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Research exercise: Understanding The U.S. Trafficking in Persons (TIP) Report

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The TIP Report:  
• Came about as a measure to decrease human trafficking  
• The United States monitors how other states are doing in preventing Human Trafficking  
• Set up to protect human rights  
• Seeks not only to protect, but to also rebuild lives  
• Encourages other countries to adopt victim-friendly laws and regulations  
• Advocates for victims  
• Appreciates and encourages Fair Trade products  
• Seeks to clarify misconceptions of Human Trafficking: such as, the difference between trafficked victims and illegal immigrants  
• End goal: To end modern day slavery

Understanding the Trafficking In Persons (TIP) Report  
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Dr. Talbott

Tier 1  
Countries whose governments fully comply with the Trafficking Victims Protection Act's (TVPA) minimum standards.  
- It does not mean that a country has no trafficking problem  
- Indicates that a government has acknowledged the existence of human trafficking, has made efforts to address the problem, and meets the TVPA's minimum standards.

United States of America: Tier 1  
I. Background  
• The United States is a source, transit, and destination country for men, women, and children.  
  - both U.S. citizens and foreign nationals – subjected to forced labor, debt bondage, involuntary servitude, and sex trafficking.  
II. Prosecution  
• Trafficking in persons occurs in many list and illicit industries or markets, including: brothels, massage parlors, street prostitution, hotel services, hospitality, agriculture, manufacturing, jenicultural services, construction, health and elder care, and domestic service, among others.  
III. Protection  
• Continued efforts to increase victim identification and service provision to identified victims, although state and federal funding for victim services has remained consistent over the last reporting period.  
• Supported foreign national and U.S. citizen victims during trafficking investigations and prosecutions by increasing the number of victim assistance coordinators assigned to field offices to assist victims cooperating in trafficking investigations and prosecutions.  
• The TVPA authorizes DHS to provide two principal types of immigration relief to foreign nationals and political asylum seekers: (a) the TPS program and (b) the T-Visa program.  

Background on the TVPA  
The Trafficking Victims Protection Act (TVPA) of 2000 and the Palermo Protocol describe Human Trafficking using a number of different terms, including involuntary servitude, slavery or practices similar to slavery, debt bondage, and forced labor. Their annual report places country tiers that identify the extent of their government action to combat trafficking.  

*No tier ranking is permanent. Each and every country can do more, including the United States. All countries must maintain and increase efforts to combat trafficking.

Penalties for Tier 3 Countries  
Countries whose governments do not fully comply with the TVPA’s minimum standards, and are making significant efforts to do so.  
- The following list includes factors that attribute to a country being on Tier 3:  
  - “First, the extent to which the country's government does not comply with the TVPA’s minimum standards and, in particular, the extent to which officials or government employees have been complicit in severe forms of trafficking”  
  - “Third, reasonable measures required to bring the government into compliance with the minimum standards in light of the government’s resources and capabilities to address and eliminate severe forms of trafficking in persons”.

Tier 2 Watch List  
Countries whose governments do not fully comply with the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards AND:  
- the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing  
- there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecutions, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or  
- the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional steps over the next year.

Haiti: Tier Two-Watch List  
I. Background  
• Haiti, also known as the official Republic of Haiti, is a country in the Caribbean. Haiti occupies and shares a portion of the island of Hispaniola with the Dominican Republic. The border between these two countries is a huge source to the problem of Human Trafficking.  
• Haiti is currently on the TV 2 watch list. Meaning Haiti’s government does not fully comply with the TVPA’s minimum standards, but is making significant efforts to bring themselves into compliance with those standards.

Haiti: Tier Three  
Countries whose governments do not comply with the TVPA’s minimum standards, including the United States. All countries must maintain and increase efforts to combat trafficking.

Penalties for Tier 3 Countries  
Certain Sanctions[6] applicable to countries which face U.S. opposition to assistance from international financial institutions such as the International Monetary Fund (IMF) and the World Bank (The TVPA also provides for a waiver of sanctions if necessary to avoid significant adverse effects on vulnerable populations, including women and children.)  
- The absence of legislation, policies and laws criminalizing all forms of human trafficking, such as sex trafficking severe forms of trafficking offenders, and protecting victims  
- The absence of legal provisions that criminalize all forms of human trafficking deterrents against human trafficking offenders, and protecting victims  
- The absence of legal provisions that criminalize all forms of human trafficking deterrents against human trafficking offenders, and protecting victims  
- Haitian anti-trafficking efforts have been undermined due to a lack of coordination and a failure to provide evidence of increasing efforts to combat severe forms of trafficking.

Tier 3:  
Countries whose governments do not comply with the TVPA’s minimum standards and are making significant efforts to do so.

Notes:  
- Dr. Talbott
  - Dr. Isange

Sudan

- Source country for trafficking, but to a lesser extent it is also a transit and destination country.  
- Especially for women and children subjected to forced labor and sex trafficking.  
- Girls, and lesser extent, boys are exploited in domestic servitude.  
- Loosely organized prostitution networks, supplied by vulnerable girls who are often offered roam and board by older females.

II. Prosecution  
• Failed to convict any traffickers  
  - Article 28 of the Law on Prevention and Punishment of Gender-Based Violence outlines, but does not define sex trafficking as “15-20 years.  
  - Prison
  - Forced Labor: 5 to 9 years in prison
  - Child slavery, trafficking, debt bondage, forced labor, punishment: 6 months-20 years
  - In May 2010, government completed draft to penal code which should help with the current difficulty in prosecuting and punishing suspected traffickers.

- 2011: Rwandan National Police registered 7 cases of human trafficking, which were pending at the end of last reporting period, received no further information of prosecuting these cases.

II. Protection  
• Compared to neighboring African countries, Rwandan government continues to provide an absolute number of victims of severe forms of trafficking is very significant or is significantly increasing.
• The government has been known to work with NGOs to rescue child trafficking victims.
• As of 2010, government had not conducted any formal anti-trafficking education campaigns.
• Nor provided training to law enforcement.
• Limited medical and psychosocial support to exploited women and children has been given by the Ministry of Welfare and Social Insurance.

II. Prevention  
• The government of Sudan does not comply with the minimum standards for the elimination of trafficking and it not making significant efforts to do so.

IV. Prevention  
- Waiving the overstay fine of some migrant domestic workers, facilitating and demobilizing 438 child soldiers.

I. Background  
• Haiti occupies and shares a portion of the island of Hispaniola with the Dominican Republic. The border between these two countries is a huge source to the problem of Human Trafficking.  
• Haiti is currently on the TV 2 watch list. Meaning Haiti’s government does not fully comply with the TVPA’s minimum standards, but is making significant efforts to bring themselves into compliance with those standards.

II. Protection  
• Haiti has not made efforts to address the problem, and meets the TVPA's minimum standards and, in particular, the extent to which officials or government employees have been complicit in severe forms of trafficking offenders.
• The absence of legislation, policies and laws criminalizing all forms of human trafficking, such as sex trafficking severe forms of trafficking offenders, and protecting victims.
• Haiti has not made efforts to address the problem, and meets the TVPA's minimum standards.
• Haitian anti-trafficking efforts have been undermined due to a lack of coordination and a failure to provide evidence of increasing efforts to combat severe forms of trafficking offenders.

III. Protection  
• Haitian anti-trafficking efforts have been undermined due to a lack of coordination and a failure to provide evidence of increasing efforts to combat severe forms of trafficking.
• The absence of legal provisions that criminalize all forms of human trafficking deterrents against human trafficking offenders, and protecting victims.

Tier 3:  
Countries whose governments do not comply with the TVPA’s minimum standards and are making significant efforts to do so.

Notes:  
- The absence of legislation, policies and laws criminalizing all forms of human trafficking, such as sex trafficking.
- The absence of legal provisions that criminalize all forms of human trafficking deterrents against human trafficking offenders, and protecting victims.
- The absence of legal provisions that criminalize all forms of human trafficking deterrents against human trafficking offenders, and protecting victims.

Penalties for Tier 3 Countries  
Certain Sanctions applicable to sanctions would face U.S. opposition to assistance from international financial institutions such as the International Monetary Fund (IMF) and the World Bank (The TVPA also provides for a waiver of sanctions if necessary to avoid significant adverse effects on vulnerable populations, including women and children.)  
- U.S. Government can withhold and/or withdraw non-humanitarian, non-trade-related foreign assistance.
- Countries on Tier 3 may not receive funding for government employees’ participation in cultural and educational exchange programs