



COMBATING TRAFFICKING IN PERSONS

Department of Defense Combating Trafficking in Persons



General Awareness
Training Presentation
2016





COMBATING TRAFFICKING IN PERSONS

Introduction

Welcome to the Department of Defense Trafficking in Persons General Awareness Training for Department of Defense employees. In this course, you will learn how to:

- Define trafficking in persons
- Identify who is involved in trafficking in persons
- Determine why trafficking in persons occurs
- Describe how trafficking in persons occurs
- Explain how to combat trafficking in persons
- Identify trafficking in persons laws and policies

NOTE: This course will use the terms "trafficking in persons" and "human trafficking" interchangeably.





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Warning!

This training contains language and images depicting physical violence and sexual violence to accurately portray the nature of trafficking in persons. The Department of Defense has determined that this level of candor is necessary in order to properly convey the subject matter.



Introduction

International Scope

Trafficking in Persons (TIP) is one of the fastest growing criminal industries in the world.

It is estimated that:

- 20.9 million people are victims of human trafficking
- 55% of victims are females
- 26% of victims are children (under 18 years of age)

National Scope

In 2015,

- 5,544 cases of human trafficking were reported
- 4,136 cases involved sex trafficking
- 4,683 female victims were identified
- 1,621 child victims were identified



What is TIP?

The United States government enacted the Trafficking Victims Protection Act (TVPA) in 2000, defining severe forms of trafficking as:

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





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Definition: “*Severe forms of trafficking in persons*”

All human trafficking crimes are a serious matter.

“Severe forms of trafficking” involves the recruitment, harboring, transportation, provision, patronizing, soliciting, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of forced labor.



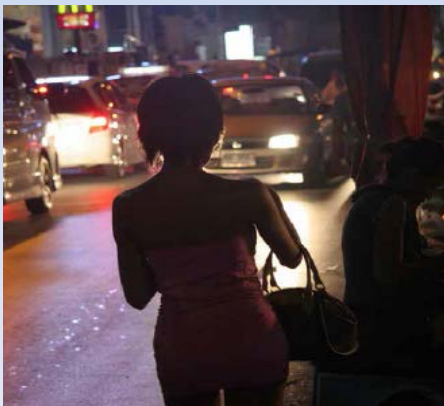
Force, Fraud and Coercion

- Trafficking in persons typically involves the use of force, fraud, or coercion to compel a person to provide:
 - Labor or Services (Labor Trafficking)
 - Commercial Sex (Sex Trafficking)
- Any minor (under 18 years of age) involved in commercial sex is a victim of trafficking in persons



Sex Trafficking

- Sex trafficking occurs when a commercial sex act is induced by force, fraud, or coercion, or in which the person who is induced to perform such an act is under the age of 18.
- Victims of sex trafficking can be found working **anywhere**, but are most often found in:
 - Bars and brothels
 - Dance clubs and strip clubs
 - Massage parlors and spas
 - Escort services
 - Private parties



Example: In 2014, the Naval Criminal Investigative Service (NCIS) initiated an investigation after receiving two anonymous web tips alleging sex trafficking of a minor by a U.S. Navy Service member. The tips alleged a Navy petty officer third class was actively trafficking the minor for the purposes of prostitution in Georgia, North Carolina, and Virginia.

The investigation confirmed the petty officer paid for the minor's escort service advertisements on an internet website and drove her to and from prostitution encounters. The minor told authorities she engaged in prostitution in multiple jurisdictions and gave the proceeds to the petty officer. The petty officer pleaded guilty to transporting the minor interstate to engage in racketeering and was sentenced to five years' confinement in a Federal penitentiary and three years of supervised probation. He was also ordered to register as a sex offender.



Labor Trafficking

- Forced labor, also referred to as labor trafficking, is defined as the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
- Labor trafficking occurs in the Department of Defense both domestically and internationally. Labor trafficking most commonly occurs in Department of Defense contracts that are labor intensive. These labor intensive industries include:
 - Domestic servitude, such as nannies and maids
 - Sweatshop factories
 - Construction sites
 - Farm work
 - Restaurants
 - Panhandling

Example: In 2011, the United States Air Force initiated a labor trafficking investigation based on the following allegations against a subcontractor in Iraq: Delaying the payment of salaries to contracted drivers for over three months; withholding employee passports; coercing employees to sign fraudulent employment contracts.



Child Soldiering

- As defined by the Trafficking Victims Protection Reauthorization Act of 2008 (22 U.S.C. § 2370c), the term child soldier means—(i) any person under 18 years of age who takes a direct part in hostilities as a member of governmental armed forces; (ii) any person under 18 years of age who has been compulsorily recruited into governmental armed forces; (iii) any person under 15 years of age who has been voluntarily recruited into governmental armed forces; or (iv) any person under 18 years of age who has been recruited or used in hostilities by armed forces distinct from the armed forces of a state.
- In some circumstances in the United States Department of Defense, parental consent allows for an individual to be voluntarily recruited into the military when under 18 years of age.

Example: In 2012, armed terrorist groups in Afghanistan reportedly recruited and used 47 children as child soldiers. They used most of the children to manufacture and plant improvised explosive devices and to transport provisions. They used at least 10 to conduct suicide attacks. During the same year, a 16-year-old boy killed himself while conducting a suicide attack at the entrance to the International Security Assistance Force (ISAF) headquarters in Kabul, Afghanistan. During the attack, seven children were killed and two others injured.



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Who is Involved in TIP?

Victim Profiles

Trafficking in persons is caused when someone's vulnerability is exploited.

Victims can be:

- Any gender, age, race, nationality, social status, economic or immigration status
- Man or woman
- Adult or child
- Foreign national or United States citizen



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Potential Indicators

- Signs of physical abuse, physical restraint, confinement
- Signs of emotional or verbal abuse, fear, anxiety, submissive behaviors, or nervousness
- Legal documents, money, personal possessions held by another person
- No freedom of movement and/or constantly monitored by the employer/exploiter
- Restricted, mediated, or controlled communications
- Children under the age of 18 engaging in commercial sex acts
- Required to meet a daily or nightly quota through sex acts
- Unpaid, paid very little, or only earn money through tips
- No permitted work breaks or days off and working long hours
- Dependent on controller/employer for necessities, food, housing, etc.
- No knowledge about their work contract and their basic human rights
- Living and/or working in unsafe and unsanitary conditions



Appropriate Action

- ***If you detect a trafficking in persons situation, do not get directly involved. Report the situation to the appropriate authority.***
 - Chain of command
 - Department of Defense Inspector General (IG) Hotline (1-800-424-9098, <http://www.dodig.mil/hotline/>)
 - The Hotline provides a confidential avenue for any individual to report allegations of wrongdoing that fall under the purview of the Department of Defense, including trafficking in persons.



U.S. Government's Zero Tolerance Policy

- The United States initially adopted a zero tolerance policy with the signing of the National Security Presidential Directive 22 (NSPD-22) in 2002.
- DoD Instruction 2200.01, “Combating Trafficking in Persons (CTIP),” established DoD TIP policies, responsibilities, and reporting requirements for promoting the U.S. Government’s zero tolerance policy within the DoD.



Executive Order 13627

Executive Order 13627, 2012 – “Strengthening Protections Against Trafficking in Persons in Federal Contracts.”

- Strengthens the efficacy of the Government’s zero-tolerance policy on trafficking in persons by calling for stronger prohibitions on contractor engagement in human trafficking-related activities, new tailored compliance measures particularly in at-risk industries and sectors, and additional training in support of monitoring, identification, and compliance efforts.



National Defense Authorization Act (NDAA)

- Allows the Government to terminate a contract if the prime or subcontractor commits act that directly support or advance trafficking in persons. Such acts include:
 - Confiscating an employee's identity or immigration documents,
 - Offering employment using fraudulent or misleading pretenses,
 - Charging placement or recruitment fees, and
 - Providing housing that fails to meet the host country housing and safety standards.



Trafficking Victims Protection Reauthorization Act (TVPA)

- Established a comprehensive approach to trafficking in persons by creating new criminal offenses, and establishing protection and assistance for victims.
- The most recent update expands the definition of sex trafficking to include those patronizing and soliciting commercial sex.
- Provides resources for holistic services for survivors
- Prohibits United States funds going to any country using child soldiers
- imposes reporting and compliance requirements on federal agencies, including the Department of Defense to ensure United States Government taxpayer money does not support human trafficking.



Federal Acquisition Regulation (FAR) 22.1703

- Contractors hired by the Government, and their subcontractors and employees, cannot:
 - a) Engage in severe forms of trafficking in persons
 - b) Procure commercial sex acts
 - c) Use forced labor
 - d) Deny access by an employee to the employee's identity or immigration documents
 - e) Use misleading or fraudulent practices during recruitment or offering of employment, or Use recruiters that do not comply with local labor laws
 - f) Charge recruitment fees
 - g) Fail to provide return transportation upon the end of employment
 - h) Provide housing that fails to meet the host country housing and safety standards
 - i) Fail to provide an employment contract in the employee's native language



Federal Acquisition Regulation (FAR) 22.1703

- Contractors are also required to:
 - a) Notify employees of prohibited activities
 - b) Certify that they have a CTIP compliance plan
 - c) Disclose to the contracting officer and the agency Inspector General information sufficient to identify the nature and extent of an offense and the individuals responsible for the conduct
 - d) Provide timely and complete responses to Government auditors' and investigators' requests for documents
 - e) Cooperate fully in providing reasonable access to their facilities and staff to allow contracting agencies and other responsible Federal agencies to conduct audits, investigations, or other actions to ascertain compliance with trafficking in persons laws and regulations
 - f) Protect all employees suspected of being victims or witnesses



Defense Federal Acquisition Regulation Supplement (DFARS) 222.17

- Supplements the Federal Acquisition Regulation (FAR) Subpart 22.17 in codifying the zero-tolerance policy against human trafficking in Department of Defense supply chains as implemented through PGI 222.17.
- This supplement includes requirements to:
 - Adhere to DoD policy, instructions for reporting violations and imposing remedies, procedures for audits.
- Lists CTIP provisions that must be included in all solicitations and contracts.



Uniform Code of Military Justice (UCMJ)

- Criminal code that applies to Service members and in time of declared war or a contingency operation, persons serving with or accompanying an armed force in the field.
- Offenses related to sex trafficking may be prosecuted under UCMJ including
 - Prostitution
 - Patronizing a prostitute
 - Pandering by compelling
 - Inducing, enticing, or procuring an act of prostitution
 - Pandering by arranging or receiving consideration for arranging for sexual intercourse or sodomy.



Justice for Victims of Trafficking Act (JVTA)

- The JVTA enhances victims services and increases training for federal personnel. Provisions include:
 - Increases penalties for traffickers and buyers
 - Establishes a Domestic Trafficking Victims Fund to increase victim assistance
 - Eases the requirements for U.S. citizens and legal permanent residents to obtain benefits and services
 - Requires training for federal government personnel related to TIP
 - Creates a Child Exploitation Investigations Unit within DHS Cyber Crimes Center
 - Requires DoD to provide DoJ with sex offender registration information for persons required to register who are released from military corrections facilities or convicted under the Uniform Code of Military Justice (UCMJ) and sentences without confinement



Conclusion

Congratulations!

- You have almost completed the Department of Defense Trafficking in Persons General Awareness Training.
- In this training, you learned how to:
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Resources

- Federal Acquisition Regulation (FAR)
 - <https://acquisition.gov/far/>
- Department of Defense Instruction (DoDI) 2200.01
 - <http://www.dtic.mil/whs/directives/corres/pdf/220001p.pdf>
- National Defense Authorization Act (NDAA)
 - <http://www.govtrack.us/congress/bills/112/hr4310/text>
- Trafficking Victims Protection Act (TVPA)
 - <http://www.state.gov/documents/organization/10492.pdf>
- Justice for Victims of Trafficking Act (JVTA)
 - <https://www.govtrack.us/congress/bills/114/s178/text>
- Department of State 2015 TIP Report
 - <http://www.state.gov/documents/organization/245365.pdf>
- Executive Order (EO) 13627
 - <http://www.whitehouse.gov/the-press-office/2012/09/25/executive-order-strengthening-protections-against-trafficking-persons-fe>
- National Security Presidential Directive 22
 - <http://www.combat-trafficking.army.mil/documents/policy/NSPD-22.pdf>

