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# Learning Objectives

Standard Curriculum Toolkit, Section 1.1

Recommended Element

*April 2015*

CTIP Program Management Office

## Learning Objectives

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This section outlines key learning objectives and related topics that Components should include in when developing Combating Trafficking in Persons (CTIP) training materials. Objectives and topics should be added as necessary.

**Recommendation:** Include the following six learning objectives:

1. Define trafficking in persons
2. Identify who is involved in trafficking in persons
3. Determine why trafficking in persons occurs
4. Describe how trafficking in persons occurs
5. Explain how to combat trafficking in persons
6. Identify trafficking in persons laws and policies

## Learning Objectives

### 1. Define trafficking in persons

Recommended Key Terms (see Section 1.2 for definitions):

- Force
- Fraud
- Coercion
- Severe Forms of Trafficking in Persons
- Sex Trafficking
- Commercial Sex Act
- Labor Trafficking
- Debt Bondage/Peonage
- Involuntary Servitude
- Child Soldiering
- Human Smuggling

Recommended content:

- What is Trafficking in Persons?
  - Introduce the topic of Trafficking in Persons
    - Trafficking in Persons is a form of modern-day slavery. It involves the exploitation of men, women, and children for sex and for labor.
    - Trafficking in persons is a crime in the United States and many other countries. The Department of Defense (DoD) prohibits trafficking in persons and investigates human trafficking incidents that are reported by Service members, civilian employees, contractors, and others.
    - Human trafficking is prohibited because it is:
      - a. An abuse of human rights
      - b. A crime
      - c. Not compatible with military core values
      - d. An action that jeopardizes DoD's credibility and ability to achieve its mission

- Define Severe Forms of Human Trafficking according to the Trafficking Victims Protection Act (TVPA) of 2000
  - The TVPA defines “severe forms of trafficking in persons” as:
    - a. Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person included to perform such an act has not attained 18 years of age.
    - b. The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery.
- Review the following terms: Force, Fraud, and Coercion<sup>1</sup>
  - Trafficking in persons involves the use of force, fraud, or coercion to compel a person to provide labor or commercial sex.
    - a. Force often involves physical constraint, bodily harm, or confinement.
    - b. Fraud is a false representation—whether by words or by conduct, by false or misleading allegations, or by concealment of what should have been disclosed—that deceives and is intended to deceive another so that the individual will act upon it to her or his legal injury.
    - c. Coercion is (A) threats of serious harm to or physical restraint against any person; (B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or (C) the abuse or threatened abuse of the legal process.
- What are the Types of Human Trafficking?
  - Describe sex trafficking
    - Sex trafficking occurs when a commercial sex act is induced by force, fraud, or coercion, or in which the person who is induced to perform such an act is under the age of 18.
    - Sex trafficking occurs both domestically and internationally, including on and around DoD military installations. It is most commonly associated with:
      - a. Bars and brothels
      - b. Dance clubs and strip clubs
      - c. Massage parlors and spas
      - d. Escort services
      - e. Private parties
  - Describe labor trafficking<sup>2</sup>
    - Labor trafficking, also referred to as forced labor, is defined in TVPA as the recruitment harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
    - Labor trafficking occurs in the DoD both domestically and internationally, including in government contracts. Labor trafficking most commonly occurs in the DoD contracts that are labor intensive. These labor intensive industries include:
      - a. Food services
      - b. Domestic services

<sup>1</sup> Source: Trafficking Victims Protection Act (TVPA) of 2000, Section 7102 of Title 22 United States Code.

<sup>2</sup> Source: Trafficking Victims Protection Act (TVPA) of 2000, Section 7102 (3) of Title 22 United States Code.

- c. Janitorial services
- d. Driving services
- e. Construction
- f. Hospitality
- Describe child soldiering<sup>3</sup>
  - According to Section 402 of the Child Soldier Prevention Act of 2008, the term child soldier means (i) any person under 18 years of age who takes a direct part in hostilities as a member of governmental armed forces; (ii) any person under 18 years of age who has been compulsorily recruited into governmental armed forces; (iii) any person under 15 years of age who has been voluntarily recruited into governmental armed forces; or (iv) any person under 18 years of age who has been recruited or used in hostilities by armed forces distinct from the armed forces of a state.
  - Child soldiers can be found in different locations around the world. Countries identified as using child soldiers in governmental armed forces or government-supported armed groups are found in Africa, the Middle East, and Southeast Asia. Non-government supported groups also use child soldiers in various parts of the world.

## 2. Identify who is involved in trafficking in persons

Recommended TIP Scenarios and Examples (see Section 1.4 for details). At least one example of each of the following:

- DoD-related labor trafficking
- DoD-related sex trafficking
- Child soldiering
- General sex or labor trafficking

Recommended content:

- Types of TIP Victims (based on past cases)
  - Describe the types of TIP Victims in the DoD
    - Trafficking in persons can occur anywhere and to anyone. While the DoD prohibits trafficking in persons and works diligently to eradicate it, there have been cases of trafficking in persons involving DoD personnel where men, women, and children were exploited.
    - These victims are sometimes:
      - Other country nationals (individuals whose heritage is different than the country they are performing work in) hired to perform work on U.S. military installations
      - Persons living in war-zones
      - U.S. military service members
      - Women and children trafficked into the commercial sex industry
    - TIP victims forced, deceived, or coerced into performing commercial sex acts are typically located in nightclubs, strip clubs, brothels, bars, massage parlors, and escort services on or near DoD military installations.
    - TIP victims forced, deceived, or coerced into forced labor typically work in food services, domestic services, janitorial services, driving services, construction, and hospitality services on or near DoD military installations.
  - Describe the types of TIP Victims outside of the DoD

<sup>3</sup> Source: Child Soldier Prevention Act of 2008, Section 2370 (2), of Title 22 United States Code.

- TIP victims outside of the DoD are diverse and come from many different walks of life. They include people of any gender, age, race, nationality, social or economic status. Women and children are particularly vulnerable and are sometimes kidnapped, coerced, sold by their families, or tricked into human trafficking.
- Types of Traffickers (based on past cases)
  - Describe the types of traffickers in the DoD
    - Traffickers in the DoD include anyone who exploits individuals for commercial sex or forced labor. Traffickers can be:
      - a. DoD Contractors
      - b. Government Civilians
      - c. Military Personnel
  - Describe types of traffickers outside of the DoD (based on actual cases)
    - Traffickers include anyone who exploits someone for commercial sex or forced labor. Traffickers can be:
      - a. International organized crime
      - b. National or local gangs
      - c. Corrupt government officials and police
      - d. Business owners
      - e. Pimps
      - f. Diplomats

### 3. Determine why trafficking in persons occurs

#### Recommended content:

- Push and Pull Factors
  - A number of factors make people vulnerable to trafficking in persons. While some factors are specific to certain cultures and regions, many other factors are common to trafficking in general. These factors help explain the pressures or conditions that lead TIP victims to situations where they are more prone to being exploited.
  - Define push factor
    - Push factors are conditions that influence or encourage people to leave a bad or unsafe situation. Push factors include the following:
      - a. Violence
      - b. Economic or political instability in country of origin
      - c. Natural disaster (earthquake, flood, etc.)
      - d. Lack of job opportunities
      - e. Prior sexual abuse
      - f. Poverty
    - These factors do not cause human trafficking but a combination of these factors increase the risk of exploitation.
  - Define pull factor
    - Pull factors are conditions that influence people to go to a new location with better opportunities. Pull factors include the following:
      - a. Job opportunities
      - b. Freedom and liberty
      - c. Chance of a better life

- Traffickers often use pull factors to lure or trick TIP victims.
- Vulnerable Populations<sup>4</sup>
  - Describe the characteristics of vulnerable populations
    - Traffickers prey on victims with little or no social safety net. They look to exploit victims for cheap labor by preying on individuals in vulnerable situations due to economic hardship, illegal immigration status, political instability, natural disasters, and other causes. Individuals vulnerable to trafficking include:
      - a. Undocumented migrants
      - b. Runaway and homeless youth
      - c. Women and children with limited resources
      - d. Oppressed social or cultural groups
      - e. People displaced by natural disaster or civil conflicts
      - f. Victims of prior sexual or physical abuse
- Trafficker Motivations<sup>5</sup>
  - Describe trafficker motivations for participating in human trafficking
    - Traffickers are motivated to participate in human trafficking because they see it as a high profit and low risk enterprise. In other words, they can make a lot of money with minimal consequences. This phenomenon can be attributed to the following reasons:
      - a. Lack of criminal justice infrastructure
      - b. Corruption
      - c. Lack of resources

#### 4. Describe how trafficking in persons occurs

##### Recommended content:

- Trafficker Techniques Used on Victims
  - Traffickers use various forms of force, fraud, and coercion to lure and influence TIP victims. Examples of these techniques include:
    - Beatings, rape, isolation, restraint, restriction of movement, confiscation of travel documents (force)
    - False Promises of marriage, education, better family life, and job offers (fraud)
    - Threats or Intimidation including harm to victim's family, threat of deportation or prison, shaming, or brainwashing (coercion)

#### 5. Explain how to combat trafficking in persons

##### Recommended content:

- Common Indicators of Trafficking in Persons
  - A number of indicators can help someone identify trafficking in persons. Recognizing the signs is the first step in protecting victims, punishing perpetrators, and preventing future violations. These indicators can be broken into two primary categories: physical/environmental and psychological/behavioral indicators of TIP.

<sup>4</sup> Source: Trafficking Victims Protection Reauthorization Act of 2005, Section 7101 (6-8) of Title 22 United States Code.

<sup>5</sup> Source: Trafficking in Victims Protection Act (TVPA) of 2000, Section 7101 (8) (14-17) of Title 22 United States Code.

- Describe the physical/environmental indicators of TIP. Victim may:
  - Display signs of physical abuse (e.g. bruises, cuts, burns, broken bones)
  - Have no identification
  - Live at or be confined to worksite
  - Be escorted or closely monitored at all times
  - Be in debt bondage to employer
  - Suffer medical conditions such as malnutrition, dehydration
- Describe the psychological/behavioral indicators of TIP
  - Fearful
  - Submissive
  - Anxious
  - Nervous
  - Signs of emotional abuse
  - Lack free will
  - Depressed
  - Dependent on others
- These psychological/behavioral indicators are not absolute signs of trafficking in persons, but when demonstrated together are good indicators.
- How to Respond
  - Describe how to respond to domestic TIP violations
    - If you suspect criminal activity, report the incident through your chain of command, to the appropriate DoD law enforcement authority, and to the DoD Inspector General Hotline. Phone: 1-800-424-9098 , Website: <http://www.dodig.mil/hotline/>
    - Contact the National Human Trafficking Resource Center Hotline Phone: 888-3737-888, Hotline: [www.traffickingresourcecenter.org](http://www.traffickingresourcecenter.org)
    - If you suspect a human trafficking *contract violation*, follow your Service or agency's protocol for notifying the appropriate authority.
  - Describe how to respond to international TIP violations
    - If you are working overseas, report the incident to your Commanding Officer and the DoD Inspector General Hotline.
- Connecting Victims to Support/Services
  - Describe the importance of connecting victims to support/services
    - The needs of TIP victims can be complex. Victims often face physical and mental health issues relating to their TIP situation and need a multi-faceted approach to address their health needs.
    - Victims often need emergency food, clothing, shelter, translation services, legal services, and other basic needs as a result of their TIP experience.
    - Supporting victims and connecting them to the right services is critical to their recovery. There are several organizations that provide assistance to TIP victims.

## 6. Identify trafficking in persons laws and policies

Recommended Laws, Policies, and Regulations (see section 1.3 for details):

- Department of Defense Instruction (DoDI) 2200.01, 2010
- Executive Order 13267: Strengthening Protections Against Trafficking in Federal Contracts, 2012
- Federal Acquisition Regulation (FAR) Subpart 22.17, "Combating Trafficking in Persons"
- Defense Federal Acquisition Regulation Supplement (DFARS) Procedures, Guidance,

and Information (PGI) 222.17

- NDAA for Fiscal Year 2013, XVII
- Trafficking Victims Protection Act of 2000 and relevant statutes from subsequent reauthorizations (2003, 2005, 2008, 2013)
- The Uniform Code of Military Justice, Article 134

Recommended content:

- TIP Laws and Policies
  - Provide an introduction to the topic
    - Over the last several years, Congress, the Executive Branch, and the DoD have developed new laws, regulations, and policies to address trafficking in persons.
  - Describe some of the laws that address trafficking in persons
    - Uniform Code of Military Justice, Article 134
      - a. The Uniform Code for Military Justice (UCMJ) is the criminal code that applies to Service members and in time of declared war or a contingency operation, persons serving with or accompanying an armed force in the field. Certain offenses related to sex trafficking may be prosecuted under UCMJ including prostitution; patronizing a prostitute; pandering by compelling, inducing, enticing, or procuring an act of prostitution; and pandering by arranging or receiving consideration for arranging for sexual intercourse or sodomy.
    - Trafficking Victims Protection Act of 2000 and relevant statutes from subsequent reauthorizations
      - a. Enacted in 2000, the Trafficking Victims Protection Act, or TVPA, defined the Federal Government's response to human trafficking, creating new criminal offenses prohibiting all forms of trafficking in persons including forced labor and sex trafficking. It also established protection and assistance for victims. The TVPA created the framework for CTIP—prevention, protection, prosecution. Since the original law was authorized, it has been reauthorized in 2003, 2005, 2008, and 2013 to strengthen the original law. For example, the Trafficking Victims Protection Reauthorization Act of 2005 amended the law to punish individuals who engage in human trafficking outside the United States while employed by or accompanying the Federal Government.
    - U.S. Criminal Code, Title 18 Chapter 77
      - a. The U.S. Criminal Code, Title 18 Chapter 77 defines a number of trafficking in persons related crimes and outlines criminal penalties for each offense.
        - i. Section 1589 Forced Labor:
 

Makes it unlawful to provide or obtain the labor or services of a person through one of three prohibited means. Force, fraud, or coercion, and broadens the definition of the kinds of coercion to include psychological coercion.
        - ii. Section 1590 Trafficking with Respect to Peonage, Slavery, Involuntary Servitude, or Forced Labor:
 

Makes it unlawful to recruit, harbor, transport, or broker persons for labor or services under conditions which violate any of the offenses contained in Chapter 77 of Title 18.
        - iii. Section 1591 Sex Trafficking of Children or by Force, Fraud, or

**Coercion:**

Criminalizes sex trafficking, which is defined as causing a person to engage in a commercial sex act under certain statutorily enumerated conditions. A commercial sex act means any sex act, on account of which anything of value is given to or received by any person. The specific conditions are the use of force, fraud, or coercion, or conduct involving persons under the age of 18.

iv. **Section 1592 Unlawful Conduct with Respect to Documents in Furtherance of Trafficking, Peonage, Slavery, Involuntary Servitude, and Forced Labor:**

Makes it illegal to seize documents in order to force others to work. By expanding its coverage to false documents as well as official documents, Section 1592 recognizes that victims are often immobilized by the withholding of whatever documents they possess, even if the documents are forged or fraudulent.

- NDAA for Fiscal Year 2013, XVII
  - a. The NDAA of 2013 includes several measures to combat human trafficking in United States government contracts. The NDAA includes several requirements for contractors aimed at combating human trafficking (Sections 1701-1708). Contractors are now required to:
    - i. Include a condition in their contracts that authorizes the government to take punitive action against a contractor, subcontractor, their employees, or their agents if they engage in certain activities related to human trafficking.
    - ii. Include a compliance plan and annual certifications for all companies with contracts over \$500,000 that will be performed outside of the United States.
    - iii. Disclose "credible information" from "any source" that an employee has engaged in trafficking-related activities.
- Executive Order 13267 (End Trafficking in Government Contracting) 2012
  - a. This Executive Order, signed September 26, 2013, strengthens the efficacy of the Government's zero-tolerance policy on trafficking in persons by calling for additional prohibitions on contractor engagement in human trafficking-related activities, new tailored compliance measures particularly in at-risk industries and sectors, and better monitoring, identification, and compliance efforts.
- Describe some of the regulations that address trafficking in persons
  - Federal Acquisition Regulation (FAR) Subpart 22.17
    - a. The United States Government has adopted a zero-tolerance policy regarding trafficking in persons. This policy states that Government contract shall prohibit contractors, subcontractors, and their employees from:
      - i. Engaging in severe forms of trafficking in persons during the period of performance of the contract
      - ii. Procuring commercial sex acts during the period of performance of the contract
      - iii. Using forced labor during the period of performance of the contract
    - b. Require contractors and subcontractors to notify employees of the prohibited activities described in paragraph (a) of this section and the

- action that may be taken against them for violations
- c. Impose suitable remedies, including termination, on contractors that fail to comply with the requirements of paragraph (a) and (b) of this section
  - d. Additionally, the FAR Clause 52.222-50 should be inserted into Federal solicitations, contracts, and subcontracts.
- Defense Federal Acquisition Regulation Supplement (DFARS) Procedures, Guidance, and Information (PGI) 222.17
    - a. The Defense Federal Acquisition Regulation Supplement Procedures, Guidance, and Information 222.17, or the DFARS PGI 222.17, provides guidance for DoD acquisition professionals with references to the CTIP Program Office and DoD policies, such as:
      - i. Inclusion of clause FAR 52.222-50, and CTIP compliance plans and certifications, in contracts and solicitations
      - ii. Development of quality assurance surveillance plans for acquisition professionals to monitor a contractor's performance regarding contract compliance clauses addressing human trafficking
      - iii. A sample checklist for auditing compliance
      - iv. Notification requirements when there is any indication of non-compliance
  - Describe some of the policies that address trafficking in persons
    - The Department of Defense Instruction (DoDI) 2200.1 Establishes trafficking in persons policies, responsibilities, and information reporting requirements for maintaining a zero tolerance policy in the DoD.