COUNTER-TRAFFICKING IN PERSONS
POLICY

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USAID
COUNTER-
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IN PERSONS
POLICY

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PREFACE

Thriving in the shadows of poverty and conflict, human trafficking victimizes millions of people worldwide. Although precise numbers are unknown, the scale of human trafficking is vast, affecting men, women, and children in every country in the world.

It is also a lucrative business, grossing an estimated $32 billion a year through forced labor, commercial sexual exploitation, and debt bondage, among other forms. The root causes of trafficking are linked to development challenges that USAID addresses every day, including limited education and employment opportunities, weak social safety nets, a tenuous rule of law, and ethnic and gender discrimination.

In line with President Obama's Presidential Policy Directive on Global Development and under the leadership of Secretary Clinton, USAID has crafted a new Agency-wide policy to combat trafficking in persons. Drawing on best practices from the last decade, the new policy provides guidance on pursuing more effective, efficient, and evidence-based approaches in counter-trafficking.

By applying rigorous methods to measure our impact, we can help establish a foundation of systematic, empirical data that will inform evaluations and improve our efforts. We will also use the evaluations to refine and focus our programming, prioritizing countries of global strategic importance with high rates of trafficking and countries at greatest risk.

The policy places a strong emphasis on harnessing the power of innovation. Recent technological advances, like the widespread use of mobile phones and online social networks, have opened new frontiers in the fight against trafficking, as well as new doors for traffickers. We will develop creative partnerships and approaches to utilize technology at the same time we help prevent its abuse.

This new policy builds on the Counter–Trafficking Code of Conduct that we issued in February 2011 to hold Agency employees and our partners to the highest ethical standard of behavior. It will also complement two forthcoming documents: a new Counter–Trafficking Field Guide and our Agency's annual Counter–Trafficking in Persons Plan. For more information and to follow our updates, please visit **www.usaid.gov/trafficking**.

We are pleased to work in close collaboration with our colleagues at the State Department's Office to Monitor and Combat Trafficking in Persons and other U.S. government agencies. And we salute the many counter-trafficking champions who work—often anonymously—in difficult and sometimes dangerous circumstances to bring people to freedom.

Together, we will ensure a future in which human beings are no longer bought and sold as commodities.

Rajiv Shah
Administrator
U.S. Agency for International Development

1 CONTEXT AND DEFINITIONS

The 2012 Counter–Trafficking in Persons Policy is a direct response to the fact that trafficking in persons (TIP) is a massive development problem affecting millions of men, women, and children around the globe. This new Policy also reflects the large body of law that has emerged in the last several decades to combat this crime. It incorporates the principles set forth in the U.S. Trafficking Victims Protection Act of 2000 (Pub. L. 106-386, Div. A) and adheres to the standards in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children ("the Palermo Protocol").[1] It is inspired by the Thirteenth Amendment to the U.S. Constitution prohibiting slavery and involuntary servitude and reflects the standards of international anti-slavery law. The policy is informed by the "4Ps" paradigm: Prevention, Protection, Prosecution, and Partnership.

TIP is fueled by demand for prostitution and cheap labor and facilitated by porous borders, absent rule of law, failure to prosecute traffickers, complicity of corrupt officials, and modern communication technology. Facing economic hardship, natural disasters, or other factors, families may wittingly or unwittingly give or sell their children to traffickers, while young adults may be lured into the trade by local or global criminal networks. Trafficking can impede efforts to improve health, to increase economic growth, to achieve gender equality and women's empowerment, and generally can pose a threat to lifetime prospects for youth.

Quantifying the scale of human trafficking around the world is challenging, in part due to the difficulty of collecting accurate data on this clandestine trade. Recent estimates of the number of people enslaved in sex or labor exploitation range from 12 to 27 million.[2]

Trafficking in Persons Defined

TIP is an international crime involving the acquisition of a human being through the use of force, fraud, or coercion for the purpose of exploiting the individual for profit through forced labor or prostitution. Far from being a "soft issue," trafficking—a modern day form of slavery—constitutes a violation of human rights in which victims are deprived of their fundamental freedoms. TIP can involve either sex or labor exploitation, or both. At its essence, TIP is about people being bought and sold as chattel.

The Palermo Protocol defines human trafficking as:

> *The recruitment, transportation, transfer, harbouring 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 labour or services, slavery or practices similar to slavery, servitude or the removal of organs.[3]*

The Protocol also clarifies that the recruitment, transportation, transfer, harboring, or receipt of an individual under the age of

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[1] In 2000, the United Nations (UN) General Assembly adopted the U.N. Convention Against Transnational Organized Crime and three accompanying Protocols, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children ("the Palermo Protocol"), accessed February 13, 2012, http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf. The Palermo Protocol is an international multilateral treaty and has been ratified by the United States. The United States implements its obligations under the treaty in large part through the Trafficking Victims Protection Act of 2000, as amended.
[2] International Labour Organization, *A Global Alliance Against Forced Labour* (Geneva: International Labour Organization, 2005), 10, accessed February 13, 2012, http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_081882.pdf; Kevin Bales, *Disposable People: New Slavery in the Global Economy* (Berkeley: University of California Press, 1999), 9.
[3] United Nations General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking In Persons, Especially Women and Children* (New York: United Nations, 2000), Article 3(a), accessed February 13, 2012, http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf.

18 for the purpose of exploitation is considered trafficking in persons, even if none of the means listed above (force, coercion, abduction, etc.) are involved.[4] Therefore, according to the Protocol, minors in prostitution are considered trafficking victims; by definition they cannot have consented to being prostitutes.

Although the Protocol focuses on transnational crime, it requires countries to criminalize trafficking in persons through national legislation, even in cases where there is no trans-border movement.[5] Trafficking can occur inside a country or even within a single town. Movement, whether transnational or oth-

erwise, while often a component of trafficking, is not a necessary element. The presence of force, fraud, or coercion for the purpose of exploitation is a necessary element of TIP.

The 2000 U.S. Trafficking Victims Protection Act (TVPA), enacted the same year as the Palermo Protocol, has been reauthorized three times (2003, 2005, and 2008) and includes a definition of trafficking that is consistent with the Protocol. Both emphasize the use of force, fraud, or coercion to obtain the services of another person. Both frame the crime of trafficking around the extreme exploitation that characterizes this form of abuse.

BOX 1: USAID C-TIP IMPACT

USAID has invested on average $16.3 million annually since 2001 to combat trafficking. Examples of excellence in C-TIP programs are numerous. Below, we have provided some illustrative examples.

- In partnership with the MTV Exit (End Exploitation and Trafficking) Foundation, USAID supports a regional trafficking awareness-raising and prevention campaign across Asia. This highly effective investment—$8 million from USAID leveraged $100 million in the form of in-kind contributions and investments from other donors—has reached millions of households through short videos, documentaries, and online content and over 650,000 youth through concerts. Impact assessments revealed that individuals exposed to the campaign's messaging had a substantially greater understanding of TIP than those who had not been exposed.

- USAID supported the establishment of a comprehensive cross-border referral mechanism for trafficking victims in ten Southeast European countries. The referral guidelines and protocols helped shape local laws, including several National Action Plans to Combat TIP.

- In Benin, a USAID program to support girls' primary education integrated counter-trafficking awareness and advocacy activities targeting girls, parents, and communities. After four years, there was an estimated 63% increase in girls' school registration, an estimated 71% reduction in the dropout rate, and an estimated 76% increase in promotion from one grade to another.

- In Mali, in collaboration with NGO partners, USAID supported a radio drama and group discussions to educate people about trafficking in rural areas where many residents are illiterate and lack televisions, but frequently listen to radio drama. An impact survey showed that after exposure to the radio drama, residents' concerns about child labor exploitation increased, and they placed greater value on girls' education. Having reached 3.1 million listeners with positive responses in Mali, USAID expanded the program to Burkina Faso and Cote d'Ivoire.

- In Russia, USAID is partnering with NetHope and the Demi and Ashton Foundation to support a contest for the best app to combat trafficking. The winning app provides users with counter-trafficking educational information, mapping of the nearest shelters, hospitals, social services, police stations, and embassies, and a panic button that sends an alert by voice and SMS to pre-loaded emergency contacts and to a civil society counter-trafficking organization. It will be implemented as a pilot project in Moscow.

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[4]Ibid., Article 3(c)-(d).
[5]Palermo Protocol Article 5; United Nations, *United Nations Convention against Transnational Organized Crime, (New York: United Nations, 2000)*, Article 34 (2), accessed February 13, 2012, http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_eng.pdf; United Nations Office on Drugs and Crime, *Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto* (New York: United Nations, 2004), 9-11 and 276-277, accessed February 13, 2012, http://www.unodc.org/pdf/crime/legislative_guides/Legislative%20guides_Full%20version.pdf.

The 4Ps Paradigm

In the late 1990s, the President's Interagency Council on Women developed a U.S. government policy to combat TIP based on the "3Ps" of Prevention, Protection for victims, and Prosecution of traffickers. This approach was integrated into both the U.S. Trafficking Victims Protection Act and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. At the release of the 2009 State Department Trafficking in Persons Report, recognizing that governments can only successfully combat TIP in partnership with other stakeholders, Secretary Clinton added "Partnership" as the fourth P.

Prevention: The prevention approach promotes education about trafficking for vulnerable populations, for employers whose business practices may facilitate or constitute trafficking, and for first responders in a position to identify and help rescue or support trafficking victims, such as social workers, health care professionals, police, and humanitarian aid staff. Prevention interventions include economic and other activities that create an environment in which TIP cannot prosper. These programs address the conditions that allow trafficking to flourish, such as lack of viable economic or educational opportunities, gender and ethnic discrimination, corruption, and weak governance and rule of law. The prevention approach promotes a growing awareness of trafficking in both the formal and informal labor markets and an increased need for transparency and monitoring in product supply chains.

Protection: The protection of trafficked persons is the cornerstone of a victim-centered approach. According to international frameworks, a trafficked person is entitled to certain rights, including shelter, security, access to a broad range of services and, where appropriate, immigration relief. Protection programs focus on the identification of trafficked persons and the development of national and regional referral mechanisms that ensure survivors are provided shelter, food, counseling, legal assistance, as well as repatriation or reintegration services.

Prosecution: The low rate of TIP prosecutions and convictions worldwide indicates a need for increased efforts to obtain justice for victims and punish perpetrators. According to the State Department's TIP Global Law Enforcement Data, the number of trafficking prosecutions and convictions is significantly smaller than the number of victims identified and miniscule compared to the estimated number of TIP victims. For example, sources estimate that between 12 and 27 million people are trafficked at any one time, but only 6,017 traffickers were prosecuted in 2010, of which a mere 3,619 led to convictions.[6] The consequences of low prosecution and conviction rates include the failure to significantly deter the crime of human trafficking and the reluctance among victims to come forth and participate in legal processes that may endanger their safety and produce zero benefit. Prosecution interventions include increasing the capacity of police, prosecutors, judges, and court officials to identify, rescue, interview, and refer victims for appropriate care and to identify, investigate, prosecute, and convict traffickers.

Partnership: Successful efforts to combat TIP require effective and efficient coordination across a broad range of stakeholders. Partnerships and coordinating bodies need to focus on bringing together local, national, regional, and global networks, and representatives of civil society, government, the private sector, labor unions, media, and faith-based organizations. By increasing coordination, stakeholders are better able to fully leverage a wide range of counter-trafficking interventions.

The primary responsibility for combating TIP (C-TIP) rests with governments. In the United States, the President's Interagency Task Force to Monitor and Combat Trafficking in Persons brings together federal departments and agencies to ensure a whole-of-government effort that addresses all aspects of human trafficking, whether criminal and labor law enforcement, victim identification and protection, education and public awareness, international trade and development, enhanced partnerships and research opportunities, or international engagement and diplomacy.

The State Department's Tier Ranking System

The annual Department of State TIP Report classifies countries into tiers based on a government's efforts to comply with the "minimum standards for the elimination of trafficking" found in Section 108 of the U.S. Trafficking Victims Protection Act (TVPA). **Tier 1** represents countries that are meeting the minimum standards as defined in the TVPA. **Tier 2** represents countries that do not fully comply with the TVPA minimum standards but are making significant efforts to do so. **Tier 3**, the lowest level, represents countries that neither fully comply with the minimum

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[6] U.S. Department of State, *Trafficking In Persons Report* (Washington, DC: Department of State, 2011), 38, accessed February 13, 2012, http://www.state.gov/g/tip/rls/tiprpt/2011/164226.htm.

standards nor are making an effort to do so. Countries in Tier 3 may be subject to sanctions.

There is also a **Tier 2 Watch List**. This ranking serves as a warning to governments that their efforts may be in decline for a variety of reasons including a significant increase in TIP victims or a failure to provide evidence of increased efforts at combating TIP. Countries that remain on the Tier 2 Watch List for more than two consecutive years could be subject to a downgrade provision in the TVPA that would place them in **Tier 3**. To move up from Tier 3, a country needs to be making significant efforts to bring itself into compliance with the TVPA's minimum standards for the elimination of trafficking.

Since 2001, the number of countries evaluated each year has more than doubled; the 2011 TIP Report covered 184 countries. In 2010, for the first time, the report included a ranking for the United States' counter-trafficking efforts.

USAID C-TIP Program Funding Trends FY 2001-2010

USAID has programmed $163.3 million in C-TIP activities in 68 countries and Regional Missions between FY 2001 and FY 2010. USAID worked on average in 20 to 25 countries per year on programs to combat trafficking.[7] In the last year for which data are available, 2010, USAID provided $18.5 million to combat

human trafficking in 25 countries. The majority of 2010 USAID funding went to Tier Two and Tier Two Watch List countries. Additional trends are captured in the chart below.

Funds came mainly from the USAID Missions to programs in the field. Each year a small amount of centralized funds were available to program, and these now reside in the Bureau for Democracy, Conflict and Humanitarian Assistance (DCHA). Given the revenue that human trafficking is estimated to generate—up to $32 billion a year—the amounts USAID spends are relatively small. That said, the U.S. Government as a whole, and USAID as part of that effort, is one of the largest donors combatting TIP world-wide.

In the last decade, nine USAID Missions contributed nearly 50% of the Agency's counter-trafficking programming funds: Albania, Bangladesh, Brazil, Cambodia, India, Moldova, Russia, Ukraine, and the Regional Development Mission in Asia based in Thailand. Of the top six countries in which USAID invested to combat TIP, five countries—Albania, Cambodia, Ukraine, Brazil, and Moldova—moved from Tier Three or Tier Two Watch List to Tier Two in the State Department's annual ranking of countries' efforts to combat TIP. While regional funding fluctuated over the years, almost 70% of the Agency's funding since 2001 has been spent in Asia, Eurasia, and Europe. Between 2001 and 2010, the Agency did not invest in C-TIP interventions in the Middle East.[8]

Region	Total USAID C-TIP funding (FY 2001-2010)	% of total USAID C-TIP funding (FY 2001-2010)	USAID C-TIP funding in FY 2010	% of total USAID C-TIP funding in FY 2010
Africa	$22,200,000	14%	$3,900,000	21%
Asia	$59,900,000	37%	$9,700,000	52%
Europe and Eurasia	$54,500,000	32%	$2,700,000	15%
Latin America and the Caribbean	$20,600,000	13%	$1,500,000	8%
Global	$6,100,000	4%	$700,000	4%
Total	$163,300,000	100%	$18,500,000	100%

[7]Between FY2001-FY2010, USAID provided 22 % of USG C-TIP international programming with the remainder provided by the State Department and the Department of Labor.
[8]During this time, the State Department's Office to Monitor and Combat Trafficking in Persons was the lead USG agency in C-TIP efforts in the Middle East. In 2011, USAID began supporting C-TIP work in the region.

2 PRINCIPLES GUIDING THE POLICY

Consistent with USAID's Policy Framework 2011-2015, and congruent with the forthcoming policies on "Gender Equality and Female Empowerment" and "Youth in Development," this policy is based on seven basic principles that reflect a renewed commitment to being a leader in this field.[9]

Employ USAID's Comparative Advantage: USAID's comparative advantage within the U.S. Government and the broader international donor community rests on a strong in-country presence, allowing us to design and monitor well-run interventions informed by local context, and to catalyze other actors. USAID Missions and Headquarters will enhance this advantage in a number of ways including through increased collaboration with our interagency partners, particularly the State Department, to avoid duplication and increase the use of the TIP Report as a diagnostic tool to guide investments combating TIP. Our collaboration with the State Department's Office to Monitor and Combat Trafficking in Persons (J/TIP) has been a model of State Department-USAID implementation of the 2010 Quadrennial Diplomacy and Development Review (QDDR), relying on diplomatic efforts that facilitate our development work, particularly where host governments have an uneven record of combatting TIP.[10] We will continue to collaborate with J/TIP to engage governments in our C-TIP programming agenda. USAID Mission staff will coordinate closely with Embassy officers assigned as C-TIP leads. Continuing past practice, USAID's investments will emphasize prevention and protection, enhance our focus on partnership (described below), and complement the focus of the State Department and other U.S. government agencies on prosecution. Finally, to make our investments more effective, we will move toward a more integrated approach to prevention and protection within our core programs (such as health and education) as well as a sharper focus on key segments of the population who are vulnerable to trafficking such as youth and women.

Measure Impact and Bring to Scale: USAID is increasing its use of evidence-based interventions in combating trafficking. This focus follows from several policy directives including the President's Policy Directive on Development, the QDDR, USAID Forward, USAID's Policy Framework 2011-2015, as well as the new USAID Evaluation Policy.[11] To date, the field of C-TIP has not been driven by robust monitoring and evaluation; we lack systematic, empirical data and evaluation of counter-trafficking interventions globally.[12] Likewise, Agency support to combat trafficking has generally not been structured to measure the impact of our investments. While some Bureaus have conducted research over the past decade to capture broad lessons learned in counter-trafficking programming (and these are reflected in the Policy), the Agency has made few investments in impact evaluations, surveys, data collection and other methodologies leading to evidence-based practices and programming.[13]

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[9]U.S. Agency for International Development, *USAID Policy Framework 2011-2015* (Washington DC: USAID, 2011), accessed February 13, 2012, http://www.usaid.gov/policy/USAID_PolicyFramework.PDF.

[10]U.S. Department of State, *Leading Through Civilian Power: The First Quadrennial Diplomacy and Development Review* (Washington DC: U.S. Department of State, 2010), [QDDR 2010], accessed February 13, 2012, http://www.state.gov/documents/organization/153142.pdf.

[11]U.S. Agency for International Development, "USAID and the President's Global Development Policy: Fact Sheet," accessed February 13, 2012, http://www.usaid.gov/unga/ppd.html; QDDR 2010, accessed February 13, 2012, http://www.state.gov/documents/organization/153142.pdf; U.S. Agency for International Development, "USAID Forward," accessed February 13, 2012, http://forward.usaid.gov/about/overview; U.S. Agency for International Development, *USAID Policy Framework 2011-2015* (Washington DC: USAID, 2011), accessed February 13, 2012, http://www.usaid.gov/policy/USAID_PolicyFramework.PDF; U.S. Agency for International Development, *USAID Evaluation Policy* (Washington DC: January 2011), accessed February 13, 2012, http://www.usaid.gov/evaluation/USAIDEvaluationPolicy.pdf.

[12]Elzbieta M. Gozdziak and Micah N. Bump, *Data and Research on Human Trafficking: Bibliography of Research-Based Literature* (Washington, DC: Institute for the Study of International Migration, October 2008), accessed February 13, 2012, https://www.ncjrs.gov/pdffiles1/nij/grants/224392.pdf.

[13]For USAID research reports on TIP, see http://www.usaid.gov/trafficking.

Going forward, USAID Missions investing in C-TIP, in close consultation with DCHA staff and related staff in the Bureau for Policy, Planning and Learning (PPL), will apply rigorous methods to measure impact. DCHA will develop these metrics in coordination with Agency C-TIP and evaluation experts and the field will implement them. USAID will use the resulting data to bring to scale those activities that empirically demonstrate efficacy in prevention and protection to help establish best practices within the C-TIP community. USAID, with DCHA in the lead, will share lessons learned with other donors and partners to leverage impact.

Apply Selectivity and Focus: All USAID Missions engaged in C-TIP are encouraged to bring their programs in line with the policy's principles and objectives, including applying selectivity and focus. In addition, through the regular USAID budget process, DCHA, in collaboration with PPL and relevant Regional Bureaus and Missions, will prioritize and increase C-TIP investments in a few select countries. Two types of countries will be favored in this effort: 1) critical TIP challenge countries, e.g. major global players that have long-standing poor TIP rankings according to the State Department's annual TIP Report and in which USAID has a Mission and; 2) conflict and post-conflict countries. In these contexts, investments may also be driven by political openings or strategic opportunities to make a major difference along with local partners in C-TIP.

USAID is elevating its focus on conflict and post-conflict contexts for a number of reasons. Trafficking in humans is significantly higher in and around conflict and crisis-affected regions—whether during war, peacekeeping operations, stabilization efforts, or following a natural disaster. Widespread sex trafficking of women and girls in conflict and post-conflict settings is well documented.[14] Often separated from parents and caretakers during conflict or crisis, children are also at an increased risk of being trafficked. At the same time, when recovering from crisis or conflict, countries often have greater political space for tackling challenges and making change. USAID will target this particularly acute period of need and seek to seize the moment of opportunity with specialized and enhanced interventions.

Develop Regional Approaches: Transnational crime as a development challenge requires transnational responses and commitments. USAID Missions will shape programs with an eye to the effects of their C-TIP programming throughout a regional neighborhood. When USAID is elevating work in one country, Missions in neighboring countries will be engaged to make sure the work addresses as much as possible cross-border and related trafficking dynamics. Regional Bureaus will work with Missions to create approaches to enhance and operationalize collaboration between source and destination countries. In places where the source or destination country is one in which USAID has no Mission, staff from DCHA will work with our personnel detailed to interagency platforms such as the Department of Defense's Combatant Commands, or with the Political and Economic Officers at the relevant Embassy.

Promote Partnerships: Governments are critical players in combatting TIP inside a country, and USAID Missions have a particular role to play helping grow host-government capacity and galvanize local partners. That said, governments alone cannot combat trafficking, and USAID has long relied on close partnerships with the private sector and NGOs to advance this work, such as with the MTV Exit Foundation reaching millions of young people throughout Asia with social marketing campaigns that raise awareness of the dangers of TIP.

Going forward, USAID will further leverage our investments in combating TIP and empower a wide variety of local partners, including inspiring C-TIP champions in host-governments. Our Missions are well placed to make such arrangements work; future programming will place a greater emphasis on support for new local partners consistent with USAID Forward's emphasis on procurement reform and increasing investments in local organizations. These investments could be directed to host governments—if the government is committed to combatting TIP— and will often be in support of local civil society organiza-

[14]Elisabeth Rehn and Ellen Johnson Sirleaf, *Women, War, Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-Building* (New York: United Nations Development Fund for Women, 2002), accessed February 13, 2012, http://www.unifem.org/materials/item_detail.php?ProductID=17; Corinna Csaky, *No One to Turn to: The Underreporting of Child Sexual Exploitation and Abuse by Aid Workers and Peacekeepers* (London: Save the Children UK, 2008), accessed February 13, 2012, http://www.un.org/en/pseataskforce/docs/no_one_to_turn_under_reporting_of_child_sea_by_aid_workers.pdf; Sarah E. Mendelson, *Barracks and Brothels* (Washington, DC: The Center for Strategic and International Studies, 2005), accessed February 13, 2012, http://csis.org/files/media/csis/pubs/0502_barracksbrothels.pdf; Human Rights Watch, *Hopes Betrayed: Trafficking of Women and Girls to Post-Conflict Bosnia and Herzegovina for Forced Prostitution* (Human Rights Watch: New York, November 26, 2002), accessed February 13, 2012, http://www.unhcr.org/refworld/topic,459d17822,45b61f642,3e31416f0,0.html; Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe* (New York: United Nations Development Program, 2005), accessed February 13, 2012, http://www.osce.org/odihr/14135; Amnesty International, *So Does It Mean We Have the Rights? Protecting the Human Rights of Women and Girls Trafficked for Forced Prostitution in Kosovo* (London: Amnesty International, 2004), accessed February 13, 2012, http://www.amnesty.org/en/library/info/EUR70/010/2004.

tions. Through private sector collaboration, USAID also will seek to encourage the trend among businesses to identify and abolish trafficking in product supply chains. The adoption by hundreds of businesses of the 2006 Athens Ethical Principles, a set of private sector commitments to eradicate trafficking, and increased corporate engagement in Fair Trade and other product certification schemes, reflect this trend.[15]

Invest in Innovation and Technology: Throughout the Agency, USAID is increasingly relying on innovation and technology to meet development challenges with 21st century approaches. Evidence indicates that traffickers are doing the same with different motives: increasingly using technology, such as online classified ads, social networking fora, and SMS texting, to lure victims.[16] The potential for the spread of trafficking activity through technology is vast but so are the solutions for C-TIP. Millions of individuals use social networking sites and, as of 2010, there are more than 2 billion Internet users worldwide.[17] Youth are among the most vulnerable to trafficking and the most likely to use the Internet and mobile phones.[18] DCHA staff, together with the Office of Science and Technology in PPL, and relevant Regional Bureaus and Missions will develop innovative approaches and partnerships to prevent trafficking and provide services to survivors using the same technology tools that traffickers leverage to perpetuate their trade. In this way, USAID will lead the community in combining C-TIP with technology, and welcomes partnerships in this effort.

Promote High Ethical Standards: Complicity by the international community in human trafficking, whether by host governments, international organizations, donors, NGOs, or contractors—especially in conflict and disaster regions—has been well documented as noted above. In February 2011, USAID adopted a Code of Conduct that advances the highest ethical standards of its personnel, contractors and grantees. Through this Code of Conduct, USAID, led by Washington headquarters, seeks to be a leader among donor organizations in awareness and conduct and ensure that all staff are trained to the highest standards.

BOX 2: USAID COUNTER-TRAFFICKING IN PERSONS CODE OF CONDUCT

USAID opposes any activities that may contribute to human trafficking, including the procurement of commercial sex acts and use of forced labor. The Agency therefore prohibits its employees, contractors, subcontractors, grantees, and subgrantees from engaging in behaviors that facilitate or support TIP.

In February 2011, USAID adopted a Counter-Trafficking Code of Conduct, pledging to:

1. Prohibit USAID contractors, subcontractors, grantees and subgrantees during the period of performance of their contracts or awards from engaging in trafficking in persons, procuring commercial sex acts, or using forced labor.

2. Sensitize USAID personnel to human trafficking and the ethical conduct requirements that prohibit the procurement of commercial sex and the use of trafficked labor.

3. Equip USAID personnel with the knowledge and tools necessary to recognize, report, and address human trafficking offenses.

4. Require USAID personnel to report suspected cases of USAID employee misconduct as well as waste, fraud, and abuse in USAID programs as related to human trafficking.

5. Designate a Counter-Trafficking in Persons Coordinator at all USAID Missions to serve as the primary point of contact for this issue. The Coordinator will disseminate information, respond to inquiries, and liaise with appropriate staff in developing anti-human trafficking strategies.

[15]United Nations Global Initiative to Fight Human Trafficking, *Athens Ethical Principles* (Athens: United Nations, 2006), accessed February 13, 2012, http://www.ungift.org/docs/ungift/pdf/Athens_principles.pdf; United Nations Global Compact, *Luxor Implementation Guidelines to the Athens Ethical Principles: Comprehensive Compliance Programme for Businesses,* accessed February 13, 2012, http://www.unglobalcompact.org/docs/issues_doc/human_rights/Resources/Luxor_Implementation_Guidelines_Ethical_Principles.pdf.
[16]Mark Latonero, *Human Trafficking Online: the Role of Social Networking Sites and Online Classifieds,* (USC Annenberg School for Communications & Journalism, 2011), accessed February 13, 2012, https://technologyandtrafficking.usc.edu/files/2011/09/HumanTrafficking_FINAL.pdf.
[17]Ibid.
[18]Leopoldina Fortunati and Anna Maria Magnaelli, "Young People and the Mobile Telephone," *Revista de Estudios de Juventud* 57 (2002), 66, accessed February 13, 2012, http://www.injuve.es/contenidos.download-att.action?id=680039424; Douglas Stewart, "The Youth Culture and Cell Phones," *Ezine Articles,* 2007, accessed February 13, 2012, http://ezinearticles.com/?The-Youth-Culture-and-Cell-Phones&id=1096591; The Nielsen Company, *Mobile Youth Around the World* (Nielsen, 2010), accessed February 13, 2012, http://www.nielsen.com/content/dam/corporate/us/en/reports-downloads/2010%20Reports/Nielsen-Mobile-Youth-Around-The-World-Dec-2010.pdf; Amanda Lenhart and Mary Madden, *Teens, Privacy & Online Social Networks* (Washington, DC: Pew Internet & American Life Project, 2007), accessed February 13, 2012, http://www.pewinternet.org/~/media//Files/Reports/2007/PIP_Teens_Privacy_SNS_Report_Final.pdf.pdf.

3 PROGRAMMING OBJECTIVES

The seven overarching principles will be advanced through the following five programming objectives. Related planning, design, learning and resource requests critical to the success of this policy will be managed through the processes spelled out in the USAID programming and budgeting cycle, including the Country Development Cooperation Strategy (CDCS), project design, monitoring and evaluation, using reporting tools such as Operating Plans (OPs), and Performance Plans and Reports (PPRs).

OBJECTIVE ONE: Efforts to combat TIP integrated into relevant Agency initiatives and programs

With few exceptions, to date, USAID investments in combating trafficking have been stand-alone projects. Integrated and leveraged investments have greater potential than stand-alone projects to advance prevention and protection. USAID will continue direct support to combat trafficking, for example, through work with NGOs providing protection and awareness-raising as well as with government institutions such as parliaments and judiciaries to strengthen C-TIP capacity. Over time, however, to bring USAID's C-TIP work to a new, more leveraged and robust level, stand-alone projects will have to demonstrate a strong linkage to or be integrated into specific sector portfolios, especially in health, agriculture, economic growth, education, humanitarian assistance, and security sector reform.[19] Because youth and women are among the most victimized by traffickers, special attention will be devoted to integrating counter-trafficking activities into programs targeting these demographic groups.

Examples of integrated programs already exist. For example, in the Democratic Republic of Congo, a USAID-supported program for victims of sexual-and gender-based violence added specialized care for children subjected to prostitution and forced labor. As noted in Box 1, in Benin, the Agency integrated TIP awareness activities into a girls' education program focused on increasing registration and decreasing drop-out rates among girls between the ages of seven and twelve, a demographic targeted by traffickers. The Bureau for Food Security is integrating C-TIP into an agriculture project in the cocoa sector in Ghana. The focus there is on preventing child trafficking on cocoa farms and providing children with alternatives to farm labor through educational programs.

Some USAID Missions do not currently have the expertise to develop integrated programs or to develop C-TIP components within existing work. To achieve this objective, staff in USAID's Washington headquarters will develop tools and deploy experts to help Missions integrate counter-trafficking activities into development programs within specific sectors and initiatives. DCHA's new Center of Excellence on Democracy, Human Rights and Governance (DRG Center) has personnel dedicated to C-TIP and also to the broader goal of the integration of democracy, human rights and governance into other development sectors and can deploy experts to Missions as needed. The impact of these leveraged investments will be closely monitored to determine how USAID and the broader donor community can most effectively combat trafficking.

OBJECTIVE TWO: Improved codification and application of learning in efforts to combat TIP

Learning from the past can help our work going forward. As noted above, of the top six countries in which USAID invested funding since 2001, five moved from Tier Three or Tier Two Watch List to Tier Two in the State Department's annual TIP rankings. DCHA, working with relevant Missions, will support case studies and oral histories of what worked in the countries

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[19]An example of programming in the security sector would be working with police to improve their understanding that victims of trafficking are not criminals.

that experienced positive changes in their tier ranking, as well as analyses of the relationship between our investments and the change in tier ranking.[20] Case studies where countries moved up a tier and then fell back are also important to explore. We need to understand the dynamics surrounding those downgrades.

Missions with C-TIP as a focal element of their strategies are expected to know what other donors are doing to combat TIP in a region or country in order to make informed decisions concerning USAID's investments. USAID will build into new projects explicit methodologies—and where possible, quantitative approaches—that capture the impact of the C-TIP interventions. USAID, led by DCHA, will support Missions to: (1) increase the use of survey data to guide the design of C-TIP programs; and (2) improve monitoring and evaluation of C-TIP programs. USAID's new DRG Center has funds and personnel to assist in the design and implementation of impact evaluations, and the office of Learning, Evaluation and Research (LER) in PPL will also be called on to engage in this work with Missions. Our approach to evaluation and monitoring will use existing mechanisms to optimize learning about the effectiveness and the cost of C-TIP interventions. Consonant with our emphasis on prevention, protection, and partnership as well as the use of technology, we will favor evaluations of social marketing campaigns directly targeting TIP as well as evaluations of which technologies are most effective in prevention and protection. Based on these data, DCHA will work with Regional Bureaus and Missions to identify activities that empirically demonstrate efficacy and can be brought to scale and curtail programs that do not. To ensure that evidence informs programming, DCHA staff with guidance from LER will work with Missions to capture, showcase, and circulate throughout the Agency and beyond best practices in past and future C-TIP programming.

OBJECTIVE THREE: Enhanced institutional accountability to combat TIP as a result of training and coordination

This policy will only be effective if staff are enabled to implement and to personally commit to its realization. USAID, led by DCHA, together with the Office of the General Counsel and the relevant Regional Bureaus and other Offices, will take a number of steps to increase accountability for this Policy. As noted earlier, in 2011 USAID adopted a Code of Conduct on combating TIP. Actions to implement the new Code of Conduct will include: 1) training staff Agency-wide on combating human trafficking, as well as on the prohibitions on trafficking and procurement of commercial sex, and available disciplinary measures for documented violations; 2) introducing incentives for senior managers to support C-TIP Champions in the field through awards and competitions; 3) educating Agency contractors and grantees on how to recognize and respond to this crime and on the Agency's right to terminate grants and contracts if contractors, grantees, or sub-recipients engage in prohibited conduct; and 4) developing an Agency-wide network of counter-trafficking specialists armed with mechanisms to facilitate communication and information sharing. Collectively, these actions will enable us to proactively combat TIP.

OBJECTIVE FOUR: Augmented C-TIP investments in critical TIP challenge countries

To help leverage our comparative advantage, using DCHA funds supplemented where possible by relevant Regional Bureaus, USAID will increase its investments through dedicated C-TIP resources in one to two critical TIP challenge countries with a USAID Mission presence. Critical TIP challenge countries are ones that have global strategic importance and significant trafficking problems; where the host government has done little to prevent or combat TIP; and that have been ranked multiple years as Tier 2 Watch List or Tier 3 in the annual State Department Trafficking in Persons Report. These countries set negative norms and standards on TIP in their neighborhoods. Progress in these nations would send an important signal with potentially significant ripple effects. And a focus in these countries would allow the greatest harmonization of U.S. diplomatic and development efforts.

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[20] Again, these countries are Albania, Cambodia, Ukraine, Brazil, and Moldova. Bangladesh, among the top six, has been listed as Tier Two Watch List for the last three years.

To move a country from one tier to another requires indigenous political will and resources currently beyond what we can commit. By increasing our focus on one or two of these challenge countries, however, our approach will be to engage and leverage additional partners to elevate solutions to these long-standing TIP obstacles.

OBJECTIVE FIVE: Increased investments in TIP prevention and protection in conflict and crisis-affected areas

As part of USAID's implementation of the 2011 *United States National Action Plan on Women, Peace, and Security*, USAID will increase its efforts to combat trafficking in a few specific conflict- and crisis-affected countries.[21] The criteria for selecting these countries include: significant U.S. government investment; multi-year international deployments with a significant number (such as over 10,000) of personnel deployed; and opportunities to build partnerships with other donors or stakeholders. In addition to new Agency-wide training on ethical standards related to the Counter-Trafficking Code of Conduct (see objective 3), USAID will provide training and technical assistance to personnel in selected Missions to design, implement, monitor, and evaluate effective C-TIP interventions in conflict-affected areas. USAID, led by C-TIP Champions housed in Missions in conflict and crisis-affected areas, will educate civilian contractors and aid workers on the prevention of TIP in crisis and conflict-affected environments. In some Missions, this effort may include targeted knowledge assessments and social marketing campaigns. USAID has nearly two dozen C-TIP Champions in Missions who provide leadership and expertise in combatting TIP. DCHA will prepare a package of "train the trainers" materials for C-TIP Champions in Missions located in conflict and crisis-affected areas to facilitate education in these environments.

BOX 3:
USAID FORWARD AND THE 2012 C-TIP POLICY

The 2012 C-TIP Policy maps to and has been guided by USAID's reform agenda, USAID Forward, in several ways. These include:

- USAID Forward's focus on increased alliances with local partners is reflected in the policy's commitment to empower a wide variety of local partners, including counter-trafficking champions in host governments.

- Consistent with USAID Forward's emphasis on leveraging talent through training, hiring reform, and incentives, the policy emphasizes enhanced training for USAID personnel, contractors, and grantees, and incentives for senior managers to support C-TIP Champions in the field.

- A key feature of USAID Forward, monitoring and evaluation, is embodied in the policy's focus on rigorous monitoring and application of learning, which will allow the Agency to redeploy limited C-TIP funds toward programs that demonstrate meaningful results. An evidence-based agenda also enables USAID to play an enhanced role in the policy arena both inside the U.S. government and more broadly.

- USAID Forward's emphasis on strengthening the role of science, technology and innovation in international development is captured in the policy's commitment to innovative approaches and partnerships that use the same technology and tools that traffickers rely on to perpetuate their trade.

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[21] For the National Action Plan, see http://www.whitehouse.gov/sites/default/files/email-files/US_National_Action_Plan_on_Women_Peace_and_Security.pdf and for the Executive Order, see http://www.whitehouse.gov/the-press-office/2011/12/19/executive-order-instituting-national-action-plan-women-peace-and-securit (sic).

4 IMPLEMENTING THE USAID COUNTER-TIP POLICY

USAID's Bureau for Democracy, Conflict and Humanitarian Assistance (DCHA) will lead the implementation of the Agency's C-TIP Policy, in collaboration with all USAID Missions and Washington operating units (WOUs) that currently have or plan to program funds to combat TIP. Different offices within USAID are responsible for the various actions discussed in this document.

Mission Directors and staff, in consultation with Regional Bureaus and DCHA, will be responsible for program development, management, and related operational issues as part of the normal programming cycle. The identification of specific C-TIP results to be acheived in any given country will be based on the unique trafficking situation in that country or region where a USAID program is to be implemented.

DCHA will establish and lead a C-TIP Steering Committee that includes USAID senior leaders and managers in Washington and in the field to coordinate C-TIP programming. The Committee will:

- Oversee the implementation of this policy;

- Provide technical leadership and support to Missions;

- Lead knowledge collection and management;

- Support planning, strategy, and coordination;

- Oversee (minimal) reporting requirements, ensure alignment and input into existing USAID programming, budgeting and project cycles;

- Assess success and consider solutions to policy and program challenges.

The further articulation of the Committee's structure and operations, including specific mechanisms for coordination with USAID Missions and relevant Bureaus and Offices will be detailed in the forthcoming Field Guide and developed in close consultation with PPL.

In limited cases, as noted above, DCHA will provide funds to USAID Missions for C-TIP activities. Otherwise, Missions will be expected to continue to allocate resources from their own budgets for the programs that contribute to C-TIP. The Steering Committee will use the information from the CDCS, OPs, and PPRs to encourage strategic thinking among C-TIP Champions in Missions and in WOUs, to revise and update programming, and identify the C-TIP commitments that USAID will be held accountable for over time.

Beyond using the information from these processes for programming purposes, DCHA, in collaboration with the C-TIP Steering Committee, will produce a public document summarizing USAID C-TIP programming. This document, the Annual C-TIP Plan, will highlight for external stakeholders the programming that translates this policy into meaningful action for millions of children, women, and men.