



Quarterly CTIP Newsletter

Agency Highlights

News from CTIP Program Manager in Afghanistan *Contributed by: Charmane Johnson*



The Combating Trafficking in Persons (CTIP) Program Manager (PM) in Afghanistan works daily with the U.S. Customs team to ensure personnel in the U.S. Central Command (USCENTCOM) area of responsibility (AOR) are aware of CTIP and that she is a resource to address and report concerns of trafficking in persons. Since April 2019, more than 14,000 personnel have received briefings on CTIP. This strategic action falls under the Outside the Continental United States Education, Training and Outreach tenet of the CTIP Prevention, Response, and Compliance framework.



Regardless of their destination, newly hired third country national personnel arriving in USCENTCOM's theater to support the Resolute Support Mission, others returning from leave, or those visiting the region to conduct business, must pass through Bagram Airfield's Customs processing center. While they wait in line daily to clear Customs, the CTIP PM gives them a 3-4 minute briefing about what constitutes trafficking in persons, advises them that trafficking is a crime, explains to them indicators of trafficking, and tells them they should not facilitate, participate in or support any form of trafficking. She also tells them about guidelines of the Federal Acquisition Regulation, including their company's CTIP responsibilities and their associated employee rights. At the end of the briefing, she draws their attention to posters with her contact



information on them as well as other available CTIP resources available for reporting suspected incidents of TIP.

You can watch one of the briefings on the Department of Defense CTIP website at <https://ctip.defense.gov/>.

Featured Articles

Trafficking in Persons and Gross Violations of Human Rights *Contributed by: CTIP Program Management Office*

On September 20, 2015, the *New York Times* reported that there was rampant abuse by members of the Afghan Security Forces who were sexually abusing Afghan boys. The article described a traditional Afghan practice referred to as "bacha bazi" (literally "boy play") and catalyzed a bipartisan request from 93 Senators that the Special Inspector General for Afghan Reconstruction ([SIGAR](#)) conduct an inquiry into numerous allegations of child sexual abuse committed by members of the Afghan Security Forces.

The incident also put the spotlight on two issues of great concern in the U.S.: trafficking in persons (TIP), and gross violations of human rights (GVHR). TIP, which includes sex trafficking, child sex trafficking, labor trafficking, and child soldiering, occurs globally.

GVHRs are defined in U.S. law as “torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges and trial, causing the disappearance of persons by the abduction and clandestine detention of those persons, and other flagrant denial of the right to life, liberty, or the security of person.” As a matter of policy, DoD considers sexual slavery, enforced prostitution, and rape conducted while on duty (or “under the color of law”) to be GVHRs.

Following a two-year investigation, SIGAR released a public report on January 18, 2018. It made clear that DoD considers “bacha bazi” a form of child sexual assault, that such assault committed by Afghan Security Forces is a GVHR, and that the Secretary of Defense issued guidance on how to report gross violations of human rights by foreign security services worldwide, including in Afghanistan in 2014 and on child sexual assault in 2015. SIGAR made recommendations for DoD and the U.S. Department of State including:



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- Reiterate guidance to all DoD personnel and contractors in Afghanistan that explicitly emphasizes GVHR, including child sexual assault, are not to be tolerated
- Reiterate guidance that establishes clear reporting and training requirements on GVHR and child sexual assault
- Incorporate requirements into existing and future contract clauses that contractor personnel must report GVHR including child sexual assault
- Establish a single tracking system for reported GVHR in Afghanistan

As a result of these recommendations, the CTIP PM will create a training insert on GVHR to add to the CTIP General Awareness Training as well as the CTIP Investigative Professionals, CTIP Acquisition Professionals, and Leadership Trainings.

FAPHS and CPARS: Two Key Tools for Combating Trafficking in Persons *Contributed by: CTIP Program Management Office*

In 2008, media reports alleged that 1000 workers from India, Nepal, and other South Asia countries were held in a windowless warehouse outside Baghdad for almost three months without work or pay. A Department of Defense (DoD) subcontractor had brought them to Iraq to provide food services, janitorial, and other work on U.S. military installations. The workers said their passports were taken from them and they were given one meal a day and not enough water while they were being held. A mile away other workers said that they were living in substandard conditions, in huts built from tarps and scraps of carpet. They said they were forced to pay recruitment fees of up to \$5000 per person in order to get the jobs. There were other reports alleging workers being trafficked into forced labor on U.S. military bases. These incidents intensified DoD action to protect workers in war zones hired under sub-contracts to work for the U.S. military.

Since then, the National Defense Authorization Act for Fiscal Year 2013 became law, with the inclusion of [Title XVII](#), “Ending Trafficking in Government Contracting,” (codified in 22 U.S.C. § 7104) prohibiting acts that directly support or advance human trafficking including:

- Destroying or confiscating worker access to his or her identify documents
- Recruiting workers under materially false or fraudulent pretenses
- Charging workers any kind of recruitment or “placement” fee for a job
- Providing substandard housing or living condition

The Federal Acquisition Regulation ([48 C.F.R. § 52.222-50](#)) states that when any portion of a contract is for supplies, other than commercially available off-the-shelf items, acquired outside the United States, or services to be performed outside the United States and has an estimated value that exceeds \$500,000, contractors are required to certify they have a trafficking in persons compliance plan and have implemented procedures to monitor and detect any employee or subcontractor engaging in these acts.

Two key tools for acquisition professionals to assess compliance with human trafficking laws and regulations are the [Federal Awardee Performance and Integrity Information System](#) (FAPIIS) and the [Contract Performance Assessment Reporting System](#) (CPARS).



CPARS is the official source for past performance information on individual government contracts. In 2019, Past Performance Information Retrieval System (PPIRS) data merged into CPARS.

CPARS assesses a contractor's performance, both positive and negative, and provides an assessment of each contract based on objective and measurable

data supportable by program and contract management information. The CPARS process has checks-and-balances to facilitate consistent evaluation of contractor performance, including reviews and comments by the designated government and contractor personnel.

CPARS is an important but under-utilized mechanism to stop human trafficking in government contracting. These evaluations are contingent on the correct clauses and requirements being in the contract in the first place, so care is needed to ensure the relevant trafficking clauses are in the contract along with any additional requirements to ensure compliance, especially in contracting areas of heightened risk. Then, in their assessments, contracting professionals must take the time to document in CPARS when contractors surpassed or failed to live up to their contractual commitments.

While CPARS evaluates performance in specific contracts for future review in the source selection process, FAPIIS is a database to track contractor misconduct and performance. The database contains Federal contractor criminal, civil, and administrative proceedings in connection with federal awards; suspensions and debarments; administrative agreements issued in lieu of suspension or debarment; non-responsibility determinations; contracts terminated for fault; defective pricing determinations; and past performance evaluations. FAPIIS collects information on the following:



- Administrative Agreements
- Defective Pricing Actions
- DoD Determinations of Contractor Fault
- Information on Trafficking in Persons
- Non-Responsibility Determinations
- Recipient Not Qualified Determinations
- Subcontractor Payment Issues
- Terminations for Default, Cause, and/or Material Failure to Comply

Over the past five years, [a special section on Trafficking in Persons](#) (TIP) was developed to gather information on contractor non-compliance regarding TIP.

Both FAPIIS and CPARS are key tools in detecting non-compliance related to human trafficking in past contracts. For more information on using FAPIIS and CPARS to stop human trafficking please contact the Office of Federal Procurement Policy Office of Management and Budget at MBX.OMB.OFPPv2@OMB.eop.gov and/ or (202) 395-7579 or the DoD CTIP PMO.



Interagency Activities

The Department of Transportation's (DOT) Advisory Committee on Human Trafficking released its [final report](#) on July 2, 2019. The report makes recommendations to the DOT to address the challenges the transportation industry faces in combating trafficking in persons. It contains indicator lists by transportation type to raise public awareness.



DoD CTIP Program Office Updates

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The CTIP Program Manager is working with Sub-Policy Coordination Committees on the President's National Action Plan to Combat Trafficking in Persons. DoD submitted action items that will drive U.S. Government anti-trafficking efforts in the Prevention and Prosecution areas.

The CTIP Program Management Office (PMO) held a video teleconference with U.S. Southern Command's (USSOUTHCOM's) Human Rights Office (HRO) to discuss USSOUTHCOM's CTIP program. Part of the discussion was about the HRO's focus on gross violations of human rights (GVHR) and the fact that trafficking in persons is a GVHR.



The CTIP PMO met with the Office of People Analytics to discuss the results of the 2017 Status of Forces Survey's (SOFS) trafficking in persons (TIP) questions. The 2017 SOFS shows 94 percent of respondents are aware of the U.S. Government's "zero tolerance" policy on TIP. The CTIP PMO also approved the TIP questions for the 2019 SOFS.

The CTIP PMO worked with Joint Knowledge Online and Defense Language and National Security Education Office to translate one of the CTIP awareness posters into 20 languages. Click [here](#) to find printable pdfs.

For more information,
visit [http://
ctip.defense.gov](http://ctip.defense.gov)

Upcoming Events

The President's Interagency Task Force meeting will be October 29, 2019 at the White House.

The CTIP Program Management Office and the Pentagon Force Protection Agency are hosting an event on January 09, 2020 in the Pentagon Auditorium from 1400-1500, in observance of National Human Trafficking Awareness Day.



**Don't
Forget!**

The annual CTIP Self-Assessment was sent through the Correspondence and Task Management System and out to the CTIP POCs in August. The Self-Assessment is due to the CTIP PMO office by December 2, 2019. The information collected is utilized in part to report the DoD work on combating trafficking in persons to the U.S. Department of State and the U.S. Attorney General.

OPEN FOR SUBMISSIONS

Have ideas for the next issue? Submit your suggestions and agency highlights to dodctip@mail.mil.