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Trafficking in Persons: The Role of the Legal Profession

WHITE PAPER



Combating Trafficking in Persons: The Role of the Legal Profession

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Introduction

Trafficking in persons is one of the most prevalent crimes today involving severe human rights violations. The international community identifies trafficking as a contemporary form of slavery and has initiated a campaign to encourage states to criminalize trafficking in persons, protect victims, and develop measures to prevent this phenomenon. Traffickers may be individuals, organized crime groups, or public officials who exploit people as commodities, buying and selling them for profit transnationally or within a country's borders. Their victims are women, men, and children of various ages and backgrounds who share a common characteristic: they are vulnerable to exploitation due to poverty, lack of education, discrimination, and other socio-economic factors. Although trafficking is a crime and a human rights violation regardless of the victim's gender or age, the problem has had a disproportionate impact on women and girls.

It is difficult to pinpoint exact statistics reflecting the number of victims trafficked worldwide. The U.S. Department of State addresses this issue in its 2006 Trafficking in Persons Report, estimating that approximately 600,000 to 800,000 people are trafficked annually across international borders. However, the report stresses that "[a] wide range of estimates exists on the scope and magnitude of modern-day slavery, both internal and transnational." It cites statistics from the International Labor Organization indicating that 12.3 million people are subjugated to forced labor, bonded labor, forced child labor, and sexual servitude, and also cites other estimates that range from four to 27 million.¹

Definition of Trafficking in Persons

The most widely accepted legal definition of trafficking in persons is set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN Trafficking Protocol) that supplements the United Nations Convention Against Transnational Organized Crime. Article 3(a) of the Protocol states:

"Trafficking in persons" shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.²

¹ See U.S. DEPARTMENT OF STATE, 2006 TRAFFICKING IN PERSONS REPORT 6 (2006), available at <http://www.state.gov/g/tip/rls/tiprpt/2006/> [hereinafter 2006 TIP Report].

² See Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

Countries are encouraged to adopt this definition by signing and ratifying the UN Trafficking Protocol and the main convention. The elements enumerated above should be incorporated in national anti-trafficking laws defining the offense of trafficking in persons *at a minimum*. The UN Trafficking Protocol represents a “floor” not a “ceiling” for standards that are to be legally codified in order for nations to be able to combat trafficking in a comprehensive manner.³ Thus, countries should define the offense of trafficking in persons as the Protocol indicates, but can, if necessary, include other elements that would enable them to address particular aspects of the trafficking phenomenon that is occurring within and across their borders.

The UN Trafficking Protocol goes on to state that a defense asserting that a victim consented to the crime is irrelevant when a trafficker employed any of the coercive means listed in Article 3(a) (such as threat or use of force, etc.).⁴ Furthermore, in trafficking scenarios where the victims are persons under the age of 18, it is not necessary to prove any coercive means when prosecuting the trafficker.⁵

The Three P’s Approach

When drafting the UN Trafficking Protocol, the international community agreed to hold governments accountable and to undertake a three pronged approach to trafficking: prevention, protection, and prosecution. The “three P’s” delineate what governments, in cooperation with civil society, should do in order to address the problem of trafficking in persons in a comprehensive manner.

Preventive anti-trafficking measures include:

- awareness raising and information campaigns for potential victims and their families
- the development of long-term strategies that aim at improving the economic and social position of groups that are vulnerable to being trafficked
- reform of immigration laws and policies in destination countries so that they do not contribute to the growth of irregular migration and trafficking in persons
- increased opportunities for individuals to migrate legally for work and vocational training.

Protecting victims of trafficking involves the following:

- properly identifying victims of trafficking
- defining trafficked persons as “victims” according to national legislation

supplementing the United Nations Convention against Transnational Organized Crime, art. 3(a), G.A. Res. 55/25, annex II, U.N. GAOR, 55th Sess., Supp. No. 49, at 60, U.N. Doc. A/55/383 (2001), *available at* http://www.unodc.org/unodc/en/crime_cicp_resolutions.html [hereinafter UN Trafficking Protocol].

³ See James Puleo, Senior Advisor on Migration Policies and Migration Management, Address at the MIDSA Workshop on Extra-Regional Irregular Migration and Migrant Smuggling To, Through, and From the SADC Region in Johannesburg, South Africa (June 25-27 2003), *in* Preliminary Report and Recommendations on the MIDSA Workshop on Extra-Regional Irregular Migration and Migrant Smuggling To, Through, and From the SADC Region, *available at* <http://www.sarfn.org.za/documents/d0000735/index.php>.

⁴ See UN Trafficking Protocol, *supra* note 2, art. 3(b).

⁵ See *id.* art. 3(c)-(d).

- ensuring that acts of trafficked persons committed in connection with having been trafficked are not criminalized
- providing medical care, safe accommodations, and psychological and legal counseling to victims; supporting them in their role as witnesses in criminal investigations and prosecutions
- regularizing victims' residence status for a certain period of time
- providing victims with access to employment and education
- conducting information campaigns regarding the rights of victims, including the right to compensation, other civil remedies, and the right to a fair trial if victims are subjected to criminal prosecution.

Such protection and assistance measures contribute to the psychological and physical stabilization of trafficked victims and avoid re-traumatization. Victims thus will be better able to regain control of their own lives and to decide whether they wish to testify against the traffickers.

Measures to effectively prosecute traffickers include:

- clearly defining trafficking as a separate crime in legislation
- establishing criminal sanctions comparable to the gravity of the offense of trafficking
- providing for the criminal liability of legal persons that are used by traffickers as a front for their illicit activities
- criminalizing all activities related to trafficking (i.e. lesser-included offenses)
- establishing other offenses related to trafficking
- creating specialized investigation units focused on trafficking
- developing the means to exercise extraterritorial jurisdiction since trafficking often extends beyond national borders
- implementing extradition agreements and proceedings, as well as mutual legal assistance protocols.

U.S. Responses

In response to an increasing number of trafficking cases into the United States, Congress passed the Trafficking Victims Protection Act of 2000 ("TVPA"), which defines the offense of trafficking domestically.⁶ The TVPA also incorporates measures to prevent trafficking in persons, protect and assist trafficked victims, and strengthen the prosecution and punishment of traffickers.⁷ In addition to other benefits and services, certain victims are entitled to apply for T-visas which can be a preliminary step towards permanent residence status in the United States.⁸ The TVPA also provides for financial assistance to other countries in order to help them better combat trafficking.⁹ In 2003, Congress reauthorized funding for the TVPA and amended the legislation, *inter alia*, to allow victims to sue their traffickers for damages in U.S. courts.¹⁰ In

⁶ See Trafficking Victims Protection Act of 2000, 22 U.S.C. § 103(8) (2000), available at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=106_cong_public_laws&docid=f:publ386.106.pdf [hereinafter TVPA 2000].

⁷ See *id.* §§ 106, 107, 112.

⁸ See *id.* § 107(e)(1).

⁹ See *id.* § 109.

¹⁰ See Trafficking Victims Protection Reauthorization Act of 2003, 22 U.S.C. § 4(a)(4) (2003), available at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108_cong_bills&docid=f:h2620enr.txt.pdf

2005, the TVPA was reauthorized for an additional two-year period, with Congress placing an emphasis on reducing the demand for trafficking in persons and addressing the issue of trafficking within U.S. post-conflict and humanitarian emergency assistance programs.¹¹

In 2005, the U.S. government spent approximately \$25 million to boost domestic efforts to combat trafficking in persons.¹² These efforts included:

- increased prosecutions -- the Department of Justice issued 116 trafficking charges which resulted in 45 convictions
- a significant number of victim identifications -- the Department of Health and Human Services (HHS) certified 230 victims of trafficking
- the issuance of 112 T-visas to victims of trafficking
- the implementation of an anti-trafficking public awareness campaign by HHS in ten U.S. cities
- the launching of an anti-trafficking public awareness campaign by the Department of Defense (DOD) targeting U.S. troops involved in peacekeeping missions and the criminalization of the act of "patronizing a prostitute" in the Uniform Code of Military Justice (UCMJ).¹³

Ways the Legal Profession Can Help

Given its convening power and its active policy roster, the American Bar Association (ABA) can play a significant role in rallying its members and affiliates, both U.S. and non-U.S., to become actively engaged in anti-trafficking efforts. This paper delineates numerous ways in which the legal profession can contribute to the "three P's" of trafficking. In particular, this paper focuses on three areas of ABA action:

1. legislative reform of the TVPA (the U.S. anti-trafficking law) and other related provisions of law
2. coordination of anti-trafficking efforts among the ABA; U.S. state, local, and specialty bar associations; and bar associations around the world
3. establishment of anti-trafficking initiatives and programs under the auspices of the ABA.

Upon presentation of this white paper at the ABA's Rule of Law Symposium in New York City on April 16, 2007, the authors respectfully request that the ABA leadership consider incorporating their recommendations into a report preliminary to a resolution before the House of Delegates which, if ultimately adopted, would complement the ABA's existing policy on trafficking victim assistance as it relates to immigration status¹⁴ as well as any other applicable

[hereinafter TVPRA 2003].

¹¹ See Trafficking Victims Protection Reauthorization Act of 2005, 22 U.S.C. §§ 101, 201 (2005), available at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_bills&docid=f:h972enr.txt.pdf [hereinafter TVPRA 2005].

¹² See 2006 TIP Report, *supra* note 1, at 53.

¹³ See *id.*

¹⁴ See American Bar Association, Reports with Recommendations to the House of Delegates, 2006 Mid-Year Meeting, res. 107G.

ABA policies. We further recommend that the ABA consider supporting the coordinated activities and the training initiative set forth in this white paper, which can enable the legal profession to make a significant contribution to the fight against trafficking in persons.

1. Legislative Reform

The ABA can rely on the expertise of its members to suggest legislative changes to the TVPA (as amended) and other applicable provisions of law in order to improve protection and assistance for victims of trafficking in the United States. The following are several recommendations for legislative reform:

- *The law enforcement cooperation requirement for T Nonimmigrant status should be eliminated. All survivors of trafficking who have demonstrated that they are victims of severe forms of trafficking (under the TVPA) and are present in the United States should be permitted to remain in the United States. Currently, to be eligible for a T visa, victims must comply with reasonable requests from law enforcement. The vast majority of victims of trafficking will comply with law enforcement requests. However, in limited circumstances, trafficking victims are unable to cooperate because they are emotionally or physically unable or in fear for their safety or the safety of their family members. These individuals should not be required to cooperate. In keeping with the humanitarian goals of the TVPA (as amended), if victims of trafficking have proven that they have escaped from slavery and are present in the United States on account of the slavery, they should be permitted to remain in the United States without being compelled to comply with law enforcement requests. Accordingly, the Immigration and Nationality Act should be amended to permit trafficking victims to be eligible for T-visas without being required to comply with reasonable law enforcement requests.*
- *The law should clearly state that law enforcement officials are required to provide a "law enforcement agency" endorsement to a trafficked person when that person exhibits willingness to cooperate by offering information on a trafficking situation. In many cases, trafficking victims are willing to give information to law enforcement officials to pursue a criminal case against the trafficker. At that point, the trafficked person has shown a willingness to cooperate with law enforcement and therefore has met his or her requirement under the TVPA (as amended). The law enforcement official should not unnecessarily withhold the endorsement until some later date or case milestone, or because the government does not wish to pursue an investigation or prosecution at that point in time.*
- *All trafficked persons who come forward to cooperate with law enforcement should have the express right to legal counsel (at the government's expense if necessary). Such representation is critical because many trafficking survivors fear self-incrimination, prosecution, and deportation, and counsel is in the best position to assert the rights of a trafficked person. Furthermore, it takes tremendous courage for trafficking victims to come forward and they should not be re-traumatized by the criminal legal process. Allowing trafficking victims to be represented by their own legal counsel minimizes re-traumatization and should be clearly provided for in the TVPA (as amended).*

- *Trafficking victims, family members, and witnesses to trafficking cases who participate in federal investigations or prosecutions should benefit from federal witness protection.* Trafficked individuals, their family members, and other witnesses place their lives in danger by working with law enforcement or testifying against traffickers in court. For the most part, NGOs assist such individuals to relocate within the United States and find safety. However, this is done on an *ad hoc* basis without a real system in place for adequate protection. Consequently, the law should be amended to allow cooperating victims, family members, and witnesses to enter federal witness protection programs.
- *Family members of trafficking victims should be paroled into the U.S. under a derivative status.* Trafficking victims are more concerned about their family's lives than they are about their own and need to know that their families are safe in order to effectively participate in the criminal prosecution of their traffickers. As it is extremely difficult, if not impossible, to protect victims' family members abroad, family members should be paroled into the United States to be adequately protected from traffickers. Paroling family members into the United States will not only lead to more victims being able to report their crimes, but it will also make current victims much more effective witnesses.
- *Trafficking victims should be granted immediate eligibility for adjustment of status to permanent residence upon approval of the T-visa.* Trafficking victims should not have to wait until the criminal proceedings against their traffickers have concluded or for three years, as it is currently mandated by the TVPA,¹⁵ to apply for legal permanent resident status and to fully integrate into life in the United States. The granting of a T-visa sufficiently establishes the trafficking victims' need to access the protection and benefits of residence in the United States. Requiring victims to wait until the criminal proceedings against their traffickers have concluded or an additional three years serves only to increase their instability and fear and does not promote stable communities.
- *The "extreme hardship" requirement for victims of trafficking should be removed.* Currently, the TVPA requires all T-visa applicants to demonstrate that they will suffer extreme hardship upon removal to their home country from the United States. Given the manner in which most victims have been trafficked and their vulnerability as victims, the extreme hardship requirement for T Nonimmigrant status should be eliminated for all victims. Victims should be afforded the protection of the United States on humanitarian grounds alone and without being required to prove the extreme hardship involving severe and unusual harm.
- *The TVPA should be amended to include a good moral character exception for T Non-immigrants applying for permanent resident status.* Trafficking victims may not be able to meet the good moral character requirement to adjust to permanent resident status because of incidents that occurred as a result of their trafficking. The TVPA should be amended to provide a good moral character exception for acts incident or related to their

¹⁵ See TVPA 2000, *supra* note 6, §107(b)(3)(f).

trafficking that make them unable to establish good moral character for adjustment purposes.

- *The law should provide emergency assistance to child victims of trafficking.* The TVPA and related legislation should be amended to entitle child victims of trafficking to emergency benefits and to assign HHS the exclusive authority to certify minors as victims who are eligible for assistance. Such assistance would include appointing a guardian *ad litem* within five business days from the point of identification.
- *The TVPA should be amended to cover trafficking victims who arrive in the United States for the purpose of aiding in the investigation or prosecution of a trafficker on U.S. territory or who seek to bring a civil suit to recover compensation and damages from trafficking assets found in the United States.* According to the TVPA, victims can receive T-visas and benefits if they are “physically present” in the United States because they were trafficked. Victims who enter the United States to aid with investigations or prosecutions, but who were not directly trafficked into the United States are not eligible to apply for T-visas or to receive federal benefits under the TVPA. The same applies to victims who sue their traffickers in civil suit remotely and attempt to reach their assets that are in the United States.

2. Coordinated Bar Efforts

The ABA is in a tremendous position to support anti-trafficking policies and initiatives in cooperation with other U.S. based bar associations as well as bar associations around the world. Listed below are ways in which the ABA can further the common goal of eradicating this crime and assisting its victims:

- Support programs and activities that promote understanding of trafficking issues and assist in ensuring cooperation between bar associations in the United States and abroad.
- Coordinate with bar associations around the globe to facilitate study tours such that legal professionals, government officials, and representatives of civil society working to combat trafficking in countries of origin, transit, and destination can exchange positive experiences as well as lessons learned.
- Work with U.S. state, local, and specialty bar associations to ensure that they develop their own policies relating to trafficking, potentially based upon ABA policy and recommendations.
- Partner with state, local, and specialty bar associations in the United States to provide training and information relating to trafficking in order to raise awareness of bar members regarding trafficking in persons in their own communities.
- Provide training to U.S. local bar associations with regard to legal remedies for victims of trafficking and facilitate legal assistance. Assistance for victims of trafficking should include provisions for the victim’s safety in addition to legal applications, such as petitions for T-visas.

- Educate attorneys as to other victim and witness issues, including avoiding re-traumatization of the victim, serving as an advocate for a witness, and providing pro bono immigration assistance. Currently, the ABA operates immigration pro bono projects in Harlingen, TX and Seattle, WA that recruit, train, and mentor pro bono attorneys on T-visa cases for both children and adult victims of trafficking. The ABA could seek to build on these efforts by creating additional opportunities for trafficking victims around the United States to receive immigration and other civil legal assistance.
- Work with U.S. state, local, and specialty bar associations to interface with the Human Trafficking Task Forces (HTTF) established by the Federal Bureau of Investigation (FBI) and local law enforcement organizations, and to educate them about the elements of the crime of trafficking, the extreme vulnerabilities of the victims, and the rights of victims to legal representation and assistance.
- In smaller communities within the United States which do not yet have HTTF, work with state, local, and specialty bar associations to assist in setting up, educating, and funding such a local task force.
- Fund research on prevention of trafficking. For example, the ABA can support studies or pilot programs to prevent trafficking by addressing corruption among local officials who allow trafficking to occur.
- Cooperate with U.S. state, local, and specialty bar associations to post information in appropriate places for people who may be victims of trafficking (e.g., airline washrooms and airports).
- Coordinate with the U.S. Department of State to train consular officers in countries of destination and transit for trafficking victims so that they may be able to identify potential trafficking victims, and provide information regarding their rights and resources to assist them, including hotlines where they exist. This is occurring already in connection with the International Marriage Broker Regulation Act, where consular officers are trained to provide information to visa applicants about rights and resources for immigrant victims of domestic violence.

3. ABA Lawyer Training Initiative

The ABA should call on lawyers to provide pro bono legal services to victims of trafficking in persons. It should facilitate pro bono representation by designing and providing training programs for lawyers both in the United States and in the countries where it operates rule of law programs around the world. Such training programs would educate lawyers about the dynamics of trafficking, the needs of victims, the relevant laws, and strategic considerations in representing victims in various types of proceedings. By providing training that equips lawyers with the knowledge and skills necessary to provide pro bono legal representation in trafficking cases, the ABA can be a leader in the legal profession on this issue. Its efforts will serve to encourage U.S. state, local, and specialty bar associations as well as bar associations in other countries to develop and implement training programs for pro bono lawyers. This effort is consistent with

and can be a part of the ABA's Second Season of Service initiative and can also encompass frontline legal aid attorneys.

Pro bono and legal aid lawyers can assist victims of trafficking in several ways:

- *Assistance in criminal cases*: provide legal advice to victims who are cooperating with law enforcement during the investigation phase of a criminal prosecution and who are providing testimony at trial.
- *Restitution in criminal cases*: when restitution is ordered for victims in a criminal prosecution, provide assistance in collecting on the order. In the United States, for example, the Justice Department has lacked sufficient resources to pursue these often difficult to collect remedies in criminal cases. Pro bono lawyers could assist in ensuring that justice is done and victims receive court ordered restitution.
- *Immigration relief and other benefits*: represent victims in seeking immigration relief and assist them in obtaining other benefits, such as medical assistance or disability benefits, for which they may be eligible under the TVPA (as amended)¹⁶ in the United States or under the pertinent domestic legislation of other countries.
- *Civil claims against traffickers*: represent victims in bringing a wide variety of civil claims under U.S. state and federal law as well as the laws of other countries against those involved in the many tiers of a trafficking scheme.

a. ABA Lawyer Training Initiative in the United States

The ABA Commission on Domestic Violence, in coordination with the ABA Commission on Immigration, the ABA's Second Season of Service initiative, and the ABA Rule of Law Initiative should expand its efforts to provide training to pro bono and legal aid lawyers on trafficking cases. The Commission should seek funding to develop a large-scale training program that would reach lawyers across the United States, educating them about this issue and encouraging them to take on these cases on a pro bono basis. Cooperative programs with state, local, and specialty bars should be developed whenever possible.

A central component of this initiative would be the development of a training manual for use by both the ABA and other state, local, and specialty bar trainers. While a number of resources exist, there is no single, comprehensive training manual for lawyers who are representing victims of trafficking. Most trainers are piecing together training curricula from various sources. The ABA Commission on Domestic Violence should develop a comprehensive training manual and share it widely with state, local, and specialty bars, national bars in other countries for adaptation with their domestic legislation, and others involved in assisting trafficking victims.

The ABA should also encourage lawyers to educate and inform other lawyers and judges about trafficking in persons. The attached paper, prepared by Robin Hassler Thompson and

¹⁶ See TVPA 2000, *supra* note 6, §§ 107(b)(1)(A), 107(e).

disseminated at the ABA-IBA Symposium on the Rule of Law in Chicago in September 2006, contains numerous excellent ideas for additional actions that lawyers can take to raise awareness of trafficking in their professional and personal communities and to assist victims of trafficking. These materials should be maintained and updated periodically on the ABA website.

b. ABA Initiatives Abroad

The ABA, through its Rule of Law Initiative, is very active in supporting efforts by governments and civil society to combat trafficking through prosecution, prevention, protection, and assistance to victims. These anti-trafficking activities should be expanded through efforts to seek additional programmatic funding from third party and ABA sources. While the ABA Rule of Law Initiative already conducts training for lawyers who represent trafficking victims, this work can be expanded with additional funding.

The lawyer training manual discussed above can also serve as a resource for training programs conducted abroad. Even though it will focus on U.S. domestic law and legal remedies, the manual can serve as a model for other country-specific training materials and can be adapted to the national legislation of particular countries. More generally, the training manual, if prepared with a global context in mind, can provide a useful framework for representing victims, highlighting the major issues and helping to shape and guide training efforts for lawyers in varied countries around the world. Just recently, the ABA Rule of Law Initiative's Tbilisi office has been planning a training program for lawyers to assist trafficking victims in Georgia. A well designed manual for the trainers would be an enormous benefit in planning and executing such training programs and facilitating high quality representation of trafficking victims. The training manual would thus meet both domestic and international needs for enlisting the legal profession in a comprehensive response to trafficking in persons.

Gabrielle M. Buckley
Deborah Enix-Ross
J. Anthony Patterson, Jr.
Charles C. Song
Gloria Browne-Marshall
Wendy Patten, Chair

Tips for Attorneys and Bar Associations: How You Can Help End Human Trafficking

1. Know and help improve the laws in your jurisdiction.

- Learn the basics of federal and local human trafficking laws, policies and regulations. A good place to start for US information: <http://www.ncjrs.gov/spotlight/trafficking/Summary.html>
- Join list serves that provide regular updates. A good resource for both US and international information is: <http://www.humantrafficking.org>.
- Compare your jurisdiction's efforts with others and lobby for needed law and program changes. Are there areas in the law where there can be statutory changes and better implementation of laws? (See <http://www.abanet.org/ceeli/publications/htat/home.html> for CEELI's *Human Trafficking Assessment Tool* and see www.cahr.fsu.edu for *Florida Responds to Human Trafficking*, for one state's comprehensive look at the issue.)
- Collaborate with others who are working to change the law, such as anti-trafficking bill sponsors and NGO's such as CAST (www.castla.org) who worked on California's new laws to promote change and improvement in the laws if you cannot lead the way.

2. Educate and inform other lawyers and judges.

- Sponsor a speaker on human trafficking from an anti-trafficking organization, a survivor (who is ready and can speak safely in public) or someone who has represented human trafficking victims to speak at your next Bar meeting. Speakers could address the basics of what constitutes human trafficking or get more specific as to the law and details of representing victims and could be certified as a continuing education program (CLE). See www.freedomnetworkusa.org for information about possible speakers and training programs.
- Create training materials on trafficking dynamics and laws, working closely with experts, for dissemination to members of the Bar. Many of the websites cited here have materials already developed that you could adapt to your jurisdiction. See also the Dept. of Health and Human Services for presentation materials, posters and other helpful information: <http://www.acf.hhs.gov/trafficking/>.
- Dedicate a special issue of a *Bar Journal* or other regular publication to human trafficking. Articles on the many aspects of human trafficking could be included, such as current laws, legal liability, victim rights, labor and employment issues, representing victims (and understanding their needs), prosecution of traffickers, and community resources. A good basic primer (in English, Spanish and Creole) on human trafficking can be found at <http://www.fcadv.org/projectsTrafficking.html>.
- Contact reporters for legal publications – do they know about human trafficking? Are they active in covering stories of trafficking

prosecutions, successful jury awards in human trafficking cases and outstanding work done by attorneys in the field?

- Reach out to “young lawyers” organizations to see if they can have human trafficking on their list for pro bono or community outreach. Their energy and creativity is well-suited to this humanitarian kind of effort. (Make sure they are strongly allied with organizations that have the expertise to provide them with requisite technical assistance and substantive understanding of dynamics, laws, and issues surrounding human trafficking.)

3. Organize *pro bono* representation of human trafficking victims.

- Add human trafficking to the list of *pro bono* activities encouraged in your firm. (There is a good manual for civil litigation, current as of 2005 at <http://www.lafla.org/clientservices/specialprojects/VictimsTrfficking0405.pdf> and information on filing for legal advocacy, especially for obtaining T visas at: <http://www.urbanjustice.org/pdf/publications/IDLegalAdvocacy.pdf>. It is important that lawyers link with NGO anti-trafficking experts when handling these cases.)
- Make sure the local bar association credits work with human trafficking victims toward *pro bono* efforts.
- Target efforts toward representing victims in immigration and civil matters and assist victims in criminal matters where needed. Each jurisdiction’s laws differ, but civil damages may be available to victims and traffickers’ assets may be attached under civil forfeiture laws.

4. Beyond the world of the law, engage and inform your community about human trafficking.

- Give speeches, help set up a speakers bureau, or simply share information about human trafficking with other groups in which you active. Just having a “did you know” conversation can spur interest and the involvement of others.
- Spread the word in your faith community (traffickers sometimes allow some victims to attend religious services).
- Alert Chambers of Commerce and other business associations about the prevalence of human trafficking. (For instance, they need to be aware of activities of traffickers and not inadvertently hire trafficked labor through labor contractors.)
- Join or help spearhead the creation of local anti-trafficking task forces (across the US, these are funded by the Department of Justice. There are also many others). Legal expertise is always appreciated and needed. See http://www.usdoj.gov/whatwedo/whatwedo_ctip.html for federal task force information and <http://ag.ca.gov/newsalerts/release.php?id=1278> for an example of California’s efforts.
- Write letters to the editor or opinion articles.

5. Support local anti-trafficking organizations as well as legal services organizations that assist trafficked persons.

- Volunteer to help them, *pro bono*. Keep in mind creative ways to assist, such as appellate advocacy, in-kind support, gaining access to particular venues and people in positions of authority.
- Offer your offices as meeting places; buy lunch.
- Serve on their boards.
- Give money!

6. Understand how human trafficking may affect your current practice.

- Understand how human trafficking can impact many areas of the law including both criminal and civil arenas. Areas of practice affected by human trafficking include immigration, marriage and family, tort and insurance, domestic violence, labor and employment, business transactions, taxation and many others.
- Evaluate whether your clients are in compliance with all human trafficking laws and regulations.
- Conduct or ask an expert to come to an informal firm lunch and do a presentation on human trafficking; write a “legal alert” for key practice groups in your firm or area of expertise.

Prepared by:

Robin H. Thompson, JD, MA

r-t@att.net; 850-907-0693

International Justice Connections, Inc.

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