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# Human Trafficking 101

BY NOELLE DAMICO

**A**s I write this article, I finish a salad adorned with fresh tomatoes, sip some organic coffee and savor a piece of chocolate fudge. My gold wedding band catches the light. As I follow the light's trajectory across the wall, I pause to wonder about how these items came to me.

Were my tomatoes picked by a person who was enslaved? I don't know; I bought them at Publix, which sells tomatoes grown in Florida fields that were worked by farm workers who were manacled, confined in a box truck and forced to harvest. My coffee says it's organic, so it's pesticide-free; but what do I know about the wages or working conditions for the people who harvested the beans? No better with the fudge or my wedding band—the U.S. Department of State reports that children have been trafficked to harvest cocoa and mine gold.

Slavery is alive and well in our twenty-first century globalized economy. Every day, we participate in economic systems calibrated to deliver us the cheapest possible goods and services—some through slave labor. We are outraged by modern-day slavery but, while it's easy to be against slavery, it's hard to know when we've bought something that perpetuates it. And it's even harder to discern the most effective ways we as a church can contribute to a society-wide response to the human rights violations that are both the cause and consequence of modern-day slavery.



Brendan Maguire/World Lens Photography

What are we prepared to do—and *not* to do—to promote the fullness of life Jesus Christ intends for each person? Human trafficking is a complex phenomenon that calls for our best thinking, our deepest commitment and our most conscientious assistance and advocacy.

## Human Trafficking, Defined

Human trafficking is the recruitment, harboring, transporting, providing or obtaining of any person for forced labor, slavery or servitude in any industry, including agriculture, construction and, prostitution, manufacturing. People are trafficked for sex, beggary, domestic service, marriage—even for organs and body parts. The major forms of human trafficking are forced labor, bonded labor, debt-bondage, involuntary domestic servitude, forced child labor, child soldiering, sex trafficking and child sex trafficking.

Human trafficking, a form of modern-day slavery, victimizes vulnerable children, women and men both in the United States and around the world. The International

Labour Organization (ILO) estimates that 12.3 million people are being trafficked; 56 percent of these are women and girls.<sup>1</sup> The U.S. Department of State notes other estimates range from 4 million to 27 million.<sup>2</sup> UNICEF estimates that 1.2 million children are trafficked within and across borders.<sup>3</sup>

## Legislation Surrounding Trafficking

Human trafficking violates the 13th Amendment to the U.S. Constitution, which outlaws slavery and all forced labor. The Victims of Trafficking and Violence Protection Act (TVPA), passed in 2000, made human trafficking a federal crime, punishable with stiff penalties. The law addresses not only the explicit violence traffickers use to coerce their victims, but also the more subtle means they employ, including threats and seizure of identification documents. The TVPA guarantees assistance and social services to help trafficked people rebuild their lives.

Further, the TVPA established the T visa, which permits undocumented immigrants who cooperate in the prosecution of their traffickers to remain in the United States, if they choose. The TVPA also mandates the U.S. Department of State's annual *Trafficking in Persons Report* and the U.S. Department of Labor's report on products it has reason to believe were produced with slave or child labor.

Internationally, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children is the main legal and normative framework to combat human trafficking. Known as the Palermo Protocol, this United Nations protocol facilitates cooperation among member states to

prevent human trafficking and protect victims.

## Myths and Facts

While there has been increased public attention to human trafficking, misconceptions and myths lead to confusion and ineffective efforts to combat modern-day slavery. Here is a sampling.



**Modern-day slavery is hyperbole for poverty wages and bad working conditions.**



**Human trafficking is a form of modern-day slavery in which people are held against their will and forced to work by violence or threats.** Modern-day slavery is neither an exaggeration nor a metaphor. It is, as the name suggests, a new form of slavery that involves the complete control of one person by another through the use of physical or psychological violence, and hard labor for little or no pay, all for the purpose of profit for the slaveholder. Again, such servitude is illegal under U.S. and international law.



**Human trafficking is the same as smuggling.**



**Human trafficking is not smuggling.** In smuggling, people *consent* to be transported across a border, typically for a fee. In human trafficking, people are recruited, transported, held and forced to labor *against their will*. People can be trafficked within their own country

or across one or more national borders.



**People are not trafficked within the United States.**



**Men, women and children are trafficked within, to, from and through the United States.** The U.S.

Department of Justice investigates and addresses U.S. cases.



**Only undocumented immigrants are trafficked.**



**Trafficked persons may be citizens, authorized migrants (such as guest workers), or**

**undocumented immigrants.** The common denominator is vulnerability, not residential status. The following are three cases of people with different statuses who were trafficked. In Florida, men who were homeless and recovering from substance abuse (and were U.S. citizens) were recruited, then enslaved and forced to harvest produce in Florida.<sup>4</sup> In New Hampshire, Jamaican men with guestworker visas were enslaved and forced to cut trees.<sup>5</sup> In New York, two Indonesian women were bought for domestic work by a wealthy couple who took the women's passports, then tortured and enslaved them.<sup>6</sup>



**Human trafficking only happens to girls and women.**



Photos courtesy of Coalition of Immokalee Workers (CIW)

**Left: On an average day, farmworkers harvest nearly 2,000 pounds of tomatoes. Laboring in sweltering heat, they heft the 32 pound baskets of tomatoes into trucks more than 50 times a day. Above: The pristine skin of a recently-picked tomato bears no indication of the difficult or even inhumane conditions under which it was harvested.**



**Men, women, girls and boys are trafficked and forced to labor.**

Children often are trafficked for sexual purposes as well as for labor in domestic service, fishing, mining, agricultural work, child soldiering, sports and the drug trade. Women and girls are often trafficked into forced marriage, domestic service, agricultural and mining industries, as well as prostitution and other forms of sexual and labor exploitation. Joy Ngozi, the United Nations Special Rapporteur for Human Trafficking cautions that trafficking men is “becoming rampant,” particularly in the agricultural, mining and fishing industries.<sup>7</sup>



**All prostitution is human trafficking.**



**While all child prostitution is human trafficking, not all adult prostitution is human trafficking.**

For various reasons, some people in prostitution want to continue in the trade; even after being freed from prostitution, some trafficked people return to it. Distinguishing between adult prostitution and adults who are *trafficked into* prostitution is vital in effectively identifying and assisting victims. Sex workers have been instrumental in leading investigators to women, children and men who have been trafficked into prostitution.

### **Addressing Human Trafficking**

The Presbyterian Church (U.S.A.) has joined the United States and the

United Nations in affirming that modern-day slavery is first and foremost a violation of human rights. The church has been urged by its General Assemblies to become informed about human trafficking, to advocate for the elimination of all forms of human trafficking, and to witness to the fullness of life that God desires for all people. Presbyterian Women has played, and will continue to play, an invaluable role in bringing this urgent matter to the attention of the wider church

Adopting a human rights-based approach to addressing human trafficking means centering our efforts on upholding the human rights of trafficked persons. Any process of identifying or assisting trafficked persons that violates their human rights must be ceased or revised. Further, people who experience poverty, gender discrimination, violence, conflict and other human rights abuses are vulnerable to becoming trafficked. Therefore, addressing human trafficking from a human rights perspective means that



**This blood- and tomato-stained shirt is a part of the Coalition of Immokalee Worker’s Modern Day Slavery Museum, an exhibit traveling through Florida in early 2010. The shirt was worn by a 17-year-old farmworker who was brutally beaten by his supervisor for stopping work to take a drink of water. He then walked several miles, still wearing the bloody shirt, to lodge a complaint with CIW against his supervisor. This 1996 incident prompted greater awareness of farmworkers’ rights and a protest march to the home of the supervisor.**

we must simultaneously work to correct these broader violations of human rights, which are the fertile ground in which slavery flourishes.

### **What To Do . . . and What Not To Do**

Because of our desire to help, if we encounter a person who we think may have been trafficked, we may mistakenly try to investigate or rescue that person. But similar to situations of domestic violence or child abuse, attempts to help can actually endanger victims and put at risk

that have recently sprung up to “end slavery.” It is incumbent upon us to ask careful questions of organizations about how they do their work, how they are committed to upholding the human rights of trafficked persons and how they are connected to key governmental or UN initiatives.

For example, if an organization seeks your patronage for products made by “former slaves” as a way of helping them start a new life, do you know how the former slaves came to be part of this enterprise? Are the former slaves free to leave? How and

successful prosecution of traffickers.

There are an array of non-governmental organizations (NGOs), advocacy organizations and entrepreneurial businesses

how much are they paid? Are there any entities other than the employer that inspect the work and living quarters? Many NGOs are working valiantly to do a lot with few resources, but, before lending our support, we have a responsibility to determine whether an organization gives top priority to ensuring the human rights of trafficked persons.

The church has a vital role to play as part of a society-wide effort to address modern-day slavery. Therefore, in 2008, the PC(USA)’s General Assembly Mission Council formed a Human Trafficking Roundtable to provide resources and training as part of a faith- and human-rights-based response to human trafficking. The roundtable is working with expert NGOs to offer human trafficking awareness training to presbyteries. This training will equip leaders to

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### **Learn More**



The PC(USA)’s Roundtable on Human Trafficking includes staff representing all ministry units of the General Assembly Mission Council. The roundtable maintains

a web site, [www.pcusa.org/human](http://www.pcusa.org/human) trafficking, that offers a variety of resources. They include

- statistics on human trafficking;
- links to key United States government and United Nations reports and laws;
- links to General Assembly Policies concerning human trafficking;
- reflections on a human-rights based response to human trafficking;
- information on human trafficking awareness trainings;
- opportunities to take action; and
- worship and discernment resources.

**Human trafficking is a complex phenomenon, whose cause and consequences are violations of human rights.**

become part of effective, community-based response involving government, law enforcement, social service agencies and others. The roundtable also is preparing materials to assist in evaluating businesses that work with people freed from trafficking and with organizations working to end human trafficking.

Human trafficking is a complex phenomenon, whose cause and consequences are violations of human rights. Because of the complexity and brutality of modern-day slavery, it is tempting to resign ourselves to doing nothing, believing we are helpless to meaningfully address this heinous crime. Alternatively it is tempting to charge forward, wielding our power recklessly—doing anything in order to do something. By God’s grace may the church succumb neither futility nor to hubris. Instead, may our rage provoke determination, may our grief stimulate critical thinking, may our constraints birth a collaborative, community-based response, and may our love foster loyalty to trafficked persons’ human rights. 🍀

Noelle Damico is an ordained minister who serves as the Associate for Fair Food in the Presbyterian Hunger Program, coordinating the PC(USA)’s Campaign for Fair Food

**Notes**

1. “A Global Alliance Against Forced Labour,” International Labour Conference, 93rd Session (Geneva: International Labour Office, 2005), 10 and 15, respectively.
2. U.S. Department of State, “Trafficking in Persons Report” (June 2007), 8.
3. Cited in “Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development,” by Joy

Ngozi Ezeilo, the UN Special Rapporteur on trafficking in persons, especially women and children, in her report to the Human Rights Council, United Nations General Assembly (February 2009), 6.

4. U.S. Department of Justice press release, August 15, 2001. [www.justice.gov/opa/pr/2001/August/407cr.htm](http://www.justice.gov/opa/pr/2001/August/407cr.htm).
5. U.S. Department of Justice press release, September 2, 2003. [www.justice.gov/opa/pr/2003/September/03\\_crt\\_481.htm](http://www.justice.gov/opa/pr/2003/September/03_crt_481.htm).
6. U.S. Department of Justice press release, June 26, 2008. [www.justice.gov/usao/nye/pr/2008/2008jun26.html](http://www.justice.gov/usao/nye/pr/2008/2008jun26.html)
7. Ezeilo, 8.

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