

Aid on Whose Terms?

Challenges to Developing an Effective Response to Trafficking in Women

By Norma Timbang

The recent upsurge of human trafficking¹ suggests an urgent need for nongovernmental organizations (NGOs) and government agencies in the United States to increase their ability to assist people who have been liberated from the traffickers.

The State Department's 2004 *Trafficking in Persons Report* estimates that 600,000 to 800,000 persons are trafficked around the world. Of the victimized, 80 percent are female.² Human traffickers frequently target the most economically devastated areas—mostly in least-developed countries—where women face unequal access to education and employment opportunities. Traffickers earn approximately \$9 billion per year, profiting primarily from forced labor and slavery in places such as brothels, homes, farms, and sweatshops. Unfortunately, trafficking of human beings is not just happening in less-developed countries. The U.S. Department of Justice estimates that 14,000 to 17,500 people are trafficked into the United States annually.³

The Prevalent Response and their Impacts

In the United States, anti-trafficking efforts primarily focus on sex labor and are used as an opportunity to promote conservative moral and religious values. Regrettably, this conservative approach de-emphasizes self-determination, which has a demoralizing effect on the victims, while amplifying the stigma of sex trafficking and increasing the perception that trafficked persons often have no choice but to remain in sex slavery.

The conservative approach that has been espoused by the U.S. government also limits the ability of government-funded organizations to run effective programs to assist victims of trafficking. For example, Chris Smith (R-N.J.), co-chair of the House Pro-Life Caucus, advocated for legislation that resulted in provisions prohibiting U.S. government-funded NGOs from discussing abortion and prostitution when speaking with survivors.⁴

In June 2005, the United States Agency for International Development (USAID) issued a policy directive to NGOs receiving USAID funding—both foreign and domestic—instructing recipient groups to “not endorse or utilize a multisectoral approach to combatting HIV/AIDS, or to not endorse, utilize or participate in a prevention method or treatment program to which the organization has a religious or moral objection ... require recipients to agree that they oppose prostitution and trafficking.”⁵

Requiring NGOs to publicly state that they are against prostitution fails to acknowledge that many people who might need the groups' services have no choice but to work in prostitution in order feed their families and survive.

In 2006, the U.S. government provided funding to the United States Conference of Catholic Bishops (USCCB), through the Office of Refugee Resettlement, to administer “per capita victim services” funding to U.S. service providers. In order to access the funds, recipients must sign a statement certifying that “funds shall not be used to provide referral for abortion services or contraceptive mate-

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rials, pursuant to this contract.” There are no provisions in the contracts for consideration of abortion in instances of rape, incest, or life-saving surgery. Additionally, if victims of sex trafficking being assisted by the grantee are revictimized, they will not have access to life-saving education regarding contraceptive methods, such as condom use.

This USCCB directive is similar to the controversial “global gag rule,” which prohibits discussions of abortion by foreign NGOs receiving U.S. funding. The “global gag rule” restricts freedom of speech, prevents open debate on abortion, and would be deemed

unconstitutional if implemented in the United States.⁶ The USCCB, although not a government entity, sends a clear message that public denouncement of abortion is sanctioned by the U.S. government.

The sensationalization in the media and entertainment industry⁷ of trafficking for purposes of prostitution and sexual labor contributes to the skewed perspective of trafficked persons as passive victims. It also

to respond to the needs of their new constituency and develop protocols for delivering services. Many of these CBOs are also involved in assisting survivors of domestic violence and follow traditional practices of survivor-centered approaches, including advocating for support both of the survivors' self-determination and empowerment. CBOs serving survivors of trafficking have adapted similar approaches

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es centered on advocating for the rights of the survivors to determine their own next steps, while also providing the survivors with information and

promotes the stereotyping of these victims as primarily sexual slaves and neglects to recognize trafficking for purposes of other labor.⁸ A 2004 study estimated that less than half of human trafficking cases in the United States were related to prostitution. Domestic workers, agricultural workers, and sweatshops represent the second-, third-, and fourth-largest groups of persons, respectively, that are trafficked into the United States.⁹ Understanding the many forms of human trafficking will further highlight the root causes of trafficking: the need for forced labor and the impact of globalization on the economic survival of families and individuals in less-developed nations.

An Alternative Approach

Community-based organizations (CBOs) must have the resources to implement grassroots organizing strategies that encourage communities to accept trafficking survivors and promote broad understanding of the multiple challenges that victims face. Programs must have progressive analyses that take into consideration the economic roots of human trafficking. They must contribute to social change and develop responses that honor the dignity of trafficked persons and those vulnerable to human trafficking.

In the United States, as a result of the Trafficking Victims Protection Act (TVPA) of 2000 new resources were made available for CBOs that had been providing unfunded services to survivors of trafficking. Additionally, organizations that did not previously serve victims of human trafficking were able to access these funds to increase their capacity

resources to facilitate safer choices (e.g., using condoms and pursuing work that will not require putting them in harms way).

These challenges are compounded by the reality that many survivors will likely go back to sexual labor and face revictimization. Fear of physical harm to themselves and their family members is the most overwhelming reason for returning to sexual labor. Other reasons for this seemingly illogical trend is the victims' distrust of service providers, immigration services, law enforcement, criminal justice systems, and others with whom they might come into contact postliberation. Lack of culturally relevant and safe social networks, fear of stigma and ostracization from the victims' ethnic communities—especially if returned to their country of origin—and lack of knowledge regarding available resources can also be barriers that lead to revictimization.

To gain victims' trust, those assisting them need to understand the victims' multiple levels of vulnerability, cultural and spiritual differences, and experiences tied to race, gender, and class. This can further the trafficking survivors' efforts toward self-determination and help them locate supportive social networks. CBO staffing and services must include training on and development of culturally relevant protocols for service provision as well as representation from diverse ethnic communities and languages or dialects. Above all, staff and people from potentially supportive social networks must have opportunities to enhance their ability to support survivors without judgment and without patronizing, while providing

validation and encouragement. In the best of all worlds, survivors will have opportunities to become grassroots organizers as well as service providers themselves.

Funding Self-determination: Survivors and Community-Based Organizations

Progressive efforts to combat human trafficking need additional support from the philanthropic community to develop no-strings-attached, comprehensive approaches to assisting victims and preventing revictimization.

Funders should consider the following:

- > Provide resources and technical assistance that are survivor-centered and incorporate survivor's inputs;
- > Develop and fund research initiatives on human trafficking that include needs assessments and program

evaluations, as well as provide the appropriate resources to projects to ensure their effectiveness;

- > Establish criteria on culturally relevant services and grassroots organizing that are clearly outlined in the requests for proposals and program monitoring processes;
- > Establish funding priorities that incorporate critical analyses of the race, gender, and class aspects of human trafficking; and,
- > Challenge discourse and policies that reinforce conservative agendas and prioritize morality of the conservative right over human dignity.

Human trafficking is one of the worst violations of civil and labor rights, as well as the basic human right to a life free from exploitation and violence. Response systems to survivors of human trafficking should not be guided by the values of the conservative right—at its

Trafficking of Persons, Especially Women and Children: USA Routes



root, human trafficking is an issue of human rights, social justice, social change, and liberation.

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NOTES

1. Human trafficking, one of the largest criminal activities in the world (together with the illegal arms and drug trades), is a form of acquiring persons for cheap labor and slavery. It includes recruitment, commodification, harboring, transporting, and receipt of people for forced labor through the use of threats, violence, coercion, deception, fraud, and other forms of abuse. Persons victimized by trafficking are subject to debt bondage, indebted servitude, and restriction of freedoms.
2. Trafficking in Persons Report, U.S. State Department (2004).
3. Attorney General's Annual Report to Congress on U.S. Government Activities to Combat Trafficking in Persons Fiscal Year 2005, U.S. Department of Justice (June 2006), <http://www.usdoj.gov/ag/annualreports/tr2005/agreporthumantrafficking2005.pdf>.
4. Debbie Nathan, "Oversexed," *The Nation* (August 29, 2005), <http://www.thenation.com/doc/20050829/nathan>.
5. "Implementation of the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 – Eligibility Limitation on the Use of Funds and Opposition to Prostitution and Sex Trafficking," U.S. Agency for International Development (June 9, 2005), http://www.usaid.gov/business/business_opportunities/cib/pdf/aapd05_04.pdf.
6. "How the Global Gag Rule Undermines U.S. Foreign Policy and Harms Women's Health," Population Action International, http://www.populationaction.org/resources/factsheets/FS5_GG_R_final.pdf.
7. e.g., *Lifetime* miniseries: Human Trafficking.
8. Ratna Kapur, "Cross-border Movements and the Law: Renegotiating the Boundaries of Difference," *Trafficking and Prostitution Reconsidered: New perspectives on Migration, Sex Work, and Human Rights*, pp 30-31, Paradigm Publishers, London (2005).
9. "Hidden Slaves: Forced Labor in the United States," Human Rights Center, University of California, Berkeley and Free the Slaves (2004), http://freetheslaves.net/files/Hidden_Slaves.pdf.

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