



Approach to Anti-Trafficking Work:

The National Survivors Network (NSN) combats human trafficking with a focus on voluntary, non-judgmental support centered around self-determination—defined by the definition of Trafficking in Persons, under federal statutes. Human trafficking is fueled by complex and interconnected factors, including poverty, economic injustice, racism, gender-based discrimination, ableism, homophobia, erasure of indigenous culture, and political strife. Human trafficking violates individual rights and dignity. As a network of human trafficking survivors, we must ensure justice for all victims/survivors, work to eradicate human trafficking through tackling the root causes of trafficking, guarantee the rights and protections of trafficked persons, respect individual autonomy, and mitigate unintended consequences such as arrest or detention of trafficking victims.

Victims/survivors abandon services and criminal justice services when they are treated like criminals instead of victims, their needs are not considered, their stories are not believed, or their decisions criticized. This perpetuates cycles of injustice, increases the risk that an individual will be re-trafficked, and leads individuals to continuously face other challenges and vulnerabilities that hinder safety and healing. Individuals affiliate with multiple identities, and all victims deserve the dignity of being seen survivors. As awareness of trafficking increases, our positions and opinions will continue to evolve, derived of current knowledge and experiences of survivor leaders in the movement. We must maintain survivor-driven leadership. Nothing about us, without us.

We define Human Trafficking by the Federal definition of Trafficking in the Trafficking Victim Protection Act of 2000. All vulnerable populations are at risk of being trafficked. Diversity is a central pillar of a rich, inclusive and comprehensive program that benefits all survivors.

Sex Trafficking:

When an adult engages in a commercial sex act, such as prostitution, as the result of force, threats of force, fraud, coercion, or any combination of such means, that person is a victim of trafficking. Under such circumstances, perpetrators involved in recruiting, harboring, enticing, transporting, providing, obtaining, patronizing, soliciting, or maintaining a person for that purpose are guilty of sex trafficking of an adult. Sex trafficking also may occur through a specific form of coercion whereby individuals are compelled to continue in prostitution through the use of unlawful "debt," purportedly incurred through their transportation, recruitment, or even their "sale"—which exploiters insist they must pay off before they can be free. Even if an adult initially consents to participate in prostitution it is irrelevant: if an adult, after consenting, is subsequently held in service through psychological manipulation or physical force, he or she is a trafficking victim and should receive benefits outlined in the Palermo Protocol and applicable domestic laws.

Child Sex Trafficking:

When a child (under 18 years of age) is recruited, enticed, harbored, transported, provided, obtained, patronized, asked for, or maintained to perform a commercial sex act, proving force, fraud, or coercion is not necessary for the offense to be

prosecuted as human trafficking. There are no exceptions to this rule: no cultural or socioeconomic rationalizations alter the fact that children who are exploited in prostitution are trafficking victims. The use of children in commercial sex is prohibited under U.S. law and by statute in most countries around the world. Sex trafficking has devastating consequences for children, including long-lasting physical and psychological trauma, disease (including HIV/AIDS), drug addiction, unwanted pregnancy, malnutrition, social ostracism, and even death.

Forced Labor:

Forced labor, sometimes also referred to as labor trafficking, encompasses the range of activities—recruiting, harboring, transporting, providing, or obtaining—involved when a person uses force or physical threats, psychological coercion, abuse of the legal process, deception, or other coercive means to compel someone to work. Once a person's labor is exploited by such means, the person's prior consent to work for an employer is legally irrelevant: the employer is a trafficker and the employee a trafficking victim. Migrants are particularly vulnerable to this form of human trafficking, but individuals also may be forced into labor in their own countries. Female victims of forced or bonded labor, especially women and girls in domestic servitude, are often sexually abused or exploited as well.

Bonded Labor or Debt Bondage:

One form of coercion used by traffickers in both sex trafficking and forced labor is the imposition of a bond or debt. Some workers inherit debt; for example, in South Asia it is estimated that there are millions of trafficking victims working to pay off their ancestors' debts. Others fall victim to traffickers or recruiters who unlawfully exploit an initial debt assumed, wittingly or unwittingly, as a term of employment. Traffickers, labor agencies, recruiters, and employers in both the country of origin and the destination country can contribute to debt bondage by charging workers recruitment fees and exorbitant interest rates, making it difficult, if not impossible, to pay off the debt. Such circumstances may occur in the context of employment-based temporary work programs in which a worker's legal status in the destination country is tied to the employer so workers fear seeking redress.

Domestic Servitude:

Involuntary domestic servitude is a form of human trafficking found in distinct circumstances—work in a private residence—that create unique vulnerabilities for victims. It is a crime in which a domestic worker is not free to leave his or her employment and is abused and underpaid, if paid at all. Many domestic workers do not receive the basic benefits and protections commonly extended to other groups of workers—things as simple as a day off. Moreover, their ability to move freely is often limited, and employment in private homes increases their isolation and vulnerability. Labor officials generally do not have the authority to inspect employment conditions in private homes. Domestic workers, especially women, confront various forms of abuse, harassment, and exploitation, including sexual and gender-based violence. These issues, taken together, may be symptoms of a situation of domestic servitude. When the employer of a domestic worker has diplomatic status and enjoys immunity from civil and/or criminal jurisdiction, the vulnerability to domestic servitude is enhanced.

Forced Child Labor:

Although children may legally engage in certain forms of work, children can also be found in slavery or slavery-like situations. Some indicators of forced labor of a child include situations in which the child appears to be in the custody of a non-family member who requires the child to perform work that financially benefits someone outside the child's family and does not offer the child the option of leaving, such as forced begging. Anti-trafficking responses should supplement, not replace, traditional actions against child labor, such as remediation and education. When children are enslaved, their exploiters should not escape criminal punishment—something that occurs when governments use administrative responses to address cases of forced child labor.

Unlawful Recruitment and Use of Child Soldiers:

Child soldiering is a manifestation of human trafficking when it involves the unlawful recruitment or use of children—through force, fraud, or coercion—by armed forces as combatants or

other forms of labor. Perpetrators may be government armed forces, paramilitary organizations, or rebel groups. Many children are forcibly abducted to be used as combatants. Others are made to work as porters, cooks, guards, servants, messengers, or spies. Young girls may be forced to “marry” or be raped by commanders and male combatants. Both male and female child soldiers are often sexually abused or exploited by armed groups and such children are subject to the same types of devastating physical and psychological consequences associated with child sex-trafficking.¹

¹ Department Of State: Trafficking in Persons Report 2017, pg. 17
<https://www.state.gov/documents/organization/271340.pdf>

Advocating for Anti-trafficking

Human rights apply to everyone, in every type of compelled work. We champion the strengths-based approach to promote personal agency and sustainable independence. We must not replicate trafficking experiences in any way by promoting dependency, loss of autonomy and limited opportunity to make decisions and choices. Not only the state, but all actors in anti-trafficking work have a responsibility to operate programs and services which do not infringe upon and support the realization of those rights.

The Universal Declaration of Human Rights is a doctrine adopted by the United Nations General Assembly on December 10, 1948 and subsequently ratified by almost every country in the world. It provided a framework we all must adopt, whether government actors, service providers, or private entities.²

It is also essential that we actively push back against programs and strategies which are not in line with a human rights framework. When the rights and lives of individuals, both trafficking victims and those vulnerable to trafficking, are compromised in anti-trafficking efforts, we are failing to align with our values. This should be a constant negotiation for effective, sustainable strategies that leave no one behind, and seek a better world instead of short-term gains. We seek to operationalize and promote policies and advocacy which;

- Address the root causes of systemic marginalization that make people vulnerable to trafficking situations, at both the individual and at the collective level;
- Guarantee the rights of victims and of those vulnerable to trafficking and exploitation;
- Respect the right of the individual to define their experience and reflect the diversity of communities and experiences; and
- Mitigate collateral consequences that compromise the rights and lives of those who have not been designated as victims of trafficking.

While we can often find collective agreement to the idea of these in the abstract, conflicts can arise when we prioritize strategies to fight trafficking. Service providers, law enforcement officers, impacted communities, and trafficking victims have competing needs. Adhering to these core principles should guide our collaboration. Too often trafficking situations are portrayed very narrowly. Whether it is a T-visa application, an article for advocacy purposes, or a popular film, trafficking situations are often described when the person meets their trafficker or enters directly into that moment of exploitation. We know, from working with victims, that the vulnerabilities which contribute to a trafficking situation began far before that moment, and those same vulnerabilities often exist long after. Anti-trafficking agendas must look at solutions which address these vulnerabilities. When we prioritize root causes, we recognize that the experiences of trafficked persons do not happen in a vacuum; lives are long and nuanced and cannot be contained with a single experience of trauma; and we are embarking on the most effective anti-trafficking prevention possible.

Many vulnerabilities can leave people open to exploitation, on the individual level and macro level. Individual factors include access to a living wage job, domestic violence, or lack of local and culturally responsive services. Systemic issues include forced migration and displacement, lack of labor protections or oversight and caste systems which promote ethnic and racial discrimination. Anti-trafficking efforts must address prevention around these root causes and recognize that often trafficking victims are limited in their options; most often what is being exploited is this lack of better opportunities.

² Universal Declaration of Human Rights: <http://www.un.org/en/universal-declaration-human-rights/>