes committed while under the control of a trafficker. The SR recommends more programs such as the ABA'S Commission on Domestic & Sexual Violence's Survivor Reentry Project, funded by DOJ's OVC, which provides individualized support, training, and technical assistance around the vacatur of criminal convictions⁷². Ensure that children are not put on probation and mandated to do services. It is also recommended to extend safe harbour laws to all states and territories, as they currently only apply in 34 states, as mentioned above.

7. Strengthen services for transitional age youth to include youth up to 24 years old, in particular those out of foster care, as they are both at high risk and harder to reach

Change safe harbour laws to include Transitional Age Youth (TAY) up to 24 as a child can be on court-mandated probation, and if the child violates it, the process must start from scratch. Expand services to TAY, including child welfare funding, as currently housing and services are inadequate for this high risk, hard to reach group.

In order to enhance identification and encourage victims of trafficking to self-identify, decouple law enforcement agencies and immigration enforcement, as victims have a fear of being summarily deported if they come forward.

8. Address gaps and inconsistencies between federal and state anti-trafficking measures

The federal government should strongly encourage state governments to address the inconsistencies between federal and state statutes with respect to the definition of child trafficking. Specifically, state governments should be encouraged to bring their laws into compliance with the definition of a trafficking victim under TVPA and international law, and ensure that the means element (force, fraud, coercion) not be required in proving that a minor is a victim of trafficking. This would better ensure that children recognized as victims of trafficking under federal law, are not

⁷² "Survivor Reentry Project." American Bar Association. Accessed December 06, 2016. http://www.americanbar.org/groups/human_rights/projects/task_force_human_trafficking/survivor-reentry-project.html.

considered prosecutable for child prostitution under state law, and uphold the non-punishment provision.

- 9. The U.S. government is encouraged to require prospective contractors to submit a detailed anti-trafficking and forced labour compliance plan as a part of the bidding process, and make the content and mechanism for enforcing the plan a part of the criteria for the award decision, and not after receiving the contract, as currently is the case**

If the compliance plan is a part of the awards process, but the compliance plan is not adhered to, then contractors and subcontractors can be held accountable.

- 10. Strengthen the implementation of the laws targeting the trafficking and exploitation of A-3 and G-5 visa-holders; following the example of other OSCE countries (e.g., Belgium and Austria), partner with community organizations and domestic workers in the design and implementation of these interventions**

The U.S. government is to be commended for launching a pilot program to conduct in-person check-ins of domestic workers employed on A-3 visas in Washington, DC. Following the example of other OSCE countries (e.g., Belgium and Austria), the US government should partner with community organizations and domestic workers to design and implement (1) the training programs for U.S. government staff responsible for conducting the interviews of A-3 workers, and (2) the protocols for interviewing the workers, and (3) the protocols for referring the worker for services and legal representation. Involving non-governmental service provider organizations ensures that victims who disclose abuse promptly receive services; involving domestic workers in developing interview protocols ensures that the program achieves its goal of reaching workers in exploitative working conditions.

The U.S. government should ultimately expand the pilot program to include all A-3 and G-5 workers in the United States.

Ensure that temporary visa holders can change employers without losing their status, as workers who are tied to one employer can be more easily controlled and exploited by such an employer.

The State Department Protocol Office should undertake to implement the laws mandating suspension of visa issuance to missions and embassies that have tolerated any employee's exploitation of A-3/G-5 workers. Where employees have been found liable for such exploitation, the State Department Protocol Office should make clear to the concerned embassy/missions its rationale behind its decision regarding whether or not to suspend visa issuance.

The State Department should continue to do everything within its power to hold diplomats to account for A-3/G-5 worker exploitation and trafficking, including requesting a waiver of a diplomat's immunity, and/or declaring the diplomat *persona non grata*.

11. Ensure that U.S. government contractors and subcontractors engaged in trafficking-related practices are held accountable

The U.S. government should vigorously investigate and prosecute U.S. government contractors and subcontractors alleged to have engaged in trafficking-related practices. Where a contractor, subcontractor or agent thereof has engaged in trafficking-related activities, the U.S. government should apply the penalties and remedies set forth in the FAR implementing EO 13627, including termination, suspension and debarment.

This is all the more important in the case of the DoD, one of the largest employers and contractors worldwide. Strict compliance in DoD contracts would send a signal throughout the US government and abroad, especially in crisis areas.

The U.S. government should ensure that federal and state level regulations on supply chains are fully implemented with appropriate oversight, rigorous monitoring and enforcement, and toward that end:

12. Conditions should not be imposed on victims for benefits, such as cooperation with law enforcement agencies. Victims of trafficking should be first given a reflection period, as recommended by the council of Europe⁷³ and is common practice in European countries.

13. Further strengthen the screening of unaccompanied minors to identify potential victims of trafficking among them

The proactive identification of victims among unaccompanied minors coming mostly from Central America, in particular the Northern Triangle, should be strengthened, as many of them are fleeing violence and exploitation. A recent report by the Congressional Research Service states that the “U.S. authorities encountered more than 52,000 unaccompanied minors from the region at the U.S. border in FY2014, a more than 1,200 per cent increase compared to FY2011. Distinguishing the difference between a trafficking victim and a smuggled migrant can be difficult, in cases involving unaccompanied children, particularly in instances where children are fraudulently accompanied minors, having been smuggled into the country by being paired with “fake” parents. As U.S. border security has tightened, unauthorized migrants have become increasingly dependent upon smugglers (coyotes) to lead them through Mexico to the United States. U.S. officials estimate that 75-80 per cent of unaccompanied minors now travel with smugglers”.⁷⁴

⁷³ Article 13 – Recovery and reflection period of the Council of Europe Convention provides that, “each Party shall provide in its internal law a recovery and reflection period of at least 30 days, when there are reasonable grounds to believe that the person concerned is a victim. Such a period shall be sufficient for the person concerned to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities. During this period it shall not be possible to enforce any expulsion order against him or her. This provision is without prejudice to the activities carried out by the competent authorities in all phases of the relevant national proceedings, and in particular when investigating and prosecuting the offences concerned. During this period, the Parties shall authorise the persons concerned to stay in their territory.”

⁷⁴ “Unaccompanied Children from Central America: Foreign Policy Considerations.” Congressional Research Service. April 11, 2016. Accessed December 06, 2016.
<https://fas.org/spp/crs/homesecc/R43702.pdf>.

14. There is a need for more transparency of foreign temporary worker visas

The SR hopes that the *Visa Transparency Anti-Trafficking Act*⁷⁵, if enacted by Congress, would help prevent trafficking for labour exploitation among foreign temporary workers in the U.S. by creating a uniform system for reporting data that the government already collects on temporary visa programs, and by requiring that the information be made publically available. This would be consistent with efforts to ensure that labour recruiters do not charge recruitment fees whereby unscrupulous labour recruitment companies can place workers into debt bondage.

15. The SR recommends that the United States consider how to adopt even stronger transparency measures and go beyond statements, to do due diligence

The SR hopes that federal bill H.R. 3226 (Business Supply Chain Transparency in Trafficking and Slavery Act of 2015), if enacted, will include disincentives for those who do not do public reporting, to have “more teeth” than the California law currently does.

16. Develop measures to give federal contractors a chance to take corrective action before punitive procedures are enforced

Such measures can include capacity building and training for contractors rather than solely punitive measures if trafficking is found to occur, as well as designing disincentives for contractors to resort to exploitative or forced labour.

17. The SR encourages DOJ and the Securities and Exchange Commission (SEC) to ramp up the Foreign Corrupt Practices Act, to investigate and bring charges against companies related to international labour recruitment and human trafficking

The SR encourages the DOJ and SEC to enforce the Foreign Corrupt Practices Act (FCPA) more frequently and effectively, in relation to rampant corruption associated to international labour recruitment and labour migration, which are closely tied to trafficking in human beings.

Financial institutions have links to human trafficking that go beyond possibly facilitating laundering of illicit funds. The SR also encourages the SEC to encourage or require more disclosure by financial institutions of their due diligence efforts to understand how they might own shares in or invest in companies and projects that are linked to human trafficking.

The US government’s leadership on using public procurement to fight human trafficking in the form of the Federal Acquisition Regulation is noteworthy. However, there is need for more transparency around the implementation of the procurement rule, including on resources spent to enforce it and on standards for disbaring federal

⁷⁵ "H.R.5006 - 114th Congress (2015-2016): Visa Transparency Anti-Trafficking Act of 2016." Library of Congress. 2016. Accessed December 06, 2016. <https://www.congress.gov/bill/114th-congress/house-bill/5006>.

contractors that are not implementing standards.

More generally, human trafficking occurs in the US in part due to poor investment by the federal and state governments in enforcement of labour standards.

18. The SR supports the need for a centralized Bureau for Anti-trafficking Compliance to co-ordinate and support the implementation of the FAR on strengthening protections against human trafficking in government contracting

The Bureau would be critical for the collection and monitoring of implementation of compliance plans, to encourage reporting, corrective action plans, and remedy of identified and isolated cases, as if there is no enforcement, then businesses will not follow up.

19. The Inspector Generals of each agency should also be funded to investigate compliance

In order to see if there is compliance in reality, Inspector Generals should investigate and have the capacity to temporarily suspend purchases from suppliers regardless of fault until remedial action is in place, or debar federal contractors if there is not, except in truly extraordinary circumstances (such as a sole supplier of a necessary product).

20. Consider adopting a licensing model following the successful example of the Gangmasters Licensing Authority of the UK (GLA).

The UK licensing scheme regulates businesses that provide workers to the fresh produce supply chain and horticulture industry, to make sure they meet the employment standards required by law.

Employment agencies, labour providers or gangmasters who provide workers to the following sectors need a GLA license: agriculture, horticulture, shellfish gathering, any associated processing and packaging. It is a criminal offence to supply workers without a license or use an unlicensed labour provider. Labour providers are assessed to check if they meet the GLA licensing standards, which cover "health and safety, accommodation, pay, transport and training"⁷⁶. The GLA checks that they are fit to hold a license, and that tax, national insurance, and VAT regulations are met.

In the fall of 2016, the GLA's mandate will be expanded and the agency will become the Gangmasters and Labour Abuse Authority. The reformed GLA (GLAA) will be given additional powers under the Police and Criminal Evidence Act 1984 to allow the organization to investigate labour abuse allegations across the entire UK labour market.

⁷⁶ "What We Do." Gangmasters Licensing Authority. 2016. Accessed December 06, 2016. <http://www.gla.gov.uk/who-we-are/what-we-do/>.

21. Require that contractors include viable worker complaint mechanisms in company plans

Further strengthen worker-to-worker education so that workers are aware of their rights and guaranteed protection against retaliation, with a complaint resolution process free from the threat of retaliation, maintained by independent monitors, such as in the Fair Food Program.

22. Allocate resources to address gaps in funding as well as for the Advisory Council in order to ensure its effective functioning

Resources should be attached to the Advisory Council, to support their important work and ability to advise the U.S. government. Resources should also address gaps in funding, and limited number of beds available for men/victims of labour trafficking⁷⁷. There is also a need to increase funding for family reunification services, as limited funding delays this process.⁷⁸

23. Consider developing a National Action Plan for all relevant actors

Currently, the *Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013-2017* is being implemented, though “prevention and prosecution activities fall outside the scope...” It will be helpful to develop one comprehensive document that would address the four key elements of combating trafficking (prevention, prosecution, protection and partnerships.)

The national action plan (NAP) should also include a clear division of duties and responsibilities of all involved partners and stakeholders, as well as guidance indication on the lines of communication and exchange of information among them.

24. Consider developing a centralized National Referral Mechanism (NRM), common standard operating procedures, as well as national protocols for the referral and assistance of trafficking victims

A National Referral Mechanism (NRM) is a co-operative framework through which state actors fulfill their obligations to protect and promote the human rights of trafficked persons, co-ordinating their efforts in a strategic partnership with civil society. The basic aims of an NRM are to ensure that the human rights of trafficked persons are respected and to provide an effective way to refer victims of trafficking to services. In addition, NRMs can work to help improve national policy and procedures on a broad range of victim-related issues such as residence and repatriation regulations, victim compensation and witness protection. NRMs can establish

⁷⁷ "Shelter Beds for Human Trafficking Survivors in the United States: Executive Summary." Polaris Project. 2012. Accessed December 06, 2016. <http://www.ccasa.org/wp-content/uploads/2014/01/Shelter-Beds-For-Human-Trafficking-Survivors.pdf>.

⁷⁸ "Addressing Human Trafficking in the United States: FN Comments for the Trafficking in Persons Report." Freedom Network. February 11, 2014. Accessed December 06, 2016. <http://freedomnetworkusa.org/addressing-human-trafficking-in-the-united-states-fn-comments-for-the-trafficking-in-persons-report/>.

national plans of action and can set benchmarks to assess whether goals are being met.⁷⁹

In the United States, currently the Task Forces active across the country are a good example of institutionalized interdisciplinary co-operation. A first responder protocol exists in cases of CSEC in Los Angeles County. While some protocols are being drafted on the exchange of data and information among the agencies that participate in the Task Forces, there is an overall lack of general standard operating procedures (or another system similar to a national referral mechanism) across states that facilitate the referral of victims of trafficking. The national hotline managed by Polaris provides for first-hand identification and referral and could be used as a suitable starting point for effective referrals.

For more efficient co-operation with countries of origin, the implementation of a transnational referral mechanism (TRM)⁸⁰ would also be recommended. The TRM concept was initially developed with the support of USAID. A TRM is a co-operative agreement for the cross-border comprehensive assistance and/or transfer of identified or potential trafficked persons. A TRM links all stages of the referral process from the initial screening, through formal identification and assistance, to the voluntary assisted return, the social inclusion, and the civil and criminal proceedings. It is based on the co-operation between governmental institutions, intergovernmental agencies and NGOs of countries of origin, transit and destination of the assisted trafficked persons. Through the TRM, state actors of different countries fulfill their obligations to promote and protect the human rights of trafficked persons.

25. Strengthen the role of Task Forces

Consider expanding the number and geographical scope of the Task Force model in order to cover more states and counties, and continue to include civil society on a collaborative basis to help ensure a victim-centred approach. At the same time, funding for law enforcement efforts and victims services should be more clearly defined.

26. Continue to fund both domestic and international programs to combat trafficking

Ensure that funds do not get diverted from domestic programs in order to fund international efforts and pursue, where possible, budget increases for service providers for victims of all forms of trafficking.

27. Strengthen the community approach, including prevention work in immigrant communities

⁷⁹ "National Referral Mechanisms - Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook." OSCE. May 13, 2014. Accessed December 06, 2016.
<http://www.osce.org/odihr/13967?download=true>.

⁸⁰ "Guidelines for the Development of A Transnational Referral Mechanism for Trafficked Persons in Europe." International Centre for Migration Policy Development (ICMPD). 2010. Accessed December 06, 2016.
http://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD-Website_2011/Capacity_building/THB/Publications/TRM_EU_guidelines.pdf.

Involving communities in the fight against trafficking, in particular in the prevention aspect, is a good practice. Utilizing the expertise collected by NGOs active in different communities, the approach could be strengthened, focusing on culturally specific elements.

28. Further mainstream the issue of trafficking in human beings into all related policy areas, to complement existing intervention measures – including anti-corruption, child protection, economic empowerment, labour, migration, non-discrimination, leveraging anti-money laundering regimes, etc.

29. The SR encourages the United States to ratify all outstanding international legislative tools mentioned above, including the Council of Europe Convention, open for ratification to countries outside of the Council's membership.

Annex I

**PROGRAMME
OF THE VISIT OF AMBASSADOR MADINA JARBUSSYNOVA,
OSCE SR AND CO-ORDINATOR FOR COMBATING TRAFFICKING IN HUMAN
BEINGS TO THE UNITED STATES OF AMERICA**

1-12 February 2016

Monday, 1 February 2016, Washington, DC (David A. Swalley, OSCE Desk Officer, European Security & Political-Military Affairs (RPM), accompanied the SR to her meetings in Washington DC)

9:15 – 10:15 **Office to Monitor and Combat Trafficking in Persons (J/TIP)**, meeting with Laura Svat Rundlet, Senior Coordinator for Public Engagement and other staff (Amy O’Neill Richard, Kyle Ballard, Mark Forstrom, Chad Sultan, Susan Benda)

10:45 – 11:30 **Office of European Security and Political Affairs** (EUR/RPM): meeting with Joe Manso, Director, European Security & Political-Military Affairs, and representatives of other State Department Bureaus/Offices including the Office of the Assistance Coordinator to Europe (ACE).

13:00 – 16:30 **Meeting with Washington, DC Metro area NGOs** at Polaris

17: 00 –
17:30 **Panel on *Modern Slavery, Bribery and Corruption: Corporate Compliance with Legal Frameworks.*** Holland & Knight LLP

Tuesday, 2 February 2016, San Francisco

14:00-15:00 **Humanity United**, meeting with Ed Marcum

15:00-16:00 Humanity United and partner NGOs/private sector actors: such as Made in a Free World, Business for Sustainability and Responsibility, and Labor Voices.

Wednesday, 3 February 2016

San Francisco

10:00-11:00 **Office of California Attorney General Kamala D. Harris**, meeting with

Nancy Beninati, Attorney General’s Office, Supervising Deputy Attorney General, Civil Rights Enforcement Section, And **Anthony Seferian**, Deputy Attorney General, California Department of Justice

Sacramento

- 15:00-15:45 **Greg Rose**, Deputy Director, Children and Family Services Division, Department of Social Services, State of California; **Frances Chacon**, Manager, Child Trafficking Response Unit Child Welfare Policy and Programme Development, Children and Family Services Division, Department of Social Services, State of California; **Angela Ponivas**, Bureau Chief, Office of Child Abuse Prevention; **Kelly Winston**, Bureau Chief, Child Welfare Policy and Programme Development; **Kim Johnson**, Branch Chief, Child Care & Refugee Programs Branch; **Sysvanh Kabkeo**, Bureau Chief, State Refugee Coordinator
- 16:15-17:00 **California Department of Justice, Office of Attorney General Kamala D. Harris**: meeting with **Robert Sumner** *Special Counsel for Legislation*, represents the Attorney General on behalf of the Bureau of Children's Justice and other initiatives

Thursday, 4 February 2016, Los Angeles (Sonia H. Dentzel, Senior Multilateral Affairs Officer, TIP Office, accompanied the SR to her meetings in LA)

- 09:30-12:00 **Roundtable with NGOs at CAST**
- 14:00 – 15:30 **Equal Employment Opportunity Commission (EEOC)**
Anna Park, Regional Attorney for the LA District Office; **Rosa Viramontes**, District Director for LA District Office; **Sue Noh**, Supervisory Trial Attorney for LA District Office; **Christine Park-Gonzalez**, Deputy District Director for LA District Office
- 16:00 – 17:00 **Covenant House California – Los Angeles**: Tour of the facility

Friday, 5 February 2016, Los Angeles

- 10:30-11:30 **Department of Fair Employment and Housing (LA Office)**, meeting with Mr. Kevin Kish, Director and staff
- 14:00-15:30 **LA County Sherriff's Department (LASD) – THB Task Force**
Captain Merrill Ladenheim, LAPD Human Trafficking Bureau; **Ed Owens**, DHS; **Ann Gannon**, USDOJ; **Jimmy Valenzuela**, DHS, **Becca Channell**, Task Force Coordinator, and **Rita Patel**, The Coalition to Abolish Slavery & Trafficking (CAST)

Monday, 8 February 2016, New York

- 10:30 – 12:30 **Meeting with New York NGOs hosted** by the New York City Bar Association

13:00-15:00 Briefing by the SR and Ivan Simonovic, ASG for Human Rights, hosted by Ambassador Abdrakhmanov, with the Permanent Representatives to the United Nations of OSCE pS

15:30 **NYU Stern Center for Business and Human Rights**

Tuesday, 9 February 2016, New York

10:00-13:00 **United Nations**: SR speaks at UN ECOSOC Chamber (Conference Building) and holds meetings at the UN

13:00 – 14:45 Luncheon hosted by Belarus Mission to the UN

15:00 – 15:45 Meeting with **UNICEF**

Wednesday, 10 February 2016, Washington DC

11:00-12:00 **Helsinki Commission Staff Meeting**

15:00 – 15:45 **Bureau of International Narcotics and Law Enforcement Affairs/Criminal Justice Assistance and Partnership** (INL/CAP), **Michele Greenstein**, Deputy Director

17:00- 18:00 **Hill Meetings (House)**: **Representative Chris Smith**, OSCE PA SR on CTHB, and the US Congressional TIP Caucus; **Representative Erik Paulsen**; **Representative Randy Hultgren**

Thursday, 11 February 2016, Washington DC

9:30 – 10:30 **Department of Labor (DOL)**: meeting with **Mr. Eric Biel**, Associate Deputy Undersecretary, Bureau of International Labor Affairs (ILAB); **Ernesto Archila**, **Marcia Eugenio**, Director, Office of Child Labor, Forced Labor and Human Trafficking (ILAB), **Brandie Sasser (ILAB)**, **Joan Barrett**, Chief Multilateral and Global Issues, **Michael Kravitz (WHD)**, and **Austin Pedersen**

11:00 – 11:30 **Department of State**: Meeting with **John Heffern**, Principal Deputy Assistant Secretary for the Bureau of European and Eurasian Affairs.

11:30 – 12:30 Meeting at Main State Department with ACE, Bureau of Democracy, Rights, and Labor (DRL); Bureau of Economic and Business Affairs (EB); USAID, and Department of Defense.

- 14:00-15:30 **Office to Monitor and Combat Trafficking in Persons J/TIP:** meeting with **Ambassador Susan Coppedge**, Ambassador-at-Large, Office to Monitor and Combat Trafficking in Persons, Mr. Carl Fox (Deputy) and Ms. Laura Svat Rundlet
- 15:45 – **Electronic Industry Citizenship Coalition (EICC):** **Rob**
17:00 **Lederer** and **Bob Mitchell (Hewlett Packard)**

Friday, 12 February 2016, Washington DC

- 9:30 – 10:30 **Department of Justice (DOJ):** meeting with **Jill Steinberg**, National Coordinator for Child Exploitation Prevention And Interdiction; **Benjamin Hawk**, Trial Attorney, Human Trafficking Prosecution Unit; **John Cotton Richmond**, Special Litigation Counsel, U.S. Department of Justice’s Human Trafficking Prosecution Unit, and **Kris Rose (OVC)**
- 11:00 -12:00 **Department of Health and Human Services (HHS):** **Ms. Katherine Chon**, Director of the Office on Trafficking in Persons (OTIP, Administration for Children and Families (ACF) at the U.S. Department of Health and Human Services
- 14:30 – 15:30 **Office of Federal Procurement Policy at Office of Management and Budget (OMB):** meeting with **Anne Rung**, Administrator and **Matthew Blum**, Associate Administrator
- 16:00 – 17:30 **Department of Homeland Security (DHS):** meeting with **Maria Odom**, Ombudsman, DHS Citizenship and Immigration Services, Chair, DHS Blue Campaign; and **Jeffrey Rezmovic**, Counselor to the Deputy Secretary; Chief of Staff, DHS Blue Campaign

Annex II

Acronyms used in the report

ACE	Assistance Coordinator to Europe
ACF	Administration for Children and Families
BJA	Bureau of Justice Assistance
CAFRA	Civil Asset Forfeiture Reform Act of 2000
CA-TISCA	California Transparency in Supply Chains Act
CIW	Coalition of Immokalee Workers
CSEC	Commercial Sexual Exploitation of Children
CTHB	Combating Trafficking in Human Beings
DHS	Department of Homeland Security
DoD	Department of Defense
DOJ	Department of Justice
DOL	Department of Labor
EEOC	Equal Employment Opportunity Commission
EICC	Electronic Industry Citizenship Coalition
FAR	Federal Acquisition Regulation
FY	Fiscal Year (October 1 through September 30)
GLA	Gangmasters Licensing Authority
HHS	Department of Health Services
ILAB	Bureau of International Labor Affairs
INCLE	International Narcotics Control and Law Enforcement
INL	Bureau of International Narcotics and Law Enforcement Affairs
INL/CAP	Bureau of International Narcotics and Law Enforcement Affairs/Criminal Justice Assistance and Partnership

TIP Office	Office to Monitor and Combat Trafficking in Persons, U.S. Department of State
LASD	LA County Sheriff's Department
LCA	Labor Compliance Advisor
LEA	Law Enforcement Agency
MSEs	mega sporting events
NDAA	National Defense Authorization Act
NGOs	Non-governmental Organizations
NRM	National Referral Mechanism
OMB	Office of Management and Budget
OSCE	Organization for Security and Co-operation in Europe
OVC	US DOJ's Office for the Victims of Crime
PITF	President's Interagency Task Force to Monitor and Combat Trafficking in Persons
SPOG	Senior Policy Operating Group on Trafficking in Persons
SR	OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings
TAY	Transitional Age Youth
THB	Trafficking in Human Beings
TIP	Trafficking in Persons
TIP Office	Office to Monitor and Combat Trafficking in Persons, U.S. Department of State
TRM	Transnational Referral Mechanism
TVPA	Trafficking Victims Protection Act

TVPRA Trafficking Victims Protection Reauthorization Act

UAMs	Unaccompanied Minors
USAID	U.S. Agency for International Development
USAO	U.S. Attorney's Office
USG	United States Government
VoT	Victim of Trafficking
VWC	Victim Witness Coordinators
WHD	Wage and Hour Division, U.S. Department of Labor
