

# United States Advisory Council on Human Trafficking. Annual Report, 2023: Key Points and Recommendations

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## **Abstract:**

In the world or fifth generation of human rights, human beings are sold and purchased for different forms of trafficking. When a human being is sold or purchased there are a lot of rights which are violated every second but many a times the victims of human trafficking are considered as Bad people who have consented to be tortured and abused every second. This paper delves into the United States Advisory Council on Human Trafficking, Annual Report 2023.

**KEYWORDS:** Human Trafficking Report, Law on Human Trafficking, survivors, traffickers, violations, human rights, dignity and worth, trafficker, Anti trafficking. Victim. Re-trafficking, corruption, suffering, Sex trafficking. Labor trafficking, Child trafficking.

## **Objective:**

1. To discuss the Objectives of the Annual Report, 2023.
2. To discuss the Salient features of the Annual Report, 2023.
3. To discuss the recommendations of the Annual Report 2023.

## **INTRODUCTION:**

The United States Advisory Council on Human Trafficking comprises 11 survivor leaders. who bring their expertise and experience to advise and provide recommendation to the President's. Intra agency task force to monitor and combat trafficking in persons to improve federal anti-trafficking policies. The Council was established on May 29th, 2015 in Section 115 of the Justice for Victims of Trafficking Act of 2015. Also known as the Survivors on Human Trafficking Empowerment Act. In this report the work of the earlier council members were appreciated and the unified stewardship was also recognized. It was said that the report unites on a shared river of progress that spans cultures, societies and lifespans. They believed that too often, agencies, communities and people work in individual tributaries that run alongside each other, effective in their work, but not maximized in their potential. Just as the powerful rivers that span this nation have carved through seemingly immovable canyons and mountains, we believe that the impact of our shared stewardship can end suffering and conquer corruption. This report discusses the forms of human trafficking and the ways to combat human trafficking.

## **Forms of human trafficking:**

- Forced labor-All work or service which is exacted from any person under the menace of any penalty

- for its non-performance and for which the worker does not offer himself voluntarily is forced labor. When an individual or entity uses prohibited means that include force or physical threats, psychological coercion, abuse of the legal process, a scheme, plan, or pattern intended to hold a person in fear of serious harm or other coercive means to obtain the labor or services of a person it is forced labor. It also clarifies that once a person's labour is obtained by such means, the person's previous consent or effort to obtain employment with the trafficker does not preclude the person from being considered as a victim or the government from prosecuting the offender. It further says that. It also encompasses when an individual or entity knowingly benefits financially or by receiving anything of value from participating in a venture that has engaged in providing or obtaining labor or services by a prohibited means knowingly or in reckless disregard of the fact that the Venture has engaged in providing or obtaining labor or services by such prohibited means.
- **Forced child labor:** Forced child labour is always implicitly included in prohibition related to forced labour in U.S. law. Although some children may legally engage in certain forms of work depending on the jurisdiction, forced child labour continues to exist both in the United States and globally, despite legal prohibitions and widespread condemnation.
- **Sex trafficking:** When a person is required to engage in a commercial sex act as a result of force, Threat of force, Fraud, coercion, or any combination of such means, or when a person under the age of 18 is caused to engage in commercial sex, that person is a victim of sex trafficking. The Perpetrators involved in recruiting, enticing, harboring, transporting, providing, obtaining, advertising, maintaining, patronizing, or soliciting a person for that purpose are guilty of the federal crime of sex trafficking even if the victim previously consented to engage in commercial sex.
- **Child sex trafficking:** child under the age of 18 who has been recruited, enticed, harbor, transported, provided, obtained, advertised, maintained, patronized, or solicited to engage in a commercial sex act is a victim of human trafficking, regardless of whether or not force, fraud, coercion is used. Children cannot consent to commercial sex therefore, child sex trafficking occurs regardless of whether or not fraud or coercion is used.
- **Transnational or extra territorial child sexual abuse:** This occurs when an American citizen or legal permanent resident travels to a foreign country or resides abroad, whether permanently or temporarily and engages in illicit sexual conduct with a child. It is also a crime to arrange or facilitate such travel for the purpose of commercial or private profit. This conduct is a crime whether or not the offender had the intent to engage in sexual activity with the child before the travel took place. This is also called child sex tourism.

This report also defined certain terms like victim, survivor, victim centered approach, trauma informed approach, Survivor Informed, Cultural competence. Debt bondage, continued presence. Non immigrant status, T Non Immigrant status(T Visa) and U Non immigrant status(U Visa).

**The committee focuses on the issues related to:**

- The intersection between human trafficking and missing and murdered indigenous population.
- Black and brown communities.
- Identifying and supporting best practices and prevention and services while addressing intergenerational trauma.
- Increasing access to capacity building for culturally diverse organization.

**Recommendations of the Committee:**

- the committee recommends the agencies for prioritizing the Identification of research gaps, including conducting research related to forced labor to enhance the federal governments understanding of service, prevention, and other needs of survivors of human trafficking.
- The Council strongly believes that agencies must fully engage the Survival Committee in all aspects of research design and implementation and effectively and respectfully engage survivors from diverse committees and those who are the subjects of federally funded research.
- The committee suggests to engage survivors in research work to include roles within research design, data collection, data analysis, and research dissemination. They believe that this “Knowledge Mobilization Approach” will ensure that the communities not only participate in research but touch every aspect of the research from start to finish and that they Co -lead in the research agenda.
- The report recommended to include survivors from within the communities that are the subject of the research to identify and recruit research subjects, Review and Co- create data collection protocols that are culturally and contextually relevant, Review language scripts and protocols in advance that are developed to use when interacting with research subjects directly. Employ survivors with similar experience and backgrounds to help engage and collect data from research subjects directly to increase trust and engagement in the research process, Review and Co- create informed consent protocols to ensure research participants fully understand and feel empowered to decline or accept invitations to participate in research, Help write, review, and provide feedback on research findings before they are published, help in disseminating findings in the community that is subject of the research.
- It recommended that Department of Justice and Office for Victims of Crime should increase efforts to communicate directly with grantees and those they serve to collect formal and informal feedback on training and technical assistance needs to improve services.
- They further recommended that DOJ And HHS Should consider additional ways to gather feedback and recommendations directly from grantees about there Training needs and perceived outcomes from training provisions. This will ensure robust accountability.
- They also recommended to have more robust and frequent direct check-ins or hosting listening sessions, one-on-one interviews and focus group with grantees.
- They recommended the agencies to continue to advance their survival engagement efforts intentionally and meaningfully by conducting self-assessment to measure and collect data on their survival engagement practices according to the 8 areas of criteria outlined in this recommendation.
- They further recommended agencies to increase their accountability in ensuring that survivors are engaged as paid consultants within their agency or by grantees of any federally funded grants relating to human trafficking.
- They recommended to hire and encourage their federally funded programs to hire and compensate survivor engagement coordinators with lived experience to act as liaisons and help build sustainable community engagement with persons that lived experience to ensure equitable and inclusive representation in communities, grant programs, task force and other initiatives.
- They recommended to work with survivor experts to develop and deliver foundational training on human trafficking for HUD and Public Housing Authority staff.
- They recommended to expand anti trafficking efforts to LGBTQ+ survivors, survivors with physical and mental health challenge, Male survivors and survivors of Labor trafficking to have access to sustainable housing.

- It recommended to create culturally responsive training and resources for Indigenous communities outside the continental United States to deal with drug trafficking and forced labor trafficking.
- It recommended to increase awareness ,training and services to serve people who have experienced trafficking impacted by the current fentanyl crisis that contribute to forced labour, criminality, sustenance. Barrier to service and safety and mortality rates.
- It also recommended to increase research funding and programs specific to survivors of trafficking impacted by a traumatic brain injury.
- This also recommended to establish a community led National Advisory Commission on Black victims/ survivors of trafficking and missing and murdered Black women and girls.
- This also recommended ways to ensure survivors of trafficking to have fair and equal access to student loan and Pell Grants, regardless of the actions of their traffickers.
- It also recommended the state to increase efforts to prevent labor trafficking among temporary work visa holders.
- It also recommended to increase oversight and support for unaccompanied and other vulnerable children at risk of experiencing child labor trafficking.
- It's recommended to make expeditious efforts towards creating a bona fide determination process for T non immigrant applicants and providing training to employers on T classification and green card processes.

Objectives of the US Advisory Council on human Trafficking: The objective of the US Advisory Council on Human Trafficking is as under:

- a. To provide advice and recommendation to the US government on human trafficking.
- b. Review federal U.S. government policy and programs intended to combat human trafficking, including programs related to the provision of services for victims.
- c. Gather information from U.S. government agencies, States and the community for the Council's Annual Report.
- d. Publish an annual report that contains the findings derived from reviews conducted on federal government policy and programs.
- e. Serve as a point of contact for federal agencies reaching out to survivors of human trafficking.
- f. Represent the diverse population of survivors of human trafficking across the United States.
- g. The Council brings expertise from member's personal experience on human trafficking as well as members ongoing work and leadership in various national, state and local anti-trafficking efforts.

### **Conclusion and Suggestions:**

1. This Annual Report document is very effective and elaborate as it explains different forms of trafficking and understands the efforts made by the earlier committee members in addressing the issues of human trafficking.
2. In the recommendations it has categorically focused on all forms of trafficking.
3. This report also lays focus on the reintegration and rehabilitation of the traffic victims.
4. This report also talks about ways and measures to prevent trafficking.
5. This reports also discusses about child trafficking and Child sex tourism and suggests ways to handle this issue.

6. This report also addresses the concerns of applying green card.
7. This report involves survivors and victims of human trafficking in all the processes. Off. Formulating. Policies and programs for victims of human trafficking.
8. This report also focuses on Implementing the recommendations and suggestions of the report at the grassroot level.
9. This also has a focus on getting feedback from the trafficked people about the working document before publishing, so that if there is any error or any new thing needs to be added before publication, it can be done after the feedback from the stakeholders.

**References:**

The United States Advisory Council on Human Trafficking: Annual Report 2023.