



Glossary and Definitions



© Human Trafficking Search 2017
A Project of the O.L. Pathy Family Foundation
humantraffickingsearch.net
Written by Elizabeth Salett and Firas Nasr
Document Design: Anne Paglia

Index

| | | | |
|---------------------------------------|----|---|----|
| Acquisition of slaves | 4 | Migrant labor | 17 |
| Bonded labor | 5 | Movement | 17 |
| Boycott | 6 | Non-governmental organization (NGO) | 18 |
| Chattel slavery | 6 | Palermo protocols | 18 |
| Child sex trafficking | 7 | Peonage | 19 |
| Coercion | 7 | Restavecs | 19 |
| Commercial sex act | 8 | Servile or force marriage | 19 |
| Continued Presence (CP) | 8 | Severe forms of trafficking | 20 |
| Contract slavery | 9 | Sex industry | 20 |
| Convention/covenant | 9 | Sex trafficking | 21 |
| Debt bondage | 10 | Slave | 22 |
| Destination | 10 | Slave trading | 22 |
| Exploitation | 10 | Slavery | 22 |
| Federal law enforcement authorization | 11 | Supply side | 23 |
| Force | 12 | Trafficking in Persons (TIP) Report | 23 |
| Forced labor | 12 | Treaty | 24 |
| Forced child labor | 13 | Trafficking Victims Protection Act (TVPA) | 24 |
| Fraud | 13 | T-Visa | 24 |
| Grooming | 14 | Underground commercial sex economy (USCE) | 25 |
| Human smuggling | 14 | U-Visa | 26 |
| Human trafficking | 15 | Worst forms of child labor | 26 |
| Involuntary domestic servitude | 16 | | |

Acquisition of Slaves

Acquisition of slaves refers to the ways in which traffickers establish control over victims. Acquisition primarily occurs in one of five ways:

Deceit: Entails the false offer of travel, a job, or other income-generating opportunity for the purpose of acquiring a slave.

Sale by Family: Conditions of poverty, desperation, and displacement lead some families to sell a child into slavery. Such sales are almost always due to extremes of destitution. However, in certain cases, parents sell their children for the lucrative return on the sale.

Abduction: While not as frequent a means as the mainstream media portrays, abduction is sometimes used by traffickers as a means to acquire an individual. Transportation is much more challenging, as an abducted victim is inherently less willing to travel and will likely attempt to escape at any opportunity.

Seduction: Traffickers use the promise of love to lure individuals. Traffickers approach vulnerable individuals, offering them undying love, treating them to extravagant gifts, and seducing them as a means of establishing control.

Recruitment by Other Trafficked Persons: The numerous adaptive mechanisms individuals utilize to survive their trafficking situation can sometimes lead them to become allies to their traffickers.

Bonded Labor

Bonded Labor, or debt bondage, is the use of a bond or debt to establish control over an individual. Some workers inherit debt; for example, in South Asia it is estimated that there are millions of bonded laborers working to pay off their ancestors' debts. Others fall victim to traffickers or recruiters who unlawfully exploit an initial debt assumed as a term of employment. Debt bondage of migrant laborers in their countries of origin, often with the support of labor agencies and employers in the destination country, can also contribute to a situation of debt bondage. Such circumstances may occur in the context of employment-based temporary work programs when a worker's legal status in the country is tied to the employer and workers fear seeking redress.

U.S. law prohibits the use of a debt or other threats of financial harm as a form of coercion. The Palermo Protocol requires its criminalization as a form of trafficking in persons.

Debt Bondage among Migrant Laborers

Abuses of contracts and hazardous conditions of employment for migrant laborers do not necessarily constitute human trafficking. However, the imposition of illegal costs and debts on these laborers in the source country, often with the support of labor agencies and employers in the destination country, can contribute to a situation of debt bondage. This is the case even when the worker's status in the country is tied to the employer in the context of employment-based temporary work programs.

Boycott

Organized effort by consumers to stop purchasing targeted products and/or to stop supporting targeted companies, with the intent to pressure the company to alter some business practice. For example, the organization Made In a Free World provides consumers with a list of companies that ensure forced labor and child exploitation are not part of their supply chains. This effectively allows consumers to boycott products produced through forced labor and put pressure on other companies to alter their practices.

Chattel Slavery

Chattel slavery is the only type of slavery where an individual is considered the legal property of another. It exists today primarily in Mauritania and other parts of Northern Africa (Slavery is technically illegal in these areas, but law enforcement there often returns escaped slaves to their slave holders based on the asserted ownership, just as if the practice was legal.) This is the type of slavery that existed in the antebellum United States.

Child Sex Trafficking

The trafficking of minors for the purpose of commercial sex acts. Child sex trafficking occurs when a person under the legal adult age is induced to engage in commercial sex. Unlike other forms of trafficking, there is no need to show that a minor has been forced, coerced or defrauded into engaging in commercial sex. If a minor has been induced to perform commercial sex in any way, that minor is considered a victim of human trafficking.

Coercion

According to the TVPA, coercion can take three forms:

1. Threats of harm or physical restraint,
2. A scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in harm or physical restraint,
3. Abuse or threatened abuse of the legal process.

Coercion, force, and fraud, are the ways in which individuals are controlled by traffickers for exploitative purposes.

Commercial Sex Act

Any act in which sex is exchanged for money.

Continued Presence (CP)

Continued Presence (CP) is a form of protection (specific to the US) for individuals identified as victims of trafficking who lack legal status. According to US Immigration and Customs Enforcement, "This status allows victims of human trafficking to remain in the US temporarily during the on-going investigation into the human trafficking-related crimes committed against them." Individuals qualify for CP if they are identified as a victim of trafficking and are a potential witness in the investigation and prosecution of a trafficker. It is initially granted for one year and can be extended or revoked based on the status of the legal case.

Contract Slavery

A means of trafficking in which a worker is deceived through the use of a false employment contract. Traffickers create contracts to lure individuals with promises of employment. However, upon arrival at the workplace, they are forced to work for no pay and cannot escape. The false contracts are used to avoid criminal charges or to prove that a “debt” is owed to the slaveholder.

Convention/Covenant

Legally binding agreement between states sponsored by an international organization.

Debt Bondage

See Bonded Labor.

Destination

A country or region to which individuals are being transported for the purpose of exploitation. The most popular destination regions include North America, Europe, and the Middle East.

Exploitation

The act of taking advantage of an individual for the purpose of monetary gain. While physical exploitation begins at the impetus of a trafficking situation, traffickers may also exploit an individual's vulnerabilities to establish control. For example, a trafficker may offer to pay for an individual's education.

Federal Law Enforcement Authorization

Refers to any federal law enforcement agency that has the responsibility and authority for the detection, investigation, or prosecution of severe forms of trafficking in persons. Qualified LEAs include, but are not limited to, the offices of the Department of Justice, United States Attorney, Federal Bureau of Investigation (FBI), United States Citizenship and Immigration Services (USCIS), United States Immigration and Customs Enforcement (USICE), United States Marshal Service, and the Diplomatic Security Service of the Department of State. Certification of a person as a "trafficking victim" by a LEA is required by the Trafficking Victims Protection Act (TVPA) before a trafficking victim can apply for the T Visa.

Force

As defined by the US Department of Health and Human Services, force is the use of physical restraint or serious physical harm. Examples of force include physical violence, such as rape, beatings, and physical confinement. Force is often employed as a means to control victims, especially as a trafficker works to break down the victim's resistance. Force, fraud, and coercion are the ways in which individuals are controlled by traffickers for exploitative purposes.

Forced Labor

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

Forced Child Labor

Although children may legally engage in certain forms of work, forms of slavery or slavery-like practices continue to exist as manifestations of human trafficking, despite legal prohibitions and widespread condemnation. Some indicators of possible forced labor of a child include situations in which the child appears to be in the custody of a non-family member who requires the child to perform work that financially benefits someone outside the child's family and does not offer the child the option of leaving.

Fraud

According to the US Department of Health and Human Services, fraud involves false promises regarding employment, wages, working conditions, or other matters. For example, individuals might travel to another country under the promise of well-paying work at a farm or factory only to find themselves manipulated into forced labor. Others might reply to advertisements promising modeling, nanny, or service industry jobs overseas, but be forced into prostitution once they arrive at their destination. Fraud, force, and coercion are the ways in which individuals are controlled by traffickers for exploitative purposes.

Grooming

Grooming is the process of priming a victim for exploitation. This involves the perpetrator gaining the trust of the victim through a variety of techniques, typically by offering gifts and attention. An emotional, and possibly sexual, relationship is then established. The victim develops a sense of dependency on the perpetrator and becomes increasingly isolated from friends and family, allowing the perpetrator to coerce the victim into prostitution with greater ease.

Human Smuggling

The illegal transportation of an individual across country borders, often without identification or papers, for financial or material benefit. Smuggling ends with the arrival of the migrants at their destination. While trafficking and smuggling are often confused, trafficking does not necessarily require the transport of an individual and is ongoing. However, smuggling can often lead to trafficking. For more information on the differences between smuggling and trafficking, visit our FAQs page.

Human Trafficking

Trafficking in human beings is the illegal trade of human beings, through abduction, the use of threat of force, deception, fraud, or “sale” for the purposes of sexual exploitation or forced labor. The term ‘human trafficking’ has differing legal definitions based on the laws of countries or states or the conventions of international organizations. For example, under US law, anyone under 18 who is in prostitution is considered a trafficking victim, regardless of force, fraud, or coercion.

Involuntary Domestic Servitude

A form of human trafficking in which an individual is exploited as a domestic worker in a private residence. Involuntary domestic workers are often underpaid, if paid at all. In some cases, domestic servitude is the product of debt bondage. Individuals, especially women, confront various forms of abuse, harassment, and exploitation, including sexual and gender-based violence. The domestic worker is usually not free to leave their employment or their ability to move freely is greatly restricted. Employment in private homes increases their vulnerability and isolation. In turn, authorities cannot inspect homes as easily as formal workplaces, and in many cases do not have the mandate or capacity to do so.

Migrant Labor

Work done by people who travel from one country to another, or from place to place within a country, for employment. Migrant laborers today are commonly immigrants, sometimes illegal, and often exploited by their employer. Most migrant labor is in agriculture, and the workers move around the country to harvest crops during different growing seasons. They are usually paid little for work, sometimes crossing the line into slavery when they are paid nothing and are unable to leave.

Movement

Trafficking can include the movement or transport of individuals from countries of origin through transit countries into destination countries for the purpose of exploitation. This form of movement is different from smuggling. In the case of domestic trafficking, the country in question acts as the origin, transit, and destination.

Non-Governmental Organization

Non-profit organization which is not part of any state or interstate agency.

Palermo Protocols

Three protocols adopted by the United Nations in 2000 in Palermo, Italy, together with the Convention against Transnational Organized Crime. One of the three is The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which was adopted by General Assembly resolution 55/25. It entered into force on December 25, 2003. It is the first global legally binding instrument with an agreed definition on trafficking in persons. The intention behind this definition is to facilitate convergence in national approaches with regard to the establishment of domestic criminal offences that would support efficient international cooperation in investigating and prosecuting cases of trafficking in persons. An additional objective of the Protocol is to protect and assist the victims of trafficking in persons with full respect for their human rights.

Peonage

Holding someone against their will to pay off a debt.

Restavecs

Children in Haiti who are given or sold by their parents into domestic work. The children are promised an education, training and care, but many are abused and forced to work.

Servile or Forced Marriage

A marriage where an individual (usually a woman) has been forced or coerced into marriage against their will. The individual is forced to work, and is frequently physically and sexually abused. In some cases the individual has been sold into the marriage.

Severe Forms of Trafficking

A term used in the TVPA referring to sexual exploitation, child sex trafficking, and labor trafficking.

Sex Industry

Sector of the economy in which sexual acts, performances or images are exchanged for money.

Sex Trafficking

The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act. An individual is considered a victim of trafficking if they are coerced, forced, or deceived into engaging in a commercial sex act, such as prostitution, or maintained in prostitution through one of these means after initially consenting. Under such circumstances, perpetrators involved in recruiting, harboring, transporting, providing, or obtaining a person for that purpose are responsible for trafficking crimes. Sex trafficking also may occur within debt bondage, as individuals are forced to continue in prostitution through the use of unlawful “debt” purportedly incurred through their transportation, recruitment, or even their crude “sale” – which exploiters insist they must pay off before they can be free. A person’s initial consent to participate in prostitution is not legally determinative: if one is thereafter held in service through psychological manipulation or physical force, he or she is a trafficking victim and should receive benefits outlined in the Palermo Protocol and applicable domestic laws.

Slave

A person held against his or her will and controlled physically or psychologically by violence or its threat for the purpose of appropriating their labor.

Slave Trading

The process of acquiring, recruiting, harboring, receiving, transporting an individual, through any means and for any distance, into a condition of slavery or slave-like exploitation.

Slavery

The process of coercing labor or other services from a captive individual, through any means, including exploitation of bodies or body parts. Slave Trading represents the supply side of trafficking whereas slavery represents the demand side.

Supply Side

Numerous factors contribute to the supply of individuals as slave labor: poverty, gender inequality, racism, lawlessness, military conflict, social instability, and economic breakdown are just a few factors. Each factor is also directly exacerbated by the sweeping phenomenon of economic globalization.

Trafficking In Persons (TIP) Report

A report issued by the US Government that ranks all the countries in the world on their efforts to comply with the “minimum standards for the elimination of trafficking,” as outlined in Section 108 of the TVPA. Countries are ranked on various tiers based on their efforts to combat trafficking.

Treaty

Legally binding agreement between two or more states.

Trafficking Victims Protection Act (TVPA)

U.S. federal legislation passed in 2000 that emphasizes the prevention of trafficking, protection of victims and the prosecution of traffickers.

T-Visa

Provides immigration protection to undocumented victims of trafficking. It allows victims to remain in the US and assist law enforcement authorities in the investigation or prosecution of their human trafficking case.

Underground Commercial Sex Economy (USCE)

The illegal financial system around the sale of human beings for sexual purposes.

Unlawful Recruit and Use of Child Soldiers

Child soldiering is a manifestation of human trafficking when it involves the unlawful recruitment or use of children – through force, fraud, or coercion – by armed forces as combatants or other forms of labor. Some child soldiers are also sexually exploited by armed groups. Perpetrators may be government armed forces, paramilitary organizations, or rebel groups. Many children are forcibly abducted to be used as combatants. Others are unlawfully made to work as porters, cooks, guards, servants, messengers, or spies. Young girls can be forced to marry or have sex with male combatants. Both male and female child soldiers are often sexually abused and are at high risk of contracting sexually transmitted diseases.

U-Visa

Provides immigration protection to individuals who have suffered substantial mental or physical abuse as a result of being trafficked. It allows individuals to remain in the US and assist law enforcement in the investigation and prosecution of criminal activity.

Worst Forms of Child Labor

A term used in the International Labor Organization (ILO) Convention 182 which refers to child labor involving slavery, trafficking, forced labor, child soldiering, commercial sexual exploitation.